



1111 Bayou
La Marque, Texas 77568
409.938.9202

**City of La Marque
City Council
Regular Meeting Minutes
November 14, 2016**

Minutes of the Regular Meeting Minutes of La Marque City Council held on Monday, November 14, 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 Clint Brown
City Manager Carol Buttler
City Attorney Ellis Ortego
City Clerk Robin Eldridge
- (3) **INVOCATION AND PLEDGE OF ALLEGIENCE**
Mayor Pro-Tem Bell led the invocation and the Pledge of Allegiance.
- (4) **PRESENTATIONS/PROCLAMATIONS**
Recognition of the Lions Club for their generous donation to the La Marque Public Library
Library Director Amy Miller introduced Gregg Cornett, on behalf of the La Marque Lions Club and thanked them for their donation of \$250.00 to the La Marque Library.
- (5) **CITIZENS PARTICIPATION**
Norman Borders, President of the La Marque Ministerial Association invited all to attend their Community Thanksgiving Service next Sunday at 5:00 p.m. at the La Marque United Methodist Church on Howell Avenue. "We have been doing this every year for the past few years, and we thought maybe we should reach out and ask the City to join us for it. Thank you."

Marvin and Toren Johnson, "We are here trying to get help about our neighbors harassing us. Ever since we moved in, about four months ago, a neighbor repeatedly calls the cops on us. The cops visit our home and find nothing to substantiate anyone getting a ticket or going to jail over." It has progressed over time, to that the lady makes monkey jesters at him and calls him names to his face. "I have a video of where she repeatedly calls me "Boy", and another where her husband threatens to do physical harm to me then proceeds to take of his belt and tells me he is going to whip me. I am kinda at the point



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where I really can't take much more, and don't know how much more I am supposed to take."

Mayor Hocking assured him that the City Manager and Police Chief are aware of the situation and that a community police officer will be assigned to this case, and said he appreciated them coming to the meeting.

Councilmember Bell statement of fact: "Mr. Johnson, I am your Council representative. I have visited with the Police Chief, and with the City Manager concerning your issue and also with the neighbor in question. I haven't visited with you yet, because we have all determined that it is in the best interest of all involved that we bring the City Manager and law enforcement in to help resolve this issue. We are currently make preparations to address the issue. I wanted you to know that we are going to do everything we can as a municipality to work it out."

(6) CONSENT AGENDA

- a. Budget Workshop Minutes of City Council on July 26, 2016
- b. Budget Workshop Minutes of City Council on July 28, 2016
- c. Workshop Minutes of City Council on October 10, 2016
- d. Public Hearing and Regular Minutes of City Council on October 10, 2016

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-2016-0018**, reducing the speed limit within the Painted Meadows subdivision from 30 miles per hour to 25 miles per hour.

Mayor Hocking closed the Regular Meeting and opened the Public Hearing at 6:07 p.m.
No one spoke.

- b. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2016-0019**, approving a rezoning classification from I-1 Light Industrial to I-2 Industrial ABST 150 J. J.D. Moore Survey, Lots 4 thru 6 & pt. of lots 2, 3, 7&8 (2-1) Blk. 16, Highland Park and ABST 150, Page 9, Lots 1 thru 4 & lots 11 thru 14 Blk. 25 ½ of adj. streets surrounding Blk. 25, Highland Park, at 2700 Hwy 3.

No one spoke.

- c. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2016-0021**, amending Chapter 71, Zoning, Section 71.14, Definitions, and adding a new Section 71-A, entitled Residential Canal Zone.



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No one spoke.

Mayor Hocking closed the Public Hearing and reconvened the Regular Meeting at 6:09 p.m.

(8) OLD BUSINESS

- a. Discussion/possible action regarding Ordinance No. **O-2016-0018**, reducing the speed limit within the Painted Meadows subdivision from 30 miles per hour to 25 miles per hour
THIS IS THE SECOND AND FINAL READING

Councilmember Michetich made a motion to adopt Ordinance No. O-2016-0018.
Councilmember Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

- b. Discussion/possible regarding adopting Ordinance No. **O-2016-0019**, approving a rezoning classification from I-1 Light Industrial to I-2 Industrial ABST 150 J. J.D. Moore Survey, Lots 4 thru 6 & pt. of lots 2, 3, 7&8 (2-1) Blk. 16, Highland Park and ABST 150 Page 9, Lots 1 thru 4 & lots 11 thru 14 Blk. 25 ½ of adj. streets surrounding Blk. 25, Highland Park, at 2700 Hwy 3. **THIS IS THE SECOND AND FINAL READING**

Councilmember Bell made a motion to adopt Ordinance No. O-2016-0019.
Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**

- c. Discussion/possible action adopting Ordinance No. **O-2016-0021**, amending Chapter 71, Zoning, Section 71.14, Definitions, and adding a new Section 71-A, entitled Residential Canal Zone. **THIS IS THE SECOND AND FINAL READING**

Councilmember Brown made a motion to adopt Ordinance No. O-2016-0021.
Councilmember Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

(9) CONTRACTS/AGREEMENTS

- a. Discussion/possible action regarding authorizing the Mayor to sign the annual Interlocal Water Pollution Control and Abatement Contract with Galveston County Health District (GCHD) to provide Water Monitoring and Pollution Control in the amount of \$12,272.15, Services.

Councilmember Bell made a motion authorizing the Mayor to sign the annual Interlocal Water Pollution Control and Abatement Contract with Galveston County Health District (GCHD) to provide Water Monitoring and Pollution Control in the amount of \$12,272.15, Services.

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



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- b. Discussion/possible action regarding awarding Accurate Utility Supply Company, as sole source vendor, for Badger Orion meters and supplies in the amount of \$200,000.

Councilmember Bell made a motion to award Utility Supply Company, as sole source vendor, for Badger Orion meters and supplies in the amount of \$200,000.

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

- c. Discussion/possible action authorizing a one (1) year renewal of existing contract with Bound Tree Medical for EMS Medical Supplies and Medications in an amount not to exceed \$30,000.00 for a period of one (1) year beginning November 15, 2016, through November 14, 2017, as provided for in the initial contract award.

Councilmember Michetich made a motion authorizing a one (1) year renewal of existing contract with Bound Tree Medical for EMS Medical Supplies and Medications in an amount not to exceed \$30,000.00 for a period of one (1) year beginning November 15, 2016, through November 14, 2017, as provided for in the initial contract award.

Councilmember Brown seconded. **MOTION CARRIED UNANIMOUSLY.**

- d. Discussion/possible action regarding authorizing the Mayor to execute a new Interlocal Agreement with Galveston County to provide Animal Services for the City of La Marque.

Councilmember Lane made a motion authorizing the Mayor to execute a new Interlocal Agreement with Galveston County to provide Animal Services for the City of La Marque.

Councilmember Michetich seconded. Councilmember Bell asked whether the costs have been documented for the City removing the disposal of the deceased animals within the City. To which it was said that this information had been given to the City's Representative, Mr. Osteen and also to the County's representative. (A few thousand dollars per year (staff). The County has been asked to give the City a few different options relating to this service.

It was asked if the original agreement outlined this obligation of retrieving and the removal of animal carcasses. To which it was said not to have been part of the original agreement, but as a past "practice".

It was asked and verified by the City Attorney that they could decide not to continue with this practice, since it was not written in the agreement.

Further discussion was that the contract would be reviewed in February of 2017 by the City Council and concerns could be brought up at that time. The question of if the City didn't agree to the agreement as is, would have an effect on the other entities that the County shared this agreement with was brought up.



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First and second motions were withdrawn. Mayor Hocking made a motion to table this item. Councilmember Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

(10) NEW BUSINESS

- a. Discussion/possible action regarding approval of Public Management, Inc., and LJA Engineering as Administrative and Engineering service providers (respectively) for the City of La Marque in the upcoming cycle of Community Development Block Grant (CDBG) funding.

Councilmember Bell made a motion to approve Public Management, Inc., and LJA Engineering as Administrative and Engineering service providers (respectively) for the City of La Marque in the upcoming cycle of Community Development Block Grant (CDBG) funding.

Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

- b. Discussion/possible action regarding acceptance of the "Water System Modeling and Planning Study" as presented by ARKK Engineering.

Dave Casper of ARKK Engineering presented the findings of the water and planning study. (A copy of the slide presentation is attached). He provided a summary of recommendations which included asking the Gulf Coast Water Authority for a 500,000 gallon of water per day increase; a leak detection and repair program; water meter replacement; long-term maintenance program. Also suggested to amend the Surface Water contract; and gave a few recommendations for funding some of these programs and tasks. (including Community Development Block Grants)

Further discussion revealed that in the near future, the City may become faced with a situation where the City cannot afford to fix all of the leaks and will be fighting the problems of accountability for many years to come. The study that GCWA will be conducting is two years out, but it was suggested that the City be the "first in-line" to receive extra water through its contract, but at the same time repair, replace lines and detect leaks as mentioned. The point being brought out that at some point the potential for development would outrun the ability to repair the existing infrastructure.

Councilmember Michetich made a motion to accept the "Water System Modeling and Planning Study" as presented by ARKK Engineering.

Councilmember Brown seconded. **MOTION CARRIED UNANIMOUSLY**

- c. Discussion/possible action regarding acceptance of the "Final Report – Water Distribution System Leak Detection Survey" by M.E. Simpson Company for Siemens Industry as part of the Energy Performance Program.



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Duval Allums, of Siemens provided an update and final report of the "Water Distribution Leak Detection Survey", (attached), which was done as part of the entire performance contract which included upgrades to the Wastewater Treatment Plant. This survey was done earlier this year around July and early August. Water loss has many contributing factors, not only leaks, which is outlined in the report. "There were approximately 105 miles of water distribution lines that were analyzed in this study. There were 44 leaks detected and only three were of main lines, the bulk of the leaks (27) were in fire hydrants. It is estimated that around 65 million gallons a year are going out through these leaks." It was noted that some of the valves were not locatable, as in some of the older cities. Without an accurate GIS system in place, we lose track over it, over a period of time. Implementing an AMI system, is about data.

It was determined that out of the leaks found, all but three of the leaks have been repaired. The discussion led to a line at the MOTCO property of where an eight inch line runs through that property and a three inch connection that comes off of that and feeds the MOTCO site. That is why it was suggested to slip line all the way down then tap in MOTCO with a two inch line tap and meter, which would take care of that leak.

Mayor Hocking thanked the company for the work that they have done.

Councilmember Michetich made a motion to accept the "Final Report – Water Distribution System Leak Detection Survey" by M.E. Simpson Company for Siemens Industry as part of the Energy Performance Program.

Councilmember Brown seconded. **MOTION CARRIED UNANIMOUSLY**

- d. Discussion/possible action regarding approval of the Final Plat of Delany Cove Section 5. Being 11.3 + Acres of Land containing 46 lots (50x120 typ.) and six reserves in three blocks out of the S.F. Austin League No. 4 Survey, A-2 City of La Marque, Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120', as recommended by Planning and Zoning Commission.

Councilmember Bell made a motion to approve the Final Plat of Delany Cove Section 5. Being 11.3 + Acres of Land containing 46 lots (50x120 typ.) and six reserves in three blocks out of the S.F. Austin League No. 4 Survey, A-2 City of La Marque, Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120', as recommended by Planning and Zoning Commission.

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

(11) CITY MANAGER REPORT

- **Judicial**



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- **Police**
- **Fire**
- **Library**
- **Connect Transit**
- **Public Services**
- **Animal Services**
- **Financials**

(12) EXECUTIVE SESSION

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development)

1. Section 551.071 Meet with Special Legal Counsel to receive status report regarding the Texas Windstorm Insurance Association (TWIA) lawsuit

Mayor Hocking closed the Regular Meeting to go into the Executive Session at 7:14 p.m.

Mayor Hocking reconvened to the Regular Meeting at 7:39 p.m.

No action was taken.

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

Councilmember Michetich reported on a summer camp for children with medical and physical disabilities, it is free, it is covered by the Lions Club. He asked that if anyone knows of a child that may be interested in attending please to get with him, and he will make sure they are given the paperwork to fill out.

Mayor Pro-Tem Bell asked for a Neighborhood Revitalization Report in January.
Sent happy belated Veterans Day wishes to veterans and Happy Thanksgiving wishes out to all.

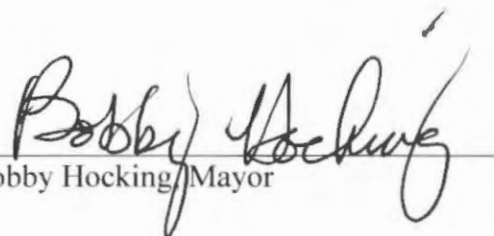
Mayor Hocking sent Happy belated Veterans Day wishes, Happy Thanksgiving and Happy Birthday to the City Clerk, whose birthday is today.

(14) ADJOURNMENT

Councilmember Bell made a motion to adjourn the Regular Meeting at 7:39 p.m.
Councilmember Lane seconded the motion. **MEETING ADJOURNED.**



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Bobby Hocking, Mayor

ATTEST:


Robin Eldridge, TRMC
City Clerk

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: 11 - 17 - 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:

Neighbor Harassment

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:

Neighbor Harassment

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 Marvin and Torina Johnson

Address 3121 Mar-Arre Dr.

Telephone number 409-443-7949
281-508-4028

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: 11/14/2016

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:

771

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:

Neighbor Harassment

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 Brandi Spoon

Address 9102 San Jose Texas City TX 77591

Telephone number 409-223-9737

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: 11/14/16

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:

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:

Community Thanks giving Service

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 NORMAN BORDERS

Address 1221 THREEKED LA #9

Telephone number 909-938-7224

IF SPEAKING ON BEHALF OF AN ORGANIZATION:

Name of Organization: LA MARQUE MISTAKEAL

Speaker's Official Capacity PRESIDENT