



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
THURSDAY, AUGUST 16, 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

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| Councilmember Harry J. Folloder | Kelly Johnson, City Admin./Secr.-Treasurer |
| Councilmember Dane Johnson | David Gott, Police Chief |
| Councilmember Barry Putterman (left at 8:58 p.m.) | Alan Petrov, City Attorney |
| Councilmember Shirley Rouse | Lisa Modisette, Assistant City Secretary |
| Councilmember Matt Woodruff | |

Absent: None

2. CITIZEN/VISITOR COMMENTS

Tom Roth, 854 Pecanwood, completed an updated history of the city and provided a copy to the City Secretary.

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

June 20, 2018 Regular Council Meeting
July 10, 2018 Regular Council Meeting

B. Approval of General Fund Bills

General Fund Bills - #33520 - #33600
Voided Checks – none

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

| | |
|---|--------------------------|
| State of Texas - \$40,955.12 | TML - \$3,338.00 |
| Johnson Petrov - \$9,832.33 | Bob Baldwin - \$3,140.00 |
| Tyler Technologies - \$8,606.39 | Accutek - \$3,154.95 |
| Texas Workforce Commission - \$5,340.00 | TxDOT - \$46,800.00 |

Shane's Fence - \$10,000.00

Natural Shield Tech - \$2,975.00

D. Approval of the 2nd Quarter 2018 Investment Report

Councilmember Folloder moved, Councilmember Johnson seconded, for the approval of the Consent Agenda.

Councilmembers Folloder, Johnson, Rouse, and Woodruff voted "Aye", "Noes" none. Councilmember Putterman left the meeting at 8:58 p.m.

MOTION CARRIED UNANIMOUSLY

4. REPORTS

A. Financial Report – July 2018 – Kelly Johnson

Kelly Johnson discussed the following:

- The city has approximately \$2.6 Million in available funds with \$1.4 Million of that total as restricted funds.
- The city is fully collateralized
- Revenues received are 72.64% of budget and expenses are 53.78% of budget.
- Ad Valorem taxes received are 96% collected.
- The sales tax for year to date are up 4.12%.
- August is the first month for reporting the telecommunication tax. The increase in sales tax is partly due to that tax.
- The city should receive approximately \$40,000 from FEMA for reimbursement for expenses incurred during Hurricane Harvey within the next couple of weeks.

B. Police Report – July 2018 Crime Report & Statistics – Chief David Gott

Chief Gott discussed the following:

- The city had twenty two total crimes in July 2018 with one violent crime.
- There were forty two arrests in July 2018.
- Officer Shane Roye conducted a traffic stop that netted drugs packaged for resell. The suspect had \$7,800 in cash. The department seized the cash and vehicle, a 2004 Mercedes coupe.

C. Fire Department – Meeting – Alternate Fire Commissioner Barry Putterman

Alternate Fire Commissioner Barry Putterman discussed the following:

- The commissioners' meeting was held on July 25.
- The department is under budget.
- The fire department hired two people with one vacancy remaining.
- The FEMA reimbursement funds will be applied to the roof replacement costs.

- There was a discussion regarding the McGrath Report recommendations:
 - a. A subcommittee was appointed concerning dispatch in an effort to reduce transfer time to the fire department from the police department for a 9-1-1 call.
 - b. A subcommittee was appointed concerning a possible EMS substation in the City of Bunker Hill Village.

Mayor Muecke discussed the following:

- A special called meeting was held on August 14, 2018.
 - a. There was a discussion on a five year plan covering four areas. The various areas included dispatch, the facilities, and personnel.
 - b. Chairman Essary resigned as Chair due to the conflict with the City of Bunker Hill possibly leaving the Village Fire Department. He will remain on the commission as a member.

Five village mayors met to discuss various ways to keep the City of Bunker Hill Village in the Village Fire Department. The following day a separate meeting was held to discuss how to handle the split amicably and safely if the City of Bunker Hill Village decides to leave the department.

Mayor Muecke requested the year to date average continuing travel times to the six villages be recorded in the minutes:

- City of Bunker Hill Village – 4:54 minutes
- City of Hedwig Village – 2:11 minutes
- City of Hilshire Village – 4:07 minutes
- City of Hunters Creek Village – 4:30 minutes
- City of Piney Point Village – 4:42 minutes
- City of Spring Valley Village – 3:52 minutes
- The average travel time for all villages is 3:52 minutes.

D. Planning & Zoning Commission – Meeting Update – Council Liaison Shirley Rouse

Councilmember Rouse discussed the following:

- Planning & Zoning (P&Z) held a regular meeting on August 7, 2018 and a special meeting held on August 15, 2018.
- Steve Woods, a representative for Moody National, attended the P&Z regular meeting to discuss their re-plat application. The application was incomplete. Moody will correct the discrepancies and re-submit the application.
- Several P&Z agenda items are on the council agenda for this evening
 - a. Call for a Joint Public Hearing on amendments to the residential fence height.

- b. Call for a Joint Public Hearing on amendments to the Planned Unit Development enabling ordinance.

Mayor Muecke suggested holding the joint workshop just prior to a budget workshop tentatively scheduled for next month.

E. Beautification – Update – Chairman Bob Wiener

Chairperson Bob Wiener discussed the following:

- The committee is working on several projects:
 - a. Campbell Road Esplanade – the committee would like this esplanade to be more attractive.
 - b. Clifford Road close to the Memorial Villages Water Authority – removal of a dead bush and plant several trees.
 - c. In discussion with a vendor to possibly buy more benches for the historical marker area and other locations around the city.
 - d. New monument signs and street signs at city entrances, including the Campbell Road esplanade, and the park entrance.
 - e. West side of Water Authority – possibly planting several fruit trees.

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

Mayor Muecke reported on the following:

- Harris County is conducting early voting for Harris County’s \$2.5 Billion Proposition A Flood Bond Election. The villages will benefit from the improvements if the bond is approved by the voters.
- The annual Holiday Dinner is scheduled for Tuesday, December 4th at 6 p.m. at the Houston Racquet Club.

G. Building Official – Monthly Report – Kevin Taylor, BBG Consulting, Inc.

Mayor Muecke introduced Kevin Taylor, owner of BBG Consulting, Inc. The Mayor and Councilmembers will discuss approving a contract with BBG Consulting to provide code, commercial project inspection, and commercial plan review. Mr. Taylor will focus on the Building Department.

Kevin Taylor stated his company has been in business since 2015. The company is currently working with approximately twenty cities in the Houston/Galveston/Victoria area and has a location in San Antonio. He stated he is certified to do inspections in many fields, such as electrical, plumbing, ADA, energy compliance, etc., in the state of Texas.

Kevin Taylor introduced Evan DuVall. Mr. DuVall is a certified planner and will be assisting the city in zoning and planning areas.

BBG Consulting, Inc has a public engineer (P.E.) on staff to review such plans as drainage.

Kevin Taylor discussed the following:

- The council permit report will be updated and will have more information in the future.
- The Moody National Project review is almost completed. A quote has been requested from LJA Engineering to review the traffic study. Moody National Project will resubmit their re-plat application to P&Z.
- Tacos A Go Go are in discussion with the Building Department regarding parking at their location. The project should move forward once discussions have concluded.
- The Stream Building construction is moving forward.
- Kevin Taylor will look into the remodel at 9183 Katy Freeway.

Mayor Muecke stated BBG Consulting will handle any commercial projects for the foreseeable future.

H. City Administrator – Monthly Report – Kelly Johnson

Kelly Johnson reported on the following:

No report.

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

- A. An Ordinance of the City Council of the City of Hedwig Village, Texas, amending 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 and Zoning (P&Z) Commission, P&Z recommends updating the allowable business uses for the business districts within the city. P&Z created a consolidated list of allowable uses that would apply to all business districts. She stated Business District B1 is the only business district within the city that is currently retail only. The consolidated list would open up the possibility of an office building being built in B1. However, P&Z is confident the lower building height restrictions in B1 would ensure that an office building would not be built.

Councilmember Putterman stated that certain buildings, under the proposed changes, would be non-conforming uses. He stated that if a business, such as a bank, were to move out of a building, another bank might not be able to move back in to the same building.

He suggested updating the language to the proposed changes that would apply to the property and not to the buildings.

Mayor Muecke questioned if the prohibition of churches was legal. He said he thought it was not. Alan Petrov, City Attorney, confirmed the city could not prohibit churches.

Councilmember Putterman suggested tabling this ordinance for further discussion and review of the proposed business uses list with P&Z Chair Susan Mathews, P&Z member Pat Murphy, Kevin Taylor, Councilmember Rouse, and himself.

Pat Murphy, P&Z member, discussed allowing medium density single family dwellings in Business District B2 only under the proposed changes. He stated P&Z recommends allowing individually owned free-standing homes.

Councilmember Woodruff moved, Councilmember Johnson seconded, to table this Business Uses Ordinance until next month's meeting.

Councilmembers Folloder, Johnson, Putterman, Rouse, and Woodruff voted "Aye", "Noes" none.

MOTION CARRIED UNANIMOUSLY

- B. 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 505, Residential District A and C, Subsection B, Limitations, Paragraph 10, Fences, of the Hedwig Village Planning and Zoning Code relating to fence height and materials within the Residential Districts A and C of the City.

Susan Mathews, Chairperson for the Planning & Zoning (P&Z) Commission, stated P&Z recommends that council call for a joint public hearing regarding amending the current code in reference to height and materials for residential fences. She stated the current fence height is six and a half feet above the finished natural grade. The proposed change would allow a maximum height of eight feet. The proposed change would also provide a list of approved materials to be used to construct a fence.

The date for the joint public hearing was set for September 20, 2018 at 6:00 p.m.

Councilmember Putterman moved, Councilmember Rouse seconded, to approve the Ordinance calling for a joint public hearing regarding amendments to the code relating to residential fences to be held on September 20, 2018 at 6:00 p.m.

Councilmembers Folloder, Johnson, Putterman, Rouse, and Woodruff voted "Aye", "Noes" none.

MOTION CARRIED UNANIMOUSLY

- 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 size, retail requirement, and green space and amenity requirement for Planned Unit Developments within the Business Districts of the City.

Susan Mathews, Chairperson for the Planning & Zoning (P&Z) Commission, stated P&Z recommends that council call for a joint public hearing regarding amending the Planned Unit Development (PUD) enabling ordinance. The changes include increasing the minimum size of a PUD from one and a half acres to four acres, increasing the retail requirement from thirty percent to seventy five percent on the ground floor, and would add a requirement of fifteen percent of the PUD site would be for green space and outdoor site amenities.

Councilmember Rouse conducted a commercial tract analysis of the business districts within the city. The analysis showed that most of the commercial properties located within the City of Hedwig Village are less than four acres. She stated commercial property owners would need to consolidate in order to apply for a PUD which would give the city a more unified appearance.

Councilmember Folloder moved, Councilmember Woodruff seconded, to approve the Ordinance calling for a Joint Public Hearing regarding amendments to the code relating to the Planned Unit Development Enabling Ordinance to be held on September 20, 2018 at 6:00 p.m.

Councilmembers Folloder, Johnson, Putterman, Rouse, and Woodruff voted “Aye”, “Noes” none.

MOTION CARRIED UNANIMOUSLY

- D. A Resolution amending 2018-004 of the City of Hedwig Village, Texas, providing for separate building permit fees and plan review fees for commercial projects; repealing all or parts of other fee schedules inconsistent or in conflict herewith.

Kevin Taylor stated the current permit fee schedule is more geared toward residential development. The proposed fee schedule is for commercial and multi-family development only.

Councilmember Johnson moved, Councilmember Woodruff seconded, to approve the Resolution updating the permit fees and plan review fees for commercial and multi-family projects.

Councilmembers Folloder, Johnson, Rouse, and Woodruff voted “Aye”, “Noes” none.

MOTION CARRIED UNANIMOUSLY

- E. An Ordinance of the City Council of the City of Hedwig Village, Texas, amending Chapter 44, Miscellaneous Offenses, of the Code of Ordinances of the City of Hedwig Village, Texas, by adding Article V, Short Term Rentals, to regulate short term rentals within the City; containing findings and provisions relating to the subject and imposing a penalty for violations.

Councilmember Folloder stated there is a house in the City of Hedwig Village that is listed as an Airbnb. There have been ongoing issues with the renters leaving trash after they leave, loud noise and music, and other instances that are not residential friendly.

Alan Petrov, City Attorney, stated the Texas Supreme Court determined that short term rental of a home was not a business use but was considered residential use. He stated the city has the option to regulate this issue through the permit process and requiring the homeowner to provide the city with a tax certificate.

The city would have the authority to issue a citation to any homeowner in violation of this ordinance.

Alan Petrov, City Attorney, stated this ordinance requires publication in the newspaper.

Councilmember Johnson moved, Councilmember Folloder seconded, to approve the ordinance regulating short term rentals.

Councilmembers Folloder, Johnson, Rouse, 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:

- A. Consideration and Possible Action regarding an Agreement for Building Official Services, Project Plan Review, and Inspections with BBG Consulting, Inc.

Mayor Muecke stated the agreement has been reviewed. The pricing is reasonable and the experience with Kevin Taylor has been great.

Councilmember Woodruff moved, Councilmember Johnson seconded, to approve and authorize the mayor to sign the agreement with BBG Consulting, Inc.

Councilmembers Folloder, Johnson, Rouse, and Woodruff voted "Aye", "Noes" none.

MOTION CARRIED UNANIMOUSLY

- B. Consideration and Possible Action regarding an Agreement with Hunton Andrews Kurth, L.L.P. to serve as Bond Counsel with respect to Tax Notes and other Debt Obligations for the City of Hedwig Village.

Councilmember Johnson moved, Councilmember Woodruff seconded, to approve and authorize the mayor to sign the agreement with Hunton Andrews Kurth L.L.P.

Councilmembers Folloder, Johnson, Rouse, and Woodruff 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 appointing Charles Matthews and Jeremy Sanders to the Board of Adjustments

Mayor Muecke recommended Charles “Chuck” Matthews and Jeremy Sanders to serve on the Board of Adjustment. Charles “Chuck” Matthews will serve as a member and Jeremy Sanders will serve as an alternate member.

Councilmember Johnson moved, Councilmember Rouse seconded, to approve the appointments to the Board of Adjustment.

Councilmembers Folloder, Johnson, Rouse, and Woodruff voted “Aye”, “Noes” none.

MOTION CARRIED UNANIMOUSLY

B. Consideration and Possible Action regarding purchasing a Law Enforcement Training Device

Chief Gott stated the police department has an active shooter policy in which two officers will respond and act as a team. However, if only one officer is available that officer will respond and act. The officers have toured Memorial High School and Spring Branch Middle School to become familiar with the schools’ layout. There are maps of the schools at the police station and in the police vehicles. The officers receive their annual handgun and shotgun qualifications at Athena Gun Range. The officers are able to use the simulator at Athena for additional training.

Mayor Muecke and Chief Gott discussed the positive training aspects of the active shooter training simulation product under consideration for purchase. The simulator has approximately 975 pre-programmed training scenarios. The officers will possibly train with the simulator once a month.

Chief Gott stated the city has funds for the purchase available in the Seizure Fund Account, the proceeds from the sale of the vehicle cameras, and fingerprinting funds.

Councilmember Rouse moved, Councilmember Johnson seconded, to approve the purchase of a law enforcement training device.

Councilmembers Folloder, Johnson, Rouse, 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:

A. As authorized by Section 551.074, Personnel Matters; to discuss personnel matters specifically the Code Enforcement and Public Works Director.

City Council recessed into Executive Session at 8:48 p.m.

The council meeting reopened at 9:18 p.m.

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

None

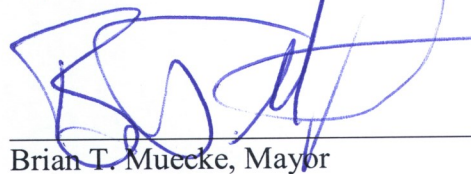
11. ADJOURN

Councilmember Woodruff moved, Councilmember Folloder seconded, to adjourn the meeting at 9:50 p.m.

Councilmembers Folloder, Johnson, Rouse, and Woodruff voted "Aye", "Noes" none.

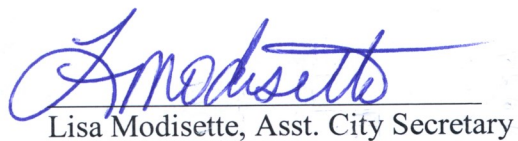
MOTION CARRIED UNANIMOUSLY

Approved and accepted on September 20, 2018.



Brian T. Muecke, Mayor

ATTEST:



Lisa Modisette, Asst. City Secretary