

CITY OF HUNTERS CREEK VILLAGE, TEXAS  
MINUTES OF THE REGULAR  
CITY COUNCIL MEETING  
December 8, 2009

The City Council of the City of Hunters Creek Village, Texas held its regular meeting on Tuesday, December 8, 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 Administrator/ City Secretary:	Deborah Loesch
	City Attorney:	John Hightower
	City Engineer:	Charles Eastland
	City Treasurer:	Doug Abbott

With a quorum of the Council Members present, Mayor David Wegner called the session to order at 6:00 p.m. with the pledge of allegiance led by Ken Spalding.

PUBLIC COMMENTS

There were no public comments received.

REPORTS

1. City Engineer's Report as reported by Charles Eastland:
  - a. Inwood Oaks/April Way paving and drainage improvement project. The contractor has completed all work and requests the approval of the final change order, authorizing payment of the early completion bonus and acceptance of the project.
  - b. Creekside Manor paving and drainage improvements and Tara Oaks Outfall Improvement projects. Creekside project continues on schedule with work completed along the creek and replacement of sod on private property. Tree replacement remains on private property as well as fence replacement. Currently working on the concrete paving and storm sewer work.

Tara Oaks outfall project. The contractor is working 7 days a week in order to prevent the outfall pipe from seizing during construction. 156 feet of the 240 foot outfall has been constructed. However, difficulties with access to the remainder of the area have been a problem. Moving forward to obtain access from the neighbor is a priority. In addition to access problem, the old storm sewer has collapsed stopping the boring process. An open trench excavation will have to be done to remove the old pipe so the new pipe can be installed. They are working with Metro City Construction to negotiate a change order for the open trench installation and in the interim the placement of an 18" pump to divert any potential flooding in the street to the creek. The completion date for the project is June 25, 2010.

- c. Long Shadows and Smithdale drainage and paving improvement projects. The Contractor has completed the south side of the roadway along Smithdale and is now excavating for the construction of the north side of the road. The contractor is beginning work on Long Shadows with the replacement of the waterline which is currently underway. Weather delays have slowed progress but the Contractor is working to make up the time.
- d. Bingle Road Guard Rail and Sidewalk Improvements. Work is being finalized.
- e. Future projects identified for storm water drainage improvements:

Storywood has the completed survey and preliminary alignments. Finalizing the exhibits for the residents on Storywood to be ready by early January.

Saddlewood will be designed with Wellesley to include in the scope replacement of paving and drainage for Wellesley from Memorial and asphalt overlay from Wellesley to Beinhorn.

Kemwood preliminary designs have been prepared and ready to proceed with design in 2010.

Bryn Mawr pending feed back from residents regarding the placement of the road will be ready to proceed with design in 2010.

Wellesley improvements will be considered upon decisions made in regard to the Storywood and Saddlewood improvements. The Wellesley drainage system would tie into the proposed Saddlewood system.

- f. Replacement of Hedwig Road bridge over Soldiers Creek by Piney Point Village. Nothing new to report. Mayor Sue Speck from Hedwig Village requested that she be kept informed of any developments regarding this bridge as it may have an affect on Hedwig Village.
  - g. Brogden Road construction project by the City of Hedwig Village. Construction is complete.
  - h. Status of various projects under consideration: Completed the design of the relief drain across Beinhorn at 10712 Beinhorn. Metro City is pricing the work to add to their contract. As well staff has begun working on an open ditch maintenance program identifying the streets with open ditches and grading them for need of repair, cleaning, etc. Also looking at a proposal for cleaning the storm water inlets along Voss Road.
  - i. Councilmember Schoenberger requested that an inventory of all streets be done to prioritize according to need for repairs.
2. City Treasurer - monthly financial and budget reports. Doug Abbott, City Treasurer presented the financial reports for the month of October stating that all bank accounts were reconciled without any adjustments and were in good order. The monthly budget vs. actual report seemed to be right in line with the remainder of the year. He commented on the revised investment policy being represented for consideration which had only minor changes.
3. Police Commissioner. Alternate Commissioner Mike Cokinos and Police Chief Gary Byre were present for the Police Department. Chief Byre advised there were no burglaries last month. The department submitted a list of street light outages and street signs in need of repair to the city and reported that all on the list have been resolved. Currently operating under budget and there will be a surplus return to the cities.
4. Fire Commissioner. Commissioner and Councilmember Steve Reich reported that the department is looking at a program called Delta Alert, which is a reverse 9-1-1 early warning notification system. The mayors want to meet with the developer of the program before initiation of the system. A search committee is looking at a search firm for hiring a new Fire Chief.
5. Mayor and Council Reports and Comments.
  - a. Mayor Wegner reported that the substandard structure at 601 Saddlewood has been demolished by the property owner.

- b. Mayor Wegner reported on the Snow Day event on December 5<sup>th</sup> which he reported was a huge success with about 150-300 people attending.
- c. Mayor Wegner received a request from a resident to consider regulations for animal leash and animal waste disposal laws. A committee of 3 residents (Teresa Witte, Sherry Wallace, and Marcie Spalding) was formed to review other cities ordinances and bring back a recommendation to council in 2 months.
- d. Tom Fullen, Building Official, reported on CenterPoint Energy's installation of smart meters through out the city.
- e. Councilmember McMillan stated that Arbor Day would be observed after the 3<sup>rd</sup> week of January 2010 and further information will be provided at the next meeting.

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

1. Approval of the Minutes of the October 27, 2009 and November 18, 2009 council meetings.
2. Approval of the Cash Disbursement Journal for October 2009.

REGULAR AGENDA

3. Discussion and possible action to consider approval of Change Order No. 1 to Metro City Construction for the Tara Oaks Outfall Improvement project to provide for the open trench installation of 100 feet of 48 "RCP in lieu of bored installation of the 48" RCP due to unknown site conditions from the existing storm sewer that has caused a collapse of the old storm sewer above.

Charles Eastland, City Engineer, explained the problems existing with the collapsed storm sewer. He has been in negotiations with Metro City for the complete cost for the change in the scope of work to finish this project; however, there were problems with cost estimates from the subcontractor. In the interim an 18" pump would be needed to be placed on site to divert any storm water runoff around the collapsed pipe. The cost of the change order for the pump is \$42,116.61. A special council meeting would need to be called to authorize the remainder of the work. The council agreed to meet on Thursday, December 17, 2009 at 11:00 a.m. to take up this matter.

A motion was made by Councilmember Neuhaus with a second by Councilmember McMillan to approve Change Order No. 1 with Metro City Construction for \$42,116.61 for an 18" pump for drainage for a period of one month. The motion carried unanimously.

4. Discussion and possible action to consider approval of the Temporary Access and Construction Easements with Mary C. McCants and William A. and Virginia Fann.

Charles Eastland, City Engineer, explained that with the change in the scope of work, additional easements were required from the neighbors so that access to the area can be obtained.

A motion was made by Councilmember Reichek with a second by Councilmember Schoenberger to approve the easements as presented and authorize the mayor to execute on behalf of the city. The motion carried unanimously.

5. Discussion and possible action to consider approval of Change Order No. 2 (Final Change Order), the acceptance of the Inwood Oaks & April Way street and drainage project, and authorize payment of the early completion bonus to Metro City Construction.

A motion was made by Councilmember Schoenberger with a second by Councilmember McMillan to approve Final Change Order No. 2 as presented, authorize payment of the early completion bonus and acceptance of the project. The motion carried unanimously.

6. Discussion and possible action to approve the placement of the roadway for the Bryn Mawr street and drainage improvement project.

A motion was made by Councilmember McMillan with a second by Councilmember Reichek to authorize the City Engineer to design the roadway based on the adjustment of the alignment so that the center of the proposed roadway will be constructed between the center of the existing roadway and the center of the easement.

7. Discussion and possible action to approve a mowing services contract for the maintenance of the Bingle Road/Voss Road esplanades and roadway shoulders and authorize the purchase of the grounds maintenance equipment from the 2010 fiscal year budget.

A motion was made by Councilmember Schoenberger with a second by Councilmember Neuhaus to accept the proposal from Bio Landscape to provide mowing services for the maintenance of the Bingle Road/Voss Road esplanades and authorize the mayor to execute a contract for such services and to authorize the purchase of mowing equipment for city crews to maintain other right of way areas within the City. The motion carried unanimously.

8. Discussion and possible action to adopt a resolution confirming the review of the City's Investment Policy and Investment Strategies and approving the proposed amendments to the policy.

A motion was made by Councilmember Schoenberger with a second by Councilmember McMillan to accept the proposed amendments to the Investment Policy as presented. The motion carried unanimously.

9. Discussion and possible action to adopt Ordinance No. 750 amending Article II, Chapter 18 of the Code of Ordinances of the City of Hunters Creek Village, which regulates the preservation and removal of trees, to (a) exempt certain tree removals by property owners from the requirements that a permit be obtained and that a tree survey and tree disposition and protection plan be provided; and (b) to exempt certain tree removals by utility companies from the requirement that a tree survey and tree disposition and protection plan be provided and providing a penalty in an amount not to exceed \$500.

A motion was made by Councilmember McMillan with a second by Councilmember Reichek to approve Ordinance No. 750 as presented amending the current tree ordinance. The motion carried unanimously.

#### ADJOURN OPEN MEETING

A motion was made by Councilmember Neuhaus with a second by Councilmember Reichek to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

*Deborah L. Loesch*

Deborah L. Loesch, TRMC  
City Administrator/City Secretary

These minutes were approved on the 26<sup>th</sup> day of January, 2010.

Resolution No. 09-11 and Ordinance No. 750 are on file in the City Secretary's office and are made a part of these minutes by reference.