



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
WEDNESDAY, DECEMBER 12, 2018
6:30 P.M. - 955 PINEY POINT ROAD**

MINUTES

1. CALL TO ORDER

Mayor Muecke called the meeting to order at 6:31 p.m.

Present: Mayor Brian Muecke

Councilmember Harry J. Folloder	Kelly Johnson, City Admin./Sec.-Treasurer
Councilmember Dane Johnson	Alan Petrov, City Attorney
Councilmember Barry Putterman	David Gott, Police Chief
Councilmember Shirley Rouse	Lisa Modisette, Assistant City Secretary
	Kevin Taylor, Acting Building Official

Absent: Councilmember Matt Woodruff

2. CITIZEN/VISITOR COMMENTS

Andrea Hermann, 930 Karos Lane, asked who would enforce the proposed construction hours on the weekend.

Tom Roth, 854 Pecanwood, informed the City Council that longtime resident Marguerite Holm passed away at the end of November. He attended her funeral on December 3, 2018. Mrs. Holm moved to the area in 1952, two years prior to the vote by the residents to become a city. The city honored Mrs. Holm in 2017 for her 100th birthday.

Members of Cub Scout Troop 673, St. Cecilia Parish, attended the meeting. Members in attendance were Matthew de Jager, Jake Chapman, Daniel Carroll, Isaac Lowrey, Ryan McIntire, and Andrew Chaves. All the Cub Scouts achieved the rank of Webelos 2.

- 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

October 2, 2018 Special Council Meeting
October 18, 2018 Joint Public Hearing
October 18, 2018 Regular Council Meeting

B. Approval of General Fund Bills

General Fund Bills - #33816 - #33882
Voided Checks – #33818

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

Johnson Petrov - \$5,351.08	Bob Baldwin - \$2,835.00
Sales Tax Assurance - \$3,600.00	Bright Landscape Designs - \$4,647.20
BBG Consulting - \$9,280.00	Wells Fargo - \$3,153.46
HCAD - \$4,481.00	

D. A Resolution of the City of Hedwig Village amending authorized representatives on TexPool accounts

Resolution 2018-016 would update authorization of Councilmembers to the City's TexPool accounts as authorized representatives.

E. A Resolution of the City of Hedwig Village, Texas acknowledging review of the City of Hedwig Village Investment Policy

Resolution 2018-015 is the annual review of the City's Investment Policy. There is a minor addition to the policy this year referencing marketability of the City's funds.

F. Approval of an 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

This annual agreement between the City of Hedwig Village and Harris County is for the Harris County Flood Control District to administer and implement the regional watershed education program.

G. Approval of an Agreement with Harris County to house, support, maintain, and confine city prisoners in Harris County Jails

This agreement between the City of Hedwig Village and the Harris County Sheriff's Office is for housing the City's prisoners, if necessary.

Mayor Muecke requested removal of the minutes for corrections.

Councilmember Folloder moved, Councilmember Johnson seconded, to remove the minutes from the Consent Agenda for corrections.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Folloder moved, Councilmember Rouse seconded, for the approval of the Consent Agenda with the removal of the minutes.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Putterman suggested corrections to the minutes of the Joint Public Hearing of October 18, 2018:

Councilmember Putterman moved, Councilmember Rouse seconded, to approve the minutes for the October 2, 2018 Special Called City Council Meeting and the October 18, 2018 Joint Public Hearing with the listed corrections.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Johnson moved, Councilmember Putterman seconded, to table the minutes for the October 18, 2018 Regular City Council Meeting.

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

MOTION CARRIED UNANIMOUSLY

4. REPORTS

- **Financial Report** – November 2018 – Kelly Johnson

Mayor Muecke stated the sales tax increased 32.99% for December 2018 compared to December 2017. He stated the sales tax increased 6.54% for the year.

Kelly Johnson discussed the following:

- The City has \$762,959 in available funds and \$2,448,835 in restricted funds. Total funds available are \$3,211,794.
- The City is fully collateralized.
- Revenues received are 95.35% of budget and expenses are 82.63% of budget.
- The police department is under budget due to personnel shortages throughout the year.

Councilmember Rouse asked what comprised the unrestricted revenue.

Kelly Johnson stated the unrestricted funds include:

- Mixed Beverage Tax

- Permits
- Ambulance Reimbursement
- Miscellaneous Revenue, including the FEMA reimbursement
- Sale of Assets
- Police Department service fees
- Hotel/Motel Occupancy Tax

Kelly Johnson stated restricted funds include:

- Police Seizure Funds
- METRO Funds
- Child Safety Funds
- Special Courts fees

Kelly Johnson stated the Unrestricted Funds are over budget due to the FEMA reimbursement from Hurricane Harvey and permit revenue. Two significant permits have been issued this year.

- **Police Report** – November 2018 Crime Report & Statistics – Chief David Gott
Chief Gott discussed the following:
 - Crime is down approximately 30% year-to-date.
 - Violent crimes are up slightly for the year.
 - There was one assault charge in November, seven Burglary of a Motor Vehicle crimes, and twenty four arrests.
 - The District Attorney's Office accepted a plea deal from the suspect in the Janelle Bernard murder case. The suspect was charged with Capital Murder which carries the death penalty or life in prison without parole. His attorney pled the charge down to a murder charge. The suspect will spend fifty years in prison. The suspect will be eligible for parole approximately half way through his sentence.
 - The department held its annual awards ceremony. The following awards were presented to employees:
 - a. Detective Terry Wu – Five Year Service Award
 - b. Charlie Vyles – Telecommunicator of the Year
 - c. Sergeant Stephen Sanford – Guardian of the Year
 - d. Julie Buhs – Crime Fighter of the Year (second year in a row)
 - e. Amanda Winter – Most Valuable Employee

- **Fire Department** – Meeting – Mayor Brian Muecke, Alternate Fire Commissioner

Mayor Muecke discussed the following:

- The Fire Commissioners met on November 28, 2018. The meeting lasted approximately one hour.
- The Building Sub-committee published in the newspaper a Request for Proposal (RFP) for a Project Manager for the fire station renovation. The request has been published once and will need to be published a second time. The Project Manager will lead the selection of an architect.
- The roof replacement is ongoing and close to completion.
- Several residents from the City of Bunker Hill Village had attended the meeting. They asked questions and voiced concerns. The Commissioners answered the questions.
- The commissioners held an Executive Session during the meeting.

- D. Beautification** – Update – Andrea Hermann, Committee Member

Andrea Hermann discussed the following:

- The front half of the Campbell Road Esplanade Project was completed today, December 12, 2018. Committee Member Kathryn Schenk and landscaper Carol Bright worked tirelessly to complete the work.

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

None

- F. Building Official** – Monthly Report – Kevin Taylor, Building Official.

Kevin Taylor discussed the following:

- Ongoing Projects:
 - a. 9135 Katy Freeway (the white building) – Third floor concrete has been poured and the construction is moving along smoothly.
 - b. Moody PUD – Plans for the parking garage have been submitted with the first set of comments complete. The City is waiting on the resubmittal of the plans along with approvals from the Fire Marshall and the Memorial Villages Water Authority.
 - c. Tree trimming – the trees at the park have been trimmed. City staff will review other locations for possible trimming.
- Internal procedures:
 - a. The City is moving towards accepting digital plans instead of paper.
 - b. The cleanup of the permit program is ongoing.

- New Projects:
 - a. The renovation at Memorial High School - there will be a meeting between the school district representatives, the City's Building Official, and the Mayor on December 18, 2018.
- Drainage improvements:
 - a. South Chestwood – a contractor has been selected and will begin boring soon. The City needs approval from the Memorial Villages Water Authority and needs to notify the residents in the area. Construction will not begin until after the holidays.
- Zoning ordinance review:
 - a. The following three items will be addressed and draft ordinances ready for the next several Planning & Zoning meetings:
 1. Shared parking, peak hour
 2. Zoning guidelines for Residential in Business District B-1
 3. Dark Sky/Outdoor Lighting

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

Councilmember Rouse discussed the following:

- Planning & Zoning held a meeting on November 29, 2018.
- Nonconforming lots and exception plat date are on Council's agenda to schedule a public hearing.

H. City Administrator –Update – Kelly Johnson

None

Mayor Muecke thanked Kelly Johnson for her efforts on the bank depository reports.

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 Chapter 14, Buildings and Building Regulations, Article VI, of the Code of Ordinances of the City of Hedwig Village, Texas ("Code"), by amending Section 14-214, Hours when Construction Activities are Prohibited, for the purpose of designating hours when construction is prohibited in Residential Districts and Business Districts.

Several residents have complained regarding construction hours on Saturday and Sunday. The Code of Ordinances currently allows for construction hours 7:00 a.m. to 7:00 p.m. Sunday through Saturday for residential and commercial districts.

Mayor and Councilmembers discussed amending the construction hours for Saturday and Sunday. The amended construction hours for Saturday would be 9:00 a.m. to 6:00 p.m. The amended construction hours for Sunday would be 12:00 p.m. to 5:00 p.m.

Councilmember Putterman moved, Councilmember Johnson seconded, to approve the construction hours for the weekend as listed above.

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

MOTION CARRIED

- 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 amendments to Article V, Zoning Regulations, Section 502, Permitted Uses, and Article V, Zoning Regulations, Section 505, Residential Districts A and C, of the Hedwig Village Planning and Zoning Code relating to nonconformity of residential properties.

Mayor and Councilmember discussed holding a Joint Public Hearing on January 17, 2019 at 6:00 p.m. Planning & Zoning will be polled to verify a quorum can be present.

Councilmember Johnson moved, Councilmember Rouse seconded, to approve the ordinance calling for a Joint Public Hearing to be held on January 17, 2019 at 6:00 p.m. and to give Kelly Johnson the authority to choose an alternate date if Planning & Zoning is unable to have a quorum on January 17, 2019.

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

MOTION CARRIED UNANIMOUSLY

- C. An Ordinance amending Chapter 14, Buildings and Building Regulations, Article VI, Maintenance of Property During Construction, of the Code of Ordinances of the City of Hedwig Village, Texas, by adding a new Section 14-221 to Chapter 14, Article VI, to establish minimum erosion and sediment requirements and controls during construction; repealing all ordinances or parts of ordinance in conflict.

Kevin Taylor stated this ordinance would set erosion and sediment requirements and controls during construction within the City. This ordinance would apply to the residential and commercial districts.

Councilmember Johnson moved, Councilmember Rouse seconded, to approve the ordinance relating to erosion and sediment requirements and controls during construction.

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

MOTION CARRIED UNANIMOUSLY

- D. An Ordinance amending Chapter 30, Environment, Article II, Condition of Premises, of the Code of Ordinances of the City of Hedwig Village, Texas, by amending Section 30-38, Definitions, to add new definitions related to post construction stormwater management requirements and controls; repealing all ordinances or parts of ordinances in conflict.

Kevin Taylor stated the ordinance would eliminate any additional drainage impact on properties adjacent to construction sites within the City. The ordinance would apply to any property over 10,000 square feet. It would apply to residential and commercial properties. It would require additional information to meet the current criteria.

The ordinance requires an engineer to review the plans and sets a fee for the engineer review.

The City would comply with the requirements of the MS4 permit the City has through the Texas Commission on Environmental Quality regarding storm water drainage.

Councilmember Johnson moved, Councilmember Rouse seconded, to approve the ordinance relating to post construction stormwater management requirements and controls.

Councilmembers Folloder, Johnson, Putterman, and Rouse 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. An Agreement between the City of Hedwig Village and Vick Maintenance to provide maintenance services for certain public grounds, ways, easements, and facilities within the City at an annual cost of \$185,608.20.

Councilmember Folloder stated Terry Vick does an excellent job for the City with the maintenance his team performs for the City.

Councilmember Folloder moved, Councilmember Putterman seconded, to approve the contract with Vick Maintenance and to authorize the Mayor to execute the contract.

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

MOTION CARRIED UNANIMOUSLY

- B. An Agreement for Trash and Recycling Collection for the City of Hedwig Village.

Mayor Muecke stated the City entered into a contract with Texas Pride Disposal when the City’s contract with Republic Waste was transferred to Texas Pride Disposal in March

2018. The contract expires December 2018. The service provided by Texas Pride has been satisfactory. Texas Pride responds to issues and concerns very quickly.

The City received proposals from Texas Pride Disposal and WCA for trash and recycling services.

Texas Pride Disposal submitted a proposal with a price that is lower than the current contract. The proposal from WCA was higher than the proposal from Texas Pride.

Kevin Atkinson, owner of Texas Pride Disposal, stated his company will provide new eighteen gallon recycling bins to the residents. The City could choose larger recycling carts for a slightly higher fee. The trash and recycling service would remain a “backdoor” service with heavy trash and yard waste remaining curbside.

Councilmembers Folloder and Johnson agree there is no need to increase the service price for larger recycling carts.

Councilmembers Folloder, Johnson, and Rouse agree the service provided by Texas Pride is good.

The new contract would include the Memorial Grove Condominiums. The trash service at the condominiums would change from twice a week to three times a week with smaller dumpsters.

Texas Pride will provide an additional day on January 6, 2019 for Christmas trees only recycling. The trees must not have any lights, tinsel, ornaments, or stands.

Councilmember Folloder moved, Councilmember Rouse seconded, to approve the Contract with Texas Pride for trash and recycling collection for a five year term.

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

MOTION CARRIED UNANIMOUSLY

- C. Award a contract for Bank Depository Services for Fiscal Year 2019 through 2021 with the option to renew for two additional 12 month periods.

Mayor Muecke stated the city requested proposals (RFP) for Bank Depository Services. The City received five RFPs. The City currently uses Wells Fargo for Bank Depository Services. The City will award the contract for banking services to Frost Bank.

Van Carter, with Frost Bank, stated Frost Bank is Texas based and is familiar with all municipal laws, the Public Funds Investment Act, and the Public Funds Collateral Act. He stated the City would have a dedicated team of bankers to assist with any questions or concerns. The City will have a dedicated team to assist in the transition from Wells Fargo to Frost Bank.

At the time of the RFP, the current market conditions would have given the city an interest rate of 1.42% with a compensating balance of \$350,000. Frost Bank is basing their proposed interest rate to be a variable rate based on treasury bills minus seventy basis points.

Kelly Johnson, City Administrator, stated the proposed contract would be for three years with two additional one year renewal options.

Councilmember Folloder moved, Councilmember Putterman seconded, to award a contract to Frost Bank for Bank Depository Services for Fiscal Year 2019 through 2021 with two additional one year renewal options.

Councilmembers Folloder, Johnson, Putterman, and Rouse 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:

None

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 551.071, Consultation with Attorney, of the Texas Open Meeting Act, concerning possible litigation.

City Council did not have an executive session.

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

None

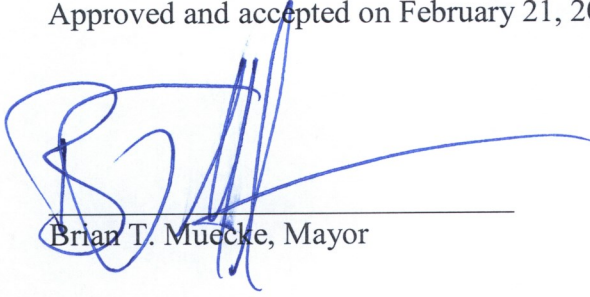
11. ADJOURN

Councilmember Rouse moved, Councilmember Johnson seconded, to adjourn the meeting at 8:14 p.m.

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

MOTION CARRIED UNANIMOUSLY

Approved and accepted on February 21, 2019.



Brian T. Muecke, Mayor

ATTEST:



Lisa Modisette, Asst. City Secretary