

CITY OF HUNTERS CREEK VILLAGE, TEXAS  
MINUTES OF A REGULAR  
CITY COUNCIL MEETING  
OCTOBER 16, 2007

The City Council of the City of Hunters Creek Village, Texas held a regular meeting on Tuesday, October 16, 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.

JOINT PUBLIC HEARING. A joint public hearing was held before the Hunters Creek Village City Council and the Planning and Zoning Commission for the purpose of receiving testimony for or against a request by the Houston Racquet Club located at 10709 Memorial Drive for an amendment to the specific use permit issued to allow for the relocation and/or lighting of certain outdoor tennis courts.

1. Presentation of preliminary report from the Planning & Zoning Commission. The Commission announced that a Preliminary Report had been adopted recommending that the City Council should grant the amendment to the specific use permit as an amendment to the zoning ordinance and to the ordinance amending the 2005 specific use permit granted. John Hightower, City Attorney briefly explained the preliminary report to City Council and residents. Steve Griffin with Houston Racquet Club explained the plans for renovations and answered questions from the audience.
2. Open joint public hearing for comments. The joint public hearing was opened for comments. In attendance from the Planning and Zoning Commission were David Weaver, Don Fizer, Nancy Parks, Bill Dalton, and Jim Pappas. Comments were received from two (2) unidentified residents that the lighting at the tennis courts usually goes off by 10:15 p.m. and reminded them that the use of power tools before 9:00 a.m. is prohibited. In addition, two (2) favorable written responses were received from Bill Earle and Julie Page.
3. Close joint public hearing. With no further comments being heard, the joint public hearing was closed at 6:15 p.m.

## REPORTS

1. Mayor's Report: Mayor Dodson reported on the following matters:
  - a. Discussion and possible action to consider a name for the Soldiers Creek bridge railings on Memorial Drive.

A motion was made by Councilmember Stark with a second by Councilmember Burck to name the bridge railings on Memorial Drive crossing at Soldiers Creek "Soldier's Creek". The motion carried. With Council voting: Aye: (4) – Burck, Casper, Stark, and Wegner, Nay (1) – Cokinos.

- b. Update on employee group insurance plans with Villages Mutual Insurance Cooperative Purchasing Agreement.

Mayor Dodson reported that the new Insurance Cooperative Group has met and has requested that the agent of record solicit bids and those bids are expected next month. A committee has been formed to develop criteria for the evaluation and selection process for a new agent of record. Mr. John Ennis, the current agent of record will remain for this year and once the committee has their recommendations to the cooperative, then the process can begin to evaluate the agent of record.

- c. Discussion and possible action to consider adoption of a travel and expense reimbursement policy for council members.

A motion was made by Councilmember Casper with a second by Councilmember Cokinos to adopt the same travel and expense reimbursement policy for mayor and council members as adopted for city hall employees based on federal reimbursement rates. The motion carried unanimously.

- d. Mayor Dodson reported that there may be a need to reschedule the November and December council meetings to avoid holiday and travel conflicts. Therefore the mayor has called a special meeting for October 30<sup>th</sup>, subject to change, and an item will be placed on the next agenda to discuss the rescheduling of the December meeting.

2. City Engineer's Report: Dale Conger, Cobb Fendley & Associates, reported:

- a. Camelot Woods drainage improvement project. A second meeting with the residents will be held on October 20<sup>th</sup> to go over the final plans.
  - b. Soldiers Creek Crossing Project. Notice to proceed was issued on 8/27/07 to Texas Sterling and they are now scheduled to start on 10/22/07 with expected lane closures during the day of the first 2-3 weeks of the project while the new water and sewer lines are installed.

- c. Discussion and possible action to consider the specifications for an evergreen maintenance contract and setting a limit for individual expenditures under such contract not to exceed \$10,000.00  

Dale Conger reported that the bid documents are prepared and ready to go out for proposals. A motion was made by Councilmember Casper with a second by Councilmember Stark to approve the specifications for the contract and authorize the solicitation of proposals and receiving of bids. The motion carried unanimously.
  - d. In addition, Dale Conger presented a draft of costs for engineering and design for various small public works projects scheduled for 2008. This will be scheduled on a future agenda for consideration and approval by Council.
3. Project Manager's Report on Memorial Drive Phase III & IV drainage and paving improvement project.  

Bobby Deden reported that the project is winding down and clean up work is being done. They expect to present to the Council at its next meeting a request for acceptance of completion. The project is 90 days ahead of schedule and under budget.
  4. City Treasurer's Report. Mayor Dodson reported for Brad Conrad, City Treasurer, that the City earned an average of 5.26% on interest on all investment accounts. All bank funds are adequately collateralized. Majority of the revenues and expenses continue to track in-line with the budget, with all major budgetary expense categories are below the full year budgeted amounts. A budget amendment is being submitted for some categories that have line items exceeding the budget, with the net amount of the increase of \$54,000 which should be offset by interest income which has exceeded budgeted amounts so far this year. General financial operations are all in good order and the overall financial condition and liquidity continue to remain healthy and solid.
  5. Police Commissioner's Report.  

No report was provided.
  6. Fire Commissioner's Report. Commissioner Elwin Peacock reported the department is operating about 4.7% under budget and response times are approximately 4 minutes. EMS billing is down due to fewer calls for service. The department is re-evaluating the current payroll software in use.

#### PUBLIC COMMENTS

Public comments were received from:

Diane Roberts, 6 Hampton Court, stated concerns about safety in the City following a recent burglary at her home while she was at home. She stated that while

they are still working the Police Department on this incident she is concerned that the City needs to do more to secure our neighborhoods, more visibility of officers on the street, and follow through on the investigations with the victims.

Elwin Peacock, 1108 River Glyn, stated that he understands why the City is changing the official newspaper to the Memorial Examiner; however, he is concerned because the paper is not distributed to his neighborhood. Mayor Dodson assured Mr. Peacock that the City would discuss circulation with the paper to make sure that all areas of the City receive a copy of the weekly paper.

CONSENT AGENDA. Upon a motion made by Councilmember Burck and a second by Councilmember Wegner, the Council voted unanimously to approve and adopt consent agenda items 1 and 2 as follows:

1. Approval of the Minutes of the September 18, 2007 and September 20, 2007 Council Meetings.
2. Approval of a professional services agreement with Cobb Fendley & Associates to provide engineering services as city engineer.

REGULAR AGENDA

3. Discussion and possible action to receive and accept the final report and recommendation from the Planning and Zoning Commission concerning a request by the Houston Racquet Club located at 10709 Memorial Drive for an amendment to the specific use permit issued to allow for the relocation and/or lighting of certain outdoor tennis courts.

A final report from the Planning and Zoning Commission was received with favorable recommendation to grant the amendment to the 2005 specific use permit issued to the Houston Racquet Club. A motion was made by Councilmember Casper with a second by Councilmember Burck to accept the final report and recommendation as presented. The motion carried unanimously.

A second public hearing on the matter is scheduled for October 17, 2007 at 7:00 p.m.

4. 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. (*Tabled from the previous meeting*)

A motion was made by Councilmember Burck with a second by Councilmember Wegner to approve Ordinance No. 699 granting the Extenet Systems, Inc., a license to place, operate, and utilize its facilities within the public rights-of-way of the City, for the purpose of providing telecommunications services and such ordinance is so amended to provide that any facilities that are not mounted on existing poles must be placed below grade. The motion carried unanimously.

5. Discussion and possible action to approve the Notice to Residents of the change in solid waste and recycling collection contractors.

The Council reviewed the proposed notice with some amendments to information. A motion was made by Councilmember Wegner with a second by Councilmember Casper to approve the notice as amended and to adjust the collection day for recycling from Tuesdays to Wednesdays. The motion carried unanimously.

6. Discussion and possible action to consider a resolution designating the City's official newspaper.

A motion was made by Councilmember Casper with a second by Councilmember Cokinos to approve Resolution No. 07-08 designating the Memorial Examiner as the official newspaper for the City effective January 1, 2008. The motion carried unanimously.

7. Discussion and possible action to consider an ordinance adopting amendment #8 to fiscal year budget 2007 providing for additional appropriations for legal fees, city engineering fees, building inspections, truck maintenance (fuel), and computer consulting services.

A motion was made by Councilmember Burck with a second by Councilmember Casper to approve Ordinance No. 700 adopting amendment #8 to fiscal year budget 2007. The motion carried unanimously.

8. Discussion and possible action to consider an ordinance adopting the budget for fiscal year 2008.

A motion was made by Councilmember Casper with a second by Councilmember Wegner approving Ordinance No. 701 adopting the budget for fiscal year 2008. The motion carried unanimously.

9. Discussion and possible action to consider:

- a. Approve a motion to set the tax rate for Debt Service for 2008;

A motion was made by Councilmember Burck with a second by Councilmember Cokinos to set the tax rate for debt service for 2008 at \$0.00 per \$100 valuation. The motion carried unanimously.

- b. Approve a motion to set the tax rate for Maintenance and Operation for 2008;

A motion was made by Councilmember Burck with a second by Councilmember Casper to set the tax rate for maintenance and operations for 2008 at \$0.185 per \$100 valuation. The motion carried unanimously.

- c. Adoption of an ordinance providing for the levy and collection of ad valorem taxes of the City of Hunters Creek Village, Texas for

year 2007 and for each year thereafter until otherwise provided; providing the date on which such taxes shall be due and payable; providing for penalty and interest on all taxes not timely paid; and repealing all ordinances and parts of ordinances in conflict herewith; and providing for severability.

A motion was made by Councilmember Wegner with a second by Councilmember Casper to approve Ordinance 702 providing for the levy and collection of ad valorem taxes for tax year 2007 and for each year thereafter until otherwise provided; providing a date on which such taxes are due and payable; providing for a penalty and interest on all taxes not timely paid. The motion carried unanimously.

10. 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. *Tabled from the previous meeting.*

A motion was made by Councilmember Stark with a second by Councilmember Cokinos to not change the ordinance as requested. The motion carried. The Council voting: Aye (4): Cokinos, Casper, Stark, and Wegner, Voting Nay (1): Burck.

11. 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. *Tabled from the previous meeting.*

A motion was made by Councilmember Burck with a second by Councilmember Cokinos to approve Ordinance No. 703 providing for the elimination of one of the required public hearings before Council. The motion carried unanimously.

#### ADJOURN OPEN MEETING

A motion was made by Councilmember Casper with a second by Councilmember Burck to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Deborah L. Loesch, TRMC  
City Secretary

These minutes were approved on the 6th day of November, 2007.

Resolution No.07-08 and Ordinance Nos. 699, 700, 701, 702, and 703 are on file in the City Secretary's office and are made a part of these minutes by reference.