



**CITY OF HEDWIG VILLAGE, TEXAS
SPECIAL CALLED CITY COUNCIL MEETING
FRIDAY, MAY 24, 2019
7:30 A.M. - 955 PINEY POINT ROAD**

MINUTES

1. Call to Order

Mayor Brian Muecke called the meeting to order at 7:31 a.m.

Present: Mayor Brian T. Muecke

Councilmember Harry J. Folloder	Kelly Johnson, City Admin./Secr.-Treasurer
Councilmember Dane Johnson	Zach Petrov, City Attorney
Councilmember Shirley Rouse	Kevin Taylor, Building Official
Councilmember Matt Woodruff	Lisa Modisette, Assistant City Secretary

Absent: Councilmember Susan Mathews

2. Statement of Officer – Mayor, Council Position No. 1, and Council Position No. 5

Mayor Brian T. Muecke and Councilmember Shirley Rouse read and signed the Statement of Officer for their respective elected offices.

3. Oath of Office – Mayor, Council Position No. 1, and Council Position No. 5

Tim Kirwin, Hedwig Village Municipal Associate Judge, administered the Oath of Office to Mayor Brian T. Muecke.

Tim Kirwin, Hedwig Village Municipal Associate Judge, administered the Oath of Office to Councilmember Shirley Rouse.

4. A Resolution of the City of Hedwig Village, Texas designating the City of Hedwig Village's Commissioner and Alternate Commissioner to the Village Fire Department Board of Commissioners.

Councilmember Rouse moved, Councilmember Johnson seconded, to adopt the resolution to appoint William Johnson as the Hedwig Village Commissioner and Harry Folloder as the Alternate Commissioner to the Village Fire Department Board of Commissioners.

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

MOTION CARRIED UNANIMOUSLY

5. Approval of Appointments to the Planning and Zoning Commission for two year terms

Mayor Muecke stated he would like to table this agenda item until another City Council meeting.

Zach Petrov, City Attorney, stated the Planning and Zoning members, whose terms expire on June 1, 2019, will continue to serve as part of the Commission until re-appointed or replaced by City Council.

Councilmember Rouse recommended approving Mayor Muecke's nominations to the Planning and Zoning Commission. The nominations to the commission by Mayor Muecke are solid choices and would be in the City's best interest.

Mayor Muecke stated he would appoint Pat Murphy as Chairperson of Planning and Zoning Commission.

Councilmember Folloder moved, Councilmember Woodruff seconded, to table this agenda item until future City Council meeting.

Councilmembers Folloder, Johnson, and Woodruff voted "Aye", Councilmember Rouse voted "No".

MOTION CARRIED

6. Discussion and Possible Action regarding Approval of a Service Level Agreement for Hosting Services with Tyler Technologies

Councilmember Folloder stated Tyler Technologies provides the financial software used by the City. The proposed agreement would move the entire software to the cloud to be hosted by Tyler Technologies. The City would no longer have servers on site for the financial software. There will be an increase of approximately \$10,000 per year for the hosting services. Tyler Technologies will handle upgrades to the software, the back-ups, etc. The employees would be able to access the software from a mobile device.

Councilmember Folloder recommends approval of the hosting agreement with Tyler Technologies.

Councilmember Rouse moved, Councilmember Johnson seconded, to approve the agreement for hosting services with Tyler Technologies.

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

MOTION CARRIED UNANIMOUSLY

7. Discussion and Possible Action regarding Approval of a Commercial Solid Waste Franchise Agreement with Texas Pride Disposal Solutions

Kevin Atkinson, Texas Pride Disposal, stated that currently there are six or seven solid waste haulers working in the City. There is approximately five hundred ninety cubic

yards of solid waste to pick up. The solid waste is currently being collected about three times a week. A single solid waste hauler would allow for easier regulation of the solid waste service times and the number of trucks in the City. Texas Pride would dedicate the time and resources necessary to handle the solid waste.

Councilmember Rouse asked how much time would be needed to pick up the commercial solid waste in a single day.

Kevin Atkinson stated there are approximately eighty seven trash dumpsters in the City and the collection could take half a day.

Councilmember Woodruff asked about solid waste collection at times of the day that are restricted by commercial business such as restaurants and schools.

Kevin Atkinson stated Texas Pride Disposal would accommodate the commercial businesses as best as possible. He stated there would probably be collection trucks in the City most days of the week.

Councilmember Johnson stated the proposed ordinance has a start date in October 2019 in order to phase in the commercial customers.

Kevin Atkinson stated Texas Pride Disposal partners with another company to provide the roll off containers for construction sites.

Councilmember Rouse stated she prefers the roll off containers not have a company name if placed in the residential districts. She stated contact information discreetly placed on the roll off container would be expected.

Kevin Taylor, Building Official, stated the roll off containers are easier to use to dispose of construction waste and help keep the construction site cleaner.

Kevin Atkinson stated identification signage on the roll off container is needed by the company. Texas Pride would work with the City to control the size of the signage.

Councilmember Woodruff stated the City has an ordinance prohibiting placing a roll off container on a City street.

Kevin Atkinson stated the roll off company would work with the City to ensure the roll off container would not be placed on City streets.

Mayor Muecke asked if the City would collect the franchise fee for the roll off container collection due to the expected low volume.

Councilmembers discussed not collecting a fee, charging a small fee to offset any street damage, or charging a one-time fee during the permit process.

Councilmember Woodruff asked how the City would collect the franchise fee for any extra solid waste collections in the commercial districts.

Kevin Atkinson stated the payment of the franchise fee to the City is an accounting process handled by Texas Pride. All collections done in Hedwig Village will have a franchise fee paid to the City.

The Councilmembers and Kevin Atkinson discussed the two different methods of collecting the franchise fee, either a flat rate per yard or a percentage of Texas Pride's collection fee.

Kevin Atkinson stated the initial capital investment by Texas Pride to service the commercial districts and the roll off containers would be approximately three quarters of a million dollars. A five year contract would be reasonable but a seven to ten year contract would be preferable.

Councilmember Woodruff stated it would be reasonable to extend a long term contract for waste collection services while also ensuring the termination clause has performance standards clearly stated in the contract.

Mayor Muecke stated the City Attorney would make the suggested changes to the proposed solid waste collection agreement and possibly call another special meeting for City Council if needed.

Councilmember Rouse asked if the City intended to go out for bids for this agreement.

Zach Petrov, City Attorney, stated the City did not need to go out for bids for a solid waste collection agreement.

Councilmember Johnson stated the hours of operations for solid waste collection would need input from Texas Pride before a decision is made.

Kevin Atkinson stated the typical start time would be at night because some commercial accounts, such as schools and restaurants, would need the collection done prior to the start of business for that location. He suggested collection hours of 4:00 a.m. to 2:00 p.m.

Councilmember Rouse suggested collection be completed prior to 2:30 p.m. due to the school traffic. She concurred 4:00 a.m. to 2:00 p.m. was the acceptable standard for collection for dumpsters not within three hundred feet of any residential areas.

Councilmember Woodruff stated the collection times for roll off containers for construction waste would follow the approved construction times.

Mayor Muecke requested the authority from City Council to enter into a contract with Texas Pride for commercial solid waste collection with the approval of the suggested changes prior to the next meeting.

Councilmember Johnson stated that if City Council agrees to all the suggested changes he would be comfortable giving Mayor Muecke the authority to enter into a contract.

Councilmember Rouse suggested language in the contract that required Texas Pride to notify the City of any complaints and how the complaints were resolved.

City Council agreed to a franchise fee of \$1.04 per yard with an annual adjustment based on the Consumer Price Index (CPI) or as otherwise set by City Council.

Councilmember Johnson stated he preferred a longer contract term due to Texas Pride making a significant capital investment in order to service the commercial districts of Hedwig Village.

City Council agreed to a seven year contract term.

Councilmember Johnson moved, Councilmember Folloder seconded, to give Mayor Muecke the authority to negotiate a contract with Texas Pride for solid waste collection for the commercial districts with the limitations as set forth in this meeting and to execute the contract prior to May 31, 2019.

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

MOTION CARRIED UNANIMOUSLY


8. ADJOURN

Councilmember Johnson moved, Councilmember Rouse seconded, to adjourn the meeting at 8:56 a.m.


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

MOTION CARRIED UNANIMOUSLY

Approved and accepted on July 18, 2019.



Brian T. Muecke, Mayor

ATTEST:


Lisa Modisette, Asst. City Secretary