

CITY OF HUNTERS CREEK VILLAGE, TEXAS  
MINUTES OF THE REGULAR  
CITY COUNCIL MEETING  
MAY 26, 2009

The City Council of the City of Hunters Creek Village, Texas held its regular meeting on Tuesday, May 26, 2009, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor	David Wegner
	Council Members:	Stephen Reichek Peggy Burck Ed Neuhaus Michael Schoenberger Jim Pappas
	City Secretary:	Deborah Loesch
	City Attorney:	John Hightower

With a quorum of the Council Members present, Mayor Wegner called the session to order at 6:00 p.m.

PUBLIC COMMENTS.

Representatives of the Memorial Villages Police Officers Association and the Texas Municipal Police Association were present to speak to Council regarding the proposed changes in the pension benefits for the Memorial Villages Police Department. Sgt. Gerald Sorrell representing the Memorial Village Police Officers Association, Darlene Lanham, representing the Texas Municipal Police Association, and Officer Paul Beveridge of the Memorial Villages Police Department all stated their concerns of the proposed changes and asked that the Council consider waiting one year before implementing the changes to give them a chance to participate in the discussions. Councilmember Reichek remarked in response to these comments explaining the position of the mayors of the various cities involved in these deliberations were concerned with the path that TMRS was taking in the stock market, the unfunded liability that continues to grow and the financial burdens put on the cities that was beyond their control. Two citizens remarked with one unidentified citizen stating that the city should make every effort not to reduce their benefits and Lisa Pena expressed appreciation for the work the officers do in the city and does not want to see their benefits reduced.

Colin Bowlin on Bryn Mawr Circle commented on the recent street flooding and drainage problems in Bryn Mawr with some of the problems attributed to run off from Glendenning into the back yards along Bryn Mawr. Mayor Wegner remarked that plans were being developed to meet with the homeowners and address the drainage system behind the homes on Bryn Mawr that appears to have collapsed.

Keith Kimmick on Wellesley Drive commented on the street flooding on Wellesley from the recent heavy rainfall and requested council consider improving the drainage system. Mayor Wegner responded that he has received numerous complaints on flooding on Storywood and Saddlewood as well and will be addressing these problems with the city engineer for evaluation and recommendation for improvements.

Stewart Robinson on Storywood addressed the flooding on Storywood with concern that the improvements along Gawain were supposed to relieve Storywood, but it did not.

Mitch Krendler on Storywood addressed the same concern as Mr. Robinson on the flooding.

Suzanne George on Tarrington Drive commented on the need for improved drainage on Tarrington Drive at Tarrington Court.

Jenni McCollum on Wickwild complained of ponding in front of her house at the mailbox.

#### REPORTS

1. City Engineer's Report. Charles Eastland, reported on the following projects:
  - a. Inwood Oaks/April Way drainage and paving improvement project. Notice to Proceed was issued May 18<sup>th</sup> and the contractor began mobilizing on construction site. The contractor will begin storm sewer work on April Way and waterline work on Inwood Oaks the week of May 25<sup>th</sup>.
  - b. Creekside Manor paving and drainage improvements and Tara Oaks Outfall improvement projects. Design plans have been completed and Memorial Villages Water Authority have approved the plans and plan to participate in the project. Temporary Construction Easement Agreements have been completed and being sent to the residents for execution. Also a recorded drainage easement is required for the storm sewer outfall in Creekside Manor.
  - c. Long Shadows and Smithdale drainage and paving improvement project. Plans will be ready for bid by the end of June which are incorporating MVWA water and sewer replacements into the project.
  - d. Streets identified for future storm water drainage improvements. An updated CIP through 2011 was provided to Council to address the expenditure of \$5.25M in funds from METRO to focus on the remaining drainage problems.
    - (1) Kemwood and Bryn Mawr. Projected cost for design of the drainage improvements would be \$306,350.00 which includes construction

management to provide a 100-year storm sewer design. Estimated construction cost would be \$1,250,000.

(2) Saddlewood and Storywood. Preliminary construction cost estimates were provided in the CIP showing \$3.2M for this improvement.

- e. Brogden Road reconstruction project by the City of Hedwig Village. Construction is scheduled to begin at the beginning of June with a new street being constructed 28 feet, concrete curb and gutter with storm sewers. Project is scheduled to be ongoing for 6-9 months.
  - f. Status of various projects under consideration. Requested approval for additional sidewalk repairs at 780 Kuhlman; repairs are needed at #11 Willowend to repair the damaged inlet that has a washout; removal of an abandoned driveway on Memorial between Timberwilde and Thamer to install a new sidewalk to correct safety issues; and update the existing city map as well as GIS mapping of the city's storm sewer inlets and outfalls. New handrail on Memorial Drive at Kuhlman is scheduled for installation first week of June.
  - g. Final Accounting for Camelot Woods drainage and improvement project. Advised that project information has been provided to Harris County Flood Control District on the project since they provided partial funding for this project.
2. City Treasurer. Mayor Wegner advised that the City's Treasurer, Keen Butcher, will be resigning as he is moving out of the city. Deborah Loesch, City Secretary, reviewed the report Mr. Butcher provided on the financial information for the month of April.
  3. Police Commissioner. Police Chief Gary Byre and Commissioner Benny Hruzek reported on the activities from the Police Department. Police Chief Byre advised a suspect was apprehended by the City of Houston matching several burglaries in the area. He also advised of the shooting incident that occurred on Saturday May 23<sup>rd</sup>. Commissioner Hruzek advised that the audit for 2008 is completed with very few adjustments required and a refund will be returned to the cities. Currently operating \$24,000 under budget through April. Mayor Wegner asked Commissioner Hruzek for his opinion if he felt TMRS did a good job in managing the plan. Commissioner Hruzek's felt that TMRS did not fully disclose the issue of the unfunded liability.
  4. Fire Commissioner. Alternate Commissioner Tod Dimitry presented the report for the department. Operations budget is over by 0.24% primarily due to purchase of equipment a new copier, building maintenance expenses and the retirement of Chief Medlin. A budget workshop is scheduled for June 1 at 7:00 p.m. at which time the Board hopes to formulate a budget proposal for 2010. The Board addressed the pending retirement of the Fire Chief and the need to establish a procedures for the selection of a new Fire Chief which will be taken up at the June

meeting. He advised that Chief Calagna has expressed his recommendation to consider Assistant Chief Poirier for the position.

5. Mayor and Council Reports and Comments:

- a. Discussion and possible action to adopt Resolution No. 09-05 stating the Council's believe that rising pension costs in the Village Fire Department must be brought under control and directing the City's Fire Commissioners to take specific actions to adjust the level of pension benefits as the first step to bringing these costs under control.

A motion was made by Councilmember Reichek with a second by Councilmember Neuhaus to approve the adoption of Resolution No. 09-05 as presented. The motion carried unanimously.

- b. Mayor's Proclamation for Hurricane Preparedness Week in Texas May 24-30, 2009. Mayor Wegner advised that the week of May 24 through May 30 was Hurricane Preparedness Week and encouraged all citizens to be prepared.
- c. Announcement of the June 2, 2009 Villages Emergency Preparedness Meeting at Memorial High School at 7:00 p.m. Mayor Wegner announced the annual event and encouraged all residents to attend to be fully informed to be prepared in case of a hurricane.
- d. Comments or suggestions for items to include on future agendas. Council agreed to meet in a special session to hold a workshop to begin discussing the preliminary budget for 2010 on June 13 at 9:00 a.m. at the Houston Racquet Club.

CONSENT AGENDA. Mayor Wegner requested that Item #7 be removed from the Consent Agenda and tabled to a future meeting. Councilmember Burck requested Item #3 be removed from the Consent Agenda and Councilmember Neuhaus requested that Item #5 be removed from the Consent Agenda and consider them in the normal sequence of the Regular Agenda. A motion made by Councilmember Burck with second by Councilmember Reichek, the Council voted unanimously to approve and adopt consent agenda items 1, 2, 4, 6, 8 - 12 as follows:

1. Approval of the Minutes of the April 28, 2009 and May 15, 2009 council meetings.

2. Approval of the Cash Disbursement Journal for April 2009.
4. Approval of temporary construction easements for Creekside and Tara Oaks Outfall improvements project with Ethelynn Bank Cook, William A. Fann and Virginia Fann, Mary C. McCants, and Fidel A. Sapien and Tracy S. Sapien for temporary access and construction purposes only and authorize the mayor to execute the easements on behalf of the City.
6. Approval of the extension of the agreement for one year with Harris County for the administration and implementation of a regional watershed protection education program and authorize the expenditure of \$2,318.22 for the city's share of the cost of the program from budgeted funds for TCEQ MS4 Permit account.
7. Approval of Amendment #10 to the City Engineer's Agreement to provide engineering services in connection with Kemwood and Bryn Mawr paving and drainage improvements project in the amount of \$306,250.00 and authorize the mayor to execute the agreement on behalf of the City. **TABLED**
8. Approval of Amendment #11 to the City Engineer's Agreement to provide engineering services for preparing a new updated City map and storm sewer inlet and outfall mapping needed for the TCEQ MS4 permit in the amount of \$20,000 from budgeted funds from the TCEQ MS4 Permit account and authorize the mayor to execute the agreement on behalf of the City.
9. Approval of Amendment #12 to the City Engineer's Agreement to provide engineering services associated with the rehabilitation of water and sanitary sewer systems on Long Shadows and Smithdale as requested by the Memorial Villages Water Authority in the amount of \$5,000.00 and authorize the mayor to execute the agreement on behalf of the City.
10. Approval of the authorization for the expenditure from budgeted funds for the repair of a storm water inlet at #11 Willowend in an amount not to exceed \$7,900.00.
11. Approval of the authorization for the expenditure from budgeted funds for the removal of an abandoned driveway on Memorial between Timberwilde and Thamer in an amount not to exceed \$11,000.00.
12. Approval of the authorization to advertise for bids for the Creekside Manor Paving and Drainage improvements and Creekside and Tara Oaks outfall improvements projects.

#### REGULAR AGENDA

3. Approval of Resolution Amending Authorized Representatives for TexPool adding David Wegner and Keen Butcher as authorized users on the account.

It was noted that since Keen Butcher is resigning as City Treasurer it would be appropriate to remove his name as a designated user for the account. With that so noted, a motion was made by Councilmember Reichel with a second by Councilmember Burck to authorize Mayor David Wegner as an additional

authorized user on the TexPool account and approved the Resolution. The motion carried unanimously.

5. Approval of Ordinance No. 741 amending fiscal year budget for 2009 adopting amendment #2 appropriating funds for final pay estimate for the Soldiers Creek bridge railing project at \$17,350.00 and \$306,250.00 for engineering services for Kemwood/Bryn Mawr paving and drainage improvements.

It was noted to remove the \$306,250 for engineering services for Kemwood/Bryn Mawr project improvements for the budget amendment. With that being noted, a motion was made by Councilmember Burck with a second by Councilmember Reichek to approve Ordinance No. 741 approving and adopting amendment no. 2 to fiscal year 2009 budget appropriating funds for the final pay estimated for the Soldiers Creek bridge railing project for \$17,350.00. The motion carried unanimously.

13. Discussion and possible action to consider the election of a mayor pro tem.

Mayor Wegner nominated Councilmember Steve Reichek to serve as mayor pro tem. With that being noted, a motion was made by Councilmember Burck with a second by Councilmember Neuhaus to elect Councilmember Reichek as mayor pro tem. The motion carried unanimously.

15. Discussion and possible action to consider revising the city's purchasing policy.

A motion was made by Councilmember Burck to accept the changes to the purchasing policy as presented and to incorporate editing to the goals section as presented by Councilmember Schoenberger and restating the need for the mayor to maintain a \$10,000 purchase authority. The motion carried unanimously. A copy of the revised purchase policy is maintained in the City Secretary's office and referred to by reference only in the minutes.

16. Discussion and possible action to consider a resolution designating an official newspaper for the City for fiscal year 2009.

A motion was made by Councilmember Neuhaus with a second by Councilmember Burck to approve and adopt Resolution No. 09-04 designating the Houston Chronicle as the city's official newspaper. The motion carried unanimously.

EXECUTIVE SESSION. A Closed Meeting was convened in accordance with the authority contained in Section 551.074, to discuss personnel matters relating to potential candidates to fill the vacancy in Position No. 2. The Closed Meeting convened at 8:25 p.m. and adjourned at 8:35 p.m.

RECONVENE Open Meeting. The Open Meeting was reconvened at 8:35 p.m.

14. Discussion and possible action to consider the resignation of Councilmember Peggy Burck, Position No. 2 and consider any appropriate action necessary in filling the vacancy for the remainder of the term.

A motion was made by Councilmember Burck with a second by Councilmember Schoenberger to accept the resignation with regret of Councilmember Burck to position no. 2. The motion carried. Voting Aye: (4) – Burck, Neuhaus, Schoenberger, and Pappas, Nay: (1) – Reichek.

In consideration of a replacement, several individuals had been considered with a recommendation from Ms. Burck to consider Bonnie McMillan. With that being considered, council directed that an item be placed on the budget workshop agenda to invite Ms. McMillan to attend the retreat and take action to appoint her to the position.

#### ADJOURN OPEN MEETING

A motion was made by Councilmember Neuhaus with a second by Councilmember Schoenberger to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,



Deborah L. Loesch, TRMC  
City Secretary

These minutes were approved on the 23rd day of June, 2009.

Ordinance No. 741 and Resolution Nos. 09-04 and 09-05 are on file in the City Secretary's office and are made a part of these minutes by reference.