

HUMBLE CITY COUNCIL

MINUTES

REGULAR MEETING

DECEMBER 13, 2012 - 6:30 P.M.

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

MEMBERS PRESENT: Mayor Donnie McMannes, Presiding
Councilmember Ray Calfee
Councilmember Allen Lee
Councilmember Allan Steagall
City Manager Darrell Boeske
City Secretary Sue Daniel

EMPLOYEES PRESENT: Director of Public Works Barry Brock
Chief Gary Outlaw
Finance Director Dixie Kellum
Lieutenant Delbert Dawes
Teresa Ower - Employee Benefits

VISITORS PRESENT: Juanita Steagall
Thomas Baron
Anthony Stanfield
Dalton Jackman
David Stanfield
Teddie Jackman
Jennifer Summer
Fran Morris
Rob McNiel
Bebb Francis

Mayor Donnie McMannes called the regular meeting of the Humble City Council to order at 6:30 p.m. with all members present except Councilmembers Merle Aaron and Bill Conner.

1. INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Donnie McMannes gave the invocation and members of Boy Scout Troop 141 led the Pledge of Allegiance.

2. MINUTES - NOVEMBER 20, 2012

Copies of the minutes of the council meeting held November 20, 2012 were presented to the mayor and councilmembers for approval. Councilmember Allen Lee moved to approve the minutes of November 20, 2012 as printed and circulated.

Ayes: Calfee, Lee, McMannes, Steagall

Nays: None
Motion Carried.

3. FINANCIAL STATEMENT

The financial statement for November was presented to the mayor and councilmembers for approval. Councilmember Allen Steagall move to approve the financial statement as distributed.

Ayes: Calfee, 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	\$ 334,939.06
W/S Operating Fund	126,709.19
Special Revenue Fund	19,048.23
Red Light Camera Fund	57,151.45
Beautification Committee Fund	5,754.03
C.O., Series 2005A	<u>14,032.86</u>
Total	\$ 557,634.82

Councilmember Lee moved to pay the invoices.

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

5. ORDINANCE NO. 12-711 AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUMBLE, TEXAS, BY AMENDING CHAPTER 46, UTILITIES, ARTICLE 1, SECTION 46-19, BY PROVIDING THAT RATES FOR COMMERCIAL WATER AND SEWER ACCOUNTS SHALL BE BASED ON METER SIZE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY

City Manager Darrell Boeske presented Ordinance No. 12-711 to the mayor and councilmembers for approval.

RESOLUTION NO. 13-711

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUMBLE, TEXAS, BY AMENDING CHAPTER 46, UTILITIES, ARTICLE 1, SECTION 46-19, BY PROVIDING THAT RATES FOR COMMERCIAL WATER AND SEWER ACCOUNTS SHALL BE BASED ON METER SIZE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATION OF ANY

PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY

WHEREAS, on November 20, 2012, the City Council adopted Resolution No. 13-724, which adopted new water and sewer rates for commercial customers; and

WHEREAS, the new rates for commercial accounts are based on meter size; and

WHEREAS, section 46-19 of the City Code needs to be amended to reflect that rates for commercial accounts are now based on meter size, and not consumer units; now therefore

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

Section 1. The facts and meters finding set forth in the preamble of this Ordinance are hereby found to be true and correct

Section 2. The Code of Ordinances of the City of Humble, Texas, is hereby amended by amending Chapter 46, Utilities, Article I, In General, Section 46-19 to provide as follows:

“CHAPTER 46 - UTILITIES

ARTICLE 1 - IN GENERAL

...

Sec. 46-19. - Separate connections.

Every building, structure or consumer in the city shall have a separate utility service connection, as determined by the city. Rates for non-commercial accounts shall be based on the consumer/unit connection. Notwithstanding the foregoing, rates for commercial accounts shall be based on meter size.

Section 3. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Humble, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$ 2,000.00. Each day of violation shall constitute a separate offense.

Section 5. Upon the passage of this ordinance, the City Secretary is directed to publish this Ordinance in accordance with the provisions of Section 13 of the Charter of the City of Humble and to note on this Ordinance and on the record thereof the fact that this Ordinance has been published as required by the Charter, including the date of such publication.

PASSED, APPROVED, AND ADOPTED this 13th day of December, 2012.

Mayor McMannes moved to adopt Ordinance 12-711.

Ayes: Calfee, Lee, McMannes, Steagall

Nays: None

Motion Carried.

6. COMPETITIVE BIDS: SANITARY SEWER REHABILITATION PHASE IV

Competitive bids were received on December 5, 2012 for the Sanitary Sewer Rehabilitation Phase IV project. The bids received were:

BIDDER	BID
Lopez Utilities	\$ 831,226.00
Horseshoe Construction	\$ 928,708.00
PM Construction	\$ 985,736.00

City Manager Boeske stated that the lowest bid, Lopez Utilities, came in under budget and recommended awarding the bid to Lopez Utilities. Councilmember Lee moved to approve the \$ 831,226.00 bid from Lopez Utilities for the Sanitary Sewer System Rehabilitation.

Ayes: Calfee, Lee, McMannes, Steagall

Nays: None

Motion Carried.

7. PARTIAL REPLAT NO. 1 OF WILSON ROAD INDUSTRIAL COMPLEX - CHANGE RESERVE SIZES

City Manager Boeske presented a partial replat of Wilson Road Industrial Complex to the mayor and councilmembers and recommended approval. Mayor McMannes moved to approve item # 7.

Ayes: Calfee, Lee, McMannes, Steagall

Nays: None

Motion Carried.

8. DEVELOPMENT PLAT FOR CELLULAR TOWER SITE - 1301 EAST FIRST - AMERICAN TOWER CORPORATION

City Manager Boeske presented a development plat for a cellular tower site from American Tower Corporation. He stated that the development plat met with the city's criteria and asked for approval. Councilmember Steagall moved to approve the plat.

Ayes: Calfee, Lee, McMannes, Steagall

Nays: None
Motion Carried.

9. MONTHLY REPORTS

Mayor McMannes stated the monthly reports were for information only.

10. CORRESPONDENCE: TML LEGISLATIVE UPDATE

Mayor McMannes stated the correspondence was for information only.

11. ADJOURNMENT

There being no further business to transpire, Mayor McMannes moved the meeting be adjourned. Meeting Adjourned. 6:36 p.m.

D. G. McMannes
Mayor

ATTEST:

Sue Daniel
City Secretary