



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
CITY COUNCIL
SPECIAL CALLED MEETING MINUTES
OF
MAY 15, 2017**

Special Called Meeting Minutes of the City of La Marque City Council held on Monday, May 15, 2017, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Special Called Meeting to order at 6:04 p.m.

(2) ROLL CALL – MEMBERS OF COUNCIL

Bobby Hocking	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Clent Brown	Councilmember, District D

OTHER OFFICIALS PRESENT:

Carol Buttler	City Manager
Ellis Ortego	City Attorney
Robin Eldridge	City Clerk

(3) INVOCATION AND PLEDGE OF ALLEGIENCE

Mayor Hocking led the invocation and the Pledge of Allegiance.

(4) PROCLAMATIONS/PRESENTATIONS

a. Proclamation - "Red Nose Month"

Mayor Hocking read the Proclamation for Red Nose Month, and Hart Paris was present to accept the proclamation. Red Nose Month is an annual event and dedicated to raising money for children and young people living in poverty.

b. Presentation - Clean City Report

Clean City Chairman Joe Compian distributed the latest Clean City Report (attached) and highlighted last year's events for City Council, and included a new program they will be implementing in 2017 called "Adopt a Spot," which focuses on a few of the areas with the higher litter problems. Highlighted a few more projects for 2017, then he thanked all citizens who have taken interest in the Commission's activities and included staff members Sherlyn Williams, Roy Robison and Kathleen Van Stavern and the City Manager, Carol Buttler.

(5) CITIZENS PARTICIPATION



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1. Greg Cornett introduced himself and highlighted his community involvement and his volunteer work on several commissions and events within the City, and stated that he is in the run-off election seeking City Council position for District "D".
2. Lawrence Sears commented on the street flooding and said that he had some pictures to give to his Councilmember in District "B", Councilmember Lane, and ended by stating that he would like to see some results.
3. Shanna Lopez, with Waste Management introduced herself along with Keith, the Operations Manager, Mike, Jorge, Gustavo and Jose, the Residential and Route Managers. "I thought it would be a good time to introduce ourselves, we are very eager to turn in our bid for the Solid Waste and Recycling Services, in which the City is currently seeking vendors."
4. Alvin Stevenson shared his concerns with the road condition of Vauthier Road and in the area of the High School, beginning at 1765 south, toward the freeway. "There are several very bad areas of that street. The street had been repaired and patched in the past, but is in bad need of repair again. At night, you cannot see the stripes that divide the highway, with people trying to dodge the unevenness of the streets, I am afraid there is going to be an accident."

(6) CONSENT AGENDA

- a. City Council Regular Minutes of May 10, 2017
- b. City Council Workshop Minutes of January 9, 2017

Mayor made one correction to the minutes. Councilmember Lane was absent at the previous meeting and was considered excused.

- ** Councilmember Lane made a motion to approve the Consent Agenda.
- ** Mayor Pro-Tem Bell seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

(7) ELECTION BUSINESS

- a. Discussion/possible action regarding adopting Resolution No. **R-2017-0013**, canvassing the election returns and declaring the results of the May 6, 2017 General Election, pursuant the Election Code.

- ** Councilmember Michetich made a motion to adopt Resolution No. R-2017-0013.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

- b. Administer Oath of Office and Bribery Statement to Newly Elected Official.
Mayor Hocking introduced Reverend Benjamin Hunter, Pastor at Galilee Baptist Church in Hitchcock, and he administered the Oath of Office and Bribery Statement to newly re-elected Councilmember in District "B", Chris Lane. Reverend Hunter thanked Mr. Lane for allowing him to swear him in, "I am just ninety-one years old, and these eyes are not that good anymore. I am just blessed to be here."



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- c. Discussion/possible action regarding adopting Resolution No. **R-2017-0014**, calling for and establishing the procedures for the Runoff Election for Councilmember District "D", to be held on Saturday, June 17, 2017, and providing for related matters.

** Councilmember Lane made a motion to adopt Resolution No. R-2017-0014.
** Councilmember Michetich seconded.

Mayor Pro-Tem Bell questioned why one of the polling places was in Dickinson, and the reason was given that the College of the Mainland was also having a run-off, and that the polling places are in the cities that would geographically be available for the voters. Councilmember Brown shared his concerns as well, with a polling place for our citizens being located outside of the City. **MOTION CARRIED UNANIMOUSLY.**

- d. Discussion/possible action regarding canceling Regular City Council Meeting of June 12, 2017 and scheduling a Special Called City Council meeting for June 26, 2017.

Mayor Hocking apologized for any confusion about the date of the previous Council meeting that was held in May, being changed, but that it was voted on in the previous month, in April, as it is in every election year, in order for the County to process any provisional votes received during that election, if any.

** Councilmember Lane made a motion to approve the cancelling of the Regular City Council Meeting of June 12, 2017 and scheduling a Special Called City Council meeting for June 26, 2017

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

(8) OLD BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2017-001**, approving new La Marque Cemetery Rules and Regulations as recommended by the La Marque Cemetery Board. **(THIS ITEM WAS TABLED FROM THE FEBRUARY 13, 2017 CITY COUNCIL MEETING) THIS IS THE FIRST READING**

** Mayor Pro-Tem Bell made a motion to approve Ordinance No. O-2017-001.

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

(9) NEW BUSINESS

- a. Discussion/possible action regarding amendments to the Clean City Commission's establishing ordinance and provide direction to the City Manager to prepare an ordinance for adoption at a future Council meeting.

City Manager Carol Buttler, "After reviewing the Clean City Commission's establishing ordinance, and with the new members, they believe they would like to change the mission



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to better reflect what their goals are. Also, because the original ordinance only stipulated the election of a Chairperson, if the Chairperson is unavailable, there is no one to run the meeting and a Treasurer position is needed since this particular Commission is allowed to contract for services, and do some fund raising, with Council's blessing of course, but would like a Treasurer to help keep up with what they do, especially with some of the projects they plan to do this year."

** Mayor Pro-Tem Bell made a motion to give direction to the City Manager to bring back amendments to the Clean City Commission ordinance.

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

- b. Discussion/possible action regarding adopting Resolution No. **R-2017-0015**, approving the issuance of Unlimited Tax Refunding Bonds, Series 2017, not to exceed \$2,300,000, by Galveston County Municipal Utility District #32 (Delany Cove).

Mayor Hocking pulled this item stating that there were several questions that need to be answered first.

- c. Discussion/possible action regarding adopting Resolution No. **R-2017-0016**, denying CenterPoint Energy Houston **Electric**, LLC's Statement of Intent to Increase Distribution Rates.

** Councilmember Michetich made a motion to adopt Resolution No. **R-2017-0016**, denying CenterPoint Energy Houston **Electric**, LLC's Statement of Intent to Increase Distribution Rates.

** Councilmember Lane seconded.

Councilmember Michetich added that the City should pursue with our electric provider for street lighting, when a street light goes out to replace the ballast and bulbs with LED lighting, as it is more economic and the bulbs last longer. **MOTION CARRIED UNANIMOUSLY.**

City Manager reported that there is a process that the City can pursue, through CenterPoint, that could affect some of the subdivisions within the City, but that most of the City's citizens' electricity is provided by Texas-New Mexico Power, who does not work with LED lighting. It was the consensus of City Council to move forward with this process.

- d. Discussion/possible action regarding adopting Resolution No. **R-2017-0017**, for an agreement between the City of La Marque and Koch Pipeline, L.P. for the purpose of installing a 6-inch transmission pipe through an established corridor in the City of La Marque, seeking authorization to purchase easement and to cross certain City Rights-of-Ways (ROW's).



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** Councilmember Lane made a motion to adopt Resolution No. **R-2017-0017**, for an agreement between the City of La Marque and Koch Pipeline, L.P. for the purpose of installing a 6-inch transmission pipe through an established corridor in the City of La Marque, seeking authorization to purchase easement and to cross certain City Rights-of-Ways (ROW's).

** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

e. Discussion/possible action regarding adopting Ordinance No. **O-2017-0010**, repealing Sec. 44-14; Noises as Public Nuisances, Chapter 44, of the Code of Ordinances, City of La Marque, Texas; and in its place adopting a new Sec. 44-14; establishing unreasonably loud noises as public nuisances. **THIS IS THE FIRST READING**

** Councilmember Lane made a motion to adopt Ordinance No. **O-2017-0010**, repealing Sec. 44-14; Noises as Public Nuisances, Chapter 44, of the Code of Ordinances, City of La Marque, Texas; and in its place adopting a new Sec. 44-14; establishing unreasonably loud noises as public nuisances. **THIS IS THE FIRST READING**

** Councilmember Michetich seconded.

Mayor Pro-Tem Bell asked, "Is this an attempt to solve the problems of the ATV issues?"

Police Chief Jackson responded, "Yes, as well as other problems."

Discussion followed and the question of who would decide what "unreasonably loud noises" is came up and it was said to be at the discretion of the officer. The time of day or night that the noise complaint came in was discussed as to be a factor, and Chief said that he would step back on the idea of whether a reasonable and prudent person would consider the noise being in violation of the ordinance and a public nuisance, but he agreed that two different officers could interpret it in two different ways.

Mayor Pro-Tem Bell asked "Is there any other way for the City to achieve its goal without allowing the language to be used as subject to the interpretation of each individual officer and or citizen? I am not necessarily saying that this ordinance may be used to cause more harm than good for some of our citizens as much as I am suggesting that, I am just concerned that it is left open to judgement."

Decibel levels and the time of the complaints were briefly discussed. The question was asked of whether there was something that addressed the use of ATV's in certain situations and certain times, to which the Chief said that there are certain areas in which the use of ATV's are prohibited, which is on the roadways, but not on a person's own property, there is not.

Mayor Pro-Tem added, "I certainly support something being done with the ATV situation, I do support what you are trying to do."



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It was suggested to do some more research and bring it back to City Council.

Both Councilmember Lane and Michetich withdrew their motions.

** Mayor Pro-Tem Bell made a motion to table this item.

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

f. Discussion/possible action providing City Manager authorization and direction for negotiations with MOTCO Trust Group (MOTCO) and Gulf Coast Water Authority (GCWA) to provide an alternate water supply source to MOTCO.

** Councilmember Michetich made a motion to authorize the City Manager to negotiate with MOTCO Trust Group (MOTCO) and Gulf Coast Water Authority (GCWA) to provide an alternate water supply source to MOTCO.

** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

g. Discussion/possible action regarding providing direction to the City Manager to propose an updated Telecommunicator compensation program in preparation for fiscal year 2017-2018 budget.

City Manager Carol Buttler said that previously Chief Jackson presented a briefing to City Council with all of the details, but, wanted to provide enough time to reviewing and discussion.

Councilmember Lane asked what other incentives can be given to attract more applicants to the City of La Marque.

Chief Jackson has checked with many departments around the state, not just locally and it is an issue. Citizens and Police safety is on the line, it depends on the telecommunicators. It was said that the "value" of this position to the City really needs to be looked into. This position was given an increase in pay last year, and persons have left this position for various reasons and not all of them being monetarily related. But a few of the applicants the City has lost have been to cities with higher salaries in that position. A community-wide career day was scheduled for the next day and staff was planning to go there and make presentations on the benefits of not just working in the public sector, but provide more information to attract those students who don't intend to go to a four-year college, and need some direction. Training program and length of time to train were briefly discussed, and the fact that the impact of the stress makes this a difficult position for some persons. Out of twenty-one applicants, seven qualified for the position, out of those seven, some took the stress test, one refused the stress test, one didn't pass the stress test, and during a background investigation another one was removed. So, out of the twenty-one applicants



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only three are in training at this time. The reality is that this City provides the training ground for folks with bigger budgets.

The goal at the career day is to make known not only the benefits, but the career opportunities that are available in La Marque and that without the telecommunicators, there is no public safety.

Discussion also included the possibility of a consolidation of the surrounding communities with telecommunicators. The possibility of a future resolution being drawn up to address this concern was mentioned.

(7:03 p.m.) At this time, the other candidate in the run-off election also seeking the position as Councilmember representing District "D", entered the meeting and was asked by the Mayor to approach the podium, so Casey Mc Auliffe introduced herself and what she had to offer the citizens if elected as the next Councilmember in District "D".

- h. Discussion/possible action regarding providing direction to City Manager to create signage for volunteer opportunities.

Councilmember Michetich said that he had recently visited a ball park in another community where his grandson plays ball and found an interesting sign, that he referred to as a mindset and not to offend anyone. The sign had read, "Before you complain, have you volunteered yet?" He referred to Mr. Compian's earlier report and seeing what is being done as volunteers on the Clean City Commission, and that getting volunteers is one of the most difficult things to do.

It was the consensus of City Council to look into some kind of signage to encourage volunteerism in the City.

(10) AGREEMENTS/CONTRACTS

- a. Discussion/possible action regarding authorizing the Mayor to execute an Interlocal Agreement between the City of La Marque and Gulf Coast Center (GCC) through its transit consultant (The Goodman Corporation), to create the La Marque Economic Development and Mobility Strategy (EDMS) for future mobility related projects through grant funds.

This has been discussed at length by the Galveston County Transit District and that it is a good opportunity to extend some sidewalks, and to improve mobility in general, even as it concerns the downtown revitalization program.

- ** Mayor Pro-tem Bell made a motion authorizing the Mayor to execute an Interlocal Agreement between the City of La Marque and Gulf Coast Center (GCC) through its transit consultant (The Goodman Corporation), to create the La Marque Economic Development and Mobility Strategy (EDMS) for future mobility related projects through grant funds.
- ** Councilmember Michetich seconded.



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Jim Webb of the Goodman Corporation approached the podium and explained that the Gulf Coast Center would be funding 50% of this contract over a two-year period. "Part of their mission is to enhance transportation for those in need, and those that primarily use public transportation. All of the improvements that we generate as part of this plan are going to be based on a variety of factors. First and foremost, planning efforts that have been completed in the past to build upon, the under development downtown revitalization strategy, and through coordination with Mr. Rumburg, the City Manager and the Councilmembers, it's best to understand what are the neighborhoods in need, what are the priorities. These grants are available for what someone earlier was speaking about, flooding and storm-water issues; improvement of roads; increase in-line detention; storm water conveyance. These are all State, Federal funds that are available to the region, which historically, Galveston County has not received their fair share. What we need to do is to put this program together in the way that it can easily translate the benefits to its funding agencies to help bring those resources back to the City of La Marque."

City Manager added, "And, also, with the downtown improvements, we see an improved correlation with the Transit as far as getting people to our downtown, and with the other development that we are having, we should be able to have a correlation with all of the parts that we have been trying to put together for the last several years."

This portion will come out of the City budget, but will see if it is appropriate for EDC to help with any of the funding. Other entities are also options to form potential partnerships with for future projects.

Discussion followed as far as youths becoming involved in what can come in to the downtown area.

Councilmember Brown suggested to change the name of the big crawfish event that has taken place for the past two years to: La Marque - Heads or Tails Festival.

(11) CITY MANAGER REPORT

- **Judicial**
- **Police**
- **Fire**
- **Library**
- **Animal Services**
- **Financials**

(12) EXECUTIVE SESSION

There was no Executive Session

(13) REQUEST AND ANNOUNCEMENTS

Mayor Hocking reported that a reception will take place to honor Councilmember Brown



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on his years of service on the Building Standards Commission as well as his six years on City Council. "Mr. Brown, you know how I feel about you and your family, you are like my own family and just because you are no longer here talking about the size of pipes, and what kind of tools the guys are going to use, and so on, we will stay in contact with you."

Mayor Pro-Tem Bell said, "It's good to see Ms. Maureen out, Mr. Brown's wife, sixty-eight years of marriage, God Bless you. Certainly, we thank God for Mr. Brown and Ms. Maureen and for everything that they have done for the City and will continue to do for the City. You are not done, certainly you have more work to do. I want to also say congratulations to Mr. Pennington, and to Ms. Barrett, for races they ran, it takes a lot of courage for anybody to apply to be a Councilperson. They ran good and hard races, and should be applauded for that. Those issues that they brought to the table, certainly, Mr. Lane and Mr. Cornett, and Ms. Mc Auliffe would bring those things to the table as well, to represent those portions of our City. Also, good luck to both Mr. Cornett and Ms. Mc Auliffe in your run-off, certainly, we look forward to working with either one of you. Finally, we want to congratulate Mr. Lane for his re-election. He has done a great job in his first term and we look forward to him doing even greater things in his second term." He then wished all the fathers a Happy Father's Day.

Councilmember Lane commented, "First and foremost, it's good to be back. I would also like to thank Ms. Barrett to her countless years of service, she has provided to the City, as an employee, as a Councilwoman, and currently as a volunteer. I think it is safe to say, without the contributions she has made to the City, La Marque wouldn't be in the position that it is in. Secondly, I ran against Mr. Brown in my first race. He humbled me. We talked that night, and he told me I would be on City Council one day. I just want to thank you for all the talks and all the trips we've taken together and all the kind words and everything you have done for me. Mr. Brown is a fascinating man and if God blesses me with longevity, I wish at your age, I will be as sharp as you are. I am going to stay in contact with you. We are going to make that solar energy happen."

Councilmember Michetich, "I watch you, I sit next to you and I have had to change my verbiage, I have had to change my responsiveness to some things, differently than when I worked somewhere else. But I see your family and how you lead by example, and that is what you have taught me. Your integrity, you have never said anything ugly about someone. You always treat others with respect even if you don't agree with them. It has been an honor to sit here with you and an honor to know your family. I expect we will still see you and that sleigh."

Councilmember Brown, said, "I want to say this to all of the young ladies and women of the City of La Marque. I hope that you had a very good Mother's Day. I have tried to do my very best here. I have understood this agenda, the best I knew how. I didn't talk about it, you know what's there, and you know if you want to vote on. It's been an awful good ride here. I think I had nine and a half years on the Building Standards, and I had a lot of fun on that. I have had a lot of fun on City Council. Going out of town and all of Mayors and Council need to go to those, there is a lot to learn from those. You never stop learning,



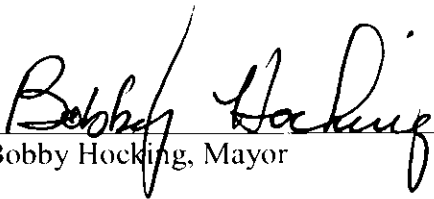
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I don't care how old you are, if you are not learning you are falling behind. I think I am falling behind, because I have lost a step or two. I can't jump as high as Maureen wants me to."

Mayor Hocking began by stating, "Thank you Councilman Brown, I appreciate you so much, you know how I feel. Reminded all of the Run-Off election in District "D" on Saturday, June 17, 2017. Reminded all of the early voting hours, and asked for a bigger turn-out in voters. "I appreciate this Council. I appreciate you Mr. Lane. I appreciate your work ethic. You ran a tremendous race. Ms. Barrett ran a tremendous race. But, I believe that now, you come in with a mandate from your district to do the things that you are passionate about, with our youth and other things, I just want to say congratulations. Also, I echo Mayor Pro-Tem, good luck to the candidates and blessing upon them in the race going forward."

(14) ADJOURNMENT

Mayor Pro-Tem Bell made a motion to adjourn the meeting at 7:29 p.m. Councilmember Lane seconded. **MEETING ADJOURNED.**


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: May 15 2017

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:

Election district #D

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 Greg Cornett

Address 1370 Cedar Dr.

Telephone number 409-739-0521

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: 5-15-2017

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:

Street flooding

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:

Street flooding

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 Lawrence Geras

Address 29 Prairie Lakes Dr., Santa Fe 87512

Telephone number 281-639-8957

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: May 15

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:

Introduce Waste Management to Council
per RFP process

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 Shanna Lopez - Waste Management

Address 13122 Pinelands Park Lane Humble, TX 77060

Telephone number 281-621-4671

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: 5/15/17

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:

Repair of Vanthier St in area of
High School

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 ALVIN C. STEVENSON

Address 28 CLOVER BEND

Telephone number 409 938 0828

IF SPEAKING ON BEHALF OF AN ORGANIZATION:

Name of Organization: Concern Citizen

Speaker's Official Capacity _____