

HUMBLE CITY COUNCIL

MINUTES

REGULAR MEETING

DECEMBER 10, 2009 - 6:30 P. M.

HELD AT CITY HALL, 114 WEST HIGGINS, HUMBLE, TEXAS

MEMBERS PRESENT: Mayor Donnie McMannes, Presiding
Mayor Pro Tempore Bill Conner
Councilmember Merle Aaron
Councilmember Andy Curry
Councilmember Allen Lee
Councilmember Allan Steagall
City Manager Darrell Boeske
City Secretary Sue Daniel

EMPLOYEES PRESENT: Assistant City Manager Mark Martin
Finance Director Dixie Kellum
Director of Public Works Barry Brock
Assistant Chief Mike Legoudes
Chief Gary Outlaw
Assistant Chief Curtis Mills
Fire Marshal Clint Johnson
Civic Center Director Johnnie Scroggins
Betty Hogan, HPD

VISITORS PRESENT: Gail Mills
Suzanne West
John Thames
Julian Fontana
Tom Burkhard
Arless Bentley
John Rudloff

Mayor Donnie McMannes called the meeting to order at 6:30 p.m. with all members present.

1. INVOCATION/PLEDGE OF ALLEGIANCE

Assistant City Manager Mark Martin gave the invocation and led the Pledge of Allegiance.

2. MINUTES - NOVEMBER 12TH AND 18TH, 2009

Minutes of the council meetings held November 12th and 18th were presented to the mayor and councilmembers for approval. Councilmember Allen Lee moved to approve the minutes of November 12th and 18th, 2009 as printed and circulated.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None
Motion Carried.

3. FINANCIAL STATEMENT

The financial statement for November 2009 was presented to the mayor and councilmembers for approval. Councilmember Andy Curry moved to accept the financial statement for information purposes.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall
Nays: None
Motion Carried.

4. CURRENT INVOICES

Invoices were presented to the mayor and councilmembers for approval of payment.

<u>Accounts Payable:</u>	
General Fund	\$ 352,231.18
W/S Operating Fund	92,699.16
Special Revenue Fund	24,637.27
Beautification Committee Fund	2,179.65
Red Light Camera Fund	61,097.61
C. O., Series 1996	180,722.50
C. O., Series 2005A	<u>113,998.54</u>
Total	\$ 827,565.91

Councilmember Lee moved to pay the invoices.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall
Nays: None
Motion Carried.

5. TRANSPORTATION IMPROVEMENT AGREEMENT WITH HARRIS COUNTY, TEXAS, THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS AND THE CITY OF HUMBLE, TEXAS

City Manager Darrell Boeske presented a transportation improvement agreement with Harris County, the Metropolitan Transit Authority and the City of Humble for mobility improvements for Will Clayton Parkway and recommended approval. Councilmember Merle Aaron moved to approve agenda item #5 - the transportation improvement agreement.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall
Nays: None
Motion Carried.

6. COMPETITIVE BIDS - MAIN STREET AND AVENUE A INTERSECTION IMPROVEMENTS PROJECT

City Manager Boeske presented bids for the Main Street and Avenue A Intersection Improvements Project.

<u>Contractor</u>	<u>Total Bid</u>
Kingsley Constructors, Inc.	\$ 336,221.25
SER Construction Partners Ltd.	\$ 339,823.90
Tri-Point Construction	\$ 450,232.68
Menade, Inc.	\$ 753,246.45
Zuriel Enterprises Services	Bid Rejected - did not comply

The engineer for the project made a recommendation that Kingsley Constructors, Inc. be awarded the bid in the amount of \$ 336,221.25. Mayor McMannes moved to accept the low bid - Kingsley Constructors, Inc.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall
Nays: None
Motion Carried.

7. REQUEST TO (1) DESIGNATE MAIN STREET A ONE WAY EASTBOUND STREET BETWEEN RAILROAD AVENUE AND AVENUE B; (2) CLOSE OFF AVENUE A AT MAIN STREET - FOR THE CONSTRUCTION PERIOD OF THE MAIN STREET AND AVENUE A INTERSECTION IMPROVEMENTS PROJECT

City Manager Boeske presented a request from Barry Brock, Director of Public Works, for council approval to change Main Street to one-way traffic east bound between Railroad Avenue and Avenue B and to close off Avenue A at Main Street during the construction project for the intersection improvements. Councilmember Bill Conner moved to approve agenda item # 7.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall
Nays: None
Motion Carried.

8. AUTHORIZATION TO ADVERTISE FOR SEALED BIDS - SANITARY SEWER REHABILITATION PHASE III

City Manager Boeske presented a request from the Director of Public Works Barry Brock for council authorization to advertise for bids for the Sanitary Sewer Rehabilitation Project - Phase III. Councilmember Lee moved to approve agenda item #8.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall
Nays: None
Motion Carried.

9. CHANGE ORDER NO. 1 - WEST TOWNSEN BLVD., BOWER ROAD, KEN STREET, KATHY STREET, DEFEE AVENUE AND PUBLIC EASEMENT #1 PAVING, DRAINAGE AND UTILITY IMPROVEMENTS

City Manager Boeske presented Change Order No. 1 for the West Townsen Blvd, Bower Road, Ken Street, Kathy Street, Defee Avenue and Public Easement #1 Paving, Drainage and Utility Improvements in the amount of \$ 305,098.17. The change order included the emergency repairs to the headwall of the drainage culvert crossing Cantertrot Drive and the installation of a 12" water line on Will Clayton Parkway between Houston Avenue and Wilson

Road. Councilmember Allan Steagall moved to approve Change Order No. 1.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

10. ORDINANCE NO. 10-681 ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UPON TOWNSEN BOULEVARD EAST WITHIN THE CORPORATE LIMITS OF THE CITY OF HUMBLE; AND PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED \$ 200.00 PER VIOLATION

City Manager Boeske presented Ordinance No. 10-681 to the mayor and councilmembers for approval.

ORDINANCE NO. 10-681

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF § 545.356, TEXAS TRANSPORTATION CODE, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OF PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF HUMBLE, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$ 200.00 FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, § 545.356, Texas Transportation Code, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an Ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS:

Section 1. Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of § 545.356, Texas Transportation Code, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

Along Townsen Boulevard East from the center line of FM 1960 to the western intersection of North Houston Avenue the speed limit shall be "45 MPH".

Section 2. Any person violating any of the provisions of this ordinance shall be deemed

guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not more than Two Hundred Dollars (\$ 200.00)

PASSED AND APPROVED THIS 10th day of December, 2009.

Mayor McMannes made the motion to approve Ordinance No. 10-681.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall
Nays: None
Motion Carried.

11. EMPLOYEE GROUP HEALTH AND DENTAL INSURANCE

Councilmember Curry moved for Council to authorize the City Manager to enter into an Interlocal Agreement with TML Intergovernmental Employee Benefits Pool for health plan administration services for the City's self funded group health plan.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall
Nays: None
Motion Carried.

12. RESOLUTION NO. 10-696 AMENDING THE CITY OF HUMBLE PERSONNEL POLICY CHAPTER 6 ATTENDANCE AND LEAVE POLICY BY DELETING SECTION 6.08 PERSONAL LEAVE; AMENDING SECTION 6.09 SICK LEAVE; ADDING A NEW SECTION 6.09.01 SICK TIME ACCUMULATION; AND PROVIDING AN EFFECTIVE DATE

City Manager Boeske presented Resolution No. 10-696 to the mayor and councilmembers for approval. He stated this resolution would formally adopt changes to the personnel policy made by council at a previous meeting.

RESOLUTION 10-696

A RESOLUTION AMENDING CITY OF HUMBLE PERSONNEL POLICIES, SECTION 6 ATTENDANCE AND LEAVE POLICY BY DELETING SUBSECTION 6.08 PERSONAL LEAVE; AMENDING SUBSECTION 6.09 SICK LEAVE; ADDING A NEW SUBSECTION 6.09.01 SICK TIME ACCUMULATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Humble Personnel Policies was adopted by the City Council of the City of Humble by Resolution No. 00-591 dated March 23, 2000; and

WHEREAS, the City Council has deemed it necessary to amend Section 6 Attendance and Leave Policy; and

WHEREAS, Section 6 Attendance and Leave Policy, Subsection 6.08 Personal Leave shall be deleted in its entirety:

WHEREAS, Section 6 Attendance and Leave Policy, Subsection 6.09 Sick Leave shall be amended to read:

6.09 SICK LEAVE: A full time employee is eligible for sick leave with pay if illness or injury occurs. Sick leave is accrued at the rate of one day of sick leave per month. An employee may accrue up to thirty days maximum sick leave over the term of their employment with the City.

Sick leave is provided to protect the employee's earning power during periods of time when the employee is too ill or injured to work or when the employee must visit a health care provider. Sick leave may also be used when the employee's dependent is ill and requires personal care from the employee/family member. This courtesy will be extended to employees who have an ill/injured adult relative(s) residing in the employee's home and that are, because of physical or mental illness, dependent on the employee for care.

WHEREAS, Section 6 Attendance and Leave Policy, Subsection 6.09.01 shall be added to read:

6.09.01 SICK TIME ACCUMULATION: A full time employee may accrue paid sick time during their tenure with the City. Certain rules apply to this accrual and subsequent payment. First, the lifetime maximum paid sick time accrual is thirty (30) days. Second, all payment of accrued sick time is subject to and governed by TMRS rules and procedures. Last, paid sick time may be accrued by the following formula: After an employee has accumulated forty eight (48) sick days, the employee can exchange, (beginning the next calendar year) at the end of each calendar year, one (1) paid sick day for four (4) unused sick days for a maximum of three (3) paid sick days per each calendar year. Any remaining unused sick days not divisible by four (4) at the end of each calendar year will fall off. No sick days will roll over into a new calendar year. These paid sick days will be paid at the rate of pay the employee was making during the year in which they were accrued.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Humble, Texas that the aforementioned amendments shall be effective on January 1, 2010.

PASSED, APPROVED AND ADOPTED this 10th day of December, 2009.

Mayor McMannes moved to adopt Resolution No. 10-696.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall
Nays: None

Motion Carried.

13. REPLAT JACK IN THE BOX SUBDIVISION, 0.886 ACRE IN THE J. B. JONES SURVEY, ABSTRACT 484, HARRIS COUNTY, TEXAS - MONTGOMERY & ASSOCIATES

City Manager Boeske presented a replat of the Jack in the Box Subdivision, a 0.886 acre tract in the J. B. Jones Survey, Abstract 484, Harris County, Texas. He stated this replat would add the driveway entrance off FM 1960 Bypass. Councilmember Steagall moved to approve the replat with revisions to the plat showing the egresses and ingresses on Wilson Road.

Ayes: Aaron, Conner, Curry, Lee, McMannes, Steagall

Nays: None

Motion Carried.

14. DEVELOPMENT PLAT MULLANE WAREHOUSE , 221 ROTARY ROAD - ARKITECTONIA PLANNING & DESIGN

City Manager Boeske stated the development plat for Mullane Warehouse was for information only.

15. COMPETITIVE BIDS: CIVIC CENTER CARPET PROJECT

City Manager Boeske asked to defer action on this agenda item as the Civic Center has chiller issues which need to be addressed before building decor issues.

16. ADJOURNMENT

There being no further business to transpire, Mayor McMannes moved to adjourn the meeting. Meeting Adjourned. 6:42 p.m.

D. G. McMannes
Mayor

ATTEST:

Sue Daniel
City Secretary