

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF A REGULAR
CITY COUNCIL MEETING
JULY 17, 2007

The City Council of the City of Hunters Creek Village, Texas held a regular meeting on Tuesday, July 17, 2007, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor	Bob Dodson
	Council Members:	Michael Cokinos
		Peggy Burck
		Art Casper
		Roger Stark
		David Wegner
	City Secretary:	Deborah Loesch
	City Attorney:	John Hightower

With a quorum of the Council Members present, Mayor Dodson called the session to order at 7:30 p.m.

REPORTS

1. Mayor's Report: Mayor Dodson reported on the following matters:

Villages Independence Festival – Hunters Creek Elementary PTA received second place in the parade float contest. Next year the City will be the host city for the festival.

Storm drainage maintenance proposals for Bryn Mawr, Lindenwood, Shasta, and Pineland. Informal bids were received with the proposals exceeding \$25,000. Staff will be reevaluating the specifications to increase the scope and identify other areas and submit for sealed bids.

Earthman Funeral Home has agreed to maintain the right-of-way area in front of their property. SCI acquired the business and plans major renovations in the future. Services provided by this type of business are not sales taxable services.
2. City Engineer's Report: Dale Conger, Cobb Fendley & Associates, was present to advise council on the proposed items for action relating to various construction projects:
 - a. Discussion and possible action to approve a change order with Texas Sterling for the reconstruction of the intersection at Memorial Drive and Lindenwood and authorize the Mayor to execute the change order.

The reconstruction of the intersection would provide an unprotected left turn lane westbound on Memorial onto Lindenwood. A change order with Texas Sterling is recommended for a cost of \$197,672 and would extend the length of the contract/project by 20 days.

A motion was made by Councilmember Casper with a second by Councilmember Cokinos to approve the change order with Texas Sterling in the amount of \$197,672 and authorize the Mayor to execute the change order on behalf of the City. The motion carried unanimously.

- b. Discussion and possible action to award the bid for the contract for the construction of the Memorial Drive Railings at Soldiers Creek project.

The original bid was for \$621,000, however a reduction in cost to \$574,373.50 has been negotiated and recommends award to Texas Sterling. The changes in the bid relate to the casings around the water line, omitting some of the plantings of trees and landscaping, and asphalt repairs.

A motion was made by Councilmember Wegner with a second by Councilmember Burck to award the contract for the project to Texas Sterling for \$574,373.50 and authorize the Mayor to enter into an agreement with Texas Sterling for the project. The motion carried unanimously.

- c. Discussion and possible action to approve a contract with Cobb Fendley & Associates to provide engineering and design services for Pifer Way Paving project and authorize the Mayor to execute the contract.

Pifer Way is a cul-de-sac street off of Pifer Road and during the Pifer Road improvement project only a portion of the cul-de-sac was repaved. This contract would provide design engineering services to repair the pavement and correct minor drainage problems.

A motion was made by Councilmember Casper with a second by Councilmember Wegner to authorize the Mayor to negotiate a contract with assistance of the City Attorney with Cobb Fendley & Associates to provide design engineering services not to exceed \$5,700.00. The motion carried unanimously.

Dale Conger also reported that they have begun surveying on the Camelot Woods drainage project, review of a drainage complaint at #1 Reichert Farms determined that was a private drain situation and the responsibility of property owner, and meeting with TX DOT officials regarding the pot hole on the feeder at the corner at Las Alamedas Way.

3. Project Manager's Report on Memorial Drive Phase III & IV drainage and paving improvement project.

Lars Hagen reported that recent daily rains have caused some delays in the project, but still scheduled to complete the project within the bonus time frame. Most of the underground construction has been completed and finishing pavement at W. Creekside, completed all sodding at Three Corners Drive with entrances to come later. They have begun laying asphalt on the north side of the roadway. No

- further change orders have been approved. Councilmember Burck asked Mr. Hagen to comment on the drainage problems identified by the residents.
4. City Treasurer's Report. Brad Conrad, City Treasurer, reported during the month of June the City earned an average of 5.21% on its investment accounts. All investments and financial operations are in good order. All bank funds are adequately collateralized. Mayor Dodson had requested a review of the cash position remaining after this year's committed capital projects have been completed. Conservatively, an approximate amount of \$3,861,948 would be available for future capital projects, not including any reimbursement from Metro for the railings on Soldiers Creek. The Finance Committee will meet in August to review the proposed budget for 2008. As of this meeting, we are still awaiting a draft of the 2006 audit report.
 5. Fire Commissioner's Report. Commissioner Elwin Peacock reported that the VFD's 2008 budget has been approved by all of the villages. With the undetermined status of the Villages Insurance Cooperative, the Fire Department will consider joining the Memorial Villages Water Authority in a new cooperative agreement.
 6. Police Commissioner's Report. Commissioner Benny Hruzek reported the 2006 audit has been concluded and approximately \$25,000 was being refunded to each city for excess assessments. A copy of the budget for 2008 was delivered proposing a \$4 million budget with Hunters Creek Village's assessment to be at \$1,336,880. The budget includes a 3.5% increase in personnel costs. Personnel costs remain on the higher end because of the starting salary schedule, new hires are recruited based on experience. Patrols continue to monitor construction sites and encouraged the house watch program available. Substation signs have not been replaced as yet. Chief Brye will get with the City Secretary regarding the redesign of these signs.
 - a. Discussion and possible action to consider additional police services dedicated to Hunters Creek Village.

There was discussion with no action taken by Council.

In the discussion Police Chief Gary Brye and Commissioner Benny Hruzek explained to Council the breakdown of personnel costs and equipment costs to assign an officer for 24 hours per day, 7 days a week patrol solely for Hunters Creek Village. Extra officers are being utilized for patrol in during the night shifts and early morning shifts for more visibility, but citizen education plays a large part in security measures. Councilmember Casper stated that a professional survey of the residents by a professional marketing firm would cost \$5,000-\$7,500. The type of survey conducted would be a telephone survey. The City would produce a questionnaire of the type of questions to be asked. Statistically, crimes in the Villages are occurring in conjunction with new home construction starts. Statistical data would need to be provided to the community so

they would be better informed before they are asked to participate in any survey. Several years ago the MVPD conducted a study through Sam Houston State University's Criminal Justice program. Councilmember Cokinos asked Chief Byre to put on the next Commission agenda to discuss having Sam Houston do another study and pursue a cooperative study with the other villages in the jurisdiction.

The Police Chief and Commissioner will report back at the next council meeting.

7. Community Board Committee Report. Ed Holland, Chairman of the Board reported that he made contact with the subdivision officers for email and contact information and received only a few responses. The purpose of the Community Board is to develop a communication link directly with a contact person for each subdivision regarding city matters, emergency notices, etc.
8. Council Comments. Policy regarding the City's responsibility for repair of subdivision assets/amenities located in public rights-of-way. Pursuant to complaints from residents regarding the repairs to sprinkler systems in the right-of way along Memorial Drive during construction, council discussed what standards or policy should the city establish to identify the responsibility for these repairs. The Council accepted public comments from residents in the construction area. With no clear directive or policy in place to address this issue city wide, a committee was formed to include Mayor Dodson, Councilmember David Wegner, John Hightower (City Attorney) and Deborah Loesch (City Secretary) to investigate and research the policy of other cities.

In addition, Councilmember Wegner provided an example of a sign that could be used by residents to provide for parking on one side of the street during events so not to block the flow of traffic on the street. This is a test program before initiating any permanent regulations.

PUBLIC COMMENTS

Public comments were received from:

Mr. and Mrs. Bob Jucker, 10506 Memorial Drive, concerned about the city's plan to care for the area of right-of-way that has been under construction, repairs to sprinkler systems, and landscaping. In addition, they reported there is now a drainage problem that did not exist prior to construction. Also commenting on the same issue were John Maida, Angel Jimenez, and Robert Potosky.

REGULAR AGENDA

1. Discussion and possible action to consider an offer by HGAC Energy Purchasing Corporation to provide electric service for city facilities.

A motion was made by Councilmember Cokinos with a second by

Councilmember Wegner to accept the 24-month offer from Champion Energy Services to provide retail electric service to the city's facilities at a rate of \$0.077777 per kWh effective January 1, 2008. The motion carried unanimously.

2. Discussion and possible action to approve the Minutes of the June 26, 2007 council meeting.

A motion was made by Councilmember Burck with a second by Councilmember Casper to approve the minutes as written. The motion carried unanimously.

3. Discussion and possible action to consider the appointment of a city engineer and authorize the mayor to negotiate a contract for those services.

Mayor Dodson explained the format the selection committee used in soliciting candidates for the position of city engineer. Of the 10 firms contacted only 3 proposals were received, with 1 being non-responsive to the request. The 2 firms being considered are Claunch & Miller and Cobb Fendley & Associates. Each firm made a presentation to the committee and Mayor Dodson advised Council that the selection committee's recommendation was to select Claunch & Miller. Recognizing that both firms were fully qualified, during discussion Councilmember Stark stated that he would recommend Cobb Fendley and Councilmember Wegner stated his preference was towards Claunch & Miller. Councilmember Burck requested that action be tabled to the next meeting so that she could review the presentations to receive more information since she was not available to attend these presentations. With that comment being made, Councilmember Burck made a motion with a second by Councilmember Casper to table the item for the next council meeting. The motion carried unanimously.

4. Discussion and possible action to consider authorizing the mayor to make alternative arrangements for providing health insurance coverage for city employees include such possible options as withdrawing from the Villages Insurance Cooperative, joining a new insurance cooperative, or purchasing coverage through another state agency.

Mayor Dodson advised Council that due to the disagreements between some of the parties included in the Villages Insurance Cooperative, it appears that the Cooperative is breaking up and the Memorial Villages Water Authority is planning to withdraw from the cooperative and form a new cooperative. The Water Authority will invite members who might wish to participate. It is his understanding that Hunters Creek Village will be invited to join the new cooperative. In addition, Mayor Dodson requested authority from Council to determine based on the actions of the other Villages make the judgment to withdraw from the Villages Insurance Cooperative, join a newly formed cooperative, if invited, or seek coverage from Texas Municipal League's group benefits division.

A motion was made by Councilmember Casper with a second by Councilmember Cokinos to authorize the mayor to determine the best alternative for the City as to

whether the City should withdraw, join a new cooperative, or seek other coverage from TML. The motion carried unanimously.

5. Discussion and possible action to approve an ordinance adopting amendment #7 to the 2007 fiscal year budget appropriating \$150,000 in additional funds for the construction of the Memorial Drive Railings at Soldiers' Creek project.

A motion was made by Councilmember Burck with a second by Councilmember Casper to approve Ordinance No. 691 approving amendment #7 of the 2007 fiscal year budget. The motion carried unanimously.

6. Discussion and possible action to change the regular date and time for meetings of the City Council: (a) consider adoption of an ordinance amending the Code of Ordinance to delete Article 1.300 regarding meetings of city council; and (b) consider adoption of resolution establishing a new date and time for regular meetings of the city council.

A motion was made by Councilmember Burck with a second by Councilmember Stark to approve Ordinance No. 692 to delete Article 1.300 of the Code of Ordinances establishing the time and place of regular meetings. The motion carried unanimously.

A motion was made by Councilmember Wegner with a second by Councilmember Burck to approve Resolution No. 07-05 establishing that the regular meetings for the City Council shall be on the third (3rd) Tuesday of each month at 6:00 p.m. at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas. The motion carried unanimously.

7. Discussion and possible action to consider recommendations for amending the Code of Ordinances relating to construction site requirements.

Councilmember Wegner had prepared some items that should be considered to regulate construction sites to improve security and aesthetics of the site, as well as noise pollution. Whereas, there are nuisance conditions existing through out the city, stricter ordinances should also be considered along with the construction sites.

A motion was made by Councilmember Burck with a second by Councilmember Cokinos to forward this issue to the Planning and Zoning Commission for their review and recommendation of an ordinance. The motion carried unanimously.

8. Discussion and possible action to approve the bid documents and authorize the solicitations for requests for proposals for solid waste disposal contract.

With the current contract for solid waste disposal and recycling collections expiring October 31, 2007, staff has prepared specifications to solicit for a new contract for these services. Therefore requesting authorization to submit for bids to be presented at the August meeting.

A motion was made by Councilmember Burck with a second by Councilmember Cokinos to authorize staff to solicit for proposals for solid waste disposal and

recycling collections and to include alternates for innovative recycling options. The motion carried unanimously.

9. Discussion and possible action to consider amendments to the regulations regarding burglar alarm permit registration.

A motion was made by Councilmember Cokinos with a second by Councilmember Burck to approve Ordinance No.693 revising the provisions for the issuance and renewal of burglar alarm permits and eliminating the fees for false alarms. The motion carried unanimously.

ADJOURN OPEN MEETING

A motion was made by Councilmember Stark with a second by Councilmember Burck to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 11:25 p.m.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch, TRMC
City Secretary

These minutes were approved on the 21st day of August, 2007.

Ordinance Nos. 691, 692, 693 and Resolution No. 07-05 are on file in the City Secretary's office and are made a part of these minutes by reference.