

**CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE REGULAR
CITY COUNCIL MEETING
June 22, 2017**

The City Council of the City of Hunters Creek Village, Texas held a regular meeting on Tuesday, June 27, 2017, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor:	Jim Pappas
	Councilmembers:	Stuart Marks
		Fidel Sapien
		Ken Spalding
		Chip Cowell
		Jay Carlton
	City Attorney:	John Hightower
	City Administrator:	Tom Fullen
	City Secretary:	Crystal R. Dozier
	City Engineer:	Steve Byington

With a quorum of the Council Members present, Mayor Jim Pappas called the session to order at 6:05 p.m. followed by the pledge of allegiance led by Richard Heustess.

JOINT PUBLIC HEARING. A joint public hearing will be held before the City Council and the Planning and Zoning Commission for the purpose of receiving testimony for or against a request by the Memorial Village Water Authority, to amend the Zoning Chapter to approve a Specific Use Permit allowing the renovation and expansion of the Authority's utility substation and pump station at 739 W. Creekside Drive in Zoning District R in the City of Hunters Creek Village.

A quorum of the Planning and Zoning Commission was announced and opened their meeting. In attendance for the Planning and Zoning Commission were Chairman Bill Dalton; Commissioners David Childers, John Abercrombie, Charles Martin and Brent Fredricks.

The Public Hearing was opened for comments. Dan Boyles at 756 W. Creekside and Terrie Sechrist speaking on behalf of Diana Smith at 800 Kuhlman spoke before the City Council and Planning and Zoning Commission either for or against the request for Memorial Village Water Authority's application, the Public Hearing was closed.

1. Discussion and possible action to receive the final report and recommendation from the Planning and Zoning Commission regarding a request by the Memorial Village Water Authority, to amend the Zoning Chapter to approve a Specific Use Permit allowing the renovation and expansion of the Authority's utility substation and pump station at 739 W. Creekside Drive in Zoning District R in the City of Hunters Creek Village.

Chairman Bill Dalton, presented the Planning and Zoning Commission's Final Report and Recommendation to approve a Specific Use Permit allowing the renovation and expansion of the Authority's utility substation and pump station at 739 W. Creekside Drive in Zoning District R in the City of Hunters Creek Village to:

- a) The facility shall be constructed and maintained in substantial compliance with the descriptions, site plan, and other exhibits submitted with the application and described as Alternate A – Above Ground Modified (the "Alternate A Plans") and those portions of the original application that were not modified, including the landscape plan.
- b) The maximum height of the sidewall of the two tanks may not exceed 24 feet, except as provided in d) below.
- c) No substantial modification shall be made to the Alternate A Plans or the expanded facility, described in the Alternate A Plans, unless the modification is authorized by an amendment to the Specific Use Permit.
- d) For purpose of determining whether a modification is substantial, a variance in a measured height or distance is not substantial if it varies from the planned height or distance by less than 5%, is reasonably necessary for engineering or economic reasons, and was not anticipated when the Alternate A Plans were prepared.
- e) The facility shall comply with all applicable ordinances of the City of Hunters Creek Village, except to the extent a variance from the requirements of those ordinances is granted by Specific Use Permit.
- f) The facility shall be operated in accordance with reasonable industry best practices to minimize the impact on the surrounding neighborhood from noise, vibrations, and odors associated with the operation of the facility.
- g) The expanded facility shall be operated so as to produce no more noise than is produced by the current facility, with the exception of the generator that is to be added in the expansion.
- h) The property currently owned by MVWA shall be treated as a single tract or lot for regulatory purposes for so long as the property is used as the site for a water plant or similar facility. In the event, MVWA discontinues the use of the property as the site for a water plant, any subsequent use or transfer of the property or any portion thereof, shall be subject to all applicable platting and zoning regulations.

The Commission also directed the applicant to provide more detailed information on the types and sizes of trees to be included in the landscape plan.

A motion was made by Councilman Spalding to receive the final report and recommendation from the Planning and Zoning Commission regarding a request by the Memorial Village Water Authority located at 739 W. Creekside Drive for a Specific Use Permit to allow the renovation and expansion of the Authority's utility substation and pump station with a second from Councilman Cowell. The vote to carry the motion was unanimous.

2. Discussion and possible action to consider an ordinance amending the zoning chapter to grant a specific use permit to the Memorial Villages Water Authority located at 739 W. Creekside Drive to allow the renovation and expansion of the Authority's utility substation and pump station; providing requirements and conditions for the specific use permit; containing findings and other provisions relating to the subject; providing a penalty in an amount not to exceed \$2000; and providing for severability.

A motion was made by Councilman Spalding to adopt an ordinance granting a Specific Use Permit to the Memorial Village Water Authority located at 739 W. Creekside Drive to allow the renovation and expansion of the Authority's utility substation and pump station; providing requirements and conditions for the Specific Use Permit. The motion was seconded by Councilman Marks. The vote to carry the motion was unanimous.

PUBLIC COMMENTS

Linda Knox at 8407 Hunters Creek spoke before the Mayor and Council regarding her concerns with the maintenance along I-10 service road.

Matt Benner at 12 Voss Park Road spoke before the Mayor and Council regarding his concerns with I-10 development in the City of Hedwig Village.

REPORTS

Treasurer: Shanoop Kothari, City Treasurer was not present. Tom Fullen, City Administrator, presented the financial report and gave a brief summary.

Police Commission: Chief Schultz presented the police report and gave a brief summary of recent events. MVPD personnel investigated an accidental death involving a landscaper who fell to his death on Kuhlman. Detectives were interviewed by OSHA investigators who are also examining the incident. No foul play is suspected. The Villages experienced a Mass Casualty Incident at the Yellow School at 253 Blalock. Several children were injured as the result of an errant science experiment. An investigation was conducted documenting the chain of events, injuries and response. Staff conducted a site-visit at Sugarland PD in order to obtain additional information about their Automated License Plate Reader System. Information was incorporated in to the Virtual Gate Master Plan and Presentation. The first of the new 2017 vehicles have started to arrive and will be sent for up-fitting of equipment. Chapter 1 of the Policy Manual updated and reviewed with Commissioner Huguenard sent for word processing. Firearms audit completed of the property room. All firearms were verified as being present.

Fire Commission: Mayor Pappas, presented the fire report and gave a brief summary on recent events. He reported the new 100 ft. fire truck will be delivered next week and will be going to San Antonio to be outfitted for service. The Renovation Committee have received the final specifications from the architect and are preparing a list of priorities so that it can be presented to the Commission next week. The current budget for the renovation is under \$3 million.

Building Official: Robert Pemberton, City Building Official gave a brief summary of the building report.

City Engineer: Steve Byington, City Engineer was not present. Tom Fullen, City Administrator reported on the following public work projects:

a. Comprehensive CIP Plan Progress

The Comprehensive CIP Plan is approximately 60% complete with work. Priority replacement costs for the majority of the categories has been complete, currently working on pavement maintenance component. Baseline annual CIP cost will be >\$1.5M for the 10 year CIP.

b. Briar Branch

The location for the proposed pilot is no longer feasible. The tree located on the sand bar has fallen. The trees have been replaced on Hickory Hollow Outfall easement. The final slope protection now needs to be completed. Another resident has successfully completed another retaining wall on the north side of the creek. The City Engineer would like to consider flying the creek with a drone to collect LiDar and photography which cost approximately \$7,500.

Mayor and Council Reports

a. Status update on the Tri-Cities Public Safety Committee.

Councilman Marks updated the Mayor and Council regarding the Tri-Cities Public Safety Committee. The Committee decided at the May meeting to slow down the process and do more research. The Committee met with Sugarland PD to see how the camera system works and has scheduled a visit with West University. A joint meeting will be scheduled for late summer.

b. Waste Management Program

Councilman Spalding updated the Mayor and Council regarding the waste management program. Councilman Spalding has spoken with WCA and they will continue to collect residents glass but with trash and not recycling. He is still researching alternatives to glass recycling.

CONSENT AGENDA

1. Approval of the Minutes of the Regular Meeting on April 25, 2017 and Minutes of the Special Meetings on May 9th and 12th of 2017.
2. Approval of the Cash Disbursement Journal for April and May, 2017.

A motion was made by Councilman Spalding to approve the Consent Agenda and Councilman Sapien seconded the motion. The vote to approve the motion was unanimous.

REGULAR AGENDA

1. Discussion and possible action to approve the Fiscal Year 2018 Budget for the Villages Fire Department.

A motion was made by Councilman Spalding to table the item to the next meeting and Councilman Cowell seconded the motion. The vote to carry the motion was unanimous.

2. Discussion and possible action to approve the Village Fire Department 2016 Intra-Budgetary Transfers.

A motion was made by Councilman Spalding to table the item to the next meeting and Councilman Cowell seconded the motion. The vote to carry the motion was unanimous.

3. Discussion and possible action to approve the Memorial Village Police Department 2018 Budget.

A motion was made by Councilman Spalding to approve the Memorial Village Police Department 2018 Budget and Councilman Marks seconded the motion. The vote to approve the motion was unanimous.

4. Discussion and possible action to terminate the contract with Harris County Health Department.

A motion was made by Councilman Marks to table the item to the next meeting and Councilman Carlton seconded the motion. The vote to approve the motion was unanimous.

5. Discussion and possible action to contract with Bureau Veritas to provide health inspections.

A motion was made by Councilman Marks to table the item to the next meeting and Councilman Carlton seconded the motion. The vote to approve the motion was unanimous.

6. Discussion and possible action to amend the ordinance allowing poultry.

Lisa Walker spoke regarding the poultry ordinance. No action was taken.

7. Discussion and possible action to approve the proposed trash pick-up days by WCA to Wednesdays for recycling and trash and Saturdays for trash only.

No action taken.

8. Discussion and possible action to approve amendment 52 for the Engineering Services associated with the 2017 CIP: Outfall Replacements on Hunters Trail and Magnolia Bend.

A motion was made by Councilman Spalding to approve amendment 52 for the Engineering Services associated with the 2017 CIP: Outfall Replacements on Hunters Trail and Magnolia Bend and Councilman Carlton seconded the motion. The vote to approve the motion was unanimous.

9. Discussion and possible action to schedule a Budget Workshop date.

A motion was by Councilman Cowell to schedule the Budget Workshop date for Monday, July 24, 2017 at 9:00 am and Councilman Carlton seconded the motion. The vote to approve the motion was unanimous.

10. Discussion and possible action to adopt an Ordinance amending Chapter 10, Buildings and Building Regulations, and Chapter 20, Fire Prevention and Protection, of the Code of Ordinances of the City of Hunters Creek Village, Texas, by adopting the 2015 editions of the International Fire Code, Building Code, Residential Code, Existing Building Code, Property Maintenance Code, Plumbing Code, Energy Conservation Code, Mechanical Code, Fuel Gas Code,

and Swimming Pool and Spa Code, as these codes are published by the International Code Council; adopting the 2014 edition of the National Electric Code as published by the National Fire Protection Association; providing local amendments to the adopted codes; establishing the City Council as the board of appeals for these adopted codes; providing a penalty in an amount not to exceed \$2000; providing for severability; and making other provisions relating to the subject.

A motion was made by Councilman Spalding to adopt an Ordinance amending Chapter 10, Buildings and Building Regulations, and Chapter 20, Fire Prevention and Protection, of the Code of Ordinances of the City of Hunters Creek Village, Texas, by adopting the 2015 editions of the International Fire Code, Building Code, Residential Code, Existing Building Code, Property Maintenance Code, Plumbing Code, Energy Conservation Code, Mechanical Code, Fuel Gas Code, and Swimming Pool and Spa Code, as these codes are published by the International Code Council; adopting the 2014 edition of the National Electric Code as published by the National Fire Protection Association; providing local amendments to the adopted codes; establishing the City Council as the board of appeals for these adopted codes; providing a penalty in an amount not to exceed \$2000; providing for severability; and making other provisions relating to the subject. Councilman Marks seconded the motion. The vote to approve the motion was unanimous.

11. Discussion and possible action to approve a resolution to deny the DCRF (Distribution Cost Recovery Factor) application proposed by CenterPoint Energy.

A motion was made by Councilman Sapien to approve a resolution to deny the DCRF (Distribution Cost Recovery Factor) application proposed by CenterPoint Energy and Councilman Spalding seconded the motion. The vote to approve the motion was unanimous.

12. **A motion was made by Councilman Cowell with a second by Councilman Sapien to adjourn the meeting. The vote to approve the motion was unanimous.**

13. **The meeting was adjourned at 9:54 p.m.**

These minutes were approved on the 25th day of July, 2017.

_____/s/_____
Jim Pappas, Mayor

ATTEST:

_____/s/_____
Crystal R. Dozier, TRMC
City Secretary