



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
MARCH 12, 2020
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 T. Muecke (left at 7:50 p.m.)

Councilmember Harry J. Folloder	Kelly Johnson, City Admin./Secr.-Treas.
Councilmember Dane Johnson	Alan 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: None

2. CITIZEN/VISITOR COMMENTS

Declan Barbosa, Seamus Carragher, Peter Cyr, and Filipe Barbosa, Boy Scouts with Troop 673 at St. Cecilia Catholic Church, were present to earn requirements for the Citizenship in the Community Merit Badge.

Peggy Hemus, resident of Glen Echo, thanked Suzette Puig, resident on Magdalene Drive, for her assistance in trapping Ms. Hemus's cat who had escaped the house and had gotten into the undercarriage of her vehicle.

- 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

None

B. Approval of General Fund Bills

General Fund Bills

Voided Checks – two checks

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

Accutek - \$4,040.00

AG/CM, Inc. - \$7,515.00

BBG Consulting, Inc. - \$12,500.00

Bright Landscaping - \$2,500.89

HCAD - \$6,516.00

Johnson Petrov - \$4,862.48

LJA Engineering, Inc. - \$6,615.54

Texas Pride Disposal - \$14,060.65

Tyler Technologies, Inc. \$ 9,086.86

Motion was made by Councilmember Johnson and seconded by Councilmember Folloder to approve the Consent Agenda as presented. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

4. REPORTS

A. Financial Report – February 2020 (before audit) – Kelly Johnson

Kelly Johnson discussed the following;

- Sales tax for March 2020 is approximately 38% higher over the same time period in 2019.
- The City is at 96% for ad valorem current year collections.
- The City is fully collateralized.
- The City has \$2.68M in restricted funds and \$3.31M in available funds.
- Revenues for 2020 are at approximately 50% of budget and expenditures for 2020 are at approximately 14% of budget.
- The 2019 financial audit will begin in April 2020.

Councilmember Woodruff asked if a report could be generated to focus on new business in the City and their impact on sales tax.

Kelly Johnson stated she would investigate if a report is available for new businesses in the City.

Councilmember Folloder asked if the City is paid the sales tax from online sales such as Amazon.

Kelly Johnson stated Sales Tax Assurance conducted an audit two year ago. The audit showed the City getting paid the sales tax from online orders.

B. Police Report – February 2020 Crime Report & Statistics – Chief David Gott

Chief Gott discussed the following:

- The crime report for January is similar to the previous month:
 - There were three Burglary to a Motor Vehicle (BMV) in February, a decrease from previous months.

Councilmember Woodruff asked if the department has cleaning supplies to combat the spread of viruses and germs.

Chief Gott stated the department is prepared and well supplied.

Councilmember Folloder asked for the status on the agreement with City of Houston to place a license plate reader camera on Bunker Hill Road.

Chief Gott stated the Legal Department for the City of Houston has prepared the agreement and sent it on for review.

Chief Gott thanked Mayor Muecke and Councilmember Woodruff for attending the funeral of Sgt. Kessner.

C. Fire Department – Commissioner Bill Johnson & Councilmember Folloder, Alternate Fire Commissioner

Fire Commissioner Bill Johnson discussed the following:

- The fire department received seven bids for the renovation work to be done at the fire station. The Fire Commission has selected Construction Masters as the contractor. Their bid was \$4.684 million. Their bid contained \$173,000 in allowances and another \$200,000 for contingencies. The contract will be signed next week. The Village Fire Department (VFD) will have \$686,000 in soft costs to be paid for by the department. The total budget will be approximately \$5.317 million with approximately \$200,000 in possible offset costs. The working budget will be 5.2 million. The construction time should be around twelve months. The construction will be completed in phases. Phase 1 will be the dispatch and the back end of the fire station. There are additional expenses regarding dispatch that is not part of the construction budget. There will be a cost of \$378,000 to replace the dispatch console and associated equipment. The fire department will request the Cities allow the VFD to retain the ambulance reimbursement funds to offset the dispatch cost.
- Hedwig Village City Hall will host the fire department administration offices.

D. Beautification – Andrea Hermann, Member

Chairperson Bob Wiener discussed the following:

- The committee will hold meetings on the first Tuesday of every month at 8:00 a.m. at City Hall in order to attend the Planning & Zoning Meetings which meets on the first Tuesday on the month at 6:30 p.m.
- Bob Wiener, Chairperson, meets with Kelly Johnson after the meetings to discuss possible projects and funding.
- Trees of Houston will provide trees to the residents of the City. The goal is to give the donated trees to residents at the Recycle/Shred/Donate Event in October 2020.

Kelly Johnson stated the City is waiting on a quote from new streetlights to be placed on Gaylord Drive. The City will trim the trees on Gaylord between Piney Point Road and Echo Lane.

Councilmember Rouse asked if the Beautification Committee will work on the park entrance.

Mrs. Hermann stated the committee has recommended the park be cleaned up and the underbrush be trimmed back at least twice a year. The trees need to be trimmed, and the unhealthy trees removed, to allow more sun which would allow more grass to grow.

Terry Vick stated the flowers at the park entrance will be replanted soon.

E. Mayor – Monthly Report – Brian Muecke

Mayor Muecke discussed the following:

- The City participates in a daily conference call with the State Department of Health Services regarding the status of COVID-19.
- Governor Abbott held a conference call today with elected officials. Governor Abbott stated the State of Texas has, as of today's date, twenty-three confirmed cases of COVID-19. Governor Abbott recommended municipalities track their COVID-19 expenses in case reimbursement funding becomes available. The State of Texas has ample testing supplies and state-run labs are waiting for the tests to be shipped.
- Mayor Muecke has been in discussion with Harris County Judge Hildago. Hedwig Village, the other villages, Harris County, and the City of Houston are coordinating their responses to this outbreak.

F. Building Official – Kevin Taylor, Building Official

Kevin Taylor, Building Official, discussed the following:

- The white building – The build-out for tenant office space on the third floor is underway. City staff is currently reviewing the parking plan.
- Moody Project – Three restaurant space improvements are currently underway. Tenant improvements for the third floor have been submitted for review.
- Insurance Services Office (ISO) rating – The City has submitted the paperwork and is awaiting a response from the ISO representative.
- Stream Project – Federal Grill restaurant is open.
- Memorial High School – The plat for the main campus has been recorded at the Harris County Clerk's Office. The City Forester is meeting with the school district to discuss pruning work and other tree protection during construction. The turf fields, including drainage, have been improved. A right of way permit has been issued to allow the school district to tie-in to the sanitary sewer line on Piney Point Road. The work will be completed during spring break. The tennis courts have been poured and the building is under construction.
- Jobsite maintenance – inspections are ongoing.

G. Planning & Zoning Commission – Pat Murphy, Chair & Councilmember Susan Mathews, Council Liaison

There was no report due to the Planning & Zoning Commission meeting being cancelled.

H. City Administrator – Monthly Update – Kelly Johnson

Kelly Johnson discussed the following:

- The Court software conversion is complete. The interface between the new court software and the credit card processing company is not working correctly. The City has moved back to the credit card processing with Wells Fargo for the time being.
- Hedwig Village Municipal Court has not cancelled any court session as of today's date.

Councilmember Woodruff asked if City Hall staff has adequate supplies in light of the current health pandemic.

Kelly Johnson stated City Hall staff currently has supplies. Supplies are limited at stores and the City buys supplies when needed and available.

Councilmember Folloder asked if the City has a policy to check the battery for the defibrillator.

Chief Gott stated the police department will check the batteries every quarter. City Hall staff will also check the battery every quarter.

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

- A.** An Ordinance of the City of Hedwig Village, Texas, declaring the unopposed candidates for Council Position Nos, 2, 3, and 4 elected; providing that the May 2, 2020 General Municipal Officers Election shall not be held; containing other provisions relating to the subject; providing for severability; and repealing all ordinances or parts of ordinances inconsistent or in conflict herewith.

Kelly Johnson, City Administrator, stated the Councilmembers that have filed for reelection are unopposed. The May 2, 2020 General Election can be cancelled and the candidates can be declared elected. The candidates are:

Council Position 2	Dane Johnson
Council Position 3	Harry J. Folloder
Council Position 4	Matt Woodruff

Motion was made by Councilmember Johnson and seconded by Councilmember Rouse to approve the ordinance as presented. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

- B.** An Ordinance of the City of Hedwig Village, Texas adopting Amendment No. 1 to the Original Budget of the City of Hedwig Village, Texas for the Year 2019; providing detailed line item increases or decreases; providing for severability; and containing other provisions relating to the subject.

Mayor Muecke stated the City is required by law to file a budget for the fiscal year. The City files an amendment to explain overage and/or shortage for expenditures and to balance the budget.

Motion was made by Councilmember Johnson and seconded by Councilmember Folloder to approve the ordinance as presented. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

- C.** An Ordinance of the City of Hedwig Village, Texas amending Chapter 6, Alcoholic Beverages, Article II, Permit and License Fee, of the Code of Ordinances of the City of Hedwig Village by adding a new Section 6-35, Extended Hours of Sale of Alcoholic Beverages, to authorize the sale or offer for sale of alcoholic beverages in the City during extended hours by the holder of a retail dealer's on-premises and late hours license or the holder of a mixed beverage late hours license.

Russell Masraff, owner of Masraff's Restaurant and Catering, is in favor of passage of the ordinance. Texas Alcohol and Beverage Commission (TABC) has a typical alcohol license that allows for the sale of alcohol in an establishment, but the sale of alcohol must cease at midnight. However, TABC has an extended hours alcohol license that would allow for the sale of alcohol after midnight until 2:00 a.m. The City of Hedwig Village would need to pass the proposed ordinance to allow any establishment in Hedwig Village to get the extended hours license from TABC. He stated the ability to sell alcohol during the hours of midnight and 2:00 a.m. would allow his restaurant to hold catering events past midnight. The extended hours would increase sales for holiday parties, corporate events, and in-restaurant catering.

Mayor Muecke asked how often the restaurant would be open for late nights.

Mr. Masraff stated the restaurant would have approximately a dozen late night events and they would be mostly in December, during the holiday season.

Councilmember Mathews asked about the hours of other restaurants in Hedwig Village. She also asked about security during the late hour events.

Councilmember Woodruff stated Buffalo Wild wings received an extended hours license in error and can sell alcohol until 2:00 a.m.

Mr. Masraff stated his restaurant will not provide security for late hour events. He was unsure if the office building complex would have security. He stated he was not sure what the business hours were for Federal American Grill but he stated they probably closed between 11:00 p.m. and midnight.

Councilmember Rouse asked about the hours of Federal American Grill. She suggested the language be changed to limit the extended hours to restaurants only and to remove the term "retail".

Mayor Muecke asked Alan Petrov, City Attorney, to look into changing the language as suggested by Councilmember Rouse. The City Council would come back to the agenda item later in the meeting.

Alan Petrov stated he reviewed the laws regarding issuing an alcohol license. He stated removing the language regarding "Retail Dealer" would not affect the extended hours license issued to Masraff's Restaurant.

Motion was made by Councilmember Johnson and seconded by Councilmember Folloder to approve the ordinance as presented. Motion carried 4-1. Councilmember Rouse voted "No".

MOTION CARRIED

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. Memorial High School Permit/Plan Review Fees for main campus, tennis courts, and football field.

Mayor Muecke stated the school district will be spending approximately \$109 million in the City for the renovation to main campus of Memorial High School as well as the tennis court and the football practice fields. He stated the school district is a separate taxing entity and as such should be considered differently from a for-profit commercial construction project. He stated the City amended the commercial construction fees about one and a half years ago to a more appropriate fee schedule. City Council would need to approve any reduction in construction fees for the school district.

Kelly Johnson stated the school district would have to pay approximately \$688,988.85 in permit and plan review fees under the new amended construction fee schedule if there were no reduction in fees. She explained that the City would have expenses relating to the school district construction project. The past and future expenses to the City would include legal fees, newspaper publication and mailings regarding the PUD, expenses relating to BBG Consulting, Inc. (BBG), review of the Traffic Impact Analysis (TIA), conducting a TIA after construction, review of drainage plans, review by the City Forester, restriping of the streets around the high school, possibly widening parts of Echo Lane, purchase of an easement, and other expenses as yet unknown. The BBG contract with the City specifies BBG gets ten percent of the plan review fee charged by the City. She stated the City could reduce the construction fees to the school district and still charge fees to cover the City's expenses. The options below include the fees for the main campus, the tennis courts, and the football practice fields and are as follows:

Current Fees	\$688,988.85 (to include fees to BBG)
Option 1	\$394,636.90 (to include fees to BBG) ten percent plan review fee based on 2018 fee schedule
Option 2	\$459,325.90 (to include fees to BBG) ten percent plan review fee based on the current fee schedule
Option 3	\$501,082.80 (to include fees to BBG) twenty percent plan review fee based on the current fee schedule

Councilmember Johnson asked who the City would speak to confirm the school district will pay for the new traffic light. He stated the traffic light could conceivably be a large expense.

Kevin Taylor, Building Official, stated he has been in discussions with the school district regarding the traffic light. The City has received assurances the school district will pay for the traffic light and the installation but the City does not have anything in writing to that affect.

Councilmember Woodruff asked if the City was creating a precedent regarding the permit fees by reducing the fees for the school district.

Alan Petrov stated the City would create a precedent but only for similar projects by other governmental entities. Commercial projects would not be able to take advantage of similarly reduced fees.

Councilmember Rouse asked if Kelly Johnson was able to look at the school district's construction budget to determine the permit/plan review the school district had anticipated paying.

Kelly Johnson stated she has requested a copy of the school construction budget but has not received it yet. Kevin Taylor stated the school district did include an estimate of the permit/plan review in the construction budget. He stated finding out that estimated budget line item has been difficult. Mayor Muecke stated any reduction in permit/plan review would benefit only the school district and not the contractor.

Councilmember Mathews asked if the school district requested a reduction in the permit fees. She stated the City should be able to cover the expenses associated with the school district project.

Mayor Muecke stated there have been ongoing discussions between the school district the and City regarding reducing the fees.

Councilmember Johnson asked about any future ongoing expenses the City will have to pay such as the maintenance of the new traffic light the school district will install and the widening of Echo Lane near the high school. He asked if any ongoing expenses would be covered by any overage of the construction fees paid by the school district.

Kelly Johnson stated the traffic light will be a new ongoing expense and the daily "wear and tear" of the streets. The traffic light will need regular maintenance as well as periodic timing maintenance.

Councilmember Rouse stated BBG has spent a tremendous amount of time and expense on the project already. She also questioned the estimate of \$100,000 to potentially widen Echo Lane. She stated she believes the Echo Lane estimate was much more than the \$100,000.

Kelly Johnson stated she included the past expenses and estimated ongoing and future expenses for BBG to continue reviewing the school district project and to continue to attend meetings with the contractors.

Kevin Taylor stated Marty Schmitt assisted in estimating the cost of widening a portion of Echo Lane.

Councilmember Folloder stated the citizens of Hedwig Village should be protected against any City expense related to the school district project that fees paid by the school district would have offset.

Councilmember Woodruff agreed with Councilmember Folloder. The citizens of Hedwig Village should not be burdened with extra expenses that would benefit the Spring Branch community at large.

Mayor Muecke stated that scenario is not under consideration and the reduced permit/plan review fees to the school district would not cause that scenario. He stated the City is trying to avoid overly expensive permit/plan review fees to be paid by the school district.

He suggested approving Option 3 for a total of \$501,082.80 to be paid by the school district in order to cover expenses the City will have relating to the project.

Motion was made by Councilmember Johnson and seconded by Councilmember Mathews to approve Proposal 3 [as listed above] for the permit/plan review fees in the amount of \$501,082.80. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

8. DISCUSSION ITEMS/PRESENTATION OF SPECIAL REPORTS

A. AG/CM progress report related to the Hedwig Village Paving and Draining Project.

Amos Byington, Project Manager with AG/CM, discussed the following:

- The base bid and the change order field surveying are complete. Electronic surveying data is currently being compiled and should be finished by mid-April.
- Geotechnical street boring will begin the end of March 2020. There will be testing done on the boring samples. The testing includes such items as density, compaction, and water among others.
- Areas covered by the change order are being evaluated for proposed improvements.

Councilmember Rouse asked if the underground utilities have been marked.

Amos Byington stated the utilities have been marked in the public right of ways.

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.

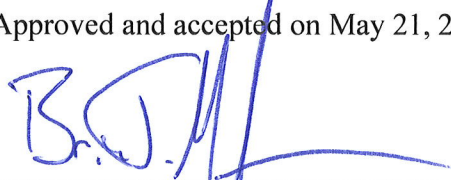
None

11. ADJOURN

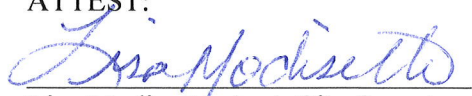
Motion was made by Councilmember Johnson and seconded by Councilmember Folloder to adjourn the meeting at 8:15 p.m. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

Approved and accepted on May 21, 2020.



Brian T. Muecke, Mayor

ATTEST:


Lisa Modisette, Asst. City Secretary