CITY COUNCIL MEETING MINUTES
MONDAY, JUNE 4, 2012

The City Council of the City of Bellaire, Texas, met in Regular Session on Monday, June 4, 2012, in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, for the following purpose(s):

A. CALL TO ORDER AND ANNOUNCEMENT OF A QUORUM – Mayor Pro Tem Amanda B. Nathan.

Mayor Pro Tem Amanda B. Nathan called the City Council of the City of Bellaire, Texas, to order at 7:03 p.m. on Monday, June 4, 2012.

Also present were Councilmen Roman F. Reed, Pat B. McLaughlan, and Andrew S. Friedberg, City Manager Bernard M. Satterwhite, Jr., City Attorney Alan P. Petrov, and City Clerk Tracy L. Dutton. Mayor Philip L. Nauert and Councilmen James P. Avioli, Sr., and Corbett Daniel Parker were absent.

B. INSPIRATIONAL READING AND/OR INVOCATION – Councilman Pat B. McLaughlan.

Councilman Pat B. McLaughlan provided the inspirational reading for the evening.

C. PLEDGES TO THE FLAGS – Councilman Pat B. McLaughlan.

1. U.S. PLEDGE OF ALLEGIANCE.

2. PLEDGE TO THE TEXAS FLAG.

Councilman Pat B. McLaughlan led the audience and members of City Council in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

D. PERSONAL/AUDIENCE COMMENTS:

Robert Riquelmy, 506 Winslow Lane, Bellaire, Texas, addressed City Council regarding his request to purchase a brick paver to be placed in the City’s Donor Entry Plaza located in Bellaire Town Square. Mr. Riquelmy indicated that he wished to memorialize an event in Bellaire’s history that was beginning to fade from his memory. Mr. Riquelmy provided the language for the inscription that he wished to appear on the brick paver, along with a check in the amount of $500.00. He asserted that his check and the
language he provided for the inscription were rejected by the City [sic] with no reason having been given.

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas, addressed City Council regarding an item of business that had not been acted upon by the City Council related to recommendations made by the Sunset Review Committee ("SRC") on November 14, 2011. Ms. McBee, who served as a member of the SRC, summarized the report, noting that the report included changes to the charges of the boards, an update of ordinances to ensure compliance and consistency, standardization of board names and rules governing attendance and absences, mandatory training requirements, and the establishment of two new advisory boards for the Library and Public Safety (Police and Fire) Departments.

Ms. McBee noted that City Council had begun interviewing applicants to fill openings on the City's boards, commissions, and committees; however, since the recommendations of the SRC had not been acted upon, the City had no handbook to assist applicants and no training to support applicants. She stated that the responsibility for the boards, commissions, and committees belonged to the City Council.

In closing, Ms. McBee urged City Council to place an action item on the June 18th agenda to address the SRC's recommendations before any new applicants were sworn in.

Richard Franke, 1104 Howard Lane, Bellaire, Texas, addressed City Council regarding two items. The first item was to compliment Mayor Nauert on the tone, professionalism and businesslike manner in which the meetings were held.

Secondly, Mr. Franke urged the City to consider developing its infrastructure and capital plans for 10-15 years out rather than five years out. He referenced the infrastructure and capital structure needs that the City was facing. Mr. Franke next referred to his street, Howard Lane, noting that the curbs were crumbling and the street surface was poor. Other neighborhoods in Bellaire had similar issues.

In closing, Mr. Franke suggested that City Council take the City's infrastructure and capital structure issues into account when considering the tax rate structure for the City.

E. REPORTS:

1. CITY MANAGER'S REPORT regarding residential safety (police activity report), public infrastructure/utilities (major projects update and generator power-up at the WWTP and Central Water Plant), cultural and recreational (summer activities), quarterly indicators (crime report and building permit report),
current issues/information (board and commission appointment process), and upcoming City Council meetings/events – Submitted and presented by City Manager Bernard M. Satterwhite, Jr.

City Manager Bernard M. Satterwhite, Jr., presented the City Manager's Report dated June 4, 2012, to members of City Council. Following questions of City Manager Satterwhite related to his report, action was taken by City Council to accept the report into the record.

CITY COUNCIL MOTION/ACTION:

Councilman Andrew S. Friedberg moved to accept the City Manager's Report dated June 4, 2012, as presented by City Manager Bernard M. Satterwhite, Jr., into the record. Councilmen Roman F. Reed and Pat B. McLaughlan jointly seconded the motion. The motion carried unanimously on a 4-0 vote as follows:

FOR: Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed, Pat B. McLaughlan, and Andrew S. Friedberg

OPPOSED: None

ABSENT: Mayor Philip L. Nauert and Councilmen James P. Avioli, Sr., and Corbett Daniel Parker

2. PRESENTATION regarding the current status of the Kendig Keast Collaborative consulting services project related to the drafting of specific text and provisions for commercial and mixed-use districts (focusing on the downtown area and the Bissonnet Corridor) and such other portions of Chapter 24, Planning and Zoning, of the Code of Ordinances of the City of Bellaire, Texas, that may be relevant – Item submitted by Director of Community Development John McDonald; Presentation by Gary Mitchell, Vice President, Kendig Keast Collaborative.

Gary Mitchell, Vice President, Kendig Keast Collaborative, began his report by updating members of City Council on the progress to date for the Bellaire Downtown-Bissonnet Corridor Zoning Amendments. Project milestones included: (1) three Workshop Sessions with the Planning and Zoning Commission ("Commission") during the months of March, April, and May; (2) consideration of a new Corridor Mixed Use (CMU) zoning district to consolidate and replace the existing R-M.1, R-M.2, R-M.2-O, R-M.3, and R-MF districts
and portions of CCD-1; (3) consideration of a new Urban Village-City Center (UV-CC) zoning district to replace portions of the existing CCD-1 and CCD-2 districts; (4) consideration of allowed uses and associated development intensities in each district; (5) consideration of appropriate building setbacks, heights and site coverages consistent with each district’s development character; and (6) consideration of new or adjusted off-street parking standards.

Vice President Mitchell advised that the next essential activity would consist of a City forum for residents and property owners interested in the future of the City Center and corridor areas to be held in early July in the Bellaire Civic Center. Two additional Commission Workshop Sessions had been scheduled for July 24 and August 21, with landscaping/screening and site and building design elements up for discussion.

Following the referenced Commission Workshop Sessions, an overall draft package of proposed zoning amendments would be presented in a joint City Council-Commission Workshop in early September, to be followed by public hearings and then consideration of final proposed amendments by both the Commission and City Council.

Upon completion of Vice President Mitchell’s presentation and following questions of him regarding his report, action was taken by City Council to accept the report into the record.

CITY COUNCIL MOTION/ACTION:

Councilman Roman F. Reed moved to accept the report updating City Council on the status of the Kendig Keast Collaborative consulting services project for the City of Bellaire, Texas, as presented by Vice President Gary Mitchell of Kendig Keast Collaborative, into the record. Councilman Pat B. McLaughlan seconded the motion. The motion carried unanimously on a 4-0 vote as follows:

FOR: Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed, Pat B. McLaughlan, and Andrew S. Friedberg

OPPOSED: None

ABSENT: Mayor Philip L. Nauert and Councilmen James P. Avioli, Sr., and Corbett Daniel Parker
F. NEW BUSINESS:

CONSENT AGENDA:

APPROVAL/CORRECTION OF MINUTES:

1. CONSIDERATION of and possible action on the adoption of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, May 21, 2012 – Item submitted by City Clerk Tracy L. Dutton.

ADOPTION OF RESOLUTION:

2. CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, accepting a donation in the amount of $2,500.00 from the Bellaire Young Mothers for the purchase of books for infants and preschoolers to age 5 for the Bellaire City Library’s circulating collection – Item submitted by Director of Library Mary Cohrs on behalf of the Bellaire Young Mothers.

ADOPTION OF ORDINANCES:

3. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor of the City of Bellaire, Texas, to execute a Final Change Order (No. 1) with Durham Traffic Signs, Inc., to a contract for the installation of on-street pavement markings within the City of Bellaire, Texas, consisting of a net decrease in said contract of $27,987.06, and approval for the City of Bellaire, Texas, to make the final payment to Durham Traffic Signs, Inc., on said contract in an amount not to exceed $14,536.05 – Item submitted by Director of Public Works Joe Keene.

4. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor of the City of Bellaire, Texas, to execute a Final Change Order (No. 1) with Southwest Signal Supply, Inc., to a contract for the installation of a pedestrian hybrid signal at the intersection of South Rice Avenue at the Bellaire Town Square driveway consisting of a net decrease in said contract of $55,044.00, and approval for the City of Bellaire, Texas, to make the final payment to Southwest Signal Supply, Inc., on said contract in an amount not to exceed $15,239.48 – Item submitted by Director of Public Works Joe Keene.
Councilman Andrew S. Friedberg advised that he did not wish to pull Consent Agenda item F.2., but wished to offer an expression of thanks and gratitude to the Bellaire Young Mothers for their generous donation to the Bellaire City Library.

Councilman Pat B. McLaughlan requested to pull Consent Agenda item F.4. in order to ask a question related to the net decrease in the contract of $55,044.00.

**CITY COUNCIL MOTION/ACTION:**

Councilman Andrew S. Friedberg moved to approve the Consent Agenda dated June 4, 2012, consisting of the following:

- Minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, May 21, 2012;

- Approval of the adoption of a resolution of the City Council of the City of Bellaire, Texas, accepting a donation in the amount of $2,500.00 from the Bellaire Young Mothers for the purchase of books for infants and preschoolers to age 5 for the Bellaire City Library’s circulating collection; and

- Approval of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor of the City of Bellaire, Texas, to execute a Final Change Order (No. 1) with Durham Traffic Signs, Inc., to a contract for the installation of on-street pavement markings within the City of Bellaire, Texas, consisting of a net decrease in said contract of $27,987.06, and approval for the City of Bellaire, Texas, to make the final payment to Durham Traffic Signs, Inc., on said contract in an amount not to exceed $14,536.05.

Councilman Roman F. Reed seconded the motion. The motion carried unanimously on a 4-0 vote as follows:

**FOR:** Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed, Pat B. McLaughlan, and Andrew S. Friedberg

**OPPOSED:** None

**ABSENT:** Mayor Philip L. Nauert and Councilmen James P. Avioli, Sr., and Corbett Daniel Parker
Resolution was subsequently numbered: 12-07; Ordinance was subsequently numbered: 12-016}

SEPARATE/INDIVIDUAL CONSIDERATION OF CONSENT AGENDA ITEM F. 4.

CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor of the City of Bellaire, Texas, to execute a Final Change Order (No. 1) with Southwest Signal Supply, Inc., to a contract for the installation of a pedestrian hybrid signal at the intersection of South Rice Avenue at the Bellaire Town Square driveway consisting of a net decrease in said contract of $55,044.00, and approval for the City of Bellaire, Texas, to make the final payment to Southwest Signal Supply, Inc., on said contract in an amount not to exceed $15,239.48 – Item submitted by Director of Public Works Joe Keene.

CITY COUNCIL MOTION:

Councilman Andrew S. Friedberg moved to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor of the City of Bellaire, Texas, to execute a Final Change Order (No. 1) with Southwest Signal Supply, Inc., to a contract for the installation of a pedestrian hybrid signal at the intersection of South Rice Avenue at the Bellaire Town Square driveway consisting of a net decrease in said contract of $55,044.00, and approval for the City of Bellaire, Texas, to make the final payment to Southwest Signal Supply, Inc., on said contract in an amount not to exceed $15,239.48. Councilman Roman F. Reed seconded the motion.

Councilman Pat B. McLaughlan inquired as to whether the $55,044.00 contract savings on the Pedestrian Hybrid Signal project could be utilized to consolidate utility lines and remove excess power poles in order to visually improve the area.

City Manager Bernard M. Satterwhite, Jr., indicated that a decision would have to be made by the utilities that owned the poles as to whether lines could be consolidated and the number of power poles reduced. He stated that it might be possible and that City Staff would look into the matter.
CITY COUNCIL ACTION:

The motion carried unanimously on a 4-0 vote as follows:

FOR: Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed, Pat B. McLaughlan, and Andrew S. Friedberg

OPPOSED: None

ABSENT: Mayor Philip L. Nauert and Councilmen James P. Avioli, Sr., and Corbett Daniel Parker

{Ordinance was subsequently numbered: 12-017}

G. ITEMS FOR FUTURE AGENDAS; COMMUNITY INTEREST ITEMS FROM THE MAYOR AND CITY COUNCIL.

With respect to items for future agendas, Councilman Roman F. Reed requested an item on a future agenda (within one month) to address recommendations previously made to City Council by the Sunset Review Committee. Councilman Andrew S. Friedberg supported the request.

Community interest items from the Mayor and City Council included an expression of thanks and gratitude to the Bellaire Young Mothers for their generous donation to the Bellaire City Library and an expression of congratulations to the City’s new motorcycle police officer, Marco Zarate.

H. ADJOURNMENT.

CITY COUNCIL MOTION/ACTION:

Councilman Roman F. Reed moved to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 8:15 p.m. on Monday, June 4, 2012. Councilman Pat B. McLaughlan seconded the motion. The motion carried unanimously on a 4-0 vote as follows:

FOR: Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed, Pat B. McLaughlan, and Andrew S. Friedberg

OPPOSED: None
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ABSENT: Mayor Philip L. Nauert and Councilmen James P. Avioli, Sr., and Corbett Daniel Parker

Respectfully submitted,

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

Approved:

Amanda B. Nathan
Mayor Pro Tem
City of Bellaire, Texas