

HUMBLE CITY COUNCIL

MINUTES

REGULAR MEETING

APRIL 12, 2012 - 6:30 P.M.

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

MEMBERS PRESENT:

Mayor Donnie McMannes, Presiding
Mayor Pro Tempore Allen Lee
Councilmember Merle Aaron
Councilmember Ray Calfee
Councilmember Bill Conner
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
Chief Gary Outlaw
Assistant Chief Mike Legoudes
Lieutenant Delbert Dawes

VISITORS PRESENT:

Juanita Steagall
Jimmy Frye
John Rudloff
James Andrews
Jimmy Elam
Arliss Bentley
Kelly Hunter
Aimee Phillips
Kelly Hanes

Mayor Donnie McMannes called the regular meeting of the Humble City Council 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 - MARCH 8, 2012

Minutes of the council meeting held March 8, 2012 were presented to the mayor and councilmembers for approval. Councilmember Allen Lee moved to approve the minutes of March 8, 2012 as printed and circulated.

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

3. FINANCIAL STATEMENT

The financial statement for March was presented to the mayor and councilmembers for approval. Councilmember Merle Aaron moved to accept the financial statement - item # 3.

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

4. CURRENT INVOICES

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

Accounts Payable:

General Fund	\$ 691,654.15
W/S Operating Fund	112,669.00
Special Revenue Fund	16,941.51
Red Light Camera Fund	49,928.14
Beautification Committee Fund	300.00
C.O., Series 2005A	<u>49,966.61</u>
Total	\$ 921,459.41

Purchase Cards:

General Fund	\$ 67,988.73
W/S Operating Fund	20,633.53
Special Revenue Fund	5,531.92
Red Light Camera Fund	<u>523.95</u>
Total	\$ 94,678.13

Councilmember Lee moved to pay the invoices.

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

5. PRESENTATION OF AUDIT FOR FISCAL YEAR 2010-2011, FITTS, ROBERTS & CO., MR. KELLY HUNTER

Mr. Kelly Hunter of Fitts, Roberts & Co. appeared before the mayor and councilmembers to give a report of the audit for fiscal year 2010-2011. Mr. Hunter gave the City of Humble a clean opinion which means all accounting standards have been met. He stated the city is in a good financial situation with reserves that can keep the city in a good financial situation in case of a financial downturn. He also stated that the city had recently received their 9th Certificate of Excellence and expect to receive one for the fiscal year 2010-2011.

Mr. Hunter thanked Mr. Boeske, Dixie Kellum and the staff for their assistance with the

audit.

6. CERTIFICATION OF CITY SECRETARY FOR 2012 CITY OF HUMBLE GENERAL ELECTION

City Secretary Sue Daniel presented a certification for the 2012 City of Humble General Election to the mayor and councilmembers. The certification stated that all candidates are unopposed for the May general election and there are not write-in candidates or propositions to appear on the ballot. Mayor McMannes accepted the certification.

7. CITY OF HUMBLE ORDINANCE NO. 12-705 DECLARING THE UNOPPOSED CANDIDATES FOR COUNCILMEMBER PLACE NO. 3, COUNCILMEMBER PLACE NO. 4 AND COUNCILMEMBER PLACE NO. 5 AS ELECTED; PROVIDING THAT THE MAY 12, 2012 MUNICIPAL GENERAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THE ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Darrell Boeske presented Ordinance No. 12-705 to the mayor and councilmembers and recommended approval.

ORDINANCE NO. 12-705

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS DECLARING THE UNOPPOSED CANDIDATES FOR COUNCILMEMBER PLACE NO. 3, COUNCILMEMBER PLACE NO. 4 AND COUNCILMEMBER PLACE NO. 5 AS ELECTED; PROVIDING THAT THE MAY 12, 2012 MUNICIPAL GENERAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THE ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to City of Humble, Texas Ordinance No. 12-702, passed, approved and adopted January 26, 2012, a municipal general election was ordered to be held on May 12, 2012 for the purpose of electing three officials of the City, to wit: Councilmember Place No. 3, Councilmember Place No. 4 and Councilmember Place No. 5; and

WHEREAS, pursuant to Sections 143.007 and 146.054, Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City's municipal general election have expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election Code,

has certified in writing to the City Council that Allen L. Lee is unopposed for election to the office of Councilmember Place No. 3, Allan J. Steagall is unopposed for election to the office of Councilmember Place No. 4, and Merle Aaron is unopposed for election to the office of Councilmember Place No. 5; and

WHEREAS, the City Council hereby finds and determines that the candidates whose names are to appear on the ballot in said election are unopposed, there are no declared write-in candidates and no propositions to appear on the ballot for said election;

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

1.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

2.

In accordance with Section 2.053(a), Texas Election Code, that the following unopposed candidates are hereby declared duly elected to the respective offices shown and shall be issued a certificate of election following the date on which the municipal general election for Councilmember Place No. 3, Councilmember Place No. 4 and Councilmember Place No. 5 was to have been held:

Councilmember Place No. 3 - Allen L. Lee
Councilmember Place No. 4 - Allan J. Steagall
Councilmember Place No. 5 - Merle Aaron

3.

Pursuant to Section 2.053(b), Texas Election Code, the municipal general election for City Councilman Positions Nos. 3, 4 and 5 heretofore called and ordered by Ordinance No. 12-702 for May 12, 2012 shall not be held and is hereby canceled.

4.

The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on election day, same being May 12, 2012, at the polling place that would have been used in such election.

5.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

6.

The Code of Ordinances of the City of Humble, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

7.

Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

8.

It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

9.

This ordinance shall take effect upon passage.

Councilmember Bill Conner moved to approve item # 7.

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

Nays: None

Motion Carried.

8. APPROVAL OF ST. MARY MAGDALENE CATHOLIC SCHOOL SPRING FLING 5K RACE AND FAMILY FUN WALK TO BE HELD APRIL 14, 2012 FROM 8:00 A.M. TO 11:00 A.M.

City Manager Boeske presented a request from St. Mary Magdalene Catholic School to approve their Spring Fling 5k Race and Family Fun Walk and recommended approval. The event will be held April 14, 2012 from 8:00 a.m. to 11:00 a.m. Mayor McMannes moved to approve the request from St. Mary Magdalene Catholic School.

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

Nays: None

Motion Carried.

9. APPROVAL OF AGREEMENT FOR SERVICES WITH ARKK ENGINEERS, LLC. FOR SANITARY SEWER REHABILITATION PHASE 4 PROJECT

City Manager Boeske presented an agreement for the Sanitary Sewer Rehabilitation Phase 4 Project with ARKK Engineers, LLC and recommended approval. Councilmember Lee moved to approve the agreement - item #9.

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

10. RENEWAL OF INTERLOCAL AGREEMENT WITH HARRIS COUNTY PUBLIC FOR REGIONAL STORMWATER EDUCATION

City Manager Boeske presented an Interlocal Agreement with Harris County for regional stormwater education and recommended approval. Councilmember Aaron moved to accept item # 10.

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

11. CITY OF HUMBLE ORDINANCE NO. 12-706 AMENDING SMOKING ORDINANCE TO ALLOW EXCEPTION FOR BINGO HALLS

City Manager Boeske presented Ordinance No. 12-706 to the mayor and councilmembers and asked for approval.

ORDINANCE NO. 12-706

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUMBLE, TEXAS, BY ADDING SUBSECTION 28-707(9) TO CHAPTER 28, OFFENSES, ARTICLE VII, SMOKING, TO PERMIT SMOKING IN BINGO HALLS; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO.

Mayor McMannes moved to adopt Ordinance No. 12-706.

Ayes: Calfee, Conner, McMannes, Steagall
Nays: Lee
Abstention: Aaron
Motion Carried.

12. REPLAT HUMBLE MEDICAL OFFICE BUILDING - FM 1960

City Manager Boeske presented a replat of the Humble Medical Office Building to the mayor and councilmembers for approval. He informed the mayor and councilmembers that this replat includes a 20 foot drainage easement and asked for approval. Councilmember Conner moved to approve item # 12.

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

13. COMPETITIVE BIDS:

A. REPLACEMENT WINDOWS FOR CHARLES BENDER HIGH SCHOOL

Sealed Bids were received on March 29, 2012 for Replacement Windows at Charles Bender High School. One bid was received from Exclusive Windows and Doors.

The bid received was:	65 Windows and Installation	\$ 112,075.25
	7 Windows and Installation	\$ 10,861.11
Options:	Reflective Tint Glass	\$ 12,961.46
	Clear Laminated Glass - Exterior	\$ 26,342.80
	Aluminum Brick Mold Trim	\$ 18,693.71

Councilmember Allen Lee moved to approve item # A with reflective tint glass option.

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

B. THREE CARDIAC MONITORS

Bids were received for the purchase of three cardiac monitors on March 29, 2012.

The bids received were:	Zoll Medical Corporation	\$ 94,532.40
	Physio-Control, Inc.	\$ 97,949.68

Zoll Medical Corporation did not include a modem which is required for transmission of 12-lead ECG data to receiving hospitals so this did not comply with the bid specifications. Councilmember Steagall moved to purchase three cardiac monitors from Physio-Control, Inc.

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

C. CARPET AND INSTALLATION AT HUMBLE CIVIC CENTER/REMOVAL OF OLD CARPETING

Carpet bids for the civic center were received on March 22, 2012. The only bidder who complied with the bid specifications is Marshburn's Flooring America. Marshburn's bid was in the amount of \$ 91,810.40. City Manager Boeske recommended the city accept Marshburn's Flooring America for the purchase, disposal and installation of carpet for the civic center. Councilmember Conner moved to approve item # C.

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

14. DEPARTMENT REPORTS

Mayor McMannes stated the department reports were for information only.

15. CORRESPONDENCE: TML LEGISLATIVE UPDATE

Mayor McMannes stated the correspondence was for information only.

16. ADJOURNMENT

There being no further business to transpire, Mayor McMannes moved the meeting be adjourned. Meeting Adjourned. 6:53 p.m

D. G. McMannes
Mayor

ATTEST:

Sue Daniel
City Secretary