

MINUTES OF REGULAR MEETING
OF OCTOBER 30, 2007
CITY COUNCIL OF THE CITY OF MEADOWS PLACE, TEXAS

The regular meeting of the Meadows Place City Council was called to order at 7:32 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 Charles Kulhanek Rick Staigle David Wilkens

thus constituting a quorum.

Mayor McGrath received Council's consensus to rearrange the agenda to consider item 10 to accommodate representatives from ECO Resources, Mike Thelen and Gary Orsak, and read the caption to the following ordinance:

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY SECRETARY OF THE CITY OF MEADOWS PLACE, TEXAS, TO ENTER INTO AN AGREEMENT WITH ECO RESOURCES, INC. TO PROVIDE FOR THE OPERATION AND MAINTENANCE OF THE CITY'S WATER AND WASTEWATER UTILITY SYSTEM; IN A FORM AS ATTACHED HERETO AND MARKED EXHIBIT "A."

ECO Resources has been operating our water and sewer departments for the past several years. They have done a good job. Their contract has expired and the new prices are reasonable in comparison to those in today's market. Mr. Orsak, on behalf of the 500 employees at ECO, thanked the city for the opportunity to serve them. He said the company is continuing to increase their services with a new and enhanced call center. They hope to continue to provide great services to Meadows Place. Councilmember Jessup made a motion, seconded by Councilmember Wilkens, to adopt the ordinance, numbered **2007-28**, as presented. The motion carried unanimously.

Captain Jack Ashton then gave a report on police activities since the last regular council meeting which was September 25, 2007. He said there were eight reportable accidents, 19 arrests, 1,669 calls for service, 68 incidents requiring police services, 470 traffic citations and 108 warnings issued. Four of the eight accidents were on the 59 feeder road. Police conducted 358 business watches and 461 house watches during this time period. There were three instances of a burglary to motor vehicles and four residential burglaries (three on the same day where the doors were kicked in and electronics were stolen.) Sheets with Halloween safety tips were made available – wear light color clothing, carry flash lights and attach reflective materials to kid's clothes. An Alzheimer's walk, spearheaded by the police department, was conducted last Saturday and there were quite a few entrants from Meadows Place.

Parks and Recreation Director Monya Keenen gave a report of current activities. She said there are several events coming up. Tomorrow is Halloween night. The Parks and Police Departments, together with Boy Scout and Cub Scout Troops 301, will be joining together to provide fun in the form of carnival games, a car bash and free "Glow in the Dark" necklaces (to the first 500 children.) The Swim Team will be providing refreshments. Friday night, November 2nd, a Ladies Night Out will take place at the Community Center with a social gathering at 7:30 p.m. and a

movie, "Sweet Home Alabama" being shown at 9:00 p.m. sharp. November 16th, the 15th annual Golf Tournament will be held at the Greatwood Golf Course beginning with a shotgun start at 12:00 noon. An animal pet clinic will take place on Monday, November 19th at the Community Center parking lot from 4:00 p.m. to 6:30 p.m. And, on Friday, December 7th, the Parks Department will conduct the city's annual Christmas Memories evening with a snow hill, Santa, hay rides among other events as well as great food being offered by various city organizations.

There were no audience comments at this time.

There were no Mayor's comments at this time.

During Council comments, Councilmember Staigle recognized Cub Scouts from Den 1, Pack 301, in the audience who were working on their citizenship badge. They are: Kenny King, Christopher Kulhanek, Devon Kulhanek, Anthony Primm, Ryan Schmidt, Brandon Staigle, Jason Swinney and Andrew Wittmann.

Mayor McGrath then read the caption to the following ordinance:

AN ORDINANCE AMENDING ORDINANCE 2006-36 WHICH AMENDED CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE, TEXAS BY ADDING THERETO A NEW SECTION 24-805, ENTITLED "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.

Mayor McGrath explained that owners of the Oasis Development applied for a change to their Planned Development agreement. Originally, an Acute Care Hospital was asked for and allowed. They have since realized that this type of hospital is no longer feasible in today's market. They have proposed replacing this hospital with a Senior Condominium Tower. A public hearing was held to hear comments both for and against the request. The Planning Commission met and reviewed the comments made during the public hearing. The Commission recommended approval of the request with several conditions. The most notable changes included: a requirement that the speciality hospital be built before the condominium building to assure value on the ground to support the condo proposition; the pre-sale of at least 50% of the condo units prior to the start of construction; and, if construction is not started before January 1, 2011, this Planned Development Agreement will be null and void and the land will revert back to its original Planned Development Agreement. Councilperson Kulhanek noted that, as always, the Planning and Zoning Commission has done an outstanding job looking out for the best interests of the city as a whole. Councilmember Jessup agreed, noting they incorporated the comments and concerns of the folks at the hearing. A motion was made by Councilmember Jessup and seconded by Councilmember Henley to adopt the ordinance, numbered **2007-29**, as presented. The motion carried unanimously.

Mayor McGrath then opened a public hearing to hear comments both for and against the Taxation of Personal Property in Transit in Accordance with HB 621. This tax affects Meadows Place because we have two car dealerships in our city. There were no comments, for or against, heard. Councilmember Jessup then made a motion, seconded by Councilmember Henley, to close the public hearing.

Mayor McGrath then read the caption to the following ordinance:

**AN ORDINANCE OF THE CITY OF MEADOWS PLACE, TEXAS,
TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT WHICH
WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS TAX
CODE, SECTION 11.253.**

Noting that if we allowed this tax exemption, the homeowners in Meadows Place would have to come up with the additional taxes, Councilmember Staigle made a motion, seconded by Councilmember Henley to approve the ordinance, numbered **2007-30**, as written. The motion carried unanimously.

Mayor McGrath then read the caption to the following ordinance:

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY SECRETARY OF THE CITY OF MEADOWS PLACE TO EXECUTE AN INTERLOCAL COOPERATION CONTRACT BETWEEN THE CITY OF MEADOWS PLACE, TEXAS, AND THE CITY OF STAFFORD, TEXAS, FOR FIRE FIGHTING, FIRE PROTECTION AND FIRE INVESTIGATION SERVICES, IN A FORM AS ATTACHED HERETO AND MARKED EXHIBIT "A."

This is a three year agreement with the City of Stafford. They provide the personnel and equipment and we provide a place to house the equipment. They are very pleased with our new fire station. The city's ISO rating has gone down to a "2" for insurance purposes so this arrangement is very beneficial to the city. The fee is based on Stafford's budget. Three years ago it was \$115,000. Last year it was \$172,000 due to the purchase of needed equipment. This year's base figure is \$163,000. Councilmember Jessup said he appreciated Mayor McGrath's negotiations on our behalf and he made a motion to adopt the ordinance, numbered **2007-31**, as written. Councilmember Kulhanek seconded this motion which carried unanimously.

Mayor McGrath then read the caption to the following ordinance:

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY SECRETARY OF THE CITY OF MEADOWS PLACE, TEXAS, TO ENTER INTO AN AGREEMENT WITH CLAUNCH & MILLER, INC. FOR ENGINEERING SERVICES FOR PREPARATION OF A DRAINAGE STUDY FOR THE CITY OF MEADOWS PLACE; IN A FORM AS ATTACHED HERETO AND MARKED EXHIBIT "A".

This ordinance will allow Claunch & Miller to do the engineering preparation for a comprehensive drainage study in the city. This will benefit us now and in the future. It is estimated the cost of the study will be about \$60,000. Councilmember Staigle noted that we hope to redo the streets in Meadows Place within the next five to ten years. Any major repairs to the storm sewers could be accomplished during that time. The budget figures for this survey are in range of what was expected. Councilmember Staigle made a motion, seconded by Councilmember Kulhanek, to adopt the ordinance, numbered **2007-32**, as read. The motion carried unanimously.

Mayor McGrath then read the caption to the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MEADOWS PLACE, TEXAS, DESCRIBING THE PURPOSE OF THE UPCOMING BOND ELECTION OF FORT BEND INDEPENDENT SCHOOL DISTRICT AS IT APPLIES TO CITY OF MEADOWS PLACE RESIDENTS AND ENCOURAGING ITS RESIDENTS TO VOTE IN SUCH ELECTION.

Fort Bend ISD will be holding a bond election on November 6th requesting voters to approve \$400 million in bonds. Councilmember Jessup made a motion, seconded by Councilmember Henley to adopt the resolution, numbered **2007-03**, encouraging

Meadows Place residents to vote in the Nov. 6th election. The motion carried unanimously.

Councilmember Wilkens then made a motion, seconded by Councilmember Henley to ratify the expenditures as noted on the agenda. The motion carried unanimously.

During audience comments, Mr. Donoghue said he had been trying to get approval to paint his residence. He left three phone messages and it took someone over a week to look at his request. Mayor McGrath said Council would be looking at this issue in the coming weeks.

There being no further business to consider, Councilmember Kulhanek made a motion, seconded by Councilmember Wilkens to adjourn the meeting. With unanimous approval the meeting was adjourned at 8:25 p.m.

Elaine Herff, City Secretary