CITY COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 16, 2013

The City Council of the City of Bellaire, Texas, met in Regular Session on Monday, September 16, 2013, 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 – 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 7:00 p.m. on Monday, September 16, 2013.

B. ANNOUNCEMENT OF A QUORUM – Mayor Pro Tem Amanda B. Nathan.

Mayor Pro Tem Amanda B. Nathan announced that a quorum was present consisting of herself and the following members of City Council: Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, Pat B. McLaughlan, and Andrew S. Friedberg. Also present were City Manager Bernard M. Satterwhite, Jr., City Attorney Alan P. Petrov, and City Clerk Tracy L. Dutton.

Mayor Philip L. Nauert was absent.

C. INSPIRATIONAL READING AND/OR INVOCATION – Councilman Roman F. Reed.

Councilman Roman F. Reed provided the inspirational reading for the evening.

D. PLEDGES TO THE FLAGS – Councilman Roman F. Reed.

1. U.S. PLEDGE OF ALLEGIANCE.

2. PLEDGE TO THE TEXAS FLAG.

Councilman Roman F. Reed led the audience and members of City Council in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

E. RECOGNITION OF PROCLAMATIONS:

1. ISSUANCE of a proclamation by Mayor Pro Tem Amanda B. Nathan proclaiming the week of September 17-23, 2013, as “Constitution Week” in the City of Bellaire, Texas, in

Mayor Pro Tem Amanda B. Nathan read the proclamation she had issued in recognition of Constitution Week in its entirety.

Ms. Mary-Dodd Dubbert, Regent, James Hardage Lane I Chapter, National Society Daughters of the American Resolution (NSDAR), accepted the proclamation on behalf of the James Hardage Lane I Chapter of the NSDAR.

2. ISSUANCE of a proclamation by Mayor Philip L. Nauert proclaiming Saturday, November 2, 2013, as “America Recycles Day” in the City of Bellaire, Texas, in recognition of the fifth annual Bellaire Recycles Fest and the excellent recycling programs that have been established in the City of Bellaire, Texas – Mayor Pro Tem Amanda B. Nathan.

Mayor Pro Tem Amanda B. Nathan read the proclamation Mayor Philip L. Nauert had issued in recognition of America Recycles Day and the Bellaire Recycles Fest in its entirety.

Chair Bill Stone, Environmental and Sustainability Board, accepted the proclamation on behalf of the Environmental and Sustainability Board.

3. ISSUANCE of a proclamation by Mayor Philip L. Nauert proclaiming the week of October 6-12, 2013, as “Fire Prevention Week” in the City of Bellaire, Texas, and urging citizens to protect their homes and families by heeding the important safety message “Prevent Kitchen Fires!” and to support the many public safety activities and efforts of Bellaire’s fire and emergency services during Fire Prevention Week – Mayor Pro Tem Amanda B. Nathan.

Mayor Pro Tem Amanda B. Nathan read the proclamation Mayor Philip L. Nauert had issued in recognition of Fire Prevention Week in its entirety.

Fire Chief Darryl Anderson accepted the proclamation on behalf of the Bellaire Fire and Emergency Medical Services Department.

F. APPROVAL OR CORRECTION OF MINUTES:

CONSIDERATION of and possible action on the approval and adoption of the minutes of the Budget Special Session of the City Council of the
City of Bellaire, Texas, held on Monday, August 26, 2013 – Item submitted by City Clerk Tracy L. Dutton.

CITY COUNCIL MAIN MOTION/ACTION:

Councilman Corbett Daniel Parker moved to approve and adopt the minutes of the Budget Special Session of the City Council of the City of Bellaire, Texas, held on Monday, August 26, 2013. Councilman James P. Avioli, Sr., seconded the main motion.

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

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

OPPOSED: None

ABSENT: Mayor Philip L. Nauert

G. PERSONAL/AUDIENCE COMMENTS.

Maya Harpavat stated her name and age (eight years old) for the record. She indicated that she wanted to address City Council regarding the safety of children on her street (Jane Street). Miss Harpavat introduced her six-year old sister, Anika, and her four-year old brother, Keshav, who were standing with her at the podium. Also with Miss Harpavat at the podium was neighbor Jordan Sheldon (ten years old)

Miss Harpavat continued and noted that Jane Street intersected Baldwin Avenue. When cars stopped at the Jane Street stop sign, the drivers could not see the cars speeding down Baldwin Avenue in both directions. Many people had gotten into accidents in the referenced intersection.

It was noted that there were 22 houses with 25 kids and three dogs in them on Miss Harpavat’s block. All were at risk of being seriously injured, in her opinion. Miss Harpavat advised further that there needed to be a four-way stop where Jane Street and Baldwin Avenue intersected.

Also of note was a petition that had been written regarding the problem, with the signatures of 21 of the homes on the block. Miss Harpavat stated that she knew that City Council would keep their street safe. Her family, friends, and all of her neighbors thanked City Council for their time and concern.

Bill Stone, Chair, Environmental and Sustainability Board, addressed City Council and thanked the City for declaring America Recycles Day coming up in November. It was noted that residents were trying very hard to
increase recycling rates and to reduce the use of plastic and other items in the City. In conjunction with Bellaire Recycles Fest V on November 2, 2013, the Bellaire Fire Station Training Room would be used to hold a blood drive. Gulf Coast Regional Blood Center would be managing that blood drive. Chair Stone indicated that 25 blood donors were needed between the hours of 9:00 a.m. and 1:00 p.m. In closing, Chair Stone indicated that he had a sign-up sheet if anyone wished to donate blood.

Lynn McBee addressed City Council in reference to a back room meeting held in the Council Conference Room (located behind the Council Chamber) some months ago. During this meeting, City Council interviewed proposed consultants to perform a search for a new City Manager. City Council subsequently selected, and the current City Manager added his recommendation of, a firm which turned out to be the largest among the applicants interviewed.

The proposal and presentation of the firm set out the steps to be followed in recruiting candidates, including interviews with each member of City Council separately to establish a composite from such interviews of the criteria to be used for City Manager applicants.

Ms. McBee advised further that a report was not publicly made of the criteria selected and presumably approved by the Mayor. It had been reported the previous week that there was a list of 40+ applicants who had applied for the City Manager post, which was presented to City Council in Executive Session closed to the public. This was a perfectly legal meeting and Ms. McBee had no objection to that. She asked that City Council, through its Presiding Officer (Mayor or Mayor Pro Tem in his absence), report publicly to those who elected them—the citizens of the City, as to the process that City Council was following. She also asked for a list of the steps to be taken once a short list of candidates was selected for interview. Whether the short list of candidates would be interviewed publicly by the City Council was unknown. She asked for a report this evening of the process taken and what the citizens could expect about the selection of a City Manager, noting that the selection was critical to the community.

Finally, Ms. McBee announced that there would be a Bellaire Election Candidates Forum next month which would showcase six of the candidates who would be on Bellaire’s ballot. Former Councilman John Monday would act as moderator. The public needed to know that Bellaire was their small town—without input from the citizens, no candidate and no elected official was “worth his salt,” in her opinion.

Ms. McBee advised everyone that flyers would be distributed and that they would hear more about the forum as the weeks progressed. The forum was scheduled on Thursday, October 17, 2013, at 6:30 p.m. in the Civic Center Auditorium. The audience would be free to ask questions in written form on
question cards. The questions would be asked, and the moderator would ensure that topics were not duplicated.

H. REPORT(S):

1. CITY MANAGER’S REPORT regarding Residential Safety (Police Activity Report), Public Infrastructure/Utilities (Major Projects Report), Cultural and Recreational, Communications/Technology, and Upcoming City Council Meetings/Events – Item submitted by City Manager Bernard M. Satterwhite, Jr.

City Manager Bernard M. Satterwhite, Jr., provided his City Manager’s Report for September 16, 2013, to members of City Council. Following questions of City Manager Satterwhite regarding his report, a motion was made and seconded to accept the report into the record.

CITY COUNCIL MAIN MOTION/ACTION TO ACCEPT REPORT:

Councilman Andrew S. Friedberg moved to accept the City Manager’s Report dated September 16, 2013, as presented by City Manager Bernard M. Satterwhite, Jr., into the record. Councilman Corbett Daniel Parker seconded the main motion.

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

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

OPPOSED: None

ABSENT: Mayor Philip L. Nauert

2. FINANCE REPORT for the City of Bellaire, Texas, covering the period ended August 31, 2013, and including discussion of revenues and expenditures in the General Fund, Enterprise Fund, Debt Service Fund, Vehicle, Equipment and Technology Fund, and Capital Improvement Program Fund, as well as discussion of statistical data – Item submitted and presented by Chief Financial Officer Linda Symank.

Chief Financial Officer Linda Symank presented the Finance Report for the City of Bellaire, Texas, covering the period ended August 31, 2013, to members of City Council.
Following questions of Chief Financial Officer Symank, a motion was made and seconded to accept the Finance Report for the period ended August 31, 2013, into the record.

CITY COUNCIL MAIN MOTION/ACTION TO ACCEPT REPORT:

Councilman Corbett Daniel Parker moved to accept the Finance Report for the City of Bellaire, Texas, for the period ended August 31, 2013, as presented by Chief Financial Officer Linda Symank, into the record. Councilman Roman F. Reed seconded the main motion.

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

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

OPPOSED: None

ABSENT: Mayor Philip L. Nauert

I. NEW BUSINESS:

1. ADOPTION OF ORDINANCES/RESOLUTIONS:

Code Suspension

a. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, suspending the application of Chapter 6, Animals and Fowl, Article II, Keeping Dogs and Cats, Section 6-43, Dogs and cats prohibited on parks and playgrounds, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of allowing the Bellaire Parks and Recreation Department to hold their Seventh Annual “Howl-O-Ween” Dog Parade and Contest, a fundraiser for the Officer Lucy Dog Park, in Bellaire Zindler Park and Loftin Park in Bellaire Town Square, 7008 South Rice Avenue, Bellaire, Texas, said suspension to commence at 8:00 a.m. on Saturday, October 12, 2013, and to terminate at 1:00 p.m. on Saturday, October 12, 2013 – Item submitted by Director of Parks and Recreation Jane L. Dembski.
CITY COUNCIL MAIN MOTION/ACTION:

Councilman Roman F. Reed moved to adopt an ordinance of the City Council of the City of Bellaire, Texas, suspending the application of Chapter 6, Animals and Fowl, Article II, Keeping Dogs and Cats, Section 6-43, Dogs and cats prohibited on parks and playgrounds, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of allowing the Bellaire Parks and Recreation Department to hold their Seventh Annual “Howl-O-Ween” Dog Parade and Contest, a fundraiser for the Officer Lucy Dog Park, in Bellaire Zindler Park and Loftin Park in Bellaire Town Square, 7008 South Rice Avenue, Bellaire, Texas, said suspension to commence at 8:00 a.m. on Saturday, October 12, 2013, and to terminate at 1:00 p.m. on Saturday, October 12, 2013. Councilman Corbett Daniel Parker seconded the main motion.

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

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

OPPOSED: None

ABSENT: Mayor Philip L. Nauert

{Ordinance was subsequently numbered: 13-050}
CITY COUNCIL MAIN MOTION:

Councilman Corbett Daniel Parker moved to nominate Ed Heathcott (current HCAD Director and West University Place Councilman) for a position on the Board of Directors of the Harris County Appraisal District. Councilman Pat B. McLaughlan seconded the main motion.

After noting no further nominations, Mayor Pro Tem Amanda B. Nathan called for a vote on the main motion.

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

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

OPPOSED: None

ABSENT: Mayor Philip L. Nauert

{Resolution was subsequently numbered: 13-05}

H-GAC 2014 General Assembly

c. CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, designating a Representative and an Official Alternate to the General Assembly of the Houston-Galveston Area Council for the year 2014 – Item submitted by City Clerk Tracy L. Dutton.

CITY COUNCIL MAIN MOTION/ACTION:

Councilman Corbett Daniel Parker moved to adopt a resolution of the City Council of the City of Bellaire, Texas, designating Pat B. McLaughlan as the City’s Representative and James P. Avioli, Sr., as the City’s Official Alternate to the General Assembly of the Houston-Galveston Area Council for the year 2014. Councilman Roman F. Reed seconded the motion.
The main motion carried unanimously on a 6-0 vote as follows:

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

OPPOSED: None

ABSENT: Mayor Philip L. Nauert

{Resolution was subsequently numbered: 13-06}

Ad Hoc Wayfinding Committee Recommendation

2. CONSIDERATION of and possible action by the City Council of the City of Bellaire, Texas, regarding the acceptance of the Ad Hoc Wayfinding Committee’s selection of National Sign Plazas, Inc., to perform signage and wayfinding consulting services for the City of Bellaire, Texas in an amount not to exceed $22,500 – Item submitted by Assistant City Manager Diane K. White.

CITY COUNCIL MAIN MOTION:

Councilman Andrew S. Friedberg moved to accept the Ad Hoc Wayfinding Committee’s selection of National Sign Plazas, Inc., to perform signage and wayfinding consulting services for the City of Bellaire, Texas, in an amount not to exceed $22,500. Councilman James P. Avioli, Sr., seconded the motion.

Following questions and discussion related to the agenda item, action was taken on the main motion.

CITY COUNCIL ACTION:

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

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

OPPOSED: None

ABSENT: Mayor Philip L. Nauert
J. ITEMS FOR FUTURE AGENDAS; COMMUNITY INTEREST ITEMS FROM THE MAYOR AND CITY COUNCIL.

Community interest items from the Mayor and City Council included thanks to the Ad Hoc Wayfinding Committee for their work thus far on the City's beautification process; a summary of City Council's process for a City Manager Search by Mayor Pro Tem Nathan; and a request for an agenda item (or Workshop Session or Special Session) in order for the City Council to provide specific details as to their thoughts for the Bellaire Uptown Transit Station to be located in the City's UV-T Zoning District to John Breeding of the Uptown District.

K. ADJOURNMENT.

CITY COUNCIL MOTION/ACTION TO ADJOURN:

Councilman Pat B. McLaughlan moved to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 8:05 p.m. on Monday, September 16, 2013. Councilman Roman F. Reed seconded the motion.

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

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

OPPOSED: None

ABSENT: Mayor Philip L. Nauert

Respectfully submitted,

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

Approved:

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