

CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE REGULAR
CITY COUNCIL MEETING
AUGUST 25, 2009

The City Council of the City of Hunters Creek Village, Texas held its regular meeting on Tuesday, August 25, 2009, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor	David Wegner
	Council Members:	Stephen Reichel
		Bonnie McMillan
		Ed Neuhaus
		Michael Schoenberger
		Jim Pappas
	City Secretary:	Deborah Loesch
	City Engineer:	Charles Eastland
	City Attorney:	John Hightower

With a quorum of the Council Members present, Mayor Wegner called the session to order at 6:00 p.m. The pledge of allegiance was led by Tod Dimitry.

PUBLIC COMMENTS

Dr. Zachary Hodges, President of Houston Community College - Spring Branch Campus was present to address the upcoming annexation election in the Spring Branch area to bring the area into the college district. Some questions and answers were addressed by Craig Adams and Kathleen Slaydon representing organized groups against the proposed tax and annexation.

REPORTS

1. City Engineer's Report:
 - a. Inwood Oaks/April Way paving and drainage improvement project. The contractor has completed April Way pending final walk through. On Inwood Oaks all utilities and storm sewers installations are complete and have poured concrete except for about 150 feet of one lane. The project is scheduled to complete in the next 2 weeks.
 - b. Creekside Manor paving and drainage improvements and Tara Oaks Outfall Improvement projects. The preconstruction meeting is scheduled for September 1, 2009 at 10:00 a.m. Residents will be advised to remove personal items from the right of way by September 14th. All contracts have been signed and the Notice to Proceed has been issued for September 8th. Easements documents are being recorded for the outfall portion of the project.

- c. Long Shadows and Smithdale drainage and paving improvement projects. Contracts have been signed by the contractor and notice to proceed will be issued for September 14th. The preconstruction meeting will be September 8th at 10:00 a.m. and all residents will receive notice to remove personal items from right of way before September 21st.
 - d. Future projects identified for storm water drainage improvements: Storywood, Saddlewood, Bryn Mawr, Wellesley and Kemwood. Field surveying will begin for Saddlewood and Storywood within the week. Easement negotiations need to be determined for storm sewer to Storywood. Survey work has been completed on Kemwood and Bryn Mawr. Preliminary plans were presented at a special council meeting earlier with the Bryn Mawr residents. Wellesley drainage improvements will be considered upon completion of the Saddlewood and Storywood work to tie into the Saddlewood system.
 - e. Brogden Road construction project by the City of Hedwig Village. The project is about 80% complete with concrete pavement on west side. All utilities are in place. The project is scheduled for completion late Fall 2009.
 - f. Status of various projects under consideration: (1) updated city map; (2) inventory of storm water inlets as required under the TCEQ MS4 permit; and (3) proposed installation of a guard rail along Bingle Road curve. Final version of the map will be delivered to City Hall this week. Field work has been completed on the storm water inlet map and map book is ready. Public Works crews need to get prepared for putting the markers at the inlets. Design and contract documents are ready to go out for bid and requesting authorization to solicit for bids.
 - g. Repairs to the guard rail on Memorial at Green Bay. The City has received quotes for the work to repair the damage guard rail. This damage is the result of a vehicular accident and insurance claims have been filed. The work will be done by Metro City Construction.
2. City Treasurer - monthly financial and budget reports. Mayor Wegner advised the Council that Doug Abbott is considering volunteering to serve as City Treasurer. Mr. Abbott was introduced at the meeting. Action on the appointment would occur at the September meeting. Deborah Loesch presented the monthly financial reports for comments.
 3. Police Commissioner. Commissioner Benny Hruzek reported on the activities of the department indicating they are operating \$60,000 under budget. Projecting the cost to Hunters Creek for the 2010 budget an assessment of \$1,360,238. The budget contains about 88% of the funding applicable to personnel costs. He reported that Piney Point and Bunker Hill City Councils have already approved the budget as presented. Police Chief Gary Brye reported on a burglary attempt at Memorial Drive Lutheran Church.

- a. Discussion and possible action regarding the fiscal year budget for 2010 for the Memorial Villages Police Department.

A motion was made by Councilmember Reichel with a second by Councilmember Pappas to approve the budget for fiscal year 2010 as presented. The motion carried unanimously.

4. Fire Commissioner. Commissioner Elwin Peacock advised that there has been a decrease in calls for service and proposals for medical insurance coverage are expected by September 16th. The Commission voted to replace the President's Day holiday to the September 11th as a holiday for employees. They are evaluating vehicles with high mileage for replacement and will also be replacing Medic 2 unit in 2012 but may occur sooner. The Fire Chief is looking into a 457 plan for new employees. Currently have one open position with 5 resignations so far. Mr. Peacock explained that the use of Twitter through the Fire Department's web site is strictly a means of communications.

5. Mayor and Council Reports and Comments.

- a. Report on the Area Drainage meeting held on August 20, 2009. Mayor Wegner reported on the joint villages meeting held at Hedwig Village's City Hall with Harris County Flood Control District, TX DOT, and U.S. Army Corp of Engineer representatives. The April 28th rain event was a rare 100 year event that saturated the west side of the region with the bayou systems filled to capacity. Questions were raised regarding the criteria for releasing water from the dam. They were advised that there was no release from the dam because they were only at 60% capacity. As well the Corps of Engineers monitor the controls at Piney Point and Voss Wood along Buffalo Bayou if exceeded no water can be released into the system. Mayor Wegner said that he estimated that about 200 people attended the meeting.

- b. Comments or suggestions for items to include on future agendas. Considering the continued concerns with the recycling collection times, Mayor Wegner requested that for the next months this item be on the agendas as a regular discussion item. Mayor Wegner also advised that staff has been working with him to develop a program to replace and add sprinkler systems in the right of ways maintained by the City on a regular basis. At the September meeting Council will review the proposals and estimated costs for these improvements.

CONSENT AGENDA. A motion was made by Councilmember Reichel with a second by Councilmember Neuhaus, the Council voted unanimously to approve and adopt consent agenda items 1 through 3 as follows:

1. Approval of the Minutes of the July 28, 2009 council meetings.
2. Approval of the Cash Disbursement Journal for July 2009.

3. Approval of an Interlocal Agreement with the Memorial Villages Water Authority for participation in the Long Shadows/Smithdale Paving & Drainage Improvement project.

REGULAR AGENDA

4. Discussion and possible action to consider a request by CenterPoint Energy Resources, Corp. d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas, Houston Division to increase gas utility rates.

Dominic Robinson with CenterPoint stated that a rate increase was filed with Railroad Commission on July 31, 2009. The increase of \$4 a month per household is expected in this request for increase. Mr. Robinson advised that there were several options that the City could consider before taking any action on this request - deny the rate increase, take no action, or take action to suspend the effective date. However no matter what action is taken the "favored nation's agreement" would apply and the decision by the Railroad Commission would occur in April 2010.

A resolution was prepared to deny the rate increase and after review by Council, a motion was made by Councilmember Reichel with a second by Councilmember Schoenberger to adopt Resolution No. 09-07 denying the rate increase proposed by CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Entex and CenterPoint Energy Gas, Houston Division. The motion carried unanimously.

5. Discussion and possible action to consider the solicitation for bids for the installation of a guard rail along the curve at Bingle Road and the installation of a sidewalk on Bingle Road.

A motion was made by Councilmember Neuhaus with a second by Councilmember McMillan to authorize staff to advertise for bids for the project. The motion carried unanimously.

6. Discussion and possible action to consider an ordinance authorizing the installation of signs in accordance with HB 55 prohibiting the use of a cell phone in a school zone while operating a motor vehicle.

A motion was made Councilmember Neuhaus with a second by Councilmember McMillan to approve the adoption of Ordinance No. 745 authorizing and directing the placement of signs prohibiting the use of wireless communication devices in school crossing zones in compliance with Section 545.425, Subsection b-1, of the Texas Transportation Code and such signs to be in conformance with the standards and specifications adopted by the Texas Department of Transportation. The motion carried unanimously.

7. Discussion and possible action to consider recommendations from the Youth Activity Committee for activities for the Fall of 2009.

Mrs. Joanna Johnston presented a proposed event for a Halloween House Decorating Contest and a Snow Day event in December that will be held on the playing field at Hunters Creek Elementary School. A motion was made by Councilmember McMillan with a second by Councilmember Neuhaus to contribute \$600 for the Halloween Decorating Contest and \$2500 for the Snow Day event. The motion carried unanimously.

8. Discussion and possible action to consider the establishment of a recycling committee.

Mayor Wegner advised that he has recruited several residents to volunteer to work with Councilmember McMillan to look into possible expanding the recycling program for the City. Further information will follow as the committee submits their recommendations in the next few months.

There was discussion with no formal action taken.

9. Discussion and possible action to consider the collection times for recycling.

Charles Gregory, representing Royal Disposal, is the contractor for the city collecting the recycling and advised that they are now having to pay for dumping the recycling materials at \$28/ton. With the back door pick up it is taking longer to pick up the recycling. Several options were shown for placing reflective markers at the residences that participate in the recycling program. There was a discussion of the advantages of curbside pickup. With curbside it could be done once a week in a couple of hours, however there is the option to pick up at the back door and leave the empty receptacles at the curb. The second option would help making the collection time more efficient than it currently is. Mayor Wegner commented that we can do more if we curbside which would reduce costs. He asked that the recycling committee consider that as an option. Councilmember McMillan will get with the committee and come back with a resolution for the September regular meeting. No formal action was taken.

10. Discussion and possible action related to the position of urban forester.

Councilmember McMillan prepared a draft of a job description for the urban forester and circulated it among the council for their comments. She is concerned with the lack of enforcement of the ordinance. Her review has shown to her there is a disconnect with the ordinance and the enforcement. She explained that the position is part-time and is an independent contractor working without a defined scope of the job. Members are to review the job description and get back with her any comments before the next council meeting. As well she plans to contact Carey Moran, Urban Forester for Piney Point, for

her comments on the proposed job description. In addition, the council discussed that the City Attorney prepare an ordinance amending the requirement for obtaining permits for removing dead or diseased trees with the option to limit the number per year without a permit. This will be continued for discussion at the next meeting. No formal action was taken.

11. Discussion and possible action to consider a resolution nominating a candidate for a position on the Board of Directors of the Harris County Appraisal District.

A motion was made by Councilmember Reichel with a second by Councilmember Schoenberger to nominate Ed Heathcott as a candidate for a position on the Harris County Appraisal Board of Directors as adopted in Resolution No. 09-08. The motion carried unanimously.

12. Discussion and possible action to consider calling for a public hearing for the proposed budget for fiscal year 2010.

Deborah Loesch advised that a public hearing must be held on the proposed budget on a date at least 15 days after the date of filing by the Mayor of the proposed budget with the City Secretary and prior to the date the council will adopt the tax levy ordinance. The Mayor plans to file a proposed budget on August 26 depending on the comments on the draft presented at this meeting. Publication of the hearing must be done at least 10 days before the hearing. A recommendation for a date of the public hearing was made for the regular meeting on September 22nd.

A motion was made by Councilmember McMillan with a second by Councilmember Reichel to call for a public hearing on September 22, 2009 at 6:00 p.m. The motion carried unanimously.

13. Discussion and possible action to consider the proposed budget for fiscal year 2010.

Mayor Wegner asked for comments on the proposed budget for 2010. He explained that the budget is based on the current tax rate of \$0.185/\$100 and includes maintaining about 90% of the maintenance and operations budget to be the same as last year, however, it does provide for a 2% increase for salaries for employees and an anticipated increase in medical insurance premiums of 22%. This maintains the same pension benefits with TMRS of 2:1 matching to continue. There are new capital outlay expenditures provided for as a onetime purchase: (1) additional vehicle for the use by the building official; (2) portable generator for Maintenance Building; and (3) some improvements at the Maintenance Building yard. Capital Improvement projects proposed include preliminary engineering designs for Kemwood, Bryn Mawr and Wellesley, with construction sometime in 2010 for Storywood and Saddlewood. However this is subject to change depending on funds available with most of the Metro funds being expended in 2009 on the projects in progress.

There was discussion with no substantive comments and no formal action was taken.

ADJOURN OPEN MEETING

A motion was made by Councilmember Reichek with a second by Councilmember Schoenberger. The motion carried unanimously. The meeting was adjourned at 8:51 p.m.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch, TRMC
City Administrator/City Secretary

These minutes were approved on the 22nd day of September, 2009.

Ordinance No. 745 and Resolution Nos. 09-07 and 09-08 are on file in the City Secretary's office and are made a part of these minutes by reference.