

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE REGULAR
CITY COUNCIL MEETING
October 26, 2010

The City Council of the City of Hunters Creek Village, Texas held its regular meeting on Tuesday, October 26, 2010, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor	David Wegner
	Council Members:	Bonnie McMillan
		Norm Wigington
		Michael Schoenberger
		Jim Pappas
	City Secretary:	Deborah Loesch
	City Attorney:	John Hightower
	City Engineer:	Charles Eastland

With a quorum of the Council Members present, Mayor David Wegner called the session to order at 6:00 p.m. with the pledge of allegiance led by Charles Eastland. It was noted that Councilmember Steve Reichel and City Treasurer Doug Abbott were not in attendance.

PUBLIC COMMENTS

Bruce Shelby, representing Hunters Creek Elementary School, regarding concerns of limited sight distance for residents on Wade Hampton having difficulty of entering Beinhorn from Wade Hampton due to the front parking spaces on Beinhorn. They were requesting approval of the Council to install convex mirrors to improve visibility. The mirrors would be purchased by the school. An item will be placed on the next council agenda to consider the placement or other alternatives.

REPORTS

1. City Engineer's Report as reported by Charles Eastland:
 - a. Kemwood paving and drainage improvement project. Work is underway with the storm sewer excavation the week of the October 25th.
 - b. Future projects identified for storm water drainage improvements:
 - Storywood. No update to report.
 - Bryn Mawr. Designs are proceeding for completion in the fall.
 - Saddlewood and Wellesley. Continuing the design with completion expected by the end of the year anticipating construction to begin in late spring 2011.
 - c. Replacement of Hedwig Road bridge over Soldiers Creek by Piney Point Village and proposed Master Drainage Plan for Piney Point. TxDOT has awarded the bridge reconstruction project to Lone Star Road Construction, LTD. The project

is a 161 day contract which includes one other bridge in Harris County. A pre-construction meeting was held on October 18 and copies of the minutes from that meeting have been requested. Hedwig Road will be closed both ways during construction. The City Engineer has confirmed that the project will not create additional capacity into the creek through Hunters Creek Village.

- d. Status of various projects under consideration:
 - (1) Voss Road Curve Barrier Walls Maintenance. Bid opening for the project is scheduled for November 2, 2010.
 - (2) Willowend at Wickline ravine maintenance. The engineering is underway to correct the separated culvert crossing. Working with Metro City Construction for a proposal for the work as a change order to the Kemwood contract.
 - (3) Voss Road and Soldiers Creek sidewalk settlement. The sidewalk along the west side of Voss Road, south of Smithdale has settled and shifted as the result of the retaining wall along the right-of-way slowing shifting and pulling the sidewalk with it. The issue will worsen over time and should be addressed in the capital improvement project budget. There are some areas that can be temporarily addressed to remove some “toe stubbers” until the problem can be permanently repaired.
2. City Treasurer - monthly financial and budget reports. Doug Abbott, City Treasurer, was not present for the meeting. Deborah Loesch, City Administrator/City Secretary, presented the monthly financial and budget reports for September 2010 and the Quarterly Investment Report for the 3rd quarter of 2010. There were no comments on the reports.
3. Police Commissioner. Police Chief Gary Brye reported that the department continues to operate under budget for the year. National Night Out was held on October 25 with 300-350 residents attending. Chief Byre also reported on the group insurance renewals for 2011 and that the contract with Texas General Land Office for electricity rates has been renegotiated for a 3 year period presenting a 10% savings. He also reported that in September there were no burglaries or robberies reported.
4. Fire Commissioner. No report was presented.
5. Mayor and Council Reports and Comments.
 - a. Mayor Wegner reported on the status of the I-10 noise/sound study now that it has been completed. He reported that he has provided U.S. Representative John Culberson’s office staff with this information. As well the City of Hedwig Village has been involved in this issue offering an alternative proposal to the traditional sound wall proposing a pavement treatment “open graded asphalt” to be overlay on the service roads along the freeway. This type of surface will help control splash and hydroplaning, reduce noise, and enhance the quality of storm

water runoff. Studies have shown that this type of treatment reduces noise levels by an average of 8 decibels and improved surface friction by more than 200 percent. The cost of installation of this type is significantly less expensive than the transparent sound wall option. Further reports will be forthcoming over the next months.

- b. Report from the Building Official regarding proposed changes to regulations relating to the expiration of building permits. This matter has been a concern where there has been ongoing work on a building permit that continues beyond the term of the permit. Council had asked the Building Official to see how the ordinances could be tightened to encourage the contractor to finish the construction and not let it continue for years. Tom Fullen, the City's Building Official, was proposing a deposit for new home construction and providing for the forfeiture of that deposit if certain exterior work was not complete by the end of the term of the permit. The City Attorney had concerns and therefore Council requested that the City Attorney work with the Building Official to redefine the regulations to improve the enforcement of the completion of these building permits. A proposed ordinance will be presented at the next Council meeting.

CONSENT AGENDA. A motion was made by Councilmember McMillan with a second by Councilmember Schoenberger, the Council voted unanimously to approve and adopt consent agenda items 1 through 2 as follows:

1. Approval of the Minutes of the September 28, 2010 meetings.
2. Approval of the Cash Disbursement Journal for September 2010.

REGULAR AGENDA

3. Discussion and possible action to consider a resolution naming a Fire Commissioner to the Board of Commissioners of the Village Fire Department.

A motion was made by Councilmember Pappas with a second by Councilmember Wigington to nominate David Wegner as the Fire Commissioner for Hunters Creek Village and approve Resolution No. 2010-10 naming David Wegner as the Commissioner replacing Steve Reichel. The motion carried.

Voting: Aye (3) - McMillan, Wigington, Pappas
Abstain (1) – Schoenberger

It was noted for the record that Councilmember Schoenberger stated that he no longer wished to serve as the alternate. Since there was no action item for this on the agenda, this will be taken up at the next Council meeting.

4. Discussion and possible action to consider acceptance of an Easement to the City of Hunters Creek Village, Texas from Monte M. Sneed and Dana C. Sneed for drainage facilities for the Glendenning drainage work.

A motion was made by Councilmember Schoenberger with a second by Councilmember McMillan to accept the easement as presented. The motion carried unanimously.

5. Discussion and possible action to approve Ordinance No. 761 adopting amendment #4 to fiscal year budget 2010 to appropriate \$50,000.00 for the Glendenning storm drainage repairs.

A motion was made by Councilmember Wigington with a second by Councilmember McMillan to approve Ordinance No. 761 adopting budget amendment #4 for fiscal year budget 2010. The motion carried unanimously.

6. Discussion and possible action to approve Change Order No. 1 to Metro City Construction for \$49,960.00 to include the Glendenning drainage work in the Kemwood paving and drainage improvement project.

A motion was made by Councilmember Schoenberger with a second by Councilmember McMillan to approve Change Order No. 1 to the Kemwood paving and drainage project and authorize the mayor to execute the change order on behalf of the city. The motion carried unanimously.

7. Discussion and possible action to consider the award of the contract for bank depository services and safekeeping agreement.

A motion was made by Councilmember McMillan with a second by Councilmember Schoenberger to award the contract to Wells Fargo Bank. The motion carried unanimously.

8. Discussion and possible action to consider regulations allowing private streets.

A draft ordinance was presented to Council for discussion. Considering the provisions that need to be addressed in these regulations, it was agreed that these proposed regulations are a work in progress and further discussions need to continue with the City Attorney and staff. A motion was made by Councilmember Pappas with a second by Councilmember Schoenberger to table the item to the next Council meeting. The motion carried unanimously.

9. Discussion and possible action to consider regulations for placement of fences along rear yards when the rear yard is adjacent to a public street. This item was tabled from the September 28, 2010 meeting.

Council received comments from Ron Pruett on this proposal. Mr. Pruett stated that since these regulations are the specific to his property, he felt it was necessary to address this with the Council and that he was not in favor of any regulations requiring the fencing. He has enjoyed having the view from his back yard and would prefer not to put up a back yard (rear) fence. He has been a good neighbor and does not feel that his fence or the lack of a fence poses any security issues for his neighbors. Also the residents of Smithdale would like to see the cut through at his property maintained and not closed off.

He requested Council to drop this issue from the agenda that would force him to build a fence and prefers the green (shrubs) fencing to wood.

The item died due to the lack of a motion. No action was taken on this item.

10. Discussion and possible action to consider regulations permitting the use of golf carts on public streets. This item was tabled from the September 28, 2010 meeting.

A motion was made by Councilmember Pappas with a second by Councilmember Schoenberger to table the item for the next meeting to allow Councilmember Pappas to bring back further information on this. The motion carried unanimously.

11. Discussion and possible action to consider regulations pertaining bicycles and bicycle paths. This item was tabled from the September 28, 2010 meeting.

A motion was made by Councilmember McMillan with a second by Councilmember Schoenberger to allow Councilmember Wigington to form a committee to explore improvements to the hike and bike trails in the city and the surrounding areas. The motion carried unanimously.

12. Discussion and possible action to consider the term for variances granted by the Zoning Board of Adjustment. This item was tabled from the September 28, 2010 meeting.

The item died due to the lack of a motion. No action was taken on this item.

13. Discussion and possible action to consider an amendment to the zoning ordinance relating to Automobile Shelters, Chapter 44, Section 44-161, and consider forwarding the proposed amendment to the Planning and Zoning Commission for their review and recommendation.

Tom Fullen, Building Official, presented a proposal to amend the zoning ordinance regarding the placement of automobile shelters on corner lots, indicating that the corner lot is more restrictive for the orientation on the lot than on an interior lot. The proposed amendment would allow for an automobile shelter on a corner lot to face toward the front street provided such opening is at least 50 feet to the rear of the front line of the dwelling. This is the same allowed for interior lots.

A motion was made by Councilmember Pappas with a second by Councilmember Schoenberger to forward this proposal to the Planning and Zoning Commission for their review and recommendation. The motion carried unanimously.

14. Discussion and possible action to consider rescheduling the regular council meetings for November and December 2010.

A motion was made by Councilmember Pappas with a second by Councilmember Schoenberger to combine the November and December meetings and hold the next meeting on Tuesday, December 7, 2010 at 6:00 p.m. The motion carried unanimously.

15. Discussion and possible to consider the employees' group health, dental, life, AD&D, LTD, and supplemental insurance coverage for 2011 and authorize the mayor to execute agreements related to this matter.

A motion was made by Councilmember Schoenberger with a second by Councilmember Wigington to request to remain in the Villages Mutual Insurance Purchasing Cooperative

to purchase group insurance coverage for employees for 2011. The motion carried unanimously.

A motion was made by Councilmember Schoenberger with a second by Councilmember McMillan to approve all agreements necessary to remain in the Cooperative and authorize the Mayor to execute such agreements on behalf of the City. The motion carried unanimously.

16. Discussion and possible action to accept the resignation of Ray Thomas as representative for Hunters Creek Village on the Villages Mutual Insurance Cooperative Board and appoint a replacement.

A motion was made by Councilmember McMillan with a second by Councilmember Schoenberger to accept the resignation of Ray Thomas. The motion carried unanimously.

A motion was made by Councilmember McMillan with a second by Councilmember Wigington to appoint Deborah Loesch as the city's representative to the Cooperative Board. The motion carried unanimously.

ADJOURN OPEN MEETING

A motion was made by Councilmember Schoenberger with a second by Councilmember Pappas to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:10 p.m.

Respectfully submitted,



Deborah L. Loesch, TRMC
City Administrator/City Secretary

These minutes were approved on the 7th day of December, 2010.

Ordinance No. 761 and Resolution No. 2010-10 are on file in the office of the City Secretary and are made a part of these minutes by reference.