

MINUTES OF REGULAR MEETING
OF AUGUST 24, 2010
CITY COUNCIL OF THE CITY OF MEADOWS PLACE, TEXAS

The regular meeting of the Meadows Place City Council was called to order at 7:31 p.m. by Mayor Charles Jessup, 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 Section 551.041, TGC with the following members present and in attendance:

Mayor: Charles Jessup

Aldermen: Heidi Case
Terry Henley
Shirley Isbell
Rick Staigle
Dave Wilkens

thus constituting a quorum.

The pledge to the flag was led by Councilmember Shirley Isbell, and the invocation was given by Councilmember David Wilkens.

Councilmember Staigle then made a motion to adjourn into executive session pursuant to Section 551.071 of the Local Government Code to consult with legal counsel pertaining to pending and/or contemplated litigation re: Data Foundry. The motion was seconded by Councilmember Wilkens and approved unanimously. Council adjourned into executive session at 7:33 p.m.

Council reconvened into open session at 7:50 p.m.

Councilmember Wilkens made a motion to approve the compromise settlement to Data Foundry. The motion was seconded by Councilmember Henley and carried unanimously.

During Mayor's comments, Mayor Jessup: 1: Welcomed Will Tevis from Boy Scout Troup 731 to the meeting... 2: Said he made several phone calls during the past few weeks from a list handed to Council over a month ago. Most of those he talked to liked the Police Department and Dan McGraw for the personal help he gives to residents. They also like the Code Enforcement department and improvements that are being made by the Parks Departments. They have confidence in Council and in what they are doing. Mayor Jessup said he will continue to make these phone calls in ensuing weeks.

Councilmember Henley gave an update on H-GAC and TML activities. He noted that the traffic study, commissioned and paid for by the H-GAC, and conducted by the Texas Transportation Institute on South Kirkwood indicated that stop signs are not warranted on Kirkwood. Any rehabilitation work on this road will not contain the stop signs. He also announced that Councilmember Rick Staigle is the newly elected First Vice President of the TML Region 14 Board. Mayor Jessup noted the city is well represented on the TML Board.

Police Captain Gary Stewart reported on Police activities since the July regular Council Meeting. He noted there were eleven reportable accidents, 12 arrests, 1796 calls for service, 53 offense reports, 474 traffic citations, zero code citations and 193 traffic and 17 city ordinance warnings issued. There were six burglaries of motor vehicles, three residential burglaries, no building burglaries. Officers made 611 business checks, 355 house watches and 732 property checks. The department cleared two burglaries with arrests and recovered all stolen properties. The perpetrator also confessed to an Houston PD burglary. Three stolen cars were recovered and some promising videos are being studied from the motor vehicle burglaries at the Pappas Grill.

Code Enforcement Officer Kathi Sutton reported on activities in her department from June 1 through last Friday (8/20). She has issued 143 first warnings, 32 second warnings and 14 citations for high grass and weeds. She has issued 31 first warnings and 14 second warnings for boats and trailers visible from the street. She has issued 18 warnings for tree limbs and other debris on the ground and 41 warnings for tree limbs being too low. She also issued 14 warnings for illegal signs, 40 first warnings for trash in yards or trash cans visible from the street, as well as three citations. She has issued six fence warnings and four for air conditioning units visible from the street. Ms. Sutton completed 38 occupancy inspections and 20 health inspections. She issued 28 property maintenance letters with 18 of these already corrected. She knows of two empty properties that are being remodeled. As of this date there are 84 rental properties in Meadows Place.

Councilmember Staigle then made a motion to accept the minutes of the July 27, 2010 workshop, joint public hearing and regular meetings and the August 10, 2010 workshop meeting as presented. This motion was seconded by Councilmember Henley and approved unanimously.

Councilmember Case made a motion to accept recommendation from the Planning & Zoning regarding a request from Parveen Baig for Specific Use Permit 10 to operate a Day Care Center at 11720 West Airport Boulevard. Councilmember Isbell seconded this motion which carried unanimously.

Mayor Jessup then read the caption to the following ordinance

AN ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE, ENTITLED "PLANNING AND ZONING REGULATIONS," ARTICLE IX, OF THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE, ENTITLED "SPECIFIC USE AMENDMENTS," BY ADDING THERETO A NEW SECTION 24-910 AND GRANTING SPECIFIC USE PERMIT - 10 (S-10) TO PARVEEN BAIG, TO OPERATE A CHILD DAY CARE CENTER AT 11720 WEST AIRPORT BOULEVARD, MEADOWS PLACE, TEXAS, IN THE C-1 COMMERCIAL DISTRICT.

The Planning and Zoning Commission recommended Council issue the special use permit. Discussing the recommendation, Council saw no reason not to issue the permit. Councilmember Henley made a motion, seconded by Councilmember Staigle to adopt the ordinance, numbered **2010-14**, to issue Specific Use Permit S-10 to Parveen Bain to operate the day care center. The motion carried unanimously.

Mayor Jessup then 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 A CONTRACT WITH HDR/CLAUNCH & MILLER ENGINEERING, INC. FOR ENGINEERING SERVICES GENERALLY DESCRIBED AS WEST AIRPORT BOULEVARD RECONSTRUCTION - US 59 TO 800 FEET WEST OF KIRKWOOD DRIVE.

Discussing the ordinance, Councilmember Staigle explained this reconstruction will include the Kirkwood/West Airport intersection. We received an email from TxDOT late this afternoon authorizing the city to proceed with the contract. We hope to begin construction next July. The cost will be covered 72% by Fort Bend County Mobility Bond funds and the remainder by EDC bond funds. Councilmember Case made a motion, seconded by Councilmember Wilkens to adopt the ordinance, numbered **2010-15**, as presented. The motion carried with four ayes and Councilmember Staigle abstaining due to a conflict of interest. His company has dealings with a majority of the engineering firms who bid on the project. Councilmember Staigle, although a great help to the city dealing with TxDOT, has not been involved with any part of the selection of the Engineering Company or any of the financial aspect of the project.

Mayor Jessup then read the caption to the following ordinance:

AN ORDINANCE CALLING A PUBLIC HEARING ON THE BUDGET FOR FISCAL YEAR 2010-2011 FOR SEPTEMBER 14, 2010.

After a short discussion, Councilmember Henley made a motion to adopt the ordinance, numbered **2010-16**, to hold the public hearing on the 2010-2011 fiscal year budget on September 14, 2010 at 7:00 p.m. Councilmember Isbell seconded this motion which carried unanimously.

Council then discussed proposing a tax rate for fiscal year 2010-2011. The effective tax rate for next year is \$0.89748. The roll back tax rate is \$0.97331. Setting the rate at \$0.895, an amount below the effective tax rate, will mean the city will take in \$45,000 less in ad valorem taxes than it did last year. Council's consensus was to set the tax rate for the 2010 to support the fiscal year 2010-2011 budget at \$0.895. No public hearings will be required for this rate. Polling council, the Mayor received five "ayes" and no "nays" for the \$0.895 tax rate.

Councilmember Wilkens made a motion, seconded by Councilmember Henley, to table the next agenda item, consideration of and action on calling two public hearings on the proposed tax rate. The motion carried unanimously.

Mayor Jessup then read the caption to the following ordinance:

AN ORDINANCE OF THE CITY OF MEADOWS PLACE, TEXAS AMENDING CHAPTER 24 OF THE CODE OF ORDINANCES; PROVIDING RULES AND REGULATIONS RELATING TO THE LOCATION AND USE OF TEMPORARY AND PERMANENT GENERATORS; PROVIDING A PENALTY; AND PROVIDING FOR SEVERABILITY.

Discussing the ordinance, Councilmember Henley made a motion to change the definition for temporary generators to read: *Temporary generator* means a generator that is not attached to either a single-family or detached dwelling and is fueled by gasoline, diesel fuel or natural gas." The motion was seconded by Councilmember Isbell and carried unanimously. Councilmember Henley then made a motion, seconded by Councilmember Isbell, to adopt the ordinance, numbered **2010-17**, with the indicated change, as presented. The motion carried unanimously.

Mayor Jessup then read the caption to the following ordinance:

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 _____ DAY OF _____, 2010, AT _____ O'CLOCK _____.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 IX OF CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF MEADOWS PLACE, ENTITLED "SPECIFIC USE AMENDMENTS," BY ADDING THERETO A NEW SUBSECTION 24-911, GRANTING A SPECIFIC USE PERMIT TO ROSHANARA LALANI ACTING FOR ARN DAYCARE INC. TO OPERATE A CHILD DAY CARE CENTER; AND TO PROVIDE FOR NOTICE AS REQUIRED BY LAW.

Ms. Lalani is asking for a special use permit to use the location, previously known as Teeter Toddler Day Care to again be used as a Day Care Center. Councilmember Henley made a motion, seconded by Councilmember Case to adopt the ordinance, numbered **2010-18**, calling the joint public hearing for September 14, 2010 at 7:00 p.m. The motion carried unanimously,

Councilmember Staigle then made a motion to ratify the expenditure of \$7,460.75 to Division III + Constructors, Inc. for work completed to the fencing around

the city's swimming pool. The motion was seconded by Councilmember Isbell and carried unanimously.

During audience comments, Mayor Jessup thanked resident Audrey Holbrook for her donation of an additional egg timer.

Resident John Whiteman, 11400 block of Brook Meadows said he would like to see the city maintain Kirkwood Boulevard as a divided, four lane street as opposed to a two lane, undivided street with four roundabouts.

Betty Johnson, 11400 block of Brook Meadows asked if Council had ever considered leaving Kirkwood as a four lane street with roundabouts. She was told that additional right of way would be needed from 16 homeowners and traffic volumes do not support the need for a four lane street.

Will Tevis, 12300 block of Dorrance, asked if it would still be safe for him to ride his bike on Kirkwood with the new roundabouts. Mayor Jessup told him that roundabouts have been proven to be significantly safer for pedestrians, bicyclists, and older drivers. Mr. Tevis also asked if the City would have a Halloween Carnival this year. Mayor Jessup said he hoped things could be worked between all the involved groups so that the Carnival could, once again, be held in Meadows Place.

Councilmember Henley made a motion to table the second executive session listed on tonight's agenda. Councilmember Staigle seconded this motion which carried unanimously.

There being no further business to consider, Councilmember Isbell made a motion, seconded by Councilmember Wilkens to adjourn the meeting. With unanimous approval, the meeting was adjourned at 9:12 p.m.

Elaine Herff, City Secretary