

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE REGULAR
CITY COUNCIL MEETING
April 22, 2014

The City Council of the City of Hunters Creek Village, Texas held a regular meeting on Tuesday, April 22, 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 (arriving at 7:35 p.m.)
	City Administrator/	
	City Secretary:	Deborah Loesch
	City Attorney:	Scott Bounds

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. 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. The 1st quarter of 2104 investment report was presented to Council. Also reported that through March 2014 property tax collections were at 97.8% and that the auditors began their field work on site for the 2013 FY audit. Deborah Loesch, City Administrator, provided preliminary property appraisal values information from Harris County Appraisal District indicating a potential increase in values for Hunters Creek of 16.6% pending protests and appeals.

- a. Discussion and possible action to consider CenterPoint Energy's 2014 Annual GRIP filing and Suspension Request of its interim rate adjustment for one year.

A motion was made by Councilmember Reichel with a second by Councilmember Sapien to approve the request to suspend the GRIP interim rate adjustment for one year as presented. The motion carried unanimously. It was noted that Councilmember Pappas was not present when the vote was taken.

- b. Discussion and possible action to consider accepting credit cards for payment of building permit fees, burglar alarm fees, and other city fees.

A motion was made by Councilmember Sapien with a second by Councilmember Reichel to authorize the continuation of accepting credit cards for payment of non-municipal court fees up to a maximum amount of \$500 for the remainder of the year without assessing any transaction fees. The motion carried unanimously.

It was noted that Councilmember Pappas was not present when the vote was taken.

- c. Discussion and possible action to consider an ordinance amending the Code of Ordinances of the City of Hunters Creek Village, Texas amending Chapter 34 - Streets, Sidewalks and Other Public Places, Article III. Use of Rights-of-Way to regulate and govern the placement and use of residential surveillance cameras within the public right-of-way; providing a penalty in an amount not to exceed \$2000 for each day of violation of any provision hereof; repealing all ordinances or parts or ordinances inconsistent or in conflict herewith; and providing for severability.

A motion was made by Councilmember Schoenberger with a second by Councilmember Sapien to authorize staff to revise the proposed ordinance in final form for adoption to correct the section related to insurance requirements and present at the May meeting. The motion carried unanimously. It was noted that Councilmember Pappas was not present when the vote was taken.

- d. Discussion and possible action to consider an ordinance amending the Code of Ordinances of the City of Hunters Creek Village, Texas, to adopt Chapter 22 – Law Enforcement, Article I. Regulation of Off-Duty Police Services; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.

A motion was made by Councilmember Reichek with a second by Councilmember Schoenberger to forward the draft ordinance to the Police Commission for their review and recommendation. The motion carried unanimously. It was noted that Councilmember Pappas was not present when the vote was taken.

Police Commissioner. Police Commissioner Trey Strake and Chief J. D. Sanders were present to discuss the activities in the Police Department. Officer Eddie Canals has been recognized as the Exchange Club Officer of the Year. The 9-1-1 Dispatcher on duty during a recent home invasion was one of 7 dispatchers across the state to be recognized for outstanding performance on duty. The next budget workshop will be held on April 29 at 6:30 p.m. Continuing to make progress to get the financial reports in order. The new CAD system “CAPERS” is fully functional allowing more visibility of officers. They are beginning to train officers with the Fire Department for first response such as CPR and installing defibrillators in patrol cars to assist EMS services.

Fire Commissioner. No report was given.

Building Official. The March new construction report was reviewed showing 9 new home starts in 2014 with 22 continuing construction from 2013.

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

- a. Street maintenance work:
 - (i.) Voss Road pavement marking repairs. There are 2 options to consider (1) remove the buttons along Voss Road and install epoxy paint striping to include restriping crosswalks and stop bars at intersections, and left turn lanes for cost of \$43,000 with a 3 year warranty; or (2) remove the damaged buttons along Voss Road and install new buttons at locations of damaged and missing buttons, restripe crosswalks and stop bars at intersections and left turn lanes with epoxy paint at a cost of \$40,000 with no warranty.
 - (ii.) Voss Road and Memorial at Greenbay guard rail repairs. Considering costs for repainting the guard rails but also considering replacing the rails with a weathered material that would be less maintenance. Railing need reflective stripes added as well. Council discussed doing the painting work in house instead of contracting the work.
- b. Voss Road at Soldiers Creek retaining wall project. Negotiations with the property owner continue with more items needed than initially anticipated.
- c. North Hedwig Road improvements proposed by Piney Point Village. Construction has started with the Hedwig Road bridge now closed for approximately one month.
- d. Update on Piney Point Village's Soldiers Creek Impact Study and erosion study and report at Soldiers Creek and Memorial Drive outfall. The study has been completed and will be discussed in detail later on the agenda.
- e. Flood gauge monitors for Wickline Ravine and Soldiers Creek at Memorial Drive. Installation of the equipment is complete.
- f. Willowend Culvert Crossing reconstruction. Engineering design has been completed with recommendation to include this project in the bid process with the Voss Road retaining wall project. Additional funding for the budget for this project will need to be considered before award of the bid.
- g. Update on street assessment rating report. Streets with the lowest rating conditions (5 and under) were reviewed from the 2012 assessments. Most of the streets in this category remain static, however the reassessment of Boros would now rate the condition of that street from a 7 to a 5 and is consistent with the neighboring street Hunters Creek Drive.

Mayor and Council Reports and Comments

- a. Villages Independence Festival parade and float decorating contest. Mayor McMillan reported to Council that Bunker Hill and Piney Point have issued a challenge to participate in the parade and decorate a float in the contest. If there was anyone interested in participating in this, please contact her.

PUBLIC COMMENTS

Baan Imani, 916 Hickory Hollow, commented on the pavement repairs needed on Hickory Hollow and asked that the project not be postponed in the budget.

CONSENT AGENDA. A motion was made by Councilmember Reichek with a second by Councilmember Pappas to approve and adopt consent agenda items 1 through 2 as follows, voting unanimously:

1. Approval of the Minutes of the March 25, 2014 meeting.
2. Approval of the Cash Disbursement Journal for March 2014.

PUBLIC HEARING. A public hearing was held for the purpose of receiving comments on the proposed amendments to the City's Zoning Ordinance relating to: (1) Section 44-160(2), Size of Front Yard, providing for a procedure for designating the front yard on lots that are located on the corner of two streets; and (2) Section 44-160(1)(a), Size of Lot, to clarify the requirements for calculating the minimum size of lots. Mayor McMillan opened the public hearing for comments. Hearing none, the public hearing was closed.

REGULAR AGENDA

3. Discussion and possible action to consider an ordinance amending Section 44-160(2)a of the Zoning Chapter of the Code of Ordinances of the City of Hunters Creek Village, Texas which regulates the size of yards in the residential district, to establish 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 Reichek to adopt Ordinance No. 824 amending the Zoning Chapter, Section 44-160(2)a setting a procedure for designating the front yard on lots that are located on corner of two streets. The motion carried unanimously.

4. Discussion and possible action to consider an ordinance amending Section 44-160(1)a of the Zoning Chapter of the Code of Ordinances of the City of Hunters Creek Village, Texas, which regulates the size of lots in the residential district, to make it clear that the lot area shall not include any portion of the public right-of-way or any private road easements.

A motion was made by Councilmember Pappas with a second by Councilmember Reichek to adopt Ordinance No. 825 amending the Zoning Chapter, Section 44-160(1)a clarifying the calculation of the lot area shall not include any portion of the public right-of-way or private road easements. The motion carried unanimously.

5. Discussion and possible action to consider a final report and recommendation from the Planning & Zoning Commission on a proposed amendment to the Zoning Chapter of the Code of Ordinances to amend Section 44-161(1), Automobile Shelters adding new language to allow garage opening to face a side street if they are set back the same distance as is required for garages facing the front of the lot and to call for a public hearing.

A motion was made by Councilmember Sapien with a second by Councilmember Reichek to accept the report and recommendation from the Planning & Zoning Commission and call for a public hearing to be held on May 27, 2014 at 6:00 p.m. The motion carried unanimously.

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

Council was advised that there were some outstanding items in the easement that the property owner was concerned with, amount of trees, irrigation system, and fencing. A motion was made by Councilmember Schoenberger with a second by Councilmember Reichek to authorize the mayor to negotiate the easement after the tree survey has been completed and to increase the amount of the repairs and damages not to exceed \$20,000.00. The motion carried unanimously.

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

A motion was made by Councilmember Reichek with a second by Councilmember Sapien to authorize staff to advertise for bids for the Voss Road retaining wall project and the Willowend Culvert Crossing project together, condition upon securing the execution easement on the Voss Road project. The motion carried unanimously.

8. Discussion and possible action to consider authorizing the expenditure for maintenance of pavement markings and guard rails on Voss Road and Memorial Drive at Greenbay.

See motion stated above in item #7.

9. Discussion and possible action to consider authorizing the expenditure for maintenance of pavement markings and guard rails on Voss Road and Memorial Drive at Greenbay.

A motion was made by Councilmember Schoenberger with a second by Councilmember Sapien to authorize the expenditure in amount not to exceed \$43,000 for remarking and striping of Voss Road. The motion carried unanimously.

The Council concurred with the plan to have the Public Works crew do the painting of the guard rails on Voss and Memorial.

10. Discussion and possible action to consider a proposal and construction plan from the City Engineer for engineering services for open ditch improvements for Lindenwood and Shasta.

A motion was made by Councilmember Reichek with a second by Councilmember Schoenberger to approve the proposal submitted for engineering design for the open ditch improvements on Lindenwood and Shasta. The motion carried unanimously.

The City Engineer indicated the surveying of the outfall has been completed and that the design and construction plan would be ready by the June council meeting.

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

There was discussion with no action being taken. The City Engineer briefed the Council on the findings of the study of the existing creek banks and identifying areas where improvements were needed and advised the estimated cost for the project would be approximately \$900,000.00. Council asked that staff forward copies to the City of Piney Point and Harris County Flood Control. At a future time, meetings need to be set up with Harris County Flood Control to inquire of their participation in these improvements.

12. Discussion and possible action to adopt an ordinance amending the budget for fiscal year 2014 to appropriate additional funds for contract inspector fees and public works projects.

A motion was made by Councilmember Sapien with a second by Councilmember Reichel to approve Ordinance No. 826 adopting amendment #2 to fiscal year 2014 budget providing for transfer of funds of \$55,000 for contract inspector fees, additional \$300,000 for ditch improvements on Lindenwood and Shasta, \$43,000 for Voss Road restriping, and an additional \$130,000 for Wickline/Willowend Culvert crossing project. The motion carried unanimously.

EXECUTIVE SESSION

A Closed Meeting was convened at 8:53 p.m. in accordance with the authority contained in Section 551.071, to consult with the City Attorney, related to *Cause No. 1032432, City of Hunters Creek v. Fajkus & Company LLC*; and also under the authority contained in Section 551.074, to discuss personnel matters relating to compensation for the City Administrator/City Secretary and Maintenance Worker positions. The Closed Meeting adjourned at 9:52 p.m.

RECONVENE INTO OPEN SESSION

13. Discussion and possible action regarding the compensation for the City Administrator/City Secretary and Maintenance Worker positions.

A motion was made by Councilmember Schoenberger with a second by Councilmember Reichel to authorize a salary increase for the City Administrator/City Secretary in the amount of \$4,500 effective July 1, 2014 with an additional \$4,500 on January 1, 2015. The motion carried unanimously.

A motion was made by Councilmember Reichel with a second by Councilmember Schoenberger to authorize an increase in salary of \$2,000 effective July 1, 2014 for the two Maintenance Worker positions. The motion carried unanimously.

14. 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.

There was no action taken.

ADJOURN OPEN MEETING

A motion was made by Councilmember Pappas with a second by Councilmember Schoenberger to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

/s/

Deborah L. Loesch, TRMC
City Administrator/City Secretary

These minutes were approved on the 27th day of May, 2014.

Ordinance Nos. 824, 825, and 826 are on file in the office of the City Secretary and are made a part of these minutes by reference.