

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE REGULAR
CITY COUNCIL MEETING
March 25, 2014

The City Council of the City of Hunters Creek Village, Texas held a regular meeting on Tuesday, March 25, 2014, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor	Bonnie McMillan
	Council Members:	Steve Reichel Fidel Sapien Michael Schoenberger Jim Pappas
	City Administrator/ City Secretary:	Deborah Loesch
	City Attorney:	John Hightower

With a quorum of the Council Members present, Mayor McMillan called the session to order at 6:00 p.m. followed by the pledge of allegiance led by Scout Spencer Redding. It is noted that the vacancy in Council Position #3 remains.

REPORTS

Treasurer Report/City Administrator Report. Doug Abbott, City Treasurer, reported that all bank accounts were fully reconciled without any adjustments and reported that through February 2014 property tax collections were at 96.23%. Deborah Loesch, City Administrator, provided some information on the tax rate and values of other cities in Harris County and compared this information to Hunters Creek, with Hunters Creek continuing to have the lowest tax rate in Harris County. Mr. Abbott advised that the city's auditors are scheduled to be in the office for their field work for audit for fiscal year 2013. They will be here the week beginning April 21st.

Police Commissioner. Police Commissioner Trey Strake and Chief J. D. Sanders were present to discuss the activities in the Police Department. Commissioner Strake expressed his appreciation and the support and patience given the Commission during this transition period and assured the City that the department is working on returning to a sound financial position. Chief Sanders advised the current budget for 2014 appears to be about 1% below budgeted exposures and that the auditors were scheduled to begin work on the audit for FY 2013. A budget workshop for FY 2015 has been planned for April 7 at 7:00 am. "CAPERS" dispatch system has been installed and working on some glitches in the system and have had training sessions for personnel on use of the system. Shift changes have taken place and hopefully providing more visibility on the patrol of the residential streets and neighborhoods.

- a. Discussion and possible action to accept the racial profiling analysis report for January through December 2013 as submitted by the Memorial Villages Police Department.

A motion was made by Councilmember Sapien with a second by Councilmember Reichel to accept the report as presented. The motion carried unanimously.

Fire Commissioner. Councilmember Pappas reported that the Fire Commission did not meet since the last Council meeting and they are scheduled to meet March 26 for their March regular meeting. He also reported two more firefighters have resigned for positions in the Katy Fire Department. He believes that the pool of potential candidates for open positions could increase. They were expecting a large turnout for the next recruiting class. They anticipate that a total of 6 personnel could leave the department by year end either due to retirement or moving to other departments in the area. The Compensation Committee has continued to meet to work towards recruiting and retaining good personnel for the department.

Building Official. Tom Fullen reported that 9 new homes have been started in 2014 which includes 2 starts in the new subdivision, Reynolds Court.

City Engineer. Charles Eastland, City Engineer reported on the following public work projects ongoing:

- a. Voss Road pavement marking repairs and guard rail repairs. Reported that there are no requirements for maintaining the striping on the roadway, however it is important to maintain some reasonable level for safety concerns in the event of any accidents. Either the striping or reflective buttons need to be maintained. Because the roadway is aging, adherence to the pavement is a problem with the paint. The pricing for the pavement markings for paint and labor with no warranty starts around \$11,000, with a cost of \$35,000 for epoxy paint application with a 3 year warranty. Council requested that he revise the scope of the work to provide 2 options: (1) remove all buttons and include installation of epoxy road striping the length of the roadway at intersections, crosswalks, and turn lanes; and (2) remove, replace damaged buttons and install missing buttons with epoxy painting at intersections, crosswalks, and turn lanes.
- b. Pavement repairs at Memorial and Greenbay. The street striping has finally been completed and the project is now closed and submitted for payment.
- c. Voss Road at Soldiers Creek retaining wall project. Pending the resolution of the terms of the construction easement, plans have been finalized and are ready to go out for bid. Council discussed if the easement could not be agreed to, using the alternative access, which would be more annoying to all the neighbors.
- d. North Hedwig Road improvements proposed by Piney Point Village. Construction is scheduled to begin April 7, 2014.
- e. Update on Piney Point Village's Soldiers Creek Impact Study and erosion study and report at Soldiers Creek and Memorial Drive outfall. Investigations have been completed and in the process for putting this information into a report form. Based on review of on-site conditions and soils investigations, the erosion along Soldiers Creek north of the Houston Racquet Club previous improvements appear to be the result of a sand lense just above the flow line of the creek. As sand erodes, the soils above sluff off and fall into the creek, occurring in low and high flow conditions. Repairs proposed will primarily be focused on the northern portion of the creek north of the Houston Racquet Club improvements. In addition we would propose that the outfall from Ripple Creek be conveyed to the main channel to minimize erosion in the area as it currently flows. Also have found no evidence to support claims in the lower section of the creek of major

changes since 2011 other than the fact we are in a major drought period. Old satellite images showed very little water in the creek in that period, but there was very little rain.

- f. Flood gauge monitors for Wickline Ravine and Soldiers Creek at Memorial Drive. The monitor has been received and contact has been made with the contractor for installation. They have scheduled installation on April 14 with Cobb Fendley having a representative on site to be trained in data collection. Michael Barrette will be trained in the data collection.
- g. Willowend Crossing reconstruction. Surveying is complete and plans are in production. Project should be ready to bid by the April Council meeting.
- h. Updating street inventory and assessment report. Council has requested the City Engineer to focus the updating to the worst streets already identified.

Mayor and Council Reports and Comments

- a. I-10 Katy Freeway Noise Reduction Plan. Mayor McMillan stated that the group of mayors were working on getting a meeting with Mayor Parker since the majority of the area involved is in the City of Houston to see if there would be any participation by Houston on the project.
- b. Update on landscaping at 501 Saddlewood. Councilmember Pappas reported that electrical service has been installed for future lighting.
- c. Councilmember Reichek suggested that the new councilmembers coming on board in May should be invited to the next council meetings. Deborah Loesch advised Council that she provided agenda packets to the new members for this meeting and will do so for the next one in April.

PUBLIC COMMENTS

Jay Golding, 10710 Bridlewood, stated his concerns regarding the corner lot at 801Saddlewood (at Bridlewood) that the proposed new construction with the 20' side yard setback on Bridlewood being allowed is not in the best interest of the community as both street frontages should be at 50 feet.

CONSENT AGENDA. A motion was made by Councilmember Pappas with a second by Councilmember Sapien to approve and adopt consent agenda items 1 through 4 as follows, voting unanimously:

- 1. Approval of the Minutes of the February 25, 2014 meeting.
- 2. Approval of the Cash Disbursement Journal for February 2014.
- 3. Approval to accept the 2014 Consumer Price Index (CPI) adjustment to municipal telecommunications rights-of-way access line rates as set by the Public Utility Commission of Texas.
- 4. Approval of Ordinance No. 823 declaring the unopposed candidates for Council Member Position No. 1 (David Wegner), Council Member Position No. 2 (Fidel Sapien), and

Council Member Position No. 3 (Ronnie Weinstein) duly elected and providing that the May 10, 2014 General Municipal Election shall not be held and cancelled.

REGULAR AGENDA

5. Discussion and possible action to consider the temporary access and construction easement for the Voss Road retaining wall repair project.

There was discussion with no action taken. The City Engineer will schedule another meeting with the property owner to work out the details of the easement and also to have a tree survey done. The item is tabled until the terms of the easement have been resolved.

6. Discussion and possible action to consider authorizing the advertising for bids for the Voss Road retaining wall repairs.

The project was tabled to solicit for bids until the required easement is executed by the property owner

7. Discussion and possible action to consider open ditch improvements in the City.

There was discussion with no formal action taken. Under discussion, with the survey and elevations study already done on most of the area, a regarding plan was proposed in prior years which would cost approximately \$300,000, not including the outfall at Lindenwood and Shasta. Resetting the culverts would solve most of the problems; however, storm pipes are running in various directions creating uneven flow. Adjustment of the grading will help but it needs to be consistent throughout the entire ditch system. Any improvements proposed would work around existing drains that are in place not causing flow problems. Future issue is keeping the closed ditches clear. Council requested the City Engineer to complete the survey to include the outfall and the remainder of the area on Lindenwood, south of Shasta, and Shasta to Pineland, as well as pick up recent improvements in the ditches by the property owners. A construction plan for the entire neighborhood will be provided at the April meeting.

8. Discussion and possible action to consider the report and analysis of the Soldiers Creek erosion study.

There was no discussion or action taken; the final report will be presented at the April meeting.

9. Discussion and possible action to consider the final reports and recommendations from the Planning & Zoning Commission on the following proposed amendments to the Zoning Chapter of the Code of Ordinances and call for public hearings on:

- (a) Amending Section 44-160(2) a. "Size of Front Yard" to provide a procedure for designating the front yard for lots that are located on the corner of two streets.

A motion was made by Councilmember Schoenberger with a second by Councilmember Reichel to receive and accept the final report and recommendation of the Planning & Zoning Commission as presented and call for a public hearing to be held on April 22, 2014 at 6:00 p.m. The motion carried unanimously.

- (b) Amending the zoning chapter of the Code of Ordinances to adopt limitations on the amount of hardscape that can be constructed on a lot.

A motion was made by Councilmember Pappas with a second by Councilmember Sapien to table the item. The motion carried unanimously.

- (c) Amending Section 44-160(1)(a) "Size of Lot", to clarify the requirements for calculating the minimum size of lots.

A motion was made by Councilmember Pappas with a second by Councilmember Reichel to receive and accept the final report and recommendation of the Planning & Zoning Commission as presented and call for a public hearing to be held on the proposed amendments on April 22, 2014 at 6:00 p.m. The motion carried unanimously.

- 10. Discussion and possible action to consider a request to change the zoning ordinance to allow for side street facing garages on corner lots, specifically to Section 44-161 of the Zoning Chapter of the Code of Ordinances.

Mr. Don Pattie, with Robert Dame Designs, has proposed a zoning ordinance amendment that would allow side street facing garages, so long as it meets the minimum set back as for front street facing garages. Currently side street facing garages are prohibited in the zoning ordinance.

A motion was made by Councilmember Sapien with a second by Councilmember Schoenberger to forward the proposed amendment to the Planning & Zoning Commission for their review and recommendation, provided an application and fee of \$650.00 is filed before placing the item on the Planning & Zoning agenda. The motion carried unanimously.

- 11. Discussion and possible action to give direction to staff on the use of CodeRED for early warning emergency messages and city related informational messages.

Deborah Loesch, City Administrator, reported that we are continuing to use the Constant Contact system for our emails. There appears to be some confusion if the messages that have gone out from MVPD by phone and text are being received by Hunters Creek residents. A more refined policy and guidelines for using CodeRED for emergency alert messages should be in place. The other cities in the MVPD are using CodeRED for their city email messages. Council agreed that messages from the city needs to be separate from the CodeRED system, so the residents can clearly know whether it is an emergency alert or general information. By having 2 separate systems for email messages, will require maintaining 2 separate lists. This is not a problem for staff, it can be done. Once the database of emails has been cleared of any bad data, the emails will be forward to MVPD for them to use as needed. It was agreed to continue the discussion pursuant to future comments on how the system is working and if any specific policy or guidelines set by the Police Commission.

12. Discussion and possible action related to *Cause No. 1032432, City of Hunters Creek, Texas v. Fajkus & Company, LLC*, claims for cost of damages to the pavement on Wellesley Drive.

John Hightower, City Attorney, indicated there might be a potential settlement, but there has been no progress in the case at this time. Updated cost estimate of damages has been increased to approximately \$34,000.

ADJOURN OPEN MEETING

A motion was made by Councilmember Reichel with a second by Councilmember Pappas to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

/s/

Deborah L. Loesch, TRMC
City Administrator/City Secretary

These minutes were approved on the 22nd day of April, 2014.

Ordinance No. 823 is on file in the office of the City Secretary and is made a part of these minutes by reference.