



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
THURSDAY, NOVEMBER 21, 2019
6:30 P.M. - 955 PINEY POINT ROAD**

MINUTES

1. CALL TO ORDER

Mayor Pro-Tem Woodruff called the meeting to order at 6:32 p.m.

Present: Councilmember Harry J. Folloder Kelly Johnson, City Admin./Secr.-Treas.
Councilmember Dane Johnson Zach Petrov, City Attorney
Councilmember Susan Mathews David Gott, Police Chief
Councilmember Shirley Rouse Kevin Taylor, Building Official
Councilmember Matt Woodruff Lisa Modisette, Assistant City Secretary

Absent: Mayor Brian T. Muecke (arrived at 6:47 p.m., left at 8:16 p.m.)

2. CITIZEN/VISITOR COMMENTS

Andrea Herman, 930 Karos, discussed several items of concern. She asked City Council to consider increasing the drainage pipe on Woodsage from a fifteen inch to an eighteen inch. She expressed her concern regarding trees in the City. She asked what percentage of lot coverage is allowable during and after construction.

Georgia Shebay, 11703 Woodsage, thanked Kevin Taylor, Evan DuVall, and Terry Vick and crew for cleaning the drainage ditch and pipe in front of her house.

Brody Smart and Robby Taylor, Boy Scouts from Troop 852, attended the meeting to earn requirements for the Communication Merit Badge.

Harris Cockrell and Turner Chiles, Boy Scouts from Troop 852, attended the meeting to earn requirements for the Citizenship in the Community Merit Badge.

Foster Burton, Patrick Yong, Noah Hooper, and Bryce Keith, Boy Scouts from Troop 642, attended the meeting to earn requirements for the Citizenship in the Community Merit Badge.

- 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

September 19, 2019 Special Council Meeting
September 19, 2019 Regular Council Meeting
September 27, 2019 Special Council Meeting

October 7, 2019 Special Council Meeting
October 7, 2019 Joint Public Hearing

B. Approval of General Fund Bills

General Fund Bills
Voided Checks – none

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

TexNet Payment - \$15,250.02	Tyler Technologies- \$3,713.00
Accutek - \$5,290.00	Johnson Petrov - \$10,145.51
Harris County Public Library - \$2,500.00	Mesa Mechanical - \$2,647.92
LJA Engineering, Inc. - \$5,065.75	TML Risk Pool - \$22,165.50

D. Approval of 3rd Quarter 2019 Investment Report.

Councilmember Folloder moved, Councilmember Johnson seconded, to sever agenda item 3A, Approval of Minutes, from the Consent Agenda.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Woodruff moved, Councilmember Folloder seconded, to approve the Consent Agenda with the listed minutes removed.

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

MOTION CARRIED UNANIMOUSLY

Mayor Muecke, Councilmember Mathews, and Councilmember Woodruff requested corrections to the September 19, 2019 Regular Council Minutes, September 19, 2019 Special Council Minutes, September 27, 2019 Special Council Minutes, and the October 7, 2019 Joint Public Hearing Minutes.

Councilmember Johnson moved, Councilmember Folloder seconded, to approve the minutes with corrections.

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

MOTION CARRIED UNANIMOUSLY

4. REPORTS

A. Financial Report – October 2019 – Kelly Johnson

Kelly Johnson discussed the following;

- The City has restricted funds of \$2.4 million. Available funds are in the amount of \$870,000. Total funds as of October 31, 2020 is \$3.3 million.
- The City is fully collateralized.
- Sales tax is up 3.6% for the year compared to same time period last year.
- Revenues for the year are at 89.28% and expenditures are at 72.79% for the year.

B. Police Report – October 2019 Crime Report & Statistics – Chief David Gott

Chief Gott discussed the following:

- There were no violent crimes in October 2019.
- Buffalo Wild Wings was broken into twice by the same group of suspects. Nothing was taken during either break-in.
- The department's annual Christmas Party and awards ceremony will take place December 10th at 11:00 a.m. The certification pay will be given out to employees at the party.
- Testing for the empty patrol slot will take place in one and a half weeks.
- Use of the license plate readers has been a success for the Memorial Village Police Department.

Mayor Muecke asked how certification pay was determined.

Chief Gott stated the level of certification for police officers and dispatchers determined how much certification pay the employee would receive.

C. Fire Department – Bill Johnson, Fire Commissioner

Fire Commissioner Bill Johnson discussed the following:

- Fire Commission met on November 20, 2019.
- Progress has been made toward the start of the renovation project. The project will be completed in three phases.
 - Phase one will be a build out of the extension at the back of the property. Once complete, dispatch will be moved to this location.
 - Phase two will be to move the fire department out of the main fire station into temporary facilities. The temporary trailers will be placed at the back of the property. The equipment will be housed under a large tent in the parking lot at the front of the property.
 - Phase three will be the mobilization of the equipment and firefighter/EMS crews.
 - The preliminary detailed construction budget is estimated at \$5.1 million.
 - The timing of the construction plan is as follows:
 - Mid-December 2019 – construction document should be ready for permitting and plan review.
 - January 2020 – publicize for bids.

- February 2020 – start construction of Phase 1.
- June 2020 – completion of Phase 1. Start construction of Phase 2.
- March 2021 – completion of renovation to fire station.
- Late April 2021 – completion of project and move back into the building.
- Fire Commission will provide the cities a schedule of the capital needs of the fire department prior to the cities' budget discussions.
- Fire Commission approved a contract for a compensation and benefit study at a cost of \$8,500.
- Fire Commission approved the recommendation of the Insurance Cooperative Board for employee health, dental, vision, life, AD&D, long-term disability, and supplemental life insurance for employees.
- Fire Commission discussed replacement of the dispatch equipment. Councilmember and Alternate Fire Commissioner Harry Folloder stated the dispatch equipment and radios are at their end of life and need to be replaced. The ideal time to replace the dispatch equipment is when the renovation of the extension is complete and dispatch is moved in.

Councilmember Rouse asked about the backup generator and if the fire department anticipates any issues for the equipment to leave the temporary location.

Fire Commissioner Johnson stated the backup generator will be in addition to the generator the fire department already has. The department does not anticipate any issues for the equipment to leave the temporary location.

D. Beautification – Bob Wiener, Chair

Chairperson Bob Wiener discussed the following:

- The Beautification Committee held a meeting today, November 21, 2019.
- The committee thanks City Council for the budgeted funds to landscape areas within the City.
- The committee discussed finishing the Campbell Road Esplanade Project or re-visit planting trees along the I-10 Frontage Road.
- There are two trees that need to be cut at Taylorcrest and Piney Point Road prior to the placement of the plaque honoring the Hedwig Village Garden Club.
- Mr. Wiener suggests retaining Doody Calls for another year to clean the pet waste stations located throughout the City.
- The flowers located at Campbell Road Esplanade need to be replaced twice annually. Mr. Wiener suggests Bright Landscaping perform the work.

E. Mayor – Monthly Report – Brian Muecke

No report.

Councilmember Rouse asked when City Council would receive an update from AG/CM, Inc.

Mayor Muecke stated he would find out when the update would be received.

F. Building Official – Kevin Taylor, Building Official

Kevin Taylor, Building Official, discussed the following:

- The white building – The work continues on the building's shell and plans have been submitted for interior buildouts.
- There has been unauthorized work in the City right-of-ways (ROW). Those companies are ordered to stop working.
- Moody Project – The parking garage is almost complete and Office Building A is under construction. Office Building B has been permitted. Tenants and Office Building A have contacted the City regarding leasing space within the building. One restaurant has been approved.
- Stream Project – All items of the PUD have been satisfied. Federal Grill continues the improvement to their leased space.
- Memorial High School – Plans have been submitted for work on the new tennis courts, the tennis court field house, and additional work on the east campus.
- Job site maintenance inspections are ongoing.

Kevin Taylor answered Andrea Hermann's concerns regarding restriction on the size of driveways, drainage pipe size in residential areas, lot coverage and circular drive for a new construction site on Woodsage Drive. He stated the City's Code of Ordinance does not restrict the number or size of driveways. He stated the drainage pipe size is required to be eighteen inches in residential areas. BBG Consulting will begin reviewing and possibly updating the drainage criteria for residential areas. The lot coverage is forty percent total lot coverage with twenty-five percent coverage for buildings and is being strictly enforced. The circular driveway construction on Woodsage Drive is within the lot coverage requirements.

G. Planning & Zoning Commission – Bitsy Searcy, Member and Susan Mathews, Council Liaison

Bitsy Searcy, Planning & Zoning (P&Z) Commission Member, and Councilmember Mathews discussed the following:

- P&Z discussed a Municipal Management District.
- Mrs. Searcy shared P&Z Chairperson Pat Murphy's letter regarding the approved Memorial High School Planned Unit Development (PUD). Pat Murphy feels P&Z was not given support from City Council and that P&Z's recommendations for the PUD were ignored. He feels P&Z is disappointed and deflated. The recommendations included a walkway, a wooden fence, access to the sports facilities, and a parent drop-off on Gaylord Drive. P&Z requested City Council reconsider the P&Z recommendations.

Councilmember Woodruff asked if the comments were Chairperson Murphy's or from P&Z.

Bitsy Searcy stated the comments were from both.

- Evan DuVall is currently working on a draft landscaping ordinance. The proposed ordinance will focus on the commercial districts.

H. City Administrator – Monthly Update – Kelly Johnson

Kelly Johnson discussed the following:

- The City's annual Holiday dinner will be on December 3rd at 6:00 p.m. at the Houston Racquet Club.
- The City is required to hold a public meeting regarding the City's Storm Water Protection Plan. The public meeting will be held on December 19th at 5:30 p.m. prior to the City Council Meeting.

Councilmember Rouse stated the City Council meeting scheduled for March 2020 will be held during spring break week for the school district. She suggested rescheduling the March 2020 City Council meeting to another date.

Kelly Johnson stated she would send out an email for possible alternate dates.

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 VII, Trees, of the Hedwig Village Code of Ordinances, to adopt tree industry standard measurements, clarify tree related definitions, modify the types of acceptable replacement tree, and ensure conformance with state law regarding tree regulation within the City of Hedwig Village, Texas.

Cary Moran, City Forester, stated the goal of the amended Tree Ordinance was to make the urban forest better for the future. She stated she has experience amending the City of Piney Point Tree Ordinance and has experience as a city forester. She stated she amended the tree ordinance to be easier to read and understand. The amended tree ordinance requires the following:

- A tree survey must be completed by a degreed tree forester prior to construction.
- Definitions of terms used in the tree ordinance have been updated.
- Three trees must be in the front yard of every residential property with a minimum total of seven trees on the entire property. The minimum number of trees must be restored within thirty days of the removal or loss of a tree.
- The replacement tree list has been updated.
- A permit is required to remove a tree.
- Reduce the caliper of a replacement tree from six inches to four inches.

Councilmembers Rouse and Woodruff asked why certain trees were taken off the list of replacement trees.

Cary Moran stated the replacement tree list was cleaned up and that “trash trees” and hybrid trees are not allowed as replacement trees. The amended ordinance gives the tree forester the authority to allow a quality tree that is not on the replacement tree list.

Councilmember Johnson moved, Councilmember Folloder seconded, to approve the tree ordinance with one correction in Section 14-243(a)(1)(a) the phrase “by a the degreed forester” should read “by a degreed forester”.

Councilmember Mathews asked if the tree sub-committee was involved in amending the tree ordinance.

Cary Moran stated the tree sub-committee was involved.

Councilmember Rouse asked for clarification of how the tree ordinance would be enforced, if a property did not have the minimum number of trees.

Cary Moran stated the property owner would need to bring the number of trees back to the minimum number prior to issuance of a construction permit or a tree removal tree permit.

Councilmember Rouse stated the property owner should be required to replace a tree regardless of when the tree died or was removed.

Councilmember Rouse moved, Councilmember Mathews seconded, to amend the previous motion to amend any reference to “one year” in Section 14-243 Permits (d)(6) should be changed to “five years”.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Rouse moved, Councilmember Folloder seconded, to amend the previous motion to amend any reference in the tree ordinance to “diameter” should be changed to “diameter at breast height (DBH)”.

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

MOTION CARRIED UNANIMOUSLY

Councilmembers Folloder, Johnson, Mathews, Rouse, and Woodruff voted “Aye” to the original motion to approve the ordinance as amended, “Noes” none.

MOTION CARRIED UNANIMOUSLY

- B.** A Resolution of the City of Hedwig Village, Texas casting its ballot for the election of a person to the Board of Directors of the Harris County Appraisal District.

Kelly Johnson, City Administrator/City Secretary-Treasurer, stated Mike Sullivan is up for re-election and has served on the Board of Directors representing the small cities. The City Council nominated Mike Sullivan to the Board of Director several months ago. This resolution would be the City casting its ballot for Mike Sullivan.

Councilmember Folloder moved, Councilmember Rouse seconded, to approve the resolution and cast the City's ballot for the HCAD Board of Directors.

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

MOTION CARRIED UNANIMOUSLY

- C. A Resolution of the City Council of the City of Hedwig Village, Texas, regarding Linebarger Goggin Blair & Sampson, LLP as being fully qualified as special council to perform all legal services necessary to collect unpaid fines, fees, court costs, forfeited bonds, and restitution as provided in Texas Code of Criminal Procedures, Article 103.0031.

No action was taken.

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

- A. Consideration and possible action to approve AG/CM, Inc. for Design Program Management Services for the Hedwig Village Paving and Drainage Improvement Project for an amount not to exceed \$63,880.

Mayor Muecke stated the City contracted with LJA Engineering, Inc. (LJA) to perform a drainage analysis. When the analysis is complete, LJA will provide a cost estimate to complete any drainage and paving construction work. AG/CM, Inc. (AG/CM) will work in conjunction with LJA to complete the drainage analysis.

David Funk, with AG/CM, stated his company will review the drainage analysis to ensure the City's goals have been met. AG/CM has the expertise to guide the project to its conclusion and would ensure the project stays on time and on budget. AG/CM will also provide an independent cost estimate to complete the drainage and paving project.

Councilmember Rouse asked about the process AG/CM will use to review the designs done by LJA and the process to assess the benefits to the City. She asked what the benefits are to the City for the work to be completed by AG/CM. She asked if AG/CM has reviewed, and has any comments, on the report LJA submitted to the City several years ago. She asked Mr. Funk to comment on any changes to drainage rules post-Harvey. She asked if AG/CM's review of the LJA analysis would focus on just the west side of the City or focus on the City as a whole. She asked about similar work experiences AG/CM has with other municipalities. She asked if Mr. Funk or if AG/CM staff would be completing the work.

David Funk stated AG/CM engineers have review the previous LJA analysis. The City would receive the benefit of a thorough review of the LJA analysis. He was unable to comment on any changes to drainage regulations implemented post-Harvey. He stated AC/GM would focus

on the whole City during their review. AG/CM has done similar work in the Austin and Alvin areas. The independent drainage construction cost estimate could ensure the LJA cost estimate was reasonably accurate.

Councilmember Mathews asked if the LJA analysis needs to be updated given the passage of time and any additional ongoing developments in the area.

Mayor Muecke stated the drainage analysis work done by LJA Engineering does not need any major changes or updates. The developments under construction in the area were considered when the analysis work was done. He stated Amos Byington would lead the AG/CM team for the City's scope of work.

Councilmember Woodruff stated he was disappointed the Memorial Village Estates was not considered when the analysis was done.

David Funk stated AG/CM is aware of the Memorial Village Estates area drainage issues.

Kevin Taylor stated the City and AG/CM are currently working on the best location to join City drainage pipes to the new drainage the school district will install for the west side of the school district property which should benefit the Memorial Village Estates area.

Councilmember Rouse stated Mr. Byington's background and experience is architecture and project management. She asked Mr. Funk to speak regarding the AG/CM staff with drainage experience who would be working on this project.

David Funk stated the company has the civil engineers needed to complete the scope of work. He stated he did not have specific details regarding the AG/CM staff who would assist on this project.

Councilmember Folloder moved, Councilmember Johnson seconded, to approve AG/CM, Inc for Design Management Services for the Hedwig Village Paving and Drainage Improvement Project for an amount not to exceed \$63,880.

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

MOTION CARRIED

- B. Consideration and possible action to approve a contract for fines and fee collection services with Linebarger Goggan Blair & Sampson, LLP – After having provided adequate notice as required by Sec. 2254-1036 of the Texas Government Code and authorizing the Mayor to execute said contract.

No action was taken.

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

- A. Proposed recommendations by the Villages Mutual Insurance Cooperative Board for 2020 insurance carriers to provide medical, dental, vision, life, AD&D, long term disability and supplemental life coverages for the City employees.

Kelly Johnson, City Administrator, stated the Villages Mutual Insurance Cooperative Board anticipated the health insurance rates to increase by approximately twenty-five percent. Bids were received from Blue Cross Blue Shield, United Health Care, and Humana. Several carriers, such as Aetna, Cigna, and TML, declined to quote health coverage. The recommended quote from United Health Care has an increase of 5.07%. The recommended carriers for all insurance benefits are as follows:

- Health insurance – United Health Care
- Dental – Guardian Dental (current carrier)
- Vision – Superior Vision (current carrier)
- Life/AD&D – Lincoln National Life (current carrier)
- Long Term Disability – Lincoln National Life (current carrier)
- Supplemental Life - Lincoln National Life (current carrier)

Councilmember Mathews moved, Councilmember Folloder seconded, to approve the recommendations from the Village Mutual Insurance Cooperative for 2020 insurance carriers for Health, Dental, Vision, Life, AD&D, and Supplemental Life.

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

MOTION CARRIED UNANIMOUSLY

- B. Purchase (5) five LIFEPAK CR Plus AED Defibrillator for the Police Department.

Chief Gott stated the Village Fire Department (VFD) requested that the police department have an Automated External Defibrillator (AED) in each patrol vehicle.

Councilmember Woodruff supports the purchase of the AEDs but stated the officers would need to use them in the event of an emergency. The officers should not wait for the VFD to respond.

Councilmember Folloder stated he was in favor of the AED purchase.

Councilmember Folloder moved, Councilmember Rouse seconded, to purchase seven AEDs, with the necessary and proper equipment for mounting two on the wall, for the patrol vehicles and the police and city hall buildings.

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

MOTION CARRIED UNANIMOUSLY

8. DISCUSSION ITEMS/PRESENTATION OF SPECIAL REPORTS

- A. Discussion item requested by Planning & Zoning Chairman Pat Murphy regarding a Management District in the City's commercial district.

Planning & Zoning (P&Z) has been discussing the creation of the Municipal Management District (MMD). P&Z requests the City ask Representative Jim Murphy to sponsor a bill to create a MMD within the City of Hedwig Village. P&Z also requests City Council schedule a Joint Workshop with P&Z to discuss the benefits of a MMD.

Councilmember Woodruff asked what the benefit to the City would be if a MMD was created.

Bitsy Searcy stated the funds generated from the MMD would fund projects within the City such as burying the powerlines in the commercial district.

Kevin Taylor, Building Official, stated there are pros and cons to a MMD. The positive benefits would include the ability to recruit other businesses, would help revitalize the commercial districts, and would give the MMD the ability to limit the materials used on the exterior of buildings during construction. The negative benefits include an additional tax on the businesses in the MMD.

Councilmember Woodruff stated the businesses would need to agree to create a MMD.

Mayor Muecke asked Zach Petrov, City Attorney, to confirm that the City could appoint the governance board of a MMD and that a MMD could assess an additional tax on commercial property only for the benefit of the commercial district within the MMD.

Zach Petrov agreed with Mayor Muecke's summary. The City would appoint the members of the MMD governance board. The board members would need to own property, own the company that owns property, or be an employee or a tenant of the company that owns property within the proposed MMD. The governance board of the MMD would vote on any assessment. The governance board would have the ability to file a lien on any property that does not pay the assessment. The governance board would have administrative costs such as attorney fees. The governance board would be subject to the Open Meeting Act and the Public Information Act. They would have the ability to issue tax bonds after voter approval.

Councilmember Mathews stated P&Z is requesting a Public Workshop to further discuss the possibility of a MMD. She stated there are other options such as a Public Improvement District.

Councilmember Johnson requested a presentation to City Council, at a later date, that would include more detailed information regarding a MMD such as proposed revenue, the anticipated expenses, a possible budget, the number of potential employees, etc. of the MMD.

Councilmember Woodruff stated a MMD would have the ability to control the look of the commercial district by allowing certain materials to be used during construction and would allow certain projects such as burying the powerlines along the frontage road.

Bitsy Searcy stated she would collect additional information on the creation and management of a MMD. P&Z should become more knowledgeable of the process after which there could be a question and answer session with City Council.

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.

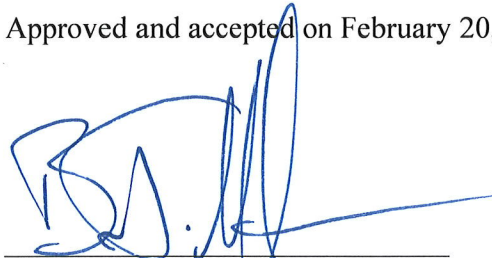
11. ADJOURN

Councilmember Johnson moved, Councilmember Folloder seconded, to adjourn the meeting at 9:13 p.m.

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

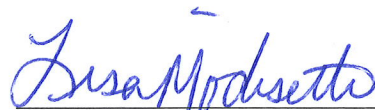
MOTION CARRIED UNANIMOUSLY

Approved and accepted on February 20, 2020.



Brian T. Muecke, Mayor

ATTEST:



Lisa Modisette, Asst. City Secretary