



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
THURSDAY, DECEMBER 14, 2017
6:30 P.M. - 955 PINEY POINT ROAD**

MINUTES

1. CALL TO ORDER

Mayor Muecke called the meeting to order at 6:38 p.m.

Present: Mayor Brian Muecke

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| Councilmember Carrol McGinnis | Kelly Johnson, City Admin./Secr.-Treasurer |
| Councilmember Barry Putterman | Lane Standley, Building Official |
| Councilmember Shirley Rouse | David Gott, Police Chief |
| Councilmember Bob Wiener | Alan Petrov, City Attorney |
| Councilmember Matt Woodruff | Lisa Modisette, Assistant City Secretary |

Absent: None

2. CITIZEN/VISITOR COMMENTS

Tom Roth, 854 Pecanwood Lane, read a letter from a resident, Gemma Ryu, 8931 Gaylord Drive #165. She stated she was grateful to Council for the decision to improve the sidewalk on Monte Cello that leads to the park and to add an ADA ramp for the wheelchair bound.

Andrea Hermann, 930 Karos Lane, asked about the status of 11710 Denise. She also questioned the need to purchase four vehicles in one budget year. She also questioned the ability to pick up absentee ballots for the January 20, 2018 election. She mentioned the city hosting a National Night Out in October for the residents to attend.

Mayor Muecke stated the Open House for the residents has been rescheduled for January 11, 2018.

The paperwork to condemn the property at 11710 Denise is still being prepared.

The police vehicles purchased will be addressed during the police report.

Lorraine Lindberg, 11410 S. Chestwood Drive, thanked Lane Standley for his hard work to correct the drainage issue on S. Chestwood.

Russell Hankins, 806 Saybrook, stated he signed the rollback election petition. He stated he received a letter stating the election will be held on January 20, 2018. He stated Council approved a tax rate increase of 22%. The rollback tax rate would lower the increase to 5.3%.

Council proposed a tax increase last year but the tax increase was voted down. He urged residents to vote early or on Election Day.

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 - #32905 - #32989
Voided Checks – #32922

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

| | |
|---|------------------------------------|
| Bob Baldwin - \$6,685.00 | Johnson Petrov - \$3,934.68 |
| Trinity Paving - \$31,400.00 | Wells Fargo - \$2,973.81 |
| Cardinal Tracking - \$6,474.06 | Harris County Library - \$2,500.00 |
| Harris County Appraisal District - \$4,167.00 | |

D. Approval of Construction Fund Bills

0 Items - \$0.00

E. Approval of Police Seizure Bills

0 Items - \$0.00

Councilmember McGinnis moved, Councilmember Putterman seconded, for the approval of the Consent Agenda.

Councilmembers McGinnis, Putterman, Rouse, Wiener and Woodruff voted “Aye”, “Noes” none.

MOTION CARRIED UNANIMOUSLY

4. REPORTS

- A. Financial Report** – November 2017 – Kelly Johnson, City Administrator/City Secretary-Treasurer

Kelly Johnson discussed the financial report:

- The city is 91.67% through the budget. Revenues are at 92% with expenditures at 81%.

- Sales tax is down 4.29% for the year. An analysis of sales tax on the east side of the city has been done but the information is confidential. It can be made available to any councilmember who wishes to view it.
- The city does not have a reserve and the decline of sales tax is disturbing.
- The Fishing Tackle Unlimited Store on the east side of the city has moved out of the city.
- Goode Co. Cantina will open on Monday, December 18, 2017.

B. Police Report – November 2017 Crime Report & Statistics – Captain Paul Warner

Captain Warner discussed the police report:

- Calls for service have increased.
- Mobile ticket writers have been ordered.
- The on-call staff (chief, captain, and one detective) and one patrol vehicle have slightly less than 100,000 miles. The police vehicles are in use 24 hours a day. The department replaces vehicles on a four year rotation due to maintenance issues. The vehicles average approximately 40-60 miles per shift. One of the vehicles scheduled to be replaced this year was deferred from last year.
- The new police vehicles will be black with white doors.
- Chief Gott met with Melissa Aurelio concerning the student parking on N. and S. Lou Al. The residents agreed the parking was a concern. Signs are to be installed stating “NO PARKING” between the hours of 7:30-8:30 a.m. and 2:30-3:30 p.m. Monday-Friday. Councilmembers suggested adjusting the times on the “NO PARKING” signs to read 7:30 a.m.–11:30 a.m.. Don Mayhall, 835 Merridel, stated the parking has gotten worse this year. He stated signage will probably be the best way to handle this matter.

C. Fire Department – Meeting – Alternate Fire Commissioner Barry Putterman

Alternate Fire Commissioner Barry Putterman discussed the following relating to Hurricane Harvey:

- 1.3% under budget
 - Village Fire Department submitted \$76,000 to FEMA for reimbursement.
 - The renovation will try to stay within the existing building footprint.
 - Bunker Hill Village’s new representative to the Fire Commission will be Derry Essary.
 - The Commission discussed Property and Casualty Insurance.
- Councilmember Woodruff stated an analysis should be done of the difference of a slower response time versus a faster response time.

Mayor Muecke stated McGrath Consulting will conduct an analysis of the response times and an analysis of the difference in medical outcomes resulting from slower versus faster response times should be a part of their report.

Mayor Muecke stated Hunters Creek has asked for a second, cheaper option on the renovation for the cities to consider.

D. Drainage Committee – Update – Mayor Muecke

No report

E. Planning & Zoning Commission – Meeting Update – Councilmember Shirley Rouse

Councilmember Rouse discussed the following:

- The P&Z tracker is in the council packet.
- The Design Guide will be ready for discussion tonight.

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

Mayor Muecke discussed the following:

- The process for the house on Denise was addressed early in the meeting. The process will be completed correctly the first time so the city does not have to do the process a second time.
- The purchase of police vehicles was addressed during the Police Report.
- Kelly Johnson will address the election.
- The Open House was addressed early in the meeting.

G. Building Official – Monthly Report, Update on Noise Abatement, Report on MS4 Storm Water Program – Lane Standley

Lane Standley discussed the following:

- No new residential permits issued. Very few commercial permits have been issued.
- TxDOT Noise Reduction Project – finishing up the stripping and the job is almost complete.

H. City Administrator – Memorial Villages Recycle Day, Holiday Dinner – Kelly Johnson

Kelly Johnson reported on the following:

- The Republic Waste fees will increase by two percent due to the increase in the CPI as per the contract. The effective date will be January 1, 2018.
- Election – The process to call an election is lengthy. The ordinance was signed last week, the notices prepared and sent to the proper authorities. The ballot will be

ordered this week. The request for an application by mail is on the website. The election date is January 20, early voting starts on January 2 and ends on January 16.

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

- A. A Resolution of the City of Hedwig Village, Texas acknowledging review of the City of Hedwig Village Investment Report.

Kelly Johnson recommends approval of the current city policy. The city is in compliance with state laws.

Councilmember McGinnis moved, Councilmember Rouse seconded, to approve the Resolution acknowledging review of the City's Investment Policy.

Councilmembers McGinnis, Putterman, Rouse, Wiener and Woodruff voted "Aye", "Noes" none.

MOTION CARRIED UNANIMOUSLY

- B. A Resolution of the City Council of the City of Hedwig Village, Texas appointing Kyle Sears as the representative for Bunker Hill Village, Hedwig Village, Hilshire Village, the City of Humble, Hunters Creek Village, Piney Point Village, and Spring Valley Village on the Board of Directors of the Harris-Galveston Subsidence District.

Kelly Johnson stated Kyle Sears was first appointed in March 2014 and reappointed in January 2016. This will be his second reappointment.

Councilmember McGinnis moved, Councilmember Rouse seconded, to approve the Resolution acknowledging review of the City's Investment Policy.

Councilmembers McGinnis, Putterman, Rouse, Wiener and Woodruff voted "Aye", "Noes" none.

MOTION CARRIED UNANIMOUSLY

- C. An Ordinance of the City Council of the City of Hedwig Village, Texas amending Chapter 44, Miscellaneous Offenses by adding a new Article IV, Limitations on Registered Sex Offenders Sections 44-50 through 44-54, of the City of Hedwig Village Code of Ordinances, for the purpose of amending the City's Regulations by adding Limitations on Registered Sex Offenders.

Kelly Johnson stated Lane Standley updated the city map to show where in the city a registered sex offender could not live.

Councilmember Woodruff moved, Councilmember Putterman seconded, to approve the Ordinance adding Limitations on Registered Sex Offenders within the City of Hedwig Village, Texas.

Councilmembers McGinnis, Putterman, Rouse, Wiener and Woodruff voted “Aye”, “Noes” none.

MOTION CARRIED UNANIMOUSLY

- D. An Ordinance Amending Ordinance 711 of the City of Hedwig Village, Texas providing for the holding of a Special Election to be held on January 20, 2018 for the purpose of determining whether or not to reduce the Adopted Tax Rate of the City of Hedwig Village, Texas to the Rollback Tax Rate and providing details relating to the holding of such election.

Mayor Muecke stated Tom Roth will serve as Election Judge and will select an Alternate Judge.

Councilmember McGinnis moved, Councilmember Rouse seconded, to amend Ordinance 711 to appoint Tom Roth as Election Judge and Mr. Roth to select his Alternate Judge.

Councilmembers McGinnis, Putterman, Rouse, Wiener and Woodruff voted “Aye”, “Noes” none.

MOTION CARRIED UNANIMOUSLY

- E. An Ordinance of the City Council of the City of Hedwig Village, Texas adopting a Design Guide for Planned Unit Development.

Mayor Muecke clarified with Zack Petrov that the Design Guide is a set of requirements the city would like the PUDs to have. Mayor Muecke stated once the Design Guide was approved it would apply to any proposed PUD’s making application at that point going forward. The Design Guide could be added as a condition of the PUD.

Councilmember Rouse stated P&Z was assured that if the Design Guide was approved by council prior to the proposed PUD application being approved, the PUD would be required to abide by it.

Zack Petrov clarified that the proposed PUD would have to abide by the Design Guide if the guide was added as a condition of the PUD.

Planning & Zoning members joined the Council meeting at 8:55 p.m.

P&Z Chairperson Mathews reviewed the P&Z recommendations to City Council for the Design Guide.

Chairperson Mathews stated P&Z has worked on the Design Guide for several years. She discussed the following:

1. New buildings should be constructed as a Class "A", LEED Gold standard with green space, landscaping, lighting, and be pedestrian friendly.
2. Power lines should be buried.
3. Lighting, with the exception for schools, seasonal lighting, and emergency lighting, should have no light trespass from commercial development.
4. Design guidelines for construction of buildings should be with stone, steel, glass, and wood and bright colors and reflective surfaces minimized. Tilt wall construction is prohibited.
5. Landscaping should have a requirement of trees of six inches in diameter at time of planting and have adequate green space. Require one tree for every 2000 square feet of land. Parking garages should have natural foliage as a shield from residential areas. Require sidewalks for pedestrians.

City Council and P&Z members discussed the language and definition of a Class "A", LEED Gold standard building.

Councilmembers stated there were several issues they wished to discuss further.

Councilmember Wiener moved, Councilmember Rouse seconded, to table the Ordinance adopting a Design Guide.

Councilmembers McGinnis, Putterman, Rouse, Wiener and Woodruff voted "Aye", "Noes" none.

MOTION CARRIED UNANIMOUSLY

- F. 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 an Office Building and a Parking Garage, to be located on a 2.000 acre site located on the 8700 block of the Katy Freeway (between Voss Road and Brogden Road), Hedwig Village, Texas, in Business District B-4 in the City of Hedwig Village, Texas.

Chairman Mathews stated Planning & Zoning recommends to City Council approval of the PUD with the nine conditions.

Pat Murphy, Vice Chair of P&Z, reviewed the nine conditions.

1. Development needs to be more pedestrian friendly. The site plan should have a sidewalk on the south side.
2. All lines to the building, including utilities, power, and telecommunications, should be buried. The property owners should work together to eventually have all lines adjacent to the I-10 frontage road buried.

3. Class “A” standard – P&Z views Class “A” and LEED Gold standards equally important.
4. Ingress and egress to the site should flow primarily from the I-10 frontage road. P&Z feels the traffic study is incomplete as it did not include enough of the city streets to the west of the property for an accurate study. Suggestions to mediate the possible traffic issues to compel the developer to provide traffic control if needed or limited gate access in the rear of the property.
5. Lighting – there should be no light trespass from the development into the residential areas. Several solutions include natural vegetation to block light, cut-off light fixtures, among others.
6. Landscaping – P&Z believes the number and size of trees on the site should be increased. The trees that are planted should be six inches in diameter at time of planting. The current site plan has 26 trees; the number should increase to at least 32.
7. P&Z recommends the parking space size should match the current city ordinance in exchange for less parking spaces
8. Retail space on the first floor should increase to 75-80 percent.
9. The amount of green space on the site should be increased to a minimum of 8,000 square feet and should be available for lifestyle events.

Councilmember Woodruff expressed a concern about the suggested green space being made available for lifestyle events. He stated the impact to residential areas may be negative due to limited parking, lighting, and noise.

Councilmember Wiener discussed the importance of having a green space for the residents and building occupants.

Pat Murphy suggested future PUDs be larger than the required acre and a half. On larger PUDs, more trees and a more green space would not be difficult to require.

Mayor Muecke suggested adding language requiring a restaurant on the ground floor.

Councilmember Putterman suggested language corrections for the following:

1. Agreement from Stream Realty concerning the exterior look of the building.
2. Light spillage to limit light trespass such as a shield to block light.
3. Add language regarding signage.

The Mayor and Councilmembers discussed the merits of a bigger parking space versus the total number of parking spaces.

The Mayor and Councilmembers discussed the benefit of having additional sidewalks on the site for the residents.

Richard Barbles, Stream Realty, discussed the following:

1. The land was purchased in June 2017 and the building was designed to meet the codes in place at the time. He stated the building will have some LEED and Class “A” aspects. He stated 50% of the building is pre-leased for medical.
2. Retail - The developers are looking for a high quality restaurant to meet the retail requirement. 6,000 square feet may be too much space for a restaurant. The developer will attempt to find another retail business for the additional 1,000 square feet.
3. Traffic control - The medical offices will be by appointment only. The staff will come to work in the morning and leave in the early evening. He stated the rear ingress/egress will not be gate controlled. He stated the developers may be able to add controlled access if the traffic poses a problem at a later date.
4. The developers will meet the lighting requirement as discussed by P&Z.
5. Landscaping – The developers will attempt to have a vertical foliage shield on the south side of the parking garage. The developer does not have a problem with the six inch diameter for a tree but believes 32 trees may be excessive. The site plan may not have room for additional trees but will work with the city to add as much green space as possible.
6. The developer plans to bury the power lines from the transmission pole to the building as well as any secondary power lines. Burying the power lines along their parcel of land would be cost prohibitive.

Councilmember Putterman suggested the city could mandate the power lines along the I-10 frontage be buried within a certain time frame. The property owners would work together to ensure the mandate was met.

Council agreed to meet again on Monday December 18th at 4:30 p.m. in a special meeting to finalize the language for the ordinance. The language to be drafted will be:

1. Bury the power lines
2. Class “A” and LEED Gold standard
3. Lighting for the parking garage
4. Six inch diameter for trees
5. Parking spaces either to reduce the size of the space or reduce the number of spaces
6. 6,000 square feet for retail, of which 5,000 square feet will be for a restaurant
7. Limit the number of signs on building

Councilmember Putterman moved, Councilmember Rouse seconded, to table the Ordinance approving a Planned Unit Development until the meeting on Monday, December 18, 2017.

Councilmembers McGinnis, Putterman, Rouse, and Wiener 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 on an Agreement with Harris County pertaining to the City's donation of \$2,500 to the Spring Branch Memorial Library to share in the cost to purchase library materials.

Councilmember McGinnis moved, Councilmember Wiener seconded, to approve the agreement between Harris County and Hedwig Village for an annual donation to the Spring Branch Memorial library.

Councilmembers McGinnis, Putterman, Rouse, Wiener 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:**

None

- 8. DISCUSSION ITEMS/PRESENTATION OF SPECIAL REPORTS**

- A. Discussion with LJA Engineering regarding Drainage Study

Jeff Cannon, LJA Engineering, reviewed the interim drainage report. He stated the interim report is completed pending clarification of any comments or concerns council may have. When LJA finalizes the report, the current contract will end. The options the city has at that point would be to stop or to move forward with the recommendations from LJA. Harris County Flood Control District (HCFCD) has stated the study and recommendations do not require changes or modifications to existing HCFCD facilities, approval from HCFCD is not required. However, Jeff Cannon stated the report would be submitted to HCFCD for review after the first of the New Year and HCFCD will then issue a Letter of No Objection.

Jeff Cannon stated their recommendation would be for the city to engage LJA for a phased approach to the project. The first phase would be preliminary engineering work which would cover several surveys, including topography survey, technical design, schematic design, and preliminary engineering design. The final cost estimate of the project would be possible after the surveys are complete.

Jeff Cannon addressed the questions council had concerning the water flow analysis. LJA reviewed the analysis and determined there was a change in surface elevations in certain parts of the city as well as a slight adjustment to the model for the pipe. He stated with the slight adjustment there is no increase in water on the west side of the city.

Councilmember McGinnis asked if the existing drainage pipes the city has in place on Echo Lane can handle the incremental flows the city is anticipating on the west side. Jeff Cannon stated yes, the current design will handle it. The water flows toward Hunters

Branch Creek. The proposed design will improve water flow from the west side and reduce the water depth.

Councilmember Putterman stated the current system includes overland water flow as well as water flowing into and through the drainage pipes. He asked if the drainage system in place currently could handle future improvements to the commercial or residential districts. Jeff Cannon stated the city ordinance states that if any improvements substantially impact impervious ground coverage, the improvement would need to include detention.

Councilmember Wiener thanked LJA for their work in completing the study. He clarified the next step for the city would be to get a drainage design in order to have a bond election. He asked if LJA knew of any city that requires new construction to have pier and beam construction instead of impervious cover on the ground. Jeff Cannon stated some cities are considering that option.

Councilmember McGinnis asked if there were any solutions to slow the flow of water coming into the city from the west. Jeff Cannon stated the flow from the west is a new existing condition and by Texas Water Law there is nothing to be done about an existing condition. The city could build a berm along the entire west boundary of the city which might be a violation of the water law. Councilmember McGinnis believes the city is ignoring a major contributor to the high water in the city and only addressing the symptoms. He questioned the theory that lower streets would encourage even more water y, technical designty. Jeff Cannon stated the water flowing into the city from the west would not increase but lowering the streets would assist the flow of water toward Hunters Branch.

Councilmember Woodruff summarized that the proposed drainage recommendation would not add more water flowing into the city from the west but the flow of water toward Hunters Branch would be more efficient. Jeff Cannon stated the summary was correct.

Councilmember Woodruff suggested taking the time to read and review the interim report and at a later council meeting discuss again in more detail.

Councilmember Woodruff stated the city does not want to make drainage worse for others while making it better for a few. He stated that based on what Jeff Cannon has said, the drainage problem areas in the city would not get worse but would get better. Jeff Cannon stated the build-up of water would get better but build-up would happen regardless. Councilmember Woodruff asked if there was any way to make some drainage problem areas better. Jeff Cannon stated the preliminary design phase may answer that question.

Councilmember Woodruff asked for an estimate on the cost. Mayor Muecke stated the city budgeted \$495,000 to do the engineering survey work and about 30 percent of the

design work. The city would be able to submit the plan to the voters for a bond at that point.

McGinnis asked what percentage of the problem areas would be corrected. Jeff Cannon stated greater than 65%.

Councilmember Wiener asked if the design work would be complete in 2018. Jeff Cannon stated yes.

Councilmember Woodruff asked if the report would identify which streets would be replaced. Jeff Cannon said yes.

Mayor Muecke asked what the replacement life span of a concrete street was. He believes with the current technology that the life span with low traffic could exceed 20 years. Jeff Cannon stated that if a street is properly designed, maybe 30 – 40 years. He stated cars make almost no impact on a street, but big heavy trucks make the biggest impact.

Councilmember Rouse asked for the definition of several terms mentioned in the report, such as surface water elevation. Jeff Cannon stated the surface water elevation is from ground level. She stated one question the report should answer would be the benefit to the residents if the drainage work was to be completed. Another question she asked was at what point the city's current drainage system becomes a problem in relation to a 100 year flood, did LJA map the inundation levels around the city? There is a chart in the report that shows the current water depth. She stated the chart is great but does not show the locations of homes. She stated she would review the report and write questions and comments.

Councilmember Woodruff asked if the Drainage Committee would get a chance to review the report. Mayor Muecke stated the Drainage Committee would convene at LJA for review.

- 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

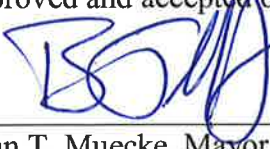
11. ADJOURNMENT

Councilmember Woodruff moved, Councilmember Rouse seconded, to adjourn the meeting at 11:03 p.m.

Councilmembers McGinnis, Putterman, Rouse, Wiener and Woodruff voted “Aye”, “Noes” none.

MOTION CARRIED UNANIMOUSLY

Approved and accepted on April 12, 2018.



Brian T. Muecke, Mayor

ATTEST:



Lisa Modisette, Asst. City Secretary