



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
THURSDAY, MAY 10, 2018
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	Martye Kendrick, Acting City Attorney
Councilmember Matt Woodruff	Lisa Modisette, Assistant City Secretary

Absent: None

2. CITIZEN/VISITOR COMMENTS

Tom Roth, 854 Pecanwood, thanked the residents who assisted on Election Day. Andrea Hermann served as Alternate Election Judge. Barbara Svetlik, Lynne VonCannon, Barbara Abrams, Laurence Abrams, Jim Gustafson, Connie Gustafson, and David DeMartini served as Election Clerks. Tom Roth served as the Election Judge. He also thanked city staff for being available onsite to answer any question or to handle any concern.

Andrea Hermann, 930 Karos Lane, stated the property owners of 9655 Katy Freeway (the old Toys R Us site) are not cutting the grass on the perimeter of the property.

Larry Gibson, 1 Stonegate, asked for an update on the Drainage Committee.

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

February 8, 2018 Regular Council Meeting
February 19, 2018 Special Council Meeting
March 8, 2018 Regular Council Meeting
March 28, 2018 Special Council Meeting

B. Approval of General Fund Bills

General Fund Bills - #33297 - #33362
Voided Checks – 2 checks

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

Village Fire Department - \$2,635.84	Texas Pride Disposal - \$13,038.79
Belt Harris Pechacek - \$7,998.00	TML - \$19,939.00
Bob Baldwin - \$2,720.00	Axom Enterprises - \$45,758.25
Spring Branch Tax Office - \$17,653.00	Accutek - \$13,787.71
TexNet - \$30,675.58	Republic Service - \$16,645.88
Johnson Petrov - \$4,021.56	Reliant - \$4,919.45
Federal payroll taxes - \$41,014.56	Terry Vick - \$15,467.36
Bright Landscape - \$2,597.66	Wells Fargo - \$3,194.06
American Municipal - \$2,995.68	

D. To ratify an agreement with Constellation NewEnergy, Inc. to provide electric service for the City of Hedwig Village for a term of three years

Mayor Muecke requested approval of the Consent Agenda Items B and C and removal of Items A and D.

Councilmember Putterman moved, Councilmember Woodruff seconded, for the approval of the Consent Agenda items B and C with the removal of the listed minutes and removal of the ratification of the Constellation NewEnergy Agreement.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Wiener moved, Councilmember Putterman seconded, for the removal and separate consideration of the ratification of the Constellation NewEnergy Agreement.

Councilmembers McGinnis, Putterman, Wiener, and Woodruff voted “Aye”, “Noes” none. Councilmember Rouse abstained from the vote due to a conflict of interest.

MOTION CARRIED UNANIMOUSLY

Councilmember Rouse discussed the agreement with Constellation NewEnergy to provide electric service to the City. The agreement will be for a three year term. She stated the city should save approximately \$45,000 over a three year period. The agreement was signed on May 3rd.

Councilmember Putterman moved, Councilmember Wiener seconded, for the ratification of the agreement with Constellation NewEnergy for electric service for the City.

Councilmembers McGinnis, Putterman, Wiener, and Woodruff voted “Aye”, “Noes” none. Councilmember Rouse abstained from the vote due to a conflict of interest.

MOTION CARRIED UNANIMOUSLY

Mayor Muecke requested corrections to the listed minutes be emailed to Lisa Modisette, Assistant City Secretary. The minutes will be placed on the agenda for the next meeting for approval.

Councilmember Woodruff moved, Councilmember Rouse seconded, to table the listed minutes.

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

MOTION CARRIED UNANIMOUSLY

4. REPORTS

A. Financial Report – February and March 2018 – Kelly Johnson

Kelly Johnson discussed the following:

- Sales tax was up 7.21% compared to May 2017. Year-to-date sales tax was up 5.75%.
- The sales tax report from Sales Tax Assurance was not available.
- Revenue and expenses are on track for the year.

B. Police Report –March 2018 Crime Report & Statistics – Captain Paul Warner

Captain Warner discussed the following:

- The citations for April are up over last month.
- The city had fifty-six arrests for April 2018.
- Burglary of a motor vehicle (BMV) was up over March 2018. Nine BMV’s were committed by one individual. Houston Police Department arrested the suspect. All nine cases were cleared. The stolen items were not recovered.
- The department sold the old vehicle camera system to Memorial Village Police Department for \$9,000.
- The department received one patrol and three administrative vehicles. The vehicles have the standard warranties. The vehicles are black and white.

C. Fire Department – Meeting –Fire Commissioner Bill Johnson

Fire Commissioner Bill Johnson discussed the following:

- The Fire Commissioners amended the departmental guidelines to allow for sign-on bonuses. He stated it is hard to find and hire firefighters who are also EMS.
- The commissioners went out for bids for the renovations of the fire station. The department will request funds from the cities for the renovation in 2018.

- The commissioners received five bids to replace the roof. The selection will be within the \$300,000 budget. Councilmember Rouse asked for the construction timeline for the replacement of the roof. Commissioner Johnson stated approximately thirty days.
- The commissioners held two workshops for the 2019 Budget. Commissioner Johnson stated several items under discussion included:
 - a. Salaries for hiring and retention of employees
 - b. Renovation of fire station
- The McGrath Report was to answer one major question – how to improve EMS response times? The report included the following recommendations:
 - a. Dispatch – 911 calls are received by the various police departments in the villages and then routed to the fire department. McGrath recommends combining all the police dispatches in one dispatch center.
 - b. End the secondary dispatch for the Village Fire Department.
 - c. Have the area police departments have defibrillators in patrol vehicles. The fire and police chiefs can work together to train their officers.
 - d. Stage an EMS vehicle at City of Bunker Hill Village and renovate an existing building to current code standards.
 - e. Acquire a “fast attack” vehicle outfitted for EMS/fire. Some streets in the villages are too narrow for fire trucks. This type of vehicle could travel these narrow streets. McGrath estimates the cost of the vehicle to be approximately \$400,000. Chief Foster estimates cost approximately \$160,000.
 - f. The McGrath Report shows that response times to five of the villages do not meet national EMS time standards.

The commissioners will review several of the above recommendations.

Councilmember Rouse asked if McGrath’s recommendations would improve response times. Mr. Johnson stated that usually the first responder on the scene is the police department. McGrath made a recommendation (listed above) concerning police officers.

Councilmember Putterman asked if there was a public perception of police officers as not being qualified to act in an emergency. Mr. Johnson stated police officers will not transport patients but are trained in CPR and first aid.

Mr. Johnson stated the Village Fire Department saves approximately \$2 million annually by having cross trained personnel.

Councilmember McGinnis asked if McGrath interviewed any City of Bunker Hill Village residents who live near the proposed second EMS facility. Mr. Johnson stated McGrath did not.

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

Councilmember Rouse discussed the following:

- Planning and Zoning has submitted two items for Council review.
 - a. Amended Business Uses
 - b. Update to the PUD enabling ordinance

Councilmember Rouse requested another councilmember be appointed as Planning & Zoning (P&Z) Liaison effective June 1, 2018.

Mayor Muecke asked if residential fencing height was discussed by P&Z. Chair Mathews stated fencing was not discussed at the last meeting.

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

Mayor Muecke discussed the following:

- Comments from the Drainage Committee members were forwarded to Jeff Cannon, LJA Engineering.
- Jeff Cannon will meet with Harris County Flood Control District (HCFCD) soon to discuss several items regarding the Hedwig Village Drainage Plan. The city expects to receive a letter of no objection from HCFCD.
- The city has received a final quote from LJA to finish their work on the preliminary drainage plans for drainage work west of Echo Lane. The bid is approximately \$411,000. Council will consider a new contract at the next meeting.
- The mayor will re-appoint members to the Drainage Committee.

Councilmember Rouse asked when council could expect Jeff Cannon to respond to questions council previously raised concerning the drainage report. Mayor Muecke stated Jeff Cannon will make another presentation to council and should address those questions at that time.

F. Building Official – Monthly Report – Lane Standley

Lane Standley discussed the following:

- There have been no new commercial permits issued in April.
- The city will have three new residential permits issued soon.
- Plans for Tacos to Go Go will be submitted soon and will not have a drive-thru.

Mayor Muecke asked for clarification of the permit report. Lane Standley stated the monthly council permit report is incomplete and will advise Angie Ventura to complete the report in full in the future.

G. City Administrator – May Election, Audit – Kelly Johnson

Kelly Johnson reported on the following:

- The audit report will be presented at the June council meeting.
- The canvass for the May 5 election will be held on May 15, 2018.

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

- A. Discussion and possible action regarding a Resolution of the City of Hedwig Village, Texas finding that Centerpoint Energy Houston Electric, LLC’s application for approval to amend its distribution cost recovery factor pursuant to 16 Tex. Admin. Code §25.243 to increase distribution rates within the City should be denied; finding that the City’s reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the company and legal counsel.

Kelly Johnson, City Administrator/City Secretary-Treasurer, stated Gulf Coast Coalition of Cities (GCCC), of which the city is a member, recommends the city deny the rate increase to give GCCC ample time for review of the distribution rate increase.

Councilmember Woodruff moved, Councilmember Wiener seconded, to approve the Resolution denying Centerpoint Energy Houston’s rate increase.

Councilmembers McGinnis, Rouse, Wiener, and Woodruff voted “Aye”, “Noes” none, Councilmember Putterman abstained from the vote due to a conflict of interest.

MOTION CARRIED UNANIMOUSLY

- B. Discussion and possible action regarding a Resolution of the City Council of the City of Hedwig Village, Texas, declaring official intent to reimburse expenditures from proceeds of tax-exempt obligations.

Mayor Muecke stated the resolution under discussion would give the city the option to reimburse itself for capital expenses paid within the last sixty days from the time the ordinance is passed going forward eighteen months.

Councilmember Rouse asked if the method the city employs for the funding would come before council for further discussion.

Mayor Muecke stated the resolution gives the city the option to choose the method of funding in the future without additional council discussion. He stated the resolution would be valid for eighteen months.

Councilmember Woodruff stated debt should not be used to cover normal capital expenditures; however this will give the city options in the case of an emergency.

Councilmember McGinnis stated the city has other alternatives such as borrowing the funds or waiting for an emergency to know how much money is needed. The alternatives would take about two months to complete and receive the funds.

Councilmember Rouse suggested the resolution be tabled until the city council meeting in June 2018. There was no action on Councilmember Rouse's suggestion.

Councilmember Wiener stated this resolution has no cost to the city, would not obligate the city to use this option, and he stated this option is utilized by other cities.

Councilmember Wiener moved, Councilmember Woodruff seconded, to approve the Resolution declaring intent of the city to reimburse capital expenditures.

Councilmembers Putterman, Wiener, and Woodruff voted "Aye", Councilmembers McGinnis and Rouse voted "No".

MOTION CARRIED

- C. An Ordinance calling a Joint Public Hearing to be held before the City Council and the Planning and Zoning Commission of the City of Hedwig Village, Texas, for the purpose of considering amendments to Article V, Zoning Regulations, Section 509, Planned Unit Developments, of the Hedwig Village Planning and Zoning Code relating to the approval and regulation of Planned Unit Developments within the Business Districts of the City.

Susan Mathews, Chairperson of the Planning & Zoning (P&Z) Commission, discussed the changes P&Z would make to the enabling Planned Unit Development (PUD) ordinance. The suggested changes are as follows:

1. The applicant would address lighting and landscaping in the site plan.
2. The PUD applicant would be required to make a presentation to P&Z and at the joint public hearing.
3. The required traffic study would include all roads within one half mile of the proposed PUD property.
4. Building heights would increase to eighty-one feet in Business Districts B3 and B4.
5. A list of variances from the Code of Ordinances requested by the PUD applicant would be required.

Susan Mathews stated Business District B3 is from the west property line of the Bunker Hill Building (9525 Katy Freeway) to Bunker Hill Road and from Gaylord Drive north to the I-10 frontage road.

Councilmember Rouse asked why P&Z would consider raising the building heights in a business district that is adjacent to a residential district.

Susan Mathews stated the taller building in Business District B3 would have to abide by the line-of-sight requirement already mandated in the Code of Ordinance.

Councilmember Putterman moved, Councilmember Wiener seconded, to approve the Ordinance calling for a Joint Public Hearing to be held on June 20, 2018 at 6:00 p.m.

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

MOTION CARRIED UNANIMOUSLY

- D. An Ordinance calling a Joint Public Hearing to be held before the City Council and the Planning and Zoning Commission of the City of Hedwig Village, Texas, for the purpose of considering an amendment to Article V, Zoning Regulations, Section 506, Business District B, Subsection A, Use of Property, of the Hedwig Village Planning and Zoning Code relating to uses of property within the Business Districts of the City.

Susan Mathews, Chairperson of the Planning & Zoning (P&Z) Commission, stated P&Z has been working on business uses for several years. She recommends the joint public hearing for this issue be held at the same time as the joint public hearing for the PUD enabling ordinance.

Pat Murphy, Vice-Chair for P&Z, stated P&Z suggests the following changes:

1. Buildings in Business District B would be required to have a certain percentage of ground floor leasable space dedicated to sales tax generating business.
2. Create a permitted uses list for businesses in Business District B as well as add certain types of discount stores to a prohibited use list.
3. Allow single family homes in Business District B2.
4. Allow PUDs in Business District B3.

Councilmember Rouse asked if any business currently operating in the city was left off the new permitted uses list, except for discount stores.

Pat Murphy stated no business, except discount stores, currently allowed in the city was left of the permitted list.

Susan Mathews stated convenience stores were left off the permitted use list and should be added back onto the list.

Councilmember Rouse asked if Residential District 1 requirements would apply to the suggested single family home in Business District B2.

Councilmember Woodruff suggested creating parameters for any residential that may be allowed in the future for Business District B2.

Pat Murphy, Planning and Zoning Vice-Chair, stated he would work on the parameters if Council was in favor of this change.

Councilmember Woodruff moved, Councilmember McGinnis seconded, to approve the Ordinance calling for a Joint Public Hearing for the purpose of considering an amendment to Article V, Zoning Regulations, Section 506, Business District B, Subsection A, Use of Property, of the Hedwig Village Planning and Zoning Code relating to uses of property within the Business Districts of the City to be held on June 20, 2018 at 6:00 p.m.

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

MOTION CARRIED UNANIMOUSLY

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

None

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

- A. Reschedule the Regular Council Meeting on June 14, 2018 to June 20, 2018.

Councilmember Putterman moved, Councilmember Woodruff seconded, to reschedule the Regular Council Meeting on June 14, 2018 to June 20, 2018.

Councilmembers McGinnis, Putterman, Rouse, Wiener, and Woodruff 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

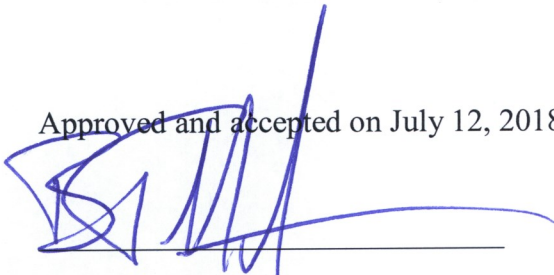
11. ADJOURN

Councilmember Wiener moved, Councilmember Putterman seconded, to adjourn the meeting at 8:11 p.m.

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

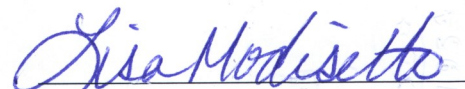
MOTION CARRIED UNANIMOUSLY

Approved and accepted on July 12, 2018.

A handwritten signature in blue ink, appearing to read "Brian T. Muecke", written over a horizontal line.

Brian T. Muecke, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Lisa Modisette", written over a horizontal line.

Lisa Modisette, Asst. City Secretary