

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE REGULAR
CITY COUNCIL MEETING
OCTOBER 21, 2008

The City Council of the City of Hunters Creek Village, Texas held its regular meeting on Tuesday, October 21, 2008, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor	Bob Dodson
	Mayor Pro Tem:	Roger Stark
	Council Members:	Steve Reichel Peggy Burck Ed Neuhaus 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. followed by the Pledge of Allegiance, led by Dean Seideman, Public Works Director.

REPORTS

1. Mayor Dodson reported on the following:
 - a. Announced that Henry Mentz's Eagle Scout Project was to build a kennel for animal shelter for City Hall. The kennel has been delivered and will hold 2 animals. Mayor Dodson expressed his appreciation and congratulated Henry for a fine job on this project.
 - b. Hurricane Ike recovery update. The City has removed over 50,000 cy of debris from the storm and should be about 95% complete. The next step is to remove the stumps, hangers and leaners which will take about 3 weeks. There are many downed trees in the creeks which could be restrictors and cause potential flooding. The City Engineer is assessing the bayous and creeks; however, many homes are along the creeks and prevent them from being able to see any debris. Residents were asked to report debris in the creeks to the City.
 - c. Discussion and possible action to reconsider the established hourly rates for field supervisor, on-site collection monitors, and disposal site monitors as temporary workers involved in the storm debris removal process due to Hurricane Ike.

City Council revisited the established rates for the temporary hourly rate for workers assisting in the debris removal process indicating that the rate included administrative costs and such costs should not be reflected in the rate. Therefore, new rates were proposed based on a reduction of 35% for administrative costs.

A motion was made by Councilmember Reichek with a second by Councilmember Wegner to establish the following rates for monitoring services and to include mileage at the general services commission rate and reimbursement for cell phone charges.

Field Supervisor	\$48.75/hour
One-site collection monitor	\$29.25/hour
Disposal site monitor	\$32.50/hour

The motion carried unanimously.

- d. Discussion and possible action to consider a contract in the amount of \$36,000 between H-GAC and the City of Hunters Creek Village for FY 2009 National Emergency Grant Public Service Employment Project for the employment of temporary employees to assist in the debris removal and other duties in the Public Works Department.

There was discussion with no action taken. Council discussion indicated that a majority of the members were not agreeable to participate in the program.
2. Council Reports and Comments
 - a. Report on the contract assignment and negotiations with Royal Disposal and other alternatives for new contract for garbage and recycling collection. Councilmember Reichek reported that he has talked with Royal Disposal and that upon their agreement to take the assignment from Century for the contract the City would hold them to that contract rate. However, Councilmember Reichek suggested that the Council might consider reducing the recycling pickup to 2 times a month instead of once a week to help with the cost of collection. They also discussed curbside recycling could lower the price as well. He suggested that a computerized survey could go out to the citizens to see how many of the residents actually recycle.
 - b. Report on any further negotiations with CenterPoint Energy Electric LLC on an additional option for a franchise agreement. Councilmember Burck stated she would continue to work with the City Attorney, John Hightower, to develop options for negotiations with CenterPoint to meet the concerns regarding length of the contract, tree trimming program every 3-4 years, and daily reporting of outages during power outage periods. She will report back to Council as soon as she has information to provide and will notify the City Secretary when to place an item on a future agenda.
 - c. Comments or suggestions for items to include on future agendas.

3. City Engineer's Report. Charles Eastland, City Engineer, reported on the following projects:
 - a. Update on progress of Camelot Woods drainage and improvement project. The contractor is nearing completion and should be substantially complete by the end of October with final utility work completed; paving on Country Lane at Beinhorn and the final grading and sod remain.
 - b. Discussion and possible action to consider authorization to solicit for bids for the Inwood Oaks/April Way/Beinhorn (between Voss Road and Hedwig Road) drainage and paving improvement project. There was discussion with no action taken. Council directed the City Secretary to place this item on the agenda for consideration in November. The project is ready to advertise for bids. Councilmember Reichel stated that he wanted to see the improvement design on Beinhorn before he would consider any further action on the project. Tod Dimitry, a resident, spoke to council urging the postponement of work on Beinhorn until we know the extent of the project Hedwig Village is doing along Brogden to the Beinhorn intersection.
 - c. Consider the mock up of the pedestrian hand rail at Memorial Drive and Lindenwood. The contractor provided mock up of the proposed pedestrian hand railing. Council was not particularly satisfied with the overall look and requested that the mock up be painted the same color as the guard rail. The item will be reconsidered at the November meeting.
 - d. Consider the alternative placement of the decorative light standards on the bridge at Soldiers Creek Crossing. Met with CenterPoint Energy to review the new light placement and agreed to the placement. They have issued a job order and the light standards should be completed before Thanksgiving.
 - e. Various other projects under design. Creekside and Tara Oaks outfall improvements design are being finalized, Creekside Manor paving and drainage improvements design is to be completed ready for bid by the end of November, and Longshadows and Smithdale projects are on hold.
4. Fire Commissioner. Commissioner Elwin Peacock reported that the department is currently operating 4.15% under budget and response time in September averaged five minutes. Emergency calls in September increased due to responses to Hurricane Ike, with Hunters Creek calls for services related to power line and transformer fires, objects in the roadway and gas leaks. They have begun revising the bylaws for approval by the commission and by the city councils as per the interlocal agreement. Personnel adjustments are needed due to injuries, illness and retirement of employees. The new pumper was put into service in September with the previous pumper, which was a trade in, has been sent to Coldspring Volunteer Fire Department.

5. Police Commissioner. Commissioner Benny Hruzek reported that the Police Department is currently operating \$44,000 under budget this year. They are anticipating an officer retiring at the end of the year and working to keep the department fully staffed. Hunters Creek activated the STEP program during a period of time following Hurricane Ike which increased police presence and put extra officers working in Hunters Creek. Following the hurricane, the generator failed and having the equipment repaired. So far this year the crime rate is down over 2007. The department was notified that Harris County District Attorney's office would be providing additional funding to agencies and the department was requesting \$123,000 to purchase mobile laptops and infrared cameras. Also the department received a favorable rate from Aetna for health insurance which was a 4% increase. They are looking into proposals for establishing health savings accounts.
5. City Treasurer's Report. Deborah Loesch, City Secretary, provided council with reports from the various activities of the departments and the financial statement for the month of September. Mayor Dodson asked that she contact the bank representative and have the interest rates reviewed as he felt they were not in compliance with the contract.

PUBLIC COMMENTS.

Public comments were received from:

Janice Juncker stating she was not in favor of a tax increase and that the city should cut back for at least a year, city council should consider changing recycling to having the residents take their recycling to a recycling center, what happened to the trees that were to be replanted after the construction on Memorial Drive was finished, and asked if estate sales were permitted in the city.

Marsha Hugert Childers stated she was against any tax increase.

Mickey Marvins asked that her email be read for the record of her opposition to any tax increase.

A resident on Storywood stated that he was against the tax rate increase because of the increase in tax assessments.

Jeff McClanahan stated that the Beinhorn project was for aesthetics only with much discussion in the past and now it is unrealistic to do the project.

Marjorie Maxfield stated that she felt this was not the year to raise the taxes.

Ken Spalding stated that he was pleased to see the council consider strategic planning for emergencies and infrastructure plan and that a tax rate of \$0.205/\$100 is still insufficient to cover a plan over future years. Looking out to the future a tax rate of \$0.205/\$100 would cost a household an additional \$200 for future planning.

Fire Commissioner Elwin Peacock stated that 85% of the Fire Department's budget is applicable to personnel costs.

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

1. Approval of the Minutes of the September 9, 2008, September 16, 2008, September 25, 2008, and October 7, 2008 council meetings.
2. Approval of the Cash Disbursement Journal for September 2008.

REGULAR AGENDA

1. Discussion and possible action to approve a letter agreement regarding the City's participation in the replacement of the fence with the adjacent property owners along the northern property line of the city hall property.

A motion was made by Councilmember Wegner with a second by Councilmember Burck to authorize the expenditure of \$7,778.80 to participate in the cost of the replacement of the fence and prepare a written letter agreement to the adjacent property owners of the conditions that the smooth side of the fence will face the city hall property along the rear property line of #1 Pine Grove and the City's participation in the cost will be 60% for this lot with the remainder of the lots, the City's share will be at 50%; the fence may not be removed at any time without the consent of the City and all property owners; no gates may be installed; the property owners having the smooth side of the fence will be responsible for the maintenance of the fence; and the fence contractor will invoice the City directly for the City's share of the cost. The motion carried unanimously.

2. Discussion and possible action to consider an ordinance adopting the budget for fiscal year 2009.

A motion was made by Councilmember Reichek with a second by Councilmember Wegner to approve Ordinance No. 725 adopting the budget for fiscal year 2009 as presented under the \$0.185/\$100 tax rate. The motion carried.

Voting: Aye (3) – Reichek, Stark, Wegner; Nay (2) – Burck, Neuhaus.

3. Discussion and possible action to consider:
 - a. Approve a motion to set the tax rate for Debt Services for 2009. A motion was made by Councilmember Reichek with a second by Councilmember Burck to set the tax rate for Debt Service for 2009 at \$0.00/\$100. The motion carried unanimously.
 - b. Approve a motion to set the tax rate for Maintenance and Operations for 2009. A motion was made by Councilmember Reichek with a second by Councilmember Wegner to set the tax rate for Maintenance and Operations for 2009 at \$0.185/\$100. The motion carried.

Voting: Aye (3) – Reichek, Stark, Wegner; Nay (2) – Burck, Neuhaus.

- 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 2008 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 Burck to approve Ordinance No. 726 providing for the levy and collection of ad valorem taxes for year 2008. The motion carried unanimously.
4. Discussion and possible action to consider an ordinance amending Chapter 32 of the Code of Ordinances of the City of Hunters Creek Village, which regulates the collection and disposal of solid waste within the city: 1) to add additional definitions of regulated waste and to modify existing definitions; 2) to add regulations regarding the establishment and maintenance of collection points for solid waste; 3) to add regulations governing structures and containers used for storing solid waste; and 4) to add other provisions regulating solid waste handling and disposal; providing a penalty in an amount not to exceed \$2,000.00; making other provisions related to the subject; providing for severability; and providing for publication.

A motion was made by Councilmember Burck with a second by Councilmember Reichek to approve Ordinance No. 727 amending Chapter 32 of the Code of Ordinances as presented. The motion carried unanimously.

5. Discussion and possible action to receive and accept the final reports and recommendations from the Planning & Zoning Commission on proposed changes to the zoning provisions governing fences and walls (Sec. 44-163) and proposed changes to the zoning provisions governing swimming pools (Sec. 44-157 (5)) and call for public hearings.

A motion was made by Councilmember Wegner with a second by Councilmember Neuhaus to receive and accept the final reports and recommendations from the Planning and Zoning Commission and to call for a public hearing to be held on November 18, 2008 at 6:00 p.m. to receive public comments on the proposed amendments. The motion carried unanimously.

6. Discussion and possible action to designate a representative and alternate to H-GAC's 2009 General Assembly.

A motion was made by Councilmember Burck with a second by Councilmember Neuhaus to designate Councilmember Ed Neuhaus as the representative and Mayor Bob Dodson as the alternate. The motion carried unanimously.

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 8:30 p.m.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch, TRMC

City Secretary

These minutes were approved on the 18th day of November, 2008.