

**COUNCIL MEETING, THURSDAY, APRIL 27, 2017, 6:00 P.M.**

**The Mayor and City Council met in regular session on Thursday, April 27, 2017 at 6:00 p.m. with the following members present: Mayor Diaz, Council Members Rivas, Robinson, Gonzales; Assistant City Manager Greiner, City Attorney DeFoyd and City Secretary Raines. Council Member Garcia arrived after roll call and Council Member Lee absent.**

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

**A motion was made by Council Member Robinson and seconded by Council Member Rivas to approve the minutes as presented. Vote: 3 For 0 Against**

**DEPARTMENT HEAD REPORTS:**

**Chief Ayala advised that they were now putting up the steel on the new police station and they were beginning to get excited about it.**

**Mayor Diaz advised that we were all getting excited.**

**Chief Mier announced that the new ambulance was now in service and that she had nothing else to report at this time.**

**Kyle Reed, Public Works Director, reported that the rabies clinic was a success, he read in the paper that there was more than 200 animals that come through and that we sold 128 tags. He stated that he included in their packet a copy of the 2016 Annual Drinking Water Quality Report and this would be on the agenda for the next time and he advised that right now we were buying 100% of our water from the City of Houston. He stated that the copy he gave them on the inspection of the sewer plant was done back in June of last year and he just received this letter on April 17<sup>th</sup> of this year advising that no violations are being alleged as of a result of the investigation. He advised that the tire roundup would be on May 13<sup>th</sup> from 8:00 a.m. to 3:00 p.m. and explained what would be picked up. He explained that on the same day, the people who help them with the dog pound will be having a BBQ fund raiser at the community building from 11:00**

**a.m. until 2:00 p.m. to help with finding homes for the dogs and for medical expenses, he stated they were doing a fantastic job and they appreciate their help.**

**Mayor Diaz advised that Elizabeth, from Heritage Hall, was not here tonight that one of our longtime seniors from Heritage Hall had passed away, Ms. Faylene Connell and Elizabeth had taken some of the seniors to the viewing. She asked that everyone keep the family in their Prayers.**

**Mayor Diaz also advised that Ivan Rojas was here earlier but had to leave to meet with a contractor at the pool.**

**Mayor Diaz stated that the baseball and softball season was still going, they were even having games on Saturday and over the weekend they had a tournament here from The Woodlands and they said our field was awesome and that they would love to come back and have some more tournament here.**

**The Assistant City Manager had no report.**

**There was no Unfinished Business.**

**NEW BUSINESS:**

- 1. Approval of Budget Amendment for the Police Department to purchase patrol unit to replace Unit #28; three year lease for 2016 Ford Explorer with first payment being \$12,000.**
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**Chief Ayala advised that the first payment was going to be more than \$12,000.00 and recommended that they table this item to be place on the next agenda.**

**A motion was made by council Member Gonzales and seconded by Council Member Robinson to table the budget amendment on the patrol until and place it on the next agenda. Vote: 4 For 0 Against**

- 2. Council Authorization to advertise for bids to resurface Kilroy Street from the railroad to Lane Street on the South side and from Market Street to Oswego Street on the North side with bids due back on May 25, 2017.**

**A motion was made by Council Member Gonzales and seconded by Council Member Robinson to authorize going out for bids for the resurfacing of Kilroy Street with bids due back on May 25, 2017.**

**Vote: 4 For 0 Against**

- 3. Teresa Arzapala, Keep Jacinto City Clean President, to address Mayor and Council to present health concerns to the city.**

**Ms. Arzapala thanked the Mayor and Council for the recent newsletter where they suggested for the residents to get rid of tires where mosquitoes can breed and cause disease's. She stated that they had just given them a list of addresses where some of these tires were at and hoped that they would do what was necessary to eliminate them. She stated the tire roundup was only once a year and they think it should be twice a year.**

**She stated that the city also had a large pond of water, that was currently breeding mosquitoes, at the corner of Palestine and Kirby and this could easily be eliminated by filling in the hole with dirt. Ms. Arzapala called attention to pictures of the water that they had attached to the handout they were given and ask that they please call them if they could help in keeping the city clean.**

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**Mayor Diaz ask if this was the one by the railroad tracks across from Napa and was advised that it was. The Mayor ask wasn't there a pile of dirt that the railroad had put there recently.**

**Mr. Reed stated that first of all there was a whole section that needed to be fixed and discussed what it would take to fix it correctly, he stated that they had fixed one area by placing dirt there then a few**

**months ago the railroad had called Lon to see who was putting in dirt in that area and we were advised to stop and they did, he wasn't going to jail, that we had dealing with the railroad police officer before and they weren't nice so we needed to ask the railroad to fix this.**

**Mayor Diaz ask if we had a number for the railroad person in charge of this area or who we would speak with.**

**She was advised that Lon did that he had been in communication with them.**

**Mayor Diaz stated that we needed to communicate with him and see if he could come to one of our council meetings and hear the complaints from the citizens so they could know it was the citizens complaining.**

**Mayor Diaz stated that on the tires, we were having a tire roundup on May 13<sup>th</sup>.**

**Kyle advised that we had a trailer at the fire station, that we still had room for tire but we didn't know when they would be picking it up so if they had tires to call him and he would come by and get them so we could put them in the truck in case they picked it up before the roundup if they would put them out front and call because we didn't want the tires out there and he would go out tomorrow and look at the addresses they gave us and get them picked up.**

**Mayor Diaz reminded everyone that we ourselves could not go on the property so the tire would have to be placed at the curb.**

**Council Member Garcia ask if all the tires on their list were where you could see them and ask Kyle to explain what was proper and improper.**

**Kyle stated that some people did not want to get rid of their tires and the proper way to store them was to be sure they were completely cover so they could not hold water. There was more discussion on storing the tires and putting out door knockers.**

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**Mayor Diaz advised the committee that we did appreciate them doing this and anything they see that violates our Ordinances, to please let us know.**

**PUBLIC COMMENTS:**

**La Gloria Sephus, 9701 Big Bass, stated the first thing she wanted to talk about was the flooding, that every year when it rains it floods real bad at Big Bass because they have that vacant land and ditches that flood and behind them and the new company that went in behind them and put that electric fence have recently dug a ditch and now in the ditch is concrete so when they get a big rain it was going to flood in Big Bass and they were going to have a big problem. She stated she didn't know if they had got a permit but it was like a retention pond and she wanted to bring it to their attention.**

**Mayor Diaz ask Kyle if he would go by and look at this.**

**Ms. Sephus stated that they didn't get the news letter from the city and they have residents that have dogs and she had talked to them but she needed someone from the city, they need notices on city Ordinance in regard to dog tags and vaccinations, that in the past she had gotten notices and put them up on the bulletin board, that the Manager knows who has dogs and she can let them know what the Jacinto City Ordinance requires.**

**There was discussion about sending Eric Jones, the Humane Office, down to speak with them.**

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**Mayor Diaz ask her to talk to the apartment manager and see when would be a good time to send Eric by to speak with them.**

**Mayor Diaz ask Kathy to see about getting some copies of the news letter sent over to Big Bass.**

**La Gloria stated that she told the Fire Chief that in the future they plan to replace the Big Bass fence next to where the electric fence is located so she guessed that they would need to let the company know so that they could cut the electricity off while they are working on their fence.**

**There was discussion and Chief Mier advise what they would probably need to do but it was not picked up by the recorder.**

**Allan Jamail stated that he wanted to say this as gentle as he could and they knew that he respected everyone but he didn't agree with the alibi that the railroad is stopping us from filling in a couple of wheel barrows of dirt at that location. He stated that was an intersection in the City of Jacinto City, the street belongs to the City of Jacinto City and so does that culvert where the problem is, it don't belong to the railroad and he didn't mind going to jail if that was what it takes to protect newborn babies from getting a disease that can kill them or cause a brain defect, he would go to jail, he would be out there with a shovel filling in the dirt but he would not do it until the Mayor had expired all of her inquiries, she had made the statement that she was going to look into it and he knew she was a Mayor of her word so he would respect her attempts to do that. But if in the end if the railroad refuses to allow the city to prevent a death in this city, he wanted Joyce to have it in the records that Allan Jamail is willing to go to jail to prevent the death of anyone, that he would personally fill in that hole shovel by shovel until there is no more water to be able to stand and cause mosquitoes. He stated that he talked to Lon today and Lon told him that he does have a remedy to this problem, that he has established to contacts with the railroad and he was almost positive that this issue we were discussing tonight was going to go away very quickly which was really good news for all of us because he didn't care about going to jail. Mr. Jamail stated that he thought where the problem is that the city came in after we had a lot of water standing on Holland all the way to Kirby and Kyle and the public works group did a great job taking care of that and now there was no water standing there, that when it rains that within a 24 hour period that**

**water sinks into the ground or evaporates, the only issue was a 12 foot spot about 3 feet wide where the city dug a little hole trying to get the water to run uphill, it won't do it, water don't go uphill, so we just need the city to take that same dirt that was dug out and put right back in that hole and the railroad is not going to stop us but anyway he thinks the issue is going to go away.**

**Mr. Jamail stated that on the tire roundup what the President was saying in her message was that maybe the city should consider twice a year instead of one because if you stopped and looked at it from a common sense standpoint, they were saying they were going to pickup these tires once a year so that was 364 we were going to allow tires to create mosquitoes, that Lon put in the newsletter calling those tires mosquitoes hotels so he himself has said this breeds mosquitoes and the city is saying we will get rid of these mosquito hotels once a year and the other 364 days we will allow them to exist on the property but he did agree that they can't go on the property but maybe if the citizens knew that you could put them out twice a year, it wasn't that expensive to do it twice a year. He stated that he was up here as a friend of the city and trying to work with the city.**

**Mr. Robert Molina passed out flyers advising that Second Baptist Church was having their National Day of Prayer Breakfast on Thursday Morning, May 4<sup>th</sup> from 8:00 a.m. until 10:00 a.m. and invited everyone to come out and join them for good food and fellowship. He also announced that every 4<sup>th</sup> Thursday, from 3:00 p.m. to 6:00 p.m. a health caravan came to the church and provided free immunizations for kids.**

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**Mayor Diaz stated that if anyone had not gone to the National Day of Prayer Breakfast, it was a great event and they made a great breakfast.**

**Linda Jamail, stated that she had just thought about it right now and she was going to ask Kyle about it, they were suggesting maybe two time a year on the tire roundup, was there a possibility or suggestion**

**she could make and she thought it was something they do already, she wasn't sure, if we could get it in the news letters that if you have tires throughout the year, if they put them out would the city pick them up and store them down the city facility until the time come up that you have a large quantity of tires, was that something that could be done.**

**Mayor Diaz stated there was a possibility that we could put it on the next water bill.**

**Linda said that we could make our citizen aware that if they had a tire and they didn't want it, put it out on the street and our public works would pick them up.**

**Kyle stated that right now we had a way to dispose of a bunch of them that would not cost the city but that would be up to Lon and the Mayor and Council.**

**There was discussion on the amount of tires they could store at the public works facility and how they would get rid of them.**

**Mayor Diaz stated that Joyce and Kathy were going to see if they could put it on the water bill.**

**Donna Dailey, 1701 Chazen Dr., stated that she just wanted to say that she appreciated all that was done in our city and advised Kyle that she thought that he and his guys were doing a great job. She stated that about the tire, she knew that our trash service says they won't take tires but she had put a tire out there on a Saturday and it came up missing soon after the garbage truck came through she was sure they wouldn't do it every Saturday but if they see that you are trying to clean up we have a fantastic garbage service in town, in fact they have come up when they see me pulling it out and carried it out to the road and she knew that they would do that so we really did have some good service in this town.**



**Mayor Diaz stated that we also has heavy trash service every Saturday and that had been in the news letter and a lot of people don't take advantage of that.**

**Donna stated that she also wanted to bring this to their attention, we live in Jacinto city and we take a lot for granted, we don't realize how good we have it here, to live over in Houston and see what happens that she has seen piles sit there for weeks, we need to take care of our city and appreciate it.**

**Kathrine Roses, 1213 Oates Road, stated that for years she had seen people throwing down their trash or throwing it out car windows and God created this world and he didn't mean for people to throw trash everywhere, we need to respect the earth we live on. She stated that she had tried all her life to clean up around her place as well as her neighbors and she takes a plastic bag when she goes walking and picks up the trash and helps pick up trash at the park and ball fields, that there were a lot of people who don't care and have no respect for their surroundings and when she sees buckets, etc. with standing water she will dump it out so that it didn't breed mosquitoes.**

**Mayor Diaz thanked her for helping picking up trash, that some people just don't care.**

**COUNCIL COMMENTS:**

**Council Member Rivas ask Kyle for all that stuff he had going on did he want to write it down and was advised by Kyle that he had it.**

**He stated that they talked about trash and high weeds, focus on that, for us we do it because that is what we like but we had to remember that those young ones behind them was going to become their force so it was a good time to start saying hay I don't like it, I want to pick it up, I want to make a change so that by the time you get older, it will be instilled in you automatically. He stated that one of the things he**

**did when he went to watch a ball game and the game is over and everyone starts to leave the bleachers, he always say hey can they Help pick some of this loose garbage up and a lot of people do but he doesn't forget about the residents right across the street because the wind blows a lot of it in their yard but as far as the tire roundup and tires being brought in, as they discussed, he knew there were situations when we get chemicals, etc. dropped of in different spots that they have to deal with and it would be hard to put something we can regulate, for instance a drop off site would probably get a lot outside trash brought in and dropped off so it has to be curbside. He stated to Mr. Jamail that he gets what he is saying on the railroad, not afraid to go to jail but he could tell him that he had dealt with the railroad and they were a tough bunch, it was in the form or way you presented it, coming across and getting them to understand it and the importance of it, we can go in with our fist cuffed and say we are going to do it and that's all there is to it because they just don't understand that, the explaining, the pictures they have here would be better than that.**

**Mr. Jamail spoke from the audience and advised Councilman Rivas that he didn't dispute what he says but he has dealt with the railroad more than he had, he had dealt with them 20 years, as the Mayor of this city he negotiated with them and got all of those oak trees and did he think that was an easy feat, it was all in how you talk to them.**

**Council Member Rivas ask him long ago was that.**

**Mr. Jamail ask him to please not talk, he didn't say it was easy but it could be done, did he think it was easy to get all the oak trees and the berms put up there, he helped with that and he said he didn't know how hard it was but he did now, he was in the council member seat and in the Mayor's seat and he was in the Chief's seat and he knew how hard it was to negotiate and this was something that was simple, filling in that hole was simple and if we don't get it done, he would show him how simple it is, he would do it himself.**

**Council Member Rivas ask him if he could ask a question, when did he get those oak trees put in and when did he get those berms put in.**

**Mr. Jamil stated in 1986 and 1987 when the 84" water line was put in and ask if he was living here then and Council Member Rivas stated no.**

**Council Member Rivas stated that he could tell him this, as of 2008 Texas has put in a system called Life Phone System and with that you had to call to dig and that would get you put in jail, you violate the law, not city law, not county law but State Law and that will get you put in jail.**

**Mr. Jamail stated that the city had already dug, that was not the issue tonight, the issue was filling in so what he was saying was the city should have called before they did that because that trench they were seeing there was not there 8 months ago and he saw the city digging it.**

**Council Member Rivas stated that now with that same repair we would have to go down the same avenue.**

**Mr. Jamail stated that was not the railroads property there sir, that street and culvert belong to us look at where it is, it is right there on the edge of our street, it is on our property, Jacinto City's easement and that is why it upsets him to see somebody use the excuse that it is the railroad when it is not, he stated that he knew this city frontward and backward.**

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**Council Member Rivas stated that by no means was he saying that it can't get fixed, he was just saying that we had to be cautious of what we do by there.**

**Mr. Jamail stated that he agreed.**

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**Council Member Robinson advised that our seniors had their Olympics last week and he hadn't head how we finished with that. He wished everyone a safe week.**

**Mayor Diaz stated the senior Olympics were this week.**

**Council Member Robinson stated that was right, tomorrow was the last day.**

**Council Member Garcia ask Ivan that whenever the contract was put out for the ball season was there somewhere on the contract that says the league is responsible for picking up the trash.**

**Mayor Diaz said that they do pick up their trash, that she is there every night.**

**Ivan stated he was not sure but he would check and see.**

**Council Member Garcia stated that if wasn't, maybe it should be. She stated that if there was any question as what the city could do or not do to please give the City Manager or one of them a call. She thanked the KJCC Team for bring this to our attention, that it took more than one set of eyes to see everything.**

**Council Member Gonzales ask Kyle if he knew just how long the trailer was going to be here in our city for the tires.**

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**Mr. Reed stated that they had no idea.**

**Council Member Gonzales stated that he knew we would get some of the tires tomorrow and he knew they wouldn't get them all.**

**There was discussion on where the tires were located and that they had to be in the front on the curb for us to pick them up, that we could**

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**not go on their property. The committee replied that most of them were in the front.**

**There was discussion about storing them at the Public Works Facility and Kyle advised that they could store up to 100 tires then they would have them pickup.**

**Mayor Diaz adjourned the meeting at 7:00 p.m..**

**Respectfully submitted,**

A handwritten signature in cursive script, appearing to read "Joyce Raines".

**Joyce Raines  
City Secretary**