

CITY OF HUNTERS CREEK VILLAGE, TEXAS  
MINUTES OF A REGULAR  
CITY COUNCIL MEETING  
SEPTEMBER 18, 2007

The City Council of the City of Hunters Creek Village, Texas held a regular meeting on Tuesday, September 18, 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 6:00 p.m.

EXECUTIVE SESSION

A Closed Meeting was held in accordance with the authority contained in Section 551.071 to consult with the City Attorney on a legal matter. The Closed Meeting convened at 6:00 p.m. and adjourned at 6:05 p.m.

REPORTS

1. Mayor's Report: Mayor Dodson reported on the following matters:
  - a. Proposed name for the Soldiers Creek bridge railings on Memorial Drive. Mayor Dodson explained that he would like to dedicate the bridge to all of the volunteers that have worked for the community and for those in the future. He asked that each council member consider an appropriate name and bring back suggestions at the October meeting.
  - b. Proclamations for Gus Papadopoulos and Bill Marshall. Mayor Dodson entered into the record 2 proclamations he issued in recognition of former Mayor and Councilmember Gus Papadopoulos, M.D. who passed away on August 2, 2007 and served as a councilmember and mayor from 1977 to 1983. In addition, he also recognized the passing of Bill Marshall, Mayor of Bunker Hill Village who passed away on September 6, 2007.
  - c. Discussion and possible action to appoint a council personnel committee. Mayor Dodson requested that 2 council members serve on a personnel committee to assist in the performance review and merit increase recommendations for employees. Councilmember Burck and Casper were appointed to the committee.

2. City Engineer's Report: Dale Conger, Cobb Fendley & Associates, reported:
  - a. Camelot Woods drainage improvement project. Design is underway and recently met with the residents on September 13<sup>th</sup>. A second meeting will be planned with the residents when the final design is complete and prior to submitting for bids.
  - b. Memorial Drive bridge railings at Soldiers Creek project. Texas Sterling was given the notice to proceed with the project scheduled for completion in mid-December.
  - c. TCEQ MS4 Phase II Permit. This is a state and federal required submittal that prohibits any unauthorized discharge of waste into or adjacent to any water in the state which will cause pollution of any water in the state, as well as any unauthorized discharge of any pollutant from any point source, including a municipal storm water sewer system. The City is required to obtain a general permit for storm water that authorizes such discharges through the permitting process. The initial cost is expected to be about \$50,000 with an on-going annual cost. Harris County is proposing to put together a program that all communities can participate in to meet the public education requirements. Further information will be forthcoming during the next months.
  - d. Signal repairs at Memorial Drive and Lindenwood. Working to reconnect the loops at a cost of \$5,000.00
  - e. Sound barrier wall at I-10 access road. Recently received the plans from TxDot for the construction of a 16' wall at the Inverness Subdivision.
3. Project Manager's Report on Memorial Drive Phase III & IV drainage and paving improvement project.

Doug Williams reported that all concrete has been poured, all asphalt is down except on the north side of the lane at Lindenwood. 95% clean up and all grass is down. Final punch list should be ready in about 2 weeks and with end of November anticipated for final completion.
4. City Treasurer's Report. Brad Conrad, City Treasurer, reported on the following:
  - a. Monthly Budget Report. Currently receiving 5.17% interest on all investment accounts, Treasury Bills are being liquidated. The City received \$1.5million from Harris County Flood Control District for the Camelot Woods drainage project which had a positive impact on cash balances and interest earned for the month. All bank funds are adequately collateralized. General financial operations are all in good order and the overall financial condition and liquidity continue to remain healthy and solid.

- b. Discussion and possible action to receive and accept the annual financial audit report for 2006.

Robert Belt with Sandersen, Knox & Belt, representing the auditors explained that the report indicates a clean and qualified opinion and based on new standard (Statement on Auditing Standards No. 112, *Communicating Internal Control Related Matters identified in an Audit*) required accounting standards the on communicating internal control manners and segregation of duties. With no further comments forthcoming, a motion was made by Councilmember Casper with a second by Councilmember Wegner to accept the annual financial audit report for 2006 as presented. The motion carried unanimously.

- c. Discussion and possible action to respond to comments in the Management Letter.

A motion was made by Councilmember Wegner with a second by Councilmember Casper to accept the Management Letter and the City's response and comments as presented. The motion carried unanimously.

- d. Discussion and possible action to approve a resolution adopting an anti-fraud policy.

A motion was made by Councilmember Wegner with a second by Councilmember Casper to approve Resolution No. 07-06 adopting an anti-fraud policy. The motion carried unanimously.

5. Police Commissioner's Report.

No report was provided.

6. Fire Commissioner's Report. Commissioner Elwin Peacock reported the department is operating about 5% under budget and response times are approximately 5 minutes. They anticipate purchasing several large capital items at year end which will reduce any budget surplus. The upgrade to the 911 system hardware is complete. The Board has been advised to solicit 3 year bids for workers compensation insurance coverage to see if it will reduce costs. They are continuing with the controls audit and have established levels of authority for approval of expenditures. The department is continuing to research alternative programs for processing payroll.

7. Council Comments. Councilmember Wegner had previously requested issuing a proclamation to Russ Schulze for his years of service on the Board of Adjustment. After determining that the City had presented him with various recognitions in the past, Councilmember Wegner suggested that a tree be planted on city property in his honor.

### PUBLIC HEARINGS

1. The first of two public hearings was held to receive testimony for or against an amendment to Sub-Section 7-4 of Chapter 14 of the Code of Ordinances of the City of Hunters Creek Village, the same being the City's Comprehensive Zoning Ordinance revising the requirements for off-street parking in commercial District B.

Mayor Dodson opened the public hearing for comments. Comments were received from Darlene Connelly, 8314 Cheshire Vale against the proposed amendment, Bonnie Fallon, 8310 Cheshire Vale against the proposed amendment noting there is not enough parking and concerned that overflow will end up on the streets; and Richard Fallon, 8310 Cheshire Vale, commented that Earthman Funeral Home overflow parking appears to ignore the no parking signs.

With no further comments forthcoming, the public hearing was closed.

2. A public hearing was held to receive public comments concerning the proposed budget for fiscal year 2008.

Mayor Dodson opened the public hearing for comments. Steve Reichek, #10 Hedwig Shadows suggested the following should be included in the proposed budget: (1) placing security cameras through out the city starting out with one intersection like Memorial/Voss; (2) tree plantings along I-10 feeder road similar to the plantings done by Bellaire, suggested start negotiating with Spring Valley to participate; and (3) not in favor of spending funds for a protected left turn light for the left turn lane at Lindenwood, suggested seeking funds from Metro.

With no further comments from the public, the public hearing was closed.

- a. Discussion and possible action to consider the proposed budget for fiscal year 2008.

There was no additional discussion on the budget at this time.

### PUBLIC COMMENTS

Public comments were received from Mr. and Mrs. Jucker regarding the drainage project on Memorial Drive commented of the increase in ponding on their property that was not there before the project was done. They also commented on how difficult it has been for them to resolve the issue with the City regarding the drains on private property.

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 1 through 2 as follows (Councilmember Cokinos was absent at the time the vote was taken):

1. Approval of the Minutes of the August 21, 2007 and September 11, 2007 Council Meetings.
2. Approval of a resolution nominating Ed Heathcott as a candidate for a position on the Board of Directors of the Harris County Appraisal District.

#### REGULAR AGENDA

3. Discussion and possible action to consider a request from ExteNet systems for a right-of-way permit for the installation of wireless antenna facilities on existing utility poles.

There was discussion and a report from John Hightower, City Attorney, on the development of this request. There are a lot of technical questions regarding this request and further information would need to be provided to council at a later date. With that information, a motion was made by Councilmember Cokinos with a second by Councilmember Casper to table the item to the October meeting. The motion carried unanimously.

4. Discussion and possible action to consider the award of the contract for residential solid waste and recycling collection and disposal services.

A motion was made by Councilmember Burck with a second by Councilmember Cokinos to award the bid for collection on two (2) days each week for the contract to Century Disposal, Inc. The motion carried unanimously. Another motion was made by Councilmember Burck with a second by Councilmember Wegner to authorize the Mayor to execute the contract based on the bid proposal. The motion carried unanimously.

5. 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.

There was discussion regarding grandfathering of existing enclosures and how the new regulation would apply to new or replacement fencing. Indicating that the language in the ordinance was unclear, a motion was made by Councilmember Casper with a second by Councilmember Cokinos to table the item to the October meeting. The motion carried with voting: Aye – (4) Cokinos, Casper, Stark and Wegner, and Nay – (1) Burck.

6. Discussion and possible action to consider approval of a Villages Mutual Insurance Cooperative Purchasing Agreement to participate in a program for the purchasing of employee benefits for medical, dental, life, long term disability, and AD&D insurance.

A motion was made by Councilmember Burck with a second by Councilmember Casper to approve the Villages Mutual Insurance Cooperative Purchasing Agreement to obtain group insurance coverage for employees and authorize the

- mayor to execute the agreement on behalf of the City. The motion carried unanimously.
7. Discussion and possible action to designate a representative and alternate to the Houston-Galveston Area Council 2008 General Assembly.  
A motion was made by Councilmember Burck with a second by Councilmember Wegner to designate Councilmember Art Casper as the representative and Mayor Bob Dodson as the alternate. The motion carried unanimously.
  8. Discussion and possible action to receive and accept the certified appraisal roll for the 2007 tax year as submitted by the chief appraiser.  
A motion was made by Councilmember Burck with a second by Councilmember Wegner to receive and accept the certified appraisal roll for tax year 2007 as submitted by the chief appraiser. The motion carried unanimously.
  9. Discussion and possible action to consider an ordinance amending the Code of Ordinances establishing procedures for amending, supplementing, or changing a zoning district classification or boundary or district regulation, including the type and manner of providing notice of public hearings before the Planning and Zoning Commission and City Council.  
There was discussion with no action taken with Council requesting that the item be tabled to the October meeting.

ADJOURN OPEN MEETING

A motion was made by Councilmember Wegner with a second by Councilmember Burck to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Deborah L. Loesch, TRMC  
City Secretary

These minutes were approved on the 16th day of October, 2007.

Resolution Nos.07-06 and 07-07 are on file in the City Secretary's office and are made a part of these minutes by reference.