

CITY OF HUNTERS CREEK VILLAGE, TEXAS  
MINUTES OF A REGULAR  
CITY COUNCIL MEETING  
AUGUST 21, 2007

The City Council of the City of Hunters Creek Village, Texas held a regular meeting on Tuesday, August 21, 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 6:05 p.m.

REPORTS

1. Mayor's Report: Mayor Dodson reported on the following matters:
  - a. Villages Insurance Cooperative update. The Memorial Villages Water Authority has formally withdrawn from the cooperative, along with the City of Hedwig Village. The Mayor is considering participating in the new insurance cooperative being formed, coverage available through the Memorial Villages Police Department, or TML.
  - b. FYI – future minutes and agendas for Planning & Zoning and Board of Adjustment meetings. Council packets each month will provide copies of the previous minutes and upcoming agendas for Planning and Zoning and Board of Adjustment meetings to keep everyone informed.
  - c. Introduce Dean Seideman. Mayor Dodson introduced Dean Seideman, recently hired as Director of Public Works.
  - d. Event parking signs. No parking signs for events are now available. This program will be tested on a temporary basis to see how many residents will actually use the signs. One of the signs was erected prior to the meeting for everyone to look at.
2. City Engineer's Report: Dale Conger, Cobb Fendley & Associates, reported
  - a. Camelot Woods drainage improvement project. Design is proceeding, with residents being asked to place flags to locate private drain lines to the curb. The Pifer Way Repaving project will be included in this project and that design is about 90% complete.

- b. Memorial Drive bridge railings at Soldiers Creek project. Notice to proceed was issued to Texas Sterling. This is about a 2-3 month project. Construction should proceed once the traffic control portion has been submitted by the contractor.
  - c. Metro Bus Shelter on Memorial Drive at Houston Racquet Club. Metro contacted the City regarding the relocation of the bus stop on Memorial Drive at the Houston Racquet Club and to allow for the installation of a shelter at that location. The proposed location would put the shelter near the end of the guard rail at the crossing at Soldiers Creek and there is concern that it would interfere with the approach to the new bridge railings. The City Engineer met with Metro officials and agreed to postpone any proposal for the relocation until after construction has been completed at the bridge. The preference would be to move the stop further west of the railings.
3. Project Manager's Report on Memorial Drive Phase III & IV drainage and paving improvement project.

Bobby Deden reported that the sidewalk on the south side of Memorial has been poured and the contractor is finishing some of the driveways. They are now working on the intersection at Lindenwood. They anticipate completion within the first two weeks of October. Councilmember Burck asked how the drains were performing. Mr. Deden responded that there were no apparent backups or obstructions. They will be installing 4-5 additional inlets.
4. City Treasurer's Report. Brad Conrad, City Treasurer, reported during the month of June the City earned an average of 5.2 % on its investment accounts. All investments and financial operations are in good order. All bank funds are adequately collateralized. The Finance Committee met on August 16 and reviewed the draft of the proposed 2008 budget and recommends the budget presented. Preliminary taxable values have increased 13.7% over last year and the budget reflects tax revenues based on keeping the same revenues as last year (effective tax rate). Staff has received a draft of the audit and it is being reviewed by the Finance Committee. In addition, the auditors provided a management letter and the Mayor, City Secretary and himself will address those issues in the City's response. The final audit will be ready for the September meeting. Treasury bills are in good shape, however, rates on T-bills are declining and should be re-evaluated next month.
5. Police Commissioner's Report. Commissioner Benny Hruzek and Police Chief Gary Brye reported that the Commission reviewed the proposal to have Sam Houston State University perform a security study for the 3 villages. They will be meeting with representatives on August 31<sup>st</sup> to discuss what to expect for the survey. The cost would be about \$20-30,000 which can be covered in the current budget. They requested approval of the proposed operations budget for 2008 based on \$4,003,000 with Hunters Creek's portion (1/3) at \$1,336,880.25.

a. Discussion and possible action to approve the Memorial Villages Police Department 2008 Operations Budget.

A motion was made by Councilmember Stark with a second by Councilmember Cokinos to approve the 2008 Operations Budget as presented. The motion carried unanimously.

6. Fire Commissioner's Report. Commissioner Elwin Peacock reported that response times were running about 5 minutes. Currently involved in a procedures audit to review the handling of funds internally. Investigating an arson fire in Piney Point. No information was being released on the drowning incident at the Racquet Club. He explained the response agreement with the City of Houston on emergency calls.
8. Council Comments. Councilmember Wegner requested that the proposed budget for 2008 provide an additional \$40,000 for landscaping at the entrances to the City along Memorial Drive at Lindenwood and Greenbay and issuing a proclamation to Russ Schulze for his years of service on the Board of Adjustment. Councilmember Cokinos was concerned if the matter regarding maintenance of existing rights-of-way had been resolved.

PUBLIC COMMENTS

Public comments were received from:

Janice Jucker, 10506 Memorial Drive, concerned about the drainage problems on their property and the estimated time for the problem to be resolved.

Elwin Peacock complained that garbage service was not being picked up in some areas of his subdivision.

An unidentified resident commented that the traffic signal at Memorial and Lindenwood going east/west bound was cycling too short and traffic was backing up through the intersection.

CONSENT AGENDA. Upon a motion made by Councilmember Wegner and a second by Councilmember Cokinos, the Council voted unanimously to approve and adopt consent agenda items 1 through 5 as follows:

1. Approval of the Minutes of the July 17, 2007 Council Meeting.
2. Approval of the appointment of Dean Seideman as Animal Control Officer.
3. Approval of the appointment of Tod Dimitry as Alternate #2 to the Planning and Zoning Commission.
4. Approval of the appointment of Judy Page Maynard, Alternate #6, Stewart Robinson, Alternate #7, and Catherine Ozdogan, Alternate #8 to the Board of Adjustment.

5. Approval of a resolution amending the authorized representatives for TexPool, a public funds investment pool, providing J. Robert Dodson III, Mayor, Deborah L. Loesch, City Secretary, and Brad Conrad, City Treasurer, as authorized representatives.

#### REGULAR AGENDA

6. Discussion and possible action to consider an ordinance amending the personnel policy of the City.

Bill Bahr, HR consultant hired by the City to review the personnel policies and job descriptions, presented his recommendations to the Council. In his opinion, the City's personnel policies are adequate and appropriate for a small municipal employer. However, he did offer some minor grammatical and content changes for the sake of clarity and enforceability in both a practical and legal sense. He suggested that a clear and concise sick leave policy should be implemented and he has reviewed the proposed language and encouraged the Council to adopt an update to the policy. In addition, Mr. Bahr review the job descriptions for all full-time positions and advised that all job descriptions are adequate and require no update changes except for the City Secretary's. In that job description the role as Human Resources Director should be more clearly defined as to her authority over and responsible for the handling of HR issues for the city. It is his opinion that the current City Secretary, Deborah Loesch, has the experience and ability to adequately perform the HR duties as defined in the Personnel Policy. He also suggested that continuing HR training should be encouraged and supported.

Mayor Dodson explained the proposed sick leave policy would provide for each full-time employee to receive 8 hours per month for each full month worked and carry over no more than 600 hours. In order to transition all employees to the new policy, each employee would be given 20 days of accrued sick time effective September 1, 2007.

A motion was made by Councilmember Wegner with a second by Councilmember Cokinos to adopt Ordinance 694 amending the Personnel Policy to be effective September 1, 2007 and providing 20 days of accrued sick leave to all full-time employees effective September 1, 2007. The motion carried unanimously.

7. Discussion and possible action to consider an ordinance amending the purchasing policy of the city.

A motion was made by Councilmember Cokinos with a second by Councilmember Casper to adopt Ordinance No. 695 revising the purchasing policy changing the requirements for informal bids for purchases over \$3,000 to \$25,000. The motion carried unanimously.

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

A motion was made by Councilmember Burck with a second by Councilmember Stark to engage the services of Cobb Fendley & Associates as City Engineer. The motion carried unanimously. In addition, a motion was made by Councilmember Burck with a

second by Councilmember Cokinos to authorize the mayor to negotiate a contract with Cobb Fendley for those services. The motion carried unanimously.

9. Discussion and possible action to consider approval of the award of the bid for solid waste disposal and recycling contract and authorize the mayor to enter into a contract for such services.

Deborah Loesch, City Secretary, presented the 4 proposals received for the contract from BNC Services, Century Disposal, Republic Waste and Waste Management. Council members suggested that formal presentations should be made before them before making any decisions. Therefore, a motion was made by Councilmember Burck with a second by Councilmember Cokinos to table the selection of the proposals and invite the 3 best proposals to make presentations at a special meeting on Tuesday, September 11, 2007 at 7:00 p.m. The motion carried unanimously.

10. Discussion and possible action to consider amendments to the regulations regarding fees charged for excessive false alarms.

Mayor Dodson explained that when council amended the burglar alarm ordinance and eliminated fees for false alarms such action left the City without any enforcement for excessive alarms. He asked that Council reconsider the change and reinstate the fees for false alarms. After further discussion, some Council members were of the opinion that the current fee of \$50 was too high. A suggestion was made to lower the fee to \$20.00. With that suggestion being made, Councilmember Cokinos made a motion with a second by Councilmember Casper to adopt Ordinance No. 696 revising the fees charged for excessive false alarms to \$20.00 for each chargeable false alarm in excess of five (5) for a 12-month period beginning on January 1 of each year. The motion carried unanimously.

11. Discussion and possible action to call for a public hearing to receive comments on the proposed budget for fiscal year 2008.

Mayor Dodson presented to Council the proposed 2008 budget. There was a brief discussion regarding the tax rate. Without the certified rolls from HCAD being available to the City, determining what the tax rate should be and also the uncertainty of the cost of Camelot Woods drainage & paving project presents a challenge at this time. Hopefully by the time of the budget hearing, more information will be available. A motion was made by Councilmember Burck with a second by Councilmember Stark to call for a public hearing to be held on Tuesday, September 18, 2007 at 6:00 p.m. to receive written and oral comments from the public on the proposed budget for 2008. The motion carried unanimously.

12. Discussion and possible action to receive and accept the final report from the Planning and Zoning Commission for amending the Zoning Ordinance regarding off-street parking requirements and to call for two (2) public hearings on the matter.

The Planning and Zoning Commission met on August 6, 2007 to consider amendments to the Zoning Ordinance, Sub-Section 7-4 of Chapter 14 of the Code of Ordinances for off-street parking requirements in District B. The Commission submitted

their final report and recommendation to consider an ordinance providing for the following amendments:

- (a) There must be sufficient off-street parking spaces provided on the premises of any business use to accommodate the anticipated parking needs of the persons using the premises. The minimum number of off-street parking spaces required for specific uses is as follows:
  - 1) For general office use, including any use in which the principal occupants of the improved building space are employees rather than visitors or customers, - two (2) spaces for each 1000 square feet of gross floor area;
  - 2) For any other use, - four (4) spaces for each 1000 square feet of gross floor area;
- (b) All parking spaces must be at least nine feet wide and 18 feet long in order to be counted towards the minimum required number. The width of parking spaces shall be measured perpendicular to the parking angle. The length of parking spaces shall be measured at right angles to the parking line.

In addition, the Commission recommends that City Council call for public hearings on these matters.

A motion was made by Councilmember Wegner with a second by Councilmember Burck to receive and accept the final report and recommendation of the Planning and Zoning Commission as presented and call for two (2) public hearings to be held on September 11<sup>th</sup> at 7:00 p.m. and September 18<sup>th</sup> at 6:00 p.m. The motion carried unanimously. However, Deborah Loesch, City Secretary, advised Council that there would not be sufficient public notice time for the September 11<sup>th</sup> meeting. A motion was then made by Councilmember Burck with a second by Councilmember Casper to conduct the public hearings on Tuesday, September 18<sup>th</sup> and Thursday, September 20<sup>th</sup> both at 6:00 p.m. The motion carried unanimously.

13. Discussion and possible action to authorize the mayor to solicit for proposals for maintenance contract to provide miscellaneous public facilities maintenance in an amount not to exceed \$100,000.00 on an annual basis.

A motion was made by Councilmember Cokinos with a second by Councilmember Casper to authorize the mayor to solicit for sealed bids for a miscellaneous public facilities maintenance contract in amount not to exceed \$100,000.

The motion carried. Voting: Aye (3): Cokinos, Casper, Stark

Nay (2): Burck, Wegner

14. Discussion and possible action to approve an ordinance amending Articles 3.200 and 3.1100 of the Code of Ordinances of the City of Hunters Creek Village to further restrict the type of fences that can be used to enclose swimming pools.

Staff explained the concern of the Building Official that certain type of fencing material or the specific design and placement of other fencing material can create a “ladder effect” making it easier to climb over and defeat the purpose behind a pool enclosure. The Building Official considers this a life safety issue and council should consider adopting an ordinance prohibiting fencing materials such as chain link as an approved fencing material. Since the Building Official was unable to attend the meeting, Council preferred to continue the discussion with the Building Official. A motion was made by Councilmember Burck with a second by Councilmember Casper to table the item for the September 18 agenda. The motion carried unanimously.

ADJOURN OPEN MEETING

A motion was made by Councilmember Stark with a second by Councilmember Casper to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Deborah L. Loesch, TRMC  
City Secretary

These minutes were approved on the 18th day of September, 2007.

Ordinance Nos. 694, 695, and 696 are on file in the City Secretary’s office and are made a part of these minutes by reference.