

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF CITY COUNCIL MEETING
OCTOBER 17, 2006

The City Council of the City of Hunters Creek Village, Texas convened in regular session at 7:30 p.m. on Tuesday, October 17, 2006, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor	Steve Reichek
	Council Members:	Peggy Burck, Mayor Pro Tem Michael Cokinos Art Casper Roger Stark George A. Shannon, Jr.
	City Secretary:	Deborah Loesch
	City Attorney:	Cheryl Wilson/John Hightower

With a quorum of the Council Members present, Mayor Reichek called the session to order at 7:35 p.m.

PUBLIC COMMENTS

Public comments were received from:

Stephanie Stradley, 402 Hunters Park Lane, regarding the closing of the temporary access at Bridgewood and Hunters Park Lane. She was concerned that the barricades were being removed and would the City replant the trees and landscaping to return the area to its original state.

J. R. Daily, 835 Country Lane, requested that council consider on a future agenda amending the bicycle ordinance to allow for riding on the roadways.

1. REPORTS

Mayor and Councilmembers.

Scott Durfee, General Counsel for the Harris County District Attorney's Office spoke to council members regarding the enforcement and prosecuting of violations of the Open Meetings Act.

Mayor Reichek reported that a preliminary design has been completed for the bridge rails on Memorial Drive at Soldier's Creek. Final design phase is in progress and will consider possible selling of the naming rights for the bridge.

Mayor Reichek asked Debbie Loesch, City Secretary, to update the council on the planning meeting held with Omni Pinnacle on the debris management contract. Ms. Loesch reported that staff along with Councilmember Stark and resident

Richard Heustess met with representatives from Omni Pinnacle on October 13th to discuss items such as time required for mobilization, staging areas, assessed type of equipment needed for the City. She advised that this contract will be used only in case of federally declared emergencies.

Fire Commissioner. Elwin Peacock reported that the Fire Department is currently operating 5.68% under budget and that response time average is at 4 minutes. Testing of 42 candidates to fill a vacancy in the department has been underway. Fill the Boot drive was conducted in September for Muscular Dystrophy collecting over \$5300. The board voted to purchase a new hydraulic lift stretcher at \$12,000 out of contingency. The board has elected to stay with the medical insurance for employees provided through the Villages Insurance Cooperative with Humana at a 9% reduction in premiums from last year.

Police Commissioner. Benny Hruzek reported that the commission will open bids on dental/life/LTD coverage for employees on Thursday, October 30th. The department continues to operate within the budget and they are monitoring the ramp closures on IH-10 construction areas.

City Treasurer's Report. Bob Dodson reported that at the end of September money market accounts were earning an average of 5.26% on approximately \$7.8 million dollars on deposit at Wells Fargo bank. He advised council that he was watching the Treasury bill rates. At this time there was no updated information available on the sales tax audit.

City Engineer's Report. Bobby Deden reported on the following projects:

Pifer Road drainage and paving project. A preliminary walk through with the Memorial Villages Water Authority is planned for next week with the final punch list should begin completion of the project. The mayor requested that equipment staged on Stage Stop needs to be moved. Recent rains proved that the system is draining very well. Sleepy Oaks drainage should be completed in the next 30-45 days. Councilmember Burck requested that we address the failed areas on Pifer Way (concrete patch work) on a future agenda.

Bridgewood. The bridge railings for the bridges are scheduled for delivery the first week of November. Councilmember Burck requested that residents be given proper notice of at least one week of the start of the work

Piney Point Village's Soldier's Creek Relief Project. Mayor Reichek stated his displeasure with the response of Piney Point's contractor on installing the new loop connectors at the traffic signal light at Memorial and Voss Road as agreed upon.

Memorial Drive Phase III and IV. Completed plans have been provided to Cobb Fendley & Associates for their constructability and value engineering reviews.

Anticipate advertising for bids later part of October and open bids in early November.

PUBLIC HEARING

The first of two public hearings was held for the purpose of receiving testimony for or against the following proposed amendments to Section 17 of Chapter 14 of the Code of Ordinances of the City of Hunters Creek Village, the same being the City's Comprehensive Zoning Ordinance:

- a. deleting all of paragraph 2 of Section 17 of Chapter 14 and substituting a new paragraph; Submission to Planning and Zoning Commission. Before taking action on any proposed amendment, supplement, or change to a zoning district classification or boundary or a zoning district regulation, the City Council shall submit the proposed revision to the Planning and Zoning Commission for its recommendation and report.
- b. deleting all of paragraph 3 of Section 17 of Chapter 14 and substituting a new paragraph; Public Hearing – Planning and Zoning Commission. The Planning and Zoning Commission shall make a preliminary report and hold public hearings thereon before submitting its final report. Written notice of all public hearings before the Planning and Zoning Commission on proposed changes to a zoning district classification or boundary shall be sent to owners of real property lying within 200 feet of the property on which the change in classification or boundary is proposed, such notice to be given not less than ten (10) days before the date set for hearing to all such owners who have rendered their said property for City taxes as the ownership appears on the last approved City tax rolls. Such notice may be served by depositing the same, properly addressed and postage paid, in the U.S. post office.
- c. deleting all of paragraph 4 of Section 17 of Chapter 14 and substituting a new paragraph; Public Hearing – City Council. After receipt of the final report and recommendation of the Planning and Zoning Commission, a public hearing shall be held by City Council before adopting any amendment, supplement or change to a zoning district classification or boundary or district regulation. Notice of such hearing shall be published one time in a newspaper of general circulation in the City giving the time, date and place of such hearing and describing in reasonable detail the proposed amendment, supplement or change. Such notice shall be published at least fifteen (15) days prior to the date of such hearing. All costs of such publication shall be paid by the person requesting such amendment, supplement or change, if any.

Mayor Reichek opened the public hearing for comments. There were no public comments received, however, one written response was read for the record from Donald H. Hausmann at 631 Saddlewood Lane, expressing his disapproval of the proposed changes to the ordinance. Hearing no further comments, the public hearing was closed.

CONSENT AGENDA

Upon a motion made by Councilmember Stark and a second by Councilmember Burck, the Council voted unanimously to approve and adopt consent agenda items 3 and 4 as follows:

3. Approval of the Minutes of the September 19, 2006 and September 28, 2006 council meetings.
4. Approval of the appointment of Carmen Knezeak as Assistant City Secretary.

REGULAR AGENDA

5. Discussion and possible action to consider a resolution of the City Council of the City of Hunters Creek Village, Texas providing for the transfer of the City of Hunters Creek Village Time Warner Cable Television Franchise Ordinance from Texas and Kansas City Cable Partners, L.P. to Houston TKCCP Holdings, LLC; providing for a change in the actual working control of Houston TKCCP Holdings, LLC, to Comcast TCP Holdings, Inc.; imposing certain conditions for consent; providing for other matters related to the subject; and providing for severability.

A motion was made by Councilmember Shannon with a second by Councilmember Cokinos to approve Resolution No. 06-17 providing for the transfer of the City of Hunters Creek Village Time Warner Cable Television Franchise Ordinance from Texas and Kansas City Cable Partners, L.P. to Houston TKCCP Holdings, LLC; providing for a change in the actual working control of Houston TKCCP Holdings, LLC to Comcast TCP Holdings, Inc. The motion carried unanimously.

6. Discussion and possible action to consider amending or terminating the solid waste and recycling collection and disposal services contract with Republic Waste.

There was no action taken on this item. Mayor Reichel reported that it has been determined that Republic Waste has been overcharging the city for the fuel assessment fee and that a credit will be forthcoming and that Republic Waste intends to renegotiate the contract in September 2007 before the term expires.

7. Discussion and possible action to authorize the solicitation of bids for Memorial Drive Phase III and IV drainage and paving improvement project.

A motion was made by Councilmember Cokinos with a second by Councilmember Stark to authorize the solicitation of bids for the Memorial Drive Phase 3 and 4 project. The motion carried unanimously.

8. Discussion and possible action regarding the City acting as an aggregator to negotiate the purchase of electricity on behalf of the citizens of the City.

There was discussion with no action taken. Lucy Pannell, Coordinator for Energy Purchasing Cooperation with the Houston-Galveston Area Council, explained the concept of municipalities being an aggregator for purchasing electricity.

9. Discussion and possible action to receive and accept a final report from the Planning and Zoning Commission on the proposed amendments to the City's zoning ordinance relating to sign area for lots abutting IH-10 in Sub-Section 7-7 f. (3) and (4) of Chapter 14 of the Code of Ordinances and to call for public hearings.

A motion was made by Councilmember Burck with a second by Councilmember Shannon to receive and accept the final report from the Planning & Zoning Commission for additional amendments to the sign ordinances relating to the sign area for lots on one-half acre or more and multi-tenant establishments adjacent to IH-10, and call for public hearings to be held on November 21, 2006 and January 16, 2006 to receive public comments. The motion carried unanimously.

10. Discussion and possible action to receive and accept a final report from the Planning and Zoning Commission on the proposed amendments to the City's zoning ordinance relating to home occupations in Sub-Section 6-1 of Chapter 14 of the Code of Ordinances and to call for public hearings.

A motion was made by Councilmember Cokinos with a second by Councilmember Casper to receive and accept the final report from the Planning and Zoning Commission to add a new section regulating home occupations, and call for public hearings to be held on November 21, 2006 and January 16, 2007 to receive public comments. The motion carried unanimously.

11. EXECUTIVE SESSION. A Closed Meeting was convened at 9:45 p.m. in accordance with Chapter 551, of the Texas Government Code, Section 551.074, Personnel Matters to discuss and consider an offer of full time employment for the position of Building Official. The Closed Meeting adjourned at 10:04 p.m.

The Open Meeting reconvened at 10:05 p.m. to consider action on item discussed in Executive Session.

A motion was made by Councilmember Stark with a second by Councilmember Burck to authorize the mayor to extend an offer of employment to Dennis Holm the position of Building Official pending satisfactory background checks and references. The motion carried unanimously.

ADJOURN OPEN MEETING

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

Respectfully submitted,

Deborah L. Loesch, TRMC
City Secretary

These minutes approved on the 21st of November, 2006.

Resolution No. 06-17 is on file in the City Secretary's office and is made a part of these minutes by reference only.