



1111 Bayou  
La Marque, Texas 77568  
409.938.9202

**City of La Marque  
Regular Meeting Minutes  
June 22, 2015**

**Minutes of the Special Meeting of the City Council of the City of La Marque, Texas that was conducted on Monday, June 22, 2015 at 5:00 p.m. at 1109-B Bayou Road for purpose of considering the following agenda:**

**(1) Mayor Hocking called the meeting to order at 5:00 pm.**

**(2) ROLL CALL**

Mayor Hocking  
Mayor Pro-Tem Bell  
Councilmember Lane  
Councilmember Brown  
Councilmember Trube  
City Attorney Ortego  
City Manager Buttler  
City Clerk Eldridge

**(3) INVOCATION AND PLEDGE OF ALLEGIANCE** – Mayor Pro Tem Bell administered the invocation and led the Pledge of Allegiance

**(4) MINUTES**

- a. Minutes of Regular Meeting of June 8, 2015
- b. Minutes of Special Meeting of June 10, 2015
- c. Minutes of Special Meeting of June 15, 2015
- \*\* Councilmember Bell made a motion to approve the Regular Meeting minutes of June 8, 2015, the Special Meeting minutes of June 10, 2015 and the Special Meeting minutes of June 15, 2015.
- \*\* Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

**(5) PRESENTATIONS/PROCLAMATIONS**

- a. Introduction of New Employees - Nayelly Aboytes and Annette Anderson (Telecommunications) and Police Officer Matthew Cypert  
Police Chief Jackson introduced the new City employees in the Police Department, Nayelly Aboytes and Matthew Cybert. Annette Anderson is no longer employed with the City.
- b. Proclamation – “A Little Free Library”- in Memory of June Goodwin  
Mayor Hocking introduced Katherine Goodwin, the daughter-in-law of June Goodwin to whom the “free” Library is to be in memory of. (56 Borondo Pines)

**(6) CITIZEN’S PARTICIPATION**



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1. Rick Harman asked when grass was going to begin getting mowed around the City. Then asked why he was not able to get a meeting scheduled with the City Manager.
2. Rufus Tataglia, asked about garage sale limitations. Suggested to have no limits limited amount of garage sales and to charge twenty dollars per permit.
3. Lois Carelock, said that she brought concerns before City Council this past February to speak about a few problems including the blight throughout the City and also reported again that Republic Waste is not picking up brush yard waste and bulk trash throughout the City, and so far she has seen little change. "We are paying for this service." What is being done by the City to get this situation resolved? When can she expect to see it taken care of; then said that from time to time, she sends the Mayor and City Council emails, and wanted to know why the ones that do not respond to her emails, do not respond.

**(7) PUBLIC HEARING**

- a. Conduct Public Hearing to hear public comments regarding Ordinance No. **O-2015-009**, levy of PID assessment in the amount of \$1,500.00 per lot for Painted Meadows, Section as provided by their financial advisor, John F. Howell Jr.

Mayor Hocking closed the Regular Meeting and opened the Public Hearing at 6:11 p.m.

No one spoke.

- b. Conduct Public Hearing to hear public comments regarding Ordinance No. **O-2015-0010**, the levy of PID assessment in the amount of \$1,500.00 per lot for Painted Meadows, Section IV, as provided by their financial advisor, John F. Howell, Jr.

No one spoke.

- c. Conduct Public Hearing to hear public comments regarding Ordinance No. **O-2015-0011**, the abandonment of a 60-foot Road Easement located in the J. R. Pace Survey Abstract 161, Galveston County, Texas.

No one spoke

Mayor Hocking closed the Public Hearings at 6:12 p.m. and reconvened the Regular Meeting.

**(8) OLD BUSINESS**

- a. Discussion/possible action regarding Ordinance No. **O-2015-009**, the levy of PID in the amount of \$1,500.00 per lot for Painted Meadows, Section III, as provided by their financial advisor, John F. Howell Jr. **THIS IS THE SECOND AND FINAL READING.**
- \*\* Councilmember Bell made a motion to adopt Ordinance No. O-20155-009.
- \*\* Councilmember Trube seconded the motion. **MOTION CARRIED UNANIMOUSLY.**



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- b. Discussion/possible action regarding the approval of the assessment report provided by McGrath & Co., PLLC, and adopting Ordinance No. **O-2015-0010**, the levy of PID assessment in the amount of \$1,500.00 per lot for Painted Meadows, Section IV, as provided by their financial advisor, John F. Howell. **THIS IS THE SECOND AND FINAL READING**

\*\* Councilmember Bell made a motion to adopt Ordinance No. O-2015-0010.

\*\* Councilmember Lane seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

- c. Discussion/possible action regarding a recommendation from Planning and Zoning Commission regarding Ordinance No. **O-2015-0011**, the abandonment of a 60-foot Road Easement located in the J. R. Pace Survey Abstract 161, Galveston County, Texas. **THIS IS THE SECOND AND FINAL READING**

\*\* Councilmember Bell made a motion to adopt Ordinance No. O-2015-0011.

\*\* Councilmember Trube seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

#### **(9) NEW BUSINESS**

- a. Discussion/possible action regarding the acceptance of the Quarterly Investment Reports for First Quarter 2015.

\*\* Councilmember Bell made a motion to accept the Quarterly Investment Reports for First Quarter 2015.

\*\* Councilmember Brown seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

- b. Discussion/possible action regarding Resolution No. **R-2015-0021**, opposing the creation of the Lone Star Coastal National Recreational Area.

\*\* Councilmember Trube made a motion to adopt Resolution No. R-2015-0021.

\*\* Councilmember Bell seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

- c. Discussion/possible action regarding adopting Ordinance No. **O-2015-0013**, amending 2-47, Library Department, Sec. 2-48, Library Theft, Repealing Article VI. Library Board, and in its place adopting a new Article VI. Library Advisory Board, Establishing Requirements for Membership, Board Officers, Terms of Office, Quorum and Meetings, and Duties. **THIS IS THE FIRST READING**

\*\* Councilmember Lane made a motion to adopt Ordinance No. O-2015-0013.

\*\* Councilmember Bell seconded the motion.

Councilmember Trube expressed her concerns on the number of persons to serve on the Advisory Board. City Manager reported that in the proposed ordinance, the number of persons was reduced from seven members to five members, and that the City had received few applications for the Board. **MOTION CARRIED UNANIMOUSLY.**

- d. Discussion/possible action regarding Ordinance No. **O-2015-0014** amending City of La Marque Fiscal Year 2015 Budget to recognize miscellaneous funds received from Texas A & M Forest Service in the amount of \$2,890.00; and, East Texas Gulf Coast Regional Advisory Council in the amount of \$354.00 for vehicle/building maintenance, equipment, or training and increasing revenue account 48-3801-00-00 by \$3,244.00 and increasing



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appropriation to Fire expenditure account 48-3020-06-00 by \$3,244.00 **THIS IS THE FIRST READING**

\*\* Councilmember Bell made a motion to approve Ordinance No. O-2015-0014.

\*\* Councilmember Trube seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

e. Discussion/possible action regarding adoption of Complaint Procedures for the Texas General Land Office and Texas Department of Housing and Community Affairs.

\*\* Councilmember Trube made a motion to adopt the Complaint Procedures for the Texas General Land Office and Texas Department of Housing and Community Affairs.

\*\* Councilmember Lane seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

f. Discussion/possible action regarding the adoption of Resolution No. **R-2015-0022**, to approve the annexation of a 19.77 acre tract located in the Stephen F. Austin League No. 4, Galveston County, Texas into Galveston County Municipal Utility District No. 68.

\*\* Councilmember Trube made a motion to adopt Resolution No. R-2015-0022.

\*\* Councilmember Bell seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

g. Discussion/possible regarding the recommendation of the Planning and Zoning Commissions to adopt Ordinance No. **O-2015-007**, a proposed rezone for tract of land R-1 Residential to C-1 (General Commercial, addressed as: 5204 Fleming, La Marque, Texas, more described as: a Total of 23.083 acres, CAD ID R404968, Tract I (A), a acre tract of land, more or less, out of Stephen F. Austin League Survey No. 4, Abstract 2, in Galveston County, Texas, and being the same property more fully described by and bounds on Exhibit "A" attached hereto and made part of hereof, and CAD ID Survey No. 4, Abstract No. 2, in Galveston County, Texas, and being more fully by metes and bounds on Exhibit "B" attached hereto and made part of hereof, in the name of John J. Bassett, the reason for the zoning change is to allow the construction of an RV Park and Storage Buildings on the properties. **THIS ITEM WAS TABLED FROM APRIL 27, 2015 CITY COUNCIL MEETING. THIS IS THE FIRST READING**

\*\* Councilmember Trube made a motion to adopt Ordinance No. O-2015-007.

\*\* Councilmember Lane seconded the motion.

Councilmember Lane asked the representatives of the Double L RV Park, Brian Lawson (President/Co-Owner) and Mike Lyssy, (CEO) a few questions, including how long they had been going through the rezone process, what would make his RV Park different from other RV Parks; does the owners that own adjacent to the proposed property have any concerns the consequences of not obtaining the rezone tonight, and what would be the consequences if this rezone wasn't approved tonight.

Mr. Lawson replied that they had been working to get it rezoned since March, and continued, "It will be an RV Resort. We want to make sure there is security, and it will be a gated community. There are amenities, which will include pools, and a recreation room. We want it to look really nice. We stand to possibly lose our contract, if the rezone is not approved tonight, as we have had to extend the contract several times."



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Further discussion included the owner of the adjacent property, who will be developing a residential subdivision next to the proposed rezone, who supports the RV Resort plans.

Councilmember Lane continued, "I have had the opportunity to sit down and discuss this on a few occasions with the owners and adjacent owners. I had originally tabled this item. After consulting with them, I am very impressed with what it would bring to the City. He plans on being a corporate citizen, by actually living on the property. As far as the moratorium is concerned, I think this would be a standard for any other RV Park that would come into La Marque."

Councilmember Bell asked how long that LL RV has been in existence and how many RV Parks had they been able to establish.

The response was that they had the business for a little over a year, and that this would be their first project. There had been a few other property possibilities but for one reason or another they didn't work out.

Councilmember Bell continued, "You had mentioned that if there were anymore more delays with this piece of property you felt that the owner make back out of the deal. As a first-time RV Park company, do you really want to pursue a business arrangement with someone that you fear will back out a of a deal because of issues that the City is trying to work out."

Mr. Lawson stated, "It is a contingent that the property be rezoned, as a condition to the purchase of the property. Mr. Bell asked who the property owner was and whether he was present at the meeting. John Bassett, the owner of the property was determined to not live locally.

It was further discussed that the process tonight was strictly to rezone the property. It has nothing to do with what would built on the property.

Councilmember Bell continued, "The property owner should be more forward, in my opinion, in requesting a zoning change for their property. Your purchase of the property and your impending business activity on the property is directly contingent upon your ability to rezone a piece of property that you do not own. Why have we not heard from this particular property owner? "

Ms. Lyssy stated, "Our realtor did acquire a letter from the owner stating that he is giving permission to the City to rezone the property in order for us to purchase the land, and this is in our contract. As soon as the rezone is approved, our bank is ready to pay him, based on the contract we have with the seller."

It was briefly discussed that a letter from the owner may have been provided to the Planning and Zoning Commission.



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Councilmember Trube spoke, "We have made decisions, in at least two different occasions, regarding rezoning, and neither one of those owners had never showed up at these meetings."

Councilmember Bell continued, "I don't know that the owner would have to show up, I am just asking general questions, so that I can understand the deal, to make sure that we as a Council can act on this rezone. I don't know that there is a letter, and that we have permission to rezone someone else's property."

After further discussion, Mayor asked, "Would Mr. Bassett or this letter be available between now and the second reading? You are aware that this is just a rezone change? Also, that we are under an RV moratorium, we are redesigning our ordinance, and that anything that you build relating to the RV Park, will have to comply with our new RV Ordinance and that your plans may give us the first step to be used to be a model for this ordinance. "

It was discussed that the Planning and Zoning gave permission to rezone this property, so they still had several other steps and departments to go through move forward to construct an RV park. Recently the City has been besieged with applications for RV Parks, and the City is working on creating a new design for RV Parks.

Councilmember Trube added, "Since we are known as the 'Gateway to the Gulf', if we do not pass this, and since La Marque is not blessed with a lot of hotel space, are we going to put up a stop sign that says, "We want to be a Gateway to the Gulf, but we are going to be picky about who stays here?"

Mayor Hocking continued, "We are the 'Gateway to the Gulf', but not necessarily the 'RV Gateway to the Gulf. Then reiterated, that this is a rezone, and that they truly understood that they would still have to comply with the new ordinance, to build or construct an RV Park."

The City Attorney did not have a problem with the property not being available at the meeting.

It was further discussed that the Council would like to see the owner or the letter at the next meeting.

City Manager expressed some concerns in the beginning, but is comfortable now with the current plans and actions. **MOTION CARRIED UNANIMOUSLY.**

**(10) AWARD OF BIDS/CONTRACTS**

- a. Discussion/possible action regarding award of proposal to Creative Sign & Display for construction and installation of electronic marquee at the Library in the amount of \$41, 397.00.



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- \*\* Councilmember Lane made a motion to approve the proposal to Creative Sign & Display for construction and installation of electronic marquee at the Library in the amount of \$41,397.00.
- \*\* Councilmember Bell seconded the motion. **MOTION CARRIED UNANIMOUSLY.**
  
- b. Discussion/possible action awarding the bid to Survival Air Systems to purchase one (1) Survival Air Systems SCBA Air Compressor with accessories in the amount of \$37,396.00.
- \*\* Councilmember Trube made a motion award the bid to Survival Air Systems to purchase One (1) Survival Air Systems SBA Air Compressor with accessories in the amount of \$37,396.00.
- \*\* Councilmember Bell seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

#### **(11) CITY MANAGER'S REPORT**

- **Development Services**
- **Police Department**
- **Fire Department**
- **Library**
- **Public Services**
- **Administration**

Councilmember Trube referred to page 169, noticed 134 for the month of April, but is still is seeing business signs posted in the right-of ways. Page 187, accidents, there was a typo. Page 208, wants to see a more detailed report; addressed the pot holes, and a 'ditch' going across Howell; the hours it took to check the drains in ditches, and the count of ditch drainage cleaning.

Councilmember Lane, asked about placing advertising on the future marquee, instead of placing flyers on the doors at City Hall, and was advised that eventually a TV would be located in the lobby of City Hall.

#### **(12) EXECUTIVE SESSION**

#### **(13) REQUESTS AND ANNOUNCEMENTS**

- \*\* Councilmember Trube asked about the kiosk and the water billing envelopes. Wished all to have a Happy Fourth of July and asked all to read the Bill of Rights, and thanked all for attending.
  
- \*\* Councilmember Brown hoping all had a great Father's Day
- \*\* Councilmember Lane thanked all for attending, wished all a Happy Fourth of July and then Reported an upcoming La Marque Toastmasters Club meeting to be held on June 30<sup>th</sup> at 7:00 p.m.in the Conference Room

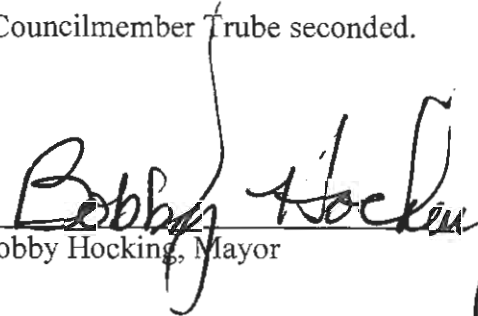


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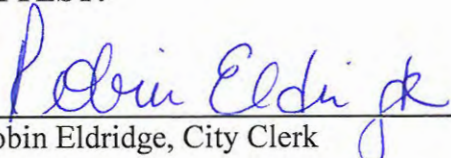
- \*\* Councilmember Bell asked that the City Manager get in touch with Commissioner of Precincts 2 and 3 about working with them on some street repairs. Expressed condolences for the nine souls that were lost at the church in South Carolina, and to pray for those families. Wished all a Happy Independence Day.
- \*\* Mayor Hocking expressed that he had a wonderful Father's Day, Happy Fourth to everyone and concurred with Mayor Pro Tem Bell, "I pray for the safety and protection of all La Marque citizens and those in the churches and schools and that nothing like that happened in this community."

**(14) ADJOURNMENT**

Councilmember Lane made a motion to adjourn at 7:11 p.m. Councilmember Trube seconded.

  
Bobby Hocking, Mayor

**ATTEST:**

  
Robin Eldridge, City Clerk

## CITIZENS REQUEST TO

### SPEAK BEFORE COUNCIL

**In order to be heard, this form must be completed and returned to the City Clerk five (5) minutes prior to the start of the meeting.**

|                  |         |
|------------------|---------|
| Date of Meeting: | 6-22-15 |
|------------------|---------|

Citizens who wish to address the City Council about items on the agenda which are scheduled for Council action will have **three (3) minutes** to express their positions. Please indicate below the agenda item number on which you wish to comment.

|                             |      |
|-----------------------------|------|
| Council Agenda Item Number: | 101A |
|-----------------------------|------|

Citizens wishing to address Council regarding a topic **not** on the agenda are afforded the same amount of time during "Citizens Request for Hearing" section. Please indicate below the subject matter.

|                                          |
|------------------------------------------|
| Subject on which person wishes to speak: |
| GRASS CUTTING APT WITH<br>MRS RUTHERFORD |

Please step to the podium as soon as you are recognized by the Mayor, stating your name and address before beginning your presentation. If you have written notes you wish to present to the Mayor and Council, please furnish an extra copy for the official files. Citizens who have questions concerning procedure or the registration form may request assistance from the City Clerk. Thank you for your cooperation.

|               |              |
|---------------|--------------|
| Name:         | RIK HARMAN   |
| Address:      | 1202 LAKE    |
| Phone Number: | 409-935-6045 |

#### **If speaking on behalf of an organization:**

|                              |  |
|------------------------------|--|
| Name of Organization:        |  |
| Speaker's Official Capacity: |  |

## CITIZENS REQUEST TO

### SPEAK BEFORE COUNCIL

**In ordered to be heard, this form must be completed and returned to the City Clerk five (5) minutes prior to the start of the meeting.**

|                  |  |
|------------------|--|
| Date of Meeting: |  |
|------------------|--|

Citizens who wish to address the City Council about items on the agenda which are scheduled for Council action will have **three (3) minutes** to express their positions. Please indicate below the agenda item number on which you wish to comment.

|                             |  |
|-----------------------------|--|
| Council Agenda Item Number: |  |
|-----------------------------|--|

Citizens wishing to address Council regarding a topic **not** on the agenda are afforded the same amount of time during "Citizens Request for Hearing" section. Please indicate below the subject matter.

|                                          |
|------------------------------------------|
| Subject on which person wishes to speak: |
|------------------------------------------|

|                                  |
|----------------------------------|
| GARAGE SALE <del>BE</del> LIMITS |
|----------------------------------|

Please step to the podium as soon as you are recognized by the Mayor, stating your name and address before beginning your presentation. If you have written notes you wish to present to the Mayor and Council, please furnish an extra copy for the official files. Citizens who have questions concerning procedure or the registration form may request assistance from the City Clerk. Thank you for your cooperation.

|       |                 |
|-------|-----------------|
| Name: | RUFUS TARDAGLIA |
|-------|-----------------|

|          |              |
|----------|--------------|
| Address: | 627 WISTERIA |
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|               |              |
|---------------|--------------|
| Phone Number: | 932 507 2189 |
|---------------|--------------|

#### **If speaking on behalf of an organization:**

|                       |  |
|-----------------------|--|
| Name of Organization: |  |
|-----------------------|--|

|                              |  |
|------------------------------|--|
| Speaker's Official Capacity: |  |
|------------------------------|--|

## CITIZENS REQUEST TO

### SPEAK BEFORE COUNCIL

**In ordered to be heard, this form must be completed and returned to the City Clerk five (5) minutes prior to the start of the meeting.**

|                  |         |
|------------------|---------|
| Date of Meeting: | 6/22/15 |
|------------------|---------|

Citizens who wish to address the City Council about items on the agenda which are scheduled for Council action will have **three (3) minutes** to express their positions. Please indicate below the agenda item number on which you wish to comment.

|                             |   |
|-----------------------------|---|
| Council Agenda Item Number: | 6 |
|-----------------------------|---|

Citizens wishing to address Council regarding a topic **not** on the agenda are afforded the same amount of time during "Citizens Request for Hearing" section. Please indicate below the subject matter.

|                                          |                |
|------------------------------------------|----------------|
| Subject on which person wishes to speak: | Republic Waste |
|                                          | Emails         |
|                                          |                |

Please step to the podium as soon as you are recognized by the Mayor, stating your name and address before beginning your presentation. If you have written notes you wish to present to the Mayor and Council, please furnish an extra copy for the official files. Citizens who have questions concerning procedure or the registration form may request assistance from the City Clerk. Thank you for your cooperation.

|               |                  |
|---------------|------------------|
| Name:         | Leis J. Carrock  |
| Address:      | 2416 Meadow Lane |
| Phone Number: | 409 938-7629     |

#### **If speaking on behalf of an organization:**

|                              |  |
|------------------------------|--|
| Name of Organization:        |  |
| Speaker's Official Capacity: |  |