



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING MINUTES
OF
June 11, 2018**

Regular City Council Meeting Minutes of the City of La Marque City Council held on Monday, June 11, 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 Hocking led the invocation and the Pledge of Allegiance

(4) PRESENTATIONS/ PROCLAMATIONS

- a. Letter of Appreciation – Joe Mose- Public Services
Mayor Hocking read an appreciation letter from citizens Hugh and Abby Cash, showing their appreciation for Public Works employee Joe Mose
- b. Proclamation- Juneteenth (June 19, 2018)
Mayor Hocking presented Geraldine Sam with a Juneteenth Proclamation, in observance of June 19th, being Juneteenth Day

(5) CITIZENS PARTICIPATION

1. Geraldine Sam spoke about her concerns for citizens that are still in need of help with their homes due to the damages of Hurricane Harvey, asked for references for those citizens to contact.
2. Enrique Garza shared his concerns with his neighbors who have two horses on the school property across the street. Reported that the same neighbor is running an illegal garage, out



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of his home. "I have gone to different people and no one is telling me what I can do. What can I do?"

3. Yolanda Reyna reported a house next door to her on Merry Lane that has been abandoned since the hurricane. The owners have left their dogs there, abandoning them. The owners come and go checking their mail and feeding them, but they were left out in the freezing weather. "They need a bath, they need to be cared for."
4. Laura Divine reported on the same house on Merry Lane where the two dogs were abandoned. She had previously submitted a video on their condition and their living conditions. One of the dogs has had a litter of puppies, and because she is protective of her babies, she's charged her and her neighbors on several occasions. The police department and animal control have been called out. "The animals were taken away, and before I returned home from work, the animals were back at their house, but this time, they were tethered to a tree. This is when I took the video, as you will see, the pit bull has a choker collar around its neck, which would make that dog hang itself if it tried to jump the fence. There was water on the site, but it had a lid on it." She said the dogs are flea ridden and this was a health concern, and that the female dog is again pregnant. She is asking for help for these animals.
5. Al Reida spoke in opposition of the registration of the rental unit item further on the agenda (ordinance). "I think all it's going to do is raise the rent about a thousand dollars a year for the people that are living there. It will be passed on to the tenants. Sounds like it's awful liberal to me, thank you, that is all I gotta say."
6. Richard Denson, President of the Galveston County Apartment Association began, "It seems like every time we turn around someone is reaching in our pockets again. I just wonder if La Marque believes that the owners don't pay enough in taxes, because they are trying to throw that rental tax on them and that's really going to hurt the residents, more than it is the landlord. It will cause higher deposits, higher rentals and may delay someone moving in. The City already has ordinances on the books, where it can prevent persons from renting unsafe homes or apartments. It doesn't take a rental registration to enforce the laws that are already on the books." Further stated that a lot of those renting are on housing and currently are having trouble "making ends meet". He said that the extra hundred dollars could go towards school supplies, summer programs, and additional food on the table or a much needed prescription. He too, is in opposition of the item on the agenda pertaining to registration of rental units. "If the property is meeting the standards of the housing authority, then it's not really right to call them slums or slum lords because they are not. In conclusion, I would hate to see people that are getting taxed, that are having trouble just meeting their daily bills."

(6) MINUTES

- a. Regular City Council Minutes of May 14, 2018
- b. Workshop Minutes of May 14, 2018



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- ** Councilmember Lane made a motion to approve the Regular City Council minutes of May 14, 2018 and the Workshop minutes of May 14, 2018.
- ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**

(7) PUBLIC HEARING (S)

- a. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2018-004**, amending the FY 2016-17 budget and FY 2017-18 budget for grants, Council-approved lease purchases on projects and equipment, and unanticipated expenditures, by increasing (decreasing) certain revenues and increasing (decreasing) certain expenditures to individual budget accounts in certain funds as set forth in attached Exhibit "A" and Exhibit "B".

Mayor Hocking closed the Regular meeting and called the Public Hearing (s) at 6:26 p.m.

No one spoke on this item.

- b. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2018-005**, amending the Code of Ordinances of the City of La Marque, by adding to Chapter 14, Buildings and Building Regulations, a new Article XI, entitled "Registration of Residential Rental Units Required", providing rules and regulations governing same within the City.
 - 1. Geraldine Sam spoke against this ordinance, "First of all, we have so many ordinances on the book, and I this time, and I just think that they can't be enforced. We should not be micromanaging the citizens. We welcome people into our city, we don't want to run the away. They have to pay for their alarm systems, you have to register for a garage sale, and then the game rooms are paying money. You are looking to a cost that will go to the renters."
 - 2. Maggie Manuel, "I don't mind the registration, but I feel ya'll need to put something on the people that are living in the house. I have on right now, that was on housing. It's taken me forever to get her out. I had to go and have her evicted. I can't even go in there until after the 20th. I am sure the water and the lights will be turned off and all of my appliances are going to be ruined. So, if you are going to put something for the landlords, I think you need to put something for the renters and make them responsible too, not that you are going to get anything out of it." She asked if the children of parents that live in the house have to register also.
- c. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2018-006**, amending the Code of Ordinances of the City of La Marque, Chapter 41, Land Development, Article V, Section 41-145. Definitions, adding the definition of a "street tree", and Division 2, Parking, Lighting, Landscaping, and Other Requirements Section 41-172. Landscaping, to restrict planting "street trees" within a ten foot area of the city right-of-way and sidewalk (between curb and sidewalk).

No one spoke on this item.



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- d. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2018-007**, amending the Code of Ordinances of the City of La Marque, Section 56, "STREETS AND SIDEWALKS", by adding a Section to include "Required Specifications for Construction of Sidewalks."

No one spoke on this item.

Mayor Hocking closed the Public Hearings (s) and reconvened the regular meeting at 6:35 p.m.

(8) OLD BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2018-004**, amending the FY 2016-17 budget and FY 2017-18 budget for grants, Council-approved lease purchases on projects and equipment, and unanticipated expenditures, by increasing (decreasing) certain revenues and increasing (decreasing) certain expenditures to individual budget accounts in certain funds as set forth in attached Exhibit "A" and Exhibit "B" **THIS IS THE SECOND AND FINAL READING**

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

- b. Discussion/possible action regarding adopting Ordinance No. **O-2018-005**, amending the Code of Ordinances of the City of La Marque, by adding to Chapter 14, Buildings and Building Regulations, a new Article XI, entitled "Registration of Residential Rental Units Required", providing rules and regulations governing same within the City **THIS IS THE SECOND AND FINAL READING**

** Mayor Pro Tem Bell made a motion to adopt Ordinance No. O-2018-005
** Councilwoman Mc Auliffe seconded.

Mayor Pro-Tem Bell wished to respond to one of the concerns that was discussed during the public hearing portion for this ordinance, as this would be passing down additional expenses to renters. "For about nine dollars or less per month you have the potential to have a home that you could raise your children in that would be safe, according to our current fire code, building code, code enforcement, that would be known to the Police and Fire Departments in La Marque that you would be leasing a home that perhaps would be safer than what you are probably leasing now, and all for nine dollars a month, so, at this point the argument is how much do we put on the price of our own safety and the safety of our children?" Then said that he felt like this would be beneficial to the city, although property taxes haven't been raised in years, maybe by raising the value of these properties by ensuring that they are up to code.



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Councilmember Mc Auliffe added that this was not a discussion that was taken lightly and that this will be a big change for the city because it affects many people, and that she is in full support of.

Councilmember Michetich clarified that software tracking for the enforcement of the ordinance was in place. He then added the percentage of rental property that actually exists within the city, and the turnovers, the absentee landlords and the difficult job it is for Code Enforcement to get in touch with the current owners that are not doing a good job in keeping up their properties. "This affects us all, whether we are property owners or neighbors. The need is there to turn this tide." **MOTION CARRIED UNANIMOUSLY**

Mayor Hocking said that the City has no intention of raising taxes. The school has passed a bond that will raise their taxes by .8 cents.

- c. Discussion/possible action regarding adopting Ordinance No. **O-2018-006**, amending the Code of Ordinances of the City of La Marque, Chapter 41, Land Development, Article V, Section 41-145. Definitions, adding the definition of a "street tree", and Division 2, Parking, Lighting, Landscaping, and Other Requirements Section 41-172. Landscaping, to restrict planting "street trees" within a ten foot area of the city right-of-way and sidewalk (between curb and sidewalk) **THIS IS THE SECOND AND FINAL READING**

** Councilmember Michetich made a motion to adopt Ordinance No. O-2018-006

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

At this time, Mayor Hocking introduced the new contracted Engineer, Mr. Dinh Ho.

- d. Discussion/possible action regarding adopting Ordinance No. **O-2018-007**, amending the Code of Ordinance of the City of La Marque, Section 56, "STREETS AND SIDEWALKS", by adding a Section to include "Required Specifications for the Construction of Sidewalks" **THIS IS THE SECOND AND FINAL READING**

** Councilmember Lane made a motion to adopt Ordinance No. O-2018-007.

** Councilwoman Mc Auliffe seconded.

Councilmember Michetich explained that years ago, there was a sidewalk section in the Code, but when updating it, one of the times, it was erroneously left out, and that this ordinance adds it back into our current codes. **MOTION CARRIED UNANIMOUSLY**

(9) NEW BUSINESS

- a. Discussion/possible action regarding adopting Resolution No. **R-2018-0015** authorizing City Council to commit support and funding match for City of La Marque applications submitted to the Houston-Galveston Area Council (H-GAC) for 2018 Transportation Improvement Program (TIP) call for projects



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- ** Councilmember Michetich made a motion to adopt Resolution No. R-2018-0015.
- ** Councilmember Lane seconded. Mayor Hocking recused himself.

Councilmember Michetich commented that these projects were future and that the city's match would be budgeted by project as each one arose. **MOTION CARRIED by vote 4 AYES and 1 RECUSE**

- b. Discussion/possible action to grant permission to Gamma Omega Omega Chapter of the Alpha Kappa Alpha Sorority to revitalize playground equipment and basketball goal located at Westlawn Park with the possibility of a future adoption of park
 - ** Councilmember Lane made a motion to grant permission to Gamma Omega Omega Chapter of the Alpha Kappa Alpha Sorority to revitalize playground equipment and basketball goal located at Westlawn Park with the possibility of a future adoption of park
 - ** Mayor Pro-Tem Bell seconded. Councilmember Bell asked if there were any special requirements that they would have to adhere to. Public Services Director assured that they would be in compliance with all of the insurance and state standards. **MOTION CARRIED UNANIMOUSLY**
- c. Discussion/possible action regarding appointing the Planning and Zoning Commission, as Advisory Committee to the "Water and Wastewater Impact Fee Study," with the addition of Caron Muntzel and Deborah Jamail as representatives of the local real estate industry, in compliance with Texas Commission on Environmental Quality (TCEQ) requirements
 - ** Mayor Pro-Tem Bell made a motion to appointing the Planning and Zoning Commission, as Advisory Committee to the "Water and Wastewater Impact Fee Study," with the addition of Caron Muntzel and Deborah Jamail as representatives of the local real estate industry, in compliance with Texas Commission on Environmental Quality (TCEQ) requirements
 - ** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY**
- d. Discussion/possible action regarding bulky waste removal provisions in Waste Management contract and provide direction to City Manager.

Shanna Lopez, of Waste Management spoke about the confusion of when bulky waste pickup times were. "It's always on one of the collection days. We will be sending out calendars again, just as when we did on the inserts on the garbage carts. There are times, when it is beyond the compliance, so we may get some of the bulky waste and then come back and get the remainder. So what we ask if it is in an abandoned lot or over and beyond and have left multiple notices that we can work with the City Manager to help clean up these areas." She added that all over the Houston and surrounding areas it has been a very active bulky brush season, with the hurricane and then the freeze.



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No action required.

- e. Discussion/possible action regarding adopting Ordinance No. **O-2018-008**, approving the rezoning classification from C-1 (General Commercial) to R-1 (Single Family Residential), being a tract containing 31.89 acres of land located in the Stephen F. Austin League No. 4, Abstract No. 297, Galveston County, Texas; Said 31.89 acres being a portion of a call 82.01 acre tract of land recorded in the name of Delaney 1765 Realty, L.P. under Galveston County Clerk's File (G.C.C.F.) No. 2006011483; Said 31.89 acres of land being more particularly described in Exhibit "A", as recommended by the Planning and Zoning Commission **THIS IS THE FIRST READING**

- ** Councilmember Michetich made a motion to adopt Ordinance No. O-2018-008
- ** Councilmember Lane seconded.

Mayor Hocking added that this was supposed to be an RV Park, but now will become houses at this location after the rezone. **MOTION CARRIED UNANIMOUSLY**

- f. Discussion/possible action regarding adopting Resolution No. **R-2018-0016**, to suspend Texas-New Mexico Power's electric rate increase request for the maximum period allowed by law.

- ** Councilmember Michetich made a motion to adopt Resolution No. R-2018-0016.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

- g. Discussion/possible action regarding adopting Resolution No. **R-2018-0017**, to formalize a City Travel Policy that was established in previous years.

- ** Councilwoman Mc Auliffe made a motion to adopt Resolution No. R-2018-0017.

- ** Councilmember Lane seconded.

Mayor Pro-Tem had a question on page three of the document, "the City Manager's travel would be acknowledged/approved by the City Clerk." It was the consensus of Council to change this authorization to be approved by City Council. **MOTION CARRIED UNANIMOUSLY.**

(10) CONTRACTS/AGREEMENTS

- a. Discussion/possible action regarding terminating the professional services agreement with Municipal Operations and Consulting (MOC), effective June 15, 2018.

- ** Councilmember Michetich made a motion to approve the termination of professional services agreement with Municipal Operations and Consulting (MOC), effective June 15, 2018.
- ** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY.**



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- b. Discussion/possible action regarding approving a professional services agreement with Precision Utilities, LLC, providing oversight and administration of the Water and Wastewater Facilities (Department 24) for compliance with TCEQ and to provide for the health, safety and welfare of the City of La Marque

- ** Councilmember Michetich made a motion to approve a professional services agreement with Precision Utilities, LLC, providing oversight and administration of the Water and Wastewater Facilities (Department 24) for compliance with TCEQ and to provide for the health, safety and welfare of the City of La Marque
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**

(11) EXECUTIVE SESSION

There was no Executive Session

(12) REQUEST AND ANNOUNCEMENTS

Councilwoman Mc Auliffe wished a "Happy Pride Month" and it is exciting to have such a big crowd.

Councilmember Michetich congratulated all of the High School/College graduates and a special congratulations to his god-daughter who graduated magna cum laude and will attending Texas A&M in Corpus to pursue nursing and pediatrics

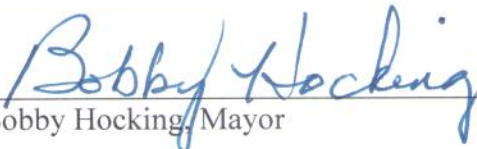
Councilmember Lane thanked all for attending, great turnout

Mayor Pro-Tem Bell congratulated Joe Mose again. Reminded all of the Juneteenth parade and to be extra careful and watch out for children. Thanked Maggie Manuel for the bag of goodies.

Mayor Hocking asked all to continue to pray for the City of Santa Fe, commended all involved to doing an excellent job in that situation. Wished his wife a Happy 47th Anniversary, and happy and safe 4th of July and thanked all for attending.

(13) ADJOURNMENT

- ** Councilmember Lane made a motion to adjourn the Regular Meeting at 7:14 p.m.
- ** Mayor Pro-Tem Bell 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: June 11, 2018

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:

7-B rental property - Hurricane Harvey residents

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 Geraldine Sam

Address 2412 Stonewall L.M.

Telephone number _____

IF SPEAKING ON BEHALF OF AN ORGANIZATION:

Name of Organization: _____

Speaker's Official Capacity _____

CITIZENS REQUEST TO SPEAK

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DATE OF MEETING: 6-11-2018

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Name Enrique Garza

Address 923 Kenneth St.

Telephone number 409 935 2520

IF SPEAKING ON BEHALF OF AN ORGANIZATION:

Name of Organization: _____

Speaker's Official Capacity _____

CITIZENS REQUEST TO SPEAK

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DATE OF MEETING: 6-11-18

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:

Abandoned empty home & their dogs on
1409 Merry Ln.

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 Yolanda Reyna

Address 1411 Merry Ln

Telephone number 409 996 1156

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: 6/11/18

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:

5

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:

Ordinance on tethering dogs

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 Laura Divine

Address 1406 Merry Ln

Telephone number 409 795-9971

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: June 11 2018

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:

AP Reido

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:

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Name _____

Address _____

Telephone number _____

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: 6-11-18

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:

7b

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:

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Name Richard Denson - Galveston County, Appt. Associa.

Address 23rd Street Galveston, TX

Telephone number 409-939-7764

IF SPEAKING ON BEHALF OF AN ORGANIZATION:

Name of Organization: Galveston County Apartment Ass.

Speaker's Official Capacity President