

**STATE OF TEXAS
COUNTY OF HARRIS
CITY OF EL LAGO**

**CITY OF EL LAGO
CITY COUNCIL MEETING MINUTES
FEBRUARY 15, 2016
7:00 P.M.**

2/15/2016 - Minutes

1. COUNCIL MEETING CALL TO ORDER

Pursuant to public notice as required by law, Mayor White called the February 15, 2016 City Council meeting to order at 7:03 p.m.

The following City Officials were present:

- Mayor Robert White
- Mayor Pro Tem John Skelton
- Councilperson Robert Kumar-Misir
- Councilperson Jeff Michalak
- Councilperson Jeff Tave
- LPD Chief Tom Savage
- City Secretary Ann Vernon

The following City Official was absent:

- Councilperson Carolynn Stanley

2. PLEDGES

Mayor White led the pledges to both the American and Texas flags.

3. CITIZENS COMMENTS

Jean Raffetto of 1106 Cedar Lane said she would like to follow up on the last meeting regarding neighbor's trash cans. Mrs. Raffetto reported that her neighbor's trash cans remained out since the Saturday pickup until Monday evening and so she would like to request that Council consider taking action to stop this type behavior.

Robert Burke of 1714 W. Hedgecroft said he is troubled that it would appear the process was circumvented and that all did not seem to be in the loop regarding the potential sale of parkland. Mayor White responded that the Ordinance up for approval at this meeting gives the citizens the right to vote on whether or not they want the Council to consider selling the proposed parkland. If voted in favor, then the Council will have the opportunity to discuss and consider selling.

Dr. Randy Roof of 402 Lakeshore and also the Forest Lake Animal Clinic of 3942 NASA Parkway said he purchased the property for the clinic in 1996 and it already had an existing building which he expanded. On the survey at the time, 18 feet of concreted parking lot on the east of the property was listed as a road easement. His understanding was that the previous business owner of Ron's Fried Chicken needed the extra room for turning for a drive-through. The city and owner agreed and created a road easement; 18 feet of which was on city property and 10 feet on the business property. Dr. Roof explained that he would like to formally purchase that 18 feet of the property which has been under his parking lot for the last 20 years.

4. MAYOR'S REPORT ON CITY BUSINESS

Mayor White reported on the following:

- On February 27th Pack 392 is requesting to hold their annual Pinewood Derby in the Event Room
- The City's annual Easter Egg Hunt is scheduled for the morning of March 26 at Witty Park.
- The City Celebration is scheduled for the afternoon of Saturday, April 23rd. The toys have been reserved including the 4-way Bungee Jump.

- With regards to the city's boards and commissions, the liaison form of communication with the Council is changing. The Mayor said that he is now going to have the Chairpersons from the various boards and commissions come to the Council meetings to report.
- The Volunteer Appreciation Dinner was last Saturday and the winners of the awards were as follows: Mayor's Award winner is Clive Taylor, Council's Award winner is Shirley Brasseaux, and Staff's Award winner is Cam Michalak.

Mayor White invited Art Richard, the CERT Coordinator to speak. Mr. Richard said they are currently putting together maps of the area and are assigning 3 or 4 CERT volunteers to work each street during an emergency event. They are even assigning volunteers to work the TLV properties on this side of the lake since it makes sense.

5. LPD CHIEF TOM SAVAGE TO REPORT ON POLICE ACTIVITY IN THE CITY

Chief Savage gave the annual Racial Profiling Report stating that there had been no complaints of racial profiling and in fact, the department has never received a racial profiling complaint. When asked about the 22 searches versus only 5 consents to searches, Chief Savage stated that when the driver has outstanding warrants, they have to search incident to arrest so they don't ask permission. Otherwise, when there is suspicious activity in the area being reported, they will ask for consent stating that the search could clear the driver of being a suspect. In that case, the driver will usually consent to the search.

The Chief said that a busy ordinance enforcement season is about to begin with the grass growing, etc. He was given several photos of properties with ordinance violations after the last Council Meeting and he stated that all have been addressed. He invited the Council to continue to send him notice of chronic violations and he will get them taken care of.

When asked about the Odyssey Academy break-in, Chief said that the prior weekend, the side door had been accidentally left open and someone went in and stole some items. Just this weekend, there were several more items discovered to be missing, but it is assumed that they were taken also on the prior weekend.

6. NEW BUSINESS TO CONSIDER FOR APPROVAL

6.1. Maria Ludvig To Present Proposal For Water Fountain With Dual Bowl For McNair Park

Maria Ludvig, Chairperson of the Parks Board reported that the Board would like to place another drinking fountain in McNair Park just off the sidewalk between the pool and the pavilion. Additionally, the water fountain would also have a bowl to provide a drink for the many pets in the park. Mrs. Ludvig referenced a quote from Kraftsman and said that the fountain would be blue to match other items in the park. The quote for \$2,734.11 includes a Buy Board discount of \$287.50 and is about \$250.00 cheaper than another quote she said she pulled from online. Councilperson Tave motioned to approve the proposal for the water fountain for McNair Park and Councilperson Kumar-Misir seconded it. Mrs. Ludvig told Council that the fountain would need to be installed which would include plumbing, a pad and a drain and said she hoped the City Maintenance Staff could help with this, but if not, they would need to hire that work out. Mayor Pro Tem Skelton motioned to amend the first motion to include an additional \$700.00 if needed for installation. The motion was seconded by Councilperson Michalak and approved by all present.

6.2. Ordinance 435 Calling For A General Election On May 7, 2016

Mayor White read the preamble for Ordinance 435 calling for a General Election on May 7th for City Council Position 3, 4 and 5 and also for a proposition selling 7.3% of an acre of park land in Reserve B which is adjacent to Armstrong Park. The small portion of land which is mostly located under the parking lot of Forest Lake Animal Clinic, is an 18 foot swath on the east side of the parking lot and along with 10 feet of the clinic property, is designated as a 28 foot road easement.

Councilperson Tave said that regarding the proposition to authorize the sale of the park land, he feels that he as a Councilman along with guidance by the Parks Board, should first have had the opportunity to weigh in on this. He feels there are some potential pros, the city would get some money and it would relieve an existing encumbrance, but there are also significant cons. Some of the cons being that this strip of land added to the existing land the city owns adds value and if sold, would detract from that. He feels that Dr. Roof is an exemplary citizen and that if he were a small businessman, he would want to do the same thing. However, he is trying to see what the pros are to the city. It seems that if the concern is the encumbrance, then if the following business follows the same form as the existing one, then you could just let things be as they are. If the following business wants to redevelop the land then you could reevaluate. The city's investment potential with dollars is minimal, real estate is a much more valuable investment for the city. Councilperson Tave went on to say "maybe it is some sort of grand dream, but if somehow the city could get land on the south side of the lake, then the land we have on the north side linked by a land bridge over NASA Parkway to land on the south side could serve as a potential park on Clear Lake. I don't know if that is feasible or not, but certainly by keeping our chunk of land on the north side, in my mind would serve the best interests of the city of El Lago."

Mayor Pro Tem Skelton asked if the City Attorney had been consulted as was told that he had been. He then asked, can the Council even determine whether or not they want to enter into a deal or is it entirely up to the citizenry? Mayor White stated that the Council cannot enter into any type of negotiation unless they first receive approval by the citizenry. After the citizenry gives approval, then the Council will have the opportunity to consider whether or not they want to pursue the sale. Mayor Pro Tem Skelton then asked if the Council has the power to strike this item from the call for an election ordinance and was told, yes they can.

Councilperson Tave then made a motion to amend the first motion by striking proposition 1 from the Ordinance, but the motion failed due to the lack of a second.

The main motion passed with a vote of three in favor and with Councilperson Tave voting opposed.

6.3. Resolution 2016-01 Approving Appointments To The Building Standards Commission

Mayor White asked if there were any objections to postponing this item to a future meeting when appointees can attend to be sworn in. There being none, the item was postponed.

6.4. City Council Nomination And Approval Of Annual Volunteer "Council Award"

Mayor White said that the volunteer award recipients needed to be formally approved . Councilperson Kumar-Misir motioned and Mayor Pro Tem Skelton seconded approving Clive Taylor to receive the Mayor's Award, Shirley Brasseaux to receive the Council Award, and Cam Michalak to receive the Staff Award. The motion passed unanimously.

7. APPROVE THE MINUTES OF THE FOLLOWING CITY COUNCIL MEETINGS:

Councilperson Tave moved to postpone approval of the minutes since they were not posted previous to the meeting. The motion was seconded by Mayor Pro Tem Skelton and approved by all.

8. OTHER ITEMS COUNCIL WOULD LIKE TO SUGGEST FOR CONSIDERATION ON A FUTURE CITY COUNCIL AGENDA

Mayor White asked to have the discussion regarding trash cans be left out added to a future agenda and Mayor Pro Tem Skelton asked to have a review of current ordinances regarding driveways.

9. ADJOURNMENT

There being no further business, Mayor Pro Tem Skelton motioned and Councilperson Michalak seconded adjourning the meeting. Mayor White adjourned the meeting at 7:45 p.m.

Robert White, Mayor

ATTEST:

Ann Vernon, City Secretary