

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE REGULAR
CITY COUNCIL MEETING
December 7, 2010

The City Council of the City of Hunters Creek Village, Texas held its regular meeting on Tuesday, December 7, 2010, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor	David Wegner
	Council Members:	Steve Reichel (Mayor Pro Tem)
		Bonnie McMillan
		Norm Wigington
		Michael Schoenberger
		Jim Pappas
	City Secretary:	Deborah Loesch
	City Attorney:	John Hightower
	City Treasurer:	Doug Abbott
	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 Ed Holland.

PUBLIC COMMENTS

Jimmy Hickman, 10811 Smithdale, stated concerns with the traffic at Hunters Creek Elementary School and the school zone times. He has observed many vehicles speeding and drivers using cell phones. He requested that the school zone times on the flashing beacon lights on Beinhorn be changed to the times posted on Wade Hampton and Flint River which are 7 am to 9 am and 2 pm to 4 pm. Staff will investigate the timing on the flashing light and the Police Chief was requested to step up patrol in the area. In addition, it was requested that the Police Chief to discuss this issue with the Spring Branch ISD police in patrolling the area.

Ed Holland, 314 Shasta, commented on what was the reason for changing to allow for private streets.

REPORTS

1. City Engineer's Report as reported by Charles Eastland:
 - a. Kemwood paving and drainage improvement project. Construction is proceeding with approximately 25% of paving in place and approximately 70% of storm sewer and sanitary sewer completed. Water line work has not started. The Glendenning storm drain will begin construction mid January 2011.

- b. Future projects identified for storm water drainage improvements:
 - Storywood. No update to report.
 - Bryn Mawr. Engineering is complete and waiting for approval from Memorial Villages Water Authority for the water and sewer work. Plans are ready for bidding requesting approval of Council contingent upon approval of the plans by the Memorial Villages Water Authority.
 - Saddlewood and Wellesley. Nearing completion on the design phase with plans to bid during spring 2011.
 - c. Replacement of Hedwig Road bridge over Soldiers Creek by Piney Point Village and proposed Master Drainage Plan for Piney Point. A request has been made to TXDOT for the updated schedule on the construction of replacement bridge.
 - d. Status of various projects under consideration:
 - (1) Voss Road Curve Barrier Walls Maintenance. Three bids were received November 2, 2010 with TOPCO the low bidder at \$48,880. Recommending award of the bid to TOPCO.
 - (2) Willowend at Wickline ravine maintenance. The engineering has been completed to correct the separated culvert crossing. Currently negotiating with Metro City for a change order to the Kemwood project to do this work.
2. City Treasurer - monthly financial and budget reports were presented by Doug Abbott, City Treasurer. Councilmember Steve Reichel requested Mr. Abbott's opinion regarding the accounting for unfunded liability for health care costs for post retirement health insurance benefits.
 3. Police Commissioner. Commissioner Benny Hruzek and Police Chief Gary Brye reported on the activities of the department. Commissioner Hruzek reported that the department continues to operate under budget for the year by approximately \$180,000. Councilmember Reichel commented that he would like to see the access funds at the end of each year be used to pay down the unfunded liability in the pension funds. For next year, the department is looking at replacing the generator. Chief Brye reported that the crime rate is minimal with no burglaries or robberies occurring in the past months. However, there have been some outside of the villages in neighboring areas of City of Houston. The department has been working through the DARE program with the Youth Services Commission with about 3400 children in the area.
 4. Fire Commissioner. Chief David Foster reported that in the last 9 weeks since he started with the department there have been significant changes made that has decreased response time in getting out of the station; changes in staffing to man a 2nd ambulance from the crew on the ladder truck. The department is operating \$160,000 under budget. Additional changes have been made to remodel the bunk room to give more privacy, improved lighting and seating. The Assistant Fire Chief's position has been eliminated.

A capital replacement and capital outlay program for future years has been presented to the Board for consideration. There was a discussion on the phase out of health insurance for retirees by 2015. Councilmember Reichek asked if there was any consideration of continuing the coverage if the retiree paid 100% of the premium costs.

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

A motion was made by Councilmember Reichek with a second by Councilmember Wigington to appoint Councilmember Jim Pappas as the Alternate Fire Commissioner under Resolution No. 2010-11. The motion carried unanimously.

- b. Discussion and possible action to consider changes in the retiree insurance program for the Village Fire Department.

The Mayor reported that since this was a policy change that is under the authority of the Board of Commissioners, therefore no action was required by Council. He was reporting the change to the Council. There was discussion regarding the continuation of the coverage for retirees if the retiree paid 100% of the costs. There was a unanimous consensus of the Council that the health insurance coverage for retirees should continue after 2014 provided the retiree pays 100% of the premium costs. A request was made to have Ray Thomas, insurance consultant to the City and the Fire Department, attend the next meeting to discuss the impact of this matter.

- c. Discussion and possible action for approval to allocate excess funds from 2010 Village Fire Department budget for capital replacement fund.

A motion was made by Councilmember Reichek with a second by Councilmember McMillan to approve the allocation of the excess funds from 2010 to the capital replacement fund. The motion carried unanimously.

- d. Discussion and possible action for approval to reduce the 2011 Village Fire Department budget by \$250,000.

A motion was made by Councilmember Reichek with a second by Councilmember Schoenberger to approve amending the 2011 budget reducing by \$250,000. The motion carried unanimously.

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 and is now waiting on his office to respond.

- b. Redistricting Hearing on Congressional District 7. Mayor Wegner reported that hearings have begun on the redistricting plan which occurs every 10 years after the census reports are issued.
- c. Deborah Loesch reported that the City will be participating in a student internship program with Kinkaid Academy. This is a 3 week program beginning in January 2011 that gives students an opportunity to explore first hand observation and experience in the work place.
- d. Comments or suggestions for items to include on future agendas. Councilmember McMillan would like to review regulations that could improve line of sight or visibility issues that exist throughout the City. Councilmember Schoenberger asked the status of the amendments to the tree ordinance. Councilmember McMillan reported that it is a work in progress and will be brought to Council in the next few months.

CONSENT AGENDA. A motion was made by Councilmember Reichek with a second by Councilmember Pappas, the Council voted unanimously to approve and adopt consent agenda items 1 through 7 as follows:

- 1. Approval of the Minutes of the October 26, 2010 meeting.
- 2. Approval of the Cash Disbursement Journal for October 2010.
- 3. Approval of an interlocal agreement with Harris County for the housing of city prisoners for a period of January 1, 2011 to December 31, 2011.
- 4. Approval of the continuance of the STEP program with the Memorial Villages Police Department based on funds budgeted for fiscal year 2011.
- 5. Approval of an agreement with Joe B. Garrett, Jr. for building, electrical, mechanical and plumbing inspection services.
- 6. Approval of an interlocal agreement with Harris County Public Health and Environmental Services for food establishment permitting and inspections.
- 7. Approval of Resolution No. 2010-12 establishing the day and time for Municipal Court to be held; designating the Municipal Court judges and prosecutors; setting the compensation for judges and prosecutors; and designating the City Administrator/City Secretary as the Court Administrator and providing for responsibilities and duties of the Court Administrator.

REGULAR AGENDA

- 8. Discussion and possible action regarding limited visibility issues at the intersection of Beinhorn and Wade Hampton.
Staff reported that Hunters Creek Elementary School has decided to revamp the parking

spaces in front of the school to move the handicapped spaces to the area closest to Wade Hampton reducing the visibility issue. Therefore, the request for the placement of a mirror at the intersection has been withdrawn. There was discussion with no formal action taken.

9. Discussion and possible action to award the bid for the Voss Road Guard Rail Improvement project.

A motion was by Councilmember McMillan with a second by Councilmember Reichel to award the bid for the project to TOPCO as low bidder for \$48,880.00. The motion carried unanimously.

10. Discussion and possible action to authorize staff to solicit bids for the Bryn Mawr paving and drainage improvement project.

A motion was made by Councilmember Schoenberger with a second by Councilmember McMillan to authorize staff to solicit for bids for the Bryn Mawr paving and drainage improvement project upon the condition of approval by the Memorial Villages Water Authority. The motion carried unanimously.

11. Discussion and possible action to consider appropriate action regarding a substandard structure at #2 Magnolia Bend.

Charles Eastland, City Engineer, reported that an investigation of this property was done to assess the structural condition of the foundation. The investigation was initiated to determine if the foundation would be considered a substandard structure. Based on the report prepared by the City's Engineer, the structural integrity of the slab is severely compromised and could not be used to support a home in its current state. In addition the slope stability issues along the bayou will continue to degrade in future storm events without any major stability project done. Major issues could arise if the structure were to collapse into the bayou. The issues observed would meet the requirements in Section 18-226 of the City's Code of Ordinances for determining the structure as substandard.

No formal action was taken. The Council directed the Building Official to contact the property owner by letter (certified and regular mail) advising them of the existing problems and advise that it may be proper for them to demolish the foundation. This will be addressed further for formal action if necessary at the January 25, 2011 meeting.

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

There was discussion with the item being tabled to the January 25, 2011 meeting and the City Attorney to rewrite portions of the ordinance. A motion was made by Councilmember McMillan with a second by Councilmember Schoenberger to table the item to the January 25, 2011 Council meeting. The motion carried unanimously.

13. Discussion and possible action to consider amendments to Chapter 10 of the Code of Ordinances relating to the expiration of building permits.

A draft ordinance was reviewed with the address concerns that construction permits are not being completed and the permits are expiring before the work is finished. The purpose of the regulations would encourage contractors/owners to complete the construction in a timely manner. There was concern in the language in the draft reviewed

and the City Attorney will work on rewriting language that would provide for the council to extend the permit beyond the term and to include penalties. The item was tabled to the January 25, 2011 meeting.

14. Discussion and possible action to consider regulations permitting the use of golf carts on public streets.

A motion was made by Councilmember Pappas with a second by Councilmember Reichek to approve Ordinance No. 762 allowing the use of golf carts on public streets. The motion carried unanimously.

15. Discussion and possible action to consider the final report and recommendation from the Planning and Zoning Commission regarding proposed amendments Section 44-161 to the zoning chapter of the Code of Ordinances relating to regulations in District R for the placement of automobile shelters on corner lots and to call for a public hearing on the proposed amendments.

The Planning and Zoning Commission presented the Final Report and Recommendation for the amendment to the zoning chapter for the placement of automobile shelters on corner lots.

A motion was made by Councilmember Reichek with a second by Councilmember McMillan noting receipt of the Final Report from the Planning and Zoning Commission and calling for public hearing to be held on January 25, 2011 at 6:00 p.m. The motion carried unanimously.

ADJOURN OPEN MEETING

A motion was made by Councilmember Reichek with a second by Councilmember Pappas to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 9:22 p.m.

Respectfully submitted,



Deborah L. Loesch, TRMC
City Administrator/City Secretary

These minutes were approved on the 25th day of January, 2011.

Ordinance No. 762 and Resolution Nos. 2010-11 and 2010-12 are on file in the office of the City Secretary and are made a part of these minutes by reference.