CITY COUNCIL MEETING MINUTES
MONDAY, MARCH 18, 2013

The City Council of the City of Bellaire, Texas, met in Special Session (Executive Session) on Monday, March 18, 2013, in the Council Chamber and Council Conference Room, both of which were located on the First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, for the following purpose(s):

A. CALL TO ORDER – Mayor Philip L. Nauert.

Mayor Philip L. Nauert called the City Council of the City of Bellaire, Texas, to order at 6:02 p.m. on Monday, March 18, 2013.

B. ANNOUNCEMENT OF A QUORUM – Mayor Philip L. Nauert.

Mayor Philip L. Nauert announced that a quorum was present consisting of himself and the following members of City Council: Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed, James P. Avioli, Sr., and Pat B. McLaughlan. City Clerk Tracy L. Dutton* was also present.

Councilman Corbett Daniel Parker was absent. Councilman Andrew S. Friedberg arrived at 6:33 p.m. and went directly into Closed Session in the Council Conference Room.

*City Clerk Dutton did not participate in the closed portions of the Special Session (Executive Session).

C. CONVENE in Executive Session (Closed Session to be held in the Council Conference Room) under the Texas Government Code, Chapter 551, Open Meetings, Section 551.074, Personnel Matters; Closed Meeting, to discuss the evaluation of the Presiding Judge, Prosecutor, and Deputy Prosecutor of the Municipal Court of the City of Bellaire, Texas – Members of City Council.

CITY COUNCIL MAIN MOTION/ACTION:

Councilman Pat B. McLaughlan moved to convene in Executive Session under the Texas Government Code, Chapter 551, Open Meetings, Section 551.074, Personnel Matters; Closed Meeting, to discuss the evaluation of the Presiding Judge, Prosecutor, and Deputy Prosecutor of the Municipal Court of the City of Bellaire, Texas. Councilman James P. Avioli, Sr., seconded the motion.
The main motion carried unanimously on a 5-0 vote as follows:

FOR: Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed, James P. Avioli, Sr., and Pat B. McLaughlan

OPPOSED: None

ABSENT: Councilmen Corbett Daniel Parker and Andrew S. Friedberg*

*As noted above, Councilman Friedberg arrived at 6:33 p.m. and went directly into Closed Session in the Council Conference Room.

Members of City Council convened in Executive Session (Closed Session) in the Council Conference Room, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas, at 6:04 p.m. on Monday, March 18, 2013. Presiding Judge Lisa A. Wesely, Prosecutor Robert C. Richter, Jr., and Deputy Prosecutor E. Stanley Topek met in Closed Session with City Council individually as called.

D. RECONVENE (Open Session to be held in the Council Chamber) and consider the following:

1. CONSIDERATION of and possible action on the adoption of an ordinance appointing Lisa A. Wesely as Presiding Judge for the Municipal Court of the City of Bellaire, Texas, for a two-year term commencing on the 5th day of March, 2013, and expiring on the 4th day of March, 2015 – Item submitted by City Clerk Tracy L. Dutton.

2. CONSIDERATION of and possible action on the adoption of an ordinance appointing Robert C. Richter, Jr., as Assistant City Attorney for the City of Bellaire, Texas, for a two-year term commencing on the 6th day of March, 2013, and expiring on the 5th day of March, 2015, for the purpose of serving as Prosecutor in the Municipal Court of the City of Bellaire, Texas – Item submitted by City Clerk Tracy L. Dutton on behalf of City Council.

3. CONSIDERATION of and possible action on the adoption of an ordinance appointing E. Stanley Topek as Deputy Assistant City Attorney for the City of Bellaire, Texas, for a two-year term commencing on the 7th day of March, 2013, and expiring on the 6th day of March, 2015, for the purpose of serving as Deputy Prosecutor in the Municipal Court of the City of Bellaire, Texas
– Item submitted by City Clerk Tracy L. Dutton on behalf of City Council.

Mayor Nauert advised that City Council was reconvened in Open Session at 6:56 p.m. on Monday, March 18, 2013. He indicated that City Council had been in meeting in Closed Session to confer with and review the City’s Presiding Judge, Assistant City Attorney/Prosecutor, and Deputy Assistant City Attorney/Deputy Prosecutor.

CITY COUNCIL MAIN MOTION/ACTION:

Councilman James P. Avioli, Sr., moved to adopt three ordinances of the City Council of the City of Bellaire, Texas, for the purpose of appointing the following Municipal Court officials for a two-year term:

- Lisa A. Wesely as Presiding Judge for the Municipal Court of the City of Bellaire, Texas, for a two-year term commencing on the 5th day of March, 2013, and expiring on the 4th day of March, 2015;

- Robert C. Richter, Jr., as Assistant City Attorney for the City of Bellaire, Texas, for a two-year term commencing on the 6th day of March, 2013, and expiring on the 5th day of March, 2015, for the purpose of serving as Prosecutor in the Municipal Court of the City of Bellaire, Texas; and

- E. Stanley Topek as Deputy Assistant City Attorney for the City of Bellaire, Texas, for a two-year term commencing on the 7th day of March, 2013, and expiring on the 6th day of March, 2015, for the purpose of serving as Deputy Prosecutor in the Municipal Court of the City of Bellaire, Texas.

Councilman Roman F. Reed seconded the motion.

The main motion carried unanimously on a 6-0 vote as follows:

FOR: Mayoral Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed, James P. Avioli, Sr., Pat B. McLaughlan and Andrew S. Friedberg

OPPOSED: None

ABSENT: Councilman Corbett Daniel Parker
{Ordinances were subsequently numbered: 13-013, 13-014, and 13-015, respectively}

Councilman James P. Avioli, Sr., asked that the City Manager propose a future agenda item for City Council’s next meeting. He asked that the item provide City Council with some history and the ability to review the compensation pay for the Judges, Prosecutor, and Deputy Prosecutors, as well as the docket prices. Councilman Avioli noted that those items were set in 2006, so it would seem appropriate that a review would be welcomed at this time.

Mayor Philip L. Nauert restated Councilman Avioli’s request and noted that the item could be placed on a future agenda without a second and vote by City Council.

E. ADJOURNMENT.

CITY COUNCIL MOTION TO ADJOURN:

Councilman Roman F. Reed moved to adjourn the Special Session (Executive Session) of the City Council of the City of Bellaire, Texas, at 6:57 p.m. on Monday, March 18, 2013. Councilman Andrew S. Friedberg seconded the motion.

The motion to adjourn carried unanimously on a 6-0 vote as follows:

FOR: Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed, James P. Avioli, Sr., Pat B. McLaughlan, and Andrew S. Friedberg

OPPOSED: None

ABSENT: Councilman Corbett Daniel Parker

Respectfully submitted,

[Signature]
Tracy L. Dutton, TRMC
City Clerk
City of Bellaire, Texas
City of Bellaire
City Council

Minutes of Meeting
March 18, 2013

Approved:

[Signature]

Philip L. Nauert, Mayor
City of Bellaire, Texas