

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



DARYL LEONARD
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 JULY 10, 2017

The City Council of the City of La Porte met in a regular meeting on **Monday, July 10, 2017**, 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, J. Martin, K. Martin, Engelken, Kaminski, Zemanek, Leonard, 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 Reverend Dr. Kevin Moore, First United Methodist Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember J. Martin.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
 - (a) Proclamation – Parks and Recreation Month – Mayor Rigby

Mayor Rigby presented a proclamation to the Parks and Recreation Department, accepted by Director Rosalyn Epting, for Parks and Recreation Month.

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

Drue Adams, 200 Crescent View St., addressed Council and requested access to the bay remain accessible to the citizens in the community.

Don Belgau, 3342 Miramar, addressed Council regarding Holmes Street right-of-way and requested the property not be sold and remain accessible to the citizens of the community. In addition, Mr. Belgau suggested Council have a meeting with the citizens regarding the issue.

Chuck Rosa, 812 S. Virginia, addressed Council and thanked them for considering giving City employees a pay raise, but commented he is opposed to having spent \$50,000.00 on a compensation study.

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 Council Meeting held on June 26, 2017 – P. Fogarty

- (b) Consider approval or other action appointing Gideon Jones to fill a vacancy on the Airport Advisory Committee in Position 3, with a term expiring August 31, 2019 – P. Fogarty
- (c) Consider approval or other action appointing Thomas Deen to fill a vacancy on the Zoning Board of Adjustment in Position 2, with a term expiring on August 31, 2018 – P. Fogarty
- (d) Consider approval or other action of Pay Request No. 1, to Oakland Land and Development Co., in an amount not to exceed \$66,547.28 pursuant to Local Government Code Chapter 380 Agreement between Oakland Land and Development Co., and the City of La Porte dated March 27, 2017 – T. Leach
- (e) Consider approval or other action to reject bid for Bid #17019 Digester Aeration System Modification for Little Cedar Bayou Wastewater Treatment Plant, reduce the scope of work and re-bid project – D. Pennell
- (d) Consider approval or other action authorizing the City Manager to execute a construction contract with Greenscapes Six, LLC., for sidewalk repair and replacement for unit prices bid – D. Pennell

Councilmember Engelken made a motion to approve Consent Agenda Items pursuant to staff recommendations. Councilmember K. Martin seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

7. AUTHORIZATION

- (a) Consider approval or other action regarding an Ordinance amending “Appendix A Fees” of the Code of Ordinances of the City of La Porte, Texas, pertaining to EMS charges for services rendered in areas outside of corporate limits of La Porte, by increasing “Non-Member Fees (Per Event)” – R. Nolen

Emergency Medical Services Chief Ray Nolen presented a summary.

Councilmember Zemanek made a motion to increase the “Non-Member Fees (Per Event)” for EMS from \$1,500 per response to \$5,000 per response. Councilmember Earp seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Prior to Council action Assistant City Attorney Clark Askins read the caption of Ordinance 2017-3679: AN ORDINANCE AMENDING “APPENDIX A, FEES,” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS, PERTAINING TO CHARGES FOR SERVICES RENDERED IN AREAS OUTSIDE OF THE CORPORATE LIMITS OF LA PORTE BY INCREASING “NON-MEMBER FEE (PER EVENT);” CONTAINING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

8. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding future options for expansion of the Recreation and Fitness Center, and provide staff direction for budgeting purposes – R. Epting

Parks and Recreation Director Rosalyn Epting presented a summary.

Council directed Staff to bring back costs for the three different options presented excluding additional equipment and staffing.

- (b) Discussion and possible action regarding options for additional lighting for Main Street and Broadway Street; and provide staff direction for budgeting purposes – R. Epting

Parks and Recreation Director Rosalyn Epting presented a summary.

Council directed Staff to bring back pricing for stages of lighting for all of Main Street, not just a small portion of it, and to look at different lamps which will illuminate larger areas.

- (c) Discussion and possible action regarding potential upgrades at Northwest Pool, and provide staff direction for budgeting purposes – R. Epting

Parks and Recreation Director Rosalyn Epting presented a summary.

Councilmember Zemanek made a motion to move forward with the recommendation of the Aquatics Staff, provided a portion of the funding is provided by the La Porte Development Corporation. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

- (d) Discussion and possible action to fill Alternate 2 position on the Zoning Board of Adjustment with a term expiring August 31, 2017 – P. Fogarty

Councilmember Leonard made a motion to appoint Phillip Hoot to fill the vacant Alternate 2 position on the Zoning Board of Adjustment with a term expiring August 31, 2017. Councilmember Kaminski seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

9. ADMINISTRATIVE REPORTS

City Manager Corby Alexander informed Council he and Assistant City Attorney Clark Askins are aware of the citizen's concern who spoke during the public comments regarding the right-of-way encroachment, and they are working to get it resolved.

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

Councilmembers K. Martin and Kaminski thanked Parks and Recreation Director Rosalyn Epting for the great job on the newsletter. Councilmember Zemanek thanked everyone involved in the preparation of the 4th of July Parade and advised that he has requested City Manager Corby Alexander reach out to Harris County regarding the potholes on the eastbound lane of Fairmont Parkway right before the railroad overpass. Councilmember Leonard commented he enjoyed the 4th of July festivities, congratulated Parks and Recreation for receiving the proclamation and thanked the department for the presentations presented during the meeting; Councilmember Engelken commented he enjoyed the 4th of July fireworks and suggested Staff contact the media in the future for recognition of our event; Councilmember Earp congratulated Parks and Recreation for receiving the proclamation and commented he enjoyed the 4th of July Parade; Councilmember Ojeda commented she attended the Habitat for Humanity Dedication on Saturday and was proud of the positive comments she received about the City, and she acknowledged the passing of La Porte resident Lou Richard; and Mayor Rigby thanked everyone involved in the preparation of the 4th of July festivities and suggested Staff take a look at the City of Baytown's two-day event during the 4th of July.

- 11. **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(1)(A) – Pending or Contemplated Litigation: Meet with City Attorney and City Manager to discuss Adapted Logistics, LLC, et al.vs. City of La Porte, Texas

City Council did not convene into an executive session.

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

There was no reconvening because there was no executive session.

13. **ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 7:15 p.m. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Patrice Fogarty, City Secretary

Passed and approved on July 24, 2017.

Mayor Louis R. Rigby