



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
THURSDAY, AUGUST 11, 2016
6:30 P.M. - 955 PINEY POINT ROAD**

MINUTES

1. CALL TO ORDER

Mayor Brian Muecke called the meeting to order at 6:30 p.m.

Present: Mayor Brian Muecke

City Councilmembers:

William Johnson

Barry Putterman

Bob Wiener

Kelly Johnson, City Administrator/City Secretary-Treasurer

Lane Standley, Building Official

David Gott, Police Chief

Lisa Modisette, Assistant City Secretary

Alan Petrov, City Attorney (arrived at 6:32 p.m.)

Absent: Carrol McGinnis, Councilmember

Matt Woodruff, Councilmember

2. CITIZEN/VISITOR COMMENTS

Boy Scout Mallesh Maharana from Troop 642 was in attendance working on requirements for his Citizenship and Community Merit Badge.

Boy Scout Jack "Jeb" Barrett from Troop 266 was in attendance working on requirements for his Communication Merit Badge.

- 3. CONSENT AGENDA**– All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

A. Approval of Minutes

Regular Council Meeting – May 19, 2016

June 9, 2016

July 14, 2016

Budget Workshop – August 3, 2016

B. Approval of General Fund Bills

General Fund Bills - #31857 - #31932
Voided Checks – 8

C. Approval of General Fund Bills over \$2,500

Robert Baldwin - \$3,025.00
Trinity Paving - \$8,000.00

D. Approval of Construction Fund Bills

Home Depot - \$49.14

E. Approval of Police Seizure Bills

0 Items - \$0.00

Mayor Muecke removed the May 19, 2016 and June 9, 2016 minutes from the consent agenda in order to make corrections.

May 19, 2016 minute's page 6 Item F paragraph 3 - 174,000 acre feet should read 774,000 acre feet. Page 12 Item B paragraph 3 second line – strike the words “another municipality” and replace with “Hedwig Village”, fourth line – strike the words “outside the city boundaries were paying to” and replace with “within” and after “Hedwig Village” insert the words “were paying other municipalities”. Page 12, Item B last full line – “sale” should read “sales”.

June 9, 2016 minutes page 9 Item 7A second paragraph – change “meet” to “met”, and item 7B same page second paragraph – “Spriggsway” should be “Spriggs Way”.

Councilmember Putterman moved, Councilmember Wiener seconded, for the approval of the consent agenda with the minutes corrected as noted.

Councilmembers Johnson, Putterman, and Wiener voted “Aye”, “Noes” none.

MOTION CARRIED UNANIMOUSLY

4. REPORTS

A. Financial Report – February, 2016 – Kelly Johnson, City Administrator/City Secretary-Treasurer

Kelly Johnson presented the financial report for the city.

- Sales tax for August 2016 is up 15.89% over August 2015. Sales tax year to date 2016, Hedwig Village is 2.15% higher over same time period as last year.
- The city is fully collateralized.
- Cash in bank as of July 31, 2016 - \$1,744,717. Non-restricted funds - \$603,673. Restricted funds - \$1,141,044.
- Expenses are 58% of budget and revenue are 54% of budget.

Mayor Muecke asked about the balance in the construction account.

Kelly Johnson stated a final invoice has not been submitted yet for payment but the city will spend all the money in the account. The city has 3 years in which to spend the funds.

B. Police Report – June 2016 Crime Report & Statistics – Police Chief Gott

Chief Gott discussed the crime report:

- One assault, but when officers investigated the assault it was more of a misunderstanding.
- One burglary at Bags and More. Video was good, suspect identified and arrested.
- Pistol stolen from Carters Country. Video was good, suspects identified but arrested in Illinois on separate charges.

C. Fire Department –Meeting – Councilmember Johnson

Councilmember Johnson stated the commission discussed the following:

- No meeting in July, the Commissioners had no business to transact so meeting was cancelled.
- All cities approved the 2017 Budget and the 2015 retainage.
- Cheryl Easley is retiring with her last day being December 31, 2016. Applications are being accepted through August. They anticipate making a final decision by October 1st and the candidate to start November 1, 2016. To date they have received 81 resumes.

D. Drainage Committee – Update

No report

E. Planning & Zoning Commission – July Meeting – Chairperson Sylvie Bucci

Planning & Zoning (P&Z) Commission held their last meeting on August 2, 2016.

Councilmember Wiener stated P&Z discussed several items currently under review:

- Parking spaces sub-committee researched four different ordinances from other cities. City of Hedwig Village's ordinance is too strict, City of Houston is too liberal, and The Woodlands is a good ordinance to follow. The sub-committee is looking at allocation of the gross foot print of space size, recommendation for space counts, and recommendations to allow for shared spots based upon time of day. The sub-committee may add landscaping requirements into the new ordinance. P&Z will forward recommendations to the city council in September.
- Lighting Ordinance – will forward recommendations to city council in September.
- Design Guide – will forward recommendations to city council in October.
- Business Districts – will forward recommendation to city council in October.
- P&Z will work with city hall to set up a shared folder for items submitted to city council in order to maintain a digital record.

Alan Petrov, City Attorney, stated the city should have policies and procedures in place to determine who can access the shared folder and how access will be achieved in order to protect the files.

Councilmember Wiener suggested adding the Sign Ordinance to the P&Z agenda. He stated the electronic sign section of the ordinance may need to be tweaked.

Mayor Muecke asked if there was a list of prohibited business.

Councilmember Wiener stated there is a list in the Code of Ordinances.

F. Mayor – Report – Brian Muecke

Mayor Muecke discussed the following:

- Noise Abatement Program – Texas Department of Transportation (TX Dot) received bids through August 9. TX Dot plans should be on schedule.

G. Building Official – Monthly Report – Lane Standley

Lane Standley discussed the following:

- Permits are flat for July.
- Upper end of Soldier's Creek has been cleaned out and the drainage diversion device has been installed.
- Swells installed on Moss Springs and inlets cleaned.

H. City Administrator – Update on Decorative Street Poles, Website, Budget, and Debris Removal

Kelly Johnson reported on the following:

- Decorative Street Poles – Terry Vick and his crew have installed 45 new poles. All poles west of Echo Lane have been replaced.
- Website update – had a joint training session with police department last week.
- Budget – the city should have certified tax rolls by August 25. Another budget workshop needed, possibly on August 26th.
- Drainage Study Grant – meeting with LJA, Inc. No decision on grant until mid-September. The city can re-apply in January 2017 if this grant application is denied.
- Debris Removal – Harris County notified the city that the inter-local agreement with the county will be on the next agenda for commissioner’s approval to negotiate price.

The city will partner with Houston Galveston Area Council (HGAC) for Request for Proposal (RFP) for On-Call contractors. The RFP deadline is August 26th. HGAC and city staff will discuss and make a recommendation shortly after that date.

Mayor Muecke asked Tom Roth to provide a digital copy of the city history. The digital copy will be put on the website.

5. CONSIDERATION OF ORDINANCES / RESOLUTIONS – The City Council will discuss and consider possible action of the following:

None

6. CONSIDERATION OF CONTRACTS/AGREEMENTS – The City Council will discuss and consider possible action on the following:

- A. Consideration and Possible Action on an Agreement with Harris County pertaining to the City’s donation of \$2,500 to the Spring Branch Memorial Library to share in the cost to purchase library materials.

Councilmember Putterman moved, Councilmember Wiener seconded, for the approval of the donation of \$2,500 from the City of Hedwig Village to Harris County Spring Branch Memorial Library.

Councilmembers Johnson, Putterman, and Wiener voted “Aye”, “Noes” none.

MOTION CARRIED UNANIMOUSLY

- B. Discussion and Possible Action on a contract between the City of Hedwig Village and Sales Tax Assurance LLC. for consulting services relating to the recovery of sales taxes.

Richard Fletcher with Sales Tax Assurance LLC introduces himself to council.

Mayor Muecke stated Sales Tax Assurance provides sales tax review, reporting, and audit services to their clients. He stated the city will pay a \$6,000 retainer at the start of the contract, not a fee. He felt the money spent to verify that the city is receiving all the sales tax owed to the City of Hedwig Village would be well spent.

Richard Fletcher stated his company specializes in sales tax recovery. He estimates \$30,000 - \$50,000 is possibly available for recovery. He stated the company will be paid a 30% commission of any recovered amount for two years. He stated the company will credit back the retainer against the first commission earned. He stated his company works directly with the retail or service business to educate them about reporting their sales tax correctly. Statute of limitations is four years so the city would only be able to collect for the previous four years from the state. In the event that sales tax was paid incorrectly, the state would re-allocate to the proper city.

Alan Petrov, City Attorney, has reviewed the contract.

Mayor Muecke stated the contract will auto-renew after one year. After the first year there is a 90 day written termination notice clause. There is a possibility to reduce the 90 day termination notice requirement to a 30 day notice requirement.

Richard Fletcher stated the sales tax should be paid to the entity where the service is delivered. The review and audit process looks into the various services that should be paying sales tax to the City of Hedwig Village. He stated the city can proceed with just the reports feature after the first year.

Councilmember Johnson moved, Councilmember Wiener seconded, for the approval of the contract between the City of Hedwig Village and Sales Tax Assurance.

Councilmembers Johnson, Putterman, and Wiener voted "Aye", "Noes" none.

MOTION CARRIED UNANIMOUSLY

- 7. CONSIDERATION FOR REQUESTS FOR COUNCIL AUTHORIZATION** - The City Council will discuss and consider possible action on the following:

- A. Consideration and Possible Action Regarding a Request from the Village Fire Department Commission to approve the 2015 Intra-Budgetary Transfers.

Kelly Johnson stated this item was approved by council at the last month's meeting. However, per the inter-local agreement, the wording from last month was incorrect. This agenda item has the correct wording.

Councilmember Johnson moved, Councilmember Putterman seconded, to approve the 2015 Inter-Budgetary Transfers.

Councilmembers Johnson, Putterman, and Wiener voted "Aye", "Noes" none.

MOTION CARRIED UNANIMOUSLY

B. Discussion and Possible Action Regarding Appointment to the Villages Mutual Insurance Group.

Muecke Mayor nominated Kelly Johnson to fill the vacant Hedwig Village position on the Village Mutual Insurance Group.

Councilmember Putterman moved, Councilmember Wiener seconded, to approve the nomination of Kelly Johnson to the Village Mutual Insurance Group.

Councilmembers Johnson, Putterman, and Wiener voted "Aye", "Noes" none.

MOTION CARRIED UNANIMOUSLY

8. DISCUSSION ITEMS/PRESENTATION OF SPECIAL REPORTS

None

9. CLOSED SESSION – The City Council will retire into Closed Session as authorized by Chapter 551; Texas Government Code, to discuss the following matters:

None

10. ACTION – CLOSED SESSION - The City Council will discuss and consider any action necessary on items discussed in Closed Session.

None

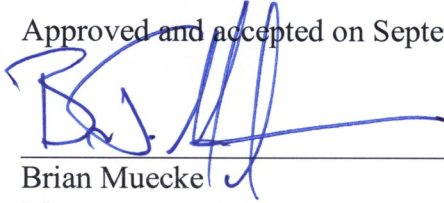
11. ADJOURNMENT

Councilmember Wiener moved, Councilmember Putterman seconded, to adjourn the meeting at 7:31 p.m.

Councilmembers Johnson, Putterman, and Wiener voted "Aye", "Noes" none.

MOTION CARRIED UNANIMOUSLY

Approved and accepted on September 11, 2016.



Brian Muecke
Mayor

ATTEST:



Lisa Modisette
Assistant City Secretary