CITY OF BELLAIRE  
CITY COUNCIL  
Minutes of Meeting  
Monday, April 21, 2008  

REGULAR SESSION – 7:00 P.M.  

A. CALL TO ORDER AND ANNOUNCEMENT OF A QUORUM – Mayor Cindy Siegel.  

Mayor Cindy Siegel called the City Council of the City of Bellaire, Texas, to order at 7:02 p.m. on Monday, April 21, 2008. The Bellaire City Council met at that time and on that date in Regular Session in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401. Mayor Siegel announced that a quorum was present consisting of herself and the following members of City Council:  

Councilman James P. Avioli, Sr., Position No. 2;  
Councilman Pat McLaughlan, Position No. 5; and  
Councilman John Jeffery, Position No. 6.  

Councilman Will Hickman, Position No. 1, and Mayor Pro Tem Peggy Faulk, Position No. 3, arrived at 7:10 p.m. Councilman Phil Nauert, Position No. 4, was absent. Other officials present were City Manager Bernard M. Satterwhite, Jr., City Attorney Alan P. Petrov, and City Clerk Tracy L. Dutton.  

B. INSPIRATIONAL READING AND/OR INVOCATION – Councilman Phil Nauert.  

Due to the absence of Councilman Phil Nauert, the inspirational reading was not given.  

C. PLEDGE TO THE FLAGS – Councilman Phil Nauert.  

1. U.S. PLEDGE OF ALEGIANCE.  

2. PLEDGE TO THE TEXAS FLAG.  

Councilman Pat McLaughlan led the audience and City Council in the U.S. Pledge of Allegiance and Pledge to the Texas Flag in Councilman Phil Nauert’s absence.  

D. APPROVAL OR CORRECTION OF MINUTES:  

APPROVAL of minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held Monday, April 7, 2008 – Action by
Members of City Council to Adopt Minutes (Item submitted by City Clerk Tracy L. Dutton).

MOTION TO APPROVE MINUTES:

A motion was made by Councilman James P. Avioli, Sr., and seconded by Councilman Pat McLaughlan to approve the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held Monday, April 7, 2008.

VOTE ON MOTION TO APPROVE MINUTES:

Motion carried unanimously on a 4-0 vote as follows:

FOR: Siegel, Cindy
Avioli, James P., Sr.
McLaughlan, Pat
Jeffery, John

OPPOSED: None

ABSENT: Hickman, Will*
Faulk, Peggy*
Nauert, Phil

*Councilman Will Hickman and Mayor Pro Tem Peggy Faulk arrived at 7:10 p.m. and participated in the remainder of the meeting.

E. PERSONAL/AUDIENCE COMMENTS.

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas:

Ms. McBee noted that she wished to address several items on City Council’s agenda this evening. The first item of address was the sidewalk engineering design and annual maintenance. A map attached to the agenda item indicated that sidewalks to be repaired and maintained were scattered throughout the southeast and southwest parts of town along Bissonnet Street and Bellaire Boulevard. She suggested that the size of sidewalks on the major arteries of Bellaire Boulevard and Bissonnet Street be increased to a minimum width of five feet. These streets were heavily trafficked by vehicles and pedestrians deserved the most protection that they could be given. She also encouraged City Council to address sidewalks on both sides of those particular streets.

Ms. McBee next referred to an agenda item to call a public hearing on a specific use amendment request submitted by Allegiance Bank. She noted that the paperwork did not refer to the fact that this was a second application. For the record, it seemed to Ms. McBee that it would be appropriate for
everyone to know that Allegiance Bank had applied twice. The withdrawal of a prior application did not change the fact that the Planning and Zoning Commission voted on two applications.

Thirdly, Ms. McBee referred to the agenda item submitted on behalf of the Centennial Planning Committee. She noted that she was a member of the Centennial Planning Committee and was present the evening that this item was voted on to present to City Council. She voted against the proposal, not because she opposed the options provided to City Council, but because the items were not ready for City Council to choose. She recommended that City Council refer the item back to the Centennial Planning Committee for them to do the work-up, detail, and cost estimates so that City Council could appropriately make a decision.

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**Jim Tribon, 4807 Mayfair Street, Bellaire, Texas:**

**Mr. Tribon** addressed City Council and advised that he had lived in his home at 4807 Mayfair Street for 33 years. He stated that the problem he wished to address was related to flooding. He noted that he was probably the only person in Bellaire who had filed two flood claims against the flood insurance program in past years. The first claim arose when Texaco built their parking lot and caused Mr. Tribon’s backyard to flood, as well as a portion of his home. Bellaire’s previous Building Official, Joe Edwards, helped Mr. Tribon rectify that particular problem years ago.

Mr. Tribon now had an issue related to the construction of a new home at 4809 Mayfair Street approximately seven years ago. Mr. Tribon provided City Council with pictures of flooding that occurred in his garage and residence as a result of that home. He advised that there was a 17” variance in a four and one-half foot space between his yard and the neighboring yard, which was not doing the job of containing and draining water.

A letter Mr. Tribon received from the City of Bellaire indicated that the home at 4809 Mayfair Street had adequate drainage; however, there were no downspouts or water handling devices at 4809 Mayfair Street. Mr. Tribon built a berm across the front of his garage in an attempt to keep the water out, but the berm was not working. He and his wife had been trying to work on this problem for the last 6-7 years on their own to no avail. Upon contacting the City, he was advised that this was basically his problem, and he had to deal with the current homeowners. The City's Community Development Department, however, issued a permit for the home to be built at its current grade.

Mr. Tribon was now stuck with a problem that he had nothing to do with. A portion of his home was currently unlivable and he could not use his garage.
He advised that he handled the water on his own property with a 4” subterranean drain on the long side of his lot that took care of gutters and downspouts. He had also installed five area drain boxes to move surface water out onto Mayfair Street. On the other side of his home, he had area drains and drain boxes, as well as gutters and downspouts to get the water out of his property. The neighbor should be handling the water from his or her own property. Mr. Tribon should not have to handle their water as well. Again, Mr. Tribon reiterated that the City issued a permit for this home seven to eight years ago. He advised that he could think of at least three other homes in his neighborhood with the same problem, as the City allowed homes to be built around them at higher grades.

Karen Tribon, 4807 Mayfair Street, Bellaire, Texas:

Ms. Tribon addressed City Council and thanked them for the opportunity to be able to speak with them regarding her flooding issue. The Tribons did not feel that the situation was their neighbor’s responsibility as the current neighbors just recently purchased the home. The builder who lived in the home for a few years did not handle this or other problems that the Tribons brought to his attention.

The City of Bellaire permitted the builder to construct the home in this manner, and the Tribons wished to have the situation rectified. Based on a letter the Tribons received from the City of Bellaire, they were supposed to address the neighbors who had no knowledge of the situation and ask them to fix the problem. She did not feel it was accurate for a home’s baggage to follow to the new owner.

Ms. Tribon advised that she felt that the City of Bellaire should take this matter under consideration and try to understand where the Tribons were coming from. She continued by referring to other neighbors experiencing similar problems in their backyards.

Ms. Tribon stated further that she and her husband could not handle their runoff, as well as their neighbors, and did not feel that they should have to spend additional funds out of their pocket to try to handle this problem that the City of Bellaire proposed or allowed.

Ms. Tribon noted further that the City of Bellaire sent an inspector out to look at their property in 2006. She advised that she had to call the City and ask for a letter indicating what the inspector had found. The letter was dated in 2008. The letter indicated that the property at 4809 Mayfair Street had adequate drainage. She wished to know how that drainage was adequate, as the home had no gutters or downspouts. She noted again that the
neighboring property was 17” higher than her property, and the water had nowhere else to go but down onto her property.

In closing, Ms. Tribon stated that she would like some answers and did not want this to go on for another year, as she did not think this was satisfactory for Bellaire.

Richard Franke, 1104 Howard Lane, Bellaire, Texas:

Mr. Franke addressed City Council regarding infrastructure. He advised that he had been reviewing old City Council minutes and found a comment made during the February 4, 2008, meeting related to the reason that Bellaire could not reconstruct all of its infrastructure at one time. The comment was that if the entire infrastructure had been replaced at one time, the tax rate would have increased to $2.00 per $100 valuation for approximately 20 years. Mr. Franke stated that he did not recall seeing those numbers or a numerical analysis of what the infrastructure cost would be, but did recall that once the engineers started looking at the infrastructure, it was in worse shape than originally thought when an assessment of the infrastructure was performed in 1997.

He next referred to the no fill ordinance. He advised that the root cause of the drainage issue was due to the fact that Bellaire had experienced 18” of subsidence. There were also streets with no sub-base and very few storm sewers. To this day, Bellaire still had hundreds of millions of dollars worth of work that needed to be done with no plan in place.

Mr. Franke continued to hear his neighbors and those living off of Avenue B near Faith Lutheran Church with flooding issues. The City had no idea as to when those issues might be rectified. Although the City had plans to work on drainage in the Southdale area, Mr. Franke noted that whatever happened in Southdale backed up two miles to the north and crossed Bellaire Boulevard and Bissonnet Street into the northeast quadrant.

Mr. Franke next referred to the residents of Howard Lane who went through three months of reconstruction of the sanitary sewers and, later, seven weeks for an asphalt overlay. Howard Lane still did not have new water lines and storm sewers and no reassurance that it would ever get reconstructed with concrete streets.

It was noted further that when Mr. Franke pointed to what the City of West University Place, Texas, had been able to accomplish, he was often told that West University Place had a smaller linear footage of streets. He understood that, but West University Place also did not have a homestead exemption, whereas Bellaire had a very generous homestead exemption. His point to the
City Council was that it was time for the engineers to bring a published update, street by street, block by block, of where the City was with respect to infrastructure and what it would take to complete the infrastructure needed and provide the drainage and stability residents needed to protect their home values.

Mr. Franke closed by stating that people should not be moving into Bellaire unknowing of the risk they were taking. People needed to know how their family’s capital was being allocated. This basic municipal service issue needed to be rectified before moving on to other more elaborate issues.

Robert Riquelmy, 506 Winslow Lane, Bellaire, Texas:

Mr. Riquelmy addressed City Council by reading the mission statement of the City of Bellaire, which was printed at the head of every agenda, as follows: The City of Bellaire is dedicated to outstanding quality services and facilities . . . . Mr. Riquelmy stated that the residents did not see much of that around Bellaire.

Mr. Riquelmy continued and advised that he was present this evening to bring everyone up to date on the waster and wastewater workshop session held last week. Mr. Cox, a consulting engineer to the City, gave a presentation on wastewater and a schedule of improvements or replacements that would be necessary over the next several years. The schedule looked reasonably straightforward and upright to Mr. Riquelmy. He noted that there was questions related to the possible shipment of Bellaire’s sewage to Houston and those numbers were worked through as well.

On the water supply side, there was a similar exposition of the future needs of the water supply system. There was also some consideration for turning the Evergreen Water Plant back into park or green space, something that many people in the City would be interested in. As in the case of wastewater, the dominant characteristic of the discussion was about the cost of the service and how to minimize the cost, such as the cutting of employees.

Had there not been a “planted” question about water quality, there would have been no discussion of water quality in the City which was substandard in Mr. Riquelmy’s point of view. It was certainly not up to the outstanding quality that residents in Bellaire expected.
F. REPORTS:

1. CITY MANAGER’S REPORT – City Manager Bernard M. Satterwhite, Jr.

City Manager Bernard M. Satterwhite, Jr., presented the City Manager’s Report to City Council. The report consisted of the following Mission Areas: Residential Safety, Residential Mobility, Residential Quality of Life, Employees, and Internal Operations/Productivity, as well as Indicators (Crime and Building Permits), Current Issues, and Upcoming City Council Meetings.

MISSION AREAS:

Residential Safety

City Manager Satterwhite advised that crime was up over the prior year, which could be attributed to a string of robberies that had occurred in some of Bellaire’s high-rise office buildings. Those burglaries were under investigation.

The average response time for all calls was noted to be about three and one-half minutes. There were 41 Part I criminal offenses in March as compared to 35 in March of the previous year. Traffic accidents were the same as in the last several years.

It was noted further that the Bellaire Fire Department responded to a structural fire not long ago. The fire occurred on the edge of Bellaire at Dashwood Street and Chimney Rock Road. A Houston Police Officer was eating at a nearby restaurant when he spotted the fire and called it in to the Houston Fire Department. Shortly thereafter, a Bellaire Police Officer spotted the fire and called it in to the Bellaire Fire Department. The fire was taken care of properly by both departments, but City Manager Satterwhite pointed out the confusion by many as to where Bellaire’s city limits ended and Houston’s started.

Residential Mobility

City Manager Satterwhite advised that the parking lots on both sides of Bellaire Town Square (i.e., on either side of the Family Aquatic Center) were being resurfaced with asphalt and re-striped. New entrances and exits would be constructed so as to facilitate flow and maximize parking in the space available. The project would be completed prior to the Grand Opening of the Family Aquatic Center on May 3, 2008.

With respect to the Rebuild Bellaire Program, it was noted that the 4500 block of Elm Street and the 5100 block of Chestnut Street were nearing completion. Much-improved drainage systems had been
installed in both areas, along with concrete curb and gutter streets. The north side of the 4500 block of Evergreen Street was also nearing completion. Fifth Street construction was commencing with new drainage to be installed from Elm Street to Spruce Street, and the 4500 block of Beech Street was expected to commence in approximately one month. In addition, the City was almost ready to bid the reconstruction of Newcastle Drive south of Bellaire Boulevard. This project was being funded primarily by the Metropolitan Transit Authority of Harris County, Texas (METRO). A neighborhood meeting for the reconstruction of Newcastle Drive was scheduled on April 30, 2008, and each resident in the area (along Newcastle Drive and the surrounding streets) would receive notification of that meeting via hand delivery. City Manager Satterwhite indicated that the neighborhood meeting was being held prior to going out for bids, and that Newcastle Drive would continue to be a 28-foot wide, two-lane street with curbs and gutters from Bellaire Boulevard to the south City limits.

**Residential Quality of Life**

With respect to residential quality of life, it was noted that Bellaire’s citywide garage sale was scheduled on Saturday, April 26, 2008. Also on Saturday at 10:00 a.m. was a Bellaire Centennial event, an Arbor Day Tree Planting in Loftin Park. Finally, the Aquatic Family Center Grand Opening was planned for Saturday, May 3, 2008, at 10:00 a.m. The Grand Opening would start with a ribbon cutting, and admission to the pools would be free that day until 5:00 p.m.

**Employees**

The Texas and Louisiana Region recently named Bellaire Police Detective Mike Lacy Officer of the Year for the Exchange Clubs, which was a big honor.

**Internal Operations/Productivity**

City Manager Satterwhite advised that a large number of City Staff participated in NIMS (National Incident Management System) training over the past week. In order to participate in mutual aid systems and qualify for certain grant funding, an entity had to be NIMS-qualified throughout its organization. The training consisted of two days of IS300 training. Bellaire Firefighter Deacon Tittle, who was a NIMS-Certified Instructor, did the training in the City’s Civic Center. City Staff would also participate in IS400 NIMS training in May of 2008. The prerequisite for the NIMS IS300 and IS400 training consisted of three online training courses (NIMS IS100, IS200, and IS700), followed by testing. It was noted that the Mayor and Mayor Pro Tem
would be taking the online training courses (IS100, IS200, and IS700) in the near future.

**INDICATORS:**

**Crime**

With respect to crime indicators, City Manager Satterwhite noted that crime was up this year as compared to last year. However, last year was lower than previous years. With respect to “burglary of a building,” one occurred this time last year as compared to 24 this year. Most of those burglaries were in a few selected buildings and occurred office to office. Each burglary, however, counted as a separate offense.

The remaining indicators were in line with what had been seen in the past.

**Building Permits**

With respect to building permits, 2008 was still running fairly strong as compared to the prior four years. When commercial construction was removed, housing was still fairly strong in 2008. There was a decrease in March from 17 permits issued in February down to five in March. Part of the reason was due to the May new home showcase, which resulted in the letting of permits early in the year. Even though the numbers were slightly down from last year, the values had significantly increased over previous years.

**CURRENT ISSUES:**

City Manager Satterwhite advised that the Trolley Pavilion repairs had been advertised, and bids would be accepted during the first part of May and submitted to City Council for approval on May 19, 2008.

**UPCOMING CITY COUNCIL MEETINGS:**

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<thead>
<tr>
<th>Date</th>
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<tr>
<td>04/28/2008</td>
<td>6:00 p.m.</td>
<td>Special Session (Executive Session)</td>
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<tr>
<td>04/28/2008</td>
<td>7:00 p.m.</td>
<td>Special Session</td>
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<tr>
<td>05/05/2008</td>
<td>7:00 p.m.</td>
<td>Regular Session</td>
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QUESTIONS/COMMENTS FROM CITY COUNCIL:

{Legend: A – Answer; C – Comment; Q – Question; R – Response}

Q: Mayor Pro Tem Peggy Faulk referred to the Newcastle Drive reconstruction project and inquired as to the plans for the sidewalks and jogging trail.

A: City Manager Satterwhite stated that the sidewalk on the east side of Newcastle Drive would be rebuilt. The areas of the jogging trail that would be impacted by the reconstruction would be reconstructed as well. He noted that the jogging trail would not be impacted the full length of Newcastle Drive.

Q: Mayor Pro Tem Faulk asked if there were any plans at some point to give the City Council an idea as to where the City was with its drainage efforts. She noted that the City had done a great deal of work on drainage and that the only way to test it would presumably be another tropical storm similar to Allison.

A: City Manager Satterwhite stated that percentages were reviewed during the State of the City Address. Areas that had flooded in the past were doing much better. Those “tests” had occurred in the form of heavy rains. He advised that City Staff would work on a comprehensive update for one of the next meetings.

Q: Mayor Pro Tem Faulk referred to scorecards or metrics that many companies came up with to evaluate where they were and where they were going over time. She asked if the City had a scorecard or metrics relative to the quality of its services. For example, how the City’s police department ranked relative to its counterparts across the State of Texas or comparable cities in the United States.

A: City Manager Satterwhite stated that he had attended some conferences that discussed scoring or ranking, but he was not convinced that a good set of metrics had been developed to measure many of the City’s services. He did feel that Mayor Pro Tem Faulk had made a good point. He had not personally been able to develop some good metrics that would lead him to a conclusion that he could bank on, but it was not a bad idea to try.

C: Mayor Pro Tem Faulk advised that the Texas Municipal League (TML) might have some suggestions as well.
C/Q: **Councilman Pat McLaughlan** referred to drainage and advised that he wanted to let the audience know that the City had made a number of major drainage improvements and were actively working on improving drainage issues.

He next referred to the home mentioned earlier next to 4807 Mayfair Street and inquired as to whether the new home was constructed prior to the implementation of the City’s drainage ordinance.

A: **City Manager Satterwhite** stated that he believed that the home was constructed prior to the City’s no net fill ordinance. He would double-check that and noted that he had a meeting with Mr. Tribon the next morning and would be discussing the issue.

C/Q: **Councilman McLaughlan** advised that he wanted the citizens to know that the City had addressed that issue, although it might not apply to the subject at hand on Mayfair Street.

Councilman McLaughlan referred to the repair of the Trolley Pavilion and asked if the agenda item for City Council approval would be worded in such a way that there could be an open discussion regarding the future of the Trolley Pavilion. In other words, he was concerned that it might be limited strictly to approval of bids.

A: **City Manager Satterwhite** stated that the agenda item would be related to approval of a bid, but noted that the City had always had open discussion when approvals had been presented in the past.

Q: **Councilman McLaughlan** indicated that he was asking if there could be a broader discussion as to the future of the Trolley Pavilion.

A: **Mayor Cindy Siegel** advised that she felt would be the last chance for City Council to change their minds as to whether or not to go forward with the repair work. She felt the wording would be broad enough.

C: **Councilman John Jeffery** noted that he had received a number of citizen comments regarding builders that were getting slack in picking up their trash in an orderly manner on some of the lots under construction. The trash was blowing all over the streets and onto neighboring properties. The other issue was related to the Port-O-Potties on the lots under construction. Councilman Jeffery had chased some kids down
that were knocking Port-O-Potties over. This made for a bad situation for the neighbors who had to deal with it. He suggested that the City consider putting something into place to protect the neighbors, such as a three-sided fence.

C: Mayor Siegel asked that City Manager Satterwhite report back to City Council with an update as to his meeting with the Tribons. She asked for City Council to be provided with an update on the Southdale drainage project in addition to the comprehensive update on drainage as a whole.

**MOTION TO ACCEPT REPORT INTO THE RECORD:**

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman Pat McLaughlan to accept the City Manager’s Report as presented by City Manager Bernard M. Satterwhite, Jr., into the record.

**VOTE ON MOTION TO ACCEPT REPORT INTO THE RECORD:**

Motion carried unanimously on a 6-0 vote as follows:

**FOR:** Siegel, Cindy  
Hickman, Will  
Avioli, James P., Sr.  
Faulk, Peggy  
McLaughlan, Pat  
Jeffery, John

**OPPOSED:** None

**ABSENT:** Nauert, Phil

2. **FINANCE REPORT – Chief Financial Officer Donna Todd.**

City Manager Bernard M. Satterwhite, Jr., advised that Chief Financial Officer Donna Todd was attending Emergency Management Training in Austin, Texas, therefore, an oral report Finance Report would not be given this evening. The written Finance Report was included in City Council’s agenda packet.

G. **NEW BUSINESS:**

1. **CONSENT AGENDA:**

**NOTE:** The item listed under the Consent Agenda will be voted in one motion by the Bellaire City Council.
Surplus Property

CONSIDERATION of and possible action on a request for City Council authorization to dispose of certain surplus property from the following City departments: Community Development, Fire, Library, Parks and Recreation, and Police – Action to Approve Consent Agenda Authorizing Disposal of Surplus Property (Item submitted by Chief of Police Randall C. Mack on behalf of various City departments).

MOTION TO APPROVE CONSENT AGENDA:

A motion was made by Councilman John Jeffery and seconded by Councilman Pat McLaughlan to approve the Consent Agenda dated April 21, 2008, consisting of the following:

- Authorization of the disposal of certain surplus property from the following City departments: Community Development, Fire, Library, Parks and Recreation, and Police.

VOTE ON MOTION TO APPROVE CONSENT AGENDA:

Motion carried unanimously on a 6-0 vote as follows:

FOR: Siegel, Cindy
     Hickman, Will
     Avioli, James P., Sr.
     Faulk, Peggy
     McLaughlan, Pat
     Jeffery, John

OPPOSED: None

ABSENT: Nauert, Phil

2. ADOPTION OF ORDINANCES:

Agreements and Contracts

a. CONSIDERATION of and possible action on a recommendation from the Bellaire Public Works Department to approve an engineering proposal from Claunch & Miller, inc., for basic engineering services associated with the “City of Bellaire FY 2008 Sidewalk
Repair/Maintenance Project” and adoption of an ordinance authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Contract and Agreement for Engineering Services with Claunch & Miller, Inc., for said basic engineering services associated with the referenced project in an amount not to exceed $63,020.00 – Action by City Council to Approve Recommendation and Adopt Ordinance (Item submitted by Director of Public Works Joe Keene).

MOTION TO APPROVE RECOMMENDATION AND ADOPT ORDINANCE:

A motion was made by Councilman John Jeffery and seconded by Councilman Pat McLaughlan to approve a recommendation from the Bellaire Public Works Department to approve an engineering proposal from Claunch & Miller, Inc., for basic engineering services associated with the “City of Bellaire FY 2008 Sidewalk Repair/Maintenance Project” and to adopt an ordinance authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Contract and Agreement for Engineering Services with Claunch & Miller, Inc., for said basic engineering services associated with the referenced project in an amount not to exceed $63,020.00.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

{Legend: A – Answer; C – Comment; Q – Question; R – Response}

Q: Councilman James P. Avioli, Sr., advised that he had some questions related to specifics within the bid, noting that Consulting Engineer James Andrews of Claunch & Miller, Inc., might be the best person to answer his questions. He then asked if the work identified in the proposal included streets that were presently under reconstruction.

A: Consulting Engineer James Andrews, P.E., Claunch & Miller, Inc., advised that the proposal before City Council this evening represented rehabilitation of existing, deteriorated sidewalks. Any work within areas of the Rebuild Bellaire Program or the Bellaire Millennium Renewal Program would be avoided.
Q: Councilman Avioli stated that within the proposal of $63,000, approximately 34-½% of the proposal was related to inspection. He inquired as to what the inspector would do under this proposal.

A: Mr. Andrews advised that the construction observer would monitor the construction. He would be in charge of the field testing and material testing of concrete, and he would measure the quantities. He was the first contact for citizens in the field, and he served as the liaison between the contractor and the City of Bellaire.

C: Councilman Avioli advised that he was struggling with the cost of this service. The cost to look at the construction of sidewalks under this proposal was $260.00 per hour.

R: Mr. Andrews advised that the cost was not $260.00 per hour. The project would take seven months to complete. Twelve hours per week on average was budgeted for the construction observer and three hours per week on average was budgeted for Terry Maher to coordinate with the construction observer. A total of 15 hours per week for seven months or 455 hours was budgeted for the project, which correlated to approximately $46.00 per hour.

Q: Councilman Avioli indicated that when he did the arithmetic, he came up with 84 hours for the project.

A: Mr. Andrews stated that there were two items within construction observation in terms of hours. One was the construction or site inspector himself, which consisted of 12 hours per week for the seven-month duration or 30 weeks. Another item within construction observation was the senior designer (Terry Maher) who would be in the field assisting the construction observer at three hours per week. The total number of hours for construction observation was, therefore, 15 hours per week for 30 weeks or 455 hours.

Q: Councilman Avioli asked for confirmation that 15 hours per week would be spent watching the construction of sidewalks.

A: Mr. Andrews advised that much more was involved than merely watching construction of the sidewalks. It consisted of laying out the sidewalks with the contractor
to ensure obstructions were avoided, dealing with resident issues, drainage cross the sidewalks, drainage through the curbs, repairing any of the sprinkler systems and driveways that were damaged as a result of the sidewalk repairs, and measuring the slopes on the sidewalks to ensure the slopes met the Americans with Disabilities Act (ADA). The construction observer was actively involved with the entire process. The observer also recommended the contractor’s payment to the City.

Q: Councilman Avioli stated that he was obviously struggling with the fact that construction observation was 35% of the cost. He realized in the preamble of the proposal that competitive bidding was used, so he was not challenging that. He had a concern that the City was building sidewalks and paying that kind of money for inspection. Additionally, on page 4, there was a disclaimer to the effect that if something was wrong, Claunch & Miller, Inc., was not responsible and the City had to go after the contractor. Until Councilman Avioli could see some kind of analysis from the City Manager that it was not cost-effective for him to hire an engineer to do this, then he could not support the agenda item. Councilman Avioli felt that some of these things could be done in-house with the City’s own people to save some money. Those savings could be put back into the infrastructure improvements.

Councilman Avioli stated that he supported building sidewalks and roads, but wanted to see the City use its money in the best way possible. He suggested that the City consider an engineering intern program for this process.

C: Councilman Pat McLaughlan stated that he worried that the City was overly sensitive in the protection of what he considered minor landscaping. He noted that Claunch & Miller, Inc., always did a great job in working with citizens to protect their landscaping and trees. A situation that he did not think was appropriate was one in which a five-foot wide sidewalk was cut down to three and one-half feet in width due to a crepe myrtle tree. Although everyone loved crepe myrtle trees, he was not sure that crepe myrtles merited that type of impact to a sidewalk that was set up to be five feet wide. His only comment was that the City should not let a crepe myrtle tree dominate its good judgment in relation to the width and location of sidewalks.
Q: Councilman Will Hickman inquired as to how many linear feet were proposed in the current repair project.

A: Mr. Andrews indicated that the current repair project would include 10,500 linear feet of repairs. An add alternate would be included in the bid proposal in the event that the bids came in at a good price. If that were to occur, more than 10,500 linear feet could be addressed.

Q: Councilman Hickman inquired as to the total number of linear feet of sidewalks in the City.

A: Mr. Andrews advised that his firm did have the number, but he did not know that number off of the top of his head.

Q: Councilman Hickman inquired as to the expected useful life of a sidewalk and whether the City was nearing the expected useful life for many of its sidewalks.

A: Mr. Andrews indicated that the sidewalks in this particular project were way past their useful lives. The sidewalks to be addressed under this proposal were 55-60 years old and had needed repairs for 30 years or more, in some cases.

Q: Councilman Hickman inquired as to whether Claunch & Miller, Inc., had a ballpark figure as to how many sidewalks had been repaired recently—such as 20% of the amount that needed to be done.

A: City Manager Satterwhite advised that he believed less than 20% had been repaired, but he would get the information for Councilman Hickman.

Mr. Andrews noted that there were about 65 miles of streets in the City and there were sidewalks, in some cases, on both sides of the street. The City had been attacking the worst sidewalks within the 19 miles identified in the General Mobility Plan by the Planning and Zoning Commission.

Q: Councilman Hickman noted that the sidewalk stopped on Bissonnet Street at Newcastle Drive. He asked if Claunch & Miller, Inc., had looked at the railroad
crossing at Bellaire Boulevard and Bissonnet Street with respect to sidewalks.

A: Mr. Andrews stated that in order to construct sidewalks at the railroad crossing, the City would have to try to obtain approval from the City of Houston. The City would also have to work with the railroad company. In both locations, the signals would have to be modified to get a crossing there.

City Manager Satterwhite stated that the City had looked at the issue of sidewalks at the railroad crossings in the past. As Mr. Andrews pointed out, there were some specific obstacles to doing that. He stated that the City could look into it again.

Q: Mayor Pro Tem Peggy Faulk inquired as to the process that was followed in selecting these particular sidewalks for repair.

A: Mr. Andrews advised that Claunch & Miller, Inc., took the 19 miles that the Planning and Zoning Commission recommended in their General Pedestrian Mobility route and evaluated the condition of those 19 miles. That evaluation was physically conducted in 2003 and a ranking was done based on the evaluation.

Q: Mayor Pro Tem Faulk asked for confirmation that a visual inspection was performed.

A: City Manager Satterwhite advised that Mayor Pro Tem Faulk was correct. Claunch & Miller, Inc., was hired by the City to perform a visual inspection of the entire 19 miles. The City had selected the worst of the sidewalks along that route for its repair program.

C: Mayor Pro Tem Faulk stated that she agreed with the comments made by Councilman Avioli.

C: Councilman McLaughlan stated that he agreed that Councilman Avioli brought up some valid questions. He knew that part of the inspector’s job involved interfacing with the citizens, which was time-consuming. He inquired as to the impact of the City tabling this agenda item for a subsequent meeting wherein the City Manager might be able to provide City Council with normal inspection costs that other communities incurred and more specifics as to the inspector functions. He also asked for impacts to the City Staff and whether or not
there was a requirement that a registered engineer perform this type of work. He advised that the question regarding inspection had come up several times and, perhaps, City Council could get it addressed on a broader basis.

R: City Manager Satterwhite advised that the City had been comparing Claunch & Miller, Inc.’s charges with the City of Houston’s engineering curves, as well as Harris County’s engineering curves, since 2002. The City had been negotiating with Claunch & Miller, Inc., on every project.

He did not know if he could give City Council any definitive answers at the next City Council meeting, as he did not have anyone on staff that could do this. The City would have to increase staff, budget for it, and hire people. That money would come out of the General Fund versus the Bond Fund, so the financing would have to be changed. It would also take time to hire people to perform construction observation.

City Manager Satterwhite continued and stated that he would still like to move forward with projects in the meantime. He could provide City Council with the information they wanted during the budget process so a decision could be made as to increasing staff, etc.

Q: Councilman Hickman noted that there was $400,000 budgeted for sidewalk improvements and it appeared that the City would expend those funds under this project. He asked if $400,000 each year would get the City caught up or if the City falling further behind, in Mr. Andrews’ opinion.

A: City Manager Satterwhite stated that $400,000 was decided due to other priorities in the budget and that amount was given to Consulting Engineer Andrews so that he could formulate a proposal. In City Manager Satterwhite’s opinion, $400,000 would not get the City caught up in any reasonable amount of time.

Q: Councilman Hickman inquired as to whether the sidewalks were aging faster than they could be fixed.

A: Mr. Andrews advised that the sidewalks that were in good condition needed to be maintained. In terms of catching up with the life cycle, he would have to take a
look at the total lengths of sidewalks in the City and review those that were in certain states of disrepair. After doing that, he could come up with an answer to Councilman Hickman’s question.

Q: Mayor Siegel inquired as to the amount of monies expended on sidewalk repairs to date.

A: Mr. Andrews advised that the City had expended $600,000 to date.

C: Councilman Avioli stated that he wished to clarify his position. He certainly was not challenging the competitive bidding of Claunch & Miller, Inc. His purpose was that he would like to see an analysis of the City Manager hiring the people to perform this function in-house and the costs associated with that function as opposed to having the engineering firm provide those services.

R: City Manager Satterwhite stated that he understood the analysis that Councilman Avioli wished to have done. He advised, for the record, that the engineering services of Claunch & Miller, Inc., were not competitively bid, as professional services could not be competitively bid. A professional engineer was selected based on his or her ability to do the job. Price was not supposed to be taken into account, but it was.

C: Councilman Avioli noted that in the preamble a statement was made that the prices were competitive.

R: City Manager Satterwhite stated that the prices were competitive, but not competitively bid.

C: Councilman Avioli stated that he merely wished to see the City spend less on the inspection function.

MOTION TO POSTPONE:

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman James P. Avioli, Sr., to postpone approval of a recommendation from the Bellaire Public Works Department to approve an engineering proposal from Claunch & Miller, Inc., for basic engineering services associated with the “City of Bellaire FY 2008 Sidewalk Repair/Maintenance Project” and adoption of an ordinance authorizing the Mayor and the City Clerk of the
City of Bellaire, Texas, to execute and attest, respectively, a **Contract and Agreement for Engineering Services with Claunch & Miller, Inc.,** for said basic engineering services associated with the referenced project **in an amount not to exceed $63,020.00, pending an analysis of what could be done to perform inspection services in-house.**

**DISCUSSION:**

Councilman John Jeffery noted that similar questions were asked several years ago and answered. This project was approved through the budget process, and the City would get further behind if the project were delayed until another analysis could be performed and personnel hired, if needed. He stated that he would not support delaying the project.

Councilman Pat McLaughlan advised that he, too, would not like to delay this issue, as he believed the City needed to move forward. On the other hand, he did think that the City had a potential issue with respect to inspection costs. He did often see the inspector standing around when he drove by City projects. He suggested that when the next Claunch & Miller, Inc., project came before City Council that the City Manager and Mr. Andrews sit down and realistically determine whether or no the City needed a single inspector on each construction job or whether there was some way an inspector could handle several jobs in order to operate more efficiently. He closed by stating that Councilman Avioli did have a very good point.

**VOTE ON MOTION TO POSTPONE:**

Motion failed on a 2-4 vote as follows:

**FOR:** Avioli, James P., Sr.
                Faulk, Peggy

**OPPOSED:** Siegel, Cindy
              Hickman, Will
              McLaughlan, Pat
              Jeffery, John

**ABSENT:** Nauert, Phil

**DISCUSSION ON ORIGINAL MOTION:**

Councilman Will Hickman advised that he was in favor of obtaining the answer to Councilman Avioli’s question as to whether it made more sense to outsource or bring the
inspection process in-house. He also agreed with Councilmen Jeffery and McLaughlan that the City did need to move forward with this agenda item and, at the same time, move forward with the study of looking at inspections for future projects.

**VOTE ON ORIGINAL MOTION:**

Motion carried on a 4-2 vote as follows:

**FOR:** Siegel, Cindy  
Hickman, Will  
McLaughlan, Pat  
Jeffery, John  

**OPPOSED:** Avioli, James P., Sr.  
Faulk, Peggy  

**ABSENT:** Nauert, Phil  

{Ordinance was subsequently numbered: 08-021}

**Public Hearing**

b. CONSIDERATION of and possible action on the adoption of an ordinance calling a public hearing before the City Council of the City of Bellaire, Texas, on Monday, May 19, 2008, at 6:00 p.m. in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, concerning an application and request submitted by Allegiance Bank for a specific use amendment and permit to construct and operate a drive-through banking facility to be located at 5410 Bellaire Boulevard in the CCD-2 Zoning District in the City of Bellaire, Texas – Action by Members of City Council to Adopt Ordinance (Item submitted by the Bellaire Community Development Department and the Bellaire Planning and Zoning Commission).

**MOTION TO ADOPT ORDINANCE:**

A motion was made by Councilman Will Hickman and seconded by Councilman Pat McLaughlan to adopt an ordinance calling a public hearing before the City Council of the City of Bellaire, Texas, on Monday, May 19, 2008, at 6:00 p.m. in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, concerning an application and request submitted by Allegiance Bank for a specific use amendment and permit to construct
and operate a drive-through banking facility to be located at 5410 Bellaire Boulevard in the CCD-2 Zoning District in the City of Bellaire, Texas.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

{Legend: A – Answer; C – Comment; Q – Question; R – Response}

C: Councilman Will Hickman referred to Figure 2 on page 4 of the application submitted by Allegiance Bank and advised that the proposed site appeared to be in the wrong place.

Q: Mayor Cindy Siegel inquired as to whether the City needed to have official notice that this was a second application.

A: City Clerk Tracy L. Dutton advised that she and Director of Community Development Derhyl Hebert had discussed that issue and opted not to mention the first application because it was withdrawn and never submitted to City Council. The application before City Council this evening was the first one being considered by this governing body.

City Attorney Alan P. Petrov stated that the original application was not rejected, but rather recommended for denial by the Planning and Zoning Commission.

Q: Mayor Siegel asked for confirmation that the first application had never come before City Council.

A: City Attorney Petrov advised that Mayor Siegel was correct. The applicant withdrew their application, retooled it, and came up with a design that the Planning and Zoning Commission subsequently approved on a vote of 7-0. That application was what City Council would be considering.

Q: Mayor Siegel asked for confirmation that the situation just outlined by the City Attorney was documented in the records maintained by the Planning and Zoning Commission.

A: City Attorney Petrov advised that Mayor Siegel was correct.
Q: Councilman Pat McLaughlan asked for confirmation that the application was presented to the Planning and Zoning Commission two times.

A: City Attorney Petrov stated that the Planning and Zoning Commission had looked at two different applications. The bank filed an application that went through the Planning and Zoning Commission hearing process. The Planning and Zoning Commission recommended denial of that application, so the bank withdrew it rather than take forward to City Council an application with a negative recommendation. Subsequently, the bank made some design changes and filed a second application at the Planning and Zoning Commission level. The Planning and Zoning Commission held a hearing on the second application and recommended approval of the second application unanimously.

Q: Councilman McLaughlan asked if the proposed drive-through banking facility was sitting on the site where the Dunkin Donuts building currently sat.

A: City Attorney Petrov referred to the old Enterprise Rental Car facility that was located next to a Baskin Robbins site. He advised that the Enterprise Rental Car facility was removed and a new office building was constructed in its place. The proposed bank would be located in the back parking lot behind the new office building.

Q: Councilman Hickman asked if the drive-through was located in the upper left or northwest corner of the site plan.

A: City Attorney Petrov and City Manager Bernard M. Satterwhite, Jr., indicated that Councilman Hickman was correct.

Q: Councilman Hickman asked for confirmation that there were four lanes—two for the drive-through facility and two, which served as by-pass lanes.

A: City Attorney Petrov and City Manager Satterwhite advised that Councilman Hickman was correct.
VOTE ON MOTION TO ADOPT ORDINANCE:

Motion carried unanimously on a 6-0 vote as follows:

FOR: Siegel, Cindy
Hickman, Will
Avioli, James P., Sr.
Faulk, Peggy
McLaughlan, Pat
Jeffery, John

OPPOSED: None

ABSENT: Nauert, Phil

{Ordinance was subsequently numbered 08-022}

3. ITEM FOR INDIVIDUAL CONSIDERATION:

Centennial Project(s)

CONSIDERATION of and possible action on a request from the Bellaire Centennial Planning Committee for City Council authorization and approval of a project(s) to commemorate Bellaire’s Centennial and to direct City Staff to develop the approved project(s) for implementation, said recommended project(s) of which would consist of one, two, or all three of the following: History Walk, Fountain, and/or Pergola Arbor/Meditation Area – Action by Members of City Council to approve a Centennial project(s) by selecting one, two, or all three of the recommendations from the Bellaire Centennial Planning Committee and to direct City Staff to develop the approved project(s) for implementation (Item submitted by Assistant City Manager Diane K. White on behalf of the Bellaire Centennial Planning Committee).

SUMMARY:

Mayor Cindy Siegel advised that the Centennial Planning Committee had held many meetings and discussions and reviewed many pictures and ideas as to what could commemorate Bellaire’s Centennial. There were already many areas that commemorated a time in Bellaire’s history or the country or the state, such as the gazebo. Some items of discussion included statutes (i.e., such as one of founder William Baldwin), sculptures, time capsules, and/or a small meditation area (possibly in Loftin Park) consisting of an arbor, bench, and small fountain. Another possible project that arose was a History Walk.
A vote was taken as to favorites among the members of the Centennial Planning Committee. Some preliminary cost estimates were obtained and the favorites were narrowed down to three to bring forward to City Council for feedback. Mayor Siegel advised that two members of the Bellaire Arts Commission were present this evening to provide an overview of the History Walk. The Mayor would then follow with some pictures that the Centennial Planning Committee looked at related to the meditation area, fountain, and arbor.

Kay Hieronymus, 820 Jaquet Drive, Bellaire, Texas, introduced herself and advised that she was a representative of the Bellaire Arts Commission. She also introduced Kathryn Hardin, 823 North Third Street, Bellaire, Texas, who was also a representative of the Bellaire Arts Commission.

Ms. Hieronymus thanked the City Council for their time and advised that the Bellaire Arts Commission wished to give City Council the ideas that they had come to embrace. The Bellaire Arts Commission (BAC) was looking to present a “Glimpse of the Past with an Eye toward the Future.”

The goals of the BAC were to develop a self-guided tour to highlight the original Downtown, to tell the story of Bellaire as the “City of Homes,” and to incorporate existing historical markers that were sprinkled around the City.

The BAC researched by examining 15 different history walks around the world via the Internet. Examples of walks in the United States were in the cities of San Francisco, Anaheim, and Boston, as well as the countries of England and Australia. The places selected in Bellaire were selected to illustrate the fabric of Bellaire, such as homes, businesses, transportation, religion, recreation, education, and government.

The self-guided tour had an especially attractive feature with a little foldout map that illustrated the walks. A person could start at any point in the trail, as there was no beginning or end. The walks consisted of a series of three loops. This meant that a special parking lot was not needed. The walk could be an easy stroll or it an ambitious hike. It had a flexible entry and was safe. There was a crossing button at every street crossing with the exception of one. That one was still a tame place at which to cross the street.

The first six markers would highlight Downtown. Existing historical markers located in the City right now were noted as follows: City Hall, Streetcar Line Marker (near the Trolley), Presbyterian Church (now Christ Church Prebyterian), War Memorial, Deaf Smith Marker, Teas Nursery Company Marker, and Paseo Park Marker.
Ms. Hieronymus showed a slide depicting how the maps would look. The vertical blue loop on the map was identified as the “Downtown Loop” and the green Paseo Park was the “Central Loop.” An “East Loop” was added and would be shown later in the presentation. Ms. Hieronymus noted that a person might be able to pick up the map at the Library, City Hall, restaurants, and other places around town and guide them on their City tour.

With respect to styling considerations, the BAC supported telling the story of Bellaire as the “City of Homes” and was suggesting using traditional, classic shapes and material of timeless stylistic value. The monuments or markers would not be tall or visually unobtrusive and were easy to construct and maintain. Kathryn Hardin presented a sample of the BAC’s suggestion of making the monuments or markers out of Texas pink granite with a steel plate for the engraving.

Ms. Hieronymus suggested that the City retain an artist to draw the “before” picture on the steel plate. The plate could also list the description of the “before” picture, the name of the person sponsoring the marker, and a credit to the artist. The “after” picture would be the building, as it currently existed.

New historical markers suggested by the BAC were City Hall, Trolley Pavilion, First Church Presbyterian, One Room School House, New Condit School, First Post Office, and Condit House. Expandable options to the east would include the Zindler Home (which would basically be a marker underneath the freeway and more input needed to be obtained before that was considered), Teas Nursery, Convent of the Incarnate Word, and Russ Pitman Park.

The “Walk” incorporating the existing markers could be divided into three short walks—Downtown, Central, and East. The Downtown Walk would consist of the First City Hall (South Rice Avenue at Cedar Street), the First School Building/Meeting Hall (Cedar Street at Third Street), the Trolley (existing historical marker), Christ Church Presbyterian (existing historical marker), Condit Elementary School (Third Street at Laurel Street), and City Hall (South Rice Avenue) (existing historical marker).

The Central Walk would start with the Veterans’ Memorial Marker (Paseo Park between Second and Third Streets) (existing historical marker), a time capsule to be added that would, perhaps, have a picture of the Trolley Design for the Centennial, the Deaf Smith Marker (Paseo Park near Second Street) (existing historical marker), Paseo Park Marker (near First Street) (existing historical marker), the Condit House (Paseo Park near First Street), the Convent of the Incarnate Word (Bissonnet Street at West Loop), and Teas Nursery marker (Bellaire Boulevard at Newcastle Drive) (existing historical marker).
The East Walk would begin at the Convent of the Incarnate Word (Bissonnet Street at the West Loop), Teas Nursery Marker (Bellaire Boulevard at Newcastle Drive) (existing historical marker), Russ Pitman Park (Newcastle Drive at Evergreen Street).

Additional markers to be added later would be where markers already existed to show a “before” and “after” artwork. One such marker would be at the Trolley (surrounded by the people in the 1914 dress), City Hall (showing the prior building), and at Christ Church Presbyterian.

Cost estimates were obtained as follows: ten drawings at $300 each. The BAC hoped to engage one artist to ensure a consistent style. By having all of the artist’s renderings, the City would own the copyright on the artwork. An early cost estimate for the construction and installation of each marker was about $3,000 each. The markers could be added one at a time and could be funded by the City, businesses, groups, clubs, churches, and/or individuals. If the BAC had a history-loving angel, the whole project could be done at once for approximately $40,000. The more done at one time, the less the cost in terms of construction.

The steel plate would give recognition to the artist, the marker sponsor, and other considerations. By owning the artist’s drawings, the City could use them on its website, to decorate rooms in the City Hall, on City brochures, fine prints, coffee mugs, note cards, etc.

Ms. Hieronymus stated that the first step, upon approval and acceptance by the City Council, would be to authorize the artwork and from there work with the City in determining the order of markers and the funding to make those things happen.

**Mayor Siegel** presented some pictures of meditation areas with benches and/or fountains. She also presented pictures of arbors, planters with small statues, benches with small fountains, pools with fountains and statues, and large fountains.

Mayor Siegel advised that she had inquired of a small landscaping company as to the cost for a small fountain, bench and meditation area (small area) and obtained a cost ranging from $8,000.00 to $10,000.00. She noted that hundreds of thousands of dollars could be spent on elaborate fountains, if desired.

It was noted further that Member Lynn McBee was in the minority on the Centennial Planning Committee (“Committee”). The Committee had reached a point wherein guidance was needed and direction to be given to City Staff to help firm up the project and costs. The BAC had a very good grasp as to the cost and steps needed to go forward with
the History Walk. In terms of votes, the History Walk received the most votes. The second highest number of votes was for a meditation area, and the third highest number of votes was for a fountain of some sort. Other members had stated that they liked the idea of a History Walk, as it was a reflection of where Bellaire had been and the idea of another memorial looking toward the future.

Mayor Siegel also noted that the budget for the Centennial memorial was $10,500.00. When the budget was prepared, no one had a clue as to costs or the type of memorial that might be suggested. The $10,500.00 served as a placeholder for a memorial/history walk/time capsule.

**DISCUSSION:**

Councilman Will Hickman noted that he had attended some, but not all, of the Centennial Planning Committee meetings and noted that there was some confusion as to the BAC coming to the Committee and then to City Council. He asked if the History Walk could be done directly with the BAC presenting it to City Council as monies had been budgeted for public art in the City. He inquired as to whether that money would cover the $40,000.00 cost of the History Walk project.

Mayor Siegel inquired as to whether City Manager Satterwhite had an idea as to how much money was left in the public art budget.

City Manager Satterwhite stated that the gateway markers had been planned for this year’s budget.

Assistant City Manager Diane White advised that there was $46,000 in this year’s budget to install the Sunrise/Sunset sculpture donation from Cindy Cozewith, for the west and east gateway markers, and for the rest of the bench program.

Mayor Siegel referred to the monies that had previously been earmarked for public art.

Assistant City Manager White stated that there was approximately $80,000 left after this year’s budget of $46,000 was taken out.

Mayor Siegel noted that the History Walk was part of the Master Art Plan. The reason that the BAC came forward was that it made sense to use that project to also celebrate the City’s Centennial.

Councilman James P. Avioli, Sr., referred to the first slide shown by Mayor Siegel and inquired as to whether that was a meditation area.
Mayor Siegel stated that it was. She noted that a meditation area could be something very simple to something very elaborate.

Councilman Avioli stated that the mediation area appealed to him and wondered if that could be done with a smaller version of the History Walk.

Member Kathryn Hardin advised that a historical area and a fountain and meditation area could be integrated. There was no reason why that could not be done. The only issue would be trying to establish a good location for that.

Mayor Siegel stated that Loftin Park was thrown out as a possible location for the meditation area. Other members suggested Paseo Park. What was needed from City Council was some guidance as to one or more of the projects that City Staff could go ahead and start fleshing out.

Mayor Pro Tem Peggy Faulk stated that she would support going forward with the History Walk and funding it out of the Arts Commission budget and doing a fountain in conjunction with it. She was not sure if the $10,500.00 Centennial budget would be enough for the fountain. She would like the Committee to look at it and let City Council know if the funding would be adequate for a fountain.

Mayor Siegel advised that her concern was that Committee might not be able to get a good cost estimate and felt that City Staff could more appropriately gather that information.

Mayor Pro Tem Faulk agreed with Mayor Siegel.

Councilman Pat McLaughlan advised that he liked Councilman Hickman’s idea for the funding of the History Walk. The money for public art had been set aside for three or four years. It was time that the City did something with that money. He liked the History Walk, the fountain, the meditation area, and the arbor. All of those things were the building blocks for a premier community. He stated that the City needed to look at some method by which funding could be achieved for these very worthy issues.

With respect to Paseo Park, parking was a real problem. He inquired as to whether there was a method by which the City could enlarge the Second and Third Street crossings to allow angled parking in the area without disrupting Paseo Park. He advised that he felt that the use of Paseo Park could be increased if parking were available.

Councilman McLaughlan advised that he would support utilizing a portion of the BAC’s funding that City Council previously authorized.
Councilman John Jeffery stated that he felt that the History Walk was a fantastic idea and advised that the BAC had done a great job. The project did coincide with the Centennial celebration. He noted that he saw the $46,000 that was in the budget, but did not see the carryover funds. He liked the idea of a fountain. He would support using the art funds if the carryover was there.

**MOTION TO MOVE FORWARD WITH HISTORY WALK AND TO DIRECT CITY STAFF:**

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman Pat McLaughlan to move forward with the History Walk to be funded out of the Bellaire Arts Commission’s budget and that City Staff be directed to make a recommendation as to a fountain, as well as cost and placement of such fountain.

**DISCUSSION:**

City Manager Satterwhite asked for clarification on the motion. He advised that a budget amendment would be necessary for the History Walk unless City Council intended for the History Walk to take the place of a currently budgeted project. This action would have to take place at a subsequent meeting.

Councilman Hickman stated that if the City were to consider a meditation area, the only place that he could think of that looked even remotely similar was the Nature Discovery Center. He noted that Paseo Park and Loftin Park (next to the Family Aquatic Center) might not be quiet places for meditation. A fountain could be in Paseo Park, as a lot of traffic passing by could see it.

Councilman Jeffery asked if the History Walk would be more appropriately funded within the Centennial budget.

Mayor Siegel noted that in reality the monies came from the same fund.

Councilman Hickman advised that his thought was that the Centennial budget was only $10,500, which did not cover the History Walk. The History Walk idea came from the BAC so he thought it made more sense to use the public art money for that project.

**AMENDMENT (NO. 1) TO MOTION:**

An amended motion (no. 1) was made by Councilman James P. Avioli, Sr., and seconded by Councilman Pat McLaughlan to direct
City Staff to also make a recommendation as to a meditation area, as well as cost and placement.

DISCUSSION:

City Manager Satterwhite advised that some parameters were needed. The budgeted parameter seemed to be gone. A few thousand to hundreds of thousands of dollars could be spent on each of those projects.

Councilman Jeffery suggested that City Council authorize moving forward with the History Walk and send the fountain and meditation area back to the Committee so that appropriate parameters could be recommended.

Mayor Siegel stated that the item could be sent back to the Committee. The reason it came forward was because the Committee was not sure if City Council would like the direction in which they were going. The Committee could work with staff to develop the project and bring it forward.

Councilman Hickman stated that he liked Councilman Jeffery’s suggestion. Perhaps, the Committee could return with a $5,000, $10,000, and $50,000 option so that City Council had an idea as to what type of fountain could be obtained.

After further discussion, the motion and amended motion were withdrawn from the table and a new motion introduced.

MOTION TO MOVE FORWARD WITH THE HISTORY WALK AND TO DIRECT THE CENTENNIAL PLANNING COMMITTEE AND CITY STAFF ON OTHER PROJECTS:

A motion was made by Councilman Pat McLaughlan and seconded by Mayor Pro Tem Peggy Faulk to authorize the History Walk with funding in its entirety to be taken from previously allocated arts funding. In addition, the Centennial Planning Committee and City Staff were directed to investigate the possibility of a fountain, meditation area, and arbor and subsequently provide recommendations on those items to City Council.

Mayor Siegel asked City Manager Satterwhite if he were in a position to be able to move toward engaging the artist for the History Walk.

City Manager Satterwhite advised that he was in a position to be able to move toward engaging the artist for the History Walk and that a budget amendment could be brought forward at the next City Council meeting.
VOTE ON MOTION TO MOVE FORWARD WITH THE HISTORY WALK AND TO DIRECT THE CENTENNIAL PLANNING COMMITTEE AND CITY STAFF ON OTHER PROJECTS:

Motion carried unanimously on a 6-0 vote as follows:

FOR: Siegel, Cindy
     Hickman, Will
     Avioli, James P., Sr.
     Faulk, Peggy
     McLaughlan, Pat
     Jeffery, John

OPPOSED: None

ABSENT: Nauert, Phil

H. COUNCIL CORRESPONDENCE AND COMMENTS.

Discussion only.

I. ADJOURNMENT.

MOTION TO ADJOURN:

A motion was made by Councilman Will Hickman and seconded by Mayor Pro Tem Peggy Faulk to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 9:01 p.m. on Monday, April 7, 2008.

VOTE ON MOTION TO ADJOURN:

Motion carried unanimously on a 6-0 vote as follows:

FOR: Siegel, Cindy
     Hickman, Will
     Avioli, James P., Sr.
     Faulk, Peggy
     McLaughlan, Pat
     Jeffery, John

OPPOSED: None
ABSENT: Nauert, Phil

Respectfully submitted,

________________________________________
Tracy L. Dutton, TRMC
City Clerk
City of Bellaire, Texas

Approved:

________________________________________
Cynthia Siegel, Mayor
City of Bellaire, Texas