



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING MINUTES
OF
February 12, 2018**

Regular City Council Meeting Minutes of the City of La Marque City Council held on Monday, February 12, 2018, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Regular Meeting to order at 6:00 p.m.

(2) ROLL CALL

Bobby Hocking	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D

OTHER OFFICIALS PRESENT:

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

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Bell led the invocation and the Pledge of Allegiance

(4) PRESENTATIONS/ PROCLAMATIONS

- a. Introduction and Administer Oaths to new Police Officers – Mayor Hocking administered the Oath of Office to Stephen Leacroy and Vincent Ramirez and Police Chief Jackson introduced them along with the new Telecommunicators - Alisa Espitia and Angel Fontenot all attendees were invited to go into the Community Room for cake and refreshments for a reception.
- b. Proclamation - "Black History Month" – February – Mayor Hocking presented Vera Bell-Gary, a member of the African-American Historical Preservation Committee of the 1867 Settlement and member of the Galveston County Historical Commission with a Black History Month Proclamation.

(5) CITIZENS PARTICIPATION

1. Bill Pritchard spoke of a water line on his street, and said that the valve has rotted off and the line hasn't been flushed in a long time. He said that the address is 2424 which drains into the bayou and limbs and trash in the culvert, so it can drain properly. Off of 519 onto Newman, the limbs hang into the road and asked if someone could trim them.



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2. Hugh Cash, spoke of the Animal Services Contract with Galveston County. "They only have two agents that work all of Galveston. At any one time, they really only have one on shift. I have an animal that I keep on a tether." He proceeded to report that his subdivision is a dumping ground for strays and a breeding ground for wild animals. Mr. Cash asked if someone could remind the County that the City is under contract with them and that we want to be provided the services that the City is paying for. "That means coverage when we need it and security and safety of our animals, and enforcing the rules."
3. Deannie Barrett spoke of the donation that Clean City Commission and the Parks Department. "During the years, it has gone down tremendously, and I was aware of how much the donations had dropped while I was on the Clean City Commission. At one time, we were collecting \$2,696.00 per month, it dropped to \$414.00 when we went to the billing. I have been informed that we cannot change it, where it says amount due; and that shows just the water bill. If we are paying the contractor for this service, why can't we put it on there, because the City is losing money on this, because the Parks Department takes care of all of the parks with its' money. Clean City is trying to get grants to clean this city up, and to me, the citizens are not getting represented right, because ya'll are not billing the things right." She said if the City was paying for this service that it should be able to dictate what is on the amount due.

(6) CONSENT AGENDA

- a. Regular City Council Meeting minutes of January 8, 2018
- b. Discussion/possible action regarding accepting the Quarterly Investment Reports for the Third and Fourth Quarters of 2017.

**** Councilmember Lane made a motion to approve the Consent Agenda.**

**** Councilwoman Mc Auliffe seconded. MOTION CARRIED UNANIMOUSLY.**

(7) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2018-001**, amending Chapter 71, Section 71-28 of the Code of Ordinance of the City of La Marque, Texas, pertaining to the face size and height size requirements for digital billboards.

Mayor Hocking closed the Regular meeting and opened the Public Hearing at 6:22 p.m.

No one spoke.

Mayor Hocking closed the Public Hearing and opened the Regular meeting at 6:22 p.m.

(8) OLD BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2018-001**, amending Chapter 71, Section 71-28 of the Code of Ordinance of the City of La Marque, Texas, pertaining to the face size and height size requirements for digital billboards **THIS IS THE SECOND AND FINAL READING**



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- ** Councilmember Michetich made a motion to adopt Ordinance No. O-2018-001.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(9) AGREEMENTS/CONTRACTS

- a. Discussion/possible action regarding adopting Resolution No. **R-2018-003**, authorizing the Mayor to sign the "Joint Resolution" with Galveston County Emergency Management

- ** Councilmember Lane made a motion to adopt Resolution No. R-2018-003.
- ** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

(10) NEW BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2018-002**, establishing the levy of a Public Improvement District (PID #1) assessment for Painted Meadows, Section 5, in the amount of \$1,550.00 per house, annually for 20 years **THIS IS THE FIRST READING**

- ** Councilmember Michetich made a motion to adopt Ordinance No. O-2018-002.
- ** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

- b. Discussion/possible action regarding adopting Resolution No. **R-2018-004**, designating authorized signatories for contractual documents and funding requests through the Community Development Grant Funds Program (CDBG)

- ** Councilwoman Mc Auliffe made a motion to adopt Resolution No. R-2018-004.
- ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**

- c. Discussion/possible action regarding adopting Resolution No. **R-2018-005**, regarding civil rights, equal opportunity and fair housing policies relating to the award of a grant funded through the Community Development Block Grant (CDBG)

- ** Councilmember Lane made a motion to adopt Resolution No. R-2018-005.
- ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**

- d. Discussion/possible action regarding ratifying the City Manager's approval of expenditures to Statewide Services for emergency repairs to a sanitary sewer line on Downey Street in the amount of \$27,000.

- ** Councilmember Michetich made a motion to ratify the City Manager's approval of expenditures to Statewide Services for emergency repairs to a sanitary sewer line on Downey Street in the amount of \$27,000.

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



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- e. Discussion/possible action regarding a Final Plat of Landing at Delany Cove Section 9 a subdivision of 13.394 Acres located in the Stephen F. Austin League No. 4, Survey A-2 City of La Marque, Galveston County, Texas (Delany Rd at FM 1765) as recommended by the Planning and Zoning Commission.

** Mayor Pro-Tem Bell made a motion to approve the Final Plat of Landing at Delany Cove Section 9 a subdivision of 13.394 Acres located in the Stephen F. Austin League No. 4, Survey A-2 City of La Marque, Galveston County, Texas (Delany Rd at FM 1765) as recommended by the Planning and Zoning Commission.

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

Councilmember Michetich wanted the public to be aware that one of the permits was denied previously (last year), due to some inaction and having multiple and numerous homeowner association meetings, but that this has been rectified. Pictures were shown of tree plantings in the easements that have proven to be a problem, in tearing up the roads and sidewalks, holding the city responsible to maintaining those trees once the developer sells that property. Asked that a caveat be made that of those 19 instances, allowing the developer thirty (30) days to start those repairs, even if it takes the re-pouring of those nineteen sidewalks and be given ninety (90) days to complete the repairs. "If that is not done, I want a stop work order on all of their development. I don't think that this is unreasonable, because it has been almost a year since we first we went through this. They had agreed to stop planting the "street trees" and they are still doing that."

** Councilmember Michetich made amendment to the motion (see above)

** Councilwoman Mc Auliffe seconded. The amended **MOTION CARRIED UNANIMOUSLY**

- f. Discussion/possible action regarding adopting Resolution No. **R-2018-006**, authorizing the City Manager to accept the award for Office of the Governor Criminal Justice Division (CJD) Grant number 3488401 for the Rifle Resistant Body armor Grant program in the amount of \$31,500.

** Mayor Pro-Tem Bell made a motion to adopt Resolution No. R-2018-006.

** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

- g. Discussion/possible action regarding amending Article VI, Landscaping of the City of La Marque Code of Ordinances to prohibit planting of any street trees in the City's rights-of-way / easements and providing direction to the City Manager.

** Councilmember Michetich made a motion to amend Article VI, Landscaping of the City of La Marque Code of Ordinances to prohibit planting of any street trees in the City's rights-of-way / easements

** Councilmember Lane seconded.



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Councilmember Michetich presented some pictures on slides, showing broken sidewalks from "street trees" being built in the city's easement between the sidewalks and the streets. He suggested drafting a revision to our existing ordinance that will give new development builds with stipulations and or variances in the revitalization area for maybe allowing the planting of box plants.

Councilwoman Mc Auliffe agreed to an extent with Councilmember Michetich, but would like to see it used to leverage higher standards for the developers. "I am not in favor of the prohibition of planting "street trees". There are many ways to approach this problem, there are other cities experiencing the same issues that are using different approaches to solve this same exact problem. I feel like it would be a real loss to say without looking further into what can we say and what can we do and what kind of leverage can we have over our developers. I would like to talk about this. I would like to look at some other options before we move forward."

Mayor Hocking appointed a Tree Committee, with Councilmembers Michetich and McAuliffe chairing the Committee. **MOTION CARRIED UNANIMOUSLY.**

- h. Discussion/possible action regarding proposing an ordinance to require LED streetlights in all new development and providing direction to City Manager.
- ** Councilmember Mc Auliffe made a motion to provide direction to the City Manager whether to propose an ordinance to require LED streetlights in all new development.
- ** Councilmember Lane seconded.

Councilmember Michetich said that as street lights go out within the City, CenterPoint is replacing them with LED lighting. "When it's a development, typically, the street lighting is paid for by residents through their own homeowners association dues, because this is a cost to them and of course electric companies make money off of them, but CenterPoint has come around. We can require the developers as they come to the city for the developer to fund the street lighting. If the utility company is willing to do it, and it's a minor upgrade charge to the developer or if the utility company just takes it on everywhere. It saves money and they are safer."

It was asked how much it would cost the homeowners, which was said to be a few hundred dollars. There is a certain amount (allotment) of street lights that is per agreement with CenterPoint, (60-80 per year). The City's burden would be if the City paid for the street lights. It was said that all should be all replaced with LED lights within the city as a whole, if an expense was going to be passed along to the residents in the newer subdivisions. It was the consensus of Council to move forward in having all LED street lighting and however we can accomplish that we should do it. It was asked for a resolution showing that



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the City will be moving forward to move to LED lighting not only in new subdivisions but also in the existing parts of La Marque.

- i. Presentation, discussion/possible action regarding schedule and status of Water and Sanitary Sewer Capital Improvements Program projects and provide further direction to City Manager

Chaise Cary gave an update of current projects and presented a power-point (Attached as Exhibit "A") showing reports that identified problem areas within the City's Sanitary Sewer lines, and also outlined the areas of problems in Water Line replacements areas of the future projects that have yet to be funded, those that are in the process and also the locations where the repairs and replacements have been made. Meter replacements, water line replacement programs and other items relating to CDBG projects were also discussed.

Public Service Director Les Rumburg gave an update of the MOTCO water line that the City has reasons to believe has leaks in it. It is a six inch water line that serves the MOTCO Supersite. "They were advised about a year ago to find an alternative way in which to service their facilities with water, because we were going to disconnect the six inch line. The City offered an alternative solution that involved a third take point and establishing a line from that take point. At that time, it appeared to be \$115,000.00 to \$125,000.00 venture and it wasn't discussed how that would be funded, but the hopes that they would end up funding most. When Hurricane Harvey came and priorities changed and with the TX DOT proposed changes along the I-45 corridor widening, that investment would have to be moved. MOTCO has had over a year and half to find an alternative water source, I am looking for your direction. The two options I presented to them, was funding the entire project by themselves, or the idea of trucking the water in on an as needed basis."

It was the consensus of Council to go over their head.

(11) APPOINTMENTS/ASSIGNMENTS

- a. Discussion/possible action regarding adopting Resolution No. **R-2018-007**, nominating Tom Farmer to the Board of Directors of the Galveston Central Appraisal District, to fill a vacancy.

Mayor Hocking said this was a Mayoral appointment, and made that appointment. Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

- b. Discussion/possible action regarding appointments and/or reappointments to fill vacancies to various positions of the Boards and Commissions.

City Manager Carol Buttler said that she had received applications, and she had two slots. She recommended Lucy Glenn to take position 1; and Randy Scates taking the other position (3). "So there is a full commission."

Councilwoman Mc Auliffe made a motion to approve the recommendations.



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

(12) CITY MANAGER REPORT

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

There were no comments.

(13) EXECUTIVE SESSION

There was no Executive Session

(14) REQUEST AND ANNOUNCEMENTS

Councilwoman Mc Auliffe wished everyone a Happy Fat Tuesday, Happy Valentine's Day.

Councilmember Michetich gave two recommendations: Reported on the best homegrown carrots and grapefruit from a market on Thursdays in Galveston and Saturday at the County Fairgrounds at 9:00 a.m. Master Gardner's annual tree sale.

Councilmember Lane thanks all for attending and wished all a Happy Valentine's Day

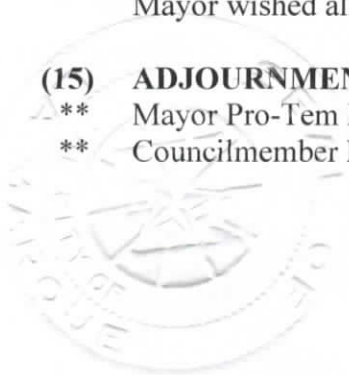
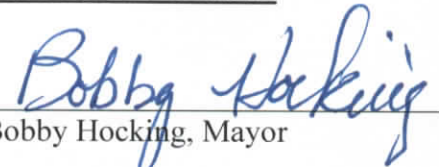
Councilmember Bell wished all self-reflection on Ash Wednesday.

Mayor wished all a Happy Valentine's Day

(15) ADJOURNMENT

** Mayor Pro-Tem Bell made a motion to adjourn the Regular Meeting at 7:28 p.m.

** Councilmember Lane seconded. **MEETING ADJOURNED**

Bobby Hocking, Mayor

ATTEST:



Robin Eldridge, TRMC
City Clerk

**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:	2.12.2018
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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:	
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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:	① FLUSH H ₂ O VALVE PAST 2416 NEWMAN RD. Needs to be Replaced + Line Flushed ② Limbs Blocking BLOCKING CULVERTS @ 2424 NEWMAN RD. ③ OVER HANGING Tree LIMBS
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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:	BILL PRITCHARD
Address:	2416 NEWMAN RD
Phone Number:	409 933-0843

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:	2-12-18
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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:	
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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:	Animal Control

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:	HUGH CASH
Address:	217 Sarlee Dr
Phone Number:	832-432-4844

If speaking on behalf of an organization:

Name of Organization:	
Speaker's Official Capacity:	

**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:	5/12/2018
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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:	
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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:
Removal of

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:	L. Marie Smith
Address:	3503 S. 1000 N.W.
Phone Number:	409 471 9625

If speaking on behalf of an organization:

Name of Organization:	Self - 1st. Amendment to water bill
Speaker's Official Capacity:	