

MINUTES OF REGULAR MEETING
OF SEPTEMBER 29, 2004
CITY COUNCIL OF THE CITY OF MEADOWS PLACE, TEXAS

The regular meeting of the Meadows Place City Council was called to order at 7:30 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.

Captain Jack Ashton then reported on police activity since the last regular city council meeting. He noted there were a total of six accidents – only one on West Airport, 12 arrests – half of which were for warrants; 64 reports of criminal activity; and 24 warnings given. One resident reported the burglary of a weed eater from his garage. There were three disorderly conduct arrests, one on the C&H parking lot where burglar tools were found in the arrestee's vehicle. Captain Ashton said the first bullet proof vest reimbursement grant funds have been received. He also explained the drug free/weapon free map that has been generated with GIS equipment. He said the law states there can be a 300 foot weapon free zone around schools and a 1000 foot drug free zone around parks. Captain Ashton answered questions from several residents including why the whole city could not be labeled as "drug free;" when a resident should call 9-1-1 or the police non-emergency number; and a problem with the sheriff's department not knowing some of the city street addresses that has hopefully been corrected.

Dan McGraw, Public Works Director, then gave his department's update. He noted ECO Resources personnel responded to 124 water related service calls in the city during the month of July. Of those, 116 were city related and 8 were on the private side of the meter. During the month of August, 22.9 million gallons of water were pumped, averaging .739 million gallons being pumped per day. There were six water main breaks in August. During the same time period, ECO responded to two sewer calls, both being private line problems. A pre-construction meeting for CVS Pharmacy was held last week. Ground breaking will take place in one to two weeks. Construction at Senior Village and Meadows Elementary is on schedule. The sprinkler system on the West Airport esplanades is nearing completion and just a few more plants need to be added to the monument sign landscaping for this project to be completed.

Parks Director Terry Modeland then announced that the City of Meadows Place was just awarded their second grant. On tonight's agenda is the awarding of a contract for the final part (not including drainage) of Grant #1. This will include a new ball field backstop, jogging trail renovations, a new pavilion and picnic tables. The application for Grant #2 was rated the third best in the state. Decking at the pool will be the first project undertaken with this second grant with completion scheduled for mid April. Also in Grant #2 are new tennis court lights. The timing for Grant #3 couldn't be better as the extended day program at Meadows Elementary is prepared to donate \$50,000 toward new playground equipment at the school. These funds can be used as matching funds towards Grant #3. Parks Director Monya Keenen gave Council an update on the Halloween Carnival.

During comments from the audience, Mr. Tommy Fabregas of Meadow Hollow Drive said he is having a problem with a young neighbor of his who has been seen on the roof at 4:00 a.m. and leaves his skate board ramp in the street where it has already been run over at 11:00 p.m. at night among other things. While the police have been called and are very professional about the situation, the boy and his friends watch out for the police to arrive and are therefore difficult to catch doing anything wrong. Mayor McGrath noted the city can use its criminal trespass authority to correct the situation.

Sylvia Romano, a Bloomington Lane resident, wondered if there was any news about what would happen to the old Garden Ridge location and if we couldn't force the property owners to connect the parking lot lights. Mayor McGrath noted that almost a year ago Meadows Place EDC authorized the hiring of a consultant to see what would be the best way to redevelop this property. It was the consensus at that time that retail was no longer a viable solution however town homes, garden homes and/or offices might work. In August the owner walked out on the mortgage so the property reverted back to the lender who now would like to sell it. The property does not include the Star Wholesale area which was purchased by Star Wholesale from Sam's Corporation. Since this is private property, the city cannot force the owners to activate the parking lot lights.

During Mayor's comments, Mayor McGrath said the next three regular council meetings would be on the following dates: Monday, October 25th, Monday, November 22nd, and Tuesday, December 21st. In January the meetings will go back to being held on the 4th Tuesday of each month.

During Council comments, Councilmember Piwonka introduced audience members John Rowell, Shea Braund and Clayton Powell, members of Boy Scout Troop 301, along with their parents and scout leaders.

Mayor McGrath then received Council's consensus to address agenda item 14 and read the caption to the following ordinance:

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY SECRETARY OF THE CITY OF MEADOWS PLACE TO ENTER INTO AN AGREEMENT WITH NUWEST GOLF COURSE CONSTRUCTION TO PROVIDE ALL LABOR, MATERIAL, EQUIPMENT AND INCIDENTALS RELATED TO MEADOWS PLACE COMMUNITY PARK IMPROVEMENTS PHASE I.

Terry Maher gave Council an update on what NuWest would do and on the extra drainage work that would need to be done that is not included in the contract. Councilmember Henley made a motion to adopt the ordinance, numbered **2004-26**, authorizing the agreement with NuWest Golf Course Construction to provide labor, material, equipment and incidentals related to Meadows Place Community Park Improvements Phase I. Councilmember Jessup seconded this ordinance which carried unanimously.

Returning to agenda item six, minutes of the June 8, 2004 special meeting, the June 15, 2004 joint public hearing, the June 22, 2004 workshop and regular meetings, the July 13, 2004 workshop and special meetings, the July 27, 2004 workshop and regular meetings, the August 10, 2004 workshop meeting, the August 25, 2004 workshop and regular meetings and the September 22, 2004 public hearing meeting were presented to council for their approval. Councilmember McCann made a motion to approve the minutes as presented. Councilmember Piwonka seconded this motion which carried unanimously.

Mayor McGrath then read the caption to the following resolution:

A RESOLUTION OF THE CITY OF MEADOWS PLACE, TEXAS APPROVING A MAP AS THE OFFICIAL RECORD OF THE LOCATION AND BOUNDARIES OF DRUG FREE ZONES IN ORDER TO IMPLEMENT ENHANCED PENALTIES FOR UNLAWFUL DRUG ACTIVITIES IN THOSE AREAS.

This resolution will provide for enhanced penalties for violations within 300 feet of all schools in the city. Councilmember Jessup made a motion to adopt the resolution, numbered **2004-06**, approving the drug free zones in Meadows Place. Councilmember McCann seconded the motion which carried unanimously.

Mayor McGrath then read the caption to the following resolution:

A RESOLUTION DESIGNATING A REPRESENTATIVE AND OFFICIAL ALTERNATE TO THE GENERAL ASSEMBLY OF THE HOUSTON-GALVESTON AREA COUNCIL FOR THE YEAR 2005.

Mayor McGrath said Mayor Pro Tem Terry Henley and Councilmember David Piwonka have respectively agreed to serve as the city's Representative and Official Alternate to the HGAC Area Council for the year 2005. Councilmember McCann made a motion, seconded by Councilmember Zellers to adopt the resolution, numbered **2004-07**, naming Mayor Pro Tem Henley as the City's representative and Councilmember Piwonka as the Official Alternate to the H-GAC Area Council for the year 2005. The motion carried unanimously. Mayor Pro Tem Henley thanked Council for their continued support in electing him to this position and said he would do all he could to help our city through this organization.

Mayor McGrath then read the caption to the following ordinance:

AN ORDINANCE ADOPTING THE FISCAL 2004-2005 BUDGET FOR THE CITY OF MEADOWS PLACE, TEXAS, AND APPROPRIATING THE SEVERAL SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED.

Mayor McGrath noted this was a culmination of several workshop meetings held during the previous few months. To arrive at this budget, Council had to consider the fact that total property taxes expected to be collected will only increase by 2%. Sales taxes are not budgeted to increase in this next fiscal year by a significant amount. Expenses have increased – in particular due to a raise in pension costs, purchase of two new police cars (putting us back to where we were two years ago with replacing two police cars each year), and several major improvements needed at the sewer treatment plant. Employee raises traditionally given at a 3% level will only be 2% this year. The total budget is approximately \$3.8 million with revenues projected to increase by 3.1% and expenses projected to increase by 5%. A public hearing on the budget was held last week. Councilmember Piwonka made a motion to adopt the ordinance, numbered **2004-27**, as presented and arrived at during council workshop sessions. Councilmember Zellers seconded the motion which carried unanimously.

Mayor McGrath then read the caption to the following ordinance:

AN ORDINANCE APPROVING THE FISCAL 2004-2005 BUDGET FOR THE CITY OF MEADOWS PLACE ECONOMIC DEVELOPMENT CORPORATION AS ADOPTED BY THE ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS AT THEIR SEPTEMBER 13, 2004, REGULAR MEETING AND

APPROPRIATING THE SEVERAL SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED.

Funding for EDC projects comes from a one half cent sales tax. Some projects funded by the EDC to date include paying the principal and interest on bonds sold for the construction of Well #3 and the City's 20% cost to widen West Airport from two to four lanes from Kirkwood to Dairy Ashford and install sound walls down West Airport and Dairy Ashford. Councilmember Henley made a motion to adopt the ordinance, numbered **2004-28**, approving the EDC budget as adopted by the EDC Board of Directors on September 13, 2004. Councilmember McCann seconded this motion which was unanimously approved.

Mayor McGrath then read the caption to the following ordinance:

AN ORDINANCE LEVYING A TAX RATE FOR THE CITY OF MEADOWS PLACE, TEXAS, FOR THE TAX YEAR 2004.

Mayor McGrath said he is proposing a tax rate of \$0.76 per \$100 valuation, broken down to \$0.4875 for maintenance and operations and \$0.2725 for bond debt service. He noted this rate is three cents higher than last year but this is the first tax increase since 1994 which was after the city annexed the Municipal Utility District. He said that when revenues do not increase the city has a choice of cutting back on city services or laying off one or more employees to lower costs. Councilmember McCann made a motion, seconded by Councilmember Piwonka, to approve the ordinance, numbered **2004-29**, adopting the tax rate for tax year 2004 at \$0.76 per \$100 valuation. The motion carried unanimously. Councilmember Jessup said he was not happy about having to raise the tax rate, however after attending many meetings, he is convinced this was the only thing to do. He said Mayor McGrath did a great job on the budget and he hopes Council will be able to re-look at the situation next year. Mayor McGrath said he hopes to see the commercial side of the city expand soon to allow for some residential tax relief.

Council then discussed appointing a Council Committee for purposes of reviewing existing fire protection services with the City of Stafford. Besides reviewing the contract, this committee will discuss other fire protection issues in the city including a proposed new fire station. Mayor McGrath proposed the committee be composed of himself, Mayor Pro Tem Henley and Alderman Piwonka. Councilmember Jessup made a motion to approve this committee. Councilmember McCann seconded this motion which carried unanimously.

Mayor McGrath then read the caption to the following ordinance:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE, CHAPTER 29, ENTITLED "UTILITIES," ARTICLE I, ENTITLED "IN GENERAL," DIVISION 2 ENTITLED "BILLING AND CHARGES FOR WATER SERVICE AND SANITARY SEWER SERVICE," SECTION 29-11, ENTITLED "BILLING AND CHARGES FOR WATER SERVICE AND SANITARY SEWER SERVICE."

Mayor McGrath said that raising the water and sewer rates 7% was a budget balancing procedure. A typical monthly utility bill will go from \$40.00 to \$42.80. The cost of garbage pick up service will not increase. Councilmember Piwonka made a motion, seconded by councilmember Henley, to approve the ordinance, numbered **2004-30**, as discussed. The motion carried unanimously.

Bills were presented to Council for ratification. They included: \$117,000 to the City of Stafford for 2003-2004 fire protection and Fire Marshal services;

\$7,344.38 (August bill) and \$10,026.51 (September bill) to Claunch & Miller, Inc., consulting city engineers; and \$15,919.00 to Industrial Electrical Services, Inc. to install a control panel at the Sewer Treatment Plant. Councilmember Henley made a motion to ratify the expenditures as presented. Councilmember McCann seconded this motion which carried unanimously.

At this time Councilmember Henley reminded everyone that all taxes have gone up significantly in recent years due to increased property values. At the same time the proportion of taxes collected by school districts is 60% of total property taxes while counties and cities collect only 15% of total property taxes each. The remainder of taxes are collected by special districts.

There being no further business to consider, Councilmember Zellers made a motion, seconded by Councilmember McCann to adjourn the meeting. With unanimous approval the meeting was adjourned at 9:02 p.m.

Elaine Herff, City Secretary