



1111 Bayou
La Marque, Texas 77568
409.938.9202

**City of La Marque
Regular Meeting Minutes
January 11, 2016**

Minutes of the Regular Meeting Minutes of La Marque City Council held on Monday, January 11, 2016 at 6:00 p.m. at 1109-B Bayou Road for the purpose of considering the following agenda:

- (1) Mayor Hocking called the Regular Meeting to order at 6:00 p.m.
- (2) **ROLL CALL**
Mayor Hocking
Mayor Pro-Tem Bell
Councilmember Chris Lane
Councilmember Robert Michetich
Councilmember Clent Brown
City Manager Carol Buttler
City Attorney Ellis Ortego
City Clerk Robin Eldridge
- (3) **INVOCATION AND PLEDGE OF ALLEGIENCE**
Mayor Hocking delivered the invocation and led the Pledge of Allegiance.
- (4) **PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**
 - a. Clean City Commission Chairman, Nancy Polk acknowledged and introduced the winners of the Christmas Lighting Contest. Third place: Elvira Flores; Second Place: Sheryl Vander's; and First Place: Dennis Mc Colgin
- (5) **CITIZEN'S PARTICIPATION**
 - a. Geraldine Sam thanked Mayor Pro-Tem Bell for donating two bikes to the children of La Marque Independent School District. "It really made their Christmas a little brighter and hopefully next year we can have more people volunteer." She then expressed her disappointment that certain citizens of La Marque could be honored by naming a park after them and when someone else follows the same procedure and when their petitions are not only voted down by the Parks Board, but never presented to the Council. Then a resolution changing the way that petitions are turned in to discourage citizens from collecting petitions was implemented. "I think that the petitions that we turned in should have been grandfathered." She continued and said that a certain group of citizens that are doing what is asked and required, then the script is switched. I think that our petition should be grandfathered instead of having to go back and collect over a thousand signatures. Let's do the right thing and be inclusive and not exclusive. Thank you very much."



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Mayor Pro-Tem Bell asked to give a point of information, "It is my understanding, is that you would not have to go and collect a thousand signatures, but that the signatures needed to be verified. Mayor Hocking asked for an Attorney's opinion in regards to this.

- b. A letter written by Lois Carelock was entered into the record and will be submitted as part of the minutes as Attachment "A".
- (6) **CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
 - a. Regular City Council Minutes of December 14, 2015.
 - ** Councilmember Bell made a motion to approve the Consent Agenda.
 - ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(7) **PUBLIC HEARING**

- a. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2015-0028** conducting City Council meetings on the second Monday of each month, beginning at 6:00 p.m.

Mayor closed the Regular meeting and opened the Public Hearing at 6:09 p.m.

1. Geraldine Sam stated that she was concerned with City Council meeting once a month. "We need to be able to come before Council more than once a month. I attend School Board meetings, where those meetings are once a month and by the time you get through it is almost ten o'clock, with all the things that must be addressed on the agenda. This is our City, I know that maybe you guys have something else to do that fourth Monday, I'm not sure. I would like to see the ordinance dropped and go back to twice a month. That's my reasoning, is that there are so many things that need to be addressed, and so many items that we as citizens have concerns about, that we should be able to come to you and come to Council at least twice a month to be able to share with our concerns and matters of the heart. I am just not for meeting once a month."

2. David Pennington began, "I think by going to one meeting a month, you are actually penalizing the citizens in their ability to get in front of their elected leaders. We have citizens requests at every meeting, and you are cutting that down by fifty percent. I know we can come to our Council members, but perhaps someone would like to get in front of the entire Council and hear an issue, and that is only going to be able to happen one day a month now, if you pass this. Also, I really think you are infringing on the rights of the citizens, in their right to come before their elected officials and address their grievance. You had stated earlier, that if you had business that had to be done over and above the second Monday of the month, that you would call a Special Meeting. I am kind of opposed to this as well, because Special meetings are not publicized as Regular



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meetings are. They are not posted in the newspaper. How are you going to justify calling a special meeting like that without notifying the citizens of it? I just really think that this ordinance penalizes the citizens. I really don't think it's going to work, personally. I think there is going to be more business that you all need to get accomplished on one meeting a month, and I don't think you are going to be able to squeeze it all in. On another topic, the letter that Ms. Carelock submitted, I think it relates to this subject. I think you probably need to read the entire letter, so we can get her thoughts on it as well, since she couldn't be here."

Mayor Hocking made some points regarding Mr. Pennington's issues: 1. The City has conducted one meeting per month for the past few months, and the City is running full speed ahead 2. The Boards and Commissions meet once a month, and many of them do more on their agenda than this Council does. They are very important and vital to what we do here in the City. 3. There are cities three times our size that are contemplating going to one meeting per month. 4) In the previous minutes from the December meeting, both Mayor and Mayor Pro Tem both agreed to give the one meeting a month a try and if it doesn't seem to be working, the City would go back to meeting twice a month. 5) The Mayors emails are sent to his phone, and all emails and telephone calls are answered usually before the end of that day. 6) All meetings are posted, and for anyone to insinuate or speculate, that the City is trying to have a secret meeting, is over and beyond the pale of what is necessary in the discussion. "This Council has never had a secret meeting, and will never have a secret meeting. They are all posted seventy-two hours in advance, as the law requires. I have no problem with posting Special Meetings in the newspaper, either."

Councilmember Bell, "Mr. Pennington, you brought up an interesting scenario, one in which you stated that the first reading of an ordinance would be on the second Monday then return to have the second reading of an ordinance would be read on the fourth Monday of the month. This gives the citizens a two week window to consider an ordinance and this Council two weeks to receive any feedback from our constituents for the proposed ordinance. If we go to the one meeting a month, it gives us thirty days to consider that same ordinance and I gives you, as a citizen, thirty days to investigate, to become informed about the ordinances and to make a decision based on whether or not or are for or against those ordinances. When you do business at a designated time every month, it allows for more participation and not less participation from the citizenry. Most folks would be willing to commit to one day a month as opposed to two days a month, as far as their civic duty. We can't even get people to vote on election day, let alone try to get them to stay tuned into what their municipality is doing twice a month. What I expect by going to one meeting per month, is a deliberate, concerted effort to go about the peoples' business in all seriousness and all thoughtfulness. If that happens, than we will be able to do more business in one meeting than we will be doing in two meetings. Another point you brought up, you said that constituents may want to address Council as a whole, I find as a Councilmember that the most effective lobbyist as it relates to me as an elected official, are those that are able to give me one-on-one and communicate their position on one-on-one, so that I may be able to ask questions and we may be able to grapple with the



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issue together. The most important part is, if one meeting doesn't work, that I am more than happy to go back to what the entire city feels will work."

Mayor Hocking asked that David Pennington come up to the podium and read the letter out loud that was submitted by Ms. Carelock (Attachment "A").

- b. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2015-0029** amending City of La Marque Fiscal Year 2016 Budget to recognize miscellaneous funds totaling \$25,642.07 which were received from Texas A & M Forest Service; East Texas Gulf Coast Regional Trauma Advisory Council; La Marque Independent School District; Galveston County Commissioner's Court; and, Brewster Procurement Group on behalf of Shell Pipeline to be used for vehicle/building maintenance, equipment, overtime, or training, and increasing Fire Revenue Account 48-3801-00-00 by \$25,642.07 and, increasing appropriation to Fire Expenditure Account 48-3020-06-00 by \$25,642.07.

1. Ms. Geraldine Sam asked, "Did all of these businesses donate to this amount or just the Texas A & M Forest Service?"

Fire Chief Grimm replied, "There is only one donation, and that is by Shell Pipeline. The other amounts of funding from RAC, A & M, Commissioner's Court, etc., are from participation in Mutual Aid Systems throughout the State of Texas."

Mayor Hocking closed the Public Hearing and opened the Regular Meeting at 6:25 p.m.

(8) OLD BUSINESS

- a. Discussion/possible action regarding Ordinance No. **O-2015-0028** conducting City Council meetings on the second Monday of each month, beginning at 6:00 p.m. **THIS IS THE SECOND AND FINAL READING.**

** Councilmember Lane made a motion to adopt Ordinance No. O-2015-0028.

** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**

- b. Discussion/possible action regarding Ordinance No. **O-2015-0029** amending City of La Marque Fiscal Year 2016 Budget to recognize miscellaneous funds totaling \$25,642.07, which were received from Texas A & M Forest Service; East Texas Gulf Coast Regional Trauma Advisory Council; La Marque Independent School District; Galveston County Commissioner's Court; and, Brewster Procurement Group on behalf of Shell Pipeline to be used for vehicle/building maintenance, equipment, overtime, or training, and increasing Fire Revenue Account 48-3801-00-00 by \$25,642.07 and, increasing appropriation to Fire Expenditure Account 48-3020-06-00 by \$25,642.07 **THIS IS THE SECOND AND FINAL READING.**

** Councilmember Bell made a motion to adopt Ordinance No. O-2015-0029.

** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**



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- c. Discussion/possible action regarding appointments and reappointments of members to the City of La Marque various Boards and Commissions.

Mayor Pro-Tem Bell appointed Chris Crowder to the Planning and Zoning Commissions and appointed Ellen Hanley to the Cemetery Board.

Councilmember Lane reappointed Louis McGaffey to the Building Standards Commissions; reappointed Deanne Bethea to the Planning and Zoning Commission and as Alternate to the Planning and Zoning Commission, he appointed Augustino Molis.

Mayor Hocking and Mayor Pro-Tem Bell agreed that one of the Mayors appointees should actually be District "A" from the Building Standards Commission (that position being Billy Jefferson)

City Manager reappointed C.J. Leggett and Maggie Manuel to the Civil Services Commission

- d. Discussion/possible action regarding final approval of Hours of Operation for City Facilities.

After a brief discussion, Councilmember Bell made a motion to approve the Hours of Operation for City Facilities. Councilmember Brown seconded. **MOTION CARRIED UNANIMOUSLY.**

(9) NEW BUSINESS

- a. Discussion/possible action clarifying bid award for EMS Medical Supplies and Medications to Bound Tree Medical as authorized by City Council October 26, 2015, to reflect an extended aggregate bid amount of \$30,000.00, for a period of one (1) year beginning November 1, 2015, through October 31, 2016, with an option for two (2) one (1) year renewal periods with mutually acceptable terms, conditions, and pricing.

Councilmember Lane made a motion to clarifying bid award for EMS Medical Supplies and Medications to Bound Tree Medical as authorized by City Council October 26, 2015, to reflect an extended aggregate bid amount of \$30,000.00, for a period of one (1) year beginning November 1, 2015, through October 31, 2016, with an option for two (2) one (1) year renewal periods with mutually acceptable terms, conditions, and pricing.

Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**

- b. Discussion/possible action regarding the authorization of the purchase of perpetual plaques for past, current and future Mayors, City Councilmembers and City Managers to be placed in the Council Chambers.



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** Councilmember Bell Lane made a motion to authorize the purchase of perpetual plaques for past, current and future Mayors, City Councilmembers and City Managers to be placed in the Council Chambers.

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

c. Discussion/possible action regarding authorizing the Police Department to request grant funding from 'K9 Officers' (a 501c[3]) in the amount of two thousand five hundred (\$2,500.00) for the acquisition and training of a new canine service dog for use on patrol.

** Councilmember Bell made a motion authorizing the Police Department to request grant funding from 'K9 Officers' (a 501c[3]) in the amount of two thousand five hundred (\$2,500.00) for the acquisition and training of a new canine service dog for use on patrol.

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

d. Discussion/possible action regarding renewing the contract with Linebarger to assist with Municipal Court revenue collection services.

** Councilmember Lane made a motion to renew the contract with Linebarger to assist with Municipal Court revenue collection services.

** Councilmember Michetich seconded the motion. **MOTION CARRIED UNANIMOUSLY**

e. Discussion/possible action regarding approval of a formal Neighborhood Revitalization Program.

** Councilmember Bell stated that this Program actually began several years ago, with Marsh Darcy, a company that did a study of La Marque identifying some of the portions of the community with the intention of revitalizing some of the older parts of the community, which was initiated in District A. Basically, this Program adds more dollars and commits more dollars for demolition of dilapidated buildings, weed control, and will provide proceeds from real estate sales to help some of the citizens with a down payment so that they are able to move back into the community. There are other programs associated, such as the address program (fire department has implemented). He thanks all that contributed to the developing of the Neighborhood Revitalization Program, "I think you have a good plan."

City Manager spoke, "I would like to thank Kathleen Van Stavern and Charlene Warren for gathering what we think is much more accurate data to create a foundation and for putting the program together. We took the Strategic Plan and went out seven years instead of five years. One major change I would like to make for the goals and objectives



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for the next seven years, I have them listed but I would like to create a matrix with all of the costs to track the progress.”

Councilmember Bell made a motion to approve the Neighborhood Revitalization Program. Councilmember Michetich seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

(10) CITY MANAGER’S REPORT

- **Judicial**
- **Police Department**
- **Fire Department**
- **Library**
- **Connect Transit Report**
- **Public Works**
- **Animal Services Report**
- **Financials**

Councilmember Bell commented on the vacancies in telecommunications, to which the City Manager said that she and the Police Chief are working on some objectives to attract some potential seasoned employees.

(11) EXECUTIVE SESSION

- a. 551.071 (Consultation with Attorney) – Discuss status of case regarding Case of USOR Site PRP Group v. A&M Contractors, Inc., et al.
- b. 551.074 (Personnel Matters) – Conduct Annual Evaluation of City Manager

Mayor Hocking closed the Regular Meeting and went into Executive Session at 6:47 p.m.

- #### **(12) Discussion/possible action regarding actions taken from Executive Session**
- a. Discussion/possible action regarding the status of case of USOR Site PRP Group v. A 7 AM Contractors, Inc. et al.

The city council voted unanimously to approve the payment of \$12,000 to USOR Site PRP Group to be released from litigation in the matter of USOR Site PRP Group vs. A&M Contractors, Inc., et al.

- b. Discussion/possible action regarding the Annual Evaluation of City Manager.

No action was taken on this item.

(13) REQUESTS AND ANNOUNCEMENTS (Before the Executive Session)

Councilmember Brown thanked all for attending and said that in 2016, the City would



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mover farther than it has in the past, La Marque is going to flourish in the coming year. Councilmember Michetich hoped that all had a Merry Christmas and a safe and happy New Year.

Mayor Pro-Tem Bell told all Happy New Year and advised all of the Martin Luther King, Jr. Parade that will take place the following Monday, January 19, 2016.

Mayor Hocking asked all to lift Mr. Koneman up in prayer, who really needs it since, he is in the hospital, also commented on the MLK parade, but the he regrets that he will miss it this year. Wished all a Happy New Year, said that 2016 would be a great year. Sent condolences to the family, friends and former students of Sarah Giles.

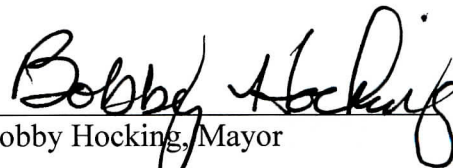
(14) ADJOURNMENT

It was the consensus of Council to adjourn the Regular Meeting at 8:27 p.m.



ATTEST:


Robin Eldridge, TRMC
City Clerk


Bobby Hocking, Mayor

CITIZENS REQUEST TO SPEAK

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

DATE OF MEETING: 1-11-16

Citizens who wish to address the City Council about items on the agenda, which are scheduled for Council action, will be given three (3) minutes to do so. Please indicate below the agenda item (s) number on which you wish to speak:

Changing meetings to Once a month

Citizens wishing to address the City Council about a topic **NOT** on the agenda, will be given the same amount of time during the "CITIZENS PARTICIPATION" section. Please indicate below the subject matter:

Park naming - Resolution

Please step to the podium as soon as you are recognized by the Mayor, do not try to speak from your seat. State your name and address before the beginning of your presentation. If you have written materials, please furnish an extra copy for the official files. If you have any questions concerning the request to speak form, please direct them to the City Clerk.

Name Geraldine San

Address 2412 Stonewall

Telephone number 409 9356069

IF SPEAKING ON BEHALF OF AN ORGANIZATION:

Name of Organization: _____

Speaker's Official Capacity _____

CITIZENS REQUEST TO SPEAK

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

DATE OF MEETING: January 11, 2016

Citizens who wish to address the City Council about items on the agenda, which are scheduled for Council action, will be given three (3) minutes to do so. Please indicate below the agenda item (s) number on which you wish to speak:

(17) Public Hearing
a. Regarding Ordinance 0-2015-0028

Citizens wishing to address the City Council about a topic **NOT** on the agenda, will be given the same amount of time during the "CITIZENS PARTICIPATION" section. Please indicate below the subject matter:

Please step to the podium as soon as you are recognized by the Mayor, do not try to speak from your seat. State your name and address before the beginning of your presentation. If you have written materials, please furnish an extra copy for the official files. If you have any questions concerning the request to speak form, please direct them to the City Clerk.

Name Lois G. Carlock

Address 2416 Meadow Lane, Baton Rouge

Telephone number 409) 938-7629

IF SPEAKING ON BEHALF OF AN ORGANIZATION:

Name of Organization: _____

Speaker's Official Capacity _____

TO: Mayor Hocking, Mayor Pro-Tem Bell, Councilman Michetich,
Councilman Lane, Councilman Brown

FROM: LOIS CARELOCK

DATE: January 11, 2016

SUBJECT: ORDINANCE TO AMEND THE TIME AND PLACE FOR THE REGULAR MEETINGS OF
THE CITY COUNCIL FROM TWO COUNCIL MEETINGS PER MONTH TO ONE
COUNCIL MEETING PER MONTH

Since I am unable to attend the La Marque City Council meeting on January 11, 2016, and therefore unable to speak during the "Citizens' Participation", I am informing you, Mayor and Council, of my concerns in writing. Hopefully, one of you will read my concerns publicly.

I WOULD LIKE FOR YOU, MAYOR AND COUNCIL, TO WITHDRAW THE ORDINANCE NO. 0-2015-0028 AMENDING THE TIME AND PLACE FOR REGULAR MEETINGS OF THE CITY COUNCIL, THAT CHANGES THE COUNCIL MEETING TIMES FROM THE SECOND AND FOURTH MONDAY OF EACH MONTH AT 6:00 P.M. AT CITY HALL TO ONE MEETING ON THE SECOND MONDAY OF EACH MONTH AT 6:00 P.M. AT CITY HALL.

Mayor, your proposal to change to one meeting per month concerns me. It may be that it is better for you and council, and the fact that **you** think only one meeting is sufficient to conduct City business, but my concerns are about the citizens of La Marque who may have issues that need to be addressed before the date of the monthly meeting. I heard you say that you could always call a meeting, if necessary, **BUT** communicating the change of the meeting times to the public and notifying the public of a called meeting could be problematic.

Some citizens do not take a newspaper; some do not have a computer to check the website; and some do not subscribe to the city's telephone notification system that is currently in place.

I personally feel that the citizens are the ones who stand to lose if this amendment passes. I have heard from others that they feel the reason for this change is to discourage citizens' participation at the council meetings.

As long as I have been attending council meetings, there have been two meetings per month which gives citizens an opportunity to bring their concerns to council as they happen, not a month or more after the fact.

Mayor, you said: **"It is all on you; it is your idea."** I foresee the change that you are proposing bringing about the possibility of huge problems in the future. Communication in this city is not good now and this will only make it worse.

THE PEOPLE OF THIS COMMUNITY NEED TO HAVE ACCESS TO THEIR MAYOR AND THEIR REPRESENTATIVES ON THIS COUNCIL. ONCE A MONTH IS NOT ENOUGH.

Therefore, as a concerned citizen, I am again asking that you **WITHDRAW** this ordinance on second reading **AND DO NOT APPROVE** it.

Cc: Ms. Carol Buttler, City Manager