

MINUTES OF REGULAR MEETING  
OF JULY 27, 2004  
CITY COUNCIL OF THE CITY OF MEADOWS PLACE, TEXAS

The regular meeting of the Meadows Place City Council was called to order at 7:37 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  
Joe McCann  
David Piwonka  
Leen Zellers

and the following absent:

Alderman: Charles Jessup

thus constituting a quorum.

Captain Jack Ashton gave the police report noting a booking was a documented arrest. Activity level increased since the last council meeting with several drug related arrests. There were 829 house watches, some criminal mischief with paint and slashed tires on Dorrance. Also Wing Zone had been robbed at gunpoint taking the day's receipts. Officer Soto has now completed training and Officer Flannigan will be finished in 10-12 weeks. He also reminded everyone about National Night Out to be held on Tuesday, August 3<sup>rd</sup>.

Dan McGraw gave the Public Works/Public Utilities Department report. They are waiting on Reliant Energy to activate the lights on the entrance sign at West Airport and the freeway. Next week they will begin repainting the school cross walks. Twenty seven yellow sign posts for stop signs will be installed around the school area. At the Senior Village project, the third phase of framing should be up in about 3 weeks. The completion date for the extended day addition to the elementary school should be completed in December.

Terry Modeland gave the Parks Department report saying that Phase 2 had been approved by Texas Parks and Wildlife. Funding from this year's budget will address the drainage issue along the jogging trail as this was not a grant item. The trail should be completed in January, 2005. Work continues on obtaining sponsors for the golf tournament. An application is on the city website. It was mentioned that it would be helpful to include the city's website on the masthead of the newsletter. It was also noted that it is already included in several places in the newsletter.

Councilmember Zellers thanked all the city workers from each department for all the hard work on the Fourth of July parade.

During audience comments, resident Susan Wade spoke about the problem of solicitors taping notices to front doors that pull paint off the door when the notice is removed. She also commented on the problem of lawn maintenance people blowing grass in front of neighboring houses.

During comments from the Mayor, Mayor McGrath noted that due to a conflict with his schedule, he has requested that Council change the date of their regular meeting from August through November from the 4<sup>th</sup> Tuesday to the 4<sup>th</sup> Wednesday of each month. Council agreed with this request.

During Council comments, Councilmember Henley noted that he will be attending the TML regional meeting on August 6-7 in Galveston and invited the rest of Council to attend. Mayor McGrath thanked Councilmember Henley for all his time spent with TML.

Mayor McGrath then read the caption to the following ordinance:

**AN ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE, TEXAS BY ADDING THERETO A NEW SECTION 24-803, ENTITLED "PLANNED DEVELOPMENT AMENDMENT – CVS PHARMACY," FOR THE CONSTRUCTION OF A SINGLE-USE PLANNED DEVELOPMENT, MAKING CERTAIN FINDINGS OF FACT, ESTABLISHING CONDITIONS FOR THE ACCEPTANCE OF THE PLANNED DEVELOPMENT AMENDMENT, PROVIDING PROCEDURES FOR THE CITY COUNCIL OF THE CITY OF MEADOWS PLACE TO MAINTAIN CONTINUING JURISDICTION, PROVIDING FOR PENALTIES FOR VIOLATION OF ANY OF THE TERMS AND CONDITIONS AND PROVIDING FOR THE ACCEPTANCE OF THE PLANNED DEVELOPMENT AMENDMENT PROVIDING FOR UNCONDITIONAL ACCEPTANCE AND OPINION OF COUNSEL.**

This is a proposed zoning change to the 4.5 acres that the city owns, and is in the process of selling, at the corner of Dairy Ashford and West Bellfort. Council had decided to sell the property to the highest bidder. An offer for \$5.80 per square foot was received which will net the city approximately \$1,000,000. The proposed new owner had to go through Planning and Zoning to develop the area as a planned development since it is more than 3 acres. Based on the public hearing and Planning & Zoning's recommendations Council has approved the sale with 12 conditions. On July 13<sup>th</sup> Council approved the planned development subject to the 12 conditions. The Planned Development Ordinance is being presented tonight. Mayor McGrath gave an explanation of the twelve conditions.

Mayor McGrath noted that this is the third planned development for the city since he has been mayor and they are getting better. Planning and Zoning is doing better all the time.

Mayor McGrath then asked for comments from the audience. Charles Pless commented on the fence that is going to stretch the length of the CVS property. Mayor McGrath said since the sound wall is 8' and a 10' fence in the back yards of the neighboring homes would be confining, it was decided to go with an 8' uniform fence along the property. CVS will help resident's removing old fences should they want to use the new fencing.

Mrs. Roscoe commented on several of the 12 conditions including garbage pick up, the hours the store would be open, and noise level. Mayor McGrath noted that the 55db is the accepted standard and is the same as Burger King and the car wash. She asked about deed restrictions. Mayor McGrath explained that when the land is plated the developer can add restrictions that would be enforced by the city if the developer does not enforce them. They will have to abide by City Ordinances regardless of deed restrictions. The exterior lighting is the accepted standard made to keep light out of the back yards. Mayor McGrath said the lighting must be approved with the building or a building permit would not be issued. Repeated violation of hours would be considered as separate violations. The detention pond is still being developed with CVS. Building construction will probably start in September.

Mr. Pless then addressed Council concerning planting in the resident's back yards. Mayor McGrath said he would tell CVS of Mr. Pless' interest.

After a short discussion, Councilmember Henley made a motion to adopt the ordinance, numbered **2004-18**, as read. The motion was seconded by Councilmember Zellers and unanimously approved.

Councilmember Piwonka said he knows people are concerned with this area, but putting a park there was not practical. He hopes the inconvenience to the neighbors is not too great as he feels CVS will be an asset to the city.

Councilmember Henley stated the Council's interest is to protect all interests with minimal inconvenience. Less lights are used because they are directional and in the best interest of the entire city.

Mayor McGrath then read the caption to the following ordinance:

**AN ORDINANCE CALLING A PUBLIC HEARING ON THE  
BUDGET FOR FISCAL YEAR 2004-2005.**

Mayor McGrath noted there has been a series of budget workshops held since the beginning of June and suggested the required public hearing should be held on Wednesday, September 15 at 7:00 p.m. Councilmember Piwonka made a motion to approve the ordinance, numbered **2004-19**, for Wednesday, September 15<sup>th</sup> at 7:00 p.m. Council member Zellers seconded this motion which carried with unanimous approval.

During audience comments, resident Susan Wade commented on the robbery at Wing Zone. She stated that the owners are original Meadows Place residents who grew up here. She would like to see this business promoted.

There being no further business to consider, Councilmember Zellers made a motion, seconded by Councilmember Henley to adjourn the meeting. With unanimous approval the meeting was adjourned at 8:31 p.m.

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Deborah Wood, Assistant City Secretary