

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF A SPECIAL CALLED
CITY COUNCIL MEETING
JANUARY 15, 2008

The City Council of the City of Hunters Creek Village, Texas held a special called meeting on Tuesday, January 15, 2008, 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 6:0) p.m. The Pledge of Allegiance was led by Scout Troup 673.

A. REPORTS

Mayor Dodson reported on the following:

1. Consider adopting a residential homestead exemption. Mayor Dodson presented some preliminary analysis on possible residential homestead exemption for Hunters Creek.
2. Arbor Day Activities. Information was mailed to residents regarding Arbor Day 2008 and encouraging residents to sponsor planting new trees as a part of maintaining the ambiance and benefits of a forest-like environment for the City. Forms are due by January 18 to the City Secretary and Bill Bounds Nursery will be providing the trees for purchase.
3. Newsletter topics for February 2008 edition. Councilmember Art Casper volunteered to prepare the newsletter. If any councilmember has any topics that they would like to include in the newsletter they should contact Councilmember Casper or Deborah Loesch, City Secretary.
4. Finger Companies participation in traffic signal loop at Memorial Drive and Lindenwood. Mayor Dodson advised that the Finger Companies was non-responsive to participating in 50% of the cost of the loops. Therefore the City has paid 100% for the installation.
5. Report on Century Disposal garbage service and recycling contract. The contractor is working diligently trying to identify all the residences participating in recycling. They are considering placing a yellow "dot" at each residence to identify those participating.

6. Consider adopting a posted notice requirement for requests for variances, appeals to the Board of Adjustment. Mayor Dodson stated that he would like to see additional notice requirements for variances, appeals, etc. that would involve posting a sign on the property affected or increase the requirement of 200' to 1000' or include the entire subdivision in the written notice. Additional discussion by council indicated other options instead of posting of signs. Councilmember Cokinos stated maybe we should give city wide notice, whereas, Councilmember Wegner stated his opinion that the 200' feet requirement was sufficient. There was no further discussion that indicated any future action would be taken at this time.
7. Mayor Dodson reported that staff has been working hard on clearing up the permit desk and have determined there were some irregularities and therefore new controls and being developed. He recognized Katherine Gillette for a job well done in clearing up the permit area.

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

1. Discussion and possible action to consider the award of the bid for the contract for the Camelot Woods drainage and paving improvement project and Pifer Way repaving project.

A motion was made by Councilmember Stark with a second by Councilmember Wegner to approve the award of the bid to Metro Cities Construction Company for \$2,336,236.85 with the addition of \$19,000 for Change Order #1 for temporary lanes and authorize the Mayor to execute the contract and change order. The motion carried unanimously.

2. Discussion and possible action to consider the addition of construction materials testing services in the Camelot Woods drainage and paving improvement project in an amount not to exceed \$65,000.

A motion was made by Councilmember Stark with a second by Councilmember Casper to approve and authorize the Mayor to execute Amendment #1 to the consulting agreement with Cobb Fendley & Associates for construction materials testing with Terracon in an amount not to exceed \$65,000. The motion carried unanimously.

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, Tara Oaks, and Hunters Park Lane storm sewer outfall upgrade project in an amount not to exceed \$158,200.00.

A motion was made by Councilmember Casper with a second by Councilmember Stark to approve and authorize the mayor to execute Amendment #3 to the City Engineer's contract providing for design engineering and construction phase services for Creekside Manor, Tara

Oaks, and Hunters Park Lane storm sewer outfall upgrade project in an amount not to exceed \$158,200.00. The motion carried unanimously.

5. Discussion and possible action to authorize the mayor to execute the TCEQ MS4 permit application.

Cobb Fendley & Associates prepared the permit application on behalf of the City which is a general form designed for small municipalities to give the TCEQ the notice of intent of the storm water plan for the next 5 years. The City has already committed to participate with Harris County in the public education requirements. The application is due by February 11th

A motion was made by Councilmember Burck with a second by Councilmember Cokinos to approve and authorize the mayor to execute the application for filing. The motion carried unanimously.

6. Report by Councilmember Roger Stark concerning infrastructure plans. Councilmember Stark distributed a list of proposed CIP projects identifying 17 future construction projects. These projects were not in any priority order and some of them were already approved and were already being designed. Cobb Fendley & Associates assisted in the preparation of this list and provided a description of the work and cost estimates. The projects identified indicate those in need of drainage improvements and deteriorated infrastructure. A copy of the report is on file in the City Secretary's office is referred to by reference only.
7. Soldiers Creek Crossing project. The City Engineer reported that the contractor has restarted on 1/7/08 scheduled to put in the sanitary sewer line on the north side. They expected there would be some lane closures on and off through the 2nd week of February and then again in April. Anticipate the project to be completed by April 23rd.

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

Bobby Deden reported that the project is 100% complete and ready for final acceptance of the project. The project did come in under budget.

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.

A motion was made by Councilmember Wegner with a second by Councilmember Stark to accept the project as complete and authorize the payment of the final pay estimate (including any retainage amounts), completion bonus, and release of the performance bond to Texas Sterling. The motion carried unanimously.

- D. City Treasurer's Report. Brad Conrad, City Treasurer, reported that all Treasury Bills had matured and were reinvested in money market accounts. Investments earned 4.68% in November and 4.88% in December. Current cash flow is approximately \$8.5 million. However, we anticipate need to a budget amendment for 2007 to correct some department and line item accounts. The annual audit should be starting within the next few months.
- E. Police Commissioner's Report. Commissioner Benny Hruzek reported that the department is currently operating \$150,000 under budget due to one less officer so personnel costs are less. However, the department is now fully staffed and the traffic enforcement officer is now on board with alternating his days in Hunters Creek every 3rd day. However, the STEP Program is still available and officers are interested in working STEP. Commissioner Hruzek reported no house burglaries in December. Mayor Dodson asked Chief Brye to speak with Dr. Soriel about doing a second safety survey.
- F. Fire Commissioner's Report. No report given.
- G. Council Comments.

Councilmember Burck has been working on enhancing the current tree ordinance. Builders have been contacted and obtained feed back from them and appear to be supportive in making the ordinance more restrictive. She anticipates having a draft for council at the February meeting.

Councilmember Wegner reported that he has met with the Hunters Creek Garden Club in cooperation with them in developing a landscaping plan for the entrances to the City on Memorial Drive. They are also assisting in recommending landscape architect firms to contact.

PUBLIC COMMENTS

Public comments were received from:

Ed McAninch, 10779 Bridlewood, comments on the trash on Memorial Drive and requested the placement of additional trash receptacles along the walkways. In addition, he requested council to consider making the work hours for lawn service workers to begin at a later time.

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

1. Approval of the minutes of the December 4, 2007 Council meeting.
2. Approval of accounts payable disbursements for month of December 2007.

3. Approval of Ordinance No. 709 providing for the holding of a General Election on May 10, 2008, for the purpose of electing three (3) council members (Position Nos. 1, 2, and 3); and providing details relating to the holding of the election.
4. Approval of an Interlocal Agreement between Harris County and the City of Hunters Creek Village for the receipt and confinement of city prisoners to the Harris County Jail for one year beginning January 1, 2008 for one year term at \$72.00 per day.
5. Approval of Resolution 08-01 levying an additional penalty for delinquent taxes under the Texas Property Tax Code for tax year 2007 at 20%.

PUBLIC HEARING. A public hearing was held for the purpose of receiving testimony for or against proposed amendments to the City's Comprehensive Zoning Ordinance. The proposed amendments relate to the types of signs permitted in residential zoning district R and include changes to the regulations regarding "for sale" signs, contractor's signs, political signs, security company signs, personal announcement signs, and church and institutional signs.

Mayor Dodson opened the public hearing for comments. Jim Frankel stated, as a builder, he saw no value or reason in changing the current real estate sign regulations and that the proposed regulations were too small. David Durr had several comments regarding the other types of signs permitted and was concerned that larger signs would be allowed and political signs should be further refined. Lorraine and John Abercrombie stated that they were against the proposed sign ordinance relating to real estate signs as being too restrictive and tying the builders' hands in being able to market their property.

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

REGULAR AGENDA

1. Discussion and possible action to consider an ordinance amending Section 44-157 (3) of the Code of Ordinances of the City of Hunters Creek Village, Texas, the Zoning Chapter, to revise the provisions governing the placement of signs in residential district R; containing provisions regarding "For Sale" and "For Lease" signs, contractor's signs, church and institutional signs, private security signs, personal message signs, and political signs; making other provisions related to the subject; and providing for a penalty.

A motion was made by Councilmember Wegner with a second by Councilmember Cokinos to abandon the entire subject and reject the recommendation of the Planning and Zoning Commission. The motion carried. Voting: Aye: (4) Cokinos, Casper, Stark, Wegner; Nay: (1) Burck.

Councilmember Burck stated that she would like to reconsider the ordinance at a future time after further review.

2. Discussion and possible action to approve Ordinance No. 710 adopting and enacting a new Code of Ordinances for the City of Hunters Creek Village, Texas; providing for the repeal of certain ordinances not included in the Code; providing penalties for violations of the Code; providing for the manner of amending the Code; providing for an effective date; and containing other provisions related to the subject.

Staff has been working diligently on recodifying the city's ordinances for the past 18 months. After final review, the new code of ordinances was presented to council for consideration and to adopt and enact the new code of ordinances.

Councilmember David Wegner commended Deborah Loesch, City Secretary and City Attorney, John Hightower, for their efforts in completing this project.

A motion was made by Councilmember Wegner with a second by Councilmember Cokinos to approve Ordinance No. 710 adopting and enacting a new Code of Ordinances to include the following changes to: (a) Chapter 1, Section 1-2. Definitions. Amend definition for "Council" be striking the work "aldermen" and replacing with "councilmembers"; (b) Chapter 44, Section 44-90. Board of Adjustment. Repealed by Ordinance No. 689 dated 6/26/07 and new language inserted; (c) Chapter 44, Section 188(b). Signs. The first sentence of the paragraph was omitted when new Ordinance No. 689 was misread during the recodification, changes are noted on the official copy; and (d) Burglar alarm fees are stated in the recodification in a generic language so the council can change the fees from time to time and not have to update the code, therefore, Resolution No. 08-02 provides for these fees as a matter of record, which also includes the fees for zoning applications, board of adjustment fees. The motion carried unanimously.

3. Discussion and possible action to approve Resolution No. 08-02 adopting a fee schedule for burglar alarm permits, applications for specific use permits, and applications to the Board of Adjustment for appeals, variances, and special exceptions and applications for amending the zoning ordinance.

A motion was made by Councilmember Burck with a second by Councilmember Wegner to approve Resolution No. 08-02 adopting a fee schedule for burglar alarm permits, applications for specific use permits, and applications to the Board of Adjustment and Planning and Zoning Commission. The motion carried unanimously.

4. Discussion and possible action to consider an ordinance amending the Code of Ordinances to add new regulations governing construction sites and construction activity and to renumber existing regulations; providing for penalties; and making other provisions related to the subject.

A motion was made by Councilmember Burck with a second by Councilmember Wegner to approve and adopt Ordinance No. 711 providing for new regulations governing construction sites and activity with amendments being made to sections (b), (h), (l) and (n) of the ordinance presented. The motion carried unanimously.

5. Discussion and possible action to consider increasing the hourly rate for compensation for municipal court judges and prosecutors.

A motion was made by Councilmember Stark with a second by Councilmember Casper to increase the salary rate for judges to \$275 per session and for prosecutors to \$135 per hour effective immediately. The motion carried unanimously.

6. Discussion and possible action to consider a request from Extenet for an exemption regarding the placement of meters below grade as per the license agreement as CenterPoint Energy Service Standards do not allow for meters to be installed below grade.

A motion was made by Councilmember Burck with a second by Councilmember Cokinos to approve Ordinance No. 712 amending the License Agreement to strike the requirement in Section 2 of the License Agreement requiring that the installation of meters be placed below grade and add the requirement that Extenet is to consult with the adjacent property owner before placing the meter pedestals. The motion carried unanimously.

7. Discussion and possible action to consider a contract with Doug Williams for consulting services.

A motion was made by Councilmember Peggy Burck with a second by Councilmember Michael Cokinos to authorize the mayor to negotiate a service agreement with Doug Williams based on a rate of \$200/hour on an as needed basis, to submit a detail invoice of work performed starting from hour one, and providing for a maximum budget for 2008 of \$50,000. The motion carried. Voting: Aye (4): Casper, Cokinos, Burck, Wegner; Nay (1) Stark.

EXECUTIVE SESSION. The City Council of the City of Hunters Creek Village, Texas, met in a closed session pursuant to authorization by Title 5, Chapter 551, Section 551.074 of the Texas Government Code to discuss personnel matters relating to the permit clerk position. The Closed Meeting adjourned at 10:27 p.m.

RECONVENE IN OPEN SESSION.

8. Discussion and possible action to consider the filling of the permit clerk position.

A motion was made by Councilmember Cokinos with a second by Councilmember Casper to authorize the mayor to re-assign the duties of the permit clerk and adjust the compensation as appropriate. The motion carried unanimously.

ADJOURN OPEN MEETING

A motion was made by Councilmember Casper with a second by Councilmember Cokinos 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 19th day of February, 2008.

Ordinance Nos. 709, 710, 711 and 712, Resolution Nos. 08-01 and 08-02 are on file in the City Secretary's office and are made a part of these minutes by reference.