



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
THURSDAY, OCTOBER 18, 2018
6:30 P.M. - 955 PINEY POINT ROAD**

MINUTES

1. CALL TO ORDER

Mayor Muecke called the meeting to order at 6:39 p.m.

Present: Mayor Brian Muecke

Councilmember Harry J. Folloder	Kelly Johnson, City Admin./Secr.-Treasurer
Councilmember Dane Johnson	Zach Petrov, Acting City Attorney
Councilmember Barry Putterman	Paul Warner, Police Captain
Councilmember Shirley Rouse	Lisa Modisette, Assistant City Secretary
Councilmember Matt Woodruff	

Absent: David Gott, Police Chief

2. CITIZEN/VISITOR COMMENTS

Boy Scouts Jude Porter, John P. Miranda, and Ramin Matini, Troop #642, attended the meeting to meet 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

None

B. Approval of General Fund Bills

General Fund Bills - #33677 - #33737
Voided Checks – none

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

Village Fire Department - \$2,657.23	Constellation Energy - \$4,523.53
Johnson Petrov - \$4,965.38	Texas Pride Disposal - \$14,082.29
BBG Consulting - \$8,487.50	Accutek - \$9,210.00
LJA Engineering - \$3,312.25	

Councilmember Johnson moved, Councilmember Folloder seconded, for the approval of the Consent Agenda.

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

MOTION CARRIED UNANIMOUSLY

4. REPORTS

A. Financial Report – September 2018 – Kelly Johnson

Kelly Johnson discussed the following:

- The city has \$922,229 in available funds and \$1,259,020 in restricted funds. Total funds available are \$2,172,298.
- The city is fully collateralized.
- Sales tax for September is up 13% over September 2017. The sales tax for year to date is up 6.28%.
- Revenues received are 82.68% of budget and expenses are 67.14% of budget.

B. Police Report – September 2018 Crime Report & Statistics – Captain Paul Warner

Captain Warner discussed the following:

- Crime is down in the city for September 2018 compared to last month.
- There were two assaults in the commercial district in September 2018.
- The department will remain “Recognized” through the Texas Police Chief Association Certification Program for another three years.

C. Fire Department – Meeting – Fire Commissioner Bill Johnson

Fire Commissioner Bill Johnson discussed the following:

- The roof replacement has begun.
- There will be a budget amendment for \$50,000 regarding legal professional services as it relates to the City of Bunker Hill Village.
- City of Bunker Hill Village update – the City of Bunker Hill Village previously passed the Funds 1, 2, and 3 of the Budget but rejected Fund 4 of the Budget. Fund 4 includes the renovation of the fire station. The City of Bunker Hill Village also previously rejected all requests by the Village Fire Department to retain funds for the renovation that would normally be returned to the member cities.
- The Village Fire Commissioners stated that the City of Bunker Hill Village has missed the September 30, 2018 deadline to approve the budget and therefore has opted out of the Village Fire Department. The Village Fire Department attorney, J. Grady Randle, sent a letter to the City of Bunker Hill Village stating the details of the City of Bunker Hill Village opting out of the fire department. The City of Bunker Hill

Village's attorney responded with a letter stating the City of Bunker Hill Village objected to the assumption they had opted out of the Village Fire Department. The City of Bunker Hill Village requested an additional sixty days to reconsider the various budget items still not approved. The City of Bunker Hill Village also stated they will remain in the Village Fire Department through the end of 2019.

- Recently, the City of Bunker Hill Village approved Budget Fund 4 and the retention of funds to offset the cost of the renovation. The City of Bunker Hill Village would like to remain in the Village Fire Department but only with the addition of another EMS facility located in their city. The Village Fire Department Commission agreed to consider the additional facility after a study funded by the City of Bunker Hill Village is completed and reviewed. The study must answer the following questions and concerns:
 - a. Where will the EMS facility be located?
 - b. A detailed operating plan and allocation of resources.
 - c. What is the cost of construction of the EMS facility?
 - d. What is the additional cost to operate and maintain the facility?
- Mayor Muecke stated the City of Bunker Hill Village placed conditions on their remaining in the Village Fire Department and approving Budget Fund 4 and the requested retention funds. The conditions are as follows:
 - a. If the City of Bunker Hill Village leaves the Village Fire Department, they want a refund of their portion of the roof replacement in its entirety.
 - b. The City of Bunker Hill would like clarification of the capital treatment in the dissolution provisions in the Village Fire Department interlocal agreement between the six villages. They want that clarification in writing.

Councilmember Woodruff stated he believes the City of Bunker Hill Village failed to approve the 2019 Budget in its entirety by the deadline. Therefore, the City of Bunker Hill Village is no longer a member the Village Fire Department. He stated the Village Fire Commission does not have the authority to negotiate with the City of Bunker Hill Village. A new interlocal agreement would be needed to allow them back in the department.

Councilmember Folloder asked for clarification that the fire station renovation will move forward and what the timeline would be. Fire Commissioner Johnson stated the renovation will proceed. The construction and all the steps leading up to construction will take approximately one and one half years.

Councilmember Rouse asked if the City of Bunker Hill Village will continue to have representation on the Village Fire Commission now that they are no longer in the department. Fire Commissioner Johnson stated the City of Bunker Hill Village will have representation through the end of 2018. For the 2019 Budget Year, the City of Bunker

Hill Village will probably just be an observer. Councilmember Rouse stated she expected the Bunker Hill Village study to include any benefits and measurements of those benefits.

Councilmember Woodruff stated the information that is more important is not response times but outcomes and the consequences. He stated the proposed EMS facility in Bunker Hill Village would need to show an improved outcome.

Fire Commissioner Johnson stated that in order to have good information regarding outcomes would require the addition of transport times to the hospital. He stated the transport times from the City of Bunker Hill Village would be significantly shorter than the other villages.

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

Councilmember Rouse discussed the following:

- Planning & Zoning (P&Z) held a meeting on October 3, 2018.
- Kevin Taylor will assist P&Z on drafting ordinances for lighting, shared parking, buried power lines, and landscaping, among other topics.
- Several P&Z agenda items are on the council agenda for this evening
 - a. Approve the P&Z recommendation for the Moody Planned Unit Development.
 - b. Approve the P&Z recommendation for the changes to the Planned Unit Development Enabling Ordinance.

E. Beautification – Update – Andrea Hermann, Committee Member

Andrea Hermann discussed the following:

- Doggy waste stations – nine stations are planned for installation throughout the city. The stations will be emptied weekly. The stations will be installed at a height for easy use for wheelchair bound residents. The recommended vendor for the dog waste stations is Doody Calls. They will provide the weekly maintenance. The proposal states the city will contract with this company for one year. The city should receive good information about which stations are used. The city should receive a monthly report.
- Chairperson Bob Wiener will speak with the residents close to where the doggy waste stations will be installed.
- The tree planting in Echo Lane is proceeding.
- The Campbell Road esplanade work is proceeding with upgrading the electrical and water before planting trees and plants.

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

Mayor Muecke reported on the following:

- The proceeds from the Tax Notes, Series 2018 have been deposited into the city's account by Amegy Bank.
- Police Department will host an Open House on November 13, 2018 from 4 p.m. to 6 p.m.
- Houston-Galveston Area Council (H-GAC) will hold its General Assembly Meeting on November 7, 2018 at Maggiano's. The Mayor, as Hedwig Village Representative, is unable to attend. Councilmember Putterman, as Alternate Representative, will attend in his place.

G. Building Official – Monthly Report – Kevin Taylor, BBG Consulting, Inc.

Kevin Taylor discussed the following:

- 9135 Katy Freeway (the white building) – No update.
- The Stream PUD project is ongoing. There were several issues with burying the sewer and water lines. The issues have been resolved.
- Updating internal procedures on several items:
 1. Tree permits – Terry Vick has been updated on the new procedures.
 2. Right-of-Way permits – Procedures have been written. The city has received several permit applications for performing work in the right-of ways. The city can require that the work meet predetermined design guidelines.
 3. Job site maintenance – BBG Consulting will send someone to all jobsites weekly to ensure compliance.
- Monticello Street – a new inlet has been installed and should assist with street drainage.
- City Hall air conditioning – a new maintenance and repair agreement has been negotiated with Mesa Mechanical. Work has begun to replace A/C sensors that are not proprietary to a specific system or company.
- Tree trimming – the city will consider a possible contract with a company to undertake annual tree trimming at the city park and other city locations.
- Reviewing possible drainage improvements on South Chestwood and Stonegate. Also reviewing drainage options for Chowning Road.

H. City Administrator – Health Insurance Update, Recycle Day – Kelly Johnson

Kelly Johnson reported on the following:

- The Village Mutual Insurance Co-Op received proposals from three carriers. The health insurance rates will increase approximately three percent. The dental insurance rates will not increase. There will be a small rate increase in the vision insurance.

- The Recycle/Reuse/Shred Event is scheduled for October 27, 2018 from 8 a.m. to 12 p.m. The location will be Hedwig Village City Hall parking lot.

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 Article V, Zoning Regulations, Section 509, Planned Unit Developments, of the Hedwig Village Planning and Zoning Code relating to the size, retail requirement, green space and amenity requirement, and building height of Planned Unit Developments within the Business Districts of the City.

Susan Mathews, Chairperson of the Planning and Zoning (P&Z) Commission, stated P&Z recommends approving the proposed ordinance to update the changes to the Planned Unit Development (PUD) Enabling Ordinance. The suggested changes to the ordinance include:

- The requirement for thirty percent of ground floor leasable space dedicated to sales tax generating businesses is no longer needed due to the Business Use Ordinance approved by City Council at the meeting in September 2018. P&Z recommends removal of this retail requirement.
- Increasing the minimum size of the PUD from one and a half acres to four acres. The increase in the size of the PUD will allow for more green space and a more pedestrian friendly development. Chairperson Mathews shared the city map she created which shows lot size for tracts on the east side of the city. Most of the properties on the east side are two acres or less in size. Requiring a larger PUD size would encourage consolidation of the smaller lots.
- Require fifteen percent of the total acreage of the lot for green space and site amenities.
- Increasing the parapet height on the roof in order to shield mechanical, plumbing, electrical, and/or elevator equipment. The taller parapet on the roof would require a final review by the Building Official.

Mayor Muecke stated increasing the required PUD size to four acres may be too large but believes three acres is more probable.

There was a discussion on the PUD size. Most councilmembers agree the size should be two and a half acres to three acres. The required fifteen percent of green space and site amenities would be lowered to accommodate the smaller PUD size.

Mayor Muecke reviewed the corrections to the ordinance as follows:

- In Appendix A, in B3 - delete “four (4)” and replace with “three (3)”
- In Appendix A, in B4 - add “or” between the words “equipment,” and “elevator”
- In Appendix A, in B6 - delete “fifteen (15)” and replace with “ten (10)”

Councilmember Putterman moved, Councilmember Folloder seconded, to approve the Planned Unit Development Enabling Ordinance with the corrections as discussed.

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

MOTION CARRIED UNANIMOUSLY

- B. An Ordinance of the City Council of the City of Hedwig Village, Texas approving a Planned Unit Development to construct a commercial development consisting of two (2) office buildings and a parking garage, to be located on a 9.72 acre site located at 9655 Katy Freeway, Hedwig Village, Texas, in Business District B-3 in the City of Hedwig Village.

Councilmember Folloder moved, Councilmember Rouse seconded, to approve the Ordinance relating the Planned Unit Development for Moody National.

Susan Mathews, Chairperson for the Planning & Zoning (P&Z) Commission, stated P&Z recommends approval of the ordinance for a Planned Unit Development (PUD) for Moody National with the necessary adjustments to the Traffic Impact Analysis to direct traffic toward the I-10 Frontage Road.

Councilmember Johnson asked why there would be no retail on the ground floor in the second office building.

Steve Woods, Moody National, stated the development met the required retail requirements with sales tax generating businesses on the ground floor of the parking garage and the first office building.

Evan DuVall, BBG Consulting, stated that the Moody National PUD is requesting the following variance from the city’s Code of Ordinances:

- Increase in height to shield the equipment on the roof of the buildings.
- The Moody PUD does not meet the city’s parking requirements. However, the Moody PUD will utilize the Urban Land Institute’s recommendations for shared parking.
- The Moody PUD will have parking spaces that are smaller than the city’s ordinance require.
- The Moody PUD is requiring two signage deviations from the ordinances. One variance is for a large monument sign on the I-10 Frontage Road. There will be a small monument sign on Gaylord Road. The other variance request is an additional elevated wall sign on the east side of one building and one elevated wall sign on the west side of the other building for easier visibility from I-10.

The following items exceed the city's ordinances:

- The Moody PUD increased the setbacks from thirty seven and a half feet to a minimum of sixty feet in the front of the development. The increased setbacks in the rear of the development are from twenty seven and three quarter feet to one hundred ten and a half feet.
- The Moody PUD increased the landscaping and pedestrian amenities. The development will have a minimum of sixty trees instead of the required fourteen trees. The green space will increase from the minimum of ten percent to thirteen percent.
- The Moody PUD will increase the protections for lighting spillover. The development will utilize screening, smaller openings, and landscaping in and around the parking garage to limit the lighting spillover into the nearby residential areas.

Councilmember Folloder moved, Councilmember Rouse seconded, to amend the motion to include the following corrections:

- Add language requiring that the Traffic Impact Analysis be completed to the satisfaction of the City's Building Official.
- Add language regarding signage requiring that except as required by law and except for first floor retail, there will be no other attached building signs beyond those specifically enumerated in the application

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

MOTION CARRIED UNANIMOUSLY

- C. An Ordinance amending Chapter 2, Administration, Article I, in General, of the Code of Ordinances of the City of Hedwig Village, Texas, by adding a new section 2.5 to Chapter 2, Article I, said section designating the Memorial Examiner (Houston Community Newspaper) as the Official Newspaper of the City; repealing all ordinances or parts of ordinances in conflict.

Councilmember Johnson moved, Councilmember Rouse seconded, to approve the ordinance designating an official newspaper.

Councilmembers Folloder, Johnson, Putterman, Rouse, and Woodruff 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. Texas Workforce Commission application for withdrawal of election to pay reimbursements for a minimum of 2 years.

Mayor Muecke stated this agreement would allow the city to have unemployment insurance to cover unemployment claims instead of reimbursing the state when the city does have a claim.

Councilmember Johnson moved, Councilmember Putterman seconded, to approve the agreement with the Texas Workforce Commission.

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

MOTION CARRIED UNANIMOUSLY

- B. A contract with Houston Community Newspaper for a period of one year commencing on November 1, 2018.

Councilmember Rouse moved, Councilmember Johnson seconded, to approve the contract with Houston Community Newspaper.

Councilmembers Folloder, Johnson, Putterman, Rouse, and Woodruff 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:

- A. Authorization for the destruction of records according to the City of Hedwig Village’s Records Management Retention Schedule.

Councilmember Johnson moved, Councilmember Woodruff seconded, to authorize the destruction of the city records pursuant to the city’s Records Retention Schedule.

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

MOTION CARRIED UNANIMOUSLY

8. DISCUSSION ITEMS/PRESENTATION OF SPECIAL REPORTS

- A. Proclamation – Recognizing October as National Colonial Heritage Month

Mayor Muecke proclaimed October as National Colonial Heritage Month.

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

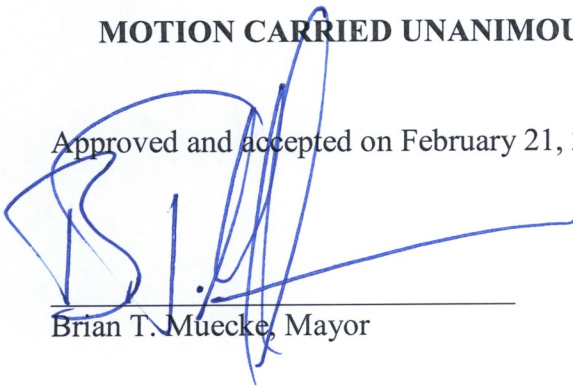
11. ADJOURN

Councilmember Folloder moved, Councilmember Rouse seconded, to adjourn the meeting at 8:38 p.m.

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

MOTION CARRIED UNANIMOUSLY

Approved and accepted on February 21, 2019.



Brian T. Muecke, Mayor

ATTEST:



Lisa Modisette, Asst. City Secretary