

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE REGULAR
CITY COUNCIL MEETING
JANUARY 20, 2009

The City Council of the City of Hunters Creek Village, Texas held its regular meeting on Tuesday, January 20, 2009, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor	Bob Dodson
	Mayor Pro Tem:	Roger Stark
	Council Members:	Steve Reichel 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 Winnie Ngan. It was noted that Councilmember Peggy Burck and City Treasurer Keen Butcher were not in attendance.

REPORTS

1. Mayor and Council Reports and Comments:
 - a. Announcement of Arbor Day in February. Mayor Dodson announced that the City would be sponsoring Arbor Day activities in February providing the citizens with the ability to purchase trees from Bill Bounds Nursery at the same price from last year. He thanked Cathy McCulley for assisting in getting this coordinated.
 - b. January 2009 newsletter is ready for mailing should be delivered to residents the last week of January.
 - c. Discussion and possible action to instruct the Fire and Police Commissioners to request the respective commissions to develop and submit to the City management succession plans. There was discussion with no formal action taken. However, several comments from council members indicated that this was the responsibility of the respective commissions. Hearing no real objections from council, the Mayor asked the commissioners to take this back to their respective commissions for any action.
 - d. Comments or suggestions for items to include on future agendas. Councilmember Wegner requested that at the April council meeting to schedule the post Hurricane Ike discussion and to include the debris removal contractor, CenterPoint representatives, Police and Fire personnel. It was agreed that this meeting would begin prior to the regular council meeting at 4:00 p.m.

2. City Engineer's Report. Charles Eastland, reported on the following projects:
 - a. Camelot Woods drainage and improvement project update. The project is now complete with change order no. 5 presented to reconcile the last pay estimate, retainage and bonus. The final cost of the contract is \$2,364,692.74 which included the Saddlewood/Memorial intersection realignment.
 - b. Inwood Oaks/April Way drainage and paving improvement project. The bid opening was cancelled in anticipation of MVWA's participation in the project. Anticipate approval from MVWA the first week of February and will ask Council to re-bid the in February. A meeting with the residents on January 22 is planned to discuss the construction as it will relate to the improved utility services.
 - c. Creekside Manor paving and drainage improvements and Tara Oaks Outfall improvement projects.

Survey field work has been completed and the exhibits for the temporary construction easements are being prepared. Geotechnical soils testing will begin on January 23rd with notice being given to the affected residents. Councilmember Wegner requested that a progressive time schedule be provided for this project.
 - d. Smithdale and Long Shadows drainage and paving improvement project. Design is proceeding on the Smithdale portion of the project. A meeting with residents on Long Shadows is scheduled for January 26th to discuss the proposed paving and drainage system.
 - e. Discussion and possible action to consider a proposal from Precision Safe Sidewalks for repairing sidewalk trip hazards in the City.

A motion was made by Councilmember Stark with a second by Councilmember Wegner to approval the sole source proposal from Precision Safe Sidewalks for \$5,000 to repair various locations of sidewalk trip hazards within the City along Memorial Drive from Walwick to Thamer Lane. The motion carried unanimously.
 - f. Status of various projects under consideration. The City Engineer requested final direction for the installation of the handrail along Memorial at Lindenwood. Council directed that the hand rail be installed as shown in the mock up, however, the one that would be installed along Memorial at Kuhlman could be constructed differently. Additionally next month they will be reporting on MS4 permit requirement activities.
3. Fire Commissioner. Commissioner Elwin Peacock reported that at this time there will be no financial report given as year end closing was still in progress. Calls for service were up over 2008 with Hunters Creek receiving 49% of the department's calls for service. Response time remained at 5 minutes in December. The compensation committee will begin their evaluation in February for the 2010

- budget expressing that 85% of the budget is in personnel expenses and associated costs. Asst Chief Medlin retires in February and promotion will be from within the current staff. Councilmember Neuhaus requested an update on the house destroyed by fire on Tarrington. In response, with insurance finally declaring the structure a total loss, the owners plan to demolish and rebuild. In addition, the 2 suspects in the fire have been charged and tried.
4. Police Commissioner. Commissioner Benny Hruzek and Police Chief Gary Byre reported together on the activities of the department. For 2008, the department was \$30,000 under budget and major crimes have decreased in 2008 to levels in 2005. Hunters Creek's calls for service are about ½ of the total in the 3 cities due to commercial area along Katy Freeway and the Houston Racquet Club. These areas have increased calls for service due to car burglaries and thefts. They advised that the Special Response Team obtained donations from the Police Association allowing for the purchase of a van for the Team.
 5. City Treasurer's Report. Mayor Dodson presented the Treasurer's Report for Keen Butcher in his absence. The report indicates the average interest earned on money market investment accounts is 1.99%. Interest income continues to decrease as interest rates continue to fall. All bank accounts have been fully reconciled without adjustment and all accounts are fully collateralized as required. As of the end of December, the total cash and investments in accounts are \$4,413,387.53 and all are in good order. Deborah Loesch, City Secretary, provided council with reports from the various activities of the departments and the financial statement for the month of December. Additionally she reported that the City has not yet received any portion of the FEMA reimbursement for expenses incurred from Hurricane Ike and was continuing to pursue the assistance of U.S. Congressman Culberson, State Senator Patrick, and State Representative Woolley's offices to facilitate assistance in getting these funds released to the City.

PUBLIC HEARING. A public hearing will be held for the purpose of receiving testimony for or against proposed amendments to the City's Comprehensive Zoning Ordinance to add a new section to the Zoning Chapter, Section 44-166, regulating the installation, maintenance, and use of emergency electric generators in District R; amending Section 18-141 of the Code of Ordinances, which governs noise regulations, to add an exception for certain emergency electric generators.

Mayor Dodson opened the public hearing for comments. Comments were received from Elizabeth Labanowski regarding noise; a representative from a generator company stated that the new generation of generators being manufactured is much quieter; Mike Bower and Sandy Carlton. With no further comments forthcoming, the public hearing was closed.

PUBLIC COMMENTS. There were no public comments received.

CONSENT AGENDA. A motion made by Councilmember Reichel and a second by Councilmember Wegner, the Council voted unanimously to approve and adopt consent agenda items 1 through 4 as follows:

1. Approval of the Minutes of the December 2, 2008 and December 11, 2008 council meetings.
2. Approval of the Cash Disbursement Journal for December 2008.
3. Approval of Ordinance No. 731 providing for the holding of a general election on May 9, 2009, for the purpose of electing a mayor and two (2) council members (Position Nos. 4 and 5).
4. Approval of Change Order No. 5 with Metro City Construction for the Camelot Woods drainage and paving improvement project for final payment, payment of the completion bonus and acceptance of the project.

REGULAR AGENDA

5. Discussion and possible action to consider a resolution establishing a new time for the regular monthly meeting of the City Council.

A motion was made by Councilmember Neuhaus with a second by Councilmember Wegner to adopt Resolution No. 09-01 setting the day and time for regular council meetings to be on the 4th Tuesday of each month at 6:00 p.m. The motion carried unanimously.

6. Discussion and possible action to consider an ordinance granting a franchise to CenterPoint Energy authorizing the use of the public rights-of-way within the City of Hunters Creek Village for the delivery of electricity, and related purposes for a term of thirty (30) years.

A motion was made by Councilmember Reichel with a second by Councilmember Wegner to adopt Ordinance No. 732 granting a franchise to CenterPoint Energy for the use of the public rights-of-way for the delivery of electricity and other related purposes for a term of thirty (30) years. The motion carried unanimously.

7. Discussion and possible action to consider an ordinance amending Chapter 44 of the Zoning Chapter of the Code of Ordinances by adding a new section 44-166 regulating the installation, maintenance, and use of emergency electric generators in District R; amending section 18-141 of the Code of Ordinances, which govern noise regulations, to add an exception for certain emergency electric generators.

A motion was made by Councilmember Wegner with a second by Councilmember Neuhaus to adopt Ordinance No. 733 amending Chapter 44 of the Zoning Chapter of the Code of Ordinances adding a new section to regulate the installation, maintenance and use of emergency generators to include the operation and maintenance in accordance with manufacturers specifications and also to amending Section 18-141 which governs noise regulations to provide an exception for emergency generators. The motion carried unanimously.

EXECUTIVE SESSION. A Closed Meeting was held pursuant to authorization by Title 5, Chapter 551, Section 551.074 of the Texas Government Code to discuss personnel matters regarding the performance review and salary of the building official. The Closed Meeting convened at 7:16 p.m. and adjourned at 7:43 p.m.

RECONVENE into Regular Session

8. Discussion and possible action to consider the performance review and salary adjustment for the position of building official.

A motion was made by Councilmember Neuhaus with a second by Councilmember Wegner to accept the recommendation of the Personnel Committee, City Secretary and Mayor to remove Dennis Holm from probationary status and to provide a 3% COLA salary adjustment effective with the pay period beginning January 15, 2009. The motion carried.

Voting: Aye (3) - Reichek, Neuhaus, Wegner
Nay (1) - Stark

ADJOURN OPEN MEETING

A motion was made by Councilmember Wegner with a second by Councilmember Neuhaus to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Deborah L. Loesch, TRMC
City Secretary

These minutes were approved on the 24th day of February, 2009.

Ordinance Nos. 731, 732, and 733 and Resolution No. 09-01 are on file in the City Secretary's office and are made a part of these minutes by reference.