



**CITY OF HEDWIG VILLAGE, TEXAS  
REGULAR MONTHLY CITY COUNCIL MEETING  
THURSDAY, JUNE 8, 2017  
6:30 P.M. - 955 PINEY POINT ROAD**

**MINUTES**

**1. CALL TO ORDER**

Mayor Muecke called the meeting to order at 6:32 p.m.

Present: Mayor Brian Muecke

Councilmember Carrol McGinnis	Kelly Johnson, City Admin./Secr.-Treasurer
Councilmember Barry Putterman (left at 9:07 p.m.)	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**

Harry Craig, 839 Merridel, discussed the rain event that occurred on Sunday, June 3, 2017 and provided Mayor and Councilmembers with pictures and a narrative. His rear property line abuts Soldier's Creek. He stated four inches of rain fell in approximately one hour during the June 3<sup>rd</sup> rain event. He has done drainage work to his yard but when Soldier's Creek fills to a certain point his yard stops draining. He requested the Drainage Committee work toward moving water north out of the city before the water fills Soldier's Creek. He stated Hedwig Village is behind the area villages in terms of infrastructure. He understands bonds may be required to correct the drainage issues in the city.

Sandra Craig, 839 Merridel, stated that lately the rain events in the city have become stressful to her due to worrying about her house flooding. She stated other residents must be feeling the same stress.

Tom Roth, 854 Pecanwood, gave an update on Marguerite Holm. He delivered the proclamation from the city to her. Mrs. Holm was very excited and hopes to have the proclamation presented to her by council at the August or September Council Meeting.

Susan Mathews, 11743 Duart Drive, stated she is in support of the proposed construction fencing ordinance. She stated the proposed ordinance is a safety feature. The house next to hers is under construction and there is no construction fencing. There are holes in the ground where the swimming pool will be and there is construction material and rubble

lying on the ground. Without the construction fencing there is the possibility of someone walking into the construction site and getting hurt. She provided area Villages construction fencing ordinances as a reference.

- 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**

May 11, 2017 Regular Council Meeting

**B. Approval of General Fund Bills**

General Fund Bills - #32591 - #32658  
Voided Checks – #32659 - #32660

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

HCAD - \$4,103.00	Bob Baldwin - \$2,740.00
Tyler Technologies, Inc. - \$3,850.00	Cardinal Tracking - \$3,600.00
Helfman Ford - \$4,283.46	Belt Harris Pechacek - \$7,770.00
LJA Engineering - \$14,492.50	

**D. Approval of Construction Fund Bills**

0 Items - \$0.00

**E. Approval of Police Seizure Bills**

0 Items - \$0.00

Councilmember Wiener moved, Councilmember Putterman seconded, for the approval of the Consent Agenda.

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

**MOTION CARRIED UNANIMOUSLY**

**4. REPORTS**

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

Kelly Johnson discussed the financial report:

- As of May 31, 2017, the city was fully collateralized.
- As of May 31, 2017, expenses were at 37% of budget with revenue collections at 53% of budget. The city is 41.67% through the fiscal year.

- Sales tax is down 3% from the same time period as last year.

**B. Police Report** – May 2017 Crime Report & Statistics, HVPD Open House – Police Chief Gott

Chief Gott discussed the police report:

- The open house had a good turnout with 80-100 people in attendance and received tours of the facility. The Police Department plans on holding an open house again next year.
- There was one residential burglary at Le Renaissance Apartments in early June. The investigation is ongoing.
- There were two auto thefts in the residential district. In both cases, the vehicles were unlocked and the keys were in the ignition.
- The department had 42 arrests in May 2017.
- The number of shoplifting cases has increased due to more stores reporting the crime. Chief Gott stated this is not an indication of more criminals in the city, just increased reporting of shoplifting from the retail stores.

**C. Fire Department** – Meeting – Fire Commissioner Bill Johnson

Fire Commissioner Bill Johnson discussed the Fire Department Commissioners Meeting:

- There was an incident during a school science experiment at the Memorial Drive Presbyterian Church. Twelve children were transported to Memorial Herman Hospital. The remaining children were released to their parents.

**D. Drainage Committee** – Update – Mayor Muecke

Mayor Muecke discussed the following:

- The Drainage Committee will hold a meeting within the next two weeks.
- LJA Engineering, Inc. (LJA) needs to complete additional survey work under I-10.
- The Sunday, June 3 rain event did not adversely affect ground flow into the city from Barryknoll. There was some nuisance flooding and ponding on the roadway on Stonegate, at the intersection of Taylorcrest and Piney Point, and at the intersection of Lochtyne and Dunbeath. There were no reports of homes flooding. The water drained quickly after the rain stopped.
- The city is open to discussions with City of Piney Point concerning a joint drainage project.
- The Soldier's Creek concrete berm diversion that the city installed last year appears to be working in diverting the water from the residents' homes.

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

Councilmember Rouse discussed the following:

- P&Z did not have a meeting in June due to lack of quorum. Councilmember Rouse contacted Chairperson Sylvie Bucci in an attempt to reschedule the June meeting for later in the month.

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

Mayor Muecke discussed the following:

- See agenda item 4D.

**G. Building Official** – Monthly Report, Update on Noise Abatement – Lane Standley

Lane Standley discussed the following:

- One new commercial construction was permitted in May on the property next to Sweet Tomatoes. The construction work at the old Mason Jar is moving along slowly.
- Lane Standley explained a construction permit does not have an expiration date as long as work is consistently performed at the site. He will check on the construction time limit within other jurisdictions for comparisons.
- Lightning strike – Lightning struck the transformer outside city hall during the rain event on June 3 and caused damage to several pieces of equipment. Repairs were made to the generator, the ATS control switch, the alarm system in the building, and the air conditioning system. The city will file a claim with the insurance carrier Texas Municipal League (TML) for slightly more than \$11,000. City staff was unable to work in the building for half a day on June 5<sup>th</sup> due to limited electrical power.
- Noise Abatement – TxDOT is still working on the I-10 Noise Abatement Project. The completion date is projected to be in August 2017. TxDOT and the City have received positive comments from residents on how quiet the freeway is now.

**H. City Administrator** –Village Independence Festival (VIF), Harris County Appraisal District (HCAD) Reassessment of Property Values and 2017 Preliminary Values, Village Mutual Insurance Group (VMIG) Refund of Prudential Shares – Kelly Johnson

Kelly Johnson reported on the following:

- Village Independence Festival (VIF) – The festival will be held on July 4 this year. This year is the 25<sup>th</sup> anniversary of the festival. Hedwig Village will have a float again this year.
- HCAD Reassessment of Property Values and 2017 Preliminary Values – HCAD has notified the city that the property values within the city have increased approximately 2.75%.
- VMIG Refund of Prudential Shares – The city will receive \$6,977.76 from the sale of Prudential shares owed by the Village Mutual Insurance Group.

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

- A.** An Ordinance amending Chapter 14, Building and Building Regulations, Article VI, Maintenance of Property During Construction, by amending Section 14-215, Portable Toilets, to provide screening requirements for portable toilets, and adding a new section 14-220, Construction Site Fencing, to require the fencing and screening of construction sites.

Mayor Muecke stated Hedwig Village has eight homes under construction. He stated most contractors erect a construction fence but some do not.

Language on the proposed ordinance was changed to mandate a color for the construction fence as approved by the Building Official as well as requiring the fence to be at least six feet tall and mandatory screening of a portable toilet in a manner approved by the Building Official.

Councilmember Putterman moved, Councilmember Wiener seconded, to adopt Ordinance 698 as presented in the Council packet with the following changes to Section 14-215 after the phrase “screen from view” insert “in a manner approved by the Building Official” and to Section 14-220 change the 5.5 foot reference to 6 foot and after the phrase “opaque vinyl screen” and before the comma insert “in a color approved by the Building Official”.

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:

None

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

- A.** Audit Report – 2016 Financial Statements – Presented by Belt Harris Pechacek.

Robert Belt discussed the 2016 Financial Audit for Hedwig Village. He stated the Revenues for 2017 were \$4,121,000 and Expenses for 2017 were \$4,865,000. Other Revenue sources for 2017 were \$939,000. The beginning Fund Balance for General Fund was \$633,000 and the ending Fund Balance was \$830,000. The City does have a 60 day Reserve on hand as recommended by financial advisors. When comparing the Final Budget to the Actual Budget, the Revenues were \$150,000 less and the Expenses were \$310,000 more. The city faithfully pays into the pension plan through Texas Municipal Retirement System (TMRS) and the fund is positively funded.

Robert Belt stated the city is in great financial shape.

Councilmember Putterman moved, Councilmember Wiener seconded, to accept the 2016 Financial Audit as presented.

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

**MOTION CARRIED UNANIMOUSLY**

- B.** Designation of the Spring Branch I.S.D. Tax Assessor-Collector to Calculate the 2017 Effective Tax Rate and Rollback Tax Rate for the City of Hedwig Village for Fiscal Year 2018.

Councilmember Putterman moved, Councilmember McGinnis seconded, to designate the Spring Branch I.S.D. Tax Assessor-Collector to calculate the 2017 Effective Tax Rate and Rollback Rate for Fiscal Year 2018.

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

**MOTION CARRIED UNANIMOUSLY**

- C.** Consideration and Possible Action Regarding the Appointment of a Traffic Director.

Mayor Muecke stated the city has received complaints regarding high school parking on North Lou Al. He stated the city does not have a Traffic Director who would be responsible for determining where Parking and No Parking Zones will be located. He recommended Chief Gott for the position of Traffic Director.

Councilmember McGinnis moved, Councilmember Rouse seconded, to appoint Chief Gott to the position of Traffic Director.

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

**MOTION CARRIED UNANIMOUSLY**

- D.** Consideration and Possible Action Regarding Appointments to the Planning and Zoning Commission for One and Two Year Periods.

Mayor Muecke stated the Planning and Zoning (P&Z) Commission has had issues getting a quorum in order to hold regularly scheduled meetings and public hearing meetings. He stated the city has received a recommendation, and it may be worth the discussion, to lower the number of P&Z members from nine to seven. The lower member count would also lower the number of members needed for a quorum from five to four.

Alan Petrov, City Attorney, stated the requirements for P&Z are part of the city’s Zoning Code. He recommends removing the P&Z requirements from the Zoning Code and adding it to Chapter 2, Administration. In order to achieve this objective, this change will need to be heard and recommended by P&Z. A public hearing will need to be held before council makes the final decision.

Mayor Muecke requested input from council on the suggestion to reduce the number of P&Z members.

Councilmember McGinnis stated it would be better to encourage more resident participation in city government but he understands the reason behind the discussion to lower the commission member numbers.

Councilmember Wiener stated P&Z has had trouble getting a quorum for the past several years.

Mayor Muecke stated P&Z could form sub-committees that could meet more frequently than the Commission in order to discuss agenda items. The Commission would meet less frequently in order to take action on the sub-committees' work.

Mayor Muecke asked Alan Petrov if volunteers could join the sub-committees but not be appointed to P&Z.

Alan Petrov stated volunteers could help on sub-committees but would not be voting members of P&Z or count toward the required quorum.

Susan Mathews, P&Z member, stated she has no objection to a smaller commission and understands the reasoning behind the discussion.

Councilmember McGinnis moved, Councilmember Putterman seconded, to postpone this agenda item until the next council meeting.

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

**MOTION CARRIED UNANIMOUSLY**

**E. Consideration and Possible Action Regarding Appointments to the Board of Adjustments for Two Year Periods.**

Mayor Muecke stated the Board of Adjustments has five members with one vacancy and four alternates with two vacancies. There has been no new appointments to the Board in several years. The current members are Gary Schenk, David Lam, Sam Searcy, and Larry Abrams. The Alternate Members are Zouhair Atassi and Sally Lindley. The Board will need to be re-appointed for two year terms.

Councilmember McGinnis moved, Councilmember Wiener seconded, to appoint the nominated slate for Board of Adjustments.

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

**MOTION CARRIED UNANIMOUSLY**

**F. Consideration and Possible Action Regarding the Appointment of a Council Liaison to the Board of Adjustments.**

After receiving no volunteers from Council, Mayor Muecke nominated himself as Council Liaison to Board of Adjustments.



Councilmember McGinnis moved, Councilmember Putterman seconded, to appoint Mayor Muecke as Council Liaison for Board of Adjustments.

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

**MOTION CARRIED UNANIMOUSLY**

- G.** Consideration and Possible Action Regarding a Request from the Village Fire Department Commission to Approve the 2016 Intra-Budgetary Transfers.

Fire Commissioner Johnson requested approval of the 2016 Intra-Budgetary Transfers. The approval of this item by the area villages would bring the 2016 Budget and the 2016 Audit into alignment.

Councilmember McGinnis moved, Councilmember Wiener seconded, to approve the Village Fire Department 2016 Intra-Budgetary Transfers.

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

**MOTION CARRIED UNANIMOUSLY**

- H.** Consideration and Possible Action Regarding a Request from the Village Fire Department Commission to Utilize Surplus from the 2016 Budget in an Amount of \$70,095 to be Placed in Facility Fund 4.

Fire Commissioner Johnson requested approval to move the 2016 Budget Surplus of \$70,095 into the Facility Fund 4.

Councilmember McGinnis moved, Councilmember Putterman seconded, to approve moving the Village Fire Department 2016 Budget surplus into Facility Fund 4.

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

**MOTION CARRIED UNANIMOUSLY**

- I.** Consideration and Possible Action Regarding a Request from the Village Fire Department Commission to Approve the 2017 Amended Budget.

Fire Commissioner Johnson requested approval of the Village Fire Department 2017 Amended Budget. The excess funds were received from the sale of stock from Prudential Shares owed by the Village Mutual Insurance Group (VMIG). With the approval by the villages, these funds will be placed into the hospitalization line item for 2017.

Councilmember McGinnis moved, Councilmember Putterman seconded, to approve the Village Fire Department 2017 Amended Budget.

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

**MOTION CARRIED UNANIMOUSLY**



- J. Consideration and Possible Action Regarding a Request from the Village Fire Department Commission to Approve the Proposed 2018 Village Fire Department Budget in the Amount of \$5,639,696.00 with Hedwig Village's 2018 Assessment being \$1,043,343.76.**

Fire Commissioner Johnson requested approval of the Village Fire Department 2018 Budget. The 2018 Budget has a 2.5% increase over the 2017 Budget which includes a salary increase of 2.1% and an increase of 2% base salary contribution into the employees 457 plan. Computer services now has a separate line item. Previous budgets included computer services in the line item for professional services. This budget includes an increase of 15% for Health/Dental/Life/AD&D insurance. The Proposed Budget includes \$130,000 to be placed into the Capital Replacement Fund, \$45,000 into the Compensated Absence Fund, and \$30,000 into the Facility Fund. The next capital item to be purchased will be a pumper in 2020 for approximately \$500,000. One vehicle will need to be replaced in 2018 for approximately \$35,000.

Councilmembers McGinnis and Rouse asked for clarification concerning line items for professional services, insurance, and the resell value of the existing ladder truck in the 2018 Budget. The resale value of the ladder truck is not accounted for in the budget due to the value being unknown at this time. The proceeds from the sale of the ladder truck will be put into the Capital Replacement Fund.

Councilmember Putterman stated the Budget Workshops were very informative, very rich in analysis and discussion. The budget was very well explained.

Councilmember McGinnis moved, Councilmember Wiener seconded, to approve the Village Fire Department 2018 Budget of \$5,639,696.00 with Hedwig Village's assessment to be \$1,043,343.76.

Councilmembers McGinnis, Putterman, Rouse, 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:

- A.** City Council will convene into closed session pursuant to Texas Government Code, Section 551.071, Consultation with Attorney, concerning litigation: Frierson & Appel Investments LLC v. City of Hedwig Village Board of Adjustments.

The Open Meeting was suspended at 8:51 p.m.

The Closed Session was called to order at 8:55 p.m.

The Closed Session adjourned at 9:34 p.m.

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

None

**11. ADJOURNMENT**

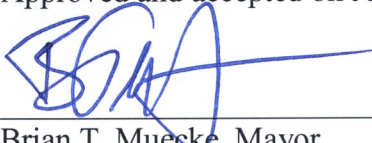
The Open Meeting was reopened at 9:37 p.m.

Councilmember Wiener moved, Councilmember Putterman seconded, to adjourn the meeting at 9:38 p.m.

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

**MOTION CARRIED UNANIMOUSLY**

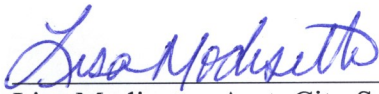
Approved and accepted on July 13, 2017.



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Brian T. Muecke, Mayor

ATTEST:



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Lisa Modisette, Asst. City Secretary