

LOUIS RIGBY
Mayor
JOHN ZEMANEK
Councilmember At Large A
DOTTIE KAMINSKI
Councilmember At Large B
DANNY EARP
Councilmember District 1
CHUCK ENGELKEN
Councilmember District 2



BILL BENTLEY
Councilmember District 3
KRISTIN MARTIN
Mayor Pro-Tem
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Councilmember District 6

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LA PORTE JUNE 11, 2018

The City Council of the City of La Porte met in a regular meeting on **Monday, June 11, 2018**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at **6:00 p.m.** to consider the following items of business:

1. **CALL TO ORDER** – Mayor Rigby called the meeting to order at 6:00 p.m. Members of Council present: Councilmembers Ojeda, Zemanek, J. Martin, K. Martin, Bentley, Kaminski, Engelken, and Earp. Also present were City Secretary Patrice Fogarty, City Manager Corby Alexander and Assistant City Attorney Clark Askins.
2. **INVOCATION** – The invocation was given by Assistant City Attorney Clark Askins.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Jay Martin.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
 - (a) Presentation – La Porte Police Department’s K-9 Competition Awards at National Conference – Mayor Rigby

Mayor Rigby read a presentation regarding the awards earned by the La Porte Police Department’s K-9 Division at the 2018 National Conference.

5. **PUBLIC COMMENTS** (Limited to five minutes per person.)

Charlie Perry, 127 N. 5th Street, addressed Council in regards to the new splash park on Martin Luther King and Tyler and requested stop signs or speed bumps be placed at the location for the safety of the kids.

Richard Warren, 8730 Collingsdale, addressed Council regarding stops signs being placed at Martin Luther King and Tyler.

Mike Patterson, President of Fairmont Park West Homeowners Association, 10119 Stonemont, addressed Council and advised the association intends to keep the pool open and operable.

Linda Poye, 10027 Shell Rock, addressed Council and thanked them for taking interest in the neighborhood pool issues.

Susy Smith, 9722 Shell Rock, addressed Council and thanked them for their support of the neighborhood pool and requested continued support in keeping the pool open.

Mark Follis, 111 N. Broadway, declined to speak.

Donna O'Conner, 217 Sylvan St., addressed Council and thanked them for the work at Happy Harbor; thanked the EOC Staff for their work this past Friday during the shelter in place, and thanked City Manager Corby Alexander and Councilmember Jay Martin for signage directing citizens to Sylvan Beach.

Richard Gomez, 9902 Charmont Rd., addressed Council in regards to the pool in Fairmont Park West and informed Council the Homeowners Association cannot handle the facilities and requested the City maintain the pool.

Chuck Rosa, 812 S. Virginia, addressed Council in support of keeping the pool in Fairmont Park West operable and commented the property located at 9906 Rocky Hollow should not be demolished.

Paula Bridges, 813 River Creek, addressed Council with concerns of warehouses and the number of heavy trucks in the City.

6. CONSENT AGENDA *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*

- (a) Consider approval or other action regarding the minutes of the Special Called City Council Meeting held on May 21, 2018, and minutes of the Regular City Council Meeting held on May 14, 2018– P. Fogarty
- (b) Consider approval or other action regarding appointment of Casey Copley to the City of La Porte Reserve Officer Program – K. Adcox
- (c) Consider approval or other action authorizing the City Manager to execute a Water Service Agreement and a Sanitary Sewer Service Agreement with Dana Tank Container, Inc., for its facility at 902 Sens Road, in the Battleground Industrial District – D. Pennell
- (d) Consider approval or other action rejecting Bid # 18017 Bayshore Park Waterline Relocation – D. Pennell
- (e) Consider approval or other action authorizing the City Manager to execute a Water and Sanitary Sewer Service Agreement with Clark Dietrich Building System for its facility at 9700 New Decade Drive, in the Bayport Industrial District – D. Pennell
- (f) Consider approval or other action awarding RFP # 18501 for Debris Removal Services – k. Gauthier
- (g) Consider approval or other action awarding RFP #18502 for Debris Monitoring Services – K. Gauthier

Councilmember Engelken made a motion to approve all Consent Agenda items pursuant to staff recommendations. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Councilmember Earp had questions on Items C and F. Public Works Director Don Pennell and Emergency Manager Kristin Gauthier answered the questions.

Councilmember Zemanek had questions on Item C. Public Works Director Don Pennell answered the question.

7. REPORTS

- (a) Receive report from Gabriel, Roeder, and Smith on GASB 75 liability – Mayor Rigby

Mehdi Riazi, Actuarial Consultant with Gabriel, Roeder, and Smith, provided a report on GASB 75 liability.

- (b) Receive report from the Drainage and Flooding Committee – Councilmember J. Martin

Councilmember Jay Martin provided a report of the Drainage and Flooding Committee Meeting held prior to the City Council Meeting and informed the next meeting will be held on July 9, 2018.

8. PUBLIC HEARING AND ASSOCIATED ORDINANCES

- (a) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve an Ordinance adopting a five-year update to the Comprehensive Plan of the City of La Porte; consider approval or other action regarding an Ordinance adopting a five-year update to the Comprehensive Plan of the City of La Porte – I. Clowes

The public hearing opened at 7:05 p.m.

City Planner Ian Clowes presented a summary.

There being no public comments, the public hearing closed at 7:09 p.m.

Councilmember Engelken made a motion to adopt an Ordinance adopting a five-year update to the Comprehensive Plan. Councilmember Earp seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3710: AN ORDINANCE ADOPTING AN UPDATE TO THE COMPREHENSIVE PLAN OF THE CITY OF LA PORTE, UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF LA PORTE, TEXAS, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

- (b) Public hearing to receive comments on the recommendation of the Dangerous Building Inspection Board for condemnation of dangerous/substandard building located at 9906 Rocky Hollow; consider approval or other action regarding an Ordinance providing for condemnation of dangerous/substandard building located at 9906 Rocky Hollow – M. Kirkwood

The public hearing opened at 7:10 p.m.

Deputy Building Official Mike Kirkwood presented a summary.

Nabil Chayeb, 2280 Longspur Ln., League City, spoke and advised he would like to invest in the property and make it habitable. Mr. Chayeb also advised it will take him a maximum of 45 days to have the property on the market for sale.

Susy Smith, 9722 Shell Rock, spoke and advised Council she is also interested in purchasing the property for her daughter to live in.

Chuck Rosa, 812 S. Virginia, spoke and commented the property is not a dangerous building; and the home should not be demolished.

Richard Gomez, 9902 Charmont Rd, spoke in favor of the house being purchased.

Steve Wilson spoke and advised Council he works for Mr. Chayeb, and they have a plan to renovate the property and place it on the market.

There were no additional public comments. The public hearing closed at 7:27 p.m.

Councilmember Zemanek made a motion to postpone and reconsider this item at the June 25, 2018, city council meeting. Councilmember Bentley seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

9. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding an Ordinance selecting a member of the City Council to serve as Mayor Pro Tem of the City of La Porte for the period of June 11, 2018, through May 31, 2019 or until successor appointed – P. Fogarty

City Secretary Patrice Fogarty presented a summary.

Councilmember Kaminski made a motion to nominate Councilmember Ojeda to serve as Mayor Pro Tem of the City of La Porte for the period of June 11, 2018, through May 31, 2019, or until successor appointed. Councilmember K. Martin seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3711: AN ORDINANCE PROVIDING FOR THE ELECTION OF A MEMBER OF THE LA PORTE CITY COUNCIL TO SERVE AS MAYOR PRO-TEM OF THE CITY OF LA PORTE, TEXAS, FOR THE PERIOD JUNE 11, 2018 THROUGH MAY 31, 2019 OR UNTIL A SUCCESSOR HAS BEEN APPOINTED AND HAS QUALIFIED; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

- (b) Discussion and possible action to fill a vacancy on the La Porte Fiscal Affairs Committee – P. Fogarty

City Secretary Patrice Fogarty presented a summary.

Councilmember Engelken made a motion to move Councilmember Kaminski to a regular position and to appoint Councilmember Zemanek to the alternate position on the La Porte Fiscal Affairs Committee. Councilmember Earp seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

- (c) Discussion and possible action regarding existing Interlocal Agreement with the City of Morgan's Point for municipal court services – C. Alexander

City Manager Corby Alexander and Court Administrator Cathy Haney presented a summary.

Councilmember Ojeda made a motion to give notice of termination of the agreement and renegotiate an agreement with the City of Morgan's Point. Councilmember Earp seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

- (d) Discussion and possible action regarding property located at 9801 Rustic Gate Road – R. Epting

Parks and Recreation Director Rosalyn Epting presented a summary, and Mike Patterson, HOA President, also spoke regarding the pool at 9801 Rustic Gate Road. Mike Patterson asked for additional money from the City to get the pool running, with a target of opening July 1.

- (e) Discussion and possible action regarding policy for mutual aid response in neighboring communities by the City of La Porte - R. Nolen

Chief of Emergency Management Services Ray Nolen presented a summary.

Councilmember Zemanek thanked Mr. Nolen and Corby Alexander for their work on this item.

10. ADMINISTRATIVE REPORTS

City Manager Corby Alexander advised Council that Staff will look into the concerns for the placement of stop signs at Martin Luther King and Tyler streets.

11. COUNCIL COMMENTS regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information.

Councilmember Martin congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference; commented he hopes there is a way to get stop signs placed at Martin Luther King and Tyler; thanked Public Works for placing bollards at the old Happy Harbor property; and commented he hopes access can be granted for the 4th of July fireworks.

Councilmember K. Martin congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference and reminded everyone of the Juneteenth festivities this coming weekend.

Councilmember Kaminski congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference and informed she has received man compliments regarding Klein Retreat.

Councilmember Zemanek congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference and thanked everyone for the effective discussions during the meeting.

Councilmember Bentley congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference and thanked Staff and Council for their professionalism they have shown him and commented he looks forward to the next three years on Council.

Councilmember Engelken congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference; congratulated Councilmember Ojeda on her appointment as Mayor Pro-Tem; and commented it may be time for the City to look at rules for stop signs and put safety first.

Councilmember Earp congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference; agreed with Councilmember Engelken on rules being looked at for placement of stop signs; and thanked EMS for their assistance during his recent medical emergency.

Councilmember Ojeda congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference; thanked Public Works for the recycling signage; commented La Porte's Emergency Management booth was awesome during the Hurricane Workshop; advised she attended Judge Ed Emmet's State of the County Address; commented she has concerns with some of the decisions being made by the Zoning Board of Adjustment; concerns with opening neighborhood pools to the public; and thanked Council for her appointment as Mayor Pro-Tem.

Mayor Rigby congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference; commented someone needs to be present to take photos during recognitions at Council meetings and displaying the photos on the City website; informed he did the welcome at the triathlon, which turned into a duathlon; and thanked Fire, Emergency Medical Services, Police, and Parks and Recreation departments for coordinating the events.

14. ADJOURN - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 8:37 p.m. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Patrice Fogarty, City Secretary

Passed and approved on June 25, 2018.

Mayor Louis R. Rigby