

**HUMBLE CITY COUNCIL**

**MINUTES**

**OCTOBER 8, 2009 - 6:30 P.M.**

**REGULAR MEETING**

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

**MEMBERS PRESENT:**

Mayor Donnie McMannes, Presiding  
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  
Fire Marshal Clint Johnson  
Officer Jolly  
Officer Graham

**VISITORS PRESENT:**

Juanita Steagall  
Georgia McMannes  
Bonnie Gardner  
Sharon Mittag  
Howard Mittag  
Corey Turner  
Kathy Parks  
Suzanne West  
Arliss Bentley

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

**1. INVOCATION/PLEDGE OF ALLEGIANCE**

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

**2. MINUTES - SEPTEMBER 4, 2009, SEPTEMBER 10, 2009 AND SEPTEMBER 24, 2009**

Minutes were provided to the mayor and councilmembers for approval. Councilmember Allen Lee moved to accept the minutes of September 4, 10, and 24<sup>th</sup> as printed and circulated.

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

**3. FINANCIAL STATEMENT**

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

Ayes: Aaron, 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	\$ 103,883.92
W/S Operating Fund	143,454.69
Special Revenue Fund	8,433.94
Beautification Committee Fund	4,373.54
C.O., Series 2005A	39,484.91
Red Light Camera Fund	175.00
C. O., Series 1996	<u>100,304.80</u>
Total	\$ 400,110.80

Councilmember Lee moved to pay the invoices.

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

**5. PRESENTATION THANKSGIVING FEAST STEERING COMMITTEE - BONNIE GARDNER, CHAIRMAN**

Bonnie Gardner, Chairman of the Humble Thanksgiving Feast Steering Committee, appeared before the mayor and councilmembers to thank them for their past support of the annual event. She stated this would be the fifth year for the Thanksgiving Feast and already plans were underway and many vendors had increased their commitments, whether food or money, for this year. She said the fire marshal, Clint Johnson, would be shaping a bale of hay into a turkey to be used on the intersection of Wilson Road and FM 1960 for advertising the event. Ms. Gardner was joined by Georgia McMannes, Juanita Steagall and Sharon Mittag to present gifts of oven mitts and pecan pies to the mayor, councilmembers and city manager and to invite them to participate in the Thanksgiving event. Ms. Gardner closed by once again thanking the City of Humble for their participation and stated the event could not happen without the involvement of the City.

6. **ORDINANCE NO. 10-677 ELECTING FOR THE CITY OF HUMBLE TO MAKE CURRENT SERVICE AND PRIOR SERVICE CONTRIBUTIONS TO THE CITY'S ACCOUNT IN THE MUNICIPAL ACCUMULATION FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM AT THE ACTUARIALLY DETERMINED RATE OF TOTAL EMPLOYEE COMPENSATION**

City Manager Darrell Boeske presented Ordinance No. 10-677 to the mayor and councilmembers and recommended approval. He stated this ordinance was necessary to stay in compliance with recent changes made by the Texas Municipal Retirement System.

**ORDINANCE NO. 10-677**

**AN ORDINANCE ELECTING FOR THE CITY OF HUMBLE TO MAKE CURRENT SERVICE AND PRIOR SERVICE CONTRIBUTIONS TO THE CITY'S ACCOUNT IN THE MUNICIPAL ACCUMULATION FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM AT THE ACTUARIALLY DETERMINED RATE OF TOTAL EMPLOYEE COMPENSATION**

**WHEREAS**, the City of Humble (the "City"), is a participating municipality in the Texas Municipal Retirement System (the "System"), and has undertaken to provide certain retirement, death and disability benefits to its employees pursuant to Subtitle G, Title 8, Government Code, (hereinafter, the "TMRS Act"); and

**WHEREAS**, the City Council desires to authorize funding of such benefits as herein provided; now therefore,

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

**Section 1.** Pursuant to Section 855.407(g) of the TMRS Act, the City hereby elects to make future normal and prior service contributions to its account in the municipal accumulation fund of the System at such combined rate of the total compensation paid by the City to employees who are members of the System, as the System's actuary shall annually determine as the rate necessary to fund, within the amortization period determined as applicable to the City under the TMRS Act, the costs of all benefits which are or may become chargeable to or are to be paid out of the City's account in said accumulation fund, regardless of other provisions of the TMRS Act limiting the combined rate of City contributions.

**Section 2.** The provisions of the ordinance shall become effective on the first day of November 1, 2009.

**PASSED, APPROVED AND ADOPTED** this 8<sup>th</sup> day of October, 2009.

Councilmember Allan Steagall moved to approve Ordinance No. 10-677.

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

7. **ORDINANCE NO. 10-678 AMENDING CHAPTER 10 ANIMALS ARTICLE III. DOGS AND**

**DANGEROUS ANIMALS DIVISION 2 LICENSE SECTION 10-92 REQUIRED; SECTION 10-96. VACCINATION PREREQUISITE TO ISSUANCE; SECTION 10-97. ISSUANCE; SECTION 10-98. ISSUANCE OF TAG; SECTION 10-99. TRANSFER OF TAG; SECTION 10-99. TRANSFER OF TAG' SECTION 10-100. NO REFUND OF FEE; SECTION 10-101. COLLAR, TAGS MUST BE WORN; AND PROVING AN EFFECTIVE DATE**

City Manager Boeske presented Ordinance No. 10-678 to the mayor and councilmembers and recommended approval.

ORDINANCE NO. 10-678

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUMBLE CHAPTER 10 ANIMALS, ARTICLE III. DOGS AND DANGEROUS ANIMALS, DIVISION2 LICENSE, SECTION 10-92. REQUIRED; AMENDING SECTION 10-96. VACCINATION PREREQUISITE TO ISSUANCE; AMENDING SECTION 10-97. ISSUANCE; AMENDING SECTION 10-98. ISSUANCE OF TAG; AMENDING SECTION 10-99. TRANSFER OF TAG; AMENDING SECTION 10-99. TRANSFER OF TAG; AMENDING SECTION 10-100. NO REFUND OF FEE; AMENDING SECTION 10-101. COLLAR, TAGS MUST BE WORN; AND PROVIDING AN EFFECTIVE DATE

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

I.

That Chapter 10 of the City of Humble Code of Ordinances known as Animals, Article III Dogs and Dangerous Animals, Division 2 License, Section 10-92. Required be amended to read:

Sec. 10-92. Required.

Any person/owner who shall maintain or keep a dog or cat more than four (4) months of age on any premises within the city which has not been licensed as required by this division shall be guilty of a Class C misdemeanor.

II.

That Chapter 10 of the City of Humble Code of Ordinances known as Animals, Article III Dogs and Dangerous Animals, Division2 License, Section 10-96. Vaccination prerequisite to issuance shall be amended to read:

Section 10-96. Vaccination prerequisite to Issuance

The city secretary shall not issue any license tag for any dog or cat until the owner or person in charge of such dog or cat shall have obtained and presented to the department a current vaccination certificate issued by a state licensed veterinarian.

III.

That Chapter 10 of the City of Humble Code of Ordinances known as Animals, Article III Dogs and

Dangerous Animals, Division 2 License, Section 10-97. Issuance be amended to read as follows:

Section 10-97. Issuance

Licenses for dogs and cats shall be issued by the city secretary upon application therefore, proof of vaccination against rabies and payment of the required fee.

IV.

That Chapter 10 of the City of Humble Code of Ordinances known as Animals, Article III Dogs and Dangerous Animals, Division 2 License, Section 10-98. Issuance of tag be amended to read as follows:

Section 10-98. Issuance of tag.

Upon issuance of the license certificate, the city secretary shall issue to the owner a metallic tag for each dog or cat so licensed. The tag shall have stamped thereon the year for which it was issued and the number corresponding with the number on the certificate.

V.

That Chapter 10 of the City of Humble Code of Ordinances known as Animals, Article III Dogs and Dangerous Animals, Division 2 License, Section 10-9. Transfer of tag shall be amended to read as follows:

Sec. 10-99. Transfer of tag.

It shall be unlawful for the new owner or person having control over or custody of any dog/cat to transfer such license tag from the dog/cat for which such tag was issued to any other dog/cat.

VI.

That Chapter 10 of the City of Humble Code of Ordinances known as Animals, Article III Dogs and Dangerous Animals, Division 2 License, Section 10-100. No refund of fee to read as follows:

Sec. 10-100. No refund of fee.

No refund shall be made for any dog/cat license fee because of death of the dog/cat or the owner's leaving the city before the expiration of the license period.

VII.

That Chapter 10 of the City of Humble Code of Ordinances known as Animals, Article III Dogs and Dangerous Animals, Division 2 License, Section 10-101. Collar, tags must be worn shall be amended to read as follows:

Section 10-101. Collar, tags must be worn.

It shall be unlawful for any person to maintain or keep a dog/cat more than four (4) months of age on any premises within the city unless the dog/cat wears a collar or harness securely attached

to its body to which shall be securely attached a tag issued for the dog/cat by a licensed veterinarian, licensed to practice veterinary medicine in the state, showing that the dog/cat has been, within the current calendar year, vaccinated against rabies, and also securely attached to the collar or harness a license tag showing the dog/cat has been licenced by the city for the current year.

VIII.

That these amendments to Chapter 10, Article III, Division 2, Sections 10-92, 10-96, 10-98, 10-99, 10-100, and 10-101 shall take effect and be in full force on October, 18, 2009 after publication of caption of ordinance as required by City of Humble Charter, Article II, Section 13..

PASSED, APPROVED AND ADOPTED this 8<sup>th</sup> day of October, 2009.

Councilmember Lee moved to adopt Ordinance No. 10-678.

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

**8. REQUEST TO PURCHASE VEHICLES & EQUIPMENT (2009-2010 BUDGETED ITEMS) - STREET AND WATER DEPARTMENT**

City Manager Boeske presented a request from the Street and Water Department to purchase budgeted items. The items include:

STREET DEPARTMENT:

Street Sweeper - 5 year lease	\$ 36,000.00/year
Self-propelled concrete saw	\$ 6,000.00

WATER DEPARTMENT:

½ Ton Pickup	\$ 27,000.00
Portable Testing Meter for Surface Water	\$ 10,000.00

Councilmember Merle Aaron moved to approve agenda item #8 - request to purchase budgeted items.

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

**9. REQUEST TO ADVERTISE FOR BIDS - INTERSECTION IMPROVEMENTS - MAIN STREET AND AVENUE A**

City Manager Boeske presented a request from Director of Public Works Barry Brock to advertise for bids for intersection improvements at Main Street and Avenue A. The scope of the intersection improvements would include underground utilities, traffic signal, pedestrian crossing controls and new paving with brick pavers at an estimated cost of \$ 250,000.00. Mayor McMannes moved to grant the request to advertise for bids.

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

**10. CORRESPONDENCE: TML UPDATE**

Mayor McMannes stated the correspondence was for information only.

**11. ADJOURNMENT**

There being no further business to transpire, Mayor McMannes moved to adjourn the meeting.  
Meeting Adjourned. 6:41 p.m.

---

D. G. McMannes  
Mayor

ATTEST:

---

Sue Daniel, City Secretary