

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE REGULAR
CITY COUNCIL MEETING
JULY 15, 2008

The City Council of the City of Hunters Creek Village, Texas held its regular meeting on Tuesday, July 15, 2008, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor	Bob Dodson
	Mayor Pro Tem:	Roger Stark
	Council Members:	Steve Reichek Peggy Burck Ed Neuhaus
	City Secretary:	Deborah Loesch
	City Attorney:	John Hightower
	City Treasurer:	Alan May

With a quorum of the Council Members present, Mayor Dodson called the session to order at 6:00 p.m. followed by the Pledge of Allegiance, led by Ken Spalding.

REPORTS

1. Mayor Dodson reported on the following:
 - a. Update on the Villages Independence Festival. Mayor Dodson reported that the festival was again a very successful event with the City of Hunters Creek winning the coveted award for first place in the float contest. He expressed his thanks to Dean Seideman, Alex and Elmer Alvarado for the hard work put into building the float. In addition he thanked Debbie Loesch for her efforts in helping in the organizing of the event.
 - b. Mayor Dodson announced that on Thursday, July 17, 2008 at 7:00 p.m. residents were welcome to attend a meeting with TxDOT to hear their presentation explaining the considerations that went into the design of the storm drainage systems that drain from IH-10 into Briar Branch.
 - c. Update on negotiations with Royal Disposal for the solid waste and recycling collection services contract. Mayor Dodson reported that he was expecting to receive a copy of the proposed contract by Wednesday July 16th.
2. City Engineer's Report: Charles Eastland, Cobb Fendley & Associates, reported:
 - a. Camelot Woods drainage and paving improvement project. The project is about 58% complete with substantial completion expected by August 31st making that about 61 days ahead on the contract time. Drainage basins are being installed on Gawain and currently grading and sodding Camelot Lane as well as installing drain basins there. Storm sewer contraction is complete on Country Lane with the exception of portion up to Beinhorn with paving construction beginning at the south end of the street.

b. Soldiers Creek Crossing.

(1.) Discussion and possible action to approve Change Order #2 for bid item overruns associated with improved aesthetics and safety issues of the overall project in the amount of \$68,241.50 and authorize the mayor to execute on behalf of the City.

A motion was made by Councilmember Stark with a second by Councilmember Neuhaus to approve Change Order #2 as presented for \$68,241.50. The motion carried. Voting: Aye (4) – Burck, Neuhaus, Stark, Wegner; Nay (1) – Reichek.

c. Intersection at Saddlewood and Memorial Drive.

(1.) Discussion and possible action to approve a revised Amendment #5 to the City Engineer's contract for engineering services related to the Saddlewood Lane and Memorial Drive intersection realignment and authorize the mayor to execute on behalf of the City.

A motion was made by Councilmember Reichek with a second by Councilmember Wegner to authorize the mayor to execute a revised Amendment #5 to the City Engineer's contract for the design and engineering services for the realignment of the intersection to exclude the main storm sewer work. The motion carried unanimously.

d. 5-year Capital Improvement Program (CIP).

(1.) Discussion and possible action to approve the inclusion of the paving improvements for Creekside Subdivision in year 2009 of the capital improvement plan.

A motion was made by Councilmember Burck with a second by Councilmember Reichek to include the project for Creekside in the capital improvement program for year 2009. The motion carried unanimously.

(2.) Discussion and possible action to approve Amendment #6 to the City Engineer's contract for engineering services related to additional improvements for the drainage and paving improvements for Creekside Subdivision and authorize the mayor to execute on behalf of the City.

A motion was made by Councilmember Burck with a second by Councilmember Wegner to authorize the mayor to execute Amendment #6 to the City Engineer's contract for the design and engineering for improvements for paving and drainage for Creekside subdivision. The motion carried unanimously.

e. Status of various projects under design. Inwood Oaks, April Way and Beinhorn roadway and drainage project design is complete and now waiting for response from utility companies. Creekside Manor, Tara Oaks and Hunters Park storm sewer outfall upgrades design work is continuing with acquiring easements needed through residential property at 10602

Tarleton and 746 and 750 E. Creekside to provide access for construction materials and equipment during construction. Longshadow and Smithdale paving and drainage reconstruction project public meetings were held with residents to consider the design and alignment of the roadway.

3. Fire Commissioner. Elwin Peacock thanked the Council for approving the budget for fiscal year 20009.

4. Police Commissioner. No report given.

5. City Treasurer's Report.

Alan May presented the financial report through the month of June 2008 stating all accounts were reconciled and fully collaeritized. The monthly budget report included a budget forecast report for the remainder of the year.

6. Suggestions for items to include on future agendas. Councilmember Wegner requested an update at the next meeting on hand rails and wood railings on Memorial Drive at Lindenwood. Councilmember Burck stated that she would be reporting on the tree trimming program by CenterPoint Energy.

PUBLIC COMMENTS

Public comments were received from:

Bonnie McMillian stated concerns regarding storm water drainage on Wickwild.

Dan Boyles, 756 W. Creekside, thanked the City Council for listening on the drainage and paving problems in his subdivision and getting the project on the capital improvement plan. He asked what it will take to get the project going.

Joe Reilly stated that he was concerned that there was a residence on Wellesley that was operating a business out of his home.

Judith Finkel commented about the no left turn lane from Saddlewood at Memorial.

CONSENT AGENDA. Councilmember Burck requested that item 3 be removed from the consent agenda and dealt with separately. 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, 2, 4 and 5 as follows:

1. Approval of the Minutes of the June 10, 2008 and June 17, 2008 council meetings.
2. Approval of the Cash Disbursement Journal for June 2008.
4. Acknowledge receipt of a letter dated June 21, 2008 from the Harris County District Attorney's office regarding the March 28, 2008 Emergency Council Meeting and to direct the City Secretary to include such letter as a part of the minutes of the July 15, 2008 meeting to be entered as a part of the official records of the City.

5. Approval of Resolution No. 08-06 approving an Interlocal Agreement with the Region 4 Education Service Center for the City to participate in The Cooperative Purchasing Network (TCPN).

REGULAR AGENDA

3. Approval of agreements for contract building inspection services with Dennis Adams (building and electrical), Charlie H. Ehrlund (building, mechanical and plumbing), Stephen A. Kologinczak, Jr. (mechanical and plumbing), and Jason Bienek (electrical) and authorize the mayor to execute the respective agreements on behalf of the City.

At the time of the meeting only signed contracts were provided by Dennis Adams and Jason Bienek. With this information provided Councilmember Burck asked that the item be dealt with separately from the consent agenda. A motion was made by Councilmember Burck with a second by Councilmember Wegner to approve the respective inspection contracts with Dennis Adams and Jason Bienek. The motion carried unanimously.

The other contracts will be considered once they have been executed by the contractors.

6. Discussion and possible action to consider the appointments to the Finance Committee, Board of Adjustment and Planning & Zoning Commission.

A motion was made by Councilmember Reichek with a second by Councilmember Stark to accept the resignation of Ken Spalding from the Board of Adjustment and to approve not reappointing John Lester to the Board of Adjustment. The motion carried unanimously.

A motion was made by Councilmember Burck with a second by Councilmember Reichek to approve the reappointment of Mike Schoenberger, Position No. 1 and Judy Maynard, Alternate No. 6 to the Board of Adjustment for a 2 year term expiring June 2010. The motion carried unanimously.

A motion was made by Councilmember Reichek with a second by Councilmember Burck to appoint Nancy Goldberg Wilks to Position No. 2 of the Board of Adjustment to fill the vacancy by Ken Spalding; appoint Stewart Robinson to Position No. 3 of the Board of Adjustment for a term of 2 years expiring 2010 and Alexia Benavides to Alternate Position No. 7 for a term of 1 year expiring 2009. The motion carried unanimously.

A motion was made by Councilmember Reichek with a second by Councilmember Wegner to accept the resignation of Don Fizer from the Planning and Zoning Commission and appoint Alternate Tod Dimitry to replace him. Mr. Dimitry will fill the remainder of the term and expires June 2009 in addition approve the appointment of David Childers as an alternate to replace Tod Dimitry

whose term will be for the remainder and will expire in June 2009. The motion carried unanimously.

A motion was made by Councilmember Wegner with a second by Councilmember Reichel to appoint Doug Abbott to the Finance Committee. The motion carried unanimously.

7. Discussion and possible action to consider an ordinance amending Article II, Chapter 18 of the Code of Ordinances of the City of Hunters Creek Village, Texas which regulates the preservation and removal of trees: 1) reduce the minimum circumference of regulated trees from 20" to 18"; 2) to add additional restrictions on removing protected trees to construct improvements; 3) to add additional tree replacement requirements when trees are removed to enlarge or relocate certain driveways; and 4) to provide a right to appeal the denial of a permit to the City Council.

Public comments were received from Cathy McCulley concerned about losing trees for circular driveways, replacement trees should be caliper per caliper, and "reasonableness" – who is the accountable city official to determine what is reasonable. John Abercrombie commented based on the restrictions the ordinance places on the builders especially concerning the area for driveways. Bonnie McMillian wanted to know who caused all of this to happen. Tod Dimitry commented that there should be an exception for property owners to make their own decision regarding existing trees on their property.

A motion was made by Councilmember Burck with a second by Councilmember Wegner to approve the proposed amendments to the Tree Ordinance as presented and to include additional definition of "minimum required density". The motion carried unanimously.

8. Discussion and possible action regarding the District Attorney's investigation of the March 28, 2008 council meeting.

There was no action taken at this time.

ADJOURN OPEN MEETING

A motion was made by Councilmember Reichel with a second by Councilmember Wegner to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch, TRMC
City Secretary

These minutes were approved on the 19th day of August, 2008.

Ordinance No. 722 and Resolution No. 08-06 are on file in the City Secretary's office and are made a part of these minutes by reference.