

**STATE OF TEXAS  
COUNTY OF HARRIS  
CITY OF EL LAGO**

**CITY OF EL LAGO  
CITY COUNCIL MEETING MINUTES  
DECEMBER 14, 2015  
7:00 P.M.**

12/14/2015 - Minutes

**1. COUNCIL MEETING CALL TO ORDER**

Pursuant to public notice as required by law, Mayor White called the December 14, 2015 City Council meeting to order at 7:04 p.m.

The following City Officials were present:

- Mayor Robert White
- Councilperson Robert Kumar-Misir
- Councilperson John Skelton
- Councilperson Carolynn Stanley
- Councilperson Jeff Tave
- Councilperson Jeff Michalak
- City Secretary Ann Vernon

The following City Officials were absent:

- LPD Chief Tom Savage
- Emergency Management Coordinator Tom Merchant

**2. PLEDGES**

Mayor White led the pledges to the American and Texas flags.

**3. CITIZENS COMMENTS**

There were no citizens that wished to address the Council.

**4. MAYOR'S REPORT ON CITY BUSINESS**

Mayor White reported on the following events in El Lago:

- Senior Christmas Party and Cookie swap will take place on December 17th and the League City choir will be performing.
- Christmas tree recycling will again take place in the city.
- There was a tree on Loch Lake where the limb was dangling so City Maintenance helped to pull the limb down so it was no longer a danger.
- Luminarias are on sale and the sand for them will be in McNair Park this week
- Christmas banners have been hung on some of the light poles throughout the city and have received several positive comments regarding them
- The annual Polar Bear Plunge will be held on January 30th of 2016 at 10:00 a.m.
- City Council election packets will be available and must be returned by February 19th

**5. CITY OFFICIALS' REPORTS**

**5.1.** LPD Chief Tom Savage To Report On Police Activity In The City  
Chief Savage was not present to make a report to the Council.

**5.2.** Emergency Management Coordinator Tom Merchant To Report On Emergency Preparedness In The City  
Mr. Merchant was not present to make a report to Council.

**6. NEW BUSINESS TO CONSIDER FOR APPROVAL**

**6.1. RESOLUTION 2015-06 TO COMMIT FUNDS FOR A HOMESTEAD EXEMPTION**

Mayor White read Resolution 2015-06 aloud and Councilperson Kumar-Misir motioned to approve it. Councilperson Michalak seconded the motion and discussion ensued. Mayor Pro Tem Skelton motioned to postpone this resolution until after the 1st Quarter Financial Report which should be presented at the first meeting in February. The motion was seconded by Councilperson Stanley. Councilperson Tave asked if the 37 thousand was set aside in the budget for the homestead exemption and he was told that it was. He then asked if that amount could be changed and also what the final form of the homestead exemption would be. Mayor White said that the amount of the exemption is not set yet and so it could be changed and that the homestead exemption would be put into place by City Ordinance. The motion to postpone carried with a vote of three in favor and with Councilpersons Michalak and Tave opposed.

**6.2. APPROVE ORDINANCE 433**

Mayor White read Ordinance 433 aloud which prohibits parking on the grass in the commercial district. Councilpersons Kumar-Misir and Michalak motioned and seconded approving the Ordinance. The motion carried with a unanimous vote.

**6.3. APPROVE ORD 290-G AMENDING PROVISIONS VII AND IX OF THE PERSONNEL POLICY**

Councilperson Tave asked if this item could be separated into two ordinances in order to allow for more discussion at a later date. Councilperson Michalak motioned and Mayor Pro Tem Skelton seconded approving Ordinance 290-G. Councilperson Tave then motioned to amend by dropping Section 3 from the ordinance and Councilperson Stanley seconded the motion. The motion passed with a vote of all five in favor. Councilperson Tave then said he is familiar this type of policy and that most entities only allow that vacation time be donated. He called several of the local cities with the following survey:

1. Allow Sick time to be donated
2. Allow Vacation time to be donated
3. Provide short term disability
4. Provide long term disability

The following cities survey results are as follows:

Nassau Bay

1. Yes
2. No
3. Can be purchased
4. After 90 days

Taylor Lake Village

1. No
2. No
3. No
4. NO

Seabrook - Unable to talk with person for results

Morgans Point

1. Can donate up to 40 hours to a pool which is limited to 80 hours, additionally, the city donates 10 hours to the pool. In special cases due to catastrophic illness, the max pool hours may be increased.
2. No
3. Can Purchase
4. The city provides after 90 days.

When Councilperson Tave asked about the mechanics of the policy, Mayor White said that City Secretary Vernon will create the office policy for office staff. The motion carried with a vote of all five in favor.

**6.4. CONSIDER WHETHER OR NOT TO REPEAL CITY'S SEX OFFENDER ORDINANCE**

Discussion on this item was led by City Attorney Val Perkins. Mr. Perkins gave a brief history stating that it was a common ordinance which was passed in 2006. However, after that the Attorney General opined that since there was no specific grant from legislation allowing Type A cities to pass this, then it was not allowed. However, just an opinion is not law although it does carry weight. In the last several months a group called "Voices for Reason" have enlisted Attorney Gladden and a letter was sent to 46 Type A General Law cities in Texas threatening a law suit if the city's sex offender ordinance was not repealed. Mr. Perkins pointed out that since El Lago has never had to enforce this ordinance, Mr. Gladden may not have the standing he needs to file suit against us. After hearing general comments from the City Council, there were no motions made on this item.

**7. APPROVE THE MINUTES OF THE FOLLOWING CITY COUNCIL MEETINGS:**

The minutes of the October 19 and November 16 meetings were not considered as the minutes were not yet fully prepared. Mayor Pro Tem Skelton motioned to approve the November 30, 2015 minutes and the motion was seconded by

Councilperson Michalak. Councilperson Tave motioned to postpone the approval of the minutes to the January 4, 2016 meeting and the motion failed due to no second. The motion to approving the minutes passed with a vote of three in favor. Councilperson's Tave and Stanley abstained from voting.

**8. OTHER ITEMS COUNCIL WOULD LIKE TO SUGGEST FOR CONSIDERATION ON A FUTURE CITY COUNCIL AGENDA**

Councilperson Tave said he thought the Personnel Policy should be reviewed in full and is willing to participate on an Ad Hoc committee to get it accomplished.

**9. ADJOURNMENT**

There being no further business, Councilperson Stanley motioned and Councilperson Michalak seconded adjourning the meeting. The motion passed unanimously and Mayor White adjourned the meeting at 7:50 p.m.

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**Robert White, Mayor**

**ATTEST:**

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**Ann Vernon, City Secretary**