

# The City of Galena Park

## City Commission Meeting

Date : July 19, 2016

A regular meeting of the City Commission of the City of Galena Park was held at City Hall in the Council Chambers, Tuesday evening at 6:00 p.m. on July 19, 2016.

Present were:	Esmeralda Moya	Mayor
	Rodney Chersky	Commissioner
	Oscar Silva, Jr.	Commissioner
	Eric Broussard	Commissioner
	Barry Ponder	Commissioner
	Mayra Gonzales	City Secretary
	Robert Collins	City Attorney

Item # 1-Mayor Moya called the meeting to order at 6:00 p.m.

Item # 2- Mayor Moya led the invocation and the pledge of allegiance.

Mayor Moya presented a proclamation declaring July 23, 2016 as "Clear the Shelter Day"

Item # 3- Comments from audience.

Mr. Cotton, a citizen, stated his concerns about junk vehicles and street captains. Mr. Cotton stated that his nephew attacked him and he filed charges on him. Mr. Cotton stated that his nephew's dog ended up getting killed because of all the nonsense. Mr. Cotton stated that he wanted to put it on record that his family is attacking him and he wants to know if he could get information on his nephew's dog being killed. Mayor Moya stated that there was a new Chief now and he would be more than happy to get with him and follow up. Chief Mata stated that he is in his office all week and Mr. Cotton could come by and he will sit down with him and follow up.

Mr. Sam Henry, a citizen, stated that his mother in law passed away June 28<sup>th</sup> and he came to city hall and gave Ms. Gonzales the information to be put on the marquee and it was not placed on the marquee. Mr. Henry stated that it upset his wife tremendously. Mayor Moya apologized. Ms. Gonzales stated that the marquee had not been working properly and that she did let the Mayor know before she went on vacation, that if Mr. Henry went by and didn't see it on the marquee it was because the marquee was not working properly.

Mr. Tim Wehmeyer, a citizen, stated that he wanted to check the status on the city audit and he asked how does the city generate money. Mr. Wehmeyer stated that he would also like an investigation on the water bill formula, because he has had a lot of problems with the water bill. Mr. Wehmeyer stated his concerns on the sewer charges and the water bill formula. Mr. Wehmeyer stated that when he went to check the meter the number was wrong and when he asked for his meter information the paper work that was given to him did not have any account number or any information. Mr. Wehmeyer stated that when checks are issued for returned deposits there is no account number or address on the check. Mr. Wehmeyer stated that he would like to see the whole water formula reviewed. Mr. Wehmeyer stated he would like to know how many companies we have with hydrant meters and how are they being read and charged. Mr. Wehmeyer also stated his concerns on the pollution in Galena Park and on the sink hole at 14<sup>th</sup> St. and Parkside. Mayor Moya stated that she had a meeting with the director of the department on the sink hole and he is looking into it. Mayor Moya stated that in regards to the information he requested, if he could put it in a form of an open records and we could sit down with him and talk about it. Mayor Moya thanked him for his suggestions and comments and they will definitely take it into consideration.

Mr. Winfield, a citizen, asked Commissioner Ponder when was the last time that streets were resurfaced in Galena Park. Mr. Winfield expressed his concerns on the awareness center in Galena Manor being tagged by gangs marking their territory. Mr. Winfield stated that there is no maintenance being done at the Evelyn Churchill building. Mr. Winfield stated that the building was dingy and needed painting inside and out and it no longer looks like a building anyone would want to be in. Mayor Moya stated that Commissioner Broussard is working on a project to fix the building. Commissioner Broussard stated that he has two estimates on the renovation of the building and he is planning on gutting both of the restrooms. Mr. Winfield stated that was admirable, but his concern is that we have a maintenance department that is not maintaining that property. Commissioner Broussard stated that he was in the same seat Mr. Winfield is in for years and he was up there complaining and now he is on council and he is going to do something about it. Commissioner Broussard stated that it is not going to happen overnight, but it is in process. Mayor Moya stated the commissioners are working really hard on trying to get grants and working with the budget they had left over and they have to prioritize. Mr. Winfield stated his concerns on the city not prioritizing and redoing streets that were probably resurfaced in 2010. Mayor Moya stated that each department has their own budget and they are working really hard crunching numbers and prioritizing on what needs to be done first. Mayor Moya stated for Mr. Winfield to bear with them a little bit and these issues will get addressed.

Mr. Tim Wehmeyer, a citizen, recommended that the council get gps for the city vehicles so that they know where every vehicle is at all times.

A citizen asked why the small pool was not open. Commissioner Broussard stated that the pump is broken to the small pool and in order to fix it they must bust up the concrete around the big pool. Commissioner Broussard stated that the cost to fix it is too high and they are considering changing it into maybe a splash pad. Commissioner Broussard stated that they have a lot of upgrades coming, but they will not happen overnight but they are coming. The citizen also stated her concern about a dog being around the pool area. Commissioner Broussard stated the he would investigate this.

Mr. Jack Brown, a citizen, stated that he had a concern about a budget item. Mr. Brown stated that he was told that there was an item of \$26,000 that was being paid to the city attorney. Mayor Moya stated that is for an audit that the citizens wanted. Mayor Moya called on Mr. Collins. Mr. Collins stated that the payment is not for him, but for vendors/investigators that are doing the forensic audit. Mr. Collins stated that they have significant findings and it has not been completed, but it is something they were tasked to do. Mr. Brown stated he just wanted to know where the money was going. Mayor Moya stated that the citizens have been asking for a forensic audit and now they have it.

Item # 5- Consideration and possible approval of the minutes of regular meeting on July 5, 2016. Commissioner Broussard moved to approve the minutes of regular meeting on July 5, 2016. Commissioner Ponder, 2<sup>nd</sup>...Mayor Moya called for the vote: Commissioner Chersky...Aye, Commissioner Silva...Aye, Mayor Moya...Aye, Commissioner Broussard... Aye, Commissioner Ponder...Aye Vote: 5 Ayes....Motion Carried.

Item #6- Consideration and possible approval of the accounts payable through July 19, 2016. Commissioner Silva moved to approve the accounts payable through July 19, 2016. Commissioner Chersky, 2<sup>nd</sup>.... Mayor Moya asked for the vote: Commissioner Chersky...Aye, Commissioner Silva...Aye, Mayor Moya...Aye, Commissioner Broussard... Aye, Commissioner Ponder...Aye Vote: 5 Ayes....Motion Carried. Commissioner Chersky stated that he had a question about the payables. Commissioner Chersky stated his concern for all the money that is being spent on computer

support. Commissioner Chersky stated that it seems as if every meeting they are spending a lot of money on computer support and upgrades. Ms. Gonzales stated that the total was for all of the departments. The IT guys come out once a week and Nanette splits up the cost per department. Ms. Moreau, Bookkeeper, stated that she gives them two different payable reports splitting them up by department and by vendor. Commissioner Chersky stated that it just seems like a lot of money for the same thing and he thinks maybe that is something that should be looked at. Ms. Gonzales stated that Net Sales Direct bills the city monthly. Mr. Winfield, a citizen, asked why the city does not hire an IT person to do the job vs. an outside company. Mayor Moya stated that they are in the process of revisiting everything that was left from the past and they are trying to cut down on some things. Mr. Moya, a citizen, stated that if the city hires an IT person they are not going to charge the city \$1,000.00 a month, they are going to charge you some bucks. Commissioner Ponder asked if it would be possible to write down a list of what all the IT company does and see if we could go out for bids to see if we could get a better price. Commissioner Ponder stated that from day one he has seen this on the A/P reports and it is a chunk of money and he thinks that they could save the city money by going out and seeing if someone could do the same thing for cheaper. Mayor Moya stated that was feasible and it is something they can look at. Commissioner Broussard stated that he had a question about the legal fees. Commissioner Broussard asked about Mr. Collins billing the city for \$7,312.50. Commissioner Broussard asked what was Mr. Collins pay schedule, that is something they did not discuss as a council and Mr. Collins maybe can explain that. Mr. Collins stated that the attorney that had been working for the city before him was charging the city an hourly rate. Mr. Collins stated that we have budgeted for \$100,000.00. Mr. Collins stated that they have not looked at what they are going to do in the long run, but for the mean time he is charging an hourly rate. Mr. Collins stated that he actually reduced his hourly rate to \$375.00 an hour to be close to what was being charged to the city previously. Mr. Collins stated that was \$100.00 less than what people pay him to represent them. Mr. Collins stated that computes to the amount of time they have spent, which has been considerable, in meetings dealing with contracts, ordinance creations, violations, a lot more than just attending the meeting. Mr. Collins stated that is what that represents. Commissioner Broussard stated that the last attorney had a set salary of \$2,000.00 a month. Mayor Moya stated that the city had to hire an attorney on the side to take care of everything else. Commissioner Broussard stated that is when Hightower came in. Mayor Moya stated that in the long run it was more expensive, because with Defoyd they paid him for attorney fees, taxes, and the city also had to hire an attorney on top of that to take care of other stuff. Commissioner Broussard stated that in the payables he sees Mr. Hightower's firm for \$6,000.00 and asked if the city had to use Hightower for something else. Ms. Gonzales stated that those charges were what he charged us up to when he stopped working for us. Commissioner Ponder stated it was for the two council meetings he attended. Mayor Moya stated it was because we did not have a city attorney at that moment. Commissioner Broussard stated that the answer would be that Mr. Collins gets \$375.00 an hour. Mr. Collins stated that if they approve the payables then they will be approving that and that is something they discussed earlier. Commissioner Broussard stated that what Mr. Collins was talking about is that earlier in the day he had asked Mr. Collins this question, because people are asking him and he would like to be able to answer them.

Item # 7- Consideration and possible approval of the 15<sup>th</sup> and Main Street project to install 1½ inches of asphalt on 21,000 square feet at a price of \$37,800.00. Commissioner Chersky moved to approve the 15th and Main Street project to install 1½ inches of asphalt on 21,000 square feet at a price of \$37,800.00. Commissioner Silva, 2<sup>nd</sup>...Mayor Moya called for the vote: Commissioner Chersky...Aye, Commissioner Silva...Aye, Mayor Moya...Aye, Commissioner Broussard... Aye, Commissioner Ponder...Aye Vote: 5 Ayes....Motion Carried.

Item # 8- Consideration and possible approval of the proposal from Concrete Raising Corporation in the amount of \$3,429.00. Commissioner Silva moved to approve the proposal from Concrete Raising Corporation in the amount of \$3,429.00. Commissioner Broussard, 2<sup>nd</sup>...Commissioner Ponder stated they are doing this because they have a lot of water pooling and this company will go out and raise the curb and gutter for pennies on the dollar to eliminate this. Commissioner

Ponder stated they were going to raise the curb and gutters in front of Mr. Gates house 60 feet plus they going to raise the 1900 block of 5<sup>th</sup> St inches. Commissioner Ponder stated that he went out to some of the cities that they have worked for and if it works it is going to eliminate the puddling that we are having now and the amount of water that is standing on the curbs. Mayor Moya called for the vote: Commissioner Chersky...Aye, Commissioner Silva...Aye, Mayor Moya...Aye, Commissioner Broussard... Aye, Commissioner Ponder...Aye Vote: 5 Ayes....Motion Carried.

Item # 9- Consideration and possible approval of the City of Galena Park Investment Policy. Commissioner Chersky moved to approve the City of Galena Park Investment Policy. Commissioner Broussard, 2<sup>nd</sup>... Mayor Moya called for the vote: Commissioner Chersky...Aye, Commissioner Silva...Aye, Mayor Moya...Aye, Commissioner Broussard... Aye, Commissioner Ponder...Aye Vote: 5 Ayes....Motion Carried.

Item # 10- Consideration and possible approval of Resolution R06- 2016- Resolution amending the 2015-2016 budget for the City of Galena Park, Texas. Ms. Gonzales stated that the Resolution number should be R07-2016. Mr. Collins stated that was fine because it does not change the nature of the resolution. Mr. Collins read the resolution. Commissioner Ponder asked if they were amending \$273,875.00. Mayor Moya stated yes. Commissioner Broussard asked if it had to be read twice. Mr. Collins stated that Resolutions do not have to be read twice. Commissioner Chersky moved to approve Resolution R07- 2016- Resolution amending the 2015-2016 budget for the City of Galena Park, Texas. Commissioner Chersky, 2<sup>nd</sup>... Mayor Moya called for the vote: Commissioner Chersky...Aye, Commissioner Silva...Aye, Mayor Moya...Aye, Commissioner Broussard... Aye, Commissioner Ponder...Aye Vote: 5 Ayes....Motion Carried.

Item # 11- Consideration and possible approval of Ordinance 2016-05- Amending Ordinance 2004-07- Concerning appointment and term of the municipal and associate judge. Mr. Collins read Ordinance. Commissioner Ponder moved to approve Ordinance 2016-05- Amending Ordinance 2004-07- Concerning appointment and term of the municipal and associate judge. Commissioner Chersky, 2<sup>nd</sup>... Mayor Moya called for the vote: Commissioner Chersky...Aye, Commissioner Silva...Aye, Mayor Moya...Aye, Commissioner Broussard... Aye, Commissioner Ponder...Aye Vote: 5 Ayes....Motion Carried. Mr. Collins stated to the Mayor if they wish they can dispense of the second reading of the ordinance if there is a majority. Commissioner Ponder moved to dispense the second reading of Ordinance 2016-05. Commissioner Chersky, 2<sup>nd</sup>... Mayor Moya called for the vote: Commissioner Chersky...Aye, Commissioner Silva...Aye, Mayor Moya...Aye, Commissioner Broussard... Aye, Commissioner Ponder...Aye Vote: 5 Ayes....Motion Carried.

Item #12- Consideration and possible approval of the termination of Kristen Milton as telecommunication operator- Police Department. Commissioner Silva moved to approve the termination of Kristen Milton as telecommunication operator- Police Department. Commissioner Ponder, 2<sup>nd</sup>... Mayor Moya called for the vote: Commissioner Chersky...Aye, Commissioner Silva...Aye, Mayor Moya...Aye, Commissioner Broussard... Aye, Commissioner Ponder...Aye Vote: 5 Ayes....Motion Carried.

Item #13- Consideration and possible approval of the demotion of James Wells from sergeant to patrolman- Police Department. Commissioner Chersky moved to approve the demotion of James Wells from sergeant to patrolman- Police Department. Commissioner Silva, 2<sup>nd</sup>... Mayor Moya called for the vote: Commissioner Chersky...Aye, Commissioner Silva...Aye, Mayor Moya...Aye, Commissioner Broussard... Aye, Commissioner Ponder...Aye Vote: 5 Ayes....Motion Carried.

Item #14- Oath of Office for Colin B. Amann as Municipal Court Judge.

Item #15- Consideration and possible approval of the appointment of Eddie Calderon, Jr. as Municipal Court Prosecutor. Commissioner Ponder moved to approve the appointment of Eddie Calderon, Jr. as Municipal Court Prosecutor. Commissioner Chersky, 2<sup>nd</sup>... Mayor Moya called for

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the vote: Commissioner Chersky...Aye, Commissioner Silva...Aye, Mayor Moya...Aye, Commissioner Broussard... Aye, Commissioner Ponder...Aye Vote: 5 Ayes....Motion Carried. Mr. Calderon thanked the commission for the opportunity. Mr. Calderon stated when the former prosecutor was there he had the opportunity to fill in for him a few times and he got to meet the police officers and the court staff. Mr. Calderon stated that he has been practicing law since 97, primarily strictly municipal, and right now he practices only criminal and traffic law. Mr. Calderon stated that he also prosecutes for the City of South Houston and for the City of El Lago. Mr. Calderon stated that he had a lot of resources and if anybody had any questions to give him a call and he hopes that he can do the job that they trust him with.

Item # 16-Announcements

Mr. Martin Hinshaw, Civil Service Director, stated that he would like to elaborate on the demotion of James Wells. Mr. Hinshaw stated that Mr. Wells was not demoted because there was a problem, it was because of the reorganization of the department. Mr. Hinshaw stated that if there is a change with the sergeants, he would get first opportunity to be promoted.

Commissioner Ponder announced that starting next month a notice will go out in the water bill about an Emergency Care Attendant class that the city will be putting on and it will be free to the citizens of Galena Park. Commissioner Ponder stated that it gives training to anyone that wants to know about the health profession. It is a stepping stone for the young folks to possibly get a job as an RN or LVN and in the petro chemical plants. The class will be available to anyone who would like to take it and the first class will be in English and the second class in Spanish.

Commissioner Ponder made a motion to adjourn the meeting. Commissioner Chersky, 2nd ... Mayor Moya called for the vote: Commissioner Chersky... Aye, Commissioner Silva...Aye, Mayor Moya...Aye, Commissioner Broussard...Aye, Commissioner Ponder...Aye...Vote: 5 Ayes... Motion Carried.

Meeting adjourned: 6:53 P.M.

  
Mayra Gonzales

  
APPROVED