

MINUTES OF REGULAR MEETING
OF OCTOBER 28, 2003
CITY COUNCIL OF THE CITY OF MEADOWS PLACE, TEXAS

The regular meeting of the Meadows Place City Council was called to order at 7:34 p.m. by Mayor Mark McGrath at Meadows Place City Hall, One Troyan Drive, Meadows Place, Texas, with notice of said meeting giving the time, place, date and subject thereof having been posted as prescribed by Article 6252-17, V.T.A.C.S. with the following members present and in attendance:

Mayor: Mark McGrath

Aldermen: Terry Henley
Charles Jessup
Joe McCann
David Piwonka
Leen Zellers

thus constituting a quorum.

Charles Dupre, Chief Financial Officer of Fort Bend ISD then gave a presentation on "Building Brighter Futures – Fort Bend ISD Bond Referendum, 2003."

Police Captain Jack Ashton presented the police report. He said in the past month there were four accidents, 13 arrests, 568 calls for service, 570 citations issued, 67 incident reports and 85 warnings issued. Two of the traffic accidents were on West Airport, one on the Southwest Freeway feeder road and one in the 11800 block of Amblewood. City Ordinance violations were mostly for trash cans being left out on the day after trash was picked up. There has been an increase in animal attacks, mostly dogs. Public intoxication and DWI arrests are down. The increase in traffic citation activity may be related to West Airport now being opened through to Highway 6. Seventeen warrants were served and there has been an increase in burglaries of motor vehicles on West Airport from Kirkwood to the Southwest Freeway. A training force for motorcycle officers has been set up with the Ft. Bend County Sheriff's Office. Our motorcycle officer should be certified by the 1st of the year. Mayor McGrath noted that trash cans being left at the curb after trash pickup day is being taken very seriously by our Code Enforcement and Police Officers. Councilmember Jessup said he lives near Meadows Elementary School and has noticed an increase in police visibility at that location.

Public Works/Public Utilities Director Dan McGraw said in the past twelve months, 211.0 million gallons of water were pumped. In the month of September there were 92 water related service calls and five sewer related service calls. In the last twelve months, 35 sign posts and 40 signs have been replaced, 2,330 feet of sidewalk, 320 feet of curb and 13 new sidewalk ramps have been repaired. In this next fiscal year, a new irrigation system on West Airport from Kirkwood to Dairy Ashford will be installed along with accompanying landscaping. Also, over 2,000 feet of sidewalk, 600 feet of curb and ten new sidewalk ramps are scheduled for repairs. With ECO Resources operating the city's water and wastewater systems, more time can be devoted to building inspections, storm water management, safety and equipment training, and scheduling.

Parks and Recreation Co-Director Terry Modeland thanked Mr. McGraw and his crew for their help on all parks special events. She reported to Council on the grant application received and the new one being applied for. The first grant was applied for in January, 2003 and awarded in August, 2003. Items included in this grant are scheduled to be completed in September, 2006 and include lighting one baseball field, installing on baseball backstop, renovations to the jogging trail, installing a small pavilion on the old basketball slab along with game tables for checkers and backgammon and a shuffleboard court and a hopscotch court. Total cost of this project is \$100,000 with the City contributing \$44,000 from bond funds

and Meadows All Play Baseball and Meadows PTO contribution \$6,000. Site work is expected to begin this week. The next grant, to be applied for by January 31, 2004 (to be awarded in August, 2004) may include tennis court lighting renovations, decking and waterscape items at the city pool, a play/exercise berm, tether ball play area at the field house, landscaping, parking improvements and barbeque pits throughout the city parks. It is hoped the funding will be the same as the first grant. Planning meetings have been set and deadlines established. A Public Hearing will be held immediately before the Council's regular December meeting on December 16th. Mrs. Modeland believes that odds on receiving the second grant are better than 50-50. Mrs. Modeland also reminded everyone that the Halloween Carnival was being held Friday night from 5:30 to 10:00 p.m.

During audience comments, resident Gary Littlejohn, said some garage sale signs were seen in the city this past weekend. He brought in one rather large example and suggested again that the city issue "official" signs when issuing a permit.

Marti Pattinson said she was disturbed by the unwanted 18 wheeled trucks parking in Sam's lot across from our monument signs. She also would like to see an ordinance limiting the number of vehicles that can be parked in front of residences, particularly on cul-de-sacs.

Mary Rowell noted that the Halloween Carnival's rain location would be under the school's awning between the cafeteria and student drop off area.

Ron Kuening said he had e-mailed all of council in September about a perpetual bird bath at the end of his driveway. Mayor McGrath said he would look into including this area for repairs with the next bond issue.

Janet Pote asked council to reconsider the current garage sale dates as the city looked like a giant flea market the last Friday & Saturday in September. She would like residents to be able to hold garage sales whenever they want.

Kathy Smith agreed with Mrs. Pote adding that the current ordinance made competition higher on garage sale days and items were harder to sell. She believes the amount of trash was greater than usual the following Tuesday, traffic was ridiculous and garage sale dates should be coordinated with pay days.

Mr. Littlejohn said if the consensus was that allowing garage sales one weekend every two months was a bad idea, maybe they shouldn't be allowed at all.

Velon Saint said the city shouldn't have so many ordinances in the first place. While he doesn't have garage sales, he believes it is an American right to have one whenever one wants.

Mayor McGrath noted we have had only two garage sale weekends since the ordinance has been passed. Anything that has been done can be undone. Council will check out garage sales in the future and, perhaps, readdress the issue.

Jerry Pote said he has been concerned about the lack of lighting at the entrance to the city on Dorrance Lane from the Southwest Freeway. Mayor McGrath said the city cannot force Star Wholesale to keep their parking lot lights on.

Mayor McGrath then explained the new item on the agenda, the consent agenda. It consists of items of little or no controversy. He said any item council did not feel comfortable with passing without discussion could be pulled from the consent agenda. Items on tonight's consent agenda include: approval of minutes of September 23, 2003 workshop and regular meetings; consideration of and action on an ordinance authorizing the Mayor and the City Secretary of the City of Meadows Place, Texas, to enter into an interlocal agreement between the County of Fort Bend and the City of Meadows Place for the inspection of food

service establishments during the fiscal year 2003-2004; consideration of and action on an ordinance authorizing the Mayor and City Secretary of the City of Meadows Place, Texas, to enter into an agreement with Inter-Tel Technologies, Inc. for installation and lease of a new telephone system in City of Meadows Place Municipal Building, One Troyan Drive; and ratification of \$45,318.00 to Helfman Ford, Inc. for two police vehicles. Councilmember Henley made a motion to approve the items on the consent agenda as listed. Councilmember Jessup seconded the motion which carried unanimously. The food service ordinance is ordinance number **2003-33**, and the agreement with Inter-Tel Technologies for installation and lease of a new telephone system is ordinance number **2003-34**.

Council then discussed HB 136 which is the constitutional amendment recently approved by voters to allow counties and municipalities to freeze taxes on homesteads owned by residents over 65 or disabled. School Districts already freeze these taxes. If governing bodies decide not to institute this amendment, residents can request the issue be put on a ballot with a petition of 5% of the registered voters in the entity. While council recognizes many disabled and homeowners over the age of 65 are on a fixed income and would welcome the financial relief a tax freeze would afford them, they realize other issues must also be addressed. The City of Meadows Place has a relatively small commercial tax base. The bulk of advalorem city taxes are paid by homeowners. As time goes by, governmental regulations tend to increase and the city will be required to fund more programs. Those over the age of 65 and the disabled already have an additional exemption. Mayor McGrath said he is not comfortable in passing this tax freeze at the current time. Demographics indicate the percentage of residents in the city over the age of 65 will increase dramatically over the next few years. Currently there are 235 residences with the over 65 exemption. This number is expected to increase by 4% annually. If the tax freeze is adopted, the city would lose \$234,000 over the next ten years. Councilmember Henley said we all would like to keep our taxes low, however, city council must still be sure there is enough money to provide needed services. Typically, only 15% of a resident's taxes go to the city. 60% are school district taxes and the remaining 25% are paid to the county or other special district. Councilmember Jessup said if council does this, by the year 2010 a large chunk of city services will need to be cut. New home buyers will look closely at this situation. He does not see it as a benefit to the City of Meadows Place. Mayor McGrath noted the City of Sugar Land has chosen not to implement this tax freeze at the present time. He reminded council that when an entitlement is granted it almost never is annulled. He urged Council to continue to think about the idea but to be cautious.

Mayor McGrath then opened a Public Hearing to hear comments both for and against a proposal affecting participation of city employees in the Texas Municipal Retirement System granting additional rights authorized by Section 854.202(g) of Title 8, Texas Government Code, as amended. Mayor McGrath explained that our budget contained the funds to improve our employee's retirement funds to match what surrounding cities offer. Currently, employees are eligible to retire with full benefits after 25 years of credited services. This ordinance will enable them to retire at any age after 20 years of service. There were no comments from the audience or council. Councilmember Piwonka made a motion to close the Public Hearing. Councilmember McCann seconded this motion which carried unanimously.

Mayor McGrath then read the caption to the following ordinance:

AN ORDINANCE AFFECTING PARTICIPATION OF CITY EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM GRANTING THE ADDITIONAL RIGHTS AUTHORIZED BY SECTION 854.202(G) OF TITLE 8, TEXAS GOVERNMENT CODE, AS AMENDED, AND PRESCRIBING THE EFFECTIVE DATE FOR THE ORDINANCE.

Councilmember McCann made a motion to adopt the ordinance, numbered **2003-35**, as presented, inserting a November 1st effective date. The motion carried unanimously.

Mayor McGrath then read the caption to the following ordinance:

AN ORDINANCE TO INCREASE THE RATE OF DEPOSITS TO THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY THE EMPLOYEES OF THE CITY OF MEADOWS PLACE

This ordinance is a companion to the previous one. Currently employees deposit 5% of their gross income into the TMRS system. Surrounding cities all have a 7% contribution rate. This ordinance will increase the employee rate to 7%, effective November 1st. The city matches employee contributions 2:1. Councilperson Henley made a motion to adopt the ordinance, numbered **2003-36**, as presented. The motion carried unanimously.

Mayor McGrath then read the caption to the following resolution:

A RESOLUTION SUPPORTING LEGISLATION AMENDING TEXAS GOVERNMENT CODE §419.0321 TO INCREASE THE NUMBER OF HOURS PART-TIME FIRE PROTECTION EMPLOYEES MAY WORK FOR A FIRE DEPARTMENT LOCATED IN A CITY WITH A POPULATION OF LESS THAN 30,000 FROM 500 HOURS TO 1000 HOURS IN A CALENDAR YEAR.

The current law limits the amount of time reserve fire fighters can work for a volunteer fire department to 500 hours. Stafford now has three fire stations and are having a problem manning them during critical daytime hours when most volunteers are working at their daytime jobs. They are presenting a resolution asking for support from the Texas Municipal League when the issue comes up in the state legislature and they have asked our city to also support the resolution. Councilmember Henley said this is a good move and he hopes to encourage support of it at TML. Councilmember Henley made a motion, seconded by Councilmember McCann, to adopt the resolution, numbered **2003-04**, as presented. The motion carried unanimously.

Mayor McGrath then read the caption to the following resolution:

A RESOLUTION CASTING CITY OF MEADOWS PLACE 14 VOTES FOR THE BOARD OF DIRECTORS OF THE FORT BEND CENTRAL APPRAISAL DISTRICT.

Councilmember Piwonka made a motion to cast all 14 votes for Tom Shirley. Councilmember Henley seconded this motion which carried unanimously.

During audience comments, Ron Kuening said his tax bill had gone up by \$200.00 and he would welcome relief in the form of a tax freeze. He believes much of the city's financial problems would be solved if the city could get their own zip code. Currently computers automatically send sales tax from the 77477 zip code to Stafford.

Jerry Pote said he is living on a fixed income and would also welcome a tax freeze.

Marti Pattinson noted the tax rate has remained the same. Taxes have gone up because house values have increased and this is a good thing.

Alderman Jessup said he is proud to sit on City Council because they are pro-active to the extent of funding projects to find future business willing to locate in the city.

Mayor McGrath said lower tax bills will depend on future development. Unfortunately, the current tax burden is on residents. The success of our city twenty years ago was predicated on a healthy commercial district. We are still working on that.

David Piwonka said the city would have been in bad shape if there had never been a Sam's Club or Garden Ridge here.

Ron Kuening asked if any of the vacant property might be sold to churches. Mayor McGrath responded they would need a zoning change to do this and he was not personally in favor of that.

There being no further business to consider, Councilmember McCann made a motion, seconded by Councilmember Zellers to adjourn the meeting. With unanimous approval the meeting was adjourned at 9:03 p.m.

Elaine Herff, City Secretary