

MINUTES OF REGULAR MEETING
OF NOVEMBER 22, 2004
CITY COUNCIL OF THE CITY OF MEADOWS PLACE, TEXAS

The regular meeting of the Meadows Place City Council was called to order at 7:35 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

and the following absent:

Aldermen Charles Jessup
Leen Zellers

thus constituting a quorum.

Mayor McGrath then noted he had received a letter from Councilmember Zellers stating she would like to resign from Council to spend more time with her children and grandchildren. Mayor McGrath noted Mrs. Zellers has served on city council since February 2001 and on the Planning and Zoning Commission for about ten years before that time. Mayor McGrath said he has learned much from Mrs. Zellers and it was with deep regret that he asked Council to accept her resignation. Councilmember Piwonka made a motion, seconded by Councilmember Henley to accept the resignation of Leen Zellers as Alderman, Place No. 5, as requested. The motion carried unanimously.

Mayor McGrath then read the caption to the following ordinance:

**ON AN ORDINANCE CONFIRMING THE APPOINTMENT
OF RICHARD STAIGLE AS ALDERMAN, PLACE NO. 5 OF
THE CITY OF MEADOWS PLACE, TEXAS, TO FILL A
VACANCY ON THE CITY COUNCIL OF SAID CITY UNTIL
THE DATE OF THE NEXT REGULAR ELECTION OF
OFFICIALS FOR THE CITY IN MAY, 2005, AND THE
SUBSEQUENT QUALIFICATION AND INDUCTION INTO
OFFICE OF THE CANDIDATE THUS ELECTED TO THE
OFFICE OF ALDERMAN PLACE NO. 5.**

Mayor McGrath said Mr. Staigle has been a member of the city's Planning and Zoning Commission for several years. He is a traffic engineer by profession and has offered his invaluable experience to the city both as a member of the Planning Commission as well as on several city projects. Mrs. Zellers has recommended Mr. Staigle be appointed as her replacement in her letter of resignation. Councilmember Henley made a motion to adopt the ordinance, numbered **2004-31**, confirming the appointment of Rick Staigle as Alderman, Place 5, until the next city election. Councilmember Piwonka seconded this motion which was unanimously approved.

Mayor McGrath then administered the Oath of Office to Mr. Staigle who then took his position at the Council table.

Police Captain Jack Ashton then gave Council his report on police activity in the city since the last regular Council meeting. He said there were 11 accidents reported, six actual arrests – most being warrants for other agencies; 626 calls for service – most were house watches which will increase during the upcoming holidays; and 49 incident activity calls such as an accident which destroyed a tree on West Airport and residents calling to report vandals who have driven through their yards. He said there were seven motor vehicle break-ins, four in one night. Usually there is at least one report of a stolen vehicle or one taken without the owner's authorization each month.

Public Works Director Dan McGraw said ECO responded to 99 water service calls during October. Of these, 87 were city related and 12 were private line leaks. During October 19 million gallons of water were pumped. ECO Resources also responded to four sewer related calls – all on private lines. Mr. McGraw said final inspections on the first Senior Village Building will take place in about three weeks. Building on the CVS pharmacy is on schedule. The drainage projects at the big park will take 60 to 90 days to complete. Landscaping on the medians is being fine tuned. Phase 1 sidewalk repairs for 2005 will begin on January 3rd.

Parks Co-Director Terry Modeland reported that it still looks like the jogging trail improvements will be completed by mid January. The new pavilion roof has been ordered. Grant 2 improvements – tennis court lights, upgrades to McDonald Park and exercise signage upgrades are scheduled to be put out for bids in early March with bid opening in mid April. New decking construction at the pool is scheduled to start in May. Swim team plans to schedule their home meets toward the end of the season so as not to conflict with the deck construction. The deadline to submit requests for Grant 3 is January 31, 2005. Mrs. Modeland, together with her Parks Co-Director Monya Keenen welcomed Mr. Staigle to Council.

Parks Director Monya Keenen reported that Christmas Memories will take place on December 10th. An alternate arrangement for the tent and booths has been planned due to construction. Hay rides and pre-paid carriage rides will take place between the hours of 6 and 9. Santa will arrive at 7:00 p.m. Donations to the Fort Bend Food Pantry will again be requested from residents. Council is being asked to help distribute free glow necklaces.

During audience comments, Stuart Barrowman, a resident in the 11900 block of Brook Meadows said he and his neighbors are very concerned about the amount of burglaries of autos on his block and the relatively long police response time (20 minutes.) He also said he has been calling for two year for years repairs after the city fixed a broken utility line. Mayor McGrath said he would look into the yard repairs and Captain Ashton apologized for the response time, noting various reasons which have since been taken care of.

During Mayor's comments, Mayor McGrath noted that on tonight's consent agenda (numbers 9 – 20 on the regular agenda) three public hearings were being called for Tuesday night, December 21st (the next regular City Council meeting night.) The first two were to consider requests from the Planning Commission to restrict window air conditioning units in the city and to ban LED type signs in the city. The third was to consider a Parks Department request for support for Grant #3. Mayor McGrath also noted that last month he appointed a council committee made up of himself and Councilmembers Piwonka and Henley, to study fire protection issues. They first met a few weeks ago and will have another meeting on December 6th.

During Council comments, Councilmember Staigle said it was a privilege for him to serve on Council and he thanked Mrs. Zellers for recommending him. The rest of Council welcomed Mr. Staigle aboard. Councilmember Henley then informed Council that while he just finished his term as TML President with the recent conference in Corpus Christi, he would still be on TML's Board of Directors for several more years. He also attended the General Law City Caucus meeting of the H-GAC and was reelected to the H-GAC Board of Directors. Councilmember Piwonka reminded Council that the State Legislature would be convening in a few months and several city related issues would probably be discussed.

Mayor McGrath then read the caption to the following resolution.

**A RESOLUTION AUTHORIZING SIGNATORY AUTHORITY
TO EXECUTE A CONTRACT THROUGH THE H-GAC
ENERGY PURCHASING CORPORATION.**

Mayor McGrath asked Councilmember Henley to explain the ordinance. Councilmember Henley said that a number of years ago, with the advent of electricity deregulation, the H-GAC did a study on electricity pricing and formed an aggregate of cities that wished to participate. Meadows Place, along with about 122 other entities, did participate and since that time the city has saved

approximately \$25,000 to \$30,000 per year in electricity costs. H-GAC will negotiate with electrical provides for the best cost available at the time our contract expired at the end of December. Someone with the city needs to be designated as an authorized signatory on the contract when that best cost is determined. Mayor McGrath recommended City Secretary Elaine Herff be the designated signer since she is most available on a daily basis. Councilmember Henley made a motion, seconded by Councilmember McCann to adopt the resolution authorizing City Secretary Elaine Herff as the designated signer on the electricity contract. The motion carried unanimously.

Mayor McGrath then asked Council if there were any items on the consent agenda they would like to pull for further discussion. Councilmember Piwonka requested item 17 be pulled for discussion. Councilmember Henley made a motion to approve **Consent agenda items 9 through 16 and 18 through 20** as presented. Councilmember McCann seconded this motion which carried unanimously. The approved items are as follows:

Item #9, approval of minutes of September 29, 2004 workshop and regular meetings and October 25, 2004 regular meeting.

Item #10, approval of Ordinance Numbered **2004-33, AN ORDINANCE APPOINTING REGULAR MEMBERS(S) OF THE PLANNING COMMISSION OF THE CITY OF MEADOWS PLACE, TEXAS, (CITY PLANNING AND ZONING COMMISSION) FOR A TERM BEGINNING IMMEDIATELY UPON PASSAGE OF THIS ORDINANCE, AND ENDING ON THE 1ST DAY OF FEBRUARY, 2006, PURSUANT TO THE TERMS AND PROVISIONS OF CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE.** (Charles Kulhanek was appointed.)

Item #11, approval of Ordinance Numbered **2004-34, AN ORDINANCE APPOINTING A REGULAR MEMBER(S) AND ALTERNATE MEMBER(S) OF THE BOARD OF ADJUSTMENT OF THE CITY OF MEADOWS PLACE, TEXAS, FOR A TERM OF TWO (2) YEARS COMMENCING ON NOVEMBER 22, 2004, PURSUANT TO PROVISIONS OF CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE.** (Garry Franks was reappointed.)

Item #12, approval of Ordinance Numbered **2004-35, AN ORDINANCE APPOINTING AN ASSOCIATE JUDGE TO SERVE IN THE MUNICIPAL COURT OF THE CITY OF MEADOWS PLACE, TEXAS.** (Beverly McMinn was appointed.)

Item #13, approval of Ordinance Numbered **2004-36, AN ORDINANCE CALLING A JOINT PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF MEADOWS PLACE AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF MEADOWS PLACE TO BE HELD ON THE 21ST DAY OF DECEMBER 2004, AT 7:00 O'CLOCK P.M. AT THE CITY OF MEADOWS PLACE CITY HALL, ONE TROYAN DRIVE, MEADOWS PLACE, TEXAS TO HEAR ANY AND ALL PERSONS DESIRING TO BE HEARD ON OR IN CONNECTION WITH ANY MATTER OR QUESTION INVOLVING A PROPOSAL TO AMEND CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE, ENTITLED "PLANNING AND ZONING REGULATIONS," ARTICLE X, ENTITLED "SIGNS," SECTION 24-1009 ENTITLED "SIGNS – COMMERCIAL/OFFICE" TO REGULATE THE USE OF LED DISPLAY SIGNS; AND TO PROVIDE FOR NOTICE AS REQUIRED BY LAW.**

Item #14, approval of Ordinance Numbered, **2004-37, AN ORDINANCE CALLING A JOINT PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF MEADOWS PLACE AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF MEADOWS PLACE TO BE HELD ON THE 21ST DAY OF DECEMBER 2004, AT 7:00 O'CLOCK P.M. AT THE CITY OF MEADOWS PLACE CITY HALL, ONE TROYAN DRIVE, MEADOWS PLACE, TEXAS TO HEAR ANY AND ALL PERSONS DESIRING TO BE HEARD ON OR IN CONNECTION WITH ANY MATTER OR QUESTION INVOLVING A PROPOSAL TO CONSIDER AMENDING CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE, ENTITLED "PLANNING AND ZONING REGULATIONS," ARTICLE V, ENTITLED "ZONING REGULATIONS," DIVISION 1, ENTITLED "ZONING**

DISTRICTS AND REGULATIONS OF GENERAL APPLICABILITY,” BY ADDING THERETO A NEW SECTION 24-522, ENTITLED “WINDOW INSTALLED ELECTRICAL MECHANICAL DEVICES PROHIBITED,” ESTABLISHING REGULATIONS AND PROHIBITIONS AND TO PROVIDE FOR NOTICE AS REQUIRED BY LAW AS HEREINAFTER SET OUT.

Item #15, approval of Ordinance Numbered 2004-38, AN ORDINANCE CALLING A PUBLIC HEARING ON A PROPOSED RESOLUTION AUTHORIZING MEADOWS PLACE PARKS AND RECREATION DEPARTMENT TO APPLY FOR TEXAS PARKS AND WILDLIFE DEPARTMENT GRANT FUNDS THROUGH THE SMALL COMMUNITIES GRANT PROGRAM.

Item #16, approval of Ordinance Numbered 2004-39, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE BY AMENDING CHAPTER 9, ENTITLED "BUILDINGS," ARTICLE I, ENTITLED "IN GENERAL," SPECIFICALLY SECTION 9-2, ENTITLED “ADOPTION OF CODES,” BY REPEALING THE PRESENT PROVISIONS AND INSERTING A NEW SECTION 9-2, ENTITLED “ADOPTION OF CODES.” (The newest editions of the International Building, Mechanical etc. codes were adopted.)

Item #18, approval of Ordinance Numbered 2004-40, AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY SECRETARY TO ENTER INTO AN INTERJURISDICTIONAL MUTUAL AID AGREEMENT BETWEEN THE CITY OF MEADOWS PLACE, TEXAS AND THOSE OTHER MUNICIPAL CORPORATIONS, POLITICAL SUBDIVISIONS, AND PUBLIC ENTITIES LOCATED WITHIN OR PARTIALLY WITHIN FORT BEND COUNTY, TEXAS THAT PARTICIPATE AS A JOINT RESOLUTION JURISDICTION TO THE COUNTY’S EMERGENCY MANAGEMENT PLAN OR THAT MAINTAIN THEIR OWN EMERGENCY MANAGEMENT PLAN APPROVED BY THE STATE OF TEXAS DIVISION OF EMERGENCY MANAGEMENT.

Item #19, approval of Ordinance Numbered 2004-41, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE BY AMENDING CHAPTER 9, ENTITLED "BUILDINGS," ARTICLE I, ENTITLED "IN GENERAL," BY ADDING A NEW SECTION 9-6A ENTITLED "REGISTRATION OF CONTRACTORS".

AND

Item #20, ratification of expenditures.

Mayor McGrath then read (agenda item #17) the caption to the following ordinance:

AN ORDINANCE AMENDING CHAPTER 16 OF THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE, ENTITLED “GARBAGE, TRASH AND WEEDS, “ARTICLE III, ENTITLED “WEEDS AND OFFENSIVE CONDITIONS ON PRIVATE PROPERTY,” BY DELETING SECTION 16-45 ENTITLED “LIMITATION OF HEIGHT OF GRASS AND WEEDS” AND INSERTING A NEW SECTION 16-45 ENTITLED “LIMITATION OF HEIGHT OF GRASS AND WEEDS”.

Councilmember Piwonka wanted residents to understand that Section 16-45 requires residents to edge their sidewalks and curbs when grass and weeds reach a measurement of nine (9) inches or more. A penalty of not less than \$50.00 can be imposed for noncompliance. Councilmember Piwonka made a motion to adopt the ordinance, numbered **2004-41**, as presented. Councilmember McCann seconded this motion which carried unanimously.

There were no comments from the audience at this time.

There being no further business to consider, Councilmember Piwonka made a motion, seconded by Councilmember Henley to adjourn the meeting. With unanimous approval the meeting was adjourned at 8:29 p.m.

Elaine Herff, City Secretary