

CITY OF HUNTERS CREEK VILLAGE, TEXAS  
MINUTES OF A SPECIAL CALLED  
CITY COUNCIL MEETING  
DECEMBER 4, 2007

The City Council of the City of Hunters Creek Village, Texas held a special called meeting on Tuesday, December 4, 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. The Pledge of Allegiance was led by Scout Troup 2642.

REPORTS

Mayor:

1. Deliberate and take action to consider approval of the interlocal agreements with Metro for the funding of (a) improvements to Memorial Drive Bridge over Soldiers Creek Crossing project for \$250,000 and (b) remaining funding obligation for Pifer Road: Beinhorn to Bridgewood project for \$600,000 and authorize the Mayor to execute the agreements.

A motion was made by Councilmember Casper with a second by Councilmember Wegner to approve the agreements with Metro and authorize the Mayor to execute the agreements on behalf of the city. The motion carried unanimously.

City Engineer's Report: Charles Eastland, Cobb Fendley & Associates, reported:

1. Camelot Woods Drainage Improvement Project:
  - (a.) Report on the status of the value engineering review for Camelot Woods drainage and paving improvement project.  
The review will be completed by the end of the week.
  - (b.) Discussion and possible action to consider authorizing the City Engineer to solicit bids for the Camelot Woods drainage and paving improvement project.

Bid documents will be ready for advertising to publish on December 7<sup>th</sup> and December 14<sup>th</sup>. A pre-bid conference scheduled for December 18 with bid opening on January 8, 2008. A recommendation for award will be made at the January 15, 2008 Council meeting. The bid specifications do provide an early completion bonus provision.

A motion was made by Councilmember Stark with a second by Councilmember Wegner to authorize staff to advertise the project for bids upon completion of the bid specifications. The motion carried unanimously.

2. Soldiers Creek Crossing Project.

An updated schedule is being prepared and the fabrication of the railings has begun.

3. Discussion and possible action to approve Amendment #3 to the City Engineer's contract with Cobb Fendley & Associates to provide civil engineering design and construction phase services and authorize the mayor to execute the contract in connection with the Creekside Manor and Tara Oaks storm sewer outfall upgrade project in an amount not to exceed \$134,500.00.

This item was removed from the agenda to be presented later in to include additional project at Hunters Park Lane into Soldiers Creek.

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

The project is 99.9% complete with substantial completion issued to the contractor. Traffic signal loops at Memorial Drive and Lindenwood have been installed. Continuing to pursue partnership with City of Houston to upgrade the traffic signal at that intersection since traffic from outside of the city limits at Chimney Rock and Duchesne Academy amplify the congestion in the area.

Discussion and possible action to consider final acceptance of the Memorial Drive Phase III and IV drainage and paving improvement project as complete authorizing the release of the performance bond, payment of the completion bonus and any retainage amounts.

As of the date of the meeting, Texas Sterling has not turned in its final invoice. There is a dispute on the asphalt reclaim. The contractor has earned the early completion bonus. However, the project is not ready to accept for final completion. No action was taken on this item.

City Treasurer's Report. Mayor Dodson reported for Brad Conrad, City Treasurer, that treasury bills are being liquidated and reinvested in money market accounts at Wells Fargo. There will be no monthly budget report because of the early date of the meeting. November and December reports will be provided at the January meeting.

Police Commissioner's Report. No report given.

Fire Commissioner's Report. No report given.

Council Comments. Councilmember Wegner stated that Dean Seideman, Director of Public Works, met with the Hunters Creek Garden Club and walked the city limit locations for landscaping. The landscaping should be done by March. Councilmember

Burck reported on revising the current Tree Ordinance provided a marked up version to the Arbor Committee and Garden Club as well as contacting various builders. They were in favor of strengthening the ordinance. Mayor Dodson stated that he is in favor of protect the canopy of the lot. As this develops a community/town hall meeting will be considered at some point to receive feed back from the residents. Councilmember Casper requested that the City put up holiday decorations at Memorial and Voss. Unfortunately, it may be too late for this year, but the Mayor suggested that we could place wreaths on each of the city limit signs.

### PUBLIC COMMENTS

Public comments were received from:

Ed Alves, 10310 Memorial Drive stated his concern that his property was used as a staging area during the construction on Memorial Drive and damage resulted to his sprinkler system. He was advised by the project superintendent to move the sprinklers from within the easement by 10'. To be safe, he moved them back 11' and still there was damage done to his system. In addition, he stated his displeasure with the placement of the guard rail which covers about 1/3 of the frontage of his property.

CONSENT AGENDA. Upon a motion made by Councilmember Wegner and a second by Councilmember Burck, the Council voted unanimously to approve and adopt consent agenda items 1 and 3 as follows:

1. Approval of the minutes of the November 6, 2007 Council meeting.
2. Approval of accounts payable disbursements for month of November 2007.
3. Approval of Ordinance No. 706 adopting amendment #1 to fiscal year budget 2008 providing for the appropriation of funds for the Soldiers Creek Crossing bridge railing project from the 2007 fiscal year budget.

### REGULAR AGENDA

1. Discussion and possible action to authorize Mr. Hal Gordon, as the City's delinquent tax attorney, to file a lawsuit at his discretion with respect to delinquent property taxes for tax years 2002-2006 against George Harrington, III, at 1118 Riverbend Drive.

Mr. Hal Gordon advised Council on the status of the account. Mr. Harrington has promised to satisfy all remaining payments by January 31, 2008. He is requesting authority to pursue legal action at his discretion should Mr. Harrington default on his promise to pay. A motion was made by Councilmember Burck with a second by Councilmember Wegner to authorize Mr. Gordon to pursue appropriate legal action at his discretion should Mr. Harrington default on his promise to pay. The motion carried unanimously.

2. Discussion and possible action to receive and accept a final report and recommendation from the Planning and Zoning Commission concerning proposed amendments to Chapter 14, Section 6, Sub-Section 6.1.c (1) – (3) of the Code of Ordinances regarding sign regulations in zoning District R (residential) and to call for a public hearing. *Tabled from previous meeting.*

A motion was made by Councilmember Cokinos with a second by Councilmember Wegner to accept the final report and recommendation as presented from the Planning and Zoning Commission. The motion carried unanimously. A motion was made by Councilmember Wegner with a second by Councilmember Casper to call for a public hearing to be held on January 15, 2008 at 6:00 p.m. The motion carried unanimously.

3. Discussion and possible action to consider recommendations from the Planning and Zoning Commission for regulations for construction site requirements in residential areas.

The Planning and Zoning Commission presented proposed provisions to consider enhancement of the construction site requirements in residential areas. The areas addressed included securing permit documents on site, trash and construction debris, portable toilets, work hours, parking of vehicles, city property damage, excessive noise, deliveries, erosion control, and security. After discussing the proposed regulations, a motion was made by Councilmember Burck with a second by Councilmember Wegner to direct staff to prepare an ordinance to incorporate these provisions and suggested changes for final consideration at the January 2008 meeting.

4. Discussion and possible action to approve an ordinance to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253; and providing that such ordinance shall become effective from and after its passage and adoption.

A motion was made by Councilmember Burck with a second by Councilmember Casper to adopt Ordinance No. 707 providing for taxing of tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253 to be effective this date. The motion carried unanimously.

EXECUTIVE SESSION. The City Council held a Closed Meeting pursuant to authorization by Title 5, Chapter 551, Section 551.074 of the Texas Government Code to discuss personnel matters regarding salary increases for employees. The Closed Meeting convened at 7:45 p.m. and adjourned at 8:45 p.m.

The open meeting reconvened in open session at 8:45 p.m.

5. Discussion and possible action to consider salary increases for employees.

A motion was made by Councilmember Cokinos with a second by Councilmember Casper to accept the salary recommendations for employees as submitted by the Mayor in Executive Session. The motion carried unanimously.

6. Discussion and possible action to consider approval of the Villages Mutual Insurance Cooperative recommendation for medical, dental, Life/AD&D and LTD insurance coverage for employees beginning January 1, 2008.

A motion was made by Councilmember Burck with a second by Councilmember Casper to accept the recommendation of the Villages Mutual Insurance Cooperative for insurance coverage with Aetna. The motion carried unanimously.

7. Discussion and possible action to consider approval of an ordinance authorizing and allowing, under the act governing the Texas Municipal Retirement System, "Updated Service Credits" in said system on an annual basis for service performed by qualifying members of such system who at the effective date of the allowance are members of the City of Hunters Creek Village; increase the rate of deposits to the Texas Municipal Retirements System by the employees; and establishing an effective date for the ordinance.

A motion was made by Councilmember Casper with a second by Councilmember Wegner to adopt Ordinance No. 708 updating the employees' retirement plan with Texas Municipal Retirement System increasing the employee's contribution from 5% to 7%. The motion carried unanimously.

#### ADJOURN OPEN MEETING

A motion was made by Councilmember Casper with a second by Councilmember Cokinis to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Deborah L. Loesch, TRMC  
City Secretary

These minutes were approved on the 15th day of January, 2008.

Ordinance Nos. 706, 707, and 708 are on file in the City Secretary's office and are made a part of these minutes by reference.