

CITY OF HUNTERS CREEK VILLAGE, TEXAS  
MINUTES OF THE REGULAR  
CITY COUNCIL MEETING  
April 23, 2013

The City Council of the City of Hunters Creek Village, Texas held its regular meeting on Tuesday, April 23, 2013, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor	David Wegner
	Council Members:	Steve Reichek
		Fidel Sapien
		Bonnie McMillan
		Michael Schoenberger
		Jim Pappas
	City Administrator/	
	City Secretary:	Deborah Loesch
	City Treasurer:	Doug Abbott
	City Attorney:	John Hightower
	Special Legal Counsel:	J. Grady Randle

With a quorum of the Council Members present, Mayor David Wegner called the session to order at 6:00 p.m. followed by the pledge of allegiance led by Eagle Scout Grahme Wallace.

A Proclamation was presented to Grahme David Wallace in recognition of his achievement of rank of Eagle Scout.

PUBLIC COMMENTS

Suzie Golding, on Bridlewood, requested Council to consider naming the green space at Saddlewood & Memorial as "Hunters Park". She stated she might be willing to make some contribution towards the cost of a drinking/pet bowl fountain in the area. Councilmember Reichek requested that an item be placed in the next agenda to consider naming the area as a park.

REPORTS

Treasurer's Report. Doug Abbott, City Treasurer, presented the monthly financial reports for the month of March 2013, along with the 1<sup>st</sup> quarter 2013 investment report, reporting that all bank accounts were reconciled without adjustments. He advised the Council that the annual audit field work will be delayed until the construction activities at city hall are almost complete providing the additional work space for the auditors. Additional information has been provided to the City on the pending lawsuit on Las Alamedas for delinquent property taxes. A settlement agreement has been reached and is being

circulated among the parties. The settlement agreement indicates a potential buyer of the property, Hedwig Development Company. An estimated \$30,000 is due to Hunters Creek for delinquent property taxes.

Police Commissioner. Interim Chief Roy Osborne reported that the department continues with their investigations on the recent burglaries and the Commission is moving forward with the application and interview process for the position of Police Chief. Over 100 applications have been received for the position and all applicants appear are highly qualified individuals. More information will be provided as the process continues. At this time they have not begun the budget process.

- a. Presentation of Crime Prevention Awards to Laura Pipkin and Kathy Johnson. The MVPD has started a new program of recognizing residents who have informed the Police Department when suspicious activities are occurring in their neighborhoods. Observations and information on these types of activities helps the Police to respond quickly and prevent further criminal activities. Laura Pipkin and Kathy Johnson, both Hunters Creek residents, received the first awards for the information tips that helped in capturing a group trying to burglarize homes in their neighborhood.
- b. Discussion and possible action to consider an amendment to the Memorial Villages Police Department Interlocal Cooperation Agreement regarding the composition and voting rights of the Board of Commissioners.

After a discussion of the proposal to amend the interlocal agreement to provide for additional voting commissioners from each city, a motion was made by Councilmember Reichel with a second by Councilmember McMillan to table the item for the May meeting. The motion carried unanimously.

Fire Commissioner. Councilmember Pappas reported that budget workshop meetings were held with the Mayors and Councils of all the cities. The budget for 2014 is about 1% less than provided for in the 2013 budget. Additional funds were spent to abate a mold problem in the Fire Station. The ISO inspections have been completed.

Mayor and Council Reports and Comments:

- a. Report on Saddlewood/Memorial park area enhancement and Eagle Scout project for the area. Mayor Wegner advised Council that the area is being improved to provide a pleasant spot along the walking trail which will include some park benches and a drinking water fountain and pet bowl. Recent improvements include concrete curb, split rail fencing, crushed granite walk areas. Logan Walker has asked to do his Eagle Scout project in this area to provide and install 2 park benches that will be a memorial to 2 long time resident volunteers – Benny Hruzek (Police Commissioner) and Russ Schulze ( Board of Adjustment Chair).

- b. Comments from Mayor on current and future issues affecting the city. Mayor Wegner stated that he is pleased that many of the controversial issues that came up over the course of his terms have finally been resolved and positive things are going forward. He is willing to stay on as the Police Commissioner while the reorganization of the department continues.
- c. Update from the City Attorney on the Court of Appeals case *Riner, et al vs. Planning & Zoning Commission, et al.* This item was discussed during Executive Session.
- d. Comments or suggestions for items to include on future agendas. Councilmember McMillan requested to discuss the drainage impact that the redevelopment (new construction) of properties has on existing lots/residences.

Building Official Report.

- a. Tom Fullen, Building Official, reviewed the report of new residences under construction through April 22, 2013 with 33 new residences currently under construction. Council was advised that the Chinese Baptist Church at 900 Brogden Road is planning to expand its worship facilities.

City Administrator Report.

- a. Update on City Hall Addition & Renovations project. Deborah Loesch reported that the project was moving along with framing, brick, re-routing of mechanical duct work and additional fire alarm installations. Several change orders are needed to provide for the additional work on the fire alarm, mill work, key/locking system upgrades, lighting, and roofing. Court security funds can be used to cover the expenses for the security and fire alarm systems as well as the locking/keying upgrades. The changes are provided in the budget amendment #2 proposed for consideration.

City Engineer's Report. Charles Eastland, City Engineer, presented his report on the following Public Works projects:

- a. Traffic signal timing/phasing/synchronization at intersections of Voss at Memorial and Voss at Beinhorn. New timing of the 2 intersections has been implemented, including synchronization of the 2 signals. The Memorial/Voss signal has morning, evening and off-peak timing plans with the Voss/Beinhorn signal having only one single timing plan due to age of the controller. The adjustments seem to result in significant reductions in traffic delays and clearing queues for each phase.
- b. Voss Road at Soldiers Creek Bridge rehab project. Expect completion of construction plans by mid May.

- c. Roadway damage at 518 Wellesley. The City Attorney sent out a demand letter to the irrigation contractor and the property owner regarding the street damage and the estimated costs of repairs.
- d. Lindenwood Open Ditch Drainage Issues. Continue to monitor the north section of Lindenwood in respect to perpetual residual ponding in the ditches. Estimated cost to regrade ditches and reset culverts and driveway aprons is \$130,000 for the north/east side of Lindenwood. This scope would not include the additional storm sewer under the ditches initially proposed for the east side of the road.
- e. Erosion study for Soldiers Creek. The proposal for the study was initially presented in March for a cost of \$50,000. The report would identify approximately 600 linear feet of creek south of Memorial in need of stabilization.
- f. North Hedwig Road improvements by Piney Point Village. Comments were submitted to HCR on March 28<sup>th</sup> and there has been no further communication with them since that time.
- g. Drainage easement at #2 Hedwig Shadows to Soldiers Creek. This could be a private property issue.
- h. Update on Piney Point Village's Soldiers Creek Impact Study review and impact at Wickline Ravine. Cobb Fendley is continuing its review and working with HCFC.

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

- 1. Approval of the Minutes of the March 26, 2013 and April 12, 2013 meetings.
- 2. Approval of the Cash Disbursement Journal for March 2013.

REGULAR AGENDA

- 3. Discussion and possible action to consider the date for the May regular council meeting.

There was discussion with no formal action taken as the Council meeting in May would be held at its regular date and time.

- 4. Discussion and possible action to consider authorization of legal action on claim for street damages at 518 Wellesley.

Discussion was held in a Closed Session with the City Attorney as authorized under Section 551.071 of the Texas Government Code.

A motion was made by Councilmember McMillan with a second by Councilmember Schoenberger to authorize the City Attorney to file a lawsuit against the contractor for damages. The motion carried unanimously.

5. Discussion and possible action to adopt a resolution urging the state legislative delegation to advocate for noise mitigation measures related to the expanded US Hwy IH-10 (Katy Freeway).

A motion was made by Councilmember Pappas with a second by Councilmember Schoenberger to approve Resolution No. 2013-08 urging the state legislative delegates to advocate with TXDOT to fund noise mitigation measures related to the expansion of IH-10 (Katy Freeway). The motion carried unanimously.

6. Discussion and possible action to consider a revised capital improvement project budget.

Deborah Loesch, City Administrator/City Secretary, provided a proposed draft to revise the capital improvement program projects removing several projects from the list and reassessing funds available for future projects. There was discussion with no formal action taken. Further discussion of projects, priority and funding would be addressed during the budget process for 2014.

7. Discussion and possible action to consider an ordinance adopting amendment #2 to fiscal year budget 2013 providing appropriations for security system improvements for City Hall; additional expenditures related to the City Hall renovations project; and reallocation of funds for capital projects for 2013.

A motion was made by Councilmember Schoenberger with a second by Councilmember McMillan to approve Ordinance No. 811 adopting Amendment #2 to fiscal year 2013 budget. The motion carried unanimously.

8. Discussion and possible action to consider engineering design services for paving improvements to Hunters Creek Drive and Hickory Hollow. *[tabled from previous meeting]*

A motion was made by Councilmember Reichel with a second by Councilmember Pappas to table this item indefinitely. The motion carried unanimously.

9. Discussion and possible action to consider a proposal for an erosion study and report for Soldiers Creek.

A motion was made by Councilmember Reichel with a second by Councilmember Schoenberger to table this item indefinitely. The motion carried unanimously.

10. Discussion and possible action on the Piney Point Village Soldiers Creek Impact Study.

It was noted that Mr. Grady Randle, special legal counsel, was present for this agenda item discussion. A motion was made by Councilmember Pappas with a second by Councilmember Schoenberger to approve the addendum to the Release

and Contract of Settlement adding a paragraph 3(j) as submitted. The motion carried unanimously. The addendum is referred in these minutes by reference only. The original is on file in the City Secretary's office.

A motion was made by Councilmember McMillan with a second by Councilmember Reichek to request that Mayor Wegner continue to represent Hunters Creek with HCFCFCD after his term ends and until all has been resolved. The motion carried unanimously.

Mr. Randle left the meeting at 8:20 p.m.

EXECUTIVE SESSION. The City Council convened a public meeting and then recessed into an executive (closed) session, to discuss the following items listed on the agenda, authorized under Chapter 551 of the Texas Government Code for consultations with the City's attorney under §551.07: (a) potential legal action on claim for damages at 518 Wellesley, and (b) Court of Appeals case *Riner, et al vs. Planning & Zoning Commission, et al* in the 14<sup>th</sup> District Court of Appeals. The Closed Meeting was convened at 8:35 p.m. and adjourned at 8:46 p.m.

ADJOURN OPEN MEETING

A motion was made by Councilmember Reichek with a second by Councilmember Schoenberger to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:46 p.m.

Respectfully submitted,

Deborah L. Loesch, TRMC  
City Administrator/City Secretary

These minutes were approved on the 28th day of May, 2013.

Ordinance No. 811 and Resolution No. 2013-08 are on file in the City Secretary's office and are referred to in these minutes by reference only.