

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
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Councilmember District 6
Mayor Pro-Tem

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
JUNE 25, 2018**

The City Council of the City of La Porte met in a regular meeting on **Monday, June 25, 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, K. Martin, Bentley, Kaminski, Engelken, and Earp. Also present were City Secretary Patrice Fogarty, City Manager Corby Alexander and Assistant City Attorney Clark Askins. Councilmember Jay Martin was absent.

2. **INVOCATION** – The invocation was given by Viktoria Gotting, St. John’s Episcopal Church.

3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Kristin Martin.

4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**

(a) Proclamation – Ryan Schoppe Day – Mayor Rigby

Mayor Rigby provided a proclamation to Ryan Schoppe, who earned the state crown in the Class 6A Boys 3,200-meter run during the UIL State Track & Field Championships in Austin, Texas, and declared June 26, 2018, as Ryan Schoppe Day. Ryan was also presented with a gym bag and two other gifts from the City commemorating his accomplishment.

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

Richard Warren, 8730 Collingsdale, thanked Council for the stop signs placed on Martin Luther King and Tyler and the cleaning of ditches for proper drainage.

Chuck Rosa, 812 S. Virginia, addressed Council and suggested live streaming City Council meetings with the possibility of increasing voter turnout in the City.

Chris Kopycinski, 9425 Carlow, addressed Council regarding his water service having been cut off; he needs his water back on, but doesn’t want to put down another deposit.

Rose Mary Williams, with Main Properties, will speak during the public hearing on Item 7(c).

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 Regular City Council Meeting held on June 11, 2018

- (b) Consider approval or other action awarding Bid #18013 for Pecan Park Satellite Restroom Facility – R. Epting
- (c) Consider approval or other action rejecting Bid #18015 for Fire Field Training Facility Addition – D. Ladd
- (d) Consider approval or other action to award Bid #18018 for Somerton Drive Waterline and Pavement Replacement, Venture Waterline, and Pecan Park Parking Lot Project – D. Pennell

Councilmember Engelken made a motion to approve all Consent Agenda items pursuant to staff recommendations. Councilmember K. Martin seconded the motion. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

7. PUBLIC HEARING AND ASSOCIATED ORDINANCES

- (a) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve Special Conditional Use Permit #18-91000004 to allow for a specialty trade contractor use to be located on a 0.22 acre tract of land described as Lots 3-5, Block 789, Town of La Porte Subdivision in a GC zone; consider approval or other action regarding an Ordinance amending the Code of Ordinances of the City of La Porte, Chapter 106 “Zoning,” by granting Special Conditional Use Permit #18-91000004, to allow for a specialty trade contractor use to be located on a 0.22 acre tract of land described as Lots 3-5, Block 789, Town of La Porte Subdivision, in a GC zone – I. Clowes

The public hearing opened at 6:13 p.m. City Planner Ian Clowes presented a summary. Councilmember Zemanek asked if this is a new tenant. Mr. Clowes replied no.

There being no public comments, the public hearing closed 6:16 p.m.

Councilmember Zemanek made a motion to accept the recommendation of the Planning and Zoning Commission, and adopt an ordinance granting a Special Conditional Use Permit to allow for a specialty trade contractor use to be located on a 0.22 acre tract of land described as Lots 3-5, Block 789, Town of La Porte Subdivision, in a GC zone. Councilmember Kaminski seconded. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3712: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCES OF THE CITY OF LA PORTE, BY GRANTING SPECIAL CONDITIONAL USE PERMIT NO. 18-91000004, TO ALLOW FOR A SPECIALTY TRADE CONTRACTOR USE IN A GENERAL COMERCIAL (GC) ZONING DISTRICT, ON A 0.22 ACRE TRACT OF LAND AND BEING LEGALLY DESCRIBED AS LOTS 3-5, BLOCK 789, TOWN OF LA PORTE SUBDIVISION, LA PORTE HARRIS COUNTY, TEXAS, MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

- (b) Public hearing to receive comments on the recommendation by the Planning and Zoning Commission to approve an Ordinance amending the City’s Future Land Use Map Component of the Comprehensive Plan for a 0.28 acre tract of land located on N. 1st Street, north of W. Tyler Street, and legally described as Tracts 0-12, Block 85, Town of La Porte Subdivision, by changing from “Commercial” to “Low Density Residential”; consider approval or other action regarding an Ordinance amending the City’s Future Land Use Map Component of the Comprehensive Plan for a 0.28 acre tract of land located on N. 1st Street, north of W. Tyler Street, and legally described as Tracts 0-12, Block 85, Town of La Porte Subdivision, by changing from “Commercial” to “Low Density Residential” – I. Clowes

The public hearing opened at 6:17 p.m. City Planner Ian Clowes presented a summary.

Rose Mary Williams, with Main Properties, spoke and stated her client, the buyer, requested this zone change. There were no additional public comments. The public hearing closed at 6:20 p.m.

Councilmember K. Martin made a motion to accept the recommendation of the Planning and Zoning Commission, and adopt an Ordinance amending the City's Future Land Use Map Component of the Comprehensive Plan for a 0.28 acre tract of land located on N. 1st Street, north of W. Tyler Street, and legally described as Tracts 0-12, Block 85, Town of La Porte Subdivision, by changing from "Commercial" to "Low Density Residential." Councilmember Ojeda seconded. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3713: AN ORDINANCE ADOPTING AN UPDATE TO THE FUTURE LAND USE MAP COMPONENT OF THE COMPREHENSIVE PLAN OF THE CITY OF LA PORTE, TEXAS UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF LA PORTE, TEXAS, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

- (c) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve zone change request #18-92000005, for a change from General Commercial (GC) to Low Density Residential (R-1) for a 0.28 acre tract of land located on N. 1st Street north of W. Tyler St., legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision; consider approval or other action regarding an Ordinance amending Chapter 106 "Zoning" of the Code of Ordinances by changing the zoning classification of a 0.28 acre tract of land located on N. 1st Street north of W. Tyler St., legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision, from General Commercial (GC) to Low Density Residential (R-1) – I. Clowes

The public hearing opened at 6:21 p.m. City Planner Ian Clowes presented a summary. There were no public comments. The public hearing closed at 6:21 p.m.

Councilmember K. Martin made a motion to accept the recommendation of the Planning and Zoning Commission, and adopt an Ordinance amending Chapter 106 "Zoning" of the Code of Ordinances by changing the zoning classification of a 0.28 acre tract of land located on N. 1st Street north of W. Tyler St., legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision, from General Commercial (GC) to Low Density Residential (R-1) Councilmember Kaminski seconded. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3714: AN ORDINANCE AMENDING CHAPTER 106 "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, BY CHANGING THE ZONING CLASSIFICATION OF A 0.28 ACRE TRACT OF LAND LOCATED ON N. 1ST STREET, NORTH OF W. TYLER STREET AND LEGALLY DESCRIBED AS TRACTS 9-12, BLOCK 85, TOWN OF LA PORTE SUBDIVISION, FROM GENERAL COMMERCIAL (GC) TO LOW DENSITY RESIDENTIAL (R-1); MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

8. ORDINANCE

- (a) Consider approval or other action regarding an Ordinance providing for condemnation of dangerous/substandard building located at 9906 Rocky Hollow based on the recommendation of the Dangerous Building Inspection Board – M. Kirkwood (**After the public hearing was closed, this item was postponed from the June 11, 2018 City Council Meeting**)

Deputy Building Official Mike Kirkwood presented a summary. He recommending holding off on the demolition at this to allow for the sale to go through.

Councilmember Bentley made a motion to postpone this item until the July 9, 2018, meeting. Councilmember Zemanek seconded. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

9. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding an agreement between the City of La Porte and Quest Youth Soccer Club – R. Epting

Parks and Recreation Director Rosalyn Epting presented a summary. Scott Sotelo, with Quest Soccer, was available to answer questions.

Councilmember Zemanek made a motion to accept the agreement as presented, but with removal of language indicating “select” teams. Councilmember Earp seconded. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

- 10. (a)** Receive report of the Fiscal Affairs Committee Meeting held on June 13, 2018 – Councilmember Chuck Engelken

Councilmember Engelken provided a report of the Fiscal Affairs Committee Meeting held on June 13, 2018, indicating Whitley Penn was the chosen auditors. He stated the City’s current auditors have done a great job for the City, but to put a new group of auditors on the City’s financial position is good practice.

- (b) Receive report of the La Porte Development Corporation Board Meeting held on June 25, 2018 – Councilmember Nancy Ojeda

Councilmember Ojeda provided a report of the La Porte Development Corporation Board Meeting held prior to the City Council Meeting. She reported on the proposed budget and stated the board members decided to work with the current strategic plan and not go forward with a new one.

11. ADMINISTRATIVE REPORTS

City Manager Corby Alexander advised Council that staff will look into Mr. Kopycinski’s concerns; he also stated the City has received preclearance on five projects through HARVEY funding. He thanked Don Pennell, Lorenzo Wingate, and Kristin Gauthier for their work on submitting for these and other projects.

- 12. 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 K. Martin congratulated Ryan Schoppe on his wonderful accomplishment; she stated the Juneteenth Parade was great and so were the church services during the Juneteenth Celebration. Councilmember Kaminski also congratulated Ryan Schoppe on his accomplishment, and stated the Juneteenth activities were great. Councilmember Zemanek congratulated Ryan Schoppe on his great accomplishment; he wished everyone a Happy 4th of July, and stated he believes Donald Ladd had to go home early to bed at his advanced age. Councilmember Bentley and Councilmember Engelken congratulated Ryan Schoppe on his accomplishment. Councilmember Earp congratulated Ryan Schoppe and also Go Astros. Councilmember Ojeda congratulated Ryan Schoppe; thanked the Parks Dept. for Friday Night Flicks; thanked EMS for the very successful food drive; stated she was glad to see property being zoned residential; and stated there are bandit signs on Spencer that have been there for five weeks, and she believes, “We can do better than that.” Mayor Rigby congratulated Ryan Schoppe on his amazing accomplishment.

- 13. EXECUTIVE SESSION** – The City reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code, including, but not limited to, the following:

Texas Government Code, Section 551.071 (2) – Consultation with City Attorney: Meet with City and City Manager to discuss and receive direction regarding negotiations with industry representatives for terms of new Industrial District Agreements.

City Council recessed the regular Council meeting to convene an executive session at 6:50 p.m. regarding the item listed above.

14. **RECONVENE** into regular session and consider action, if any on item(s) discussed in executive session.

Council reconvened the regular Council meeting at 8:03 p.m. This subject will continue to be discussed at future council meetings. No action was taken.

15. **ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 8:03 p.m. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 8/0.** Councilmember J. Martin was absent.

Patrice Fogarty, City Secretary

Passed and approved on July 9, 2018.

Mayor Louis R. Rigby