

HUMBLE CITY COUNCIL

MINUTES

REGULAR MEETING

MAY 23, 2013 - 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:

Finance Director Dixie Kellum
Director of Public Works Barry Brock
Chief Gary Outlaw
Captain Jay Wrobliske
Assistant Finance Director Aimee Phillips
Lieutenant Delbert Dawes
Carole Chambers, Fire Marshal Dept.

VISITORS PRESENT:

John Rudloff
Jimmy Frye
Arliss Bentley
Jennifer Summer
Fran Morris

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 Andy Curry.

1. INVOCATION/PLEDGE OF ALLEGIANCE

Mayor McMannes gave the invocation and Councilmember Allen Lee led the Pledge of Allegiance.

2. MINUTES - APRIL 11, 2013 AND APRIL 25, 2013

Minutes of the council meeting of April 11 and April, 25, 2013 were presented to the mayor and councilmembers for approval. Councilmember Lee moved to approve the minutes of April 11, 2013 and April 25, 2013 as printed and circulated.

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

3. FINANCIAL STATEMENT

The financial statement for April was presented to the mayor and councilmembers for approval. Councilmember Lee moved to approve the financial statement as printed.

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	\$ 302,090.74
W/S Operating Fund	21,922.19
Special Revenue Fund	3,158.15
Red Light Camera Fund	1,575.00
C. O., Series 2005A	<u>421,855.24</u>
Total	\$ 750,601.32

Councilmember Lee moved to pay the invoices.

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

5. PUBLIC HEARING: CONSIDERING THE RENEWAL OF THE CITY OF HUMBLE CURFEW FOR PERSONS UNDER THE AGE OF 17

The public hearing was called to order and City Manager Boeske read a letter from the Crime Victim Liaison for the Humble Police Department, Chris Green.

“Dear Mayor McMannes and Council Members,

This letter is to address the public hearing for the renewal of the *City of Humbles’ Curfew for Persons Under the Age of 17* to be held, Thursday, May 23, 2013. I have several comments I would like to make about this renewal.

As the Crime Victim Liaison for the City of Humble Police Department and as a Juvenile Program Coordinator for the City of Humble Municipal Court, I believe it is important to keep this curfew in place. Although there is an ordinance in place for this, tickets for curfew violations are still being written; meaning violations are still occurring. Keeping the curfew ordinance in effect may help curtail the number of juvenile arrests made for this and other crimes such as criminal mischief, theft and other violations. Continuing the curfew may also help reduce truancy. Additionally, with a curfew in place, there is a possibility that it could deter non-delinquent juveniles from becoming crime victims. This ordinance gives the police department a legal tool to help keep juveniles off the streets during those hours deemed not

appropriate for them to be on the streets of this city.

Please consider this request to renew the *City of Humble' Curfew for Persons Under the Age of 17*. Thank you for your consideration.”

City Manager Boeske then asked if anyone had any comments or questions. Arliss Bentley asked why the juvenile curfew ordinance doesn't pertain to teens who are 18. Mayor McMannes replied that at 18 they are no longer a juvenile. There were no more questions or comments and the public hearing was closed.

- 6. ORDINANCE 13-719 READOPTING CITY OF HUMBLE ORDINANCE 10-686 WHICH ESTABLISHED A CURFEW FOR PERSONS UNDER THE AGE OF 17 YEARS, BETWEEN 11:00 P.M. ON SUNDAY, MONDAY, TUESDAY, WEDNESDAY, OR THURSDAY AND 6:00 A.M. ON THE FOLLOWING DAY, BETWEEN THE HOURS OF 12:01 A.M. AND 6:00 A.M. ON ANY SATURDAY OR SUNDAY, AND BETWEEN THE HOURS OF 9:00 A.M. AND 2:30 P.M. FOR SCHOOL-AGED CHILDREN ON SCHOOL DAYS; PROVIDING IT UNLAWFUL FOR ANY PERSON SUBJECT TO A CURFEW HEREUNDER TO REMAIN IN ANY PUBLIC PLACE OR ON THE PREMISES OF ANY ESTABLISHMENT WITHIN THE CITY DURING CURFEW HOURS; PROVIDING IT UNLAWFUL FOR ANY PARENT OR GUARDIAN OF A PERSON SUBJECT TO A CURFEW HEREUNDER TO KNOWINGLY PERMIT, OR BY INSUFFICIENT CONTROL, ALLOW SUCH PERSON TO REMAIN IN ANY PUBLIC PLACE OR ON THE PREMISES OF ANY ESTABLISHMENT WITHIN THE CITY DURING CURFEW HOURS; PROVIDING IT UNLAWFUL FOR ANY PERSON OWNING, OPERATING, OR IN THE EMPLOYMENT OF ANY ESTABLISHMENT IN THE CITY TO KNOWINGLY ALLOW A PERSON SUBJECT TO A CURFEW HEREUNDER TO REMAIN ON THE PREMISES OF SUCH ESTABLISHMENT DURING CURFEW HOURS; PROVIDING DEFENSES TO PROSECUTION FOR VIOLATIONS HEREUNDER; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$ 500.00 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; MAKING CERTAIN FINDINGS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith AND PROVIDING FOR SEVERABILITY. IT IS THE INTENTION OF THE CITY COUNCIL AND IT IS HEREBY ORDAINED THAT THE PROVISIONS OF THIS ORDINANCE SHALL BECOME AND BE MADE PART OF THE CODE OF ORDINANCES, CITY OF HUMBLE, TEXAS AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION**

City Manager Boeske presented Ordinance No. 13-719 presented to the mayor and councilmembers and asked for approval.

ORDINANCE NO. 13-719

AN ORDINANCE OF THE CITY OF HUMBLE, TEXAS READOPTING CITY OF HUMBLE ORDINANCE 10-686 WHICH ESTABLISHED A CURFEW FOR PERSONS UNDER THE AGE OF 17 YEARS, BETWEEN 11:00 P.M. ON SUNDAY, MONDAY, TUESDAY, WEDNESDAY, OR THURSDAY AND 6:00 A.M. ON THE FOLLOWING DAY, BETWEEN THE HOURS OF 12:01 A.M. AND 6:00 A.M. ON ANY SATURDAY OR SUNDAY, AND BETWEEN THE HOURS OF 9:00 A.M. AND 2:30 P.M. FOR

SCHOOL-AGED CHILDREN ON SCHOOL DAYS; PROVIDING IT UNLAWFUL FOR ANY PERSON SUBJECT TO A CURFEW HEREUNDER TO REMAIN IN ANY PUBLIC PLACE OR ON THE PREMISES OF ANY ESTABLISHMENT WITHIN THE CITY DURING CURFEW HOURS; PROVIDING IT UNLAWFUL FOR ANY PARENT OR GUARDIAN OF A PERSON SUBJECT TO A CURFEW HEREUNDER TO KNOWINGLY PERMIT, OR BY INSUFFICIENT CONTROL, ALLOW SUCH PERSON TO REMAIN IN ANY PUBLIC PLACE OR ON THE PREMISES OF ANY ESTABLISHMENT WITHIN THE CITY DURING CURFEW HOURS; PROVIDING IT UNLAWFUL FOR ANY PERSON OWNING, OPERATING, OR IN THE EMPLOYMENT OF ANY ESTABLISHMENT IN THE CITY TO KNOWINGLY ALLOW A PERSON SUBJECT TO A CURFEW HEREUNDER TO REMAIN ON THE PREMISES OF SUCH ESTABLISHMENT DURING CURFEW HOURS; PROVIDING DEFENSES TO PROSECUTION FOR VIOLATIONS HEREUNDER; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$ 500.00 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; MAKING CERTAIN FINDINGS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH AND PROVIDING FOR SEVERABILITY. IT IS THE INTENTION OF THE CITY COUNCIL AND IT IS HEREBY ORDAINED THAT THE PROVISIONS OF THIS ORDINANCE SHALL BECOME AND BE MADE PART OF THE CODE OF ORDINANCES, CITY OF HUMBLE, TEXAS AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION

Councilmember Allen Steagall moved to approve Ordinance No. 13-719.

Ayes: Calfee, Lee, McMannes, Steagall

Nays: None

Motion Carried.

7. AUTHORIZATION TO HIRE 2 NEW POLICE OFFICERS FOR EXPANDED HOLDING FACILITY

City Manager Boeske asked the mayor and councilmember for approval to hire two new police officers to work in the expanded holding facility. Councilmember Lee moved to approve item # 7.

Ayes: Calfee, Lee, McMannes, Steagall

Nays: None

Motion Carried.

8. APPROVAL OF TAXI CAB PERMIT - BRIAN ORTIZ

City Manager Boeske presented an application for a Taxi Cab Permit to the mayor and councilmembers and asked for approval. Mayor McMannes moved to approve item # 8.

Ayes: Calfee, Lee, McMannes, Steagall

Nays: None

Motion Carried.

9. REQUEST FOR ALLIANT TO FORMULATE AN RFP FOR THE CITY'S PROPERTY AND CASUALTY INSURANCE COVERAGE AT A COST OF \$ 25,000.00

City Manager Boeske informed the mayor and councilmembers that the City cannot have an insurance broker and so he would request to hire Alliant to formulate an RFP for the City's property and casualty insurance coverage at a cost of \$ 25,000.00. Councilmember Steagall moved to approve item # 9.

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

10. ENGINEER AGREEMENT WITH ARKK ENGINEERS FOR FIRST STREET UTILITY EXTENSION PROJECT

City Manager Boeske asked the mayor and councilmember to approve an engineering agreement with ARKK Engineers for the First Street Utility Extension Project. The engineering cost of the project is: Design Phase Services \$ 50,500.00 and the Construction Phase Services being \$ 8,500.00 with the total authorization amount is not-to-exceed \$59,000.00. Time and materials charges and additional services beyond those described in the Scope of Services will be invoiced on the basis of direct labor costs times a factor of 2.99 and direct cost plus 10%. Mileage will be charged at \$0.55 per mile. The agreement further states that no additional services will be performed or invoiced without prior authorization from the City of Humble. Councilmember Steagall moved to approve item #10.

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

11. MONTHLY DEPARTMENT REPORTS

Mayor McMannes stated the monthly department reports were for information only.

12. CORRESPONDENCE: TML LEGISLATIVE UPDATE

Mayor McMannes stated the correspondence was for information only.

13. ADJOURNMENT

There being no further business to transpire, Mayor McMannes moved the meeting be adjourned. Meeting Adjourned. 6:37 p.m.

D. G. McMannes
Mayor

ATTEST:

Sue Daniel
City Secretary