

City COUNCILL MEETING, THURSDAY, JUNE 9, 2016, 6:05 p.m.

The Mayor and City Council met in regular session on Thursday, June 9, 2016 at 6:05 p.m. with the following Members Present: Mayor Diaz, Council Members Rivas, Robinson, Lee, Garcia and Gonzales; City Manager Squyres, City Attorney DeFoyd and City Secretary Raines.

The Meeting was opened with Prayer and the Pledge of Allegiance.

A motion was made by Council Member Garcia and seconded by Council Member Rivas to approve the minutes as presented. Vote: 5 For 0 Against

City Manager Squyres ask that all the graduates please come to the front after meeting so that they could get a group photo with the Mayor and Council for the paper and there would also be punch and cookies after the meeting.

DEPARTMENT HEAD REPORTS:

Chief Ayala stated that summer was here and he wanted to congratulate all of the graduates and pass along a little advice , buckle up and this was for everybody where ever they go and come back home safe. He advised them that education was very important that they had a career ahead of them, take advantage of it, that way they could work with a pen and not a shovel.

Chief Mier advised that the month of May had been a quite month for them, that anyone interested in CPR classes should call the fire department and that the 4th of July would be here soon and we would be having fireworks.

Kyle Reed, Public Works Director, discussed the zika virus, advising that none had been detected in our area, that the mosquito truck was on the street every night and he ask the residents to help with mosquito control by eliminating areas that held water, such as containers, circulate the water in pools or drain them and the city would be doing their part to help control them.

Ivan Rojas, Parks and Recreation Director, congratulated the graduates. He advised that All Star games were going on and ask that they go out and support the kid .and that they would be having Arts and Crafts at the gym this summer for ages five through twelve and movie night in the park was tomorrow night, the seniors would be selling drinks and the concession stand would be open.

Elizabeth Flores, Heritage Hall Director, stated the seniors were getting ready for to morrow night and ask that if they knew of seniors in need of homebound meals to please ask them to contact the center.

Suellen Denton, Jacinto City Library, advised that their summer reading program was going on now and that they had flyers on the table outlining their programs. She congratulated the senior class on their achievement.

MAYOR'S REPORT:

Mayor Diaz stated there was not much going on, that most of the senior's knew who she was from school and she congratulated them on their achievement. She stated that as Ivan explained, we did have movie night going on tomorrow, the city was going well but unfortunately we would not have a pool this year but we would have a new facility next year we were working on having a splash pad for the younger kids and we were going to take away the little kiddie pool and have the splash pad for the younger kids. She stated that we were sorry about the inconvenience on the pool, that Galena Park was helping us out with swimming lessons, that we would be having swimming lessons in Galena Park for the morning sessions, that she thought the fee for the swimming pool in Galena Park had gone down to \$2.00 now .Mayor Diaz again congratulated the graduates of 2016.

CITY MANAGER'S REPORTS:

City Manager Squyres stated there was a little bit of misinformation going on, that we had talked in the past about something we were going to try to start in October , that we had a huge feral cat problem throughout this whole part of East Harris County and we were going to start a program, it was commonly called Trap, Neuter, Spay and Release. He stated we talked about it earlier and for some reason somebody put kill cat in there and it has nothing to do with killing cats, we will not kill cats but we were going to try to control the population of feral cats, we trap them , we have them fixed and baby them until they are ok and we take them back where we caught them and release them and we hope to start this program sometime in October.

There was no Unfinished Business.

NEW BUSINESS:

1. City Manager Squyres stated the Variance Board met on June 7, 2016 and there was actually three variances listed here and the first one, as she had mentioned, was 1002 Mercury Dr. and many year ago it was a gas station, then a cell phone business and now a law office and right now it was vacant and the owner wanter to change it to a gas station, the Variance Board met the other night on all three of these and their decision was not to recommend this and they turned it down and that was their recommendation to council and it was just a recommendation so it needed to be taken up by council and we did have at least one member of the Variance Board here Tonight.

Mayor Diaz stated that she did look over this and it used to be the old Diamond Shamrock and she didn't understand why the Variance Board did this and ask if there was any members of the Variance Board here and ask Ms. Donna Dailey if she could explain to her why they turned it down.

Ms. Dailey, 1701 Chazen, stated that she was on the Variance Board and first of all as a person on the Variance Board she worked for them, that she listens to the citizens and if they have a problem with it and she thinks that it is something she would have a problem with too, she was going to vote her conscience. She stated they had three people there and she had never had that many people come to a variance meeting and be against something, plus they had a signed petition of people who didn't want it over there. She stated the difference in what she was talking about was that building was facing Mercury and all the gas pumps were on the Mercury side and they were wanting to change it where the building was facing Rumar and also that would, according to the residence that were here, cause a lot more traffic plus if we move that sideline over to where the houses are and the couple was here who lives there, that would put all this traffic within 10 ft. of their house, they didn't want that. Ms. Dailey state that the way the law is written right now, it stated that they had to be 20 ft. from their fence so that would give them 30 ft. from their bedroom windows So by listening to the residents and checking on things that way they just voted their conscience, if they were facing it on Mercury it would have been all together different. Ms. Dailey ask if there was anyone here tonight from that area.

Mayor Diaz ask how many signatures did they have .and she was advised there was a total of eight.

Ms. Dailey ask if they could have the residents that were against it stand up so they could see them.

Council Member Garcia ask if Mr. Silva might be willing to change their plans since they said it would be no problem if it was facing Mercury.

City Manager Squyres advised that Mr. Silva was in the audience and they could certainly allow him to speak but it was their understand the other night that the way they have it designed is the only way they would be able to do it and back when we did the zoning ordinance there was not all the ADA rules and regulation that they have now as far as parking, etc. . and that is why you can't put a building of any size on one of these small lots and we will be having more of these request which is why we are looking at changing some of the requirement in the near future.

Mr. Silva addressed the Mayor and Council stating that as the lady said, we had to face it to Rumar Street and that was correct and also like the City Manager said, because of ADA and other requirements that is the only feasible way to put the Building and if they don't get a variance for the setback, the traffic that would be coming in and out of there would mostly still be coming in and out on Mercury. He stated that the owner had also agreed to put in a security along that property line to be able to mitigate some of their concerns about privacy or too much but you couldn't really control everything.

Council Member Rivas stated that he was here for the meeting the other night and one of the things that was said was regardless if it was this business, there would be something going up there so what was said to the people who were protesting against it was that they could work with them now and get a percentage of what you would like, or if you didn't go along with that, they would build something there and it wasn't going to need the permission of the council or a variance, it was going to happen and at that time they won't be able to protest, they wouldn't have a voice.

Mayor Diaz advised that the lot was considered a business lot and that was what it was for and she also realized that there were businesses next door to it and like Mr. Rivas explained, if it was not going to be a gas station, there was going to be a business built there, they have a right, it is a business property.

Council Member Robinson stated that another thing was that they could put a drive through between there and the other property line and then they would have all that traffic going through there next to their property line, there was things they could put there that we couldn't stop.

Mayor Diaz stated that from looking at the plans, it looked like a nice convenience store and gas station and that is what it used to be a long time ago and they were willing to make it a nice facility which would bring income and jobs to the city.

Council Member Lee stated that actually it was exactly what we want, what we have been talking about, taking down an old building that is not up to code replacing it with something that will make the area look better.

Mr. Silva stated that their intent was to make it just as good or better than the new building across the street, but it would have a store front on it and the store front would be facing on both side, that they would love to be able to put the gas pump on The Mercury side but the footprint didn't fit and they couldn't meet the requirements of the city building it that way.

Mayor Diaz ask if he would have plans so that they could come by city hall and look at them and he advised that they would.

Ms. Hernandez, 1022 Rumar, stated the problem wasn't that there was going to be a business there, there had always been a business there, that they wanted to move closer to the house and that was what they didn't want.

Council Member Robinson advised that was his property and as he said before, he could have a drive way through there and have traffic going through there.

Ms. Hernandez stated that from her understanding at the last meeting, that was not the case, if it was his property why was it even a question.

City Manager Squyres explained that the property line was 20 Ft. back from where the existing building is , that all that grassy area between him and her was his property but Because he wants to build next to a residential property, our city ordinances says that he should maintain that set back but it is still his property and he could use his property for anything he wanted to except for putting a structure there requires a set back and what council was being ask to do was alter the setback from 20 ft. to 5 ft., he explained how they could go into the zoning ordinance and see what all kind of business could be placed there.

Council Member Lee stated they didn't want them to think they weren't concerned about this, they were concerned for all the citizens but it would be better for them to work with them and get something that was attractive for their area than get something that was not want at all.

Ms. Hernandez stated that they really didn't have a choice.

Council Member Gonzales ask Ms. Hernandez what would be the issue other than Maybe the noise and trash that might accumulate .

Ms. Hernandez stated that her son's bedroom window was right there .

Council Member Gonzales ask if they put that security fence there would that help in any way even if they had to change that code to 8 ft. instead of 6 ft..

Mayor Diaz stated that we were willing to put speed bumps on Rumar to slow the traffic..

Council Member Garcia stated that she live just off the freeway where there was a gas station and she didn't have speed bumps and yes thre were speeders but not

Everyday and it was not really that bad.

Ms. Hernandez stated that she had grand children and she was concerned about robberies .

Mayor Diaz stated that it was unfortunate that it was zoned for a business but he had a right to build.

Ms. Hernandez stated that this business would be open 24 hours.

Ms. Maria Rojas stated that the neighbors didn't think they needed another convenience store there and that it would create a lot of traffic for their street and they were concerned about the trash containers, where would they be.

Mayor Diaz stated that she was sure they would be out there where everyone else had their dumpsters.

City Manager Squyres stated that we could ask the building official to work closely with the residents and if it was granted, they would do everything they could to mitigate that as well.

Mayor Diaz stated they would also work with him about putting the fence at 8 ft. .

Council Member Rivas stated that he had one more question to ask Mr. Silva, that if there was some way to work this out , maybe put up a barrier and if he worked closely with them and one of the things they ask was could there be a concrete wall between them .

Mr. Silva stated that it depended on what we were looking for, they would work with them as much as they could, they didn't want to encroach on them any more than they had to, they understood their concerns and for the record, the owner had attempted to buy their property from and they declined and that was their right and he didn't have a problem with that and he approached them himself to see if they had changed their mind , they didn't want to sell and that was their right but they also had rights.

Mayor Diaz ask if we could table this for more consideration.

A Motion was made by Council Member Lee and seconded by Council Member Rivas to table Action on 1002 Mercury Dr. for review. Vote: 5 For 0 Against

City Manager Squyres advised that the next one was 10325 Palestine, which was just down the street from city hall and Mr. Ameer Elai wanted to open up a Hookah Lounge , that it was something like a smoke type shop where various kinds of tobacco are smoked with a water pipe and the Variance Board voted to recommend that the request be denied.

A motion was made by Council Member Garcia and seconded by Council Member Rivas to uphold the variance Boards recommendation and deny the request. Vote: 5 For 0 Against

City Manager Squyres stated that the next address was 10346 Burman, Ms. Blanca Sallinas, who was here and that she had hired someone to build a second carport basically and it was also done as part of a roofing project , she paid for it in advance and the contractor did the work but the only thing he permitted was a new roof so when the building inspector went for the inspection he discovered this and they applied for the permit, submitted the plans and come to find out, he had build it about 2 ft. beyond the setback for that property and the setback on that property, because it is on a corner lot, is 10 ft. that normally it is 5 ft.. Mr. Squyres stated that it was a beautiful job , there is no fire danger, there is nothing close to it to cause problems, and the Variance Board recommended that the variance be granted.

A motion was made by Council Member Robinson and seconded by Council Member Gonzales that they uphold the Variance Board's recommendation and grant the variance at 10346 Burman. Vote: 5 For 0 Against

2. Council to issue REP and advertise for proposals related to waste collection and Potential recycling service.

City Manager Squyres advised that our Waste Contract with Waste Management expires on September 30, 2016 and they had put us on notice that they will be greatly increasing the fees and so that prompted this, we are seeking people to come and bid hauling our garbage from the city basically.

He stated that we had put together a RFP which was a request for people to come and bid on our work and we would like to have their approval to issue it.

A Motion was made by Council Member Robinson and Seconded by Council Member Garcia to approve issuing the RFP for bids on Waste Collection and Potential Recycling Service. Vote: 5 For 0 Against

3. A motion was made by Council Member Lee and seconded by Council Member Gonzales to authorize advertising the sale of used equipment. Vote: 5 For 0 Against

4. The Mayor and City Council recognition of 2016 Jacinto City Honor Graduates of Galena Park High School and Furr High School. (List of Graduates attached)

The Mayor and Council Presented Certificates, a Jacinto City Cap and Pin and a gift bag from Capital Bank., recognized and congratulated each student.

City Manager Squyres ask that the students please come to the front after the meeting for a picture with the Mayor and Council

He ask everyone to please stay for refreshments after the meeting.

COMMENTS FROM THE PUBLIC:

Mr. Joe Muniz, 10434 Chadwick, United States Army, 4th Calvary Division stated that he was here representing their American Legion behind our Fire Department. And they were doing the building fund BBQ fund raiser on June 18th and they would greatly appreciate it if everyone attended, they were inviting the whole public and would like for everyone to be a part of them, that he had tickets here at \$10.00 each and if they could not make it they greatly accepted donations and he would put some flyers out. He discussed the changes they had made at the Legion Hall, that they had a new Commander and plans to refurbish the building and make it a better place for the community as well as the American Legion.

One of the Administrators from Furr High School congratulated the seniors from both of the High Schools and stated that they work in the Jacinto City Community at Furr High School and she wanted to invite everyone to come when they have their new building and it would probably be ready in the Fall of 2017 or Spring of 2018 and ask if there were any prior graduates from Furr High School here and there were a few and they were looking forward to seeing everyone at the opening of the new school.

Ms. Watts, Assistant Principal at Furr High School since 1992 stated that they would just like to thank them for such an assume presentation and she knew it would make a big difference in their lives and she was proud to be a prt of Furr High School, that it was a great school and they were working on building up the community as well. She stated that they were given a \$20,000 grant for the park and they would be planting trees over there. She stated that she came from a small town and she knew that events like this made an assume difference in her life and she wanted to thank them.

COUNCIL COMMENTS:

Council Member Rivas congratulated the Seniors, stating that he had a word of advice for them, wear sun screen, sing, floss, stretch, get to know their parents, travel and respect your parents.

Council Member Robinson stated that he wanted to congratulate everyone himself and there was probably three Galena Park graduates sitting at this council table , and he only graduated a couple of years ago. He stated that we took a pretty bad hit from a Channel 39 reporter a couple of weeks ago telling us how bad our schools and kids are and what he did was

Report on some information without checking our the truth, so check your information and find the truth before you report on it if they went that way in their studies and maybe we should have invited him here tonight .He wished them the best in life.

Council Member Lee stated that he thought one of his worst moments after he graduated was not seeing his friends anymore and that was something they would have to deal with, life goes on . God Bless them and thanked them for coming out.

Council Member Garcia stated as she said earlier, go out and do everything you could to further your education. She stated that some of them had mention certain training and there was free training on line they could go too.

Council Member Gonzales congratulated each and everyone of them, advising that they had made a lot of people proud , he hoped that they could get to where all their dreams take them and remember to honor your parents because they were real big influences in your life, they helped you get to this point and God Bless each and everyone one of them.

Mayor Diaz stated that she would like to congratulate each of them, that she knew they had seen her a lot these last few days and if they ever needed anything from the Mayor or Council just come see us. She stated she would like to ask if they could please rise and face the audience and she would like to ask them to clap for their parents because if it wasn't for their parents, they wouldn't be here so congratulations to the graduates and parents.

Mayor Diaz and City Manager Squyers ask the graduates to please come up for pictures with the Mayor and Council so that we could put them on the website.

Mayor Diaz adjourned the meeting at 7:25 p.m..

Respectfully submitted

A handwritten signature in cursive script that reads "Joyce Raines". The signature is written in black ink and is positioned above the typed name and title.

Joyce Raines
City Secretary