



# CITY OF BELLAIRE TEXAS

## MAYOR AND COUNCIL

FEBRUARY 29, 2016

Council Chamber

Special Session

6:00 PM

7008 S. RICE AVENUE  
BELLAIRE, TX 77401

### SPECIAL SESSION - 6:00 P.M.

#### I. SPECIAL MEETING

##### A. Call to Order and Announcement of a Quorum - Andrew S. Friedberg, Mayor.

**Andrew S. Friedberg, Mayor**, called the Special Meeting of the City Council of the City of Bellaire, Texas, to order at 6:00 p.m. on Monday, February 29, 2016. The Special Meeting was held in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas.

Mayor Friedberg announced that a quorum of all members of City Council was present as set forth in the table below.

Name	Title	Status
Andrew S. Friedberg	Mayor	Present
Roman F. Reed	Mayor Pro Tem	Present
Trisha S. Pollard	Council Member	Present
Gus E. Pappas	Council Member	Present
Pat B. McLaughlan	Council Member	Present
Michael Fife	Council Member	Present
David R. Montague	Council Member	Present

Other officials present were Paul A. Hofmann, City Manager; Alan P. Petrov, City Attorney; and Tracy L. Dutton, City Clerk.

##### B. Inspirational Reading and/or Invocation - Roman F. Reed, Mayor Pro Tem.

**Andrew S. Friedberg, Mayor**, noted that the City Council did not necessarily start Special Sessions the same as Regular Sessions with an inspirational reading and/or invocation; however, the item was placed on the evening's agenda and deemed appropriate in light of recent events.

**Roman F. Reed, Mayor Pro Tem**, provided the inspirational reading for the evening. The reading, set forth below, has been included as part of the record of this meeting.

*A week ago Sunday evening, we lost one of our own in a senseless, cold-blooded murderous act.*

*Peter Mielke was 19 years old, had attended Bellaire High School, and was working to pay for his own education.*

*His family deeply loved Peter, and he was admired by his friends and his employer at Reginelli's Pizzeria.*

*He was a hard worker, a team player. He was trying to make great things happen for himself.*

*A young man in the prime of his life was abruptly taken from his loved ones and our community. Truly only God knows why it happened.*

*I look at my colleagues on Council and I say it could have been one of our own kids. So this is very personal to us.*

*We want to assure the Mielke Family and all Bellaire residents that we are doing all we can, using all resources at our disposal, leaving no stone unturned, to find this murderer and bring him to justice. There is no gutter, no deep rat hole where this coward will be able to hide. We will get him.*

*I would like to ask all of us to stand for a moment of silence to reflect upon the memory of the life of Peter and to pray for his family.*

*Thank you.*

**C. Pledges of Allegiance - Roman F. Reed, Mayor Pro Tem.**

**Roman F. Reed, Mayor Pro Tem**, led the members of City Council and the audience in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

**D. Personal/Audience Comments.**

**Robert Riquelmy:**

Mr. Riquelmy tested the ability and willingness of City Council to learn by asking if they recognized the name Travis Allen.

**Roberta Murray:**

Ms. Murray addressed City Council and asked for their consideration in moving forward with the building of a new City Hall. She cited examples of deterioration and foundation issues that had occurred over the years and expressed concern that good taxpayer monies were being thrown after bad on the City Hall.

**Lynn McBee:**

Ms. McBee advised that the City Hall was still standing and had the advantage of making the staff accessible to the community. She expressed concern that a new City Hall would not be as accessible. She urged City Council to ensure that the Police/Municipal Court building be completed as expeditiously as possible with existing funds.

In closing, Ms. McBee urged everyone to vote in Tuesday's Primary Election.

**E. New Business:**

**1. Consent Agenda:**

Items set out in the consent agenda are considered routine and are recommended for approval by the passage of a single motion, without discussion or debate, that the

consent agenda be adopted. Upon request of any member of City Council, items shall be removed from the consent agenda and considered separately.

Minutes of the City Council of the City of Bellaire, Texas:

Consideration of and possible action on the approval of the minutes of the Regular Sessions of the City Council of the City of Bellaire, Texas, held on Monday, February 1, 2016, and on Monday, February 15, 2016.

Mayor and Council - Regular Session - Feb 1, 2016 6:00 PM

Mayor and Council - Regular Session - Feb 15, 2016 6:00 PM

**Motion:**

**To adopt the Consent Agenda dated February 29, 2016.**

<b>RESULT:</b>	<b>UNANIMOUS [7 TO 0]</b>
<b>MOVER:</b>	Roman F. Reed, Mayor Pro Tem
<b>SECOND:</b>	David R. Montague, Council Member
<b>AYES:</b>	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague
<b>NAYS:</b>	None

**2. Item for Individual Consideration:**

Consideration of and possible action on the creation and appointment of a new Ad Hoc Municipal Facilities Committee for the Municipal Facilities Project.

**Andrew S. Friedberg, Mayor,** provided a brief introduction of the agenda item and called for a motion.

**Motion:**

**To adopt the proposed ordinance subject to filling in the names of new appointees.**

{Moved by Michael Fife, Council Member, and seconded by Gus E. Pappas, Council Member}

Discussion ensued among members of the City Council regarding the desirable number of appointees to the committee, the method by which appointments should be made, and a possible expansion of the committee's charge.

**Amendment (No. 1) to the Main Motion:**

To amend the charge (numbered paragraph 4 in the proposed ordinance) to read as follows: The Ad Hoc Municipal Facilities Committee is hereby charged to provide input and recommendations to the City Council of the City of Bellaire, Texas, regarding the style of architecture, including exterior finishes, for the Police/Municipal Court building and the City Hall/Civic Center building, not later than April 4, 2016, and further recommendations including, but not limited to, the exact location and orientation of buildings within the approved site plan, and

recommendations regarding parking, layout of buildings, and programming, not later than May 15, 2016. The foregoing shall be said Committee's sole charge, but City Council may by future action add to the charge and may extend the Committee's term up to a total period of less than one (1) year.

{Moved by Gus E. Pappas, Council Member, and seconded by Trisha S. Pollard, Council Member}

Following further discussion, Mayor Friedberg called for a vote on the amendment on the floor.

<b>RESULT:</b>	<b>APPROVED [6 TO 1]</b>
<b>MOVER:</b>	Gus E. Pappas, Council Member
<b>SECONDER:</b>	Trisha S. Pollard, Council Member
<b>AYES:</b>	Friedberg, Reed, Pollard, Pappas, Fife, Montague
<b>NAYS:</b>	McLaughlan

Discussion ensued among members of the City Council regarding the number of appointees to the committee and method by which appointees would be selected. Former committee members Dolores Avioli, Todd L. Blitzer, and Christopher Butler were already included as appointees in the proposed ordinance. New appointees were nominated as follows:

**Ron Fash** (nominated by Council Members David R. Montague and Michael Fife);

**Jimmy Griffin** (nominated by Council Member Gus E. Pappas and Mayor Pro Tem Roman F. Reed);

**Dawn P. Hawley** (nominated by Trisha S. Pollard and Mayor Pro Tem Roman F. Reed);

**Paul Katz** (nominated by Mayor Andrew S. Friedberg and Pat B. McLaughlan, Council Member); and

**Michael Shirley** (nominated by Pat B. McLaughlan, Council Member).

**Amendment (No. 2) to the Main Motion, as Amended:**

**To change the preamble on the proposed ordinance to reference the appointment of eight (8) members and in lieu of items 3.d. through 3.j., the individuals identified would be named as appointees: Ron Fash, Dawn P. Hawley, Jimmy Griffin, Paul Katz, and Michael Shirley.**

<b>RESULT:</b>	<b>UNANIMOUS [7 TO 0]</b>
<b>MOVER:</b>	Gus E. Pappas, Council Member
<b>SECONDER:</b>	Trisha S. Pollard, Council Member
<b>AYES:</b>	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague
<b>NAYS:</b>	None

Hearing no further discussion, **Andrew S. Friedberg, Mayor**, called for a vote on the main motion, as twice amended and restated below.

**Main Motion, as Twice Amended:**

**To adopt the proposed ordinance with two amendments, the first being the provision of a deadline of April 4, 2016, for recommendations regarding style of architecture, including exterior finishes, and May 15, 2016, for the nonexclusive list of additional recommendations to include the exact location and orientation of buildings within the approved site plan, recommendations regarding parking, layout of buildings, and programming, and the second being to update the preamble to reference eight (8) members and to appoint as new members Ron Fash, Dawn P. Hawley, Jimmy Griffin, Paul Katz, and Michael Shirley.**

<b>RESULT:</b>	<b>UNANIMOUS [7 TO 0]</b>
<b>MOVER:</b>	Michael Fife, Council Member
<b>SECONDER:</b>	Gus E. Pappas, Council Member
<b>AYES:</b>	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague
<b>NAYS:</b>	None

**Mayor Friedberg** clarified that the ordinance just adopted already included the following continuing members: Dolores Avioli, Todd L. Blitzer, and Christopher Butler.

**F. Community Interest Items from the Mayor and City Council.**

Community interest items from the Mayor and City Council included support for comments made by Mayor Pro Tem Roman F. Reed during his inspirational reading; support and prayers for the Mielke Family and the Reginelli's Pizzeria family; encouragement for citizens with surveillance camera systems to offer their support to the Bellaire Police Department; expressions of thanks to the City's first responders; expressions of complete and unqualified support of the Bellaire Police Department; expressions of thanks to Chief of Police Byron Holloway for his television presence on behalf of the City; encouragement for the Cultural Arts Board and Citizens For a Beautiful Bellaire to attend the Ad Hoc Municipal Facilities Committee meetings as volunteers; and reminders to vote in the Tuesday Primary Election.

**G. Adjourn.**

**Andrew S. Friedberg, Mayor**, announced that the Special Meeting of the City Council of the City of Bellaire, Texas, was adjourned at 7:00 p.m. on Monday, February 29, 2016.

**II. CLOSED MEETING**

**A. Call to Order and Announcement of a Quorum - Andrew S. Friedberg, Mayor.**

**Andrew S. Friedberg, Mayor**, called the Closed Meeting of the City Council of the City of Bellaire, Texas, to order at 7:00 p.m. on Monday, February 29, 2016. The

closed meeting was held in the Council Chamber and Council Conference Room, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas.

Mayor Friedberg announced that a quorum of all members of City Council was present as set forth in the table below.

Name	Title	Status
Andrew S. Friedberg	Mayor	Present
Roman F. Reed	Mayor Pro Tem	Present
Trisha S. Pollard	Council Member	Present
Gus E. Pappas	Council Member	Present
Pat B. McLaughlan	Council Member	Present
Michael Fife	Council Member	Present
David R. Montague	Council Member	Present

Other officials present were Paul A. Hofmann, City Manager; Alan P. Petrov, City Attorney; Tracy L. Dutton, City Clerk; Byron Holloway, Chief of Police; and James Andrews, City Engineer.

City Clerk Dutton did not participate in the closed portions of the meeting. Chief Holloway and City Engineer Andrews participated in certain closed portions of the meeting according to their respective subject matter areas of responsibility.

**B. Retire into Closed Meeting:**

Retire into closed meeting in the Council Conference Room pursuant to the Texas Government Code, Chapter 551, Open Meetings Act, Section 551.071, Consultation with Attorney; Closed Meeting, regarding pending and/or contemplated litigation and matters within the attorney-client privilege;

Continue pursuant to the Texas Government Code, Chapter 551, Open Meetings Act, Section 551.072, Deliberation Regarding Real Property; Closed Meeting, for the purpose of discussing the acquisition of property for municipal facilities; and

Continue pursuant to the Texas Government Code, Chapter 551, Open Meetings Act, Section 551.076, Deliberation Regarding Security Devices or Security Audits; Closed Meeting, for the purpose of discussing specific occasions for the implementation of security personnel and/or security devices.

**Andrew S. Friedberg, Mayor**, announced in the open portion of the meeting that the City Council of the City of Bellaire, Texas, was retiring into closed meeting at 7:01 p.m. on Monday, February 29, 2016, in the Council Conference Room, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401. Mayor Friedberg identified Sections 551.071, Consultation with Attorney; 551.072, Deliberation Regarding Real Property; and 551.076, Deliberation Regarding Security Devices or Security Audits, as the sections of the Open Meetings Act pursuant to which the closed meeting would be held.

**C. Reconvene in Open Meeting:**

Reconvene in open meeting in the Council Chamber and take action, if any, on items discussed in the closed meeting.

**Andrew S. Friedberg, Mayor**, announced that the City Council of the City of Bellaire, Texas, was reconvened in open meeting at 10:19 p.m. on Monday, February

29, 2016, in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401.

{It was noted that Pat B. McLaughlan, Council Member, had departed from the closed meeting at 10:17 p.m. on February 29, 2016.}

Mayor Friedberg advised that members of City Council had met in a closed meeting for the following three permitted purposes pursuant to the Texas Government Code, Chapter 551, Open Meetings Act: (1) Section 551.071, Consultation with Attorney; (2) Section 551.072, Deliberation Regarding Real Property; and (3) Section 551.076, Deliberation Regarding Security Devices or Security Audits.

He indicated that no action would be taken by City Council at this time.

**D. Adjourn.**

**Andrew S. Friedberg, Mayor,** announced that the Closed Meeting of the City Council of the City of Bellaire, Texas, was adjourned at 10:20 p.m. on Monday, February 29, 2016.