I. SPECIAL SESSION (INTERVIEWS) – 5:30 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 5:30 p.m. on Monday, June 15, 2009. The Bellaire City Council met at that time and on that date in Special Session (Interviews) for the purpose of interviewing, discussing, and evaluating applicants for the various City of Bellaire boards, commissions, and committees. The Special Session was held in the Council Conference Room, 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;
- Mayor Pro Tem Peggy Faulk, Position No. 3;
- Councilman Phil Nauert, Position No. 4; and
- Councilman Pat McLaughlan, Position No. 5.

Councilman Will Hickman, Position No. 1, and Councilman John Jeffery, Position No. 6, were absent. City Clerk Tracy L. Dutton was also present.

B. INTERVIEW, discussion, and evaluation of applicants for the following City of Bellaire boards, commissions, and committees:

- Bellaire Arts Commission;
- Bellaire L.I.F.E. Advisory Board;
- Building and Standards Commission;
- Parks & Recreation Advisory Board;
- Planning and Zoning Commission; and
- Recycling Committee.

The Bellaire City Council interviewed the following applicants on Monday, June 15, 2009:

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Area(s) of Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gregory Cauthen</td>
<td>Building and Standards Commission</td>
</tr>
</tbody>
</table>
C.  ADJOURNMENT.

MOTION TO ADJOURN:

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman Pat McLaughlan to adjourn the Special Session (Interviews) of the City Council of the City of Bellaire, Texas, at 7:03 p.m. on Monday, June 15, 2009.

VOTE ON MOTION TO ADJOURN:

Motion carried unanimously on a 5-0 vote as follows:

FOR:  Siegel, Cindy
      Avioli, James P., Sr.
      Faulk, Peggy
      Nauert, Phil
      McLaughlan, Pat

OPPOSED:  None

ABSENT:  Hickman, Will
          Jeffery, John

II.  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 7:04 p.m. on Monday, June 15, 2009. 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; 
Mayor Pro Tem Peggy Faulk, Position No. 3; 
Councilman Phil Nauert, Position No. 4; and 
Councilman Pat McLaughlan, Position No. 5.

Councilman Will Hickman, Position No. 1, was absent. Councilman John Jeffery, Position No. 6, arrived shortly after the Regular Session started or at 7:09 p.m. 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.

Councilman Phil Nauert presented the inspirational reading for the evening. He noted that knowing he was responsible for the reading, he did what any good public official would do and retained a consultant. He bragged on City Staff by reading an email he had received from Director of Library Mary Alford as follows:

Good morning,

Just wanted to let you know that should you need "inspiration" for the council meeting, library staff are ready to help. We will be happy to provide some research on a particular topic or quotation for you.

He noted that Director Alford provided some inspirational quotations that he would read in a moment. He continued by reading the last line of the email as follows:

Please let me know if the library staff can assist you with any research.

Councilman Nauert noted that the email demonstrated that the Bellaire Library not only did what was expected and asked of them, but also never hesitated to go the extra mile. He closed by reading the quotations provided by his "consultant" as follows:

Volunteering is the ultimate exercise in democracy. You vote in elections once a year, but when you volunteer, you vote every day about the kind of community you want to live in.

--Author unknown
We often take for granted the very things that most deserve our gratitude.

--Cynthia Ozick
Writer and Author

Those who can do, those who can do more, volunteer.

--Author Unknown

If you think you are too small to be effective, you have never been in bed with a mosquito.

--Betty Reese
Artist

C. PLEDGES TO THE FLAGS – Councilman Phil Nauert.

1. U.S. PLEDGE OF ALLEGIANCE.

2. PLEDGE TO THE TEXAS FLAG.

Councilman Phil Nauert led the audience and City Council in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

D. PERSONAL/AUDIENCE COMMENTS.

James Burrough, 4613 Holt Street, Bellaire, Texas:

Mr. Burrough addressed City Council and advised that he had a simple message this evening. That message was that he would like to see the Elaine Wood Therapy Pool hours changed from a 7:00 p.m. cutoff to an 8:00 p.m. cutoff.

He noted that he happened to own a swim pass left over from Hurricane Ike. He stated that he and his wife did go over to the Elaine Wood Therapy Pool on Sunday evening and swam from 7:05 p.m. until 7:55 p.m. The water was warm and he was able to exercise his back. He indicated that he felt great this morning.

Five other people were in the pool on Sunday evening with the Burroughs. He spoke to each of them individually and asked them if the pool happened to be open until 8:00 p.m. from Monday through Friday if they would come and swim. Four stated that they would definitely swim until 8:00 p.m. The fifth swimmer indicated that she was a guest and lived in Pennsylvania.
Mr. Burrough referred to a movie made several years ago by Kevin Costner called “Field of Dreams.” Although he did not equate what he wanted or needed to a dream, Mr. Burrough did remember the line “If you build it, they will come.” He would bet that if City Council “would open it, the residents would be there.”

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas:

Ms. McBee addressed City Council and noted that it was the little things that counted. In this era of strained economy, she noted the following small needs that the City of Bellaire had:

- Poor audio capabilities in the Council Chamber. She indicated that residents watching the meetings at home could not hear them. The microphones did not pick up City Council when their heads were turned nor did the microphones pick up the Commissioners who sat at the dais. She recommended that this be worked into the budget as it was a small expense;

- Old, broken, impassable, unpaved City right-of-way in front of the Bellaire shoe shop. Ms. McBee indicated that she had asked for this repair a number of times. A car could not be driven safely in that area, which was a shame as this was the Town Center; and

- Ramp used for City Hall access. No one would state what the ramp in front of City Hall was for, but one would assume that the ramp existed to make it easier for those folks on walkers, in wheelchairs, or on bicycles to get up to the front door. Yet with the scarcity of parking, people blocked the access all of the time. Since the ramp was not painted or signed, it was often mistaken for a parking space.

Ms. McBee urged City Council to ensure that the three needs she outlined were addressed in the budget.

E. REPORTS:

1. CITY MANAGER’S REPORT regarding residential safety (police activity report), public infrastructure/utilities (street and drainage projects update, Recreation Center roof update, and Loftin Park playground construction update), cultural and recreational (Library reading
program and summer Parks and Recreation programs),
employees of the quarter, quarterly crime and building
permits indicators, current issues/information (METRO
Quickline bus route operations through Bellaire), and
upcoming City Council meetings/events – Presented by
City Manager Bernard M. Satterwhite, Jr.

City Manager Bernard M. Satterwhite, Jr., presented the
City Manager’s Report to City Council.

Residential Safety

It was noted that there had been up to six vacancies in the
Bellaire Police Department, however, four vacancies had
recently been filled. City Manager Satterwhite added that there
were enough candidates to fill the other vacancies as well.

Forty-five Part I criminal offenses occurred in May of 2009
compared to 33 in May of 2008. There were 43 accidents in
May of 2009 compared to 71 in May of 2008. The average
response time was noted to be a little over 3-1/2 minutes for all
types of calls.

There was one robbery at the CVS Pharmacy, which occurred
on the 10th. Two suspects entered the store near closing time
with weapons. Officers arrived outside the building. Two
suspects were apprehended and charged with aggravated
robbery. A third suspect took his own life.

Seven residential burglaries occurred during the month of May.
Two of those burglaries included items stolen from open
garages. In three other cases, suspects entered homes
through unsecured doors or windows. City Manager
Satterwhite stressed the importance of residents locking their
belongings up.

Identity theft continued to be a major portion of the City’s
overall theft numbers. The Community Resource Office had
been busy with commercial security surveys, as well as
presentations on personnel safety and bicycle safety.
Additionally, thirty child safety seat inspections were performed
during the month of May.

City Manager Satterwhite advised that the City was also
represented at the “Salute to Law Enforcement” (i.e., area-wide
law enforcement) event at Willowbrook Mall in Houston.
Estimated attendance at the event was 10,000+.
Public Infrastructure/Utilities

With respect to street and drainage projects, the two projects causing the most problems were the Evergreen Street reconstruction, which was one-way heading eastbound from Renwick Drive to Alder Drive, and Newcastle Drive, which involved reconstruction of two lanes simultaneously. The southbound detour for Newcastle Drive was Avenue B and the northbound detour for Newcastle Drive was Baldwin Avenue. Although traffic was flowing well, there had been complaints from residents living on the 4500 block of Holt Street related to speeding. City Manager Satterwhite indicated that City Staff was going to set up a traffic enforcement assignment and perform some informal traffic counts to see if the issue could be quantified and solved.

It was anticipated that the Recreation Center roof should be completed this week or the next. The Loftin Park playground construction continued. City Staff had taken some additional steps to try to protect the trees in the park. City Staff agreed that the contractor was not maintaining the proper tree protection at all times. The job was closed for one and one-half days in order for the contractor to retain a fence contractor in order to make the necessary adjustments for tree protection. The Community Development Code Enforcement Division was monitoring that situation.

Cultural and Recreational

With respect to cultural and recreational activities, it was noted that summer programs were in “full swing.” The summer Library Reading Program and pool attendance were going well. City Manager Satterwhite advised that over 650 pool passes were sold for summer season for the Bellaire Family Aquatic Center. He noted that this was considered a “sell out.”

Employees

City Manager Satterwhite indicated that he was pleased to announce that two “Employees of the Quarter” had been recently named. The first employee was Ida Lewis, Bellaire’s Payroll Technician. Ida had been handling the City’s payroll for quite some time. In the first quarter of this calendar year, Ida worked very hard on compensation plan changes and health insurance changes, which occurred at the same time.

The second “Employee of the Quarter” was Lieutenant Phil Dickinson of the Bellaire Fire Department. Lieutenant Dickinson
had only been a lieutenant for a few years, but had already made a big difference in the Fire Department.

**Current Issues/Information**

The Metropolitan Transit Authority of Harris County, Texas (METRO), Quickline bus route had begun its operations and was considered a bus rapid transit line. It was developed in order to provide transportation to a large population beginning west of Bellaire Boulevard to the Medical Center. The route was marketed differently from a normal bus route. The blue lines along Bellaire Boulevard were part of that marketing and had been painted along the entire length of the route.

City Manager Satterwhite had some conversations with METRO prior to the painting of the blue line and after it was painted. METRO wanted to market this new line, Quickline, a little more aggressively than they ended up doing. They had some plans for fairly large banners around the Bellaire Transit Station.

City Manager Satterwhite talked with the Chief Executive Officer of METRO specifically about the marketing as he felt the branding of the line and the ways that METRO were branding the line would not be as effective in the City of Bellaire as it might be in other areas along the route. METRO wanted to be more aggressive in Houston than they ended up being. Houston also had some issues with the branding.

One of the reasons for the blue line was because the Quickline route was a cross between rail and a bus. One of the problems with people getting on buses was that they were not sure where the buses were ultimately going. The Quickline route was, therefore, marked much like a rail route would be at the stations, on the bus, and with the blue line.

**Upcoming Meetings/Events**

With respect to meetings, the City’s fourth and final meeting for June was scheduled for the next week, June 22, 2009, at 7:00 p.m. The meeting would be a public hearing on the requested abandonment of the right-of-way on the north side of Fournace Place inside the West Loop.

There would be two regular meetings in July, one on July 6, 2009, at 7:00 p.m. and the other on July 20, 2009, at 7:00 p.m. The annual budget presentation would be made during the July 20, 2009, meeting. There would be a budget workshop following the July 20th meeting on July 21, 2009.
QUESTIONS/COMMENTS FROM CITY COUNCIL:

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

Q: Councilman Pat McLaughlan referred to building permits and understood that those were somewhat reduced as compared to what had occurred in the past. He inquired as to whether City Manager Satterwhite was able to reallocate his staff to continue to effectively use them in light of the fact that permits were down.

A: City Manager Satterwhite advised that City Staff was working on that and would be working on it a little more aggressively as City Staff went into budget preparations. Certainly, the City was not performing as many inspections or issuing as many permits as it was a year or so ago.

With respect to reallocation of staff, it was noted that one member of staff recently resigned, and some of the inspectors had been helping out in the facilities area doing construction management.

Q: Mayor Pro Tem Peggy Faulk referred to the METRO blue line and inquired as to when an outside entity could come in and paint lines on Bellaire’s streets.

A: City Attorney Alan P. Petrov advised that the answer would be when an outside entity could show that it was necessary to accomplish their governmental function. The City of Bellaire, METRO, Harris County, and the Houston Independent School District (HISD) were all overlapping governmental jurisdictions.

Q: Mayor Pro Tem Faulk asked for confirmation that METRO needed the blue line in order to accomplish their operations.

A: City Attorney Petrov advised that he was not making that statement.

Q: Mayor Pro Tem Faulk stated that she was just trying to understand this. HISD could come in and decide that they needed to paint something on Bellaire’s streets and Harris County might need to do as well, etc.

A: City Attorney Petrov indicated that there would obviously be a point where Bellaire could state that
something could not be done. The question of where Bellaire could draw the “line” was oftentimes a fact question that was for a court to resolve.

The school district was a good example of overlapping jurisdictions. The school district had the right to build schools within the City of Bellaire. Bellaire could not stop them from doing that. Bellaire could limit where the schools could be built and make them comply with its building regulations. So, Bellaire could impose regulations that did not keep the school from fulfilling their governmental function.

Was the blue line necessary to METRO’s rapid transit line? He did not know, but it probably was not.

C: Mayor Pro Tem Faulk indicated that her feeling was that we worked hard in Bellaire to improve our community and its appearance. The Planning and Zoning Commission was also working very hard on a Comprehensive Plan for the City and some outside entity decided to come in and paint a stripe down the City’s street. She did not like it and guessed that if the City wanted it removed, then the City would have to pay to take it out. She did not feel that this was right.

C/Q: Councilman McLaughlan noted that Bellaire was continually plagued by visual pollution. Every government agency around the area wanted to stick up some sign. Additionally, there was no multiple use of a signpost. Every sign had its own individual post. He advised that there could surely be some sharing of posts for multiple signs.

He referred to Bellaire Boulevard and noted that METRO had signs directing people to a Park ‘n Ride Lot. There was no Park ‘n Ride Lot anywhere near Bellaire. This sign was a visual polluter and he did not like the fact that it was there.

Councilman McLaughlan inquired as to whether City Council could pass an ordinance such that any information-type sign within the corporate limits would have to be approved by City Council.

A: City Attorney Petrov advised that City Council could pass such an ordinance, but the question would then become whether or not the City could say “no” in any
given case. This would turn on the particular sign in question and the particular use of the sign.

Q: Councilman McLaughlan indicated that at the same time METRO was painting the blue stripe on Bellaire Boulevard he saw a METRO truck putting up additional signage along Renwick Drive. He understood that METRO needed to have signage, but questioned whether or not they were overdoing it.

He asked if he put an item on the agenda to pass an ordinance that any outside organization had to have City Council approval for markings or signage in the community if that would be legal.

A: City Attorney Petrov advised that it was legal for City Council to have such a process, but whether or not in any particular case the City could say “no,” the answer might not be that the City could not say “no.” City Council still might have to grant an application.

He stated that this was similar to dealing with churches. The City had the ability to regulate churches through the City’s specific use permit process in the zoning context. At the same time, churches had certain constitutionally and federally protected rights. The City could not state that there would be churches within the community. There might be an application for a church to locate at a particular location and the process might allow for City Council to hear that application. City Council might be able to place certain controls on the application, but the case might be that the City could not say “no” to it.

Just because the City had a process to hear the application did not mean that the City had the authority to say no. He realized that this was a little counterintuitive.

Q: Councilman James P. Avioli, Sr., inquired as to whether there was an estimated completion date for the signal light project.

A: City Manager Satterwhite indicated that he believed the completion date was December of 2009.

Q: Councilman Avioli asked if the project were an independent project or if it were going on in West University Place as well.
1. A: City Manager Satterwhite indicated that the project was an independent project and only involved the City of Bellaire.

Q: Mayor Pro Tem Faulk advised that she wanted to find out what the cost would be to remove the blue stripe.

A: City Manager Satterwhite advised that he would look into it.

Q: Mayor Cindy Siegel referred to the number of pool passes that had been sold this season, noting that it was great. She inquired as to whether the facility had been filled to capacity such that children and adults had to be turned away.

A: City Manager Satterwhite did not believe that people had been turned away.

MOTION TO ACCEPT REPORT INTO THE RECORD:

A motion was made by Councilman Phil Nauert and seconded jointly by Councilman James P. Avioli, Sr., and 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
Avioli, James P., Sr.
Faulk, Peggy
Nauert, Phil
McLaughlan, Pat
Jeffery, John

OPPOSED: None

ABSENT: Hickman, Will

2. FINANCE REPORT for the City of Bellaire, Texas, for the period ended May 31, 2009, and including discussion of revenues and expenditures in the General Fund, Enterprise Fund, Debt Service Fund, Vehicle, Equipment,
Chief Financial Officer Donna Todd presented the Finance Report for the City of Bellaire, Texas, for the period ended May 31, 2009, to City Council. She advised that wished to present some of the highlights from the report, which represented the eight months ended May 31, 2009.

Revenues

Chief Financial Officer Todd indicated that revenues through May were $22.4 million (total for all funds). This figure was $1.8 million or 8.57% higher than the previous year. However, $2.1 million of the revenues were related to insurance and Federal Emergency Management Agency (FEMA) reimbursements for Hurricane Ike. If that amount was eliminated from the analysis, the City was actually down about 1-1/2% or $317,000.

While on one hand the City’s highest revenue period for property taxes was already behind us, the City was entering the summer season so increased revenues would be seen for the pool, other water recreational facilities, and water and sewer usage.

Current property tax revenues were up about $350,000. The penalties, delinquencies, and interest on those were down about $45,000.

Fines were about $205,000 lower, and investment earnings were about $225,000 lower.

Expenditures

Chief Financial Officer Todd indicated that expenditures were $8.5 million. This figure was approximately $1.3 million or 7.8% higher than the previous year. Taking out Hurricane Ike related expenditures of close to $1 million, resulted in an expenditures increase of approximately 1.9% or $358,000 from the previous year.

Housing Statistics

Chief Financial Officer Todd reported that there were 241 residential properties for sale and 32 for lease. The figures compared to the prior month of 46 residential homes for sale
and 32 for lease. It was noted that the reported figures excluded “by owner” property sales and leases.

**QUESTIONS/COMMENTS FROM CITY COUNCIL:**

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

**Q:** Councilman John Jeffery referred to miscellaneous revenue in the Enterprise Fund in the current period. He inquired as to what was included in that revenue.

**A:** Chief Financial Officer Todd stated that the City had a large FEMA reimbursement and the portion related to the Enterprise Fund was listed under “miscellaneous revenue.” The largest FEMA projects were debris removal and monitoring. The City would not receive all of its reimbursement until after FEMA had performed an audit. She anticipated receiving the reimbursement of the balance due in 2010.

**Q:** Councilman Jeffery referred to the year-to-date balance in the Enterprise Fund and inquired as to what it would be without the FEMA reimbursement.

**A:** Chief Financial Officer Todd indicated that the balance would be $5.2 million without the FEMA reimbursement.

**Q:** Councilman Phil Nauert referred to page 27 of the report and the “Summary of Sales and Mixed Beverage Tax.” He indicated that he could see that traditionally December was the City’s highest month for sales tax collections. He inquired as to why the sales tax month of May (which actually reflected sales tax collections for the month of March) was so high.

**A:** Chief Financial Officer Todd advised that she really could not say. The Texas State Comptroller of Public Accounts only provided a dollar amount to the City and did not provide reconciliations for those amounts.

**Q:** Councilman James P. Avioli, Sr., noted that Chief Financial Officer Todd had indicated that there were some more funds that the City might get back from FEMA. He asked if she could quantify that amount.

**A:** Chief Financial Officer Todd advised that she did not have her FEMA spreadsheet with her. She noted that on
some projects she had received 75% of the reimbursement due and on another project she had received 90% of the reimbursement due. Other projects had not been funded at all.

C: Councilman Avioli indicated that the City appreciated all the work that Chief Financial Officer Todd had done with FEMA.

Q: Councilman Pat McLaughlan stated that he had received a color-coded map that had been compiled by the Harris County Appraisal District (HCAD) for the City of Bellaire. It was coded “red” where appraisal evaluations had increased (i.e., basically the southwest areas of the City where some of the larger lots were). It was coded “green” for approximately the remainder of the residential area. “Green” was neutral indicating neither a decrease or increase in appraisal valuation. The map was also coded “blue” with respect to Bellaire’s commercial area, indicating a decrease in the appraised valuation.

He inquired as to whether Chief Financial Officer Todd had any indication in her “finance world” that commercial properties had actually gone down in value while some of the residential properties had gone up.

A: Chief Financial Officer Todd stated that the City would rely on the values given to it by HCAD. When the City was initially hearing that the tax statements were going out, she randomly reviewed several Bellaire addresses. What she saw ranged from zero to a 5% or 10% increase.

Bellaire had received an initial estimate from Harris County. She typically used this to begin the budget process. In that letter or initial estimate, many pieces of information were missing. One such piece was some of the commercial properties.

When she received the next updated values, she would try to see if there was a trend for commercial properties.

C: Councilman McLaughlan indicated that it appeared that AT&T’s building, the Chase building, etc., had decreased in value.
A: Chief Financial Officer advised that she had not seen the map that Councilman McLaughlan referred to. She did not have any knowledge of the decreases in commercial valuations.

MOTION TO ACCEPT REPORT INTO THE RECORD:

A motion was made by Councilman James P. Avioli, Sr., and seconded by Councilman John Jeffery to accept the Finance Report for the City of Bellaire, Texas, for the period ended May 31, 2009, as presented by Chief Financial Officer Donna Todd 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  
     Avioli, James P., Sr.  
     Faulk, Peggy  
     Nauert, Phil  
     McLaughlan, Pat  
     Jeffery, John

OPPOSED: None

ABSENT: Hickman, Will

F. NEW BUSINESS:

1. CONSENT AGENDA:

Approval/Correction of Minutes

a. APPROVAL of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held Monday, May 18, 2009 – Item submitted by City Clerk Tracy L. Dutton.

b. APPROVAL of the minutes of the Special Session (Interviews) of the City Council of the City of Bellaire, Texas, held Monday, June 8, 2009 – Item submitted by City Clerk Tracy L. Dutton.
Bid Award(s)/Rejection(s)

c. CONSIDERATION of and possible action on a recommendation from the Bellaire Public Works Department to award Bid No. 09-019, Chlorinator and Sulfur Dioxide Maintenance to CFI Services, Inc., for an amount not to exceed a $74.00 hourly service rate and a 10% markup and on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with CFI Services, Inc., for said maintenance services in an amount not to exceed a $74.00 hourly service rate and a 10% markup – Item submitted by Director of Public Works Joe Keene.

MOTION TO APPROVE CONSENT AGENDA:

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman Phil Nauert to approve the Consent Agenda dated June 15, 2009, consisting of the following items:

- Minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held Monday, May 18, 2009;

- Minutes of the Special Session (Interviews) of the City Council of the City of Bellaire, Texas, held Monday, June 8, 2009; and

- Award of Bid No. 09-019, Chlorinator and Sulfur Dioxide Maintenance to CFI Services, Inc., in an amount not to exceed an hourly service rate of $74.00 and a 10% markup and to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Standard Form of Agreement with CFI Services, Inc., for said services in an amount not to exceed an hourly service rate of $74.00 and a 10% markup.
VOTE ON MOTION TO APPROVE CONSENT AGENDA:

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

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

OPPOSED: None

ABSENT: Hickman, Will

{Ordinance authorizing Standard Form of Agreement with CFI Services, Inc., was subsequently numbered: 09-035}

2. ADOPTION OF ORDINANCES:

Board, Commission, Committee Appointments:

Bellaire Arts Commission

a. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing three (3) members to the Bellaire Arts Commission of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011 – Item submitted by City Clerk Tracy L. Dutton at the direction of City Council.

Each member of the Bellaire City Council presented his or her choices for three members to serve a two-year term on the Bellaire Arts Commission of the City of Bellaire, Texas, as follows:

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<tr>
<th>Council Member</th>
<th>Applicant</th>
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<tbody>
<tr>
<td>Cindy Siegel</td>
<td>Wendy Bantle</td>
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<td></td>
<td>Kay Hieronymus</td>
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<td>Judy McConnell</td>
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<td>James P. Avioli, Sr.</td>
<td>Wendy Bantle</td>
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<td>Kay Hieronymus</td>
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<td>Judy McConnell</td>
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The votes were tallied as follows:

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<tr>
<td>Wendy Bantle</td>
<td>6</td>
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<tr>
<td>Kay Hieronymus</td>
<td>6</td>
</tr>
<tr>
<td>Judy McConnell</td>
<td>5</td>
</tr>
<tr>
<td>Scott L. Scheinthal</td>
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**MOTION TO ADOPT ORDINANCE:**

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman James P. Avioli, Sr., to adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing Wendy Bantle, Kay Hieronymus, and Judy McConnell as members to the Bellaire Arts Commission of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011.

**VOTE ON MOTION TO ADOPT ORDINANCE:**

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

**FOR:**
- Siegel, Cindy
- Avioli, James P., Sr.
- Faulk, Peggy
- Nauert, Phil
- McLaughlan, Pat
- Jeffery, John

**OPPOSED:** None

**ABSENT:** Hickman, Will
Bellaire L.I.F.E. Advisory Board

b. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing four (4) members to the Bellaire L.I.F.E. Advisory Board for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011 – Item submitted by City Clerk Tracy L. Dutton at the direction of City Council.

Each member of the Bellaire City Council presented his or her choices for four members to serve a two-year term on the Bellaire L.I.F.E. Advisory Board of the City of Bellaire, Texas, as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cindy Siegel</td>
<td>Carolyn A. Bouldin</td>
</tr>
<tr>
<td></td>
<td>Peggy J. Griffin</td>
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<tr>
<td></td>
<td>Gladys McGowan</td>
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<td></td>
<td>Iola Pickul</td>
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<tr>
<td>James P. Avioli, Sr.</td>
<td>Carolyn A. Bouldin</td>
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<tr>
<td></td>
<td>Peggy J. Griffin</td>
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<td></td>
<td>Patricia B. McGinty</td>
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<td>Iola Pickul</td>
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<td>Peggy Faulk</td>
<td>Carolyn A. Bouldin</td>
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<td>Peggy J. Griffin</td>
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<td>Gladys McGowan</td>
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<td>Iola Pickul</td>
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<tr>
<td>Phil Nauert</td>
<td>Carolyn A. Bouldin</td>
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<td></td>
<td>Peggy J. Griffin</td>
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<td></td>
<td>Gladys McGowan</td>
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<td>Iola Pickul</td>
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<tr>
<td>Pat McLaughlan</td>
<td>Carolyn A. Bouldin</td>
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<td></td>
<td>Peggy J. Griffin</td>
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<tr>
<td></td>
<td>Gladys McGowan</td>
</tr>
<tr>
<td></td>
<td>Iola Pickul</td>
</tr>
</tbody>
</table>
The votes were tallied as follows:

Carolyn A. Bouldin  6  
Peggy J. Griffin  6  
Patricia B. McGinty  2  
Gladys McGowan  5  
Iola Pickul  5

**MOTION TO ADOPT ORDINANCE:**

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman Pat McLaughlan to adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing Carolyn A. Bouldin, Peggy J. Griffin, Gladys McGowan, and Iola Pickul as members to the Bellaire L.I.F.E. Advisory Board of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011.

**VOTE ON MOTION TO ADOPT ORDINANCE:**

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

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

**OPPOSED:**  None

**ABSENT:**  Hickman, Will

{Ordinance was subsequently numbered: 09-037}

**Board of Adjustment**

c. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing three (3) members to the Board of Adjustment of the City of Bellaire, Texas, for a term of two years
commencing on July 1, 2009, and expiring on June 30, 2011, and appointing one (1) member to the Board of Adjustment of the City of Bellaire, Texas, to fill an unexpired term commencing on July 1, 2009, and expiring on June 30, 2010 – Item submitted by City Clerk Tracy L. Dutton at the direction of City Council.

Each member of the Bellaire City Council presented his or her choices for three members to serve a two-year term on the Board of Adjustment of the City of Bellaire, Texas, and one member to fill an unexpired term. The three applicants receiving the most votes would be appointed to the two-year terms, with the applicant receiving the most votes thereafter being appointed to fill the unexpired term as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cindy Siegel</td>
<td>Patricia B. McGinty, Randy Pollard, Aashish Shah, Deborah Sharp</td>
</tr>
<tr>
<td>James P. Avioli, Sr.</td>
<td>Patricia B. McGinty, Randy Pollard, Aashish Shah, Deborah Sharp</td>
</tr>
<tr>
<td>Peggy Faulk</td>
<td>Patricia B. McGinty, Randy Pollard, Aashish Shah, Deborah Sharp</td>
</tr>
<tr>
<td>Phil Nauert</td>
<td>Patricia B. McGinty, Randy Pollard, Aashish Shah, Deborah Sharp</td>
</tr>
<tr>
<td>Pat McLaughlan</td>
<td>Patricia B. McGinty, Randy Pollard, Aashish Shah, Deborah Sharp</td>
</tr>
<tr>
<td>John Jeffery</td>
<td>Patricia B. McGinty, Randy Pollard, Aashish Shah, Deborah Sharp</td>
</tr>
</tbody>
</table>
The votes were tallied as follows:

Patricia B. McGinty 6
Randy Pollard 6
Aashish Shah 6
Deborah Sharp 6

Since all four applicants received six votes, it was decided that Patricia B. McGinty, who had selected Board of Adjustment as a third choice and desired to serve on the Parks & Recreation Advisory Board as a first choice, would be appointed to the unexpired term so that she would have an opportunity to reapply for the Parks & Recreation Advisory Board in the next appointment year (i.e., 2010).

MOTION TO ADOPT ORDINANCE:

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman Pat McLaughlan to adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing Randy Pollard, Aashish Shah, and Deborah Sharp as members to the Board of Adjustment of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011, and appointing Patricia B. McGinty as a member to the Board of Adjustment of the City of Bellaire, Texas, to fill an unexpired term commencing on July 1, 2009, and expiring on June 30, 2010.

VOTE ON MOTION TO ADOPT ORDINANCE:

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

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

OPPOSED: None

ABSENT: Hickman, Will

{Ordinance was subsequently numbered: 09-038}
Mayor Cindy Siegel asked City Council to consider appointing members to the other boards before appointing to the Building and Standards Commission. The reason for the request was due to the fact that applicants expressing an interest on some of the other boards had agreed to be considered for the Building and Standards Commission if they were not selected for their first choice of board.

**Recycling Committee**

g. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing four (4) members to the Recycling Committee of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011, and appointing one (1) member to the Recycling Committee of the City of Bellaire, Texas, to fill an unexpired term commencing on July 1, 2009, and expiring on June 30, 2010 – Item submitted by City Clerk Tracy L. Dutton at the direction of City Council.

Each member of the Bellaire City Council presented his or her choices for four members to serve a two-year term on the Recycling Committee of the City of Bellaire, Texas, and one member to fill an unexpired term. The four applicants receiving the most votes would be appointed to the two-year terms, with the applicant receiving the most votes thereafter being appointed to fill the unexpired term as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cindy Siegel</td>
<td>Brenda Cauthen</td>
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<tr>
<td></td>
<td>Susan Cutaia</td>
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<td></td>
<td>Stephanie Goldfield</td>
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<td></td>
<td>Jimmy Hauser</td>
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<td>William E. Stone</td>
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<tr>
<td>James P. Avioli, Sr.</td>
<td>Brenda Cauthen</td>
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<tr>
<td></td>
<td>Susan Cutaia</td>
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<td></td>
<td>Stephanie Goldfield</td>
</tr>
<tr>
<td></td>
<td>William E. Stone</td>
</tr>
<tr>
<td></td>
<td>Miriam Wiener</td>
</tr>
</tbody>
</table>
The votes were tallied as follows:

Brenda Cauthen      6
Susan Cutaia        4
Stephanie Goldfield 6
Jimmy Hauser        3
William E. Stone    6
Miriam Wiener       5

**MOTION TO ADOPT ORDINANCE:**

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman Phil Nauert to adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing Brenda Cauthen, Stephanie Goldfield, William E. Stone, and Miriam Wiener as members to the Recycling Committee of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011, and appointing Susan Cutaia as a member of the Recycling Committee of the City of Bellaire, Texas, to fill an unexpired term commencing on July 1, 2009, and expiring on June 30, 2010.
VOTE ON MOTION TO ADOPT ORDINANCE:

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

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

OPPOSED: None

ABSENT:  Hickman, Will

{Ordinance was subsequently numbered: 09-039}

Parks and Recreation Advisory Board

e. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing four (4) members to the Parks and Recreation Advisory Board of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011 – Item submitted by City Clerk Tracy L. Dutton at the direction of City Council.

Each member of the Bellaire City Council presented his or her choices for four members to serve a two-year term on the Parks and Recreation Advisory Board of the City of Bellaire, Texas, as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cindy Siegel</td>
<td>Charlotte Aguilar</td>
</tr>
<tr>
<td></td>
<td>Sarah Bauer</td>
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<tr>
<td></td>
<td>Steven O. Grubbs</td>
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<td></td>
<td>Vanessa Nieves</td>
</tr>
<tr>
<td>James P. Avioli, Sr.</td>
<td>Charlotte Aguilar</td>
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<td></td>
<td>Sarah Bauer</td>
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<td></td>
<td>Steven O. Grubbs</td>
</tr>
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<td></td>
<td>Vanessa Nieves</td>
</tr>
</tbody>
</table>
Peggy Faulk  Charlotte Aguilar
Sarah Bauer
Steven O. Grubbs
Vanessa Nieves

Phil Nauert  Charlotte Aguilar
Sarah Bauer
Steven O. Grubbs
Vanessa Nieves

Pat McLaughlan  Charlotte Aguilar
Sarah Bauer
Steven O. Grubbs
Vanessa Nieves

John Jeffery  Charlotte Aguilar
Sarah Bauer
Steven O. Grubbs
Vanessa Nieves

The votes were tallied as follows:

Charlotte Aguilar  6
Sarah Bauer  6
Steven O. Grubbs  6
Vanessa Nieves  6

**MOTION TO ADOPT ORDINANCE:**

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman John Jeffery to adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing Charlotte Aguilar, Sarah Bauer, Steven O. Grubbs, and Vanessa Nieves as members to the Parks and Recreation Advisory Board of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011.

**VOTE ON MOTION TO ADOPT ORDINANCE:**

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

**FOR:**

Siegel, Cindy
Avioli, James P., Sr.
Faulk, Peggy
Nauert, Phil
McLaughlan, Pat
FOR (CONT.): Jeffery, John

OPPOSED: None

ABSENT: Hickman, Will

{Ordinance was subsequently numbered: 09-040}

Planning and Zoning Commission

f. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing three (3) members to the Planning and Zoning Commission of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011 – Item submitted by City Clerk Tracy L. Dutton.

Each member of the Bellaire City Council presented his or her choices for three members to serve a two-year term on the Planning and Zoning Commission of the City of Bellaire, Texas, as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cindy Siegel</td>
<td>Lori Aylett</td>
</tr>
<tr>
<td></td>
<td>Andrew Friedberg</td>
</tr>
<tr>
<td></td>
<td>Bill Thorogood</td>
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<tr>
<td>James P. Avioli, Sr.</td>
<td>Lori Aylett</td>
</tr>
<tr>
<td></td>
<td>Andrew Friedberg</td>
</tr>
<tr>
<td></td>
<td>Bill Thorogood</td>
</tr>
<tr>
<td>Peggy Faulk</td>
<td>Lori Aylett</td>
</tr>
<tr>
<td></td>
<td>Andrew Friedberg</td>
</tr>
<tr>
<td></td>
<td>Bill Thorogood</td>
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<tr>
<td>Phil Nauert</td>
<td>Lori Aylett</td>
</tr>
<tr>
<td></td>
<td>Andrew Friedberg</td>
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<td></td>
<td>Bill Thorogood</td>
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<tr>
<td>Pat McLaughlan</td>
<td>Lori Aylett</td>
</tr>
<tr>
<td></td>
<td>Andrew Friedberg</td>
</tr>
<tr>
<td></td>
<td>Bill Thorogood</td>
</tr>
</tbody>
</table>
The votes were tallied as follows:

- Lori Aylett: 6
- Andrew Friedberg: 6
- Bill Thorogood: 6

**MOTION TO ADOPT ORDINANCE:**

A motion was made by Councilman Phil Nauert and seconded by Councilman Pat McLaughlan to adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing Lori Aylett, Andrew Friedberg, and Bill Thorogood as members to the Planning and Zoning Commission of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011.

**VOTE ON MOTION TO ADOPT ORDINANCE:**

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

**FOR:** Siegel, Cindy
- Avioli, James P., Sr.
- Faulk, Peggy
- Nauert, Phil
- McLaughlan, Pat
- Jeffery, John

**OPPOSED:** None

**ABSENT:** Hickman, Will

*{Ordinance was subsequently numbered: 09-041}*

**Building and Standards Commission**

d. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing three (3) members to the Building and Standards Commission of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011 – Item submitted
Each member of the Bellaire City Council presented his or her choices for three members to serve a two-year term on the Building and Standards Commission of the City of Bellaire, Texas, as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cindy Siegel</td>
<td>E. Wayne Alderman</td>
</tr>
<tr>
<td></td>
<td>Gregory Cauthen</td>
</tr>
<tr>
<td></td>
<td>Scott Scheinthal</td>
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<tr>
<td>James P. Avioli, Sr.</td>
<td>E. Wayne Alderman</td>
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<td></td>
<td>Gregory Cauthen</td>
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<td></td>
<td>Scott Scheinthal</td>
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<tr>
<td>Peggy Faulk</td>
<td>E. Wayne Alderman</td>
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<td></td>
<td>Gregory Cauthen</td>
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<td></td>
<td>Scott Scheinthal</td>
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<tr>
<td>Phil Nauert</td>
<td>E. Wayne Alderman</td>
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<td></td>
<td>Gregory Cauthen</td>
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<td></td>
<td>Scott Scheinthal</td>
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<tr>
<td>Pat McLaughlan</td>
<td>E. Wayne Alderman</td>
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<td></td>
<td>Gregory Cauthen</td>
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<td></td>
<td>Scott Scheinthal</td>
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<tr>
<td>John Jeffery</td>
<td>E. Wayne Alderman</td>
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<tr>
<td></td>
<td>Gregory Cauthen</td>
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<tr>
<td></td>
<td>Scott Scheinthal</td>
</tr>
</tbody>
</table>

The votes were tallied as follows:

- E. Wayne Alderman: 6
- Gregory Cauthen: 6
- Scott Scheinthal: 6

**MOTION TO ADOPT ORDINANCE:**

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman John Jeffery to adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing E. Wayne Alderman, Gregory Cauthen, and Scott Scheinthal as members to the Building and Standards Commission of the City of Bellaire, Texas.
Bellaire, Texas, for a term of two years commencing on July 1, 2009, and expiring on June 30, 2011.

VOTE ON MOTION TO ADOPT ORDINANCE:

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

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

OPPOSED:  None

ABSENT:  Hickman, Will

{Ordinance was subsequently numbered: 09-042}

3. ITEM FOR INDIVIDUAL CONSIDERATION:

DISCUSSION and review of pool hours for The City of Bellaire Elaine Wood Therapy Pool located in Evergreen Park, 4500 Evergreen Street, Bellaire, Texas, and possible direction to City Staff regarding said pool hours – Item submitted by City Manager Bernard M. Satterwhite, Jr., on behalf of Mayor Cindy Siegel.

SUMMARY:

City Manager Bernard M. Satterwhite, Jr., indicated that previously the closing hour for the entire Evergreen Pool Complex had been 8:30 p.m. in the evening. When the Evergreen Pool Complex opened for the summer, the closing hour was changed to 7:00 p.m. The closing hour for the Bellaire Family Aquatic Center was 8:30 p.m. These hours appeared in the City’s Leisure Activity Guide, which was published some time ago.

Mayor Cindy Siegel inquired as to the reason that closing hour was changed at the Evergreen Pool Complex.

City Manager Satterwhite stated that the change in the closing hour had to do with the demand for the pools. This was not to say that the book was closed with respect to a change in hours. He looked at the overall demand for the facilities that the City had. There were three facilities. He was aware that
the facilities were different and had different uses. City Staff did not feel that there was adequate demand to operate three facilities for a full day and evening. He indicated that the demand for the Bellaire Family Aquatic Center was greater than for the Evergreen Pool Complex. The hours were set based on a balance of the overall demand for all facilities.

The City did not really count the number of people who were at a pool in any given period of time. There was a count of the number of people coming into a facility. He stated that Mr. Burrough’s assessment of attendance for the Therapy Pool in the Evergreen Pool Complex was accurate. The City had upwards of seven people coming into the pool between the hours of 6:30 p.m. and 7:30 p.m. When the pool was open until 8:30 p.m., the number of people arriving between 7:30 p.m. and 8:30 p.m. ranged from zero to three. Those arriving at 6:30 p.m. might have been swimming until 8:30 p.m., however, the City did not count the number of people leaving the facility per hour.

City Manager Satterwhite had talked with Director of Parks and Recreation Jane Dembski. They were looking into some ways to spread the usage of the pools to fill the demands. There were times during the day when no one was swimming at the Evergreen Pool Complex. By mid-July, the demand for all pool facilities declined. Director Dembski had also asked about closing some of the pool facilities during certain hours of the day and keeping them open later in the evening (as it was cooler) when the demand declined.

**Mayor Siegel** asked if it were possible to open the Elaine Wood Therapy Pool by itself or whether the entire Evergreen Pool Complex had to be opened.

**City Manager Satterwhite** stated that it was possible to open just the Elaine Wood Therapy Pool without the remainder of the Complex. He was concerned that people might be upset if only a portion of the Complex were open. He noted that there were typically more people using the Evergreen Pool versus the Elaine Wood Therapy Pool. Pool parties were also scheduled at Evergreen Pool in the evenings. City Staff had that issue to contend with as well. He noted further that the pool parties, particularly on the weekends, were very popular at Evergreen Pool.

**Mayor Siegel** inquired as to the number of lifeguards that were required for the Evergreen Pool Complex.
City Manager Satterwhite stated that he believed it was three.

Mayor Siegel asked if there were a breakeven analysis to indicate what would happen if the City kept the Evergreen Pool Complex open for another thirty minutes.

City Manager Satterwhite advised that there was no breakeven analysis. The City lost money on all of its pool operations. This was a matter of finding the balance as to where demand dropped off.

The unclear question was “what constituted demand?” He indicated that he really did not have that answer. He noted that adding hours would still count toward causing the City to possibly exceed its budget parameters with respect to costs.

City Manager Satterwhite advised that City Staff certainly wanted to provide the residents with what they wanted, indicating that he felt City Staff did a good job of that. He asked if five people constituted enough demand for a facility to remain open.

Mayor Siegel inquired as to the resident fee for the Evergreen Pool.

Mr. Burrough advised that it was $2.00 for him at his age. He believed that others paid $3.00.

Mayor Siegel referred to a question that Councilman Hickman had asked a few weeks ago. That question related to the possibility of reducing the admittance fee for the Bellaire Family Aquatic Center during the evening hours. She inquired as to whether City Staff and looked at that.

City Manager Satterwhite indicated that City Staff was looking into that. He was not sure that this was what people wanted. He did not believe the five people using the Elaine Wood Therapy Pool really cared about the price at the Bellaire Family Aquatic Center.

Mayor Siegel inquired as to whether the Elaine Wood Therapy Pool was heated during the summer.

City Manager Satterwhite advised that the heater was not on during the summer months.
Councilman James P. Avioli, Sr., inquired as to whether the Elaine Wood Therapy Pool was equal to the Bellaire Family Aquatic Center.

Mr. Burrough advised that there was only one Therapy Pool and it was located at the Evergreen Pool Complex.

Councilman Avioli asked if the pool had ever been open until 8:30 p.m.

Mr. Burrough advised that it had been open until 8:30 p.m. up until last year.

City Manager Satterwhite indicated that the Elaine Wood Therapy Pool was part of the Evergreen Pool Complex. When the Evergreen Pool Complex was closed for the winter, the Elaine Wood Therapy Pool continued to be open during the winter until 8:30 p.m. When the Bellaire Town Square Family Aquatic Center opened up, it was open until 8:30 p.m. in the wintertime. Both pools were heated.

When the Evergreen Pool Complex opened for the summer, it closed at 7:00 p.m. The Bellaire Family Aquatic Center was still open until 8:30 p.m. during the summer.

Councilman Avioli asked for confirmation that this was a loser cost-wise.

City Manager Satterwhite advised that Councilman Avioli was correct.

Councilman Avioli inquired as to how much more the City would be losing to keep the Elaine Wood Therapy Pool or the entire Complex open until 8:30 p.m.

City Manager Satterwhite indicated that it would not cost a great deal more.

Councilman John Jeffery directed that the person in charge of the pool and parks be at the meeting when City Council addressed this agenda item. He indicated that he wished to postpone the item. City Council needed the facts as to cost and a recommendation from the City Staff that actually ran the pools. He would like to make an evaluation off a recommendation from a professional who could indicate what that expectation was and what they had heard from other citizens.
Councilman McLaughlan referred to a comment made earlier as to which pools were heated. He asked if City Manager Satterwhite could repeat that comment. He knew that the lap pool at the Bellaire Family Aquatic Center was heated somewhat during the year. In other words, which pools were heated and which were not?

City Manager Satterwhite indicated that the lap pool and diving well were heated in the wintertime at the Bellaire Family Aquatic Center. The Elaine Wood Therapy Pool was heated in the wintertime at the Evergreen Pool Complex.

Councilman McLaughlan inquired as to whether the Elaine Wood Therapy Pool was heated in the summertime.

City Manager Satterwhite indicated that the heaters were off during the summertime at all pools.

Councilman McLaughlan advised that the City really did not have a “Therapy Pool” in the summertime.

City Manager Satterwhite supposed that Councilman McLaughlan was correct.

Councilman McLaughlan advised that the point he was trying to make was that if the Elaine Wood Therapy Pool was not heated, it was just one more swimming pool. He wondered why those people could not swim at the Bellaire Family Aquatic Center since the water temperature should be same at both facilities.

Councilman Phil Nauert stated that temperature was not the only component that made up a “therapy pool.” There was a ramp at the Elaine Wood Therapy Pool to assist people in getting in and out of the pool. There were also support features inside the therapy pool.

Mayor Siegel advised that there was a lift at the Bellaire Family Aquatic Center to assist people in getting in and out of that pool.

Councilman Nauert indicated that he did not believe that lift was in constant use. He stated that he agreed with Councilman Jeffery’s assessment that this item should be considered at another time. He inquired as to whether the City had “adult only” hours at either of its pool facilities. He stated that there used to be “adult only” hours at the Evergreen Pool many years ago.
City Manager Satterwhite advised that he did not believe that the Bellaire Family Aquatic Center had “adult only” hours due to the way in which the lap pool was set up. For example, one-half of the lap lanes were set up as lap lanes and the other half were set up for general swimming. Because the lap pool was not really used as a “play pool,” the issue of “adult only” hours had not come up.

Councilman Nauert stated that he was suggesting that the City consider having the extended hour at the Evergreen Pool Complex be an “adult only” hour or one and one-half hours. This was when the people who worked during the day were going to want to use the pool.

Councilman Avioli indicated that the decision he understood City Council was trying to make this evening was whether the City wanted to keep the Evergreen Pool open another hour or one-half hour. Since City Council was advised that there was no significant added cost in keeping it open, he stated that he would like to propose making a motion to keep it open longer.

**MOTION REGARDING POOL HOURS:**

A motion was made by Councilman James P. Avioli, Sr., and seconded by Councilman Pat McLaughlan to extend the closing hour for the Evergreen Pool Complex from 7:00 p.m. to 8:30 p.m.

**DISCUSSION ON MOTION REGARDING POOL HOURS:**

Mayor Pro Tem Faulk advised that she would not support the motion. She agreed with Councilman Jeffery. She would like City Staff to provide more information. To state that it cost “a little bit more” was not enough. She wanted to know what that “little bit” was.

Councilman McLaughlan indicated that Councilman Nauert made a good comment regarding the ramp that provided easier access for residents at the Elaine Wood Therapy Pool. He wondered if the people who were using the pool in the evening needed the ramp, handrails, etc. He stated further that he thought the original request was only to keep the pool open until 8:00 p.m.
AMENDMENT (NO. 1) TO MOTION REGARDING POOL HOURS:

An amendment (no. 1) was made by Councilman Pat McLaughlan and seconded by Councilman James P. Avioli, Sr., to the motion regarding pool hours for the Evergreen Pool Complex to extend the closing hour for the pool from 7:00 p.m. to 8:00 p.m.

DISCUSSION ON AMENDMENT (NO. 1) TO MOTION REGARDING POOL HOURS:

Councilman Jeffery indicated that he would vote against the motion because he felt that City Council was making many assumptions. No one seemed to be able to clarify any of the facts regarding ramps, rails, heating, etc. He indicated that he was sorry that Director Dembski and her staff were not present this evening.

City Manager Satterwhite apologized, too, that Director Dembski was not present. He had gone through the issues with Director Dembski, and he knew when the pool was heated and when it was not and knew which pools had rails and which did not. Various plans had been discussed. He did not believe that Director Dembski could tell City Council this evening how much it cost to keep it open another hour specifically. This was not a black and white issue. How this fit into the overall big picture of other budgetary considerations and concerns, he did not believe City Staff could provide those answers this evening either.

If those were answers City Council was looking for, more research would have to be done.

Mayor Siegel agreed with Councilman Jeffery and Mayor Pro Tem Faulk. She felt that City Council did need more information. She knew that there were sometimes constraints with respect to the availability of lifeguards. This became a bigger issue as the City moved into the summer and kids started going back to college. She felt that City Council needed information as it related to whether or not there would be enough lifeguards.

City Manager Satterwhite stated that he was pretty confident that both pools could be staffed, even if more people had to be hired. He hated to staff things that we were not being used.
Mayor Siegel referred also to the parties City Manager Satterwhite mentioned, noting that the City had commitments to those people who had rented the pool. Mayor Siegel indicated that versus letting the agenda item fail, City Council should go back to Councilman Jeffery’s original suggestion that this item be postponed until City Staff could provide those answers. She felt that the item would fail if City Council went forward.

**MOTION TO POSTPONE:**

A motion was made by Councilman John Jeffery and seconded by Councilman Phil Nauert to postpone consideration of the Evergreen Pool Complex hours until more information could be obtained from City Staff related to pool operations, usage, and demand, said consideration to be postponed until Monday, July 6, 2009.

**VOTE ON MOTION TO POSTPONE:**

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

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

**OPPOSED:** None

**ABSENT:** Hickman, Will

{Action regarding agenda item was summarized in Motion Document No. 2009-008}

G. **ADJOURNMENT.**

**MOTION TO ADJOURN:**

A joint motion was made by Councilman James P. Avioli, Sr., and Councilman Pat McLaughlan and seconded by Councilman John Jeffery to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 8:46 p.m. on Monday, June 15, 2009.
VOTE ON MOTION TO ADJOURN:

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

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

OPPOSED:      None

ABSENT:       Hickman, Will

Respectfully submitted,

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

Approved:

___________________________
Cynthia Siegel, Mayor
City of Bellaire, Texas