



**CITY OF LA MARQUE
CITY COUNCIL WORKSHOP
MINUTES
of
May 17, 2021**

City Council Workshop Minutes of the City of La Marque City Council held on Monday, May 17, 2021, beginning at 6:00 p.m. in the Council Chambers, 1109-B Bayou Road and via teleconference (ZOOM) with the following members present:

(1) CALL TO ORDER

Mayor Bell called the Workshop to order at 6:00 p.m.

(2) ROLL CALL

Keith Bell	Mayor
Joe Compian	Mayor Pro-Tem, Councilmember- District B
Michael Carlson	Councilmember- District C
Casey Mc Auliffe	Councilmember- District D

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson	City Manager
Robin Eldridge	City Clerk
Derra Purnell	City Attorney

(3) CITIZENS PARTICIPATION

1. Re-Chard Loftis congratulated Mr. Carlson on his newly elected position as Councilmember for District C. Asked the City Manager why the meetings were still via ZOOM, when other surrounding cities are being held in-person. Further stated that he himself, along with some of the elderly citizens are having problems getting on Zoom meetings. Shared concerns with citizens being harassed and threatened by individuals within the community and asked if there was any way that these citizens can get some relief. Stated that the officials are elected to do a job for the people, the hiring, firing and the budget process and asked that these all be done with the citizens best interest at heart and not for their own agendas. "The citizens are the true leaders and the people that run this city."

(4) UPDATES

- Update from City Manager
- a. Update on internal procedures for speed bumps

- b. Update from consulting traffic engineer on traffic impact analysis for 4975 Gulf Freeway
- 4a. City Manager Mr. Jackson said he had emailed some revisions from the comments from the last Council meeting earlier that day. All the comments have been incorporated into the proposed policy. City Attorney added that those were supported by the traffic engineer.

Mayor Pro-Tem Compian asked that this information be presented to the public in the way that they can understand it, in his opinion, it was overkill, and excessive. "Have we accepted this, as a first read, because I would like for it to be discussed more, since I just received it this afternoon, and I too have the opportunity to speak with my neighborhood and get feedback from them?" Suggested a public hearing and or a town hall meeting to get feedback from citizens, and the possibility of the use of temporary speed "humps" as opposed to speed "bumps" to address speeding that could maybe be removed once they have served their purpose.

Mayor Bell reminded all that Council sets policies, as a legislative body and any policy that will be that we will require our citizens to follow should be brought before Council for approval.

Mr. Jackson followed by stating that after receiving direction from Council, staff brought back to the Council meeting a policy that would give procedures and requirements for the implementation of speed bumps in a safe manner and takes into account the effects on our emergency equipment and vehicles and other things. "We are going to have to start with an engineering principal since we are talking about roads that people have the right to utilize, and when you change the right to the utilization of it, it creates an issue, and that is why we tried to do this with the traffic engineers to limit this as much as we can, but still meet as much as we were told."

Mayor Bell said that the language and criteria that has been brought back to Council has not allowed them to have enough time to review. Asked that a workshop be held to be able to help staff develop a policy to make sure that not only the engineering department as well as public safety departments are in concert with what the citizens would like for us to do.

City Attorney Ms. Purnell clarified that what was brought before Council was considered "internal review procedures" that wouldn't typically be brought before Council and would not typically be posted on the website. "In this case, it is an issue that the public is very interested in which would involve a petition that could be circulated among the citizens that wished to have speed bumps in a certain area. This is an immediate attempt to let people do what they want to do, a policy can still be developed. This is an engineering document is the reason it is so detailed."

Further discussion was based around citizens having more input into the placement or no placement of speed bumps.

Mayor Bell continued, “We directed Mr. Jackson to make sure that citizens had a right to request speed bumps. A basic policy should have been created for Council’s review and Council’s approval. This internal thing that you said does not require Council approval, all policies require Council approval, if you look at the City Charter. After going door to door and speaking with citizens, what people want is more engagement and more commentary and more ability to affect their government and what has been happening is that all these things have been created and then brought to Council for their approval, citizens don’t like that. So, everything that we do, especially that has come from our citizenry, I would prefer that we do that through this Council, that we vote, we approve, we craft that we as a Council work together to give them what they have requested we give them.”

Mayor Bell added that Council needs to have a workshop and the Council needs to be able to weigh in on the proposed policy.

The word “policy” as opposed to “Internal review procedures and requirements” was briefly described.

Ms. Purnell clarified that Council wished to workshop an ordinance, with as much as citizen input and transparency as this process is being built, using all citizen engagement tools. According to the Charter workshopping an ordinance would allow the citizens at least three times to speak about, which includes two public hearings.

Mayor Bell finished up by stating that he would like a serious workshop that will include receiving citizen input.

Mayor Pro-Tem Compian said that some of these discussions that include the citizens are happening on social media and asked that since the “policy” was on the website, encouraged all to read it and provide their input.

Mr. Jackson finished by adding that within three days, staff had provided a mechanism for citizens to request speed bumps, it may not have been exactly what Council wanted, but it was provided.

4b. Update from consulting traffic engineer on traffic impact analysis for 4975 Gulf Freeway

Tony Voigt, a Professional Engineer of Voigt Associates concerning Amazon Traffic Study that Kinley Horn & Associates conducted, which he provided formal review, at the request of Dinh Ho, the City Engineer included the following findings/ suggestions:

- Right turn lane on the southbound Frontage Road at Hallam - as Hallam Road is to be extended between Delany and the Frontage Road
- Hallam Road will carry most of the access to the employee parking areas and the van departure areas (4-5 driveways)
- Left turn lanes (southbound) onto Delany Rd. were marginally warranted, with current construction along I-45 and it being during the Covid pandemic, it was uncertain of the traffic patterns being influenced by both of those activities - (monitor for future mitigations)
- Traffic signal at Delany & 1765- not warranted at this time (monitor for future mitigations)

Councilmember Carlson suggested that they revisit the no traffic lights right now & Delany Rd. (the City's) and 1765 (TxDOT issue).

Mayor Pro-Tem Compian asked if anyone had done a similar study at the Amazon hub in Stafford, Texas; and also asked if there were any plans of expanding 1765.

Mr. Voigt had not been at the Amazon hub in Stafford but had watched the hub at SH 288 and the Beltway and because of that, he required Kinley Horn do four analyses; peak hours at Delany & Hallam morning and afternoon; when their facility generated the most traffic 9-10 am and 7-8 pm in the evenings; he was unaware of any plans to widen 1765 at this time.

Abundant Life Church - Charter school driveways or church driveway traffic wasn't accounted for due to the time that the count was conducted late August and presented to him early September.

Policing this area around high traffic times was briefly discussed as mechanism but considered not regulatory (but maybe a school zone could help); the city has limited control over having someone conducting traffic flow at the busy intersections on TxDOT roads.

Further discussion continued regarding how Mr. Voigt had been given the task of this particular traffic study; engineering judgement and scientific studies do have an effect on a traffic. It was asked if Mr. Voigt would be willing to go into the community and communicate with citizens to enable any questions as it relates to the traffic study, to which Mr. Voigt said he would be willing to do this.

Mayor asked if any member of Council wished to get a copy of the traffic study, and a few would like for a stream-lined version to be placed on the website and Mayor Pro-Tem Compian would like to see the study and the maps in particular.

(5) NEW BUSINESS

- a. Discussion relating to award of and authorization for City Manager to execute a contract with Crescent Electric to complete LMEDC project for streetscape improvements at Laurel & 1st Street

Executive Director Economic Development Corporation Mr. Getty explained this item in two phases: First phase-award of contract for the completion of work previously begun; second phase - is placemaking for downtown area

Mayor Pro-Tem Compian asked where the monies were going to be coming from to create an “old La Marque”?

Mr. Getty responded that the monies were coming from Galveston Bond Street Improvement Program and revitalization funds and then referred to the bid from Crescent installing fifteen pole bases that were in the backup and asked about the pole lamps. “There will be four large poles that will allow for the hanging of banners across the streets, fifteen LED lights poles. Four-way stop signs with the Laurel and First Street names to be more in line with the décor plans for this downtown area.”

Mr. Getty pointed out that the reason it is so important to revitalize the downtown area because this will be the economic driver and continue to generate sales tax and higher property values which will then in turn allow us to repair and replace more streets. Other possibilities for future businesses are also in the future for this downtown area.

- b. Discussion relating to Consents for PID 1, Painted Meadows, Sections 3, 4, and 5

Executive Director of Economic Development Corporation A. Getty introduced (Randal Hall - Represents Painted Meadows and also the borrower under the Texas PID 1 Financing Two - began the project in 2003. Re-financing of existing debt and to receive a much lower rate with another financial institution and is asking for the Councils acknowledgment of the consents tonight. The PID Assessor Collector of the Southwest are the collectors of the funds.

Mayor Pro-Tem Compian asked who was on the PID Board and it was said that the La Marque Economic Development Corporation is the PID Board. He was told that the City has a copy of the Service and Assessment Plan and petition (2003).

A question of whether the City would be responsible in the event of a bankruptcy of any of the party’s was discussed and clarified. There would be no possibility of this happening. The City has not had and is not assuming any financial responsibility from this transaction. Mr. Hall stated, “There are no new development activities, the work was finished in 2019. We are out of land and the

lots are fully developed. This is simply a re-finance of debt that we have put in place years ago, and we are just trying to achieve a much lower interest rate.”

- c. Discussion relating to adopting Ordinance No. O-2021-0010, establishing the method of calculation of the increment for TIRZ 2 as the “taxable value approach” pursuant to Section 311.012 of the Texas Tax Code

Finance Director Ms. Kou said that a few years ago when the ordinance was originally adopted, it did not specify which method should be used in calculation of the TIRZ, so by default the County used the “market value” method and by using this method, it did not give the Omega Bay TIRZ money for the 2020 tax year. By changing this method, this will allow the TIRZ to receive \$8,500.00 for the 2020 tax year.

Clarification as to what the TIRZ did for Omega Bay residents was given. It helps to maintain their private streets within their subdivision. There is a finite term of 40 years to this TIRZ.

- d. Discussion relating to adopting Ordinance No. O-2021-0008, amending Chapter 71, “Zoning,” of the City Code of Ordinances by repealing the Thoroughfare Overlay Zoning District and adopting two new commercial zoning districts entitled (C-3) Corridor Commercial and (C-4) Interstate Commercial, and adopting zoning regulations applicable to these districts

Director Development Services Ms. Purnell explained this item, as being simpler for prospective developers and the public to understand what is and what is not allowed in a commercial district. “The businesses along I-45 and that development needs are a little different from a planning perspective than along our internal major thoroughfares, especially where we see a lot of local businesses that are re-developing there. By creating these two new commercial districts, anything along I-45 would be C-4 (Interstate Commercial) and anything along the other major thoroughfares would be C-3 (Corridor Commercial).”

One of the biggest voids that Councilmember Mc Auliffe saw was the opportunity to create landscaping requirements, asked for time for the creation of more landscaping requirements. It was said that there is a plan for more detailed landscaping requirements in the near future by updating the Zoning Ordinance in the near future. Mayor Pro-Tem Compian was involved in the creation of the Zoning Ordinance in the city, as well as a member of the Planning and Zoning Commission. He asked for more citizen involvement before anything is changed and asked for tabling this item and the following (5e).

It was asked has anyone thought to bring these items and ask for direction of City Council before bringing these items before Council in the form of an ordinance.

If Council adopted the ordinance to begin with, it should have been brought back to Council as ask for their input.

Mayor Bell , “I want this to be clear tonight, I am simply reflecting the frustration of the people. This has to change, the way that we do business. I have heard an earful about how we do business and have heard an earful from our constituents about how we conduct ourselves here on Council and how we allow things to happen as if we don’t have any power to alter the course of how things happen. So, I am concerned that we are continuing to do things in the way that is not as transparent to our constituents as we could be. I concur with Mayor Pro-Tem, I think that we need to slow down and we need to learn the lessons that this Council is most certainly in control of this government and citizens elect the Council. This is their government, and they want it to be done differently. If I have to point this out on every agenda item until we get it, then that’s what I will do.”

Ms. Purnell said that “There was a lot public comments on this, and I just wanted to pass along the public comments because they were verbal and not written. Working in Development Services, I wanted to be a lot closer to the public than I usually get to as City Attorney. I have talked to hundreds of citizens since I have been here. One thing that I think this ordinance does and I have heard from residents as well, who are unhappy about developments that have went in next to their homes, and because of whether it was that the zoning ordinance wasn’t clear that there had been previous interpretation by the Board of Adjustments on how something was applied for because of that there just wasn’t a landscaping requirement or residential protection or limited uses, there was nothing that could be done about it under that current zoning ordinance. I appreciate what you are saying and will use a completely different process, and knowing that, we can certainly come about it in a different way, but believe me there is a lot of public input that goes into these, but we can certainly have more. But an ordinance like this, I bring it to you in the draft form, with planning principles with the homework done to try to provide something as a base line for a good discussion, not as an attempt to usurp the Council’s wishes or to run it past the public without being able to look at it.”

Further discussion included Council wanting to know about conversations that they are having with the Development Services Department and developers and their concerns.

- e. Discussion relating to adopting Ordinance No. **O-2021-0009**, amending the City’s zoning map, master plan, and comprehensive plan by adopting an amended and updated official zoning map of the City of La Marque, to serve as the “Master Plan” pursuant to City Charter and “Official Zoning Map” pursuant to City Code Chapter 71, “Zoning” - Director of Legal and Development Services D. Purnell
THIS IS THE FIRST READING

After a brief description, by Ms. Purnell, further discussion led to historical designation exemptions, and issues related to changes that occur when a property

has been impacted by a disaster; non-conforming use provisions were briefly described along with Church designations.

It was suggested to have a summary of some of the irregularities in the zoning ordinances and map brought to Council to make them aware of what these changes will entail. Identifying what challenges have been going on in earlier meetings with Planning and Zoning Commissions. It was said that some citizens may feel as if they are being dictated to. The challenge is to make sure that the citizens are being heard.

Mayor Pro-Tem Compian leaves the meeting at 8:29 p.m.

Time frames for postings, meetings, and public hearings were discussed on zone change requests. Requirements for partial non-conforming uses were briefly discussed.

Mayor Pro-Tem Compian returns to the meeting at 8:31 p.m.

- f. Discussion relating to Discussion/possible action regarding designating the presiding Municipal Judge as recommended by the City Manager, subject to execution of a Contract for Professional Judicial Services (Presiding Judge); and authorizing the City Manager to negotiate and execute a contract with the person designated by Council as presiding Municipal Judge

After a brief description, each member of Council asked to be able to interview and view the top three candidates resumes before making this decision.

(11) ADJOURNMENT

Workshop Adjourned at 8:41 p.m.

This unofficial copy of the minutes from the above meeting are posted for convenience only. Executed or certified copies of the minutes can be requested by contacting the City Clerk.
