

**CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE REGULAR
CITY COUNCIL MEETING
March 28, 2023**

The City Council of the City of Hunters Creek Village, Texas held a regular meeting on Tuesday, March 28, 2023, at 6:00 p.m., at #1 Hunters Creek Place, Hunters Creek Village, Texas. Members of the public were invited to attend the meeting in person.

Present:	Mayor:	Jim Pappas
	Councilmembers:	Fidel Sapien Stuart Marks Linda Knox Chip Cowell Jay Carlton
	City Administrator:	Tom Fullen
	Building Official:	Henry Rivas
	City Engineer:	Steve Byington
	City Attorney:	John Hightower
	Assistant to the City Secretary:	Jessica Pierce

- A. Call to order and the roll of elected and appointed officers will be taken.

With a quorum of the Council Members present, Mayor Pappas called the meeting to order at 6:01 p.m.

- B. **Fire Chief Howard Miller led the Pledge of Allegiance followed by a prayer by Mayor Pappas.**

- C. PUBLIC COMMENTS *At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, if a member of the public comments or inquiries about a subject that is not specifically identified on the agenda, a member of council or a staff member may only respond by giving a statement of specific factual information or by reciting existing policy. The City Council may not deliberate or vote on the matter.*

Diane Roberts made comments complementing the road work Century Concrete Construction did on Hampton Ct.

- D. REPORTS

1. City Treasurer Monthly Report - **Tom Fullen, City Administrator presented this report.**
2. Police Commissioner Monthly Report – **Ray Schultz, Police Chief presented this report.**

3. Fire Commissioner Monthly Report – **Howard Miller, Fire Chief presented this report.**
4. Building Official Monthly Report – **Henry Rivas, Building Official, presented this report.**
5. City Engineer Monthly Report – **Steve Byington, City Engineer, presented this report.**
6. City Administrator Report – **No Report.**
7. Mayor and Council Reports and Comments – **Mayor reported on the other villages elections in May. Councilmember Cowell reported on HB 2789.**

E. CONSENT AGENDA *The following items are considered routine by the City Council and will be enacted by one motion. There will not be a separate discussion on these items unless a Councilmember requests, in which event, the item will be removed from the general order of business and considered in its normal sequence on the agenda.*

1. Approval of the Minutes of the Regular Meeting on February 28, 2023.
2. Approval of the Cash Disbursement Journal for February 2023.
3. Approval of the 4th 2022 Quarterly Investment Report.
4. Approval of the Building Code Effectiveness Grading Schedule Results.

Councilmember Marks made a motion to approve the Consent Agenda. Councilmember Carlton seconded the motion and the motion carried unanimously.

F. REGULAR AGENDA

1. Discussion and possible action to approve Change Order #2 to reduce the contract with J Rivas Construction, LLC – (Close Out) for the Hunters Grove Lane Reconstruction in the amount of (\$6,242.50).

Councilmember Marks made a motion to approve Change Order #2 to reduce the contract with J Rivas Construction, LLC – (Close Out) for the Hunters Grove Lane Reconstruction in the amount of (\$6,242.50). Councilmember Carlton seconded the motion and the motion carried unanimously.

2. Discussion and possible action to award a contract to AR Turnkey Construction in the amount of \$496,202.00 for the 2022 Outfall Rehabilitation and Repairs Project [Outfalls #7, #11, #20].

Councilmember Cowell made a motion to award a contract to AR Turnkey Construction in the amount of \$496,202.00 for the 2022 Outfall Rehabilitation and Repairs Project [Outfalls #7, #11, #20]. Councilmember Knox seconded the motion and the motion carried unanimously.

3. Discussion and possible action to approve a proposed settlement agreement in the lawsuit styled Ken Owen v. Verizon Wireless Services, LLC and City of Hunters Creek Village; Cause No. 2022-50076, in the 125th Judicial District Court of Harris County, Texas.

Councilmember Marks made a motion to approve a proposed settlement agreement in the lawsuit styled Ken Owen v. Verizon Wireless Services, LLC and City of Hunters Creek Village; Cause No. 2022-50076, in the 125th Judicial District Court of Harris County, Texas. Councilmember Cowell seconded the motion and the motion carried unanimously.

4. Discussion and possible action to adopt a resolution suspending CenterPoint Energy's 2023 Annual Gas Reliability Infrastructure Program ("GRIP") rate adjustment for 45 days.

Councilmember Cowell made a motion to adopt a resolution suspending CenterPoint Energy's 2023 Annual Gas Reliability Infrastructure Program ("GRIP") rate adjustment for 45 days. Councilmember Knox seconded the motion and the motion carried unanimously.

5. Discussion and possible action to approve or object to CenterPoint Energy Houston Electric, LLC's Annual Franchise Fee Calculation.

Councilmember Cowell made a motion to approve CenterPoint Energy Houston Electric, LLC's Annual Franchise Fee Calculation. Councilmember Marks seconded the motion and the motion carried unanimously.

6. Discussion and possible action to decide whether or not to decline the 2023 consumer price index adjustment to the City's telecommunications right-of-way access line rates.

Councilmember Sapien made a motion to accept the 2023 consumer price index adjustment to the City's telecommunications right-of-way access line rates. Councilmember Knox seconded the motion and the motion carried unanimously.

7. Discussion and possible action to approve an amendment to the Village Fire Department's 2023 budget in the amount of \$180,000 for Vehicle Expenditures.

Item taken out of order.

Councilmember Carlton made a motion to approve an amendment to the Village Fire Department's 2023 budget in the amount of \$180,000 for Vehicle Expenditures. The budget amendment will not increase Hunters Creeks 2023 assessments. Councilmember Marks seconded the motion and the motion carried unanimously.

8. Discussion and possible action to approve an amendment to the Village Fire Department's 2023 budget in the amount of \$49,958.38 for computer/radio equipment and protective gear with Hunters Creek portion being \$11,115.74.

Item taken out of order.

Councilmember Sapien made a motion to approve an amendment to the Village Fire Department's 2023 budget in the amount of \$49,958.38 for computer/radio equipment and protective gear with Hunters Creek portion being \$11,115.74. Councilmember Knox seconded the motion and the motion carried unanimously.

9. Discussion and possible action to adopt an ordinance amending chapter 10 of the code of ordinances of the city of Hunters Creek Village to add an exception to the limitation on front yard paving for certain corner lots in the residential district; providing an effective date; providing a penalty of up to \$2000 for each offense; and making other provisions related to the subject.

Item taken out of order.

Paul Sethna made comments in favor of adopting the ordinance.

Councilmember Cowell made a motion to adopt the proposed ordinance amending chapter 10 of the code of ordinances of the city of Hunters Creek Village to add an exception to the limitation on front yard paving for certain corner lots in the residential district, with a change to the last line of the proposed ordinance to add the phrase "and rear" between the words "side" and "yard" in the last line of Exhibit A. Councilmember Carlton seconded the motion and the motion carried unanimously.

10. Discussion and possible action to approve a proposal from Van Sant Landscape in the amount of \$31,975.00 for City Median Landscape Beautification for the 1st esplanade south of I-10 on Voss Road.

Councilmember Cowell made a motion to approve the proposal from Van Sant Landscape in the amount of \$31,975.00 for City Median Landscape Beautification for the 1st esplanade south of I-10 on Voss Road. Councilmember Knox seconded the motion and the motion carried unanimously.

11. Discussion and possible action to appoint Scott Frankel to Position #5 on the Zoning Board of Adjustment.

After first acting to approve this item, the Council took action to rescind its prior action. Councilmember Cowell made a motion to rescind the prior action and take no further action on this item. Councilmember Sapien seconded the motion and the motion carried unanimously. Scott Frankel will continue to serve in Position No. 6 on the Board of Adjustment.

12. Discussion and possible action to appoint Brady Dodson to Alternate Position #6 on the Zoning Board of Adjustment.

Councilmember Marks made a motion to take no action on this item. Councilmember Sapien seconded the motion and the motion carried unanimously. Brady Dodson will continue to serve in Position No. 7 on the Board of Adjustment.

13. Discussion and possible action to appoint Arya Majed to Alternate Position #7 on the Zoning Board of Adjustment.

Councilmember Sapien made a motion to appoint Arya Majed to Alternate Position #8 on the Zoning Board of Adjustment. Councilmember Marks seconded the motion and the motion carried unanimously.

14. Discussion and possible action to appoint Paul Gregory to Alternate Position #8 on the Zoning Board of Adjustment.

Councilmember Sapien made a motion to appoint Paul Gregory to Alternate Position #9 on the Zoning Board of Adjustment. Councilmember Knox seconded the motion and the motion carried unanimously.

15. Discussion and possible action to appoint Bryan D'Agostino to Alternate Position #9 on the Zoning Board of Adjustment.

Councilmember Cowell made a motion to take no action on this item. Councilmember Knox seconded the motion and the motion carried unanimously.

- G. EXECUTIVE SESSION It is anticipated that all, or a portion of the discussion of the following items, if any, will be conducted in closed executive session under authority of the Texas Open Meetings Act. However, no action will be taken on these items until the City Council reconvenes in open session.

At 7:53 pm the mayor announced that the city council was recessing into closed executive session under the personnel exception.

- H. RECONVENE into Open Session and consider action, if any, on items discussed in Executive Session.

Council reconvened into Open Session at 8:10 pm. No action was taken during the executive session.

- I. ADJOURNMENT


At 8:11 p.m., Councilmember Carlton made a motion to adjourn. Councilmember Marks seconded the motion and the motion carried unanimously. The meeting adjourned at 8:11 p.m.

These minutes were approved on the 25th day of April, 2023.



Jim Pappas, Mayor

ATTEST:



Tom Fullen, City Administrator
Acting City Secretary

