



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
THURSDAY, NOVEMBER 9, 2017
6:30 P.M. - 955 PINEY POINT ROAD**

MINUTES

1. CALL TO ORDER

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

Present: Mayor Brian Muecke

Councilmember Carrol McGinnis	Kelly Johnson, City Admin./Secr.-Treasurer
Councilmember Barry Putterman	Lane Standley, Building Official
Councilmember Shirley Rouse	David Gott, Police Chief
Councilmember Bob Wiener	Alan Petrov, City Attorney
	Lisa Modisette, Assistant City Secretary

Absent: Councilmember Matt Woodruff

2. CITIZEN/VISITOR COMMENTS

Andrea Hermann, 930 Karos Lane, requested an update on the property on 11710 Denise.

Lane Standley, Building Official, has compiled a report and Alan Petrov, City Attorney, will review it.

Alan Petrov stated the process the city must take requires the city to send a notice to the property owner(s). After the required number of days to correct the defects as stated in the notice has passed, the city must hold a public hearing at which the property owner(s) can state their case and offer a rebuttal. After the public hearing the council may order the property to be either repaired or demolished.

The City Council can create a Building & Standards Commission, which would be an independent body like the Board of Adjustments, to hear and review the matter and make the decision. The decision could only be appealed to District Court. In the absence of a Building & Standards Commission, City Council would make the decision.

- 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

August 28, 2017 Emergency City Council Meeting
August 28, 2017 Special City Council Meeting
September 14, 2017 Regular Council Meeting

B. Approval of General Fund Bills

General Fund Bills - #32858- #32904
Voided Checks – #32863 & direct deposit to T Wu

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

Houston Community Newspapers - \$2,528.80	Climatec, Inc - \$4,480.02
Accutek - \$2,555.00	Olson & Olson - \$6,331.00
Trinity Paving - \$12,000.00	Wells Fargo - \$4,061.15

D. Approval of Construction Fund Bills

0 Items - \$0.00

E. Approval of Police Seizure Bills

0 Items - \$0.00

F. Approval of 3rd Quarter 2017 Investment Report

- G. To ratify the Ordinance of the City of Hedwig Village, Texas: a) amending Chapter 70, “streets, sidewalks, and other public places,” of the City Code of Ordinances to (i) update the City’s Right-of-Way Management Regulations; (ii) regulate the physical use, occupancy, and maintenance of the city’s rights-of-way by all users, including telecommunications service and wireless network providers; (iii) provide procedures for applications of permits; (iv) establish time periods for approval of permit applications; (v) provide permit fees and public rights-of-way rental rates; (vi) require land use approval prior to placement of network nodes and node support poles in parks, residential areas, historic areas, underground areas, and design areas; (b) adopting a design manual under Chapter 284 of the Texas Local Government Code; (c) designating design areas; (d) providing a savings clause; and (e) making other provisions related to the subject.**

Mayor Muecke requested removal of agenda item #3A and #3G. There are corrections to the minutes that need to be made to item #3A and Olson & Olson will discuss and explain item #3G.

Councilmember Putterman moved, Councilmember McGinnis seconded, for the approval of the Consent Agenda with the removal of agenda items #3A and #3G.

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

MOTION CARRIED UNANIMOUSLY

Councilmember McGinnis requested a correction of the September 14, 2017 minutes:

Agenda item #3F – Councilmember McGinnis is not listed as voting but he did in fact vote.

Mayor Muecke submitted a blue-line correction of the minutes for August 28, 2017 – Emergency City Council Meeting, August 28, 2017 – Special City Council Meeting, and September 14, 2017 – Regular City Council Meeting.

Councilmember Putterman moved, Councilmember McGinnis seconded, for the approval of the Minutes as submitted by Mayor Muecke and corrected by Councilmember McGinnis.

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

MOTION CARRIED UNANIMOUSLY

Dara Mattina, Olson & Olson, provided a detailed explanation concerning Senate Bill 1004 which became effective September 1, 2017 in relation to land use of public right-of-ways by telecommunication services and internet services providers. She stated any ordinance in place when permit applications for these types of facilities are submitted would apply. Hedwig Village City Council passed an ordinance relating to this topic in August 2017.

SB 1004 set the rates for land use and limited cities regulatory power concerning wireless network nodes being placed in cities right-of-ways. Generally, city’s regulations in relation to rights-of-way have to be based on health and safety concerns. SB 1004 gives cities limited additional power concerning placement of nodes in designated areas. In designated areas, the city can require a land use approval process prior to the placement of nodes. These designated areas are parks, residential areas, areas where utilities are required to be underground, designated design districts with decorative poles, and historic areas. She recommends the city note on a map all the areas that would apply as “designated areas”.

Mayor and Councilmembers asked several questions and mentioned several concerns relating to the ordinance such as:

- a. the absence of the map designating areas within the city when the ordinance was passed in August
- b. the definition of a “wireless provider”
- c. unsightly power lines
- d. Hedwig Village regulating the height of the poles
- e. total number of nodes per pole

Ms. Mattina stated residential areas and parks, if designated as city parks, will need land use approval process before nodes can be placed. The city will try to create a map of all designated areas but recommends completing the map as quickly as possible before the city receives an application for a permit. The regulations in place at the time the application is filed will govern what the city can or cannot allow. If the city receives a permit application before the map is complete, the city would still have the health and safety requirements to base the permit approval on as well as the design manual. The city did adopt the design manual in August when the ordinance was passed. The design manual is part of the ordinance as Exhibit A.

The definition of “wireless provider” is any person or company who provides a wireless service to the public. This ordinance will apply to any wireless provider who applies to use the city’s rights-of-way. Utility providers are exempt from this ordinance; however, this ordinance was written based on CenterPoint standards.

Ms. Mattina stated the nodes can be camouflaged.

Hedwig Village cannot mandate the height of the poles. The poles could be 10 feet higher than surrounding poles so the poles could possibly be 50 feet high. However, the city could possibly place the height at 40 feet due to aesthetics.

Ms. Mattina stated the pole load analysis will limit the number of the nodes on a pole.

Mayor Muecke stated the city will create a map noting the designated areas. He asked if Olson & Olson has a guide to assist the city in designating areas within the city as the various areas, such as historic.

Ms. Mattina stated each city is different so there is not a guide. She stated wireless providers will usually locate a node on an existing pole. This ordinance was written to limit the placement on city poles.

Ms. Mattina stated that if the city ratifies the ordinance this evening then the residential areas and the park areas would be covered under the aesthetic requirements, but all other areas would be covered by the health and safety requirements in the design manual. The city would have also adopted the fee schedule. She stated Olson & Olson is recommending the city amend the ordinance with an updated map showing the designated areas.

Ms. Mattina stated SB1004 was written very broadly so any city or utility easement could be used for node placement. However, permission should be given by the landowner prior to placement on the ground of any nodes.

Mayor Muecke stated the city would amend the ordinance with the map marked with the designated areas with the assistance of Alan Petrov and Olson & Olson.

Councilmember McGinnis moved, Councilmember Putterman seconded, to ratify Ordinance 706.

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

MOTION CARRIED UNANIMOUSLY

4. REPORTS

A. Financial Report – October 2017 – Kelly Johnson, City Administrator/City Secretary-Treasurer

Kelly Johnson discussed the financial report:

- Sales tax is down for the year but up 9.54 percent for the month of November.

B. Police Report – October 2017 Crime Report & Statistics – Captain Paul Warner

Captain Warner discussed the police report:

- Five burglaries to motor vehicles reported, eight thefts from businesses, two thefts from individuals
- 14 drug arrests
- One family disturbance reported
- Hired one officer – Austin Schwartz and one dispatcher – Mark Payne

C. Fire Department – Meeting – Fire Commissioner Bill Johnson

Fire Commissioner Bill Johnson discussed the following relating to Hurricane Harvey:

- 82 percent of the budget has been spent with 83 percent of the year done.
- Over budget on the overtime line item due to Hurricane Harvey.
- Submitted reimbursement request to FEMA for \$165,000 for Hurricane Harvey expenses. The department also submitted a request for assistance with the roof repair.
- The department has received interest in purchasing the old ladder truck. Proceeds from the sale will be put back into the Equipment Replacement Fund.
- Discussed the response time report.
- The renovation is on hold to solve the financing issues. The department will reconsider the renovation on the existing footprint. The department is getting bids on the roof repair.

- Some villages expressed displeasure at how the Emergency Operation Center (EOC) functioned during and after Hurricane Harvey. Commissioner Johnson believes the department performed very well.

Councilmember Putterman stated another agency may have caused the EOC to possibly not run as smoothly as it should have. The traffic after the storm may also have been the cause.

Kelly Johnson stated that the Mayors and City Administrators met to discuss the response to Hurricane Harvey and the consensus was that the fire department performed admirably. EOC may have room for improvements. Julie Roberts, Spring Valley Village City Administrator, agreed to form a commission to review and update the EOC manual. Mayor Muecke stated he asked that some thought go into what magnitude disaster could the Villages handle on their own and at what point would the Villages need to make contact with outside agencies for assistance. Kelly Johnson stated the City Administrators would like to have a means of virtual communication so the administrators could have a better understanding of the issues.

Mayor Muecke stated several of the mayors would be meeting the next day to discuss possible financing of the fire department renovation. He also stated the Villages would work on a plan to share resources.

D. Drainage Committee – Update – Mayor Muecke

- Met with Russ Poppe, Harris County Flood Control District (HCFCD), and Jeff Cannon, LJA Engineering, Inc. The meeting was productive. They discussed the outcome of the preliminary drainage analysis and the scope of work. Mr. Poppe suggested sending the analysis to HCFCD for review. Mayor Muecke approved LJA to finalize the analysis and forward to HCFCD.
- Mayor Muecke attended the Hunters Creek City Council meeting and discussed the analysis with Hunters Creek's City Engineer. The city engineer had no problems with the information discussed from the analysis.

Councilmember McGinnis asked if Council would receive the final analysis prior to HCFCD receiving it.

Councilmember Rouse asked if the four or five key questions that were left unanswered would be answered prior to the analysis being finalized.

Mayor Muecke stated Jeff Cannon will present the study to Council before the end of the year to address any questions and concerns before finalizing the report.

E. Planning & Zoning Commission – Meeting Update – Councilmember Shirley Rouse

Councilmember Rouse discussed the following:

- P&Z met on November 7th
- P&Z discussed the proposed lighting ordinance
- P&Z discussed buried power lines
- P&Z discussed the design guide as part of the PUD
- P&Z spent most of the meeting discussing the PUD application from Medical Office Building One (MOD One) and the application was deemed incomplete due to the lack of a traffic study
- There was discussion about creating a PUD application checklist so it is clear what variances the PUD is requesting
- P&Z intends for the design guide to be approved by Council prior to the approval of the PUD
- A public hearing is tentatively scheduled for December 14, 2017 with December 5, 2017 as a second choice

F. Mayor – Mayor’s Monthly Report – Brian Muecke

Mayor Muecke discussed the following:

- No report.

G. Building Official – Monthly Report, Update on Noise Abatement, Report on MS4 Storm Water Program – Lane Standley

Lane Standley discussed the following:

- One new residential permit issued.
- TxDOT Noise Reduction Project – stripping to be done but waiting on the correct paint

H. City Administrator – Memorial Villages Recycle Day, Holiday Dinner – Kelly Johnson

Kelly Johnson reported on the following:

- Memorial Villages Recycle Day – held on October 28 from 8 a.m. to noon. It was very successful. 35 pounds of medication destroyed by the police department, 4,682 pounds of electronics collected, 3.6 tons of paper shredded, and Memorial Area Ministries received donations. It is possible to do this as an annual event, possibly twice a year. Hedwig Village cost was \$125.00.
- Holiday Dinner – to be held on December 6 at 6 p.m. at the Racquet Club. Invitations to be mailed soon. TexSAR will be invited.

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

- A. A Resolution adopting of the City of Hedwig Village, Texas, casting its ballot for the election of a person to the Board of Directors of the Harris County Appraisal District.

Kelly Johnson explained Council nominated Mike Sullivan at the meeting last month. This month Council will cast the ballot.

Councilmember McGinnis moved, Councilmember Putterman seconded, to cast the ballot for the Board of Directors of the Harris County Appraisal District.

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

MOTION CARRIED UNANIMOUSLY

- B. A Resolution to approve the appointment of Mr. Jim Griffin as Harris County Municipalities Waste Disposal Council’s Representative to the Gulf Coast Waste Disposal Authority Board of Directors.

Kelly Johnson stated Mayor Ramsey, Spring Valley Village, recommends Jim Griffin as Harris County Municipalities Waste Disposal Council’s Representative to the Gulf Coast Waste Disposal Authority Board of Directors.

Councilmember McGinnis moved, Councilmember Putterman seconded, to approve the appointment of Jim Griffin to the Gulf Coast Board of Directors.

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

MOTION CARRIED UNANIMOUSLY

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

- A. Agreement between Harris County and the City of Hedwig Village for administration and implementation of a regional watershed protection education program in the amount of \$1,355.21.

Kelly Johnson stated the federal government requires the city to meet certain standards and educational materials are part of the requirements. Harris County also is required to meet the same standards. Hedwig Village has partnered with the county in the past for educational materials in order to meet our requirements. The city is required to post information on the city website, have information available in the lobby, and discuss at an open meeting.

Lane Standley discussed the various educational materials the city receives from the county.

Councilmember Rouse moved, Councilmember Wiener seconded, to approve the agreement between Harris County and Hedwig Village for a regional watershed protection education program.

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

MOTION CARRIED UNANIMOUSLY

- B. Proposed Agreement with Harris County to house, support, maintain, and confine city prisoners in Harris County Jails.

Kelly Johnson stated this agreement with Harris County would extend the city’s agreement for an additional year. The terms of the agreement do not change from last year.

Councilmember Rouse moved, Councilmember McGinnis seconded, to approve the agreement between Harris County and Hedwig Village for housing prisoners.

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

MOTION CARRIED UNANIMOUSLY

- C. The purchase of MobileCite software and related hardware from Cardinal Tracking, Inc. for the purpose of automated ticket writers in the amount of \$21,589.47.

Captain Warner discussed the need to purchase mobile ticket writers. State legislation, the Sandra Bland Act, now requires the police department to gather racial profiling information. The mobile ticket writers will be able to capture this information. The ticket writers will also reduce the errors that could occur.

The legislation mandates the effective date of the Sandra Bland Act as September 1, 2017.

Councilmember Wiener moved, Councilmember Putterman seconded, to approve the purchase of MobileCite software and related hardware from Cardinal Tracking.

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

MOTION CARRIED UNANIMOUSLY

- D. Letter of Engagement to provide the City of Hedwig Village, Texas auditing services for the years ending December 31, 2017 and December 2018.

Kelly Johnson recommends approval of the engagement letter with Belt Harris Pechacek for auditing services. The fee increases by \$1,495.00.

Councilmember Putterman moved, Councilmember Wiener seconded, to approve the engagement letter between Hedwig Village and Belt Harris Pechacek for auditing services for Fiscal Year 2017 and 2018.

Councilmembers McGinnis, Putterman, Rouse, 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. Proposed recommendation by the Villages Mutual Insurance Cooperative Board for 2018 insurance carriers to provide medical, dental, life, AD&D, long term disability, and supplemental life coverage for the city employees.

Kelly Johnson stated the current health carrier United Health Care, submitted a renewal rate increase of 36 percent. Our agent negotiated the renewal rate down to a 29 percent increase. The Villages Mutual Insurance Cooperative Board recommends a new health insurance carrier, Aetna, all other carriers remain the same.

Councilmember Rouse moved, Councilmember Wiener seconded, to accept the recommendations concerning medical, dental, life, AD&D, long term disability, and supplemental life carriers.

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

MOTION CARRIED UNANIMOUSLY

- B. Request for expenditure of \$17,600.68 from the 2017 Budget for Parks and Beautification Projects.

Mayor Muecke thanked Councilmember Wiener and members of the committee for their quick work.

Councilmember Wiener discussed the following:

- a. Improve the walkway on Monte Cello to the park and create an ADA ramp. The city has an easement in place.
- b. Purchase a bike repair station for placement in the park.
- c. Remove 2 dead trees. \$500 estimate
- d. Trim shrubs and trees next to sidewalks.
- e. The committee hopes to meet every quarter.

Councilmember Rouse asked why the sidewalk on Monte Cello is required to meet ADA guidelines.

Lane Standley stated the sidewalk should meet ADA requirement because it assesses a public park.

Councilmember McGinnis asked if the bike repair station in the park was agreed on by the committee members.

Mayor Muecke stated the repair station will add to the park and will be a convenience to area residents.

Councilmember Wiener moved, Councilmember Putterman seconded, to approve the purchases as presented.

Councilmembers McGinnis, Putterman, Rouse, and Wiener voted "Aye", "Noes" none.

MOTION CARRIED UNANIMOUSLY

8. DISCUSSION ITEMS/PRESENTATION OF SPECIAL REPORTS

A. Proclamation – Recognizing the Houston Astros as the 2017 Major League Baseball World Champions

Mayor Muecke read the Proclamation into the record.

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

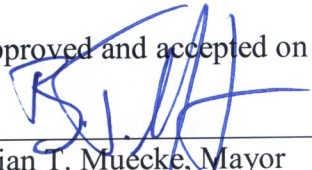
11. ADJOURNMENT

Councilmember McGinnis moved, Councilmember Putterman seconded, to adjourn the meeting at 9:00 p.m.


Councilmembers McGinnis, Putterman, Rouse, and Wiener voted "Aye", "Noes" none.

MOTION CARRIED UNANIMOUSLY

Approved and accepted on February 8, 2018.



Brian T. Muecke, Mayor



Lisa Modisette, Asst. City Secretary