



**CITY OF HEDWIG VILLAGE, TEXAS  
REGULAR MONTHLY CITY COUNCIL MEETING  
THURSDAY, JULY 18, 2019  
6:30 P.M. - 955 PINEY POINT ROAD**

**MINUTES**

**1. CALL TO ORDER**

Mayor Brian Muecke called the meeting to order at 6:34 p.m.

Present: Mayor Brian T. Muecke

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

Absent: None

**2. CITIZEN/VISITOR COMMENTS**

Margaret Woodruff, 810 Heather Court, spoke regarding the construction hours and the lack of enforcement. She stated the workers show up at the job site prior to the allowable construction hours and it creates a parking issue. She stated there is also an issue with construction materials being delivered prior to the allowable construction hours. An eighteen wheeler and a landscaping truck with a trailer both attempted to turn around in her driveway. She has notified the police department with unsatisfactory results. The police officers stated they are unable to enforce the construction hours due to the police not knowing if the workers are actually working at the job site. She stated there should be consequences for the contractors.

Chris Jackson, 803 Heather Court, spoke regarding the many violations of the construction hours and stated there should be consequences to the contractors.

Andrea Hermann, 930 Karos Lane, asked what was being done regarding the maintenance of vacant property within Hedwig Village.

Kevin Taylor, Building Official, stated the City will send letters to the property owners regarding maintenance of their property.

Matthew Lim, Boy Scout with Troop 354 at St. Martin's, attended the meeting to earn requirements for the Communication Merit Badge. He stated the badge is a requirement to attain Eagle Scout.

- 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**

April 18, 2019 Regular Council Meeting  
May 16, 2019 Joint Public Hearing

**B. Approval of General Fund Bills**

General Fund Bills - #40250 - #40323  
Voided Checks – #40316

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

Accutek - \$2,690.00	American Municipal Services - \$3,083.85
BBG Consulting - \$13,185.00	CDW Government, Inc - \$39,419.72
Houston Plumbing Specialist - \$19,910.00	Johnson Petrov - \$3,883.52
Tyler Technologies, Inc. - \$8,705.96	

**D. Approval Regarding a Contract with Spring Branch Independent School District Tax Office for Ad Valorem Tax Collection**

**E. Approval of appointments to the Planning and Zoning Commission for two year terms.**

Councilmember Folloder moved, Councilmember Johnson seconded, to sever the appointments to the Planning and Zoning Commission from the Consent Agenda.

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

**MOTION CARRIED UNANIMOUSLY**

Councilmember Mathews moved, Councilmember Folloder seconded, to approve the Consent Agenda with the removal of the appointments to the Planning and Zoning Commission.

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

**MOTION CARRIED UNANIMOUSLY**

Mayor Muecke stated that Pat Murphy, Chairperson of the Planning & Zoning Commission (P&Z), recommends the appointment of Scott Davis to the Commission as a member.

Councilmember Rouse moved, Councilmember Johnson seconded, to approve the appointment of Scott Davis as a member of the Planning & Zoning Commission for a two year term expiring on May 31, 2021.

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

**MOTION CARRIED UNANIMOUSLY**

**4. REPORTS**

**A. Financial Report – May & June 2019 – Kelly Johnson**

Kelly Johnson discussed the following:

- The City is 50% through the 2019 Budget as of June 30, 2019.
- The police department has an increase in overtime due to the department being short-handed.
- The Beautification Committee has spent most of their budget earmarked for various projects including the Campbell Road Esplanade.
- The sales tax is up four percent for the month of June compared to last year but flat year to date.
- The City’s funds are fully collateralized.

**B. Police Report – May & June 2019 Crime Report & Statistics – Chief Gott**

Chief Gott discussed the following:

- The crime rate is slightly higher year to date.
- The department is under staffed. Sgt. Kessner is out on medical leave and Officer Roye has left the department for Katy P.D.
- A new officer may be hired soon.

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

Commissioner Johnson discussed the following:

- Commissioner Johnson congratulated Councilmember Putterman on his retirement.
- The Board of Commissioners reviewed three different options for the fire station renovation. The Board chose a different option than what was previously submitted to the Cities. The new option would extend the equipment bay closer to the street. The new option may increase the cost of the renovation.
- Mayor Muecke stated the City of Bunker Hill Service Contract is complete and ready for review at the next Commissioners Meeting.

**D. Beautification** – Update – Bob Wiener, Chairperson

Chairperson Wiener discussed the following:

- Tree Planting – Bob Wiener suggested the trees along the I-10 frontage road be planted to the north of the sidewalk. Trees of Houston suggested planting six different types of trees. The City must send a letter to the Texas Department of Transportation (TxDOT) to inform them of the tree planting. The City must commit to watering the trees for two years. The City will be responsible for the maintenance of the trees.
- There is more work to be done on the Campbell Road Esplanade toward the end of the year.

**E. Mayor** – Monthly Report – Brian Muecke

Mayor Muecke reported on the following:

No report.

**F. Building Official** – Monthly Report – Kevin Taylor, Building Official, and Evan DuVall, Building Official

Kevin Taylor discussed the following:

- The White Building – progress is slow but ongoing.
- Moody Project – permits have been issued for the first office building and parking garage.
- Stream Project – there are a few outstanding issues to resolve with the Memorial Villages Water Authority. Tenants in two suites should move in by the end of the month.
- Memorial Inn and Suites – the building demolition has been complete.
- The City Forester is working with the Building Officials on the tree ordinance. A draft will be ready for review at the next Council Meeting.
- BBG Consulting, Inc. has begun weekend inspections of the construction sites in the City to verify compliance of the new weekend construction hours. The inspections will continue with the assistance of the police department.
- Memorial High School – The Traffic Impact Analysis (TIA) has been submitted and is currently under review. The school district indicated their PUD application would be submitted in time for discussion at the August Planning and Zoning meeting. The school district presented a revised draft of the site plan. The proposed new driveway on the west side of the campus may be moved sixty feet east. This move would leave the barrier of trees on the west side intact.
- The road repairs on Magdalene and Dunbeath Drive are complete.

- Contractor is repairing the sinkhole on Mustang Lane.

**G. Planning & Zoning Commission** – Meeting Update – Pat Murphy, Planning and Zoning (P&Z) Chairperson

Chairperson Murphy discussed the following:

- P&Z met on July 2, 2019.
- The Commission submitted to Council a draft lighting ordinance.
- The Commission submitted to Council a draft ordinance regarding shared parking.
- The Commission requested guidance on continuing the discussions regarding buried power lines in the business districts.
- The Building Official will work on the Landscape Design Guide.

**H. City Administrator** – Monthly Update – Kelly Johnson

Kelly Johnson discussed the following:

- Various road repairs throughout the City are complete.
- Terry Vick and his crew have completed the flower bed in front of the City Park.
- House Bill (HB) 2439 – a city cannot regulate building materials. The bill was supported by the National Building Code.
- HB 852 – permit fees can no longer be based on the project valuation. The Building Official has presented a new fee schedule for Council approval.
- Senate Bill (SB) 2 - Tax Revenue Cap bill has passed with a provision for smaller cities, such as Hedwig Village. SB 2 goes into effect in 2021.
- SB 1152 – Cable and Telecommunications companies no longer have to pay both cable franchise fees and telecommunications franchise fees. This will affect the City budget in the amount of approximately \$10,000.
- Day Court – the first day court was last week with no issues.
- The new computers, laptops, and MDTs have been received. The MDTs are the first priority to get set up and put into use in the police patrol vehicles.
- Cloud hosting is ongoing.
- The court software conversion is ongoing.
- TML Conference – registration opens July 23, 2019 at 10:00 a.m. The conference will be in San Antonio, Texas on October 9-11, 2019.
- The budget calendar was discussed. The Budget Workshop scheduled for August 16, 2019 at 8:30 a.m. was changed to 12:00 noon on the same day.

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

- A. A Resolution amending the permit & inspection information fees of the City of Hedwig Village, Texas, providing for residential building permits; repealing all or parts of other fee schedules inconsistent or in conflict herewith.

House Bill 852 was recently passed by the Texas Legislature and states that permit fees can no longer be based on the project valuation.

Kevin Taylor, Building Official, and Evan DuVall, Building Official, have created a fee schedule for residential construction permits based on square footage of the structure. The proposed permit fees will be \$1.31 per square foot for new residential construction, additions, or accessory buildings and \$1.51 for residential remodels. There will be a slight increase in the permits fees for new residential construction but a slight decrease in residential remodel permits. There are also additional fees the City has not charged before, such as a processing fee. The plan review fee will be fifty percent of the permit fee.

Councilmember Woodruff moved, Councilmember Rouse seconded, to adopt the resolution amending the residential permit and inspection fee schedule with the addition of the following language regarding the plan review fee “of fifty percent of the permit fee” and to add “Exhibit A” to the top of the page of Exhibit A.

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

**MOTION CARRIED UNANIMOUSLY**

Councilmember Woodruff moved, Councilmember Folloder seconded, to reconsider Agenda Item 5A to add a new item to the fee schedule of \$500.00 for reissuance of permit after the permit is pulled for violating the construction hours.

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

**MOTION CARRIED UNANIMOUSLY**

Councilmember Woodruff moved, Councilmember Folloder seconded, to add a stop work order fee of \$1,000.00 to the permit fee schedule.

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

**MOTION CARRIED UNANIMOUSLY**



- 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 an amendment to Article V, Zoning Regulations, Section 506, Business District B, Subsection D, Parking, of the Hedwig Village Planning and Zoning Code to allow and establish regulations for shared parking, valet/shuttle service and offsite parking within the City of Hedwig Village, Texas Business District B.

Councilmember Woodruff moved, Councilmember Rouse seconded, to approve the ordinance calling for a Joint Public hearing to be held on August 15, 2019 at 6:15 p.m.

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

**MOTION CARRIED UNANIMOUSLY**

- C.** An Ordinance of the City Council of the City of Hedwig Village, Texas creating Article V of Chapter 30, Environment, to regulate outdoor lighting, for the purpose of preventing light pollution and light trespass within the City of Hedwig Village.

Kevin Taylor, Building Official, stated this ordinance would address complaints received from residents regarding bright outdoor lighting at night. The penalty would be a \$500 fine by the light owner. The ordinance would affect all current lighting as well as any future lighting.

Councilmember Folloder moved, Councilmember Johnson seconded, to adopt the ordinance to regulate outdoor lighting with an amendment to the first line of the definition of Light Trespass as follows: add the phrase “light owner’s” before the word “property” and strike the words “it is intended to illuminate”.

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

**MOTION CARRIED UNANIMOUSLY**

- D.** A Resolution of the City of Hedwig Village, Texas, finding that Centerpoint Energy Houston Electric, LLC’s requested increase to its electric transmission and distribution rates and charges within the City should be denied; finding that the City’s reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the company and legal counsel.

Councilmember Woodruff moved, Councilmember Johnson seconded, to adopt the resolution as set forth in Agenda Item 5D.

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

**MOTION CARRIED UNANIMOUSLY**

- E. An Ordinance of the City Council of the City of Hedwig Village, Texas, amending Chapter 14, Buildings and Building Regulation, Article VI, of the Code of Ordinances of the City of Hedwig Village, Texas (“Code”), by amending Section 14-214, Hours when Construction Activities Prohibited, for the purpose of designating hours when construction is prohibited in residential districts and business districts.

Councilmember Woodruff stated there are violations to the designated hours of construction and there is no enforcement of the ordinance. He suggested adding language prohibiting workers from assembling inside or outside the construction site. He also suggested adding language regarding education of the Hedwig Village Code of Ordinances in order to keep the permit.

Councilmember Woodruff moved, Councilmember Folloder seconded, to adopt the ordinance regarding construction hours and amend the first line in Section 14-214 to read “It shall be unlawful for any person to construct, alter, remodel, destroy, permit, or cause to be constructed, altered, remodeled, or destroyed any residential building or structure or deliver goods or materials to a premises where such activities are being undertaken any time within or the presence of persons upon the premises of the construction site.”

Councilmembers Folloder, Johnson, Mathews, 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. Consideration and Possible Action regarding an agreement for Professional Services with BBG Consulting, Inc. for Building Official services.

Mayor Muecke stated Kevin Taylor and Evan DuVall with BBG Consulting, Inc. have done a wonderful job as the Building Official. The new contract would begin August 1, 2019 and expire December 31, 2020. The new contracted rate for services would be a flat rate of \$12,500.00 monthly and the addition of ten percent on commercial permit fees over \$1,000,000. The current contract charges a fee for each service. The new contract has the option to include all inspections and plan reviews for commercial and residential projects.

Kevin Taylor stated he would prefer the option to include all inspections and plan reviews.

Councilmember Johnson moved, Councilmember Woodruff seconded, to approve the contract with BBG Consulting, Inc. to include all inspections and plan reviews.

Councilmembers Folloder, Johnson, Mathews, 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.** Consideration and Possible Action regarding a request from the Village Fire Department Commission to approve the Proposed 2020 Village Fire Department Budget in the amount of \$6,525,470.00 with Hedwig Village's 2020 Assessment being \$1,207,211.95 (18.50%).

Bill Johnson, Fire Commissioner, discussed the 2020 Fire Department Budget.

- The fire department budget is in the amount of \$6,525,470.00.
- The biggest expense is personnel. The salary increase includes a two percent STEP increase as well as a one percent cost of living adjustment (COLA).
- There is an increase in the contribution to the deferred compensation for employees. The health/dental/vision insurance estimate is an increase of fifteen percent. The final amount of the increase will not be known for several months.
- The operating and maintenance expenses are similar to the 2019 Budget.
- There is an increase in Professional Services. The department commissioned a Salary and Benefit survey that will cost \$20,000.
- Capital Replacement Fund is similar to the 2019 Budget.

Councilmember Woodruff asked about the fuel software expense of \$6,274.57.

Commissioner Johnson stated the fire department uses the fuel software to determine what city gets fuel in order to bill the cities correctly.

Councilmember Folloder moved, Councilmember Johnson seconded, to approve the 2020 Village Fire Department Budget as presented.

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

**MOTION CARRIED UNANIMOUSLY**

- B.** Consideration and Possible Action regarding a request from the Village Fire Department Commission to approve the 2018 Audit and Intra-Budgetary Transfers.

Commissioner Johnson discussed the 2018 Financial Audit. He stated the audit was clean with no exceptions.

Councilmember Woodruff moved, Councilmember Johnson seconded, to approve the 2018 Village Fire Department Financial Audit as presented.

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

**MOTION CARRIED UNANIMOUSLY**

- C. Consideration and Possible Action regarding a request from the Village Fire Department Commission to retain \$130,829 Surplus per the 2018 Audit to which \$60,829 to be placed in the Facility Fund 04 and \$70,000 to be retained in the 2019 Budget as an amendment.

Commissioner Johnson stated the 2018 Fire Department Budget had a surplus of \$130,829. The Board of Commissioners is requesting the funds be retained by the fire department. \$70,000 would be a 2019 Budget Amendment and \$60,829 would be placed into Facility Fund 04.

Councilmember Johnson moved, Councilmember Woodruff seconded, to approve the Village Fire Department retaining the 2018 Budget Surplus in the amount of \$130,829.

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

**MOTION CARRIED UNANIMOUSLY**

- D. Consideration and Possible Action regarding a request from the Village Fire Department Commission to approve a 2019 Budget Amendment to purchase a new dispatch and records management software not to exceed \$70,000.

Commissioner Johnson discussed the 2019 Budget Amendment in the amount of \$70,000. The funds will be used to purchase a new dispatch and records management software.

Councilmember Johnson moved, Councilmember Woodruff seconded, to approve the 2019 Village Fire Department Budget Amendment in the amount of \$70,000.

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

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 Folloder moved, Councilmember Rouse seconded, to adjourn the meeting at 9:11 p.m.

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

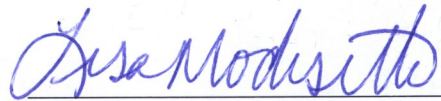
**MOTION CARRIED UNANIMOUSLY**

Approved and accepted on August 15, 2019.



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Brian T. Muecke, Mayor

ATTEST:



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Lisa Modisette, Asst. City Secretary