

COUNCIL MEETING, THURSDAY, NOVEMBER 10, 2011, 6:00 P.M.

The Mayor and City Council met in regular session on Thursday, November 10, 2011 at 6:00 p.m. with the following members present: Mayor Nunez, Council Members Ochoa, Diaz, Lee and Gonzales; City Manager Maner, City Attorney DeFoyd and City Secretary Raines. Council Member Garcia representing the City at a HGAC meeting.

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

A motion was made by Council Member Ochoa and seconded by Council Member Lee to approve the minutes as presented. Vote: 4 For 0 Against

Department Head Reports:

Chief Ayala stated it had been quite but the Holiday Season was coming up and we all need to be alert and report any suspicious activities. He ask everyone to please watch out for your neighbors.

Chief Squyres cautioned everyone about being careful with heaters during this cold weather.

Kyle Reed, Public Works Director, advised that water leaks are down substantially and we have had time to get driveway and yards back in order and are spraying for mosquitoes. He ask that anyone seeing a water leak please report it, that they are available 24/7.

Kim Bellotte, Parks and Recreation Director, reported that the Pumpkin Fest was enjoyed by all and they had a good crowd, that the weather did get a little cold during the movies but we still had a few faithful stay and watch it. She advised that on November 15th at 6:00 p.m., in the gym at 1022 Mercury, they would be having fit, dribble, dish and swish. She explained what the program was about and encouraged people to come out and participate.

Mayor Nunez stated that she heard they had a good crowd at pumpkin fest. She advised that Cindy Miller's mother-in-law had passed away and ask everyone to remember them in Prayer.

Mayor Nunez welcomed Scout Troop 1301 along with their leaders and read a letter from Ms. Buck stating that her son Clarence Buck was the troop leader and had been involved in Scouts for 45 years but could not be here tonight. Ms. Buck stated that she had been involved with the scouts for 39 years. Mayor Nunez congratulated Ms. Buck for her work with the Scouts.

Mayor Nunez stated that she had ask our City Attorney DeFoyd to clarify something for her and that was in regard to announcing political functions and he had answered that for her and she had a print out and ask him if he could comment on this.

City Attorney DeFoyd stated there was nothing illegal about doing something from the council table but he would imagine that the council has the authority to do what they want to do but not really get outside city business but maybe allow the candidates or their supporters in the audience to talk rather than have it come from the table and explained why he felt that was the proper thing to do in order to prevent some hard feelings. Mr. DeFoyd stated that the council might want to have a workshop to discuss procedures for handling the meetings.

City Manager Maner advised that all was going well and we would start putting up Christmas decorations next week. He thanked all veterans everywhere for giving us the opportunity to sit here and decide our own fate.

Mayor Nunez stated that it had been brought to her attention that some members of the public would like the comments to be right before we start with any city business and she would like the council to consider this because they wanted to have input on items of business that were going to be discussed before the council takes action. She stated she thought City Attorney DeFoyd was right, that it might be good to have a workshop on these items.

There was no Unfinished Business.

NEW BUSINESS:

1. City Attorney DeFoyd read Resolution 2011-15R Supporting the application of Union Pacific Railroad for Municipal Setting Designation (MSD) for property located at 9800 Clinton Dr., Houston, Texas.

There was general discussion concerning the Resolution and it's purpose and City Attorney Defoyd explained the reason for the request.

A motion was made by Council Member Gonzales and seconded by Council Member Ochoa to approve Resolution 2011-15R as read. Vote: 4 For 0 Against

2. Nancy Gosney, stated that her thoughts and Prayers went out to the two families

that lost love ones this week. She stated that the last council meeting she attended, they voted on the rates for renting the Town Center and she got to thinking about it and call and got information and her question was \$65.00 enough to cover all the expenses.

City Manager Maner stated that he considered all that when he recommended this, and it is, that if they used the kitchen, it is another \$20.00 so that would be \$85.00 but if they didn't use the kitchen, that would be \$65.00. There was discussion on how much the attendants were paid at overtime rates and there was not a lot of overage when you consider all the maintenance and cost, etc.. He stated that last year we spent around \$20,000.00 on utilities there. He said that he felt that we needed to raise it to a level that we could at least break even or make a little, and we will, but as he said, he wanted to be very careful that we don't raise it where it's not economically accessible to our citizens because that is who it's for, it is not for a big company to rent and have parties, etc.. He stated that he didn't have the figures with him tonight, he didn't know this was what she was going to speak on or he would have brought some numbers.

Nancy named a number of organizations discussing what they had in common and stated that certain position at the council table were going to be up for election in the upcoming election and ask if they were going to be allowed to announce their candidacy for election in our council meeting, what she would like clarification on was where do you draw the line in politics, we live in a world of politics and how can we not talk about simple fund raisers.

Mayor Nunez advised Nancy that when a person approaches the podium, they can speak and announce different functions they have or introduce them self as a candidate and that has always been done, that she, as an elected official, has never announced or advertised a fund raiser for anybody from the council table.

Nancy stated that we have Position 1 and Position 2 coming up, are they going to be allowed to announce their candidacy.

Mayor Nunez stated that was why she had Mr. DeFoyd discuss this. Mr. DeFoyd advised it was up to the city council, they could do whatever they wanted to regarding these procedures.

Nancy called attention to a couple of band aids Mr. DeFoyd had and ask him if everything was ok in Galena Park. She advised Chief Ayala that she had something to ask him tonight, due to the problems they were having in Galena Park, do we have a policy of no dating in the work place, written or oral.

Chief Ayala replied that it all depended on certain circumstances, he stated that he didn't allow it in the work place, Now if it happens that somebody, an employee dates another employee, and it has happened throughout the years, and they are very honest about it and they have intentions of getting married and it has anything to do with nepotism, he is going to consult with the City Attorney.

Ms. Gosney ask if there was a policy in general and City Manager Maner advised there was not, it was not addressed in our Personnel Policy at all, that it was something that could be addressed if the council chose to do so.

COMMENTS FROM MEMBERS OF THE PUBLIC:

Larry Schion, 506 Hare Cook Road, Crosby, stated that he had heard what was going on in Galena Park and was glad that it wasn't Jacinto City because we get our own share of it. He discussed things that he knew went on with people dating and it went to the top at the police department and we did need to put that in writing. He stated that he had read the article about Galena Park and it was pretty damaging and discussed his opinion of what should have been done, that you don't treat women like that. He stated that our council was a pretty good council and sometimes they get caught up in stuff but if there is no rule that says they can't, that he was here the last time that Ms. Garcia had mentioned Ms. Diaz's husband running and he didn't see anything wrong with it or them saying they were running this year and hoped that they would support them and discussed his reason for thinking it was ok. He stated the city attorney was ask and he said he didn't see anything wrong with it but he didn't think that they should but they made the decision anyhow so If they wanted to go ahead.

Mayor Nunez advised that was what the city attorney said, that it was up to the council to decide aye or nay, that was why she went to him and ask him for his legal opinion.

Mr. H. G. Wooten stated that he was very sorry about Mark Miller's mother and they will have a tribute for her at the opry. He advised that they could not announce politics on the stage at the opry but you could pass out all the cards you wanted to in the audience.

Jean Garey announced that there would be a benefit for their sister, Debbie Samuel, who had been diagnosed with Stage 4 Lung Cancer. The benefit would be on Saturday, November 12th at the Eagles Lodge on Market Street and they would appreciate everyone's support.

Mayor Nunez stated that those of us that have gone through cancer, and there was some of them here that were cancer survivors, know that it is a costly illness because she had

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gone through that and this was something that affects, not only the person that has it but the whole family and everybody that is close to you so we do whatever we can to help those in need.

Kim Bellotte advised everyone that she had spoken to Dale a couple of days ago and he wanted her to tell everyone that he was getting healthy and that he was coming back to mess with Kyle some more and hopefully he would be back within a month.

Council Member Lee ask if we were going to hear any more from the Scouts and Ms. Buck advised that the Scouts needed to talk with the Mayor and Council Members after the meeting to ask a few questions because that was one of their requirements.

Mayor Nunez welcome Marque with the engineering firm working on the spoil area.

Mayor Nunez adjourned the meeting at 6:38 p.m..

Respectfully submitted,



Joyce Raines
City Secretary