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HOUSTON, TEXAS 77040-1999
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A Texas Star Community

MINUTES FOR THE REGULAR CALLED MEETING OF THE JERSEY VILLAGE CITY COUNCIL

DATE: January 15, 1996
TIME: 7:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village Texas

SPECIAL SESSION

A work session was held at 7:00 P.M. regarding a five-year plan of construction of a new Fire Department, Community Center and/or Convention Center and Swimming Pool Rehabilitation. Fire Chief Kathy Hutchens represented the Fire Department. City Manager Dale Brown and Public Works Director John Horton discussed the Community Center/Convention Center and Swimming Pool Rehabilitation.

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Steve Schneider, followed by the invocation by Joyce Berube and pledge of allegiance to the flag. Noted present were Council members Joe Pulido, Calvin Fenley, Joyce Berube and Charlie Wilson; City Manager Dale Brown; and City Secretary Laverne Hale.

It was noted that City Attorney Ken Wall was not in attendance.

CITIZENS' COMMENTS

Mr. Bob Biggs, who lives on Village Drive, complained of the speed limit on Village Drive. He said he would like to see a speed limit of 15 miles per hour, rather than the posted limit of 30 miles per hour. Mr. Biggs was extremely upset about the speeding on Village Drive. He said he has asked that a study be done for four years now, but has yet to see anything. He complained about getting red tags on cars that park on grass across the street.

Mr. Horton responded by saying that red tags are placed on cars that park on grass on public property because that is a violation of the City ordinance.

Mr. Brown said that in order for City Council to legally adjust the speed limit, a study would have to be done by a traffic engineer. He then said if Council would like, he would contact one or more traffic engineers who do these types of studies to determine the cost of having such a study done and, if Council decides to fund the study, an engineer would be hired to do it. Mr. Brown stated he would review files to find out how the 30 m.p.h. speed limit on Village Drive was arrived at.

As the only other alternative to improving sight distance at this location, Mr. Brown said the City might consider an overall ordinance to set the minimum setback lines at 25 feet (they are 10 feet presently), but then the developers might sue because it would reduce the buildable area of the lot. Mr. Brown said that cities can change setbacks at any time.

Mr. Brown said there is land on the bayou side that could be used for parking. He said there is a section that is privately owned that was originally intended as a parking lot for the townhouses. Unfortunately, there was never a property owners' association created by the developer and the developer never transferred the land over to the property owners. The land is still owned by the developer, Lanco. Mr. Brown said he suggested to several property owners at the townhouses that they create a property owners' association and that the City could get the people still involved in Lanco to transfer ownership of that land to the property owners' association. Mr. Brown said he was told that no one at the townhouses was interested in receiving the land because they would become responsible for about \$10,000 to \$12,000 in delinquent property taxes. When the property goes up for Sheriff's Sale for non-payment of taxes, the property owners hope to acquire the property at that time; at a Sheriff's Sale all the back taxes are canceled. He said that the City's attorneys who handle delinquent taxes will do whatever they can to push that forward to a Sheriff's Sale. He said that by acquiring that land, part of their problem would be solved. He said the issue of paving it would still be under City ordinances.

Mr. Biggs said that no matter what is done, the traffic will still have to be slowed down.

Mr. Brown said the study would dictate what the minimum level of speed should be and that the limit could not be taken below that limit. Mr. Brown then said if the City took the limit below the limit dictated by the study and issued citations, an attorney could say that since there is no engineering study to justify that speed, citations are not proper and the Judge would be forced to dismiss the ticket.

Councilman Bruce Bowden asked if that would apply to Rio Grande, DeLozier, and to every 25 mile per hour speed limit in Jersey Village.

Mr. Brown said yes, if the City has no study to justify it. He said State Law is 30 miles per hour.

Mayor Schneider suggested that Mr. Brown entertain the cost for a study.

Next, Mr. Jack L. Wright, of 15806 Singapore, along with Dr. Ron Lewis, Chairman of the Village Committee at Foundry United Methodist Church wanted, on behalf of the Church, to thank City Staff, Dale Brown, John Horton and Ross Hausley for their quick response in remedying the critical water problems and with the restrooms at the Church.

COUNCIL MEMBER'S REPORTS AND COMMENTS

Councilman Pulido said at the Economic Development Committee meeting held on January 8, 1996, one of the partners of the golf course, Richard Bischoff, met with the Committee and the Committee is hopeful of meeting with other developers and/or owners of property within the City to determine what their needs are for coming months and years. He said Mr. Bischoff was very candid with the Committee in saying that the golf course may not be here in another ten years. He said there may be some development involved along Jones Road. He said Mr. Bischoff is committed to work with the Committee and hopes that there may be something in the future that could jointly be facilitated within their area of development. He said the Committee hopes to have another representative at the next meeting.

Mayor Schneider said the Agenda for the next meeting was to entertain another landowner and find out how the City can work with them.

Councilman Bowden had several items to discuss:

1. Current City Policy allows the police officers to purchase handguns and other weapons from gun manufacturers using City letterhead. He said this practice is not well regulated or documented and he said he wants to change the City Policy to allow the City Police Officers and Reserve Officers with one full year of continuous active service to be allowed to purchase only service pistols with the Police Chief's and the City Manager's signatures on the letter. He thinks this is a way to tighten up on things and make sure that everything is above board and takes away the liability of unnecessary guns being purchased that Council does not know about.

2. Management Evaluation - He would like to have, by June of 1996, an evaluation process, in-house or outside, whereby the employees rate their supervisor in addition to the current top-down evaluation system. He said the evaluation would be reviewed by the City Manager. In the case of the City Manager, the evaluation should be directed to the City Council for review. He said, as City Council determines all annual merit raises, this would give Council additional information which would determine these increases.

Mr. Brown stated this has already been done in the Police Department and that he could look at what was done there.

Chief Lindsey stated the Police Department has done this for the last three years.

Mr. Brown said this was never brought before Council, except as a general discussion item approximately one or two years ago.

3. Plans for new Fire Station - Councilman Bowden said he would skip over this, as Fire Chief Hutchens discussed this topic in the Work Session.

4. Clarify City Policy on Use of Private Planes for Transportation - He said that companies he works for have a "no private plane transportation policy" and would not allow any commuting to or from training activities paid for or reimbursed by the City. He would like to see that policy implemented.

Mr. Brown said that a sentence could be added into our current travel policy.

5. Parking Along Rio Grande during church services - He said that would be addressed later.

6. Village Drive Speed Limit - He said he would like to see the speed limit dropped on Village Drive between HL&P high lines and the stop sign on Rio Grande to 25 miles per hour, as that is the major area of concern.

7. Place a three-way stop sign at Argentina and Mauna Loa Lane.

8. Get a cost estimate to extend the sections of the sanitary sewer line from Equador lift station to the Seattle dead-end.

9. Repositioning of Philippine crosswalk.

10. Salary Grade Restructured and Adjusted to Reduce Possibility of Employees Reaching the Ceiling - He said he would like to see this completed by June.

11. Amending City Pet Ordinance to include pot-bellied pigs.

CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussions on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the Agenda.

Councilman Fenley made a motion to approve the following items on the Consent Agenda, seconded by Councilman Wilson and the vote was unanimous:

- A. Approval of the minutes of the December 18, 1995 regular meeting.
- B. Approval of Harris County Appraisal District's 1991 Correction Appraisal Roll #32 as an amendment to the Tax Roll with a tax rate of \$.7185/\$100 valuation and a total value reduction of \$10,630.00 for a tax levy reduction of \$76.38.
- C. Approval of Harris County Appraisal District's 1992 Correction Appraisal Roll #33 as an amendment to the Tax Roll with a tax rate of \$.7300/\$100 valuation and a total value reduction of \$10,630.00 for a tax levy reduction of \$77.60.
- D. Approval of Harris County Appraisal District's 1993 Correction Appraisal Roll #26 as an amendment to the Tax Roll with a tax rate of \$.7300/\$100 valuation and a total value reduction of \$10,630.00 for a tax levy reduction of \$77.60.
- E. Approval of Harris County Appraisal District's 1994 Correction Appraisal Roll #19 as an amendment to the Tax Roll with a tax rate of \$.7300/\$100 valuation and a total value reduction of \$10,630.00 for a tax levy reduction of \$77.60.
- F. Approval of Harris County Appraisal District's 1995 Supplemental Appraisal Roll #5 as an amendment to the Tax Roll with a tax rate of \$.68408/\$100 valuation and a total value of \$1,577,140.00 for an additional tax levy of \$10,788.89.
- G. Approval of Harris County Appraisal District's 1995 Correction Appraisal Roll #9 as an amendment to the Tax Roll with a tax rate of \$.68408/\$100 valuation and a total value reduction of \$210.00 for a tax levy reduction of \$1.43.
- H. Accept the resignation from Bob Brown from the Parks and Landscaping Committee.
- I. Approval of a 1995 Property Tax Refund, for Account No. 1000-046-1080, to Donnie Humphries in the amount of \$611.67.

REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

Debbie Muery stated that everything is going very smoothly for Founder's Day. She submitted to Council, the contract for the Ty Herndon performance. She said all children's entertainment is lined up, including a petting zoo, pony rides, children's rides, Long Horn Steer, train, etc. and so far, the only money going out will be for the children's rides. She then stated that the craft booths are going very fast, the food booths are all gone. She said the committee has met with Metro, the Chief of Police and Sgt. Kelly many times. Ms. Muery then said she hopes the updating of the restrooms at the pavilion will not be started before April. She said 10-15

portable restrooms would be placed at the park. She stated the food booths will all be on the pool parking lot, with the drink booths spread out in different locations. There will be a Little Mr. and Mrs. Jersey Village Contest, composed of children in Kindergarten through Fifth Grade, with Council and Mayor being the judges. The children will write an essay stating why they like living in Jersey Village and submit with a photograph. This will be advertised in the "Star", with fliers going out in March and April.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPROVAL OF A CONTRACT AND PAYMENT FOR SINGER TY HERNDON FOR FOUNDER'S DAY

Dale Brown stated that Jerry Creed, with KILT radio, has worked out a basic contract with Creative Artists Agency, the representative for Ty Herndon, to perform at Founder's Day for a flat payment of \$5,000.00, with an immediate deposit of \$2,500.00. Mr. Brown submitted the contract to Council for approval and authorization for him to sign and transmit it to KILT, as they will handle all the details.

Councilman Bowden asked how long Ty Herndon's performance would be, to which Ms. Muery answered that he would come on at 3:00 P.M. and would perform for 90 minutes.

Councilman Bowden then said the contract stated that Ty Herndon's performance would begin at 4:00 P.M., and Ms. Muery stated that would be changed on the contract to show 3:00 P.M. Debbie Muery said the contract also states other things, such as he would like a fruit tray brought to his dressing room, chips and dip, cokes, water, juice, etc. which she said she will make sure is provided for him, with no cost to the City. She said he has a 45' Winnebago that he will be bringing in which will be parked behind the restroom area. She said she had spoken to Mayor Schneider about presenting him with a plaque or key to the City for coming out and performing. She said his contract also states that he get top billing.

Dale Brown said the City Attorney would review the contract.

Councilman Wilson made the motion to enter into the contract with Creative Artists Agency for Ty Herndon for Founder's Day, seconded by Councilwoman Berube and the vote was unanimous.

Councilman Wilson then asked if there was money in the budget to support the Founder's Day Parade. Debbie Muery stated there was money budgeted for the parade and that she doesn't plan to use the entire \$20,000.00 budgeted for Founder's Day. She said the KILT band would cost approximately \$1,200.00 for the day.

Ms. Muery then discussed the matter of the stage, saying they would like to purchase a stage rather than rent. Prices for stages are currently being obtained.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPOINTMENT OF MEMBERS TO VARIOUS COMMITTEES

Mayor Schneider said he had Mr. Gilmore's name for appointment on the Parks and Landscaping Committee. He asked if there had been any discussion through the Committee, itself, and Dale Brown said there had been no formal action. Mr. Brown said a few Committee members had called him asking about Mr. Gilmore, but as yet, there has been no formal recommendation from the Committee.

Councilman Bowden made a motion to table this issue and include in February's Agenda, seconded by Councilman Fenley, and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPROVAL OF A SUBLEASE AGREEMENT BETWEEN THE CITY OF JERSEY VILLAGE AND BSL GOLF CORPORATION

Dale Brown said he sent the lease agreement to BSL Golf Corporation for approval. He said BSL sent it to their attorney and the attorney placed one additional requirement in the wording. He said the statement is one which Council specifically asked to be added in the document and asked Council to refer to Page 9.3, Paragraph 7 - Destruction of Premises. He said the original, as Council asked for it to read, states..."should any improvements on the lease premises be damaged or destroyed by fire, the elements, acts of God, or other causes, Sublessee has the option either to repair and restore the damaged improvements or to cancel the sublease". He said BSL Golf Corporation has requested that it be reworded to say..."should any improvements on the lease premises be damaged or destroyed by fire, the elements, acts of God, or other causes, Sublessee will repair and restore the damaged property to it's condition prior to this lease".

Councilman Pulido stated that the improvements would be less than the improvements that were made during the time of the lease, as the stipulation requires it be restored to the condition prior to the lease. He said the wording puts the burden on the City to document the condition before the City takes it over.

Dale Brown said the date was October 1, 1995, and that would have to be adjusted because it was retroactive. He said pictures would be taken for the files, if Council is satisfied with the wording.

Councilman Pulido made a motion to approve the Contract, with the only change being under "Term", to make it effective February 1, 1996 and to make the changes as noted in Article 7 as noted. The motion was seconded by Councilman Fenley and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION TO RECEIVE AND ACCEPT THE CITY OF JERSEY VILLAGE ANNUAL AUDIT REPORT FROM SANDERSEN AND KNOX

Dale Brown introduced John Knox, with Sandersen and Knox, who spoke regarding the audit. He said he was very excited about the look and completeness of the audit report. He said Staff, the City and City Council should be commended because larger cities do this and smaller cities do not. He said the three major sections in the document are (1) Introduction, (2) Financial, and (3) Statistical Section. He stressed the importance of each section and said that each section is very comprehensive. He said anyone who had just a small understanding of accounting could learn a lot about the City by looking through the book. He said the Statistical Section is very interesting because it contains primarily 10-years of information and one can get a feel for where the City has been and where it's going. He said everyone did an excellent job of putting the report together. He said Sandersen and Knox had a few minor management comments such as computer passwords which were on file to be reviewed by City Council. He said other than that, they had no adjustments.

Mayor Schneider asked Mr. Knox where they intended to take this in years two and three. and Mr. Knox said that this year they covered the area that, in the past, had the greatest opportunities for problems, which is Municipal Court. He said after covering that area, they found no problems with Municipal Court. He said with the help of the accountant, Dale Brown and Council giving them other target areas of concern, they would look into those suggested areas. He said they spend 20% to 30% of their audit to field work time, as in Municipal Court.

Mayor Schneider said the personnel in Municipal Court have done an excellent job.

Dale Brown suggested having a work session with Council to get direction in what areas Council would like the auditors to address next year.

Mr. Knox said that having an Audit Committee, composed of two Council Members, had been discussed.

Mr. Knox expressed their appreciation and thanked management staff for the excellent work and then thanked Council for going the extra step and getting deserved recognition.

Mayor Schneider then thanked Dale Brown and everyone for an excellent audit report.

Councilwoman Berube made a motion to approve, receive and accept the annual audit as submitted, seconded by Councilman Bowden and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPROVAL OF AN ORDINANCE AMENDING THE 1994-95 ANNUAL BUDGET

Dale Brown said this was just to clean up last year's budget based upon the audited numbers. He said he is recommending that Council adopt the ordinance and correct the budget, and based upon any changes Council would like as a result of the new numbers, he would come back at a future date with an amendment to adjust the numbers for the current budget.

Councilman Bowden said that the only thing he noticed was that on the Capital Improvements Program, a lot of capital improvements were anticipated in 1994-95, and because of the Police Building, a good job was not done in getting any of them completed. He said, in particular, the water/sewer. He asked John Horton the progress of the video taping of the sewer lines, to which Mr. Horton replied that he has the tapes and has not defined any projects. He said he has twelve tapes, each tape being two hours long, and he said he has not gone through all twelve tapes to determine what must be done in the next phase. Mr. Horton said the tapes have not been turned over to an outside agency for reviewing.

Councilman Bowden asked Mr. Horton if he wished to review the tapes or send the tapes to an outside company for reviewing, and Mr. Horton replied that with the time constraints, he would rather have someone else do it.

Councilman Fenley suggested having an annual contract with a firm, which states that the City would not have to pay any monies unless that company does the repairs.

Dale Brown said the City would probably have two contracts, one contract with a company to review the tapes and another contract to a company for repairing.

Councilman Bowden said he would like to see the program going again, as it is an ongoing five-year project and the longer we wait, the more point repairs will have to be done.

Mayor Schneider asked that City Manager and Staff put together a master plan to follow. He said street repairs need to be done on a priority list, in essence, a systematic plan is needed.

Dale Brown said he would have John Horton contact companies for reviewing and repairing and come back to Council with the contracts.

Councilwoman Berube made a motion to approve Ordinance No. 96-01 amending the 1994-95 annual budget as presented, and the motion was seconded by Councilman Bowden and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION TO ADOPT A RESOLUTION REGARDING A REVISED INVESTMENT POLICY

Dale Brown said a draft was given to Council last month and he now has a Resolution for formal

adoption by Council. He said this establishes the City's basic authority and programs for investments, which is required by the State because of a recent law change. He said the policy begins by stating that the City Manager is the City's Investment Officer. He said some of the highlights state that the safety of principle is the primary objective, the maximum allowable state of maturity of an individual investment owned by the City would be for six months. He said a large portion of the policy is standard language the State said we have to specifically insert into the policy. He said No. E on page 12.6 is of importance because it states that eligible investment pools, and currently the City is maintaining all investments in TexPool which is run by the State Treasury, provides a list of prohibited investments, which states certain things that the City of Jersey Village cannot do that Orange County, California was doing. He said the new policy addresses investment responsibility and control. He said there would be a quarterly report to Council. Mr. Brown said the City needs to determine how much can be invested on long-term and how much on short-term. Mr. Brown said if Council would like, he would come back with some ideas of how much of the City's funds could be on a longer term basis.

Councilman Bowden said he would like to get one or two additional State supported funds or State guaranteed funds. He asked that Dale Brown get a prospectus from two others and also a prospectus from TexPool to see how they compare.

Councilman Wilson made a motion to adopt Resolution No. 96-01 regarding the revised investment policy, seconded by Councilman Fenley, and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION TO ACCEPT A PROPOSAL FROM THE JERSEY VILLAGE SWIM TEAM, AND TO AUTHORIZE THE CITY MANAGER TO PROCEED WITH WORK, SUBJECT TO RECEIPT OF FUNDS

Mr. Brown said representatives of the swim team suggested they were willing to donate the money to provide an additional lane, which would require construction of anchor bolts to the sides of the pool. He said the swim team representatives had contacted pool companies and were told that one would do the work for \$600.00 and another quoted \$1,200.00. Mr. Brown said if Council wanted to take advantage of the swim team's donation, Council would have to approve this work be done at the pool. He said the representatives of the swim team had suggested that the City not go out for bids, because they had done that. Mr. Brown said he thinks the City needs to bid it out because warranties and liability statements are needed in the document. Dale Brown said he suggests that the City go out for bids and he would then come back to Council with recommendation of the bid, with prior approval from the swim team on the monetary amount, and Mayor Schneider concurred.

Councilman Wilson made a motion authorizing Dale Brown to go out for bids and to notify the swim team of the cost and confirm that the swim team is in agreement to pay before proceeding, seconded by Councilwoman Berube and the vote was unanimous.

**DISCUSSION WITH POSSIBLE ACTION TO AUTHORIZE STAFF TO ADVERTISE
AND ACCEPT BIDS FOR THE NEW ROOF FOR CITY HALL**

Dale Brown said this is part of our capital improvements program and stated that we were waiting for the removal of the old antenna, because the guide wires would interfere with work on the roof. He said the architect is estimating a total cost of the roof at \$67,000.00, which is \$20,000.00 less than the original estimate, because it was decided to leave the old roof rather than have the plywood decking and then the metal on top of that, so by removing the plywood decking, the cost was reduced by approximately \$20,000.00. Mr. Brown said the only difference would be the possibility of the roof bending should a group of workers walk on the roof.

Councilman Wilson made a motion to authorize action to advertise and accept bids for a new roof for City Hall, seconded by Councilman Fenley, and the vote was unanimous.

**DISCUSSION WITH POSSIBLE ACTION TO ADOPT A RESOLUTION AUTHORIZING
THE METRO TRANSIT AUTHORITY THE RIGHT TO OPERATE BUSES IN THE
CITY OF JERSEY VILLAGE FOR FOUNDER'S DAY ON APRIL 20, 1996**

Dale Brown said it has been suggested that we restrict parking on the street by having Metro bus people in. He said Debbie Muery has discussed the possibility of advertising on the billboard, the busing of people into the Village, with Metro.

Chief Lindsey said he is waiting for Metro to get back with him to find out what they will do as far as compensation for the advertisement. He said he is trying to make sure this is a definite agreement before it is advertised on the billboard.

Dale Brown said Ms. Muery told him that Metro would have a free bus for Jersey Village. He said that people outside the Village would park in the parking lots and come to the park by bus, and pay approximately \$1.00-\$3.00 to Metro. He said that Metro stated they could not bring buses in to Jersey Village because Jersey Village is not part of Metro, unless there was an authorization to do so. Mr. Brown said this Resolution authorizes Metro to bring buses in for this one day only.

Councilman Fenley made a motion to adopt Resolution No. 96-02 authorizing the Metro Transit Authority to operate buses in the City of Jersey Village for Founder's Day on April 20, 1996, seconded by Councilman Bowden, and the vote was unanimous.

Councilman Fenley then stressed the fact of the urgency of notifying the sign company, as they are waiting for information from the City before painting the sign advertising Founder's Day.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPROVAL OF AN ORDINANCE ADOPTING CHAPTER 4 - BUILDING CODE

Dale Brown said this is the proposed complete rewrite of Chapter 4 and that basically what this does is to adopt all the most recent publications of the Southern Standard Building Codes, known as the Standard Codes. He said the only Board in the original ordinance was an Electrical Board, and that Board has now been eliminated and replaced with the Building Board of Adjustments and Appeals, and that it would be Council's responsibility to appoint members to that Board. He said the Building Board of Adjustment and Appeals would be comparable to the Board of Adjustment, but it would be solely related to the building codes, whereas the Board of Adjustment is related to the zoning. Mr. Brown said there should be seven members on the Board, with a quorum of four.

Mayor Schneider asked if Council could appoint the same members of the Board of Adjustment and have John Horton head that Committee.

Dale Brown said that since the Building Board of Adjustments and Appeals would tend to be more technical than the regular Board of Adjustment, it would be advisable to have members on the Building Board of Adjustments and Appeals who have had building/construction oriented experiences, whereas the Board of Adjustment tends to be more broader based. He added that Council would have to make that decision.

Councilman Fenley agreed with Mr. Brown's suggestion that technical persons would be needed on that Committee.

Mayor Schneider added that he would like to see something relative to repairs addressed, i.e., painting styles with no consistent look, as he feels it distracts from the values of the surrounding houses.

Dale Brown said this could not be addressed in the Building Code, but, to a limited extent, it could be done in Zoning, depending on how detailed it is. He stated that for quality of housing, i.e., housing that has seen a great deal of deterioration could be addressed through the Standard Housing Code. He said as far as painting, that issue is out of the City's control, as that totally involves aesthetics.

Mayor Schneider asked that Dale Brown talk with City Attorney, Ken Wall, to find out what ordinances could apply.

Mr. Brown said he would take a look at the particular house Mayor Schneider is discussing.

Mayor Schneider then said he would like to address the ethics relative to the duties of the

officials and members on the Board. He said he wanted to be sure they all understand what their ethical requirements are. He referred to page 16.4, Chapter 34b that discusses the determination of physical value by the building official. He asked if we should resort to something such as an existing appraised value or something more official.

Dale Brown said that is typically not done, simply because there is cost involved. Mr. Brown said the tax roll could be viewed, but it is usually left to the building official to make the determination of what the value is.

Mayor Schneider would like the subjective decision process removed. He said he would like to see it based upon the current appraisal, and Mr. Brown said that could be inserted.

Mayor Schneider then referred to Page 16.7, Sec.4-57. Smoke Detection Systems, asking if those must be electrical versus battery, to which Fire Chief Hutchens replied that it makes no difference.

Next, Mayor Schneider referred to Page 16.8, asking if the electrical inspector must be certified, and John Horton said there is no requirement that the inspector be certified but that a City employee is working toward certification.

Mayor Schneider concluded by addressing Page 16.9, Sec.4-104. Removal of Obstructions to Inspection, and Page 16.11, Sec. 4-124. Manner of Work, saying it keeps referring to the removals or repairs. He asked that Dale Brown look at the wording of those sections.

Councilman Bowden then referred to Page 16.6 Sec. 4-56. Restrictions on Usage of Wood Roofing Shingles, saying that from a safety standpoint, he would rather the City not issue permits for wooden roofs in the future, from a safety standpoint.

Fire Chief Kathy Hutchens said the wooden shingles are impregnated with fire resistant treatment and after testing them, found she could not make them burn.

Dale Brown said that the cost is so prohibitive that very few people would want the wooden roofs.

John Horton said the first portion of the sentence (Page 16.6 Sec. 4-56. Restrictions on Usage of Wood Roofing Shingles) could state that "Wooden shingle roofing materials on any buildings within the city are expressly forbidden".

Councilman Fenley made a motion to table this issue and the issue of filling the Committee members with appropriate forms for further review until the February Council Meeting, seconded by Councilman Bowden, and the vote was unanimous.

CITY MANAGER'S REPORT

Dale Brown said the issue of parking on Lakeview Drive along the Baptist Church on Sundays was brought up at Council Meeting in December. He said City Staff met with the representatives from the Baptist Church last week and they were aware of the problems and were very receptive to suggestions by the Staff. He said the church is trying to get a loan now for a new parking lot, but in the meantime, they will try to manage their parking better. The vacant lot on Lakeview across from the Police Department is available for parking, and available spaces can be used around City Hall and the Police Department.

Councilman Wilson asked if parking on the grass on the vacant lot was permitted.

John Horton stated that parking on the grass on City property is not permitted. He said the ordinance states that parking lots have to be concrete or asphalt. He said parking on the vacant lot was permitted and no one would be in violation of the ordinance.

Councilman Bowden then commented on the fact that parking in front yards is not permitted, to which Mr. Horton replied that particular ordinance is no longer in effect and cars may now park in front yards.

Councilman Fenley said the ordinance prohibiting parking on grass in front yards should be reinstated.

Dale Brown then discussed the concealed handgun classes issue, saying at last month's meeting Chief Lindsey had suggested the Police Department provide concealed handgun classes to residents of the Village. He said because of the mixed opinions of Council, it was suggested it be brought back to Council in January.

Councilman Wilson said he thinks there may be some liability problems if our Police Department teaches, to which Chief Lindsey replied that it is expressly written into the law itself that the person who teaches the class is not liable for the actions of the person taking the class.

Councilman Bowden said he agreed with Councilman Wilson in that he thinks Police should be the ones teaching the class, but he doesn't think the City of Jersey Village should be in the business of teaching it.

Councilman Pulido then added that he did not think it was a community service being provided. He thinks the other areas where self defense is involved is a community service, but doesn't agree with the aspect of carrying of concealed weapons, and that it goes beyond what Jersey Village should stand for and support.

Dale Brown said he interprets the comments as Councilman Wilson, Councilman Bowden and

Councilman Pulido as being opposed and Councilman Fenley and Councilwoman Berube in favor.

Councilman Fenley stated that his opinion has not changed in that he is definitely in favor of the Police Department teaching the course and added that two Jersey Village officers had already been to school for that purpose, and then asked who paid for the school for those officers.

Chief Lindsey said the City paid for the class based upon all the interest from citizens who had taken other classes offered by the Police Department. He stated that the class was not expensive and was approved.

Councilman Wilson added that he thought it was fine that the officers were sent to get an education in this and be licensed to teach it, as they now know the laws and can arrest someone for illegally carrying a weapon. He would like this issue to come back to Council, after the newness wears off, and see if there is a major demand for it.

Next, Dale Brown addressed the subject of the status of the Hillcrest building removal. He said that as of January 11, one building had been removed except for the slab, the second building located just north of the occupied house on Hillcrest has not yet been removed. He said after contacting Ms. Owens about removing it, she said she has a contractor on stand-by until the ground is hard enough so there would be no damage to the ground.

Mayor Schneider advised keeping this item on the Agenda until the building is removed, and also to press to get it done.

Councilman Bowden suggested placing a time frame on getting it removed.

Dale Brown said he thinks the City will probably do the work, as Ms. Owens does not have the money to have the building removed, to which Councilman Bowden replied that it should be handled through the Court system, collect a fee for every day of violation and eventually put a lien on it.

Dale Brown said he thought the ordinance states that if the building is not removed by owner, then the City will remove it and place a lien on the property.

It was suggested by Councilman Bowden that a deadline of February 29, 1996 be given to Ms. Owens.

Dale Brown then discussed the Foundry Methodist Church water line at Jones Road. He said that water has been turned on, inspected, and met all City standards. He said the City has contracted with Mickey Services to cut the line and place an 8" valve for a total of \$1,025.00, which will be done January 18, 1996, and at that point the connection will be made with the

Church to that valve. He said the Church is to provide the City with a utility easement for that line. He said the water line that goes to the building has fire hydrants and we will get a utility easement and those lines will become part of the City's system. The church is aware of all costs involved that are their responsibility.

Dale Brown now referred to the report on compensatory time. He said the report focuses on the Police Department, which has the majority of the comp time. He said the report shows the status of August 31, 1995 as compared to December 28, 1995, and it shows significant reductions. He said the total dollar amount for the Police Department would be \$8,544.00, and that the remaining departments are fairly insignificant.

Mayor Schneider said that obviously progress has been made and that by the end of the year it should be significantly reduced.

Dale Brown said there is a 40-hour maximum for compensatory time. He said that the 40 hours is the 1.5 times the actual hours worked, and that as of January 1, 1996 the payroll program maintains the records of the comp time as the hours worked and then multiplies the rate 1.5 times and then multiplies it with the hours. The next report to be shown to Council will have to be recalculated to show everything based on actual hours and will show the dollar amount.

Dale Brown then discussed the State Attorney's opinion - "Right to Carry" Parks Ordinance. He said that as part of the concealed weapons law, the Legislature specifically authorized people to carry weapons in public parks, public meetings in a municipality, county, or other governmental body, political rallies, parades, or official political meetings, or non-firearm related school, college, or professional athletic event, which means that people may legally carry their guns at Founder's Day Celebration. He said that City Council may prohibit the carrying of weapons in City buildings, but since allowing the carrying of weapons in parks is specifically stated in the legislation, there is nothing the City can do about it. He then said that on August 30, 1995, the Attorney General ruled that the Legislature had specifically taken away from municipalities, the authority to prohibit the licensed carrying of concealed handguns in a city or county park.

Next, Mr. Brown talked about the status of report on the Master Plan for streets, water, sewage and ramps. He passed out a memo from John Horton suggesting some of the information that he needs to do specifically for street repairs program. He said he suggested to Mr. Horton that we should be looking more in the order of what is now called strategic plans, which is not as detailed and comprehensive as the comprehensive plan, i.e. Dale said he thought, based upon visual inspection of the streets, that a list of possibly ten streets that need serious attention, could be done and come up with a cost estimate for those streets and present a list such as that to Council. He then said the top ten list would be more than the City could do in the next four to five years, anyway.

Mayor Schneider said the intent of the master plan was to make sure it was prioritized as to how repairs were going to be done. He wants to make sure there is a comprehensive methodology about how repairs will be done. He said he is concerned in how the City will go about constructing the handicap ramps, because children on bicycles will be using these, and that is why he doesn't want to see the ramps opening up into thoroughfares. He suggested putting them in the directional means of the stop sign, so traffic will be demanded to stop.

Dale Brown said he saw this as an expanded capital improvement plan. He then said that in the last five to eight years, the City has taken up part of the concrete and poured new concrete, but it's basically a "pothole program", meaning that where there is a pothole, Public Works breaks out approximately 100'x14' strip and pours new concrete. He said what is being looked at now is a change from the pothole program to instead addressing a street per year.

Councilman Bowden said he thinks this should be in the capital projects budget and still maintain the pothole approach to the immediate problems that may arise. He feels that John Horton should find areas of roadway that need to be recategorized from patchwork into major rehab and do those and move those areas into the capital improvements budget and get them built into the system.

John Horton said he thinks what Council is looking for is a recommendation for a reduced budget for the existing one, to repair items that have to be taken care of immediately and also prioritization of all the streets and a recommendation of projects on a relatively short term, i.e., one to three years, three to five years, and five to ten years. He said it should also be mentioned in the existing capital improvements program for water lines, sewers, etc., so that unnecessary work not be done, such as spend a large amount of money repairing a section of street and then come back and cut a hole across it and put in a water line.

Councilman Bowden then discussed the bridge on Senate, saying that approximately 100' on both sides of the bridge needs to be addressed. John Horton said the piers on that bridge are wooden, but are still sufficient.

Dale Brown said a basic time line would be worked out on that issue and would get back with Council as soon as John could get the information together.

Finally, Dale Brown spoke regarding the clarification of building code on maximum height and related concerns. He said it had been discussed several times in the past, what the height limitations are in Jersey Village, and that at one time there was a maximum two-story height limit. He said in the past, the City has amended the zoning to allow greater than two stories in its commercial areas. He referred to paperwork given to Council and said that everything in "green" allows a maximum of four stories, with a footage requirement of 56'.

Mayor Schneider said it would now be easier to sell commercial sites along U.S. 290 with a

four-story maximum height limit, rather than the two-story height limit.

Haden Lambert then spoke to Council regarding a telephone call from Mr. Joe Myers. He said Mr. Myers was very upset that the City did not give him a chance to bid on the new car purchased by the Fire Department. He suggested someone call Mr. Myers and explain the circumstances to him.

Dale Brown said he would be glad to call Joe Myers and explain why the City purchased the vehicle through H-GAC rather than accepting bids.

Secondly, Mr. Lambert addressed the fact that Jersey Village Police Officers have gun racks inside the police cars and wanted to know the policy of officers carrying personal rifles, etc. in the police cars.

Chief Lindsey replied that the officers are supplied with shotguns that they are allowed to carry in the cars and if they are carrying something other than shotguns the Police Department provides, he is not aware of it. He said he has not given the officers authorization to carry other weapons.

Mr. Lambert said the racks were empty, he was just curious.

Finally, Mr. Lambert asked why former Reserve Officer Duchesneau was allowed to just resign, and Chief Lindsey answered by saying he would not discuss personnel files or personnel problems. Dale Brown agreed with Chief Lindsey, saying he would suggest we not talk about personnel as that involves discussing personalities, and at that point, the City is placed in some liability. Mr. Brown said Mr. Lambert could request certain documents through Open Records if he wished.

Mr. Lambert then said that one of the City's own officers was severely reprimanded, and he said his point is that the Reserve Officer who created the incident was allowed to simply resign with no other action taken.

With all business completed, Councilman Wilson made a motion, seconded by Councilman Fenley, and the vote was unanimous to adjourn the meeting at 11:15 P.M.

CLOSED MEETING

Following a five-minute break, the closed meeting was convened and was adjourned at 12:23 A.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Laverne M. Hale".

Laverne M. Hale
City Secretary

APPROVED AS MINUTES 2/19/96

Ordinance No. 96-01 is on file in the City Secretary's office and is made a part of these minutes by reference.



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1996

A Texas Star Community

MINUTES FOR THE REGULAR CALLED MEETING OF THE JERSEY VILLAGE CITY COUNCIL

DATE: February 19, 1996

TIME: 7:00 P.M.

PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Steve Schneider, followed by the invocation. Noted present were Council members Joe Pulido, Bruce Bowden, Charlie Wilson, Calvin Fenley and Joyce Berube; City Manager Dale Brown; City Attorney Ken Wall; and City Secretary Laverne Hale.

CITIZEN'S COMMENTS

Mr. Bob Biggs, 16540 Village Drive, spoke to City Council again concerning the speed limits on Village Drive. He stated there are three vacant lots between his house and his neighbor. He noted there is an item on tonight's agenda where the City is going to spend our tax money to do a traffic study. He said he has been asking for the speed limit to be lowered for eight years and wants to know what is going on. He said that residents can legally park on one side of this street.

Mayor Schneider responded by saying this was discussed at last month's meeting and that is when Council decided to do a traffic study which is the reason for Item #17 on tonight's agenda.

Next, Ms. Gloria McKay, 16313 Lakeview, said she has been a resident of Jersey Village for eighteen years and wanted to discuss the bad conditions at Joe Myers Ford Dealership. She said there have been no improvements nor any citations issued.

She added that Lakeview Drive is an older section of the City and Joe Myers is causing very bad conditions in this area.

She said, first of all is the sight problem. It looks like a junk yard and there are trash dumpsters and an old sign out there. Secondly, is the bad smell. There is the odor of paint fumes from the body shop and wants to know who regulates this. Third is hearing. Their PA System is offensive and thinks the employees there should use beepers.

She added she believes they are in violation of City Code, and she wants a ten (10) foot fence put up. The fence should be of brick construction to buffer these problems and she is asking City Council to resolve them in a reasonable amount of time and to continue monitoring these conditions. She said she would volunteer to be on a committee to help resolve these issues.

Mr. George Moore of 16339 Lakeview said he thinks Joe Myers needs to come into compliance with City Codes and there needs to be a fence there to keep home values up.

Claire Jones, 16106 Lakeview, said she agreed.

Donna Wilson of 16221 Seattle, said she faces the Northwest Freeway, and said she thinks the City needs to amend the ordinance and require a ten foot high fence instead of eight feet to help control noise.

Councilman Pulido asked Dale Brown to look into these problems, at which time Mr. Brown said when Gulfbank was being discussed it was suggested by a representative from the Highway Department that a fence should be ten feet high along Gulfbank.

Ramona Boeker, said she lives at 16310 Congo, which is the dead end of Congo and is next to the car dealership. She noted a bad smell, junky appearance, rats come into her yard and the speakers are too loud. A fence will help, but another problem is that large trees were cut down at the dealership and the workers come and have lunch under her trees.

Mr. Biggs said we should have an ordinance that required Joe Myers to put up a fence.

City Attorney Ken Wall advised this property was developed as was intended.

Mr. Fred Grimm, with Joe Myers Ford, said he has worked for Joe Myers for about 30 years and handles these sort of problems. He said he was not aware of their employees eating lunch near the resident's yards. He said he was told about the screening about two weeks ago and Mr. Horton said they could put up a taller fence and they are currently working with BFI on getting a compactor for the dumpster. He also advised the company is scheduled to be out tomorrow on the PA system. This system works on a timer, and they have spent \$12,000 toning down the speakers. There is no outside music, only paging goes outside.

Mr. Grimm said they need to be advised when a problem exists. He added that not all, but some of the outside lights remain on at night due to the high number of thefts.

Mr. Grimm stated, concerning the paint odor, they meet all the paint requirements and have a State permit. He noted there is a twenty (20) foot easement at the back of the property and they are not allowed to put up a fence on the easement. They have asked the Church of Christ to sell them one (1) foot of land to put a fence on. At the time everything was approved for the fence, it was found that one resident's garage was over the easement. The Church then decided they would not sell the extra one (1) foot.

Mr. Grimm added they currently have a chain link fence and had gotten complaints, so they put white slats in the fence in an effort to shield cars from showing through.

Mr. George Moore said if this City Council does not get Joe Myers into City compliance, then the residents will take things into their own hands.

Mr. Grimm said they and Mr. Myers himself want to be good neighbors and said they pay a huge amount of taxes to the City.

Mayor Schneider said he would like for Dale Brown and City Staff to work with Joe Myers to get this resolved as soon as possible and Mr. Brown advised he is having a meeting with Mr. Myers tomorrow.

Next, Ms. Judith Hargett of 15406 Shanghai, told Council she has a problem with City water. There is brown rust in her water.

Director of Public Works John Horton, advised our water system is monitored and regulated by the TNRCC. He explained the brown that is occasionally found in the water is caused from the old cast iron pipes that were originally put in. When the water flow is reversed the rust or build-up breaks loose. We have repaired water lines about six times this year and the lines have had to be flushed. The cast iron pipes on Acapulco will be replaced this year and the ones on Shanghai are scheduled for replacement next year.

Dale Brown explained further, although it looks bad, this condition is not dangerous and it is actually not rust. New pipes do not get this type of build-up as the old cast iron pipes.

COUNCIL MEMBER'S REPORTS AND COMMENTS

Councilwoman Berube reported she had been getting many telephone calls concerning the community center. She said most of the people had been misinformed by being told the community center would be built instead of a new fire station.

Councilman Fenley said the Board of Adjustment had met and a new sign was approved for the Denny's Restaurant, formerly Kettle Restaurant. At a second meeting of this Board, a new sign was approved for Foundry Methodist Church.

Councilman Pulido reported the Economic Development Committee had met and Mr. Rick Beeler, the developer of MUD199 attended that meeting. He said their plans are for more apartments and also a commercial area. Mr. Beeler is very cooperative and stated all their apartments are sprinkled and their existing units are about 90% occupied and they are very pleased with the residents and he does not foresee the descentigration of the area such as we sometimes see in the intercity apartments.

Councilman Pulido added that the committee will continue meeting with other developers in our area to get some feedback as to what their plans are for the future, which will give this committee some guidance in how we will pursue economic development within the Jersey Village area.

He then said he wanted to comment on the fact that he was very disappointed and irritated that City Council is not always informed when discussions come up. He said they start getting calls from residents before they are aware of the situation. He believes it is most important that Council be as informed as possible on any issue that may come before them, especially when it is controversial, such as the one on tonight's agenda. Granted, we are all aware a community center has been discussed, but to know exactly what the plans are and the scope of any recommendation, it is important to be known prior to a meeting. We owe it to our citizens to be as informed as possible. He believes that overall as Council members they need to be informed. He said he would like to suggest that in the future when agendas are prepared that Council members not have to wait for their packets to get the information. They should get the agendas well enough in advance to review and ask questions and be prepared ahead of time. This way they will have an opportunity to ask questions, make comments and respond to whatever the issues are.

Councilman Bowden noted that on the last Board of Adjustment minutes, they stated the mini-storage on U.S.290 had some signs that were not in compliance and are asking for more signs. He said if they are not in compliance then we should go get them.

John Horton said that is exactly what we do and he would be happy to go through and explain item by item what has taken place.

Councilman Bowden then said sort of in line with what Councilman Pulido has brought up, he believes that since the committee members, the Mayor and City Manager had information on the country singer who will perform at our Founder's Day coming with some extra "baggage", he thinks Council should have been advised of this ahead of time, especially those who are not

familiar with Country/Western Music. He said he did not appreciate having to find out from his secretary that this performer has this "baggage" with him. He said he understands that some of Council were aware of this, but some did not know. If we are going to work, we need to work together and he would personally like to get all the information up front before our Council meetings.

CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Wilson made a motion, seconded by Councilwoman Berube and the vote was unanimous to approve the following items on the Consent Agenda:

- A. Approval of the minutes of the January 15, 1996 Regular meeting.
- B. Approval of Harris County Appraisal District's 1995 Correction Appraisal Roll #11 as an amendment to the Tax Roll with a tax rate of \$.68408/\$100 valuation and a total value reduction of \$50,000.00 for a tax levy reduction of \$342.04.
- C. Approval of Harris County Appraisal District's 1995 Supplemental Appraisal Roll #6 as an amendment to the Tax Roll with a tax rate of \$.68408/\$100 valuation and a total value increase of \$11,199,690.00 for an additional tax levy of \$76,614.83.
- D. Approval of a 1995 Property Tax Refund, for Account No. 1000-061-0080, Betty Hicks, 15325 Glamorgan, for an overpayment in the amount of \$721.70.
- E. Approval of a 1995 Property Tax Refund, for Account No. 1000-046-1150, Jeffrey Zeman, 16226 Capri, for a duplicate payment in the amount of \$895.46.
- F. Accept resignation of Valerie Walling from the Parks and Landscaping Committee.
- G. Approval of a Resolution proclaiming March 12, 1996 as Girl Scout "National Be Your Best Day".

REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

Ms. Carol Tomko, of the Parks and Landscaping Committee, said she has lived in Jersey Village for twenty years and it is a very wonderful community to live in, however it is without a community center. It is unfortunate that we do not have a community center such as Copperfield, Fairfield, Steeplechase, Rollingfork and Deerfield, just to name a few. To keep our City a more viable place to live and to attract new residents, we need to fill this void. A lot of people are here tonight in support of a community center.

Ms. Tomko added that on February 13, 1996 the Parks and Landscaping Committee met and voted to recommend to City Council that a 2,300 square foot facility be constructed at the Jersey Village Pool complex. She said we have some views that resident and architect Henry Hermis has drawn up and donated. This building could not only be used for our young people, but also the senior citizens, along with the Boy Scouts, Girl Scouts, Garden Club, Optimist Club and other organizations for meetings and recreational functions. The Optimist Club is looking for a facility to meet in and have said if they could meet in a building they would maintain it for the City. She said we have approximately 5,000 residents, with 336 children under the age of five years; 1,194 children are under the age of seventeen; 196 young adults are under the age of 21; 637 people are over the age of 55 years. This represents about 50% of our community. All of these JV residents could utilize this facility on a cost free basis, whenever they need to use it. This community center would cost approximately \$227,000.00. The City has the funds to pay for this facility, and in addition the \$1.00 that some residents donate on their water bills could be used for this facility. The cost for this center is certainly a small amount to pay for the residents to be able to use this facility, and we have homes here that cost far more than \$200,000.00. She concluded by saying she hopes everyone will look at the drawings and Council will consider this recommendation. This is far past due.

Resident Bart Adriance said he only wanted to reiterate what Ms. Tomko has just said. He said he has been a resident here for 13 years and is currently Chairman of the Economic Development Committee. He has seen a lot of very positive things happening here. We have a great police department, a new police building, a lot of up to date equipment in both the police and fire departments, and a beautiful entrance into the City. He said we have spent a lot of money on all these things, but does not know how much value these things contribute to the overall property value. He believes a community center would add a benefit for our City in the form of increased economic activity and property values. A lot of different groups are looking for places to meet and if we keep it local it could be not only income for the City but all the non-profit organizations would have a place to use.

Mr. George Moore said he supports the community center and believes it is well overdue and will add value to our community.

Jill Klein, with the Recreation and Events Committee, reported that on February 4, 1996 their committee voted to have any profits from Founder's Day be used for a community center.

Councilman Bowden asked if Ms. Klein's committee means any profits over and above the \$20,000.00 they plan to spend on Founder's Day.

Ms. Klein said when they first started planning Founder's Day, some people in the community asked what the money that is raised would be used for and they were hoping for a community center, so that instead of just having big events like Founder's Day, Fourth of July, Holiday in the Park, etc. we would be able to have more on-going smaller things such as children's craft classes, quilting or woodworking groups, garden club meetings, etc.

Mayor Schneider thanked Ms. Klein and stated this will be discussed again later in tonight's agenda.

APPOINTMENT OF MEMBERS TO VARIOUS COMMITTEES

Dale Brown said the following applications have been received and recommended for appointment:

Greg Gilmore, to the Parks & Landscaping Committee.
Debbie Muery, to the Recreation & Events Committee.
Mike Worth, to the Finance Committee.
Dale Conger, to the Finance Committee.
Mike Bunn, to the Finance Committee.
William Preece, to the Finance Committee.
Tony Stiglets, to the Economic Development Committee.

There being no further discussion, Councilman Fenley made a motion, seconded by Councilwoman Berube and the vote was unanimous to approve the appointment of these persons to these committees.

VOLUNTEER FIREFIGHTERS RETIREMENT PLAN

Dale Brown stated that last May City Council approved a proposal by Hand and Associates for our Volunteer Firefighters Retirement Program. At that time Council wanted to keep the cost at \$10,000.00. It turned out that for the Hand and Associates Program the cost would be \$10,000.00 plus \$3,000.00 to \$5,000.00 per year for administrative costs.

This has not been pursued and since that time we have had a Volunteer Firefighter Committee that has examined all these type programs that are available. He added that what we are talking about is a very small type of retirement for these people. It is a small way to say thank you to our firefighters. It is about \$5.00 per month per year of service to the City up to a maximum of \$80.00 per month.

This committee has reviewed all the proposals and a comparison was done of the Hand and Associates proposal, and proposals from the Texas Fire Fighters Pension Commission and from Volunteer Fire Insurance Services (VFIS).

The committee is recommending that we go with the VFIS program at a cost of \$10,100.00 for the second year. For the first year they are proposing a cost of \$16,607.90 because we have two members in the fire department who are already over the age of 65 and their program is designed for people who are less than 65 years old. Those two members would be in a special category and after the first year the cost would drop down to a standard amount of \$10,107.90.

Mr. Brown then stated if Council prefers to look at this plan further, we will have a representative here next month to discuss and answer any questions concerning the plan.

Councilman Pulido said he thinks we need to discuss Hand and Associates first and it was his understanding that they have been non-responsive when the City has tried to contact them.

Councilwoman Berube then made a motion and it was seconded by Councilman Pulido to rescind City Council's vote of May 8, 1995 relative to Council's recommendation for the fire fighters retirement plan with Hand and Associates.

In discussion, Councilman Wilson asked that the records reflect that he is present, but is not entering into any discussion and will not vote on this motion because he has a vested interest.

The vote on the motion was Council members Berube, Pulido, Fenley and Bowden voting for, and Councilman Wilson abstaining. The motion passed.

Mayor and Council concurred to ask Staff to have a representative of VFIS here next month to discuss and answer question concerning their plan.

Fire Chief Kathy Hutchens said she would like to recommend that we prepare a contract with VFIS, bring it to Council next month and also have their representative here.

Councilman Bowden said the only problem he has is with the amount of money the two members who are over 65 would get and thinks that needs to be looked at again.

Councilmen Pulido and Fenley said they could not see a problem since these people have served the City for so long.

Councilman Pulido then added he thinks we can have the proposal prepared and ready to approve pending any discussions with their representative at the Council meeting.

Councilman Fenley then made a motion to delay this discussion until the next Council meeting when a presentation can be made by a representative of VFIS and then vote on the adoption of the contract. Councilman Pulido seconded the motion and Council members Fenley, Pulido, Berube and Bowden voted for. Councilman Wilson abstained. The motion passed.

APPROVAL OF AN ORDINANCE ADOPTING CHAPTER 4 - BUILDING CODE

Dale Brown told Council this will update our requirements to the current Standard Building Code requirements. This code calls for a Building Board of Adjustment and John Horton has already talked to six or seven people who may be interested in being appointed to this Board.

There being no further discussion, Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to approve Ordinance No. 96-02 adopting Chapter 4 - Building Code.

AWARD THE BID FOR THE NEW ROOF FOR CITY HALL

Dale Brown said Staff had received bids on February 1, 1996 for the re-roofing of this City Hall. The low bid was substantially above our architects estimate. His estimate was \$67,340.00 and the low bid was \$94,600.00. The architect contacted some of the bidders, who advised the bids were higher due to the time of the year and bad weather. Also several companies said they did not have time to properly prepare their bid. Mr. Brown said Staff is recommending that these bids be thrown out and re-bid. We can schedule the work when the weather is better.

Councilman Fenley noted the bids are all relatively close and hopes the architect is right in his assumption. He added the bid document should be changed since all were opened and anyone can see the bid prices.

Councilman Bowden then made a motion to reject all bids for the City Hall roof and rebid. Councilman Fenley seconded the motion and the vote was unanimous.

APPROVE THE CONCEPT AND SEEK AN ARCHITECTURAL DESIGN FOR A TWO THOUSAND THREE HUNDRED (2,300) SQUARE FOOT COMMUNITY CENTER AT THE SWIMMING POOL

Mayor Schneider said we have all heard the presentation tonight on the Parks and Landscaping Committee's recommendation and their views concerning the community center.

Councilman Bowden asked Councilman Pulido what the Economic Development Committee had discussed concerning a community center, and Councilman Pulido said they had discussed several different avenues, however, he did not realize we would be this far along this soon in making recommendations. Two things that have been discussed by the Economic Development Committee are, (1) had to do with the Hotel/Motel Tax and the ability to use that in a facility like this. As we know there are quite a bit of constraints in using those funds, and normally used for attracting people to a City and having it connected closely with existing hotel/motel facilities. There has also been discussions about talking to developers in the area to see if there are plans for additional hotels or motels and the possibility of buying land and building a facility to use the money that is currently held in that fund.

Mr. Pulido went on to say that in discussing the expansion of our pool facility at Clark Henry Park, it was the opinion of several people that because of it's location and how it would be used, the hotel/motel funds would not be available for that purpose.

Councilman Pulido said he respects Bart Adriance's comment tonight about supporting the community center, but they, as a committee, have not made a formal recommendation. In so far, as anything formal, the committee's thrust has been focused upon the developers in the area and the possibility of there being hotel/motel facilities built during the next few years and along with that, the possibility of a convention center where the funds could be used and maybe have land donated to help spread the funds further.

Councilman Pulido said he is not necessarily opposed to a community center, he just does not think we are at a point as yet to make all the decisions concerning that. He said he appreciates all the work that has been done, but does not believe tonight is the night to make the decision to move ahead with the architects, etc. That may be the right way to go, but tonight is too soon.

Mayor Schneider said what had been presented at the last Economic Development Committee meeting was a convention/civic center that the motel tax money could be used for and this was just his concept of how we may look at spending those dollars currently held in our fund. The community center recommendation has not come out of the Economic Development Committee, but has come from the Parks and Landscaping Committee as a means for serving the citizens of our community. This committee has sat down with Henry Hermis, a resident and an architect who has done some volunteer drawings of an initial concept. We have all had conversations

with residents recently who are concerned about the City spending additional dollars in this respect. He added he is open to suggestions as to how to move forward on this or if it should be shot down if that is the decision.

Mayor Schneider stated he believes there are two recommendations that we may want to pursue. One would be an avenue to send out surveys to the residents asking their opinions on a community center, and another would be a referendum on the May 4 election ballot.

Councilman Fenley asked where the money would come from for this and Mayor Schneider said it was determined at the last Council meeting that after the 1995 budget was all settled, there was an excess of about \$200,000.00.

Councilman Bowden said as he recalls, Mayor Schneider at that time asked for a \$100,000.00 capital improvements program for massive street repairs. We need to get our priorities straight and does not feel a community center is of high priority. When we build a new fire station, we will end up with an empty building that is now the fire station, that would serve 99% of that function for no additional cost. He does not see anything on the list for street repairs, water repairs, sewer repairs, annexation of the ETJ, and believes all of these, plus a new fire station, are much higher in priority than a community center. Councilman Bowden added that as he recalls, the location for this building by the pool would be so isolated, and some people thought it would be better to have it somewhere else.

Councilman Pulido said he is not so opposed to the location of the building, but to the movement on it. He said the pool area seems like a natural location for it.

Councilman Fenley said he is in favor of a community center and thinks we should put it on the May 4 election and let the citizens decide.

Councilman Pulido said it may be less expensive to send out a survey, but Dale Brown said it would be cheaper to put it on the ballot for the election due to printing and postage to mail out a survey.

Mayor Schneider said if it is put up for a vote at the May election, then we need to specifically lay out the concept so people will know exactly what they are voting on.

City Attorney Ken Wall advised that one of the problems of using a referendum in this case is that it is not binding and some things get caught up in the election process that we really do not want to get into. If it is done by a survey, you keep it out of the political process and you can have a much more lengthy explanation of communication.

Council agreed that at an election you would only get a "yes" or "no" vote with no explanation as to what determined the resident's decisions.

Councilwoman Berube said that most of the residents who have called her were upset because they thought the community center would be built instead of the fire station. Their other comments were that if we are going to have a community center then this is too small and would not hold enough people. They were also concerned about the location and the parking and how the residents that live close by would feel about all the additional cars. Ms. Berube said she also received comments, as Councilman Bowden stated, that if a new fire station is built then we would have an empty building.

Councilman Pulido said all these comments are even more indication that we need to send out a survey to the residents, since there are so many issues that need to be addressed. Councilwoman Berube made a motion, and seconded by Councilman Fenley to send a survey out to all the residents to get their opinions concerning a community center.

In discussion of the motion, Councilman Pulido said he would like Council to be informed and review a draft of the survey before it is sent out.

Dale Brown said when the draft survey is done, Staff will let Council review it and give their comments and input.

Councilman Wilson said he had initially asked for two restrooms to be built at the pool, however he did not know they would end up costing \$311,000.00. He said he would like to look at this further. He too has been asked if it will be large enough, how will we pay for it, is it in our five or ten year plan. Tonight we have discussed two different water lines that need replacing. We have not had a stand alone community center building since the City's inception, and feels there are other alternatives for other meeting places with adequate parking within this City, where noise would be no problem. He would welcome all input and ideas. He added that tonight we have a positive force here in support of this building, next time we will hear from the negative force. He agrees fully that we need to survey the residents so Council can then make the difficult decision.

The vote on the motion was unanimous.

Mayor Schneider then asked if Councilwoman Berube would work with Dale Brown in developing the survey concept.

Councilman Bowden said he would like to include in the survey a clause that this discussion would not be brought up again if the majority of the residents are against.

APPROVE THE DEDICATION OF PROCEEDS FROM FOUNDER'S DAY TOWARDS A
NEW COMMUNITY CENTER

Mayor Schneider stated we have heard Mrs. Klein's comments and recommendation from the Recreation and Events Committee on this.

Councilman Bowden then asked how much money has been spent on Founder's Day thus far and Ms. Klein said she was not sure. Dale Brown said he believes about \$13,000.00 to \$15,000.00 has been committed to this point. Councilman Bowden said it should be understood that this money should be proceeds that are over and above what is spent.

Mayor Schneider said he does not think this is what the committee is proposing, and Councilman Bowden said if you are going to take the proceeds from a City function and donate them, then you should assume this is an amount above the amount that is spent. He added this money is City money that is allocated for this specific use and does not believe it can be used or donated for other things.

Councilman Pulido said this is something we should get the Attorney's opinion on to determine if we are free to deal with this money in this fashion if it is for something other than profit.

Ken Wall advised it would be an expression of Council's intent, because all of the City's funds, including these, are subject to the annual appropriations ordinance. They must be re-appropriated every year. This just says what the Council intends to do with these funds, however you are not bound to it, and the monies are not limited for that purpose until they are appropriated.

Mayor Schneider said he understands the committee's intent is that what ever dollars they spend, there are certain things they are reaping the benefits from such things as rides, etc. and other organizations are creating their own fund raising through this same concept and they will benefit from this also. What the committee is asking is that any of those proceeds that come back from rides, etc. is what would be committed, and not a recommendation of a payback of what is spent.

Councilman Fenley said for instance, if Joe Myers Ford wanted to donate \$500.00, would this come off of the initial \$15,000.00.

Councilman Pulido said to use another example, if we rent a ride for \$100.00 and you make \$300.00 on that ride, would you say that \$200.00 would go to the fund or would we have to look at the whole pot?

Ms. Klein said a lot of the rides and things that will be contracted will be at no cost to the City. They will come in and we sell tickets for them. Whatever they take in that day is theirs, less a certain percentage that is given back to the City. On these there is no cost to the City. She said there will be a Country Store, where residents donate items to be sold, and the committee would like to say the profits will be going for a specific use, and not just into the City's general fund.

Councilman Pulido said he believes that either way you go, people will take a position depending on how they feel about a community center. He said in getting back to the issue, he personally thinks that if you make \$200.00 off a ride, then that should not necessarily go back into the large pot, because it was generated from a particular ride.

Councilman Bowden said the proceeds could go back into Parks and Recreation where it was generated and to go for programs in Parks and Recreation. Councilman Pulido said this is a good idea since a decision on the Community Center has not been made, and if the Community Center does materialize, the money could then be transferred.

Following a brief discussion, Councilman Fenley then made a motion to approve the dedication of the proceeds from Founders Day into the donations account for the Parks. The motion was seconded by Councilman Pulido and the vote was unanimous.

ADOPT A POLICY REGARDING CERTAIN HOSPITALS TO BE USED BY OUR EMS

Dale Brown explained that in 1985 City Council approved a policy that designated what hospitals the City EMS personnel would deliver patients to. The Fire Department would now like for Council to consider expanding on this.

Chief Kathy Hutchens then explained they would like to upgrade to a more modern policy for overall patient care for our medical needs. Initially we had five hospitals to transport patients to, but since that time Sam Houston Hospital closed, leaving only four options. Sometimes we are doing a disservice to our patients by having to transport only to these four hospitals and their insurance does not provide for that hospital. We would like Council's approval of this policy so we could transport to the Medical Center if needed or to the County facilities as needed. This may not be used too frequently, however it would give us the option when necessary.

Councilman Pulido said as backup, how many ambulances could respond to our needs if necessary, and Chief Hutchens said there are two paid fully manned ambulances, and three additional ambulances that are operated in the same manner as ours. In addition to Cy-Fair, Cypress Creek is also available if necessary.

Councilman Pulido then asked how much out of service time it would take to transport further and Chief Hutchens said that depends on the time of day, which would also affect their decision to encourage a transport to the Medical Center, etc. She said she believes the average down time would be a minimum of 1-1/2 hours for the round trip.

Councilman Wilson said we are only talking about emergency ambulance service and not transfer service, and Chief Hutchens said yes, we are an emergency service only and not a medical transfer service. We trust our EMS personnel to have the experience and knowledge to make good decisions.

Councilman Wilson said since we have the backup services of the other agencies, he does not believe we would ever be in a situation to not have an ambulance close by, plus this is one way they can sort of pay us back for the times we go to help them with fire trucks, etc.

Councilman Pulido said he wanted to also comment that we would still have personnel available to come in another vehicle to help stabilize the patient until another ambulance could arrive.

Chief Hutchens agreed saying the City's Suburban is equipped with advanced life support equipment almost equal to our ambulance, we just cannot transport patients in it.

Councilman Wilson said he wanted to add to this that if we had a patient that is some-what burned, Hermann Hospital is the only place to go with them.

Councilman Bowden then made a motion, seconded by Councilman Wilson and the vote was unanimous to adopt the hospital transport policy as outlined and attached to these minutes.

DECLARE THE OLD AMBULANCE AS SURPLUS AND ADVERTISE TO SELL

Dale Brown stated the new ambulance is scheduled to go in service about March 1, 1996 and the Fire Department is requesting that the 1985 Wheeled Coach ambulance be declared as surplus property and then be advertised for sale.

Councilman Fenley asked if we will have a minimum bid. He thinks we should and then have the option to reject any bids that do not meet that.

Councilman Pulido said he does not believe it would be necessary to have a minimum bid if you had the option to reject any and all bids.

Chief Hutchens said she has seen comparable ambulances at a variety of prices and is not sure if requiring a minimum bid is best or not.

Chief Hutchens advised she would like this process to take a couple of months. The magazines she would like to advertise in requires a 30 day lead time.

After further discussion Council agreed to not have a minimum bid and to have the opportunity to throw out any and all bids.

Councilman Wilson then made a motion to declare the old ambulance as surplus property and advertise to sell. The motion was seconded by Councilman Bowden and the vote was unanimous.

AUTHORIZE STAFF TO ADVERTISE AND ACCEPT BIDS FOR A TRAILER MOUNTED SEWER CLEANING MACHINE

Dale Brown explained that Council approved this expenditure in this year's budget.

Councilman Fenley then made a motion, seconded by Councilman Wilson and the vote was unanimous to authorize Staff to advertise and accept bids for a trailer mounted sewer cleaning machine.

AUTHORIZE STAFF TO PURCHASE A USED MOBILE BUCKET LIFT FOR \$5,500.00

Dale Brown stated this too was approved in this year's budget. This mobile bucket lift will be used for changing Senate Avenue lights, etc.

Mr. Brown said the budgeted amount was \$7,500.00. Bids were taken for a used bucket on February 13, 1996, with the low bid being \$5,500.00.

Councilman Fenley made a motion, seconded by Councilwoman Berube and the vote was unanimous to purchase a used mobile bucket lift from U. S. Rentals in the amount of \$5,500.00.

APPROVAL TO HIRE A TRAFFIC ENGINEER TO DO A STUDY ON VILLAGE DRIVE

Dale Brown said at the last Council meeting, they suggested that we need to look at the traffic and speed limits on Village Drive. It was noted that if the speed limit is adjusted, by law we are required to have a traffic engineering study that supports reducing the speeds. He said that John Horton has contacted some engineering firms that do traffic studies, and Traffic Engineers

Inc. has given us a cost of \$400.00 to do the study. Staff is recommending that Council authorize the expenditure of \$400.00 and enter into a contract with Traffic Engineers.

Councilman Bowden asked if we set our ordinance for all streets at 25 miles per hour, would we have to do a study and Ken Wall said yes we would have to do it based on a traffic engineering study, however, Council has a great deal of discretion in what the quality of the study is.

Councilman Bowden said he thinks if so many streets want to be changed to 25 miles per hour, it might be easier to have an ordinance for all streets to be 25, and make exceptions for those who request to be higher.

Ken Wall said you might want to get a traffic engineering recommendation on that, but the State Statute says that in urban districts the speed limits are set at 30 miles per hour, and goes on to say that a City may alter that speed limit on the basis of a traffic engineering study.

Councilman Pulido said he believes we should take care of this one street at this time.

Mr. Bob Biggs said he is concerned about the seven townhouses there on Village Drive and the parking situation. If a traffic engineer comes in, he will analyze what is going on and say there should be no parking on the street. He said the City will then cite the residents for parking on the grass across the street. He said parking there is a real problem and thinks the City should condemn the triangle of land across the street for parking.

Dale Brown said what he has recommended in the past is that since Lanco has not paid the taxes on this particular triangle piece of property, we need to get our Tax Attorneys to push to get this tract brought up for a Sheriff's Sale for delinquent taxes. The property owners of the townhouses should buy that property at a Sheriff's Sale and form a Property Owners Association and then they could use this land as it was intended for their parking. He does not think it would be appropriate for the City to acquire the land and build a parking place for these residents.

After a brief discussion, Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to hire Traffic Engineers, Inc. to do a traffic study on Village Drive.

APPROVAL TO HIRE A CIVIL ENGINEER TO REVIEW AND MAKE
RECOMMENDATIONS ON THE SEWER STUDY

Dale Brown explained Staff has contacted several engineering firms to review the televised tapes of the sewer system that we did a few months ago and outline any needed repairs to those lines.

He said Staff is recommending that Council authorize them to enter into an agreement with Brooks & Sparks, Inc. to review and make recommendations.

John Horton introduced Mr. Frank Brooks, with Brooks & Sparks, Inc., and discussed their qualifications. Mr. Brooks said most of their work has been in smaller cities.

Councilwoman Berube then made a motion, seconded by Councilman Bowden and the vote was unanimous to enter into an agreement with Brooks & Sparks, Inc. to review and make recommendations on the sewer television tapes.

APPROVAL OF AN ORDINANCE AMENDING THE 1995-96 ANNUAL BUDGET

Dale Brown explained Council has been provided with several different options. The basic ordinance, that is labeled Exhibit A.1 will update all the numbers we received last month and formally incorporate the approved monthly budget adjustments and brings in the encumbrances that were held over from the last fiscal year and places them into a budget category. There are also some personnel changes includes in this.

He explained that last month Council approved an agreement with BSL Golf to lease the tennis courts on Rio Grande. That contract was based on Council's decision last year to appropriate \$15,000.00 to repair those tennis courts. Before we spent that much money on private property, we needed a lease agreement for at least five years. In the meantime he has learned that some members of Council may have a change of opinion to spend that money to repair those tennis courts. He said option Exhibit A.2 includes \$15,000.00 for repairs of the tennis courts in the BSL Golf Course agreement. If Council does not want to pursue the repairs of the tennis courts for the \$15,000.00 then you would not need to adopt Exhibit A.2.

Mr. Brown said Exhibits A.3 and A.4 are no longer necessary. Exhibit A.3 was in case Council wanted to contract with an architect for a Community Center and A.4 was a combination of all the preceding exhibits.

Councilwoman Berube said since the tennis courts are not our property and we are not sure how long BSL will be here, couldn't we find our own land for tennis courts.

John Horton said he has done a sketch of the area behind Equador and there is room for three tennis courts there.

Councilman Pulido said as far as the golf course, they have a fifteen year plan for it, with ten years remaining. It is their plan and it should remain a golf course for another ten years. He thinks the money on the tennis courts would be well spent.

John Horton said he estimates we could get one painted slab for a tennis court for \$15,000.00. There would be no enclosure, etc.

The \$15,000.00 at BSL would be to replace the surface and re-do the court.

Councilman Pulido asked if we have to designate now if this money would be used for repairs at BSL tennis courts, or to create a new court, and Dale Brown said the money is in a budget category under General Capital Outlay for Parks and Landscaping projects, so if we repair one or create one would not make any difference because of the way it is allocated.

Dale Brown said since there was a misunderstanding on the lease agreement, he put a hold on it and it has not been signed as yet.

Councilman Pulido said basically we need to decide if we want to set aside the \$15,000 as a carry-over and Dale Brown said what we need to decide is if Council wants to pull the \$15,000 from last year's carry-over and increase the Parks and Recreation budget in order to do a project somewhere.

Council concurred by doing this we would have the flexibility to do either project, and Councilman Bowden noted there is nothing for children right now in this area of the City where the BSL tennis courts are located.

Councilwoman Berube made a motion, seconded by Councilman Pulido and the vote was unanimous to adopt Ordinance No. 96-03 to include Exhibit A.2 amending the 1995-96 Annual Budget.

APPROVAL OF AN ORDINANCE CALLING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 4, 1996

Councilman Bowden made a motion, seconded by Councilman Fenley and the vote was unanimous to approve Ordinance No. 96-04 calling a General Municipal Election to be held on May 4, 1996 for the purpose of electing three (3) Council Members of the City Council.

DEMOLITION OF SUBSTANDARD BUILDING ON HILLCREST

Dale Brown told Council the owner has, as of this date, not removed the building on Hillcrest. He said he had John Horton contact the owner, Mrs. Owen, to let us destroy the building and she would not agree. The next step is for the City to remove the building without her permission and call for a Public Hearing at next month's meeting, give the owner notice, and then authorize the removal.

Following a brief discussion, Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to call for a Public Hearing to be held on March 18, 1996 and give the property owner notice according to the law.

CITY MANAGER'S REPORT

- A. Swim Team Donations - Dale Brown reported he has sent a letter to the Swim Team with drawings and asked for their comments as to where they want additional lanes, etc. and he has received no comments back from them as yet.
- B. Theft of Case Backhoe - Mr. Brown reported the City's Case Backhoe was stolen from the Village Drive water plant about two weeks ago. Our insurance carrier has been contacted and he has asked John Horton and the Police Department to do a security analysis for all of our sites and other equipment.
- C. Comprehensive Plan - Mr. Brown said regarding the City's Comprehensive plan for streets, water, sewage, ramps, etc., it was noted at last month's meeting it would take approximately 45 days to complete. We expect to discuss this at the March meeting.
- D. Joe Myers Ford - He then stated he has an appointment with Mr. Joe Myers tomorrow to discuss some of the complaints and what can be done. As we stated earlier, this is an accumulation of ten plus years and some of the standards are not very detailed. He said there has been no feeling of the City employees over the past ten years that they were not enforcing the regulations. There is a lot of interpretation left to those individuals in the regulations. One regulation that was not read earlier was that the screening and buffering of the property is left up to the developer. We will all be working together to get this resolved.
- E. Parking in residential yards - Mr. Brown advised that the City Attorney is working on this ordinance, and Ken Wall said this will go to the Planning and Zoning Commission first for their recommendation since it is an amendment to the Zoning Ordinance.
- F. Painting and repairs of residences - The City Attorney is also working on this.
- G. Phonoscope franchise - This was originally on tonight's agenda, but after talking with Mr. Larry McKaskle, with Phonoscope, last Friday he said the television franchise portion is complete with no problems, but we are still working on the telecommunications franchise. Since everything in telecommunications is changing so often, he said it has been recommended to him that these franchises should not be an agreement for longer

than five years. This is where the City and Phonoscope are not in agreement because they are wanting it to be for fifteen years. He plans to meet with the Phonoscope within the next two weeks to work this out.

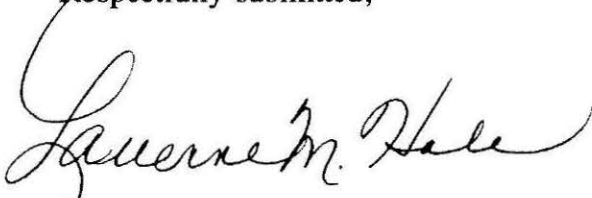
ADJOURN

There being no further business, Councilman Wilson made a motion, seconded by Councilman Fenley and the vote was unanimous to adjourn the open meeting at 9:50 p.m.

CLOSED MEETING

Following a ten minute break the closed meeting was convened and was adjourned at 10:12 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Laverne M. Hale".

Laverne M. Hale
City Secretary

APPROVED AS MINUTES 3/18/96

Ordinance Nos. 96-02, 96-03 and 96-04 are on file in the City Secretary's office and are made a part of these minutes by reference.



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1956

A Texas Star Community

MINUTES FOR THE SPECIAL SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: March 14, 1996
TIME: 8:00 P.M.
PLACE: Fire Department, 16501 Jersey Drive, Jersey Village Texas

SPECIAL SESSION

A work session convened at 8:10 P.M. in the Fire Department Training Room concerning Founders' Day and the Citizen's survey form regarding a Community Center. Present were Mayor Steve Schneider, Council Members Pulido, Bowden, Wilson, Fenley, and Berube; City Manager Dale Brown; City Secretary Laverne Hale; Debbie Muery and members of the Recreation and Events Committee.

Respectfully submitted,

Laverne M. Hale
City Secretary

APPROVED AS MINUTES

4/15/96



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1966

A Texas Star Community

MINUTES FOR THE REGULAR CALLED MEETING OF THE JERSEY VILLAGE CITY COUNCIL

DATE: March 18, 1996
TIME: 6:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

WORK SESSION

A work session was held regarding Capital Improvements plans.

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 7:00 p.m. by Mayor Steve Schneider, followed by the invocation. Noted present were Council members Bruce Bowden, Charlie Wilson, Calvin Fenley and Joyce Berube; City Manager Dale Brown; City Attorney Ken Wall; and City Secretary Laverne Hale.

It was noted Councilman Joe Pulido was not in attendance.

PUBLIC HEARING

Mayor Schneider opened the Public Hearing concerning the demolition of a substandard building on Hillcrest.

John Horton, Director of Public Works, stated this process started approximately one year ago. Originally there were two substandard buildings in this area. One was on the Grizzard property and the other on the Owen's property. The building on the Grizzard property is now gone, however Ms. Owen's building is still there. He noted that his department has given notification according to the law and added that the registered letters were never picked up.

Ms. Owen, who owns the property, was in attendance and told Council she had suffered a stroke. She had arranged to have her brother help her get this done, however he teaches out of

town and he also had a stroke. She said she has talked to several people and hasn't been able to get the building torn down and removed. She said she also had to build a fence that was torn down.

Councilman Wilson asked when this process started and Dale Brown stated in February, 1995. John Horton then gave all dates of contact with Ms. Owen starting in February, 1995.

Mr. Brown advised there were phone calls last April or May from Mr. Owen's brother who said at the time that it would be removed last summer.

Councilman Wilson asked if the building is empty and John Horton said this is a small building, but it is not empty. There is some electrical machinery and motors in it and also some boxes of turpentine. He added that if the City has to remove it, he would estimate that for two men, a truck, and a backhoe, it would take an eight hour day.

Ms. Owen then said there is a law that says you cannot trespass across a fence and Mayor Schneider said to Ms. Owen that we just want to work with her to get this resolved.

Ken Wall advised that Council has the authority to order that the building be demolished, and they could order that it be done in 90 or 120 days to give Ms. Owen more time.

After a brief discussion, Councilman Wilson made a motion, seconded by Councilman Fenley and the vote was unanimous to declare the structure a nuisance and order that it be demolished on or before July 1, 1996; and if it is not demolished by July 1, 1996, Staff is authorized to demolish it and affix the charges as a lien against the property.

Mayor Schneider then closed the Public Hearing.

CITIZEN'S COMMENTS

Gloria McKay addressed Council saying she spoke to Council on February 19, 1996 regarding the Joe Myers Ford property. She then gave an update and said she has been in constant contact with Dale Brown, who has been in contact with the dealership.

Ms. McKay said regarding her primary concern, the visual blockage, Joe Myers offered to buy either one foot or eleven feet from the Church for a brick wall barrier or to use the one foot for a landscape barrier. She then asked Mr. Brown if the present fence is right on the gas easement and is there a pipeline easement with ten feet on either side.

Mr. Brown explained there is a twenty-foot easement. The fence and the pipeline are centered in the easement and the property line is centered in the easement. The easement is on ten feet of the Church's property and ten feet of Joe Myer's property. He added that Mr. Myers has offered to purchase eleven feet from the Church since he cannot put a masonry wall on the easement because of the pipeline. The eleven feet would be the ten foot easement plus an additional foot so a masonry wall could be placed on the outside of the easement. Mr. Brown then noted the City property was not involved with the pipeline because it runs through the Joe Myers property and then hits the property line of the Church, and is not on City property.

Ms. McKay then said she had spoken to someone who is a member of the Church of Christ, and he feels strongly, after hearing all the pros and cons, that the Church would not be in favor of selling this part of their property. She said if none of this works out, she would now like to change her recommendation to say that Joe Myers put up a ten (10) foot high wooden fence abutting the current fence.

Ms. McKay then said the dumpster has been moved and they appreciate that, however the public address system varies and is louder at times. The lights are still the same as before. She said she is optimistic that we can all communicate and work together with Mr. Myers to get all these issues resolved. She said she wants Council's backing on this since it is affecting the values of their property.

Ken Wall said the problem with putting a masonry fence on an easement is the investment and that it may need to be removed at short notice and a wooden fence would not involve nearly as much expense as a masonry one.

Dale Brown said he had a meeting with Joe Myers after the last Council meeting and he had made a proposal that he is willing to purchase the property from the Church and also said, if both the Church and the City would allow it, and if the Church was not willing to sell, he would do heavy landscaping on those sides of the fence to reduce the impact. He added that at that meeting they did not discuss a wooden fence. He said, however, since that time he has asked Mr. Fred Grimm, who handles this for Joe Myers, and has not heard back from him as yet. He said our City ordinance allows for an eight foot fence and anything taller may require a variance.

Ms. McKay said this is something the City is going to have to look at, with all the future development along U.S. 290. She said she would really appreciate City Council's backing on this because she can foresee more problems in the future.

Dale Brown said they are working on their lights and some changes were done on the PA system in an effort to keep the volume down.

Mayor Schneider said Staff needs to determine, along with Joe Myers and Amoco, whether a fence is feasible in the center of the easement because if the Church is not willing to sell their property, then the fence will not be built on their side of the easement.

Ms. McKay said she would like for Dale Brown to contact the Church and he said that he intends to call and set up a meeting with them.

Mr. David Carp and Mr. Fred Grimm, who both work for Joe Myers and were in attendance, said they are certainly interested in working with the City and the community to solve these problems. They want to be good citizens and are working on some of these problems and would like the continued dialogue so this can all be resolved and hopes the Church will change their minds about selling this portion of their property.

Resident Mr. George Moore said when a meeting with the Church is set up, if possible some of the residents would like to attend also, which may help persuade them to sell.

Mr. Carp said they were disappointed that their deal with the Church to purchase their property fell through. They have discussed many different options and stated that a wooden fence is something that would cause some problems for them, but they are willing to consider any options.

Next, Ms. Cheryl Boggs, with the Jersey Village Swim Team, told Council they are here tonight asking for approval for extended hours for the swim team practices. She explained how many people are involved with the swim team and how much the swim team does for these children in making them feel good about themselves. This will be discussed later on tonight's agenda, but she is just asking for Council's support.

COUNCIL MEMBERS REPORTS AND COMMENTS

Councilwoman Berube said she wanted to comment on how good the school complex signs look and then asked if anyone thinks we need one more sign on the corner of Jersey Drive and Lakeview. Dale Brown said Staff will look into this.

Councilman Bowden advised the Finance Committee had an organizational meeting last Thursday and will plan to finish up their work within a 90 day period and have something to report back to Council by the end of May.

Councilman Wilson stated that at last week's primary election two people commented on how nice our Council Chambers and the restrooms looked and thanked City Staff for having the room set up for those people. He added that last weeks worksession concerning Founders Day was

very informative and thanked the people on the committee for taking their time to come out and work with Council in making this a success.

CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the agenda.

Councilman Bowden noted that on last month's City Council minutes the word "not" should be inserted on his comment on page 11.

Councilman Fenley then made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the following items on the consent agenda with the noted correction:

- A. Approval of the minutes of the February 19, 1996 Regular meeting.
- B. Accept resignation of Ralph Martin from the Planning and Zoning Commission.
- C. Approval of Harris County Appraisal District's 1993 Supplemental Appraisal Roll #18 as an amendment to the Tax Roll with a tax rate of \$.7300/\$100 valuation and a total value increase of \$200.00 for an additional tax levy of \$1.46.
- D. Approval of Harris County Appraisal Districts 1995 Supplemental Appraisal Roll #7 as an amendment to the Tax Roll with a tax rate of \$.68408/\$100 valuation and a total value increase of \$1,206,870.00 for an additional tax levy of \$8,255.00.
- E. Approval of Harris County Appraisal District's 1995 Correction Appraisal Roll #13 as an amendment to the Tax Roll with a tax rate of \$.68408/\$100 valuation and a total value reduction of \$1,410,030.00 for a tax levy reduction of \$9,645.73.

REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

Debbie Muery gave an update on the upcoming Founders Day Celebration to be held on April 20, noting they have received several cash donations. She said the committee is currently working on an insert for the next newsletter.

REQUEST FROM THE JERSEY VILLAGE SWIM TEAM FOR EXTENDED PRACTICE HOURS

Mayor Schneider said we have heard from Ms. Boggs tonight concerning this request and Council has also received a revised chart on the usage of the pool.

Councilman Fenley said he does not see a problem with allowing them this extended time, and Councilman Bowden asked what the hours would be after June 30. Ms. Boggs advised they do not need the pool in the evenings after that date.

Councilman Bowden then asked how many weekends they would be using the pool and Ms. Boggs said there would be three in June.

Councilman Wilson asked if we have charged the swim team for pool use in the past and he was advised we have not. Mr. Wilson then noted the ice machine that is at the pool was purchased by the City, with the one before that being purchased by the swim team. The air conditioner they had purchased has been stolen. He said if the hours are extended, the pool contract would change for the lifeguard's schedule and according to a survey done in June of last year by Staff shows that is a high use time by other people and he wonders how the residents will feel about being able to use the pool less time.

Councilman Bowden said about one-third of the families involved are dual, being both swim team members and residents. He hates to close the pool to residents in the middle of the week.

Ms. Boggs said possibly we could try this for one year and then re-look at it again next year.

Councilman Bowden asked if there is any way to open up just a part of the pool during this time and Mr. Rich Deakins, with the swim team, said it would be difficult to do that.

Councilman Wilson asked when the pool opens and closes this year and John Horton advised it opens full-time on June 1 and closes on August 4.

Councilman Wilson said he has no problem with the usage, however the City has about \$80,000 in repairs to the pool coming up in the near future.

Councilman Bowden said he believes we will have complaints either way and asked if a log could be kept of those residents who may want to swim during the week.

Dale Brown said that would give us some indication of what the residents want, because unless they call to complain, we don't really know that there is a problem.

Resident Frank Maher said if the pool is closed on Mondays, there is practice on Tuesday, Wednesday and Thursday, and Teen night is Fridays, this means every night is taken up and the pool is not available for the residents.

Councilman Fenley said we could give them one hour and if this works out maybe next year it could be extended a little more, and Councilman Bowden said what is the possibility of cutting this down to two days instead of three, leaving Thursday nights open for the residents.

Councilman Wilson asked how this will be paid for. In the past the pool has supported different projects and if this could be done again, then Councilman Bowden said it may be best to just have them put money into the Recreation and Events or Parks and Landscaping.

Following a brief discussion, Councilwoman Berube made a motion, seconded by Councilman Bowden and the vote was unanimous to authorize the swim team the extended use of the pool on Wednesdays, June 5, 12, 19 and 26 from 7:00 p.m. to 9:30 p.m; June 1, 15 and 29 are their meet dates; and authorize the use on Mondays from 3:00 p.m. to 6:30 p.m. and Tuesdays and Thursdays from 5:00 p.m. to 9:30 p.m. for the 1996 schedule.

APPOINTMENT OF MEMBERS TO VARIOUS COMMITTEES

Mayor Schneider said the following people had submitted applications for various committees and he recommends their appointment as follows:

For the Building Board of Adjustment:

Robert Clark	-	2 year term
Frank Gullo	-	2 year term
Benny Grimmer	-	2 year term
Bob Howe	-	1 year term
Mike O'Kelly	-	1 year term
Gary Vossler	-	1 year term

He noted the term would be extended until October, 1997.

For the Planning and Zoning Commission:

Jim Fields	-	Position #3
Kay Vaccaro	-	Position #4

These new members will complete the terms of D.Meaux and B.Schuster.

For the Ordinance Committee	-	David Paul
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For Recreation and Events - Sharon Jones

For Parks and Landscaping - Pat Weirich

Following the Mayor's recommendation, Councilman Fenley made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the noted members as submitted.

APPROVAL OF THE VOLUNTEER FIREFIGHTERS RETIREMENT PLAN WITH
VOLUNTEER FIREFIGHTERS INSURANCE SERVICES (VFIS)

Dale Brown explained that at last month's Council meeting they had recommended that Staff proceed with the preparation of a contract with Volunteer Firefighters Insurance Services (VFIS) and arrange to have a representative from VFIS here tonight to discuss the plan and answer any questions.

VFIS Representative Barbara Marzean then explained the plan and said the cost for the first year would be \$16,500, and \$10,000 per year thereafter.

Fire Chief Kathy Hutchens, noting that she is not eligible for this plan, asked Frank Maher to give an overview of their committee's recommendation for this plan. Mr. Maher said the committee looked at all aspects and wanted something that would take care of both the old and new members.

Councilman Fenley then made a motion, and seconded by Councilwoman Berube to approve authorization for the City Manager to contract with Volunteer Firemen's Insurance Services to provide a volunteer firefighters retirement program.

Council members Bowden, Fenley and Berube voted for the motion and Councilman Wilson abstained noting he did not vote nor discuss this item because of his association with the Fire Department. The motion passed.

AWARD BID FOR THE TRAILER MOUNTED SEWER CLEANING MACHINE

Dale Brown explained that bids were received on March 7, 1996 for the Trailer Mounted Sewer Cleaning Machine with the lowest bid being \$25,871.00, less a \$4,000.00 trade-in, making the total cost \$21,871.00.

Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to award the bid for the Trailer Mounted Sewer Cleaning Machine to Sewer

Equipment Company of America at a cost of \$21,871.00.

AWARD CONTRACT FOR MOSQUITO FOGGING

Dale Brown stated bids were received on March 7, 1996 for the Mosquito Fogging Contract with the lowest bid being \$150.00 per application per week, which is the same as last years.

Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to award the contract for Mosquito Fogging to Northwest Pest Patrol in the amount of \$150.00 per application per week.

AUTHORIZE STAFF TO ADVERTISE AND ACCEPT BIDS FOR A NEW OR USED BACKHOE

Dale Brown stated it would most likely be best to get a new backhoe and preferably a Case, which is the same kind as the one that was stolen several weeks ago. Mr. Brown went on to say another option would be to go through HGAC, who has a contract for John Deere. Their price for a new John Deere Backhoe is \$35,400.00.

Councilman Fenley asked if we could use the equipment we already have with the John Deere and John Horton said yes we can and would only have to make one modification.

Resident Haden Lambert said he believes the Case is more expensive and the John Deere is a better backhoe.

Following a brief discussion, Councilman Bowden made a motion, seconded by Councilwoman Berube and the vote was unanimous to authorize the purchase of a new John Deere 310 Backhoe through Houston-Galveston Area Council (HGAC) at a cost not to exceed \$40,000.00.

AUTHORIZE STAFF TO ADVERTISE AND ACCEPT BIDS FOR THE POOL CONTRACT

Dale Brown said this contract will be modified to fit the change in pool times as set tonight and then briefly explained that City Staff will be cleaning and maintaining the pool on a daily basis this year, however the contract will be for lifeguards and pool operations.

Councilman Wilson said it seems the City employee that would be responsible for the cleaning, etc. is always busy doing other things, and may need some additional help.

Mr. Brown explained that two City employees would be handling some of the duties. One to take care of janitorial type maintenance and the other, who is the water plant operator, would take care of the mechanical.

Councilman Wilson then made a motion, seconded by Councilman Fenley and the vote was unanimous to authorize Staff to advertise and accept bids for the pool contract with the hours as amended.

CONTRACTING FOR ENGINEERING DESIGN FOR A WATER LINE ON ACAPULCO STREET, JONES ROAD AND U.S. 290

Dale Brown said there are three different proposals. They are for engineering to begin the design work for the Acapulco Water Line in the amount of \$6,500.00 plus \$2,520.00 for surveying services; the Jones Road Water Line south of Village Green Drive in the amount of \$1,368.00, plus \$1,000.00; and the U.S.290 Water Line across the HL&P Easement in the amount of \$700.00 plus \$550.00.

Councilman Wilson asked if these fees are in line and he was advised yes they are.

Councilman Fenley then made a motion, seconded by Councilman Wilson and the vote was unanimous to authorize Staff to enter into a contract with Brooks & Sparks for providing Consulting Engineering Services in the amount of \$6,500.00 and Landtech Consultants for providing surveying services in the amount of \$2,520.00 for the Acapulco water line project; to enter into a contract with Karen Rose Engineering & Surveying for providing surveying services in the amount of \$1,368.00 and providing consultant Engineering services in the amount of \$1,000.00 for the Jones Road water line south of Village Green Drive; and to enter into a contract with Karen Rose Engineering & Surveying for providing surveying services in the amount of \$700.00 and providing consulting engineering services in the amount of \$550.00 for the extension of a water line along U.S.290 across the Houston Lighting and Power Easement.

APPROVAL OF THE SURVEY FORM REGARDING THE COMMUNITY CENTER

Dale Brown said Council has been given two revised alternates for mailing out to the residents along with the survey form regarding the meeting room. These revised alternates reflect just changes in some of the numbers. The total cost of the proposed meeting room is \$232,000.00, of which the building would be approximately \$150,000.00, Architectural/Engineering fees would be \$37,000.00, site work is \$15,000.00, decking would be \$10,000.00, and replacement and relocation of the covered pavilion to the north side of the pool is estimated at \$15,000.00, and approximately \$5,000.00 for fixtures, furniture, etc.

Councilwoman Berube asked if the survey would be sent to every registered voter or to every home, and Dale Brown said it will be done whichever way Council chooses.

Councilman Wilson said it seems the \$37,000.00 for Architectural/Engineering fees are high, however Dale Brown explained the charges and said it is done on a percentage. He noted if City Staff does some of the work, such as administering the construction project, inspections, etc., this could possibly be lowered about \$10,000.00.

Councilman Bowden said he thinks Alternate 2 is best, because we cannot guarantee taxes will not be raised.

Councilman Fenley noted this is approximate costs only, and hopes the residents understand that after going out for bids it could be less.

Several members of the Parks and Landscaping Committee were in attendance and said if we think the costs would be lower, then this should be indicated on the survey form.

Councilman Wilson said in Capital Improvements projects, there is an increase of \$100,000 for 1998-99 for a community center/meeting room, and since we are now looking at something a little grander, then possibly we should explain this increase for the citizens.

Mayor Schneider and Dale Brown both stated this capital improvements document would need to be amended, depending on the outcome of the citizen's survey.

Resident Haden Lambert said we need to keep in mind that people may remember that the new police building started out at much less than the final cost, and they may be a little skeptical.

Mayor Schneider said the citizens entrust City Council with \$5,000,000.00 worth of expenditures each year and believes they will also entrust you with the proper decision as whether to spend \$200,000.00 or whatever, we just need to first get their response from the survey to determine if they really want one or not. If we proceed and after the bids come in, we can then decide the exact size, etc. that we can afford.

Resident Kathy Stokan said their committee wanted the sentence included that taxes would not be raised and Councilman Bowden wants it removed and she would like to hear some discussion on that.

Councilman Bowden said his reasoning is that tonight Council moved up the Shanghai water line, which is \$138,000.00 from next year into this year because breakage has forced us to move it up. We can't say if we are spending money on the innerstructure of the City, and using up

some of the capital money that the additional \$230,000.00 for a meeting room won't at some time force us to raise taxes.

Councilwoman Berube said on the first sentence, after the word revenue, could we insert "currently" it does not cause a property tax increase.

Dale Brown said there are two ways of looking at this. If you say in this that taxes will not be raised, and at some point we have to raise taxes for something else, people will automatically say it is because of this. We just need to be very careful in the wording that we use.

Resident Jim Fields said he believes just because you have a nice new police station does not necessarily mean you have a good police department. We need a meeting room facility or something to attract good citizens to Jersey Village. He does not mind paying more taxes for something to benefit and increase the quality of people.

Councilman Wilson then noted the new fire station should be shown in Capital Improvements as 1998-99 instead of the year 2000.

After a brief discussion, Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to send out Alternate #2 on City letterhead to all homes (one survey per household) as written and with the proper numbers.

APPROVAL OF BUS TRANSPORTATION FOR FOUNDER'S DAY

Dale Brown said this is on tonight's agenda for further discussion. When we started making plans for Founder's Day, there was a great deal of concern regarding security with the possibility of having a large crowd of people here in the City. We had discussed hiring a private bus company to provide two buses and we would have the use of the West Little York Park and Ride. We could rent buses from a private company at a cost of \$800.00, or to use Metro Buses at a cost of \$3700.00, which included as many buses as necessary and included having Metro Police patrolling the parking lot and also in Jersey Village at a site where people would be disembarking the buses. This \$3700.00 would be offset because Metro would be charging a fee of \$1.00 or \$2.00 per person, which would be used to reduce the fee for Metro. This would be one way to provide additional officers since there was a concern about security.

Mr. Brown said we have a verbal commitment with the Woodlands Express Company to provide their two buses if Council wishes to go that way, and use the Park and Ride.

Debbie Muery said she thinks the \$3700.00 is on the high side, which she has discussed with them, however they said you get what you pay for. She said she has also talked with them, but if do not use all the buses the cost would be adjusted.

Mr. Brown said it is hard to compare the service of these two bus companies. If Council just wants basic bus service, the best way would be the Woodlands Express. However, if we want the added security, we should go with Metro.

Councilman Wilson asked why Metro couldn't give a rate based on one bus at a time.

Debbie Muery then added that she is getting two Shuttle Buses from the Woodlands Express to shuttle people from the Shopping Center to the park at a cost of \$482.00, which will be covered by the donation from Houston Lighting & Power.

Dale Brown said he has suggested that we use one shuttle bus to bring people from the shopping center, which would probably be people other than residents, and have the other one just pick up residents at certain stopping places, such as the churches, or those that are walking to the park.

Councilman Fenley asked if we really need this security, and Police Chief Lindsey said there is more to contracting with Metro other than the security. If we use private buses we would have to provide ticket takers and people to handle the money, whereas Metro would provide this, plus their additional security. This is one aspect he would not have to worry about if we go with Metro, however, whatever Council decides will be done.

Council agreed that we should have two large buses and two small shuttles to provide this service free of charge to those riding the bus.

Following a brief discussion Councilman Wilson made a motion, seconded by Councilman Fenley and the vote was unanimous to accept a contract with Kerrville Bus Company (which is the same as Woodlands Bus Company) to provide two (2) large buses and authorize Staff to negotiate a contract to get two (2) small shuttles.

MONTHLY FINANCIAL UPDATE AND BUDGET ADJUSTMENTS

Dale Brown said the budget adjustments tonight are to cover the costs of the equipment for the intoxilyzer as discussed earlier this year and for a steel chair for the dispatch office.

Councilwoman Berube made a motion, seconded by Councilman Fenley and the vote was unanimous to accept the budget adjustments as noted.

CITY MANAGER'S REPORT

A. JOE MYERS FORD UPDATE

Dale Brown said this was discussed earlier and had no further comments. Mr. Fred Grimm, with Joe Myers Ford, explained what they are doing to address all the problems and complaints. Mayor Schneider told Mr. Grimm that he, Council and the residents appreciate all of their efforts to work with us and in handling these issues.

B. SALE OF AMBULANCE

Mr. Brown said Council gave approval last month to sell the ambulance and he wanted to report that we will advertise in May and receive bids on May 16.

C. THE ARC OF GREATER HOUSTON

Mr. Brown reported this request to use the City's pool for a children's day camp, from 9:00 a.m. to 10:00 a.m. July 15 - 19 is the same as last year. This will be before the pool is open for public use and the swim team will be finished by this time.

Councilman Bowden asked about the City's liability and Ken Wall said this is not a problem and we are covered.

Councilman Wilson asked if these are residents and Dale Brown explained the camps are held for handicapped children at different area elementary schools. They had previously had them at Post Elementary School and then stopped for a while, and then started using Post again last year.

D. TRAFFIC ENGINEER - VILLAGE/VILLAGE GREEN DRIVE

Dale Brown said he has received some basic information from a study done on March 4, for a 24 hour period, but does not include all the required information. It does show that we need to have police patrol cars in that area to help control speed. Thirty seven percent of the traffic exceeded the speed limit. The eighty-fifth percentile was 38 miles per hour. The speeding relates to certain times of the day.

Mr. Brown noted they said a study concerning a three-way stop sign at Village Drive and Village Green is not included and would have to be done separately at an additional charge.

E. PAINTING & REPAIR OF RESIDENCES

The City Attorney is not ready with this as yet.

Councilman Bowden then asked if we had seen a more liberal leash law. Ken Wall advised he had done one and would send it out for Council to review.

ADJOURN OPEN MEETING

With all business completed Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to adjourn the open meeting at 9:50 p.m.

CLOSED MEETING

A closed meeting was then convened at 10:00 p.m. and adjourned at 10:25 p.m.

Respectfully Submitted,



Laverne M. Hale
City Secretary

APPROVED AS MINUTES 4/15/96



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

A Texas Star Community

MINUTES FOR THE SPECIAL CALLED MEETING OF THE JERSEY VILLAGE CITY COUNCIL

DATE: April 1, 1996

TIME: 7:00 P.M.

PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Pro Tem Calvin Fenley, followed by the invocation and the pledge of allegiance. Others in attendance were Council members Joe Pulido, Bruce Bowden, Charlie Wilson and Joyce Berube; City Manager Dale Brown; and City Secretary Laverne Hale.

It was noted Mayor Steve Schneider was not in attendance due to illness, and City Attorney Ken Wall was not in attendance.

CITIZEN'S COMMENTS

There were none at this time.

COUNCIL MEMBERS' REPORTS AND COMMENTS

Councilwoman Berube said she had received a call from the Solimans, who live on Ginger Lane, concerning the installation of a street light near their home. She said they also were concerned about the replacement of grass along the sewer line in their yard.

Ms. Berube said she also received a call from Scott Falke regarding sidewalks in the Tahoe/N. Tahoe area. He said one resident, Chris Conner had been cited for not putting in a sidewalk and wanted to know what has happened on this case.

Dale Brown advised that Mr. Conner will be on the April 15 City Council agenda. He has appeared in Municipal Court and the judge postponed any action and told him to appear before City Council to discuss.

Councilwoman Berube then stated there are two homes on Tahoe, across from the lift station, who are putting in circular driveways and asked why they were not required to put sidewalks in. Dale Brown explained that City code provides for sidewalks to be installed only where buildings are built or substantially remodeled.

Councilman Wilson then said he would like to comment, revisit and clarify why the City does not have a credit card. He said this past weekend, while at Fire School, he had used his personal credit card for \$576.00 in expenditures. Employees should not have to use their cards and wait to be reimbursed.

Dale Brown said the City Attorney had been working on the paperwork for the bank for a credit card and Councilwoman Berube said it should be ready.

Councilman Bowden stated it is not really a good idea to have a credit card and if there is one you need to have strict rules and procedures.

Councilman Fenley said he thinks this is something the City Manager should handle and issue the credit card out as necessary.

Councilman Bowden asked if the employees couldn't get cash advances before going on trips and Dale Brown said yes and there is a form that is filled out.

Councilman Wilson said he had used his credit card because there were eight people involved and it was easier for just one person to handle the bills and payments rather than have all eight complete the necessary paperwork.

Councilman Bowden said at most companies you use your own money and are then reimbursed and we need to stay with that policy.

Councilman Pulido said there must be certain restraints with a credit card and monitored very closely.

Councilwoman Berube said it is very cumbersome for our committees to have to ask John Horton to go down and shop for different things they need for their events.

Councilman Wilson asked when checks are written here and noted that the last time he had to wait for eleven days to get a check. Dale Brown advised normally checks are written every other Friday, but could be done at anytime when necessary.

Councilwoman Berube said Sterling Bank has a credit card with \$1000.00 limit pending and if Council wants her to, she could bring it to Dale Brown.

Dale Brown then said referring back to the Soliman's request for a street light, certain criteria must be met and he will contact them to discuss this further.

APPROVAL OF AN ORDINANCE DECLARING THE WINNERS AND CANCELLING THE
MAY 4, 1996 MUNICIPAL ELECTION

Dale Brown explained the new election law pertaining to Municipal Elections where all the races are unopposed. The City Secretary has certified that all three City Council positions for this year's election are unopposed, therefore we are not required to hold an election and Council can authorize this action by approving an ordinance declaring the candidates as winners and cancelling the election.

Councilman Pulido made a motion, and seconded by Councilman Wilson to approve Ordinance No. 96-05 declaring the unopposed candidates for Councilmember Place Nos. 1, 4 and 5 as elected and cancelling the May 4, 1996 City of Jersey Village General Municipal Officers Election.

Councilmembers Pulido, Wilson, Bowden and Fenley voted for the motion and Councilwoman Berube abstained. The motion passed.

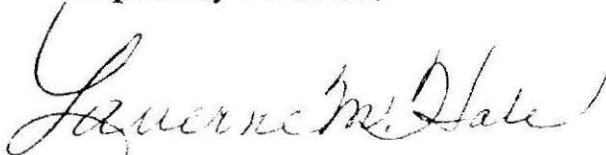
ADJOURN

There being no further business, Councilman Pulido made a motion, seconded by Councilman Bowden and the vote was unanimous to adjourn the open meeting at 7:22 p.m.

CLOSED MEETING

A closed meeting was convened at 7:26 p.m. and was adjourned at 7:47 p.m.

Respectfully Submitted,



Laverne M. Hale
City Secretary

APPROVED AS MINUTES 4/15/96

Ordinance No. 96-05 is on file in the City Secretary's office and is made a part of these minutes by reference.



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

A Texas Star Community

MINUTES FOR THE REGULAR CALLED MEETING OF THE JERSEY VILLAGE CITY COUNCIL

DATE: April 15, 1996
TIME: 7:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Steve Schneider, followed by the invocation by Mayor Schneider, and pledge of allegiance to the flag. Noted present were Council members Joe Pulido, Calvin Fenley, Bruce Bowden and Charlie Wilson; City Manager Dale Brown; City Secretary Laverne Hale; and City Attorney Ken Wall.

It was noted that Councilwoman Joyce Berube was not in attendance.

Mayor Schneider then asked for a motion to delay Item No. 3 until later in the Agenda. Such motion was made by Councilman Fenley, seconded by Councilman Wilson and the vote was unanimous to delay Item No. 3.

Mayor Schneider then recognized Ralph Martin for his service on the Planning and Zoning Committee since 1983. He also was part of the original Charter Commission in 1986 and the Charter Review Commission in 1992. On behalf of the city, he presented a plaque to Mr. Martin's wife, Kathy. Mrs. Martin accepted the plaque on behalf of Mr. Martin as he could not be in attendance, and expressed his appreciation.

CITIZENS' COMMENTS

Mr. Bob Biggs, who lives on Village Drive, spoke regarding poor sight distance on Village Drive. He said that when he backs out of his driveway, he has trouble seeing traffic coming in his direction. He wants something done to remedy the situation on Village Drive. He said Chief Lindsey and Sgt. Kelly have done a good job in seeing that officers are in the area keeping the traffic under 32 m.p.h. He said he doesn't want to force the issue by parking out on the street or getting up a petition, but something has to be done.

City Manager Dale Brown responded by saying that the traffic engineer who did the traffic study wrote "based upon the data received from the traffic counts on Village Drive, a change in speed limit along this road is not justified". Mr. Brown said the study did identify a few times during the day when there was excessive speed, and most of it was around noon or 3:30 P.M., relating to the high school students. He said there was also some speeding around 6:30 A.M. Mr. Brown said that he is at a loss as what to do, but he believes that the problem is a design problem with the street and that there is not much that can be done to change it. He said the street could be widened and try to reduce the curve, but the real problem is the 10' front setbacks for townhouses. He stated that was one of the reasons he recommended that 10' front setbacks be eliminated when the code was changed a few years ago. He said there is no room to maneuver and buildings such as the townhouses should not have been placed upon a street such as Village Drive, as it has become a major access point for the Village because of the businesses on Jones Road. Mr. Brown said he only sees the situation as getting worse, especially if more development occurs along Village Drive and Village Green Drive.

Councilman Pulido asked Chief Lindsey if there could be a standard policy established to monitor the more high incident times during the day.

Chief Lindsey answered by saying that normally during school hours, he tries to have officers in the school zones working traffic and will continue for an indefinite time. He said officers have been on Village Drive trying to work on the traffic and that he knows it has slowed some, and officers will be there as long as it takes to help remedy the problem.

Mr. Biggs said the police have done a good job in slowing the traffic, but the point he is trying to make is that between 9:00 A.M. and 11:00 A.M., if the police are there, the traffic slows down also. He said he still has trouble backing out of his driveway.

Councilman Bowden noted the speed limit on Rio Grande is 25 m.p.h.

City Attorney Ken Wall said the state law establishes speed limits in an urban district at 30 m.p.h. He said that can be altered by a city based upon a traffic and engineering study.

Mr. Brown said the basic problem is in the design of the street, not necessarily the traffic.

Mr. Biggs said that people are still coming through too fast for the people living in the townhouses.

Mr. Brown said that one of the problems is that the cars going down the street have the right of way, and that if they see someone backing out, they will honk at them.

Mr. Biggs said that even a 25 m.p.h. would not be sufficient, and that it would have to be a 15 m.p.h. speed limit.

Mayor Schneider asked Mr. Biggs if getting the speed limit down to 15 m.p.h. would satisfy him. Mayor Schneider asked if we would have a problem upholding the writing of tickets at 15, 20, 25 miles per hour, and Mr. Wall said prosecution would perhaps be a possibility. Mr. Biggs questioned the 25 m.p.h. on Rio Grande and not on Village Drive.

Next, Mr. Chris Conner spoke regarding a situation at 8301 N. Tahoe concerning the sidewalk ordinance. He said someone came back with a petition for having sidewalks created for all the property not having sidewalks. He said previously 90% of the homeowners came up and said, no, they did not want sidewalks. He said putting a sidewalk in his yard would destroy property value and he has spent a lot of money upgrading his property and had bought his house with the intention of upgrading it. He does not want to cut down trees in order to put in a sidewalk. He said there is a 13 foot diameter oak tree that is 18 feet off the curb and that the sidewalk would be 2.5 feet from the tree and he thinks that would kill the oak tree. Also, putting in the sidewalk would involve cutting four other trees and that would definitely decrease the value of his property. He said he understands the situation and went before the judge and prosecuting attorney and they both agreed that this particular situation should be grandfathered and asked that it come back to City Council. He said he feels that this falls under the situation of "being taken". He said he bought a piece of property and paid good money for it and now something is being taken from him. He said he bought the property because of the trees and would request that this be grandfathered.

Mayor Schneider informed him that he is on the Agenda as Item No. 8 and asked that Mr. Conner stay.

Next, Gloria McKay spoke regarding Joe Myers' dealership. She said there has been little development since last month. She mentioned the possibility of the Church of Christ selling one foot of land to Joe Myers for the building of a wall. She said she will ask Joe Myers to please come up with some alternatives. She said she thinks that a 10x12 foot wooden fence could abut the current fence, which is within the code. She said she is asking City Council to take a more aggressive approach to get the problems resolved.

Mr. Brown responded by saying that after calling the Church of Christ, he was told there is someone designated to speak with him, but that person has not called him yet. He then said he talked to Mr. Grimm, of Joe Myers' Ford, and was informed that there have been some additional changes done at the dealership and Mr. Grimm will explain.

Mr. Grimm said that regarding the lighting situation, there is one standard that has two lights on at night and the other standard has one light. He said along the side of the building, one is full lighting and one is night lighting. He said they cut the full lighting off, so all that is left is the night lighting. He said the dumpster has been relocated temporarily out of sight between the body shop and the main store. Mayor Schneider asked if this would be a permanent location and Mr. Grimm stated that it would be. Mr. Grimm said they are trying to relocate the

Mitsubishi dumpster between Mitsubishi and the lot if power can be obtained out there. He then said the dealership has installed a new central speaker system upgraded to fit the new telephone system. He said no one could get on the system and scream into the speaker with a high-pitched voice, etc., because it maintains a level sound. He said the speakers have been disconnected at the body shop and that the speaker in the wash rack was greatly reduced in sound, with no radio playing across the back of the property. He said he met with some of the technicians in the service department regarding their radio inside the shop. They are allowed a radio inside the shop at a normal inside level. Mr. Grimm said he feels these actions should reduce the sound considerably. Mr. Grimm then stated that he has walked behind the church several times since the first meeting and has never smelled the odors that have been complained about.

City Manager Dale Brown then stated that what the citizens were complaining about was the occasional aroma of paint.

Mr. Grimm then said that perhaps on certain days some atmospheric conditions may exist that would allow the smell of paint, but he, personally, has not experienced it. He said that as far as trash, 90% of it is cardboard and just a small percentage of wet garbage is kept in a separate container. He said he has never smelled a bad odor from the dumpster and that at the body shop, no garbage is put into it, just cardboard. He said they removed the few pieces of metal they considered unnecessary and that the remaining metal is stacked in a neat order and when the property on the corner is finished, they hope to eliminate that metal and that there is no physical guard on this side of the brick wall that would create a harbor for rats. He said the hole next to it on the other side of the brick wall had a lot of wood piled up against the wall. Regarding the status of the fence plan, he said they have been waiting to see what will happen with the church, as Mr. Myer made the offer to purchase the land for the fence. He said the pipeline is directly in the easement below the middle where the fence would be located and extreme caution would have to be taken. He then said a wooden fence is hard to maintain because their people tend to back into them. He said hopefully, the church will approve their request to purchase the land, as the church does not use it. He met with the church approximately two years ago, at which time the church approved the sale, and then rescinded.

Ms. McKay said all the residential owners have wooden fences on the gas easement, so building a wooden fence would be in accord with all the other fences.

Councilman Pulido asked Ken Wall if everyone on Council agreed with Ms. McKay concerning the building of a wooden fence, is there anything Council can do to put Joe Myers' dealership in a position where they would be required to put an 8x10 foot wooden fence in the location. He wants to know exactly what Council can really do, rather than just sit and talk and nothing happen, simply because it couldn't be done anyway.

Mr. Wall said that assuming all the requirements of the code were met at the time the dealership developed that property - then, no, they are entitled to develop the property in accordance with

the regulations that existed at the time they commenced development. So, if there is substance to that, then they could not be forced to put in another fence.

Councilman Pulido then said that Council cannot make decisions when they do not know what circumstances are at any given point and the decision right now is to hope to get the cooperation of the church and the indulgence or cooperation of Joe Myers' Ford, which it seems they are willing to do. He said Council's decisions, or abilities, are limited until they can get to the point where it is known what they can or cannot do. He said it sounds like things are just where they were a month ago and will remain so until a final decision comes from the church.

Ms. McKay said she thought the grandfather clause might come into play in this situation.

Councilman Pulido said we really need to address the issues Mr. Wall brought up, in that Joe Myers' dealership is not in violation, and if they are not, then it doesn't resolve the problem. We don't have a resolution until we know where everyone stands, i.e., the church or what Joe Myers is willing to do.

Ms. McKay said she also wondered if the City could pick up the maintenance of the fence, to which Mr. Wall said the City cannot maintain private property.

Mayor Schneider said two issues have to be resolved: (1) Meeting with the church on short order and, (2) Find out the date Joe Myers came into play and what the building code was at the time and if they complied. He said if we can get to those answers then we can deal with the issues. He feels Joe Myers wants to comply, as they have been represented at Council meetings three consecutive months, but obviously, we need to get to some resolution on this, and in order to do this, we must get the facts.

Ms. McKay expressed appreciation to Joe Myers for being concerned and showing up at the meetings and she does want to work with them to get Jersey Village as pretty as it can be.

Councilman Bowden then asked Mr. Grimm what their objections are to a wooden fence. Mr. Grimm stated that he was not saying Mr. Myers has an objection to a wooden fence, he was just concerned that the wood would be broken down. He said the chain link fence would remain because of a security policy, but the wooden fence would really be on the church's property.

Mayor Schneider said that in the discussions with the church, one of the issues that needs to be addressed is perhaps some sort of compromise such as coming back maybe one foot on the church's property rather than nine or ten feet and perhaps they would be more willing to accept.

Dale Brown said he talked to one of the members of the church and asked to go before them and has never been invited. He said he basically suggested three options that he would like to discuss with them: (1) selling the 11 feet to Joe Myers for the construction of a masonry wall;

(2) a wooden fence would seem likely to be more functional on the exterior on this side of the chain link rather than on the Joe Myers side of the chain link; and (3) the possibility of some sort of landscape easement of about 10 feet wide simply to cover the same easement along the fence line.

Mr. Brown said we have all the building permits from Mr. Myers going back to at least the mid to late 1970's and that as far as he can tell, everything out there has been permitted. The chain link fence was specifically permitted as was the masonry fence at the dead-end of Congo.

Ms. McKay said that at the time the chain link fence was put up, there was an open field and was not a nuisance as it is now. She said she also thought that if a fence is done that abuts the current chain link fence between them and Joe Myers and let the church pay just a nominal fee so that it's not solely Joe Myers, if they want to have partial ownership.

Mayor Schneider suggested setting a meeting with the church and stated that he, also, would like to attend so as to get a resolution on this. Councilman Pulido asked if members from the church could be invited to a Council meeting if the church doesn't set a meeting.

Mr. Bob Biggs stated he thought there was a resolution that stated you had to have a 6 feet or taller fence to hide objects on property that was something other than a garage or house.

Mr. Brown said that does apply to Zones A and B, which are the residential zones; we're speaking of a commercial zone, Zone G, which does not have that criteria. He said the city's property and the church's property are in Zone G and that is part of the crux of the argument about the fence. Our regulations state that a masonry fence between zones, between commercial zones and residential will be built. Joe Myers' fence line, or property line, is directly through the middle of a commercial zone. None of his property, except the area at Congo, is adjacent to residential property, so he believes that when the fence went up, people said this property is not adjacent to residential because adjacent means contiguous, or touching, and his property does not touch, or is not contiguous to residential property, so it was all right to put the chain link fence. At the time, there was no consideration that there should be a buffering fence between it.

Next, resident Robert Clark said he would like to discuss a 1,000 square foot building that has been constructed at the corner of DeLozier and Rio Grande Streets. He said he does not believe this type of building is allowed.

Dale Brown stated this is a backyard workshop and believes it does meet our standards; however, he will check into it further. Ken Wall said he will also assist Mr. Brown.

Mr. Schneider thanked Mr. Clark and advised we will check into this further.

COUNCIL MEMBER'S REPORTS AND COMMENTS

Mayor Schneider stated that as part of his commitment to the city relative to the West Gulf Bank issue, he sent a letter to Bob Lanier relative to some ongoing issues that were being presented before the City of Houston and in response to his letter, he received a letter from a Deputy Director which basically states, "the overwhelming opposition to West Gulf Bank referenced in your letter resulted in the deletion of three projects on West Gulf Bank from I.H. 45 to Beltway 8 according to the Texas Department of Transportation. These projects, up to the time of cancellation, were being developed by Texas Department of Transportation under the principal arterial street system program. It appears that the desires and wishes of Jersey Village are being met". Mayor Schneider said we are not "out of the woods" yet, relative to this particular issue, and will be an issue we have to continue to fight. He thinks we have made some progress, both with the County and the City of Houston and he thinks we are in as good a position in honoring his campaign promises to the city as we could possible be at this point in time.

Dale Brown said, for the record, both the County and the City of Houston continue to refer to or reference Gulfbank from I-45 to Beltway 8. He said the section through Jersey Village is FM 529 to Beltway 8, and the State considers this to be a separate project from the one from Beltway 8 to I-45. The project through Jersey Village has not been dropped.

Mayor Schneider said it is not on their Agenda for the next three years, but it is still on their 10-year view, but he thinks it is at least some support relative to what is going on and it is not a dead issue yet, and we will continue to fight.

CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussions on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the Agenda.

Councilman Wilson made a motion, seconded by Councilman Pulido and the vote was unanimous to approve the following items on the Consent Agenda:

- A. Approval of the minutes of the March 14, 1996 Special Meeting; the March 18, 1996 Regular Meeting; and the April 1, 1996 Special Meeting.
- B. Approval of a 1995 Property Tax Refund, for Account No. 1000-057-0120, Melvin Gilmore, 16222 Smith Street, for a duplicate payment in the amount of \$1,237.50.

- C. Approval of Harris County Appraisal District's 1992 Supplemental Appraisal Roll #23 as an amendment to the Tax Roll with a tax rate of \$.7300/\$100 valuation and a total value increase of \$49,320.00 for an additional tax levy of \$360.04.
- D. Approval of Harris County Appraisal District's 1993 Supplemental Appraisal Roll #19 as an amendment to the Tax Roll with a tax rate of \$.7300/\$100 valuation and a total value increase of \$49,320.00 for an additional tax levy of \$360.04.
- E. Approval of Harris County Appraisal District's 1994 Supplemental Appraisal Roll #11 as an amendment to the Tax Roll with a tax rate of \$.7300/\$100 valuation and a total value increase of \$49,520.00 for an additional tax levy of \$361.50.
- F. Approval of Harris County Appraisal District's 1995 Correction Appraisal Roll #15 as an amendment to the Tax Roll with a tax rate of \$.68408/\$100 valuation and a total value reduction of \$21,150.00 for a tax levy reduction of \$144.68.
- G. Approval of Harris County Appraisal District's 1995 Supplemental Appraisal Roll #8 as an amendment to the Tax Roll with a tax rate of \$.68408/\$100 valuation and a total value increase of \$74,600.00 for an additional tax levy of \$510.32.

REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

Debbie Muery reminded everyone of the parade and said it will last approximately one to one hour and fifteen minutes. She said she has gotten calls from some of the residents on Jersey Drive that are really excited and will be decorating their yards. The Committee will decorate all of Jersey Drive and parts of Congo by the high school and she said they have already started decorating Senate today, but cut back because it was so windy. She said there will be bagpipes, bands, Shriners, clowns, motorcycles, horses, etc. She said a couple of things have been added to the kids' attractions and the prices will be roughly fifty cents to two dollars, most being fifty cents to one dollar; they have tried to keep the prices down and every one has been fairly cooperative with that. She said someone will bring a wild stuffed bronc and all the proceeds will go to the Police and Fire Departments and pictures will be done for \$5.00. There will be two stages; Stage One will be the KILT band and as soon as the parade ends, canned music will begin and then a country showcase with ten entertainers which KILT is providing, and then KILT will come on stage at approximately 1:00 P.M. and will play until 3:30 P.M. They will exit the stage then, and change out equipment and Ty Herndon will come on at 4:00 P.M. and will work from 4:00 P.M. until 5:30 P.M., followed by an autograph session for the public. Ty Herndon will also do a photograph session with the Mayor and Council. Stage Two will be the children's entertainment, Village Dance, Paula Abbott's, Yellow Rose of Texas Cloggers, Community Dance, Finch's Academy, and Zoe Ann's School of Dance - all of which will be performing. There will be lots of food and it has been stated everywhere that this is an alcohol free concert and anyone having ice chests will be subject to search. She said they are really

proud of the History Booth and that Cindy Hansen has done a lot of work on the history booth. She said they have the old porcelain cow that used to be at Jersey Drive. Jill Klein is baking a huge cake and they have lots of pictures. Lots of country crafters have given all kinds of items and all proceeds will go to the City, as well as the tee-shirts, which will be on sale for \$8.00. The bus shuttle is working out really well, she said private buses will be at Little York and Hempstead for outsiders and there will be constant radio contact with them so that we'll know if they are filling up, etc. She said there will also be a large bus at the shopping center and a large bus at Jersey Village Baptist Church. Ms. Muery then said that Walter Moore has donated \$500.00, Karen Rose Engineering gave \$300.00, HL&P gave \$500.00, Sterling Bank donated \$1,000.00, You Nique Gifts gave \$100.00, Judy Bruner gave \$100.00, Paper Boy gave some decorations and Entex donated a really large barbecue pit which will be in the Country Store. She said we have \$2,500.00 in donations, craft booths have brought in \$2,500.00, business booths have brought in about \$400.00, food booths have brought in \$1,600.00, game booths have brought in about \$400.00 and roughly, to date, we have about \$7,400.00. She said we have large 24x36 thank you signs which will be hanging on the pool fence along with all the other sponsors. She said directional signs will be placed Friday around the Village. She said Ross Hausley and his crew have done an outstanding job at the pavilion. She said all Council members will be riding in one trailer in the parade. She said the judging platform will be at Carol Fox Park and the area pastors will be the judges. She asked that the names of the winners of the Little Mr. and Miss Jersey Village, along with their essays, be given to the Mayor tonight and then a copy of the essays and names of the winners be given to Mike Warren. She said the Chronicle is doing a layout Wednesday and Saturday and KILT has been announcing it since Saturday.

Councilman Wilson said the trailer and all transportation will meet at NW Freeway and Jones Road, which is where all the floats will be - in the shopping center.

Ms. Muery said all the motorized vehicles will be at 290 and Jones and the walkers and bands will be at the Baptist Church about 8:30 A.M., at the latest.

Mayor Schneider wanted to express the City's appreciation not only to Ms. Muery but to the rest of the Committee, the City Staff, a variety of different people who have contributed to this, and realizes it takes unspoken hours and tremendous effort.

Ms. Muery said the parade will actually start at City Hall and flyers will be handed out showing a layout of activities.

**DISCUSSION WITH POSSIBLE ACTION CONCERNING SIDEWALK REQUIREMENTS
FOR MR. CHRIS CONNER, 8301 N. TAHOE**

Dale Brown stated the City's requirement states..."No permit for the erection, alteration, reconstruction, conversion, or use of any building shall be issued by the development officer

(and the development officer is also the building official - and in this case, the Director of Public Works) unless the plan provided for in Section 307, which is the site plan for getting building permits, is met. This Code provides for a sidewalk to be constructed on all street sides of said building. This regulation shall apply to all districts of the City with the exception of Block 42, which is the block where the lake is". Mr. Brown stated that the week this went to Court was the week he was home with the flu and, hence, he did not realize it had gone to Court. He said that since this is in our zoning regulation, first of all, he does not believe Council can act upon it anyway. Any variance from zoning provisions has to be acted upon by the Board of Adjustment. Secondly, if Council wished to do something, it would have to be in the form of amending the ordinance itself.

City Attorney Ken Wall stated it would have to be done after recommendation by the Planning and Zoning Commission, to which Mr. Brown replied that it would be a two to three month process.

Mr. Brown said, thirdly, that when we deal with a variance, the appropriate time to deal with it is before the building permit is issued. He said that basically, what he is saying is this should be sent back to the Court and tell the Court to make a decision based upon the merits of the case and these things should not be sent to Council every time the Court has a difficult decision. .

Councilman Pulido asked if anyone had asked the question, "Do we normally, assuming whenever someone does ask for a building permit, do we advise the resident that along with this building permit, they have a responsibility coupled with it? How do we handle it from a procedural matter"? Councilman Pulido then asked how it is presented to the resident - how does he know he's deficient in order to fix it?

Dale Brown said he thinks the way it should work, generally, is when the site plan and building plans are presented to the City, they are reviewed by the building official and marked up in red, etc., with any problems that need to be addressed; then returned to the person submitting with the request, and through that, you eventually get to the set of plans that meet our criteria and at that point, the building permit is issued. He said there should be a two-way conversation between the building official and the person submitting the plans.

Councilman Fenley then asked, if at that point in time, when this citizen asked for this permit, would he have been told at that time that a sidewalk would be required and, if there was a change in it, he would have to go before the Board of Adjustment?

Dale Brown said if his site plan did not show it, it should have been returned to him with the notation that he must show a sidewalk on his site plan.

Councilman Fenley then asked, what if the person said he did not want a sidewalk?

Dale Brown said the building official should refuse the permit, and the person appeals for the variance or, in some cases, depending on the what the standard is, they appeal to the Board based upon the fact that they disagree with the interpretation of the building official. Two things can be done: (1) You can disagree with the interpretation of the rules by the building official and therefore appeal, or (2) You can just appeal, asking for a variance from this rule because...of the following facts.

Councilman Fenley asked if this person went before the Board of Adjustment and Mr. Brown said not to his knowledge.

Councilman Pulido asked if they were made aware of the requirement in our building ordinance and Mr. Brown stated he did not know the answer to that specifically. Councilman Pulido said he was not questioning whether or not Mr. Brown was right in his suggestion that it needs to go back to Judge, but is just curious about the facts associated with this particular situation and what the norm would be versus what happened in this case.

Mr. Brown said, in this case, he does not know. He said that at the time the sidewalks were discussed approximately eight months ago, it was brought up in Council that no sidewalk was being constructed on this lot, and at that point he specifically directed the Director of Public

Works to contact the person and make sure they were aware of the fact that a sidewalk had to be constructed.

Councilman Pulido then asked at what point was this in the construction and Mr. Brown said he would have to go back and look at the building permit.

Mr. Conner said, first of all, he moved into the house August 1st and secondly, he is a third generation contractor and has worked all over the city. He then said when a certain drawing is submitted to any city, if there is something that violates their code, they will note it. He said when you get a building permit, you can proceed with that work. Sometimes you will have an inspector come out that wants something changed on the job because of a health or fire safety issue, for instance, electrical. He said he requested the permit and no sidewalk was ever brought up. He said he bought the house on Tahoe, remodeled it, and received the permit on that and no sidewalk was brought up - it was never an issue. He said the house next to them was remodeled six months before that and they did not have to put in a sidewalk. He said the house across the street did not have to put in a sidewalk. He stated the only reason his house wasn't final at the time this became an issue was because he had decided at the last minute to put in a pool during the month of August. The permit was pulled the week before he moved in - the house was completely finished, with the exception of the pool, so they would not issue him a final. Then the issue came up about one homeowner wanting the sidewalks put in, using the city's money for all the lots that did not have sidewalks in this section - none of them have sidewalks. All the homeowners disagreed because they were caught in the crossfire in this petty

issue. He said this issue is a very sore subject with him and if it doesn't get resolved in other ways, he will continue to fight this - he will not stop, because he will lose the oak trees that cover the entire street. He cannot believe anyone wants those trees to come down; he cannot believe anyone wants to see them die. He said this is a "gray area" ordinance and he deals with issues like this every day and has since 1978, his father before him, and his grandfather before his father. He said he was in the house when all this came up and that is a big issue. He said the only thing he was in violation of was the gate at the time of the meeting and the gate was put up immediately after that. He said because some homeowners want the city to provide them with a free sidewalk, now he is penalized. He said he does not want to lose the trees and he also has spent a lot of money there. He said he is thinking of the community and his property value; \$5,000 to \$10,000 in legal fees is worth a lot more money than losing the trees and the value of his property. He said the trees were the reason for buying the property. He said this is a very sore subject of "taking" going around - you cannot allow someone to buy something, then come back in and give them approval to do something, spend their hard earned money, and then take their value back - that is against the law and that is what has happened. He said he is not trying to say anyone is trying to do that but that is what has happened to him and it is not fair. He said to enforce it from now on is one thing, but if all the neighbors didn't want sidewalks and they could have had them for free, that's what this petition was trying to do. All but two homeowners were saying, no. He said he thought the community was the one that helped put the law together to be enforced for the community and this is absurd and ridiculous. He said he hopes Council is reasonable, see the situation and resolve it. He said the Judge and the prosecutor and attorneys saw it. He said it is a grandfather clause and a gray area.

Mr. Brown said at this point the municipal court can deal with this as an equity issue and they may find in his favor and go on with it. Mr. Conner made some very good arguments, but Council cannot function in this case as a judicial body. He said it had already been discussed about making one change to that regulation - Council may want to consider sending the entire regulation back to the Planning and Zoning Commission and ask them to again look at the entire thing, there may be a completely different way to deal with this; for instance, having the developer put the sidewalks in when the subdivision plat is done.

Mayor Schneider said he thinks that is the case in everything that is going up and he is not sure that what we are dealing with here is a dozen houses that preceded a lot of ordinances and building codes.

Councilman Wilson asked if the City has a standard stating where the sidewalk must be placed, so many feet from the curb, so many feet from the set back line, etc., and Dale Brown said he had not seen one.

Councilman Bowden asked what Mr. Conner's options are and it was decided that Mr. Conner should get on the Agenda for the Board of Adjustment or go back to Municipal Court. City Council members concurred and no action was taken.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPOINTMENT OF MEMBERS TO VARIOUS COMMITTEES

Mayor Schneider said the following applications have been received and recommended for appointment:

Pam Newsome, to the Ordinance Review Committee
Craig A. McKnight, Sr., to the Ordinance Review Committee
Howard Stanford, to the Building Board of Adjustment

Councilman Bowden asked how staffed the Building Board of Adjustment was at this time and Mayor Schneider replied that the application of Mr. Stanford would complete the Board.

There being no further discussion, Councilman Bowden made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the appointment of these persons to these committees.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE DECISION OF THE CITIZEN SURVEY REGARDING THE CONSTRUCTION OF A MEETING ROOM AT THE POOL

Dale Brown made reference to a memo he had given to Council this date. He said the results are those stating as Favorable for the construction of a meeting room at Clark Henry Park: 173 responses; Against the construction of a meeting room: 179 responses. He said there were seven (7) that he listed as "other"; those seven (7) are people, who in one case checked both and everyone else left #1 and #2 blank. From the statements they wrote, however, he is only suggesting that of the seven, four were leaning positive and three were leaning against, which really doesn't change the outcome.

Mayor Schneider asked the total number of questionnaires mailed out, to which Mr. Brown replied 1,609 and 359 were received back and Mayor Schneider stated that was less than 25%.

Mayor Schneider said that, from his position, if the number of receipts of the survey were higher or if there was a definite desire of the community one way or another, he would probably have a different position relative to what he is discussing tonight. He said that because of such a low turn out, it seems to him that, in some respects, residents do not care about certain issues - this being one. He stated that, personally, he thought there would have been a different type of response, in total. He said, from his own personal opinion, he does not see this as giving any directive in one way or the other. He said that what bothers him more than anything is that when he looks in the Saturday paper relative to basically what we as a community are competing with in maintaining home values; he looked at places such as Cinco Ranch, Fairfield, Copper Brook, etc., and said one of the things you notice is the basic amenities that these other

communities that are at the top of the profile, are offering to their potential citizens. He said the question he has, as the elected leader of this community, is where does Jersey Village fit in all this? He said he is not saying that we have to do everything these other communities are doing, but he thinks the city should make an effort to enhance and continue to enhance the value of the residences in this community. He said from our standpoint we are addressing a variety of different fronts in order to accomplish that, such as streets, utilities, police departments and fire departments, and things that are important to the city. He said his personal opinion is that if Jersey Village is to continue to be a place where people desire to come and live, we, in essence, have to be able to offer some of the amenities that the competing communities around us are offering and we have to do it within our budget constraint. He feels we have an opportunity here and if we don't take advantage of it, the opportunity may not come up again

and that is why he supports the community center and there will probably be other projects that come along which he will support relative to that also.

Mayor Schneider then suggested postponing a discussion on this until the new council members take office. He then opened the discussion for any council member's comments.

Councilman Pulido said that since this is his last council meeting, he is not here to create division and he feels also that it should be carried on for the next council meeting and for the new council members. He said he thinks the survey does say something. To him, it does not make a positive statement because of the ambivalence. If residents were for it, he thinks they would have been more active in their response, so he is taking a more pessimistic view than he would otherwise. On the other hand, he feels that our police and fire departments are the highlights of our city. He feels you could take a poll of most of the citizens and that would be at the top of the list for most. He doesn't know whether or not having a community center would be the crowning difference as to whether someone comes to Jersey Village, but he is still in favor of seeing something coupled with the hotel/motel tax with a hotel/motel associated therewith, being a prime meeting facility and is hopeful that we can have maybe "the best of both worlds" through that mechanism. He stated that someone commented recently on the money we currently have that would be earmarked for this particular facility and other uses have been considered for that money and he feels that should be addressed as well, rather than just making a decision. He said he is not making any recommendations, but just expressing his thoughts.

Councilman Fenley said he is in agreement with Councilman Pulido in that we need a community center, but doesn't feel that it should be acted upon tonight, but, rather let the new council discuss when all five members are present. He said they should study it also because we have the money available and it should be used.

Haden Lambert said someone had mentioned to him that a hotel was buying the property behind the Jack-in-the Box and Mayor Schneider said that was correct. Dale Brown said he was going

to bring that up because, at this point, he has had property owners tell him that they have someone ready to sign papers to purchase their property for three separate tracts of land for motels, but names have not been mentioned. He said he has been told that one has paperwork at the title company ready for signatures. The same property owners are negotiating with a second motel for the remainder of their property and there is a second property owner who is in a different location who says that he is ready to sign papers on his tract of land. Mr. Brown said the advantage may work for the city.

Dale Brown suggested this item be placed on next month's agenda.

Councilman Bowden said he wanted to let everyone know that he did not hand out any pamphlets or try and change anyone's opinion regarding the community center, because he just wanted to let it run its course. He said he has always been of the opinion that you repair every sewer, every water line, every street, and take care of police and fire - then you consider the amenities.

Councilman Wilson said he thinks the survey was the right thing to do for the people and is sorry it was so close. He feels that we do need some type of meeting room at the swimming pool area and we should research motel/hotel more and see if we can do something somewhere else for a couple hundred people for parties, dinners, etc.

Councilman Fenley made a motion, seconded by Councilman Wilson to place the issue on the agenda for the June council meeting. Council members Fenley, Wilson and Pulido voted for and Councilman Bowden voted against. The motion passed.

DISCUSSION WITH POSSIBLE ACTION TO AWARD THE BID FOR THE CITY HALL ROOF TO PRIME CONTRACTORS

Dale Brown stated we received bids for the City Hall roof on March 28, 1996 and the low bidder was Prime Contractors, Inc. at \$88,400.00. He said he has personally checked on the Prime Contractors and has gotten good reviews of them. In looking at their history, he found they remodeled the library in Huntsville and upon checking with several people, including the City Manager and the gentleman in charge of the library project and the librarian, he received glowing reviews and was told they were hoping to use Prime on another project.

Mayor Schneider asked what the budgeted amount was for the roof and Mr. Brown replied that originally \$125,000.00 for remodeling of the interior and the roof.

Councilman Fenley asked what the first bid was from this company and Mr. Brown said it was approximately \$94,000.00 and that this same company was the low bidder at that time.

DISCUSSION WITH POSSIBLE ACTION TO AWARD THE BID FOR THE SWIMMING POOL CONTRACT

Dale Brown said the low bid received was \$20,392.00. He stated he had hoped for lower bids and said we may have to continue to refine some of our bids as this was only about \$4,000.00 less than it was last year and is assuming that most of that difference is in just the maintenance that is not being done through the period that the city staff is taking on in the fall.

Councilman Pulido asked if they supplied their own chemicals, etc., and it was determined they did not.

Mayor Schneider said the swim team had expressed dissatisfaction with New Advantage, the company who took care of the pool last year, the biggest concern being the winter time maintenance.

Dale Brown said city staff has promised him that the pool is sparkling clear. He said that last year at this time, the pool was in terrible condition.

Councilman Wilson made a motion, seconded by Councilman Fenley and the vote was unanimous to accept the low bid on pool maintenance and award the bid to Sweetwater Pools.

DISCUSSION WITH POSSIBLE ACTION CONCERNING PARTICIPATION IN THE COST OF A WATER LINE EXTENSION TO CHOICE EQUIPMENT SALES, INC. AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION

Dale Brown stated this item also has a Part 2 that is in the City Manager's Report. He said basically, we have a subdivision plat for the tract of land which consisted of one lot and a portion of an old lot that was required to be consolidated in order for the company to build where they wanted to build. It is an equipment rental facility that handles backhoes, bulldozers, etc.. Under our development code, we require that any time you plat, you have to extend city utilities or get a variance for not extending utilities. Staff took this before the Planning Commission about a week ago and the Planning Commission granted the variance for not providing city sewage because there is not another city sewer on this side of Hwy. 290, but there is a water line at the Shell Station and according to the city's engineer estimates prepared for the Planning Commission, it's approximately \$20,000.00 to extend the eight inch water line 1,200 feet from the Shell Station across the undeveloped tract owned by the DeShiro Family down Hillcrest to Hempstead. The Planning Commission felt that the water line could be extended, but he submitted to them that he thought it could not be justified that it was too expensive for one person to extend the water, so the Planning Commission recommended it be brought to City Council with the suggestion that Council consider a participatory agreement with the property owner to see if, between the two, it would be feasible to extend the water and then

the city would be reimbursed some of its cost later on when the adjacent land develops and would be required to pay impact fees.

Councilman Pulido asked how this would be spread on a linear basis. As far as the linear footage, how much would be across his property, percentage wise versus the total and Mr. Brown stated probably a little less than half. City Manager Dale Brown then made reference to page 12.5 and said the water line is in front of the Shell Station on Hwy. 290.

Dale Brown said the city does not have a policy on extending utilities. He said that he has been besieged in the last three weeks with people wanting to develop land here and none of it has city utilities and no one wants to build all of it. He said someone called him last week wanting to develop a 37-acre residential lot on Jones Road, but there is no city water and sewer; the city water stops at Foundry Methodist Church and there is no city sewer anywhere unless you go all the way down to Village Green. He stated he is constantly getting calls about people wanting to develop but none of them can afford to get the utilities to their property without assistance. He said he is unsure of how to answer these requests.

Councilman Pulido said the Economic Development Committee has been trying to facilitate the growth of our existing city limits as well as our extraterritorial jurisdiction, or at least plan for it and that this is the very thing they have been looking for. He said this is the very thing the city needs to plan for, as well as trying to remediate our sewer/water system. He said these are the points we need to focus on - the remediation of sewer/water and the input of sewer and water in our outlying areas.

Mr. Brown said he would give an example of how things "domino". In the incident involving the Melendy land, he recommended that the city extend the water line when this subdivided, but that was not done. Conoco is going to build a large service station on the corner of Charles and Hwy. 529 and they are going to put in a water well because they don't want to have to extend city water from Wright Road. Two days before Conoco came in to talk with him, one of the developments existing for building on Charles Street came in and stated their well has failed and wanted to know what it would take to get city water to them, and the same situation exists at Master Builders. If the city would put in a little money as well as Conoco contributing to have city water, then the person 500' away from it puts in a small amount of money and the city puts in a little money - then the water line is all the way past Charles Street.

Dale Brown said we do have water at McDonald's, Taco Bell, etc., but not through the other areas. He said the long-term plan is to connect with the water line that is serving McDonald's and the other establishments there and then have at least one additional line going under Hwy. 290 to connect into it. He stated it is not feasible at this time to run a line under Hwy. 290 until the number of people using that water increases to help distribute that cost. The major cost of getting water out there is going under Hwy. 290, which is why, when Master Builders wanted water, we made a deal with Houston whereby we tap one of their lines and put a meter on it and

purchase the water from Houston and then distribute it through that line to the users. We have at least two other tracts where people are asking what they should do. He said he told these people they will have to look at the entire tract, not just the small individual lots. He said there will have to be a lift station between Senate and Hillcrest which will need to be sized sufficiently to handle all of the undeveloped area, in addition to all the area on the other side of Hwy. 290. Regarding Choice Equipment, he said the Planning Commission would specifically like to know if Council is willing to participate in a water line extension. Mr. Brown said if Council is willing, he would try to talk to the DeShiro family and see if they wish to contribute monetarily to get the line extended.

Councilman Pulido said the City would get money back whenever it is developed through impact fees. Mr. Brown said one problem in dealing with impact fees is that until something is developed, it is unknown how much will be recouped. The impact fees are based upon single family equivalent, so it must be determined what kind of commercial developments that go in in the future, how many single family residential equivalents it is, and that determines how much they pay on impact fees. He then said, at that point, the city has been using the City of Houston's schedule of equivalencies which they have developed.

Councilman Pulido said before we discuss how much the city will put in, we should get a determination from the joint landowners as to what they will do first, rather than assuming that they won't and Mr. Brown said, at this point, he didn't even know if Council was willing to put anything in. Councilman Pulido said we need to know, and that it's conceivable that the joint landowners would pay for 100% of it. Mr. Brown said that in order to develop the utilities, there is going to be some oversizing and the smaller businesses are not going to be receptive to that, but we must oversize to handle our long range plans and that is where most of the cost is.

Councilman Fenley stated he agreed with Dale Brown due to the fact that it has been turned down, it is up to Choice Equipment Sales, Inc. to decide what to do. Mr. Brown said it was not turned down, that the Planning Commission recommended sending it to Council and asked that Council consider participation. If Council does not, then they would redo it to determine whether it's economically feasible for that one tract to extend a \$20,000.00 water line, and they may find it is or they may find it is not. Councilman Fenley said that was not his understanding from the meeting. He asked if Council turns this down, will they be allowed to drill a well? Mr. Brown said that is a possibility, because their specific recommendation related to the city participating.

City Attorney Ken Wall said there was another issue addition to the negotiations, which is the need of the city to develop a policy on utility extensions, because what it does for one is going to set a precedent for others - so you might do more or less for this one because you're going to have ten (10) others coming in wanting the same deal. He said the policy needs to be, "...this is what we will do and this is what you will do, and we will do this if we have the

money and you will do this or you won't develop", and that is basically the way the policy works. Mr. Brown said that will be difficult.

Frank Brooks, with Brooks & Sparks, explained the NRCC requirements for water and sanitary sewer. Any commercial establishment they consider a public water well, and if they have a small lot, a septic tank and a well aren't going to fit on the same lot.

Mr. Brown said he can get examples of other cities' utility extension policies if this will be pursued in future meetings. Mayor Schneider said this is something that should be addressed. Mr. Brown also said that from all the Economic Development meetings he has attended at the Chamber of Commerce, that they are saying the Houston Partnership for Economic Development has U.S. 290 as it's big push for the next few years, so we are probably going to be seeing more and more of these questions relating to how we are going to deal with developments as they come before us and that is all the more reason to establish a policy.

Councilman Pulido said one would obviously like to move rapidly, but one would also like to have one's "ducks lined up" so one would know how to deal with the multitude - can you accomplish both?

Dale Brown said he could show what other cities are doing and tell Council what our financial limitations are, and if Council can tell him what their basic opinions of how the operation can be, he can work with that. He said, to some extent, it comes down to who comes up first with cash in hand and says, "I'm ready to put my money in if the City is, in order to develop" -first come, first served.

Ken Wall asked that a draft be put together to pass out at the next meeting, so it could be discussed and maybe acted upon in June. Mr. Brown said work sessions could also be held on it if the need to move more rapidly is a concern. He said it would probably come down to just a few questions on how this would operate, the rest would depend on how much money Council is willing to allocate on a yearly basis.

Councilman Pulido said deviation from whatever has been established is a problem and that should be considered.

Mr. Brown asked if the policy could be worked out by the next meeting or perhaps have a special meeting, would Council be willing to consider the participation so he can tell the landowner that Council is either willing to consider a participatory relationship or Council is not and, therefore, he needs to consider a different alternative.

Councilman Pulido said Council's decision, in this particular situation, should be based upon having contacted all the adjoining landowners to determine what their participation might be and

then determine what we will do, then, it's their decision (Choice Equipment in this case) whether or not to come up with the amount over and above what the city is willing to extend.

Council concurred and Mayor Schneider suggested Dale Brown address all the landowners with this proposal. There was no further action.

DISCUSSION WITH POSSIBLE ACTION TO AMEND THE CITY ORDINANCE REGARDING PARKING ON UNPAVED SURFACES IN RESIDENTIAL AREAS AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION AND CALL FOR A PUBLIC HEARING

Dale Brown said this original proposal was generated by City Council and requested the city look into the matters of large trucks parking in driveways and parking of cars on front lawns. By the state requirement, this needs to be in our zoning regulations and by State procedures of how zoning ordinances are amended. It had to go to the Planning and Zoning Commission to be reviewed. For them to submit as preliminary recommendations to Council, Council must consider the preliminary recommendation, call for a joint public hearing with Council and Planning Commission present, to take input upon this matter and then the Planning and Zoning Commission must go back into a separate public meeting and come back to Council with a final report, at which time Council can take action by doing nothing or adopting an ordinance. This is basically Step 1 - Planning & Zoning Commission has made a recommendation to Council that Council adopt two additional standards in our general regulations in the zoning ordinance which says "...custom vans larger than 1-ton in capacity, trailers other than recreational vehicles, and towed vehicles shall not be parked or stored overnight in a front or side yard in Zoning Districts A or B". Another statement, "No vehicle shall be parked or stored on an unpaved surface in a front or side yard in Zoning Districts A or B". District A is our primary residential district and District B is a small district on Philippine and Equador for townhouses or residential lots. The Planning & Zoning Commission also made a general recommendation that several of these requirements that are in the general regulations of the zoning be renumbered to make them fit into a more logical pattern; i.e., all the sections relating to trucks and vehicles be put together and follow each other. Mr. Brown then referred to Attachment A, which was given to each Council member, showing the two additional statements that the Planning & Zoning Committee recommend Council adopt. It also shows the renumbering of all of the regulations in the general section based upon the way the Planning Commission recommended. The Planning Commission is requesting that Council call a joint public hearing for May 20, 1996 at 7:00 P.M. and to instruct the City Secretary to place the proper public notices in the newspaper. Mr. Brown then said the Planning Commission is required by State law to come back to Council with a final recommendation, which could be different from this one based upon what they hear at the public hearing. Once they have submitted their final recommendation to Council, Council can basically do anything that is not more restricted than what was covered by the public hearing.

Mayor Schneider wanted the back yard issue included in the public hearing. City Attorney Ken Wall stated that if back yards are to be included, the wording should be changed from "in the front or side yard" and just say you can't have it on an unpaved surface. Dale Brown said that would have to be included in the public notice.

Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to hold a public hearing on May 20, 1996 at 7:00 P.M.

DISCUSSION WITH POSSIBLE ACTION REGARDING CONTRACTING WITH BROOKS AND SPARKS FOR ENGINEERING DESIGN FOR A WATER LINE ON SHANGHAI

Mr. Brown stated that at the last Council meeting, Council requested that the Shanghai water line be moved from next fiscal year's capital improvements budget into this fiscal year capital budget. The cost was estimated to be \$138,000.00. The reason for moving it is because of excessive (six) breaks on that line. It is an old cast iron water line that is starting to deteriorate. He said he had contacted an engineering firm - the same firm Council approved to design water lines last month- and asked for a proposal be sent to us to do the design work for the Shanghai line this year. Mr. Brown said he is recommending Council approve the contract with Brooks and Sparks Engineering in the amount not to exceed \$6,500.00 for providing professional services regarding the design of a water line on Shanghai Street.

City Attorney Ken Wall said he had a few changes he would like to make in this contract, which he would give to Mr. Brown tomorrow.

Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to approve the contract with Brooks & Sparks, in an amount not to exceed \$6,500.00, with approved changes by City Attorney to City Manager.

DISCUSSION WITH POSSIBLE ACTION TO AUTHORIZE THE DIRECTOR OF FINANCE TO REQUEST THE CITY'S COLLECTION AGENCY TO COLLECT DELINQUENT UTILITY BILLINGS

Mr. Brown stated we have approximately \$6,833.85 in uncollected water bills that are greater than sixty (60) days old. The city's Finance Director, Louis Rodriguez, would like the option of extending these to the collection agency the City is using for ambulance and municipal court and see if they can contact these people. These are all people who have discontinued water here and have moved out of Jersey Village.

Mayor Schneider asked the percentage of collection on these they would retain and Mr. Brown said he has not made a contract with them, and he assumes it would be something similar to what is done for municipal court.

Councilman Fenley made a motion, seconded by Councilman Bowden and the vote was unanimous to authorize the Director of Finance to request the city's collection agency to collect these delinquent bills.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPROVAL OF AN ORDINANCE AMENDING THE 1995-96 ANNUAL BUDGET

Mr. Brown said this is a budget amendment of our budget originally adopted for and beginning October 1, 1995. He said the specific amendments include and insurance reimbursement for the stolen backhoe for \$28,000.00. At the time this budget was printed, Founder's Day received \$3,900.00 over the amount that was proposed. In expenditures, we are having to make an adjustment because we received a letter approximately a month ago from the State that says they had increased the rate for unemployment compensation and the City is having to update all of that throughout. It is a total of \$5,700.00 additional dollars the City will have to pay. Then, two line items were added for the purchase of a new John Deere backhoe at \$29,000.00 out of General Funds and \$11,000.00 out of Utility Funds. The actual amount is a little less than the \$40,000.00, but Council approved up to \$40,000.00 previously. The Shanghai water line project in Capital Improvement's budget, we are pulling \$138,000.00 out of the general category of water and sewer and moving it to the specific category of Shanghai water line, because once it becomes a project, we try to track it individually. He said part of the \$138,000.00 will be the \$6,500.00 just approved by Council.

Councilman Pulido made a motion, seconded by Councilman Bowden and the vote was unanimous to approve Ordinance No. 96-06 accepting the changes of the 1995-96 annual budget as noted.

CITY MANAGER'S REPORT

- A. Joe Myer's Ford Update - No further report.
- B. Status of Swimming Pool Anchors funded by Swim Team - Mr. Brown said he has contacted the swim team and has received a response back from them and they have asked that this Item be postponed to next fiscal year as they have found that they have more expenses this year than was originally expected; therefore, they do not have sufficient funds to pay for the cost of these anchors.
- C. Utility Extension Policy - Discussed earlier in the meeting.

Mayor Schneider asked if this was the year the City needed to enact a Charter Review Commission and Mr. Brown stated, yes, it must be appointed by July 1, 1996, as the Charter Amendment that was done in 1992 specifically provided that a Charter Review Committee would

be appointed three years from the date it occurred. Mayor Schneider asked if it was required to be a separate commission or if there was anything to preclude them, subject to Council's approval, of using the Ordinance Review group committee to look at that also. City Attorney said he would take a look at that and get back with the Mayor. Dale Brown said that is a good idea, if it can be done and added that the only problem was the excessive number of people on the Committee. Mayor Schneider said that Committee has a total of five (5) member plus Councilman Wilson being the coordinator.

Councilman Wilson asked if the two new members, Councilman Jackson and Councilman Klusmann could be invited to join in the Founder's Day Parade and everyone concurred that was appropriate.

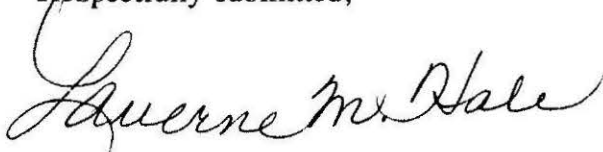
ADJOURN

There being no further business, Councilman Pulido made a motion, seconded by Councilman Wilson and the vote was unanimous to adjourn the open meeting at 9:50 P.M.

CLOSED MEETING

Following a ten minute break, the closed meeting was convened and was adjourned at 10:10 P.M.

Respectfully submitted,



Laverne M. Hale
City Secretary

APPROVED AS MINUTES May 20, 1996

Ordinance No. 96-06 is on file in the City Secretary's office and is made a part of these minutes by reference.



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1996

A Texas Star Community

MINUTES FOR THE REGULAR CALLED MEETING OF THE
JERSEY VILLAGE CITY COUNCIL

DATE: May 20, 1996
TIME: 7:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Steve Schneider, followed by the invocation and the pledge of allegiance to the flag. Noted present were Council members Joe Pulido, Bruce Bowden (who was late in arriving), Calvin Fenley and Joyce Berube; City Manager Dale Brown; City Attorney Ken Wall; and City Secretary Laverne Hale.

It was noted Councilman Charlie Wilson was not in attendance.

ADMINISTER OATH OF OFFICE

The Oath of Office was then administered to new Council members Duncan Klussmann and David Jackson.

ELECT A MAYOR PRO TEM

Mayor Schneider stated he has talked with Councilman Wilson and he has agreed to accept the position of Mayor Pro Tem if elected, therefore he would entertain a motion to elect him.

Councilman Jackson made a motion, seconded by Councilwoman Berube and the vote was unanimous to elect Councilman Wilson as Mayor Pro Tem.

PUBLIC HEARING ON AMENDMENT TO THE ZONING ORDINANCE

City Manager Dale Brown explained the procedure that must be followed when making an amendment to a City Ordinance.

Mayor Schneider then opened the Public Hearing at 7:10 p.m. concerning the amendment of the City Ordinance regarding parking on unpaved surfaces in residential areas.

CLOSE PUBLIC HEARING

There being no public comments, Mayor Schneider closed the public hearing at 7:11 p.m.

PRESENTATION OF PLAQUES TO OUTGOING COUNCIL MEMBERS

Mayor Schneider presented plaques to outgoing Council members Joe Pulido and Calvin Fenley and thanked them for their years of service to the citizens of Jersey Village. Following the presentation, a brief recess was held for a reception in honor of these two Councilmen.

The regular meeting was reconvened at 7:30 p.m.

CITIZEN'S COMMENTS

Nancy Fuelberg, 16518 Village Drive, spoke to Council concerning the speed limit on Village Drive. She stated we need to lower the speed limit and we need strict enforcement. She emphasized that we need the police department to enforce the speed limit.

Kim Koenig, 16321 Smith Street, told Council she would like to see the pool hours extended. She would like to see longer hours and to extend through the month of August. She then asked if Council could hold a special meeting to consider changing the daily times from 11:00 a.m. to 10:00 a.m.

Dale Brown advised it would cost, (for 3 lifeguards), an additional \$21.00 per hour to extend the length of time per day that the pool is already open; \$28.50 per hour to open the pool up for extra days during the month; and \$37.50 per hour to open the pool on weekdays after public high school has opened (i.e. high schoolers cannot work, so have to use more expensive, older personnel). Mr. Brown added that if Council wishes to pursue this, he will get a monthly cost estimate.

Another resident asked why it was necessary to have three lifeguards and Mr. Brown advised for safety.

Mayor Schneider asked if Council wants to hold a special session, since these citizens are wanting an answer by June 1. Dale Brown

then stated if Council wants, he can be authorized to do a change order in the pool contract to extend the hours.

Following a brief discussion, Council concurred to allow for the one (1) extra hour daily and open at 10:00 a.m. instead of 11:00 a.m. and to further discuss the August issue at their regular meeting in June.

Resident Mike Descant then spoke to Council concerning vehicles in the park. He said this is a real concern and if we do not have an ordinance to prohibit, we need to get one.

Councilman Bowden said he thinks there is a sign at the park, and it is an ordinance. Dale Brown noted there were some cars parked there last night at 10:00 p.m. and there was a party going on at the pavilion.

Mayor Schneider thanked Mr. Descant and said if we do not have an ordinance, we can put that on next month's agenda.

COUNCIL MEMBER'S REPORTS AND COMMENTS

Councilwoman Berube said she would like to compliment the City on the sidewalk along the City Hall Annex and how nice it looks. She said we also need to landscape at the police building. Dale Brown advised this is in the works, however the person on the Parks and Landscaping committee who was working on this did not complete the project and is now resigning.

Councilwoman Berube noted that at Senate Avenue and U.S.290, at the main entranceway to the City, there have been no flowers there for two weeks and asked why. Mr. Brown said they had died and needed to be replanted.

Ms. Berube then said she had noticed an abandoned vehicle parked at U.S.290 at Hillcrest for a week.

Councilman Klusmann stated he is looking forward to being on City Council and working with these other Council members.

Councilman Bowden stated that the Finance Committee is on hold at the present time and will proceed in the near future and thanked the City for putting up the sign on the Marquee regarding the Scouts Food Drive.

Mayor Schneider said last month's Founder's Day was a success and thanked everyone who worked on it, including all departments of the City.

CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussions on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the Agenda.

Councilman Jackson made a motion, and seconded by Councilwoman Berube to approve the following items on the Consent Agenda. The vote on the motion was Council members Jackson, Berube and Bowden voting for and Councilman Klussmann abstaining. The motion passed.

- A. Approval of the minutes of the April 15, 1996 Regular Meeting.
- B. Approval of a property tax refund in the amount of \$895.46 for overpayment of Account No. 1000060040, Richard W. Kaucher, 15705 Sierra Drive.
- C. Accept resignation of George Hederhorst from the Parks and Landscaping Committee.
- D. Approval of the appointment of Marissa Klussmann to the Parks and Landscaping Committee.

REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

There were no reports at this time.

ISSUES SURROUNDING THE JOE MYERS CONCERNS

Dale Brown stated he had met with Mr. Fred Grimm, who is with Joe Myers, and said he has also talked to the people at the Church. He said they have advised they are not interested in selling any portion of their property or providing a landscaping easement. Basically they stated they would not put anything in writing.

David Carp, with Joe Myers, said he is disappointed with the results of this conversation with the Church. It is not a good idea to put anything on someone else's property without having something in writing. He stated further he is not prepared to give a good solution at this time, but would like to meet with the Church.

Resident Gloria McKay showed Council pictures of how the Joe Myers property looks. She added we all need to work together on this and her main concern is a new fence or fix the present fence where you cannot see through it.

Mr. Carp then stated if the concern is on their property they will be happy to investigate and correct the problem.

Councilman Jackson said he has read some of the background on this and Joe Myers has done several things to correct the situation.

Ms. McKay said she thinks they also need to landscape.

Mayor Schneider asked if Joe Myers would be willing to donate landscaping on the Church property, and both representatives of Joe Myers said yes, Mr. Myers has already agreed to this, but they are concerned who will maintain it, etc.

Ms. McKay said she would be happy to meet with the Joe Myers people regarding fencing materials.

Mayor Schneider stated the City's hands are tied and suggested maybe the possibility of a community work day where residents could all get together and do the work and maintain it by doing that about once a year.

Councilwoman Berube said the fence is top priority and we can then discuss the landscaping later.

Councilman Klusmann said possibly a tennis court windscreen may work, it should be thick enough and be a visual block.

Mayor Schneider suggested that Ms. McKay and the Joe Myers people meet and attempt to work out something on a fence and then asked Dale Brown to contact the pipeline company to see if they would allow this.

Ms. McKay said we need to work together to get this resolved, and Mayor Schneider said he too, will meet with both parties and thanked them for their efforts.

SALE OF THE AMBULANCE

Dale Brown advised bids were opened on May 16, 1996 for the 1985 Wheeled Coach ambulance and only two bids were received. The two bids were for \$1500 and \$4125 and Staff is recommending that Council reject them and advertise again for a longer time, with possibly setting a minimum bid of \$10,000 in the ad.

Mayor Schneider asked if the magazine used for advertising was statewide or national, and Mike Bunn, representing Chief Kathy Hutchens at the meeting, said it is both.

Councilman Jackson said he does not believe we should settle for these amounts, and Dale Brown added that we could set the bid date for October or November of this year.

Councilwoman Berube made a motion, seconded by Councilman Klussmann and the vote was unanimous to reject these bids, re-advertise and set a minimum of \$10,000 in the ad.

AUTHORIZE CERTAIN DELINQUENT PERSONAL PROPERTY ACCOUNTS BE PLACED IN THE INACTIVE STATUS

Dale Brown explained the majority of these accounts are business personal property, such as office machines, etc. A lot of times companies go out of business and remain on the tax rolls.

Councilman Klussmann asked how we normally pursue the collection of delinquent taxes and Louis Rodriguez advised we use delinquent tax attorneys, Calame Linebarger Graham & Pena.

Mr. Brown added these are almost all small accounts and are not worth our time and money to pursue further.

Mayor Schneider asked about the larger accounts and City Attorney Ken Wall advised they are uncollectible due to bankruptcy, and it is also past four years, the statute of limitations.

Councilwoman Berube made a motion, seconded by Councilman Jackson and the vote was unanimous to authorize certain delinquent personal property accounts (as attached to these minutes) be placed in the inactive status.

AUTHORIZE STAFF TO ADVERTISE FOR BIDS FOR THE SHANGHAI AND ACAPULCO STREETS WATER LINES REPLACEMENT

Dale Brown explained these lines are made of cast iron, and last month Council approved a contract with Brooks and Sparks, Inc. (Consulting Engineers) to design these two projects. They have now submitted the designs and we are asking for approval to advertise and go out for bids. It will most likely be July before we can award the bid.

Mayor Schneider asked how much interruption there would be to our service and both Dale Brown and Frank Brooks agreed it would be

very minimal or none. Dale Brown explained the bid process and added it would probably be January before this is finished.

Mayor Schneider said we need to communicate to all the residents as to how much inconvenience to expect, and Mr. Brown said we always have the company doing the work do that.

Councilman Klussmann made a motion, seconded by Councilwoman Berube and the vote was unanimous to authorize Staff to advertise for bids for the Shanghai and Acapulco Streets water lines replacement.

AUTHORIZE POLICE DEPARTMENT TO UTILIZE A DONATED FORD EXPLORER AS THE C.O.P. GRANT OFFICER'S VEHICLE

Police Chief Mike Lindsey explained that several other agencies had been successful in acquiring a donated vehicle to be used for Crime Prevention purposes by the C.O.P. (Community Oriented Policing) Grant Officer. After discussing this with Joe Myers, he has offered to donate a Ford Explorer. This vehicle will not be used for regular patrol and when it reaches 5,000 miles, it will be returned and exchanged for a new vehicle. There will be no cost to the City other than being placed on the City's automobile insurance coverage, gas and regular maintenance.

Following a brief discussion Councilwoman Berube made a motion and seconded by Councilman Klussmann to authorize the Police Department to utilize a donated Ford Explorer from the Joe Myers' Ford Dealership as the C.O.P. Grant Officer's vehicle.

In discussion of the motion, Councilman Bowden asked if our Grant Officer Sandy Riggs' only job is to be primarily at the high school. Chief Lindsey explained the different programs she does. Councilman Bowden then asked how many years are left on the grant and he was advised we are in our first year of the three year grant.

Councilman Bowden then said this is a great deal, however it may not be right for us. If she is in an Explorer she may not be protected the same as in a patrol car.

Dale Brown said Officer Riggs would have to use her discretion on the use and noted when she is doing programs at the schools she is not on regular patrol.

Councilman Bowden said he understood she could not work regular patrol while serving as grant officer and Chief Lindsey said no, and the duties are pretty broad.

The vote on the motion was Council members Berube, Jackson and Klusmann voting for and Councilman Bowden abstained. The motion passed.

APPROVAL OF A CONTRACT WITH HARRIS COUNTY TO PROVIDE FIRE PROTECTION IN ZONE 38

Dale Brown explained this is the same agreement that we discuss each year. He added our Fire Chief is currently at the National Fire School, and he then explained the base rate and that the City will furnish fire protection services to the unincorporated areas contiguous to Jersey Village which constitutes Zone 38 on the official fire protection zone map of Harris County, which is in our extraterritorial jurisdiction and the City will be reimbursed \$3820 for this service. He added Staff is recommending approval.

Councilwoman Berube asked if there has been an increase in calls in this area due to the new apartments and Mike Bunn said, overall there has not been much of an increase at all.

Councilman Jackson made a motion, seconded by Councilwoman Berube and the vote was unanimous to approve a contract with Harris County for the City of Jersey Village to provide fire protection service in Zone 38 of Harris County for 1996 for an annual fee of \$3820.00.

APPROVAL OF AN ORDINANCE REGARDING CHANGING THE SPEED LIMIT ON VILLAGE DRIVE

Dale Brown explained and Councilman Bowden asked if the contract for the traffic study could have been broadened. He then said he would like to ask that we revisit this again and look at including all six (6) characteristics as set by the State.

Ken Wall said this would not be a problem to ask the Engineer to again look and consider all six criteria.

Resident Nancy Fuelberg said as a taxpayer, why don't the residents on this street get the same protection as others in the City. She said kids tend to dart out into the street and if people are going too fast there is no way to stop.

Councilman Klusmann asked what criteria we have to follow and Ken Wall explained our requirements in that we must have a traffic study done and a recommendation before changing the speed limit.

Councilman Klussmann asked if we can make our own determination and Ken Wall said it must be based on a traffic engineering study and recommendation.

Councilman Jackson said he has observed there is a speeding problem on this street and with cars parked on the street makes it worse.

Ms. Fuelberg said if the speed limits were just enforced, it would help tremendously.

Councilwoman Berube asked about speed bumps and Dale Brown said he wants to look at what the City of Houston has done recently with a different type of speed bump.

Ken Wall added we have to be very cautious of anything we put on roadways. Speed bumps do not save lives and are not always effective.

Mayor Schneider suggested we get the Engineer to re-assess this and City Council concurred. There was no further action on this item.

ESTABLISHMENT OF A CHARTER REVIEW COMMITTEE

Mayor Schneider explained we have to appoint a Charter Review Committee by July, 1996 and he would like to suggest that we use our current Ordinance Review Committee and two additional people, who could be Council members. He added that Councilman Wilson is the City Council liaison and will be on this committee, and noted we could set a time frame for the committee.

It was noted Councilman Klussmann could be a regular member and Council members Berube and Jackson volunteered to be alternate members.

Ken Wall noted the alternates would have very limited use.

Dale Brown said the committee would probably hold a work session first to get input and ideas, and there probably would not be many changes because of the fairly recent revisions to our Charter.

Ken Wall said there may be no changes to consider and Mayor Schneider said he has a few changes he would like to see.

Dale Brown said he thinks their work should be completed by October, 1996.

Councilwoman Berube then made a motion, seconded by Councilman Jackson and the vote was unanimous to appoint the following members

and alternates to the Charter Review Committee, to convene within the next several weeks and make a recommendation by October, 1996:

Members:

Councilman Charlie Wilson
Councilman Duncan Klusmann
Franz Stuedemann
Pam Newsome
Bill Dunn
Craig McKnight
David Paul

Alternate Members:

Councilwoman Joyce Berube
Councilman David Jackson
Mayor Steve Schneider

MONTHLY FINANCIAL UPDATE AND BUDGET ADJUSTMENTS

Dale Brown explained these adjustments are to move money to cover expenses for the intoxylizer, etc.

Councilman Bowden asked why there was \$650.00 for radio repairs in one month and Dale Brown explained the original amounts are estimates only and Chief Lindsey explained further that two mobile radios went out.

Dale Brown stated some of these radios are about ten years old and Councilman Bowden said we need to look at the life span of our radios when we buy new cars. We should not have to move other money to cover these expenditures.

Councilman Klusmann then made a motion, seconded by Councilman Jackson and the vote was unanimous to approve the monthly financial update and budget adjustments.

CITY MANAGER'S REPORT

A. Sublease between BSL Golf Corp. and the City -

Dale Brown said several months ago Council had approved this sublease agreement, but he had found some problems. In the next five years we were to expend \$15,000 on the tennis courts, however Council did not appropriate the \$15,000. He asked if Council wants to continue the lease and appropriate the \$15,000?

Councilmen Bowden said he does not think \$15,000 is enough anymore since that was about five years ago when he started this. There

are several different ways to repair the surface. We need to get the cost of repairs and then pursue the lease.

Mayor Schneider said he agrees, but also had some problems with it. We do need courts on that side of town.

Councilman Jackson asked if the base was in good shape and he was advised it was not.

Councilwoman Berube said she does not like spending money on property that we do not own, and Councilman Klussmann said it is an eyesore that should be torn up and replaced.

Dale Brown said he can call, get figures and report back.

Mayor Schneider asked if we could pursue a trade off at some time and asked Mr. Brown to report back.

B. Founder's Day update -

Mr. Brown reported there was a total revenue of \$15,520.76, total expenditures of \$24,406.65, for an estimated net cost of \$8,885.89.

C. Accessory structure on DeLozier Street -

Mr. Brown reported this structure is a hobby shop that was built by the resident. We currently have no requirements to prevent a structure like this and he will check the Southern Building Code's requirements. If Council feels a change is necessary, it would be appropriate to request that the Planning and Zoning Commission review the criteria and submit a report back to Council.

D. Phonoscope -

Dale Brown said he has talked to Larry McKaskle with Phonoscope and has been advised that due to their work load they cannot commit to a specific time schedule as required in our franchise agreement and he asked Mr. McKaskle to provide a letter to the City to that affect, however to date we have not received the letter.

They asked for the franchise one year ago, at the same time we were working on the Warner Cable franchise. We offered the same requirements to Phonoscope as Warner, but they wanted to expand to include a telecommunications franchise. We advised that would have to be a separate franchise.

The franchise requires two years to complete, and Phonoscope now says they do not want to commit to a two year time schedule and wants an open ended franchise. The telecommunications franchise was to be for five years.

Mayor Schneider said he is reluctant at this point, and Councilman Bowden said we could send them a thank you and tell them to come back when they are ready to meet our requirements.

Mr. Brown then noted that Channel 16 is on and is a result of the City of Jersey Village getting Warner Cable to initiate.

E. American Heart Association Heart Walk -

Resident Duane Ashdown said the American Heart Association is planning a Heart Walk in Jersey Village on Saturday, October 12, 1996 from 7:30 a.m. to 10:00 a.m., and would like to request the use of City facilities.

Mr. Brown advised that the Recreation and Events Committee also want to help. Mayor and Council were all agreeable with this.

Mayor Schneider then said we also need to respond back to Lavon Thomas, who is planning another Carnation Capers Family Fun Run in the Village in May, 1997.

F. Accounts Payable Auditors -

Mr. Brown said we have completed our contract and if we need such work done in the future, we will bring a new contract before Council.

G. Water line extension for Choice Equipment Sales -

Mr. Brown stated the major property owner in this area is not interested in participating. At this point the City would have to pay about 90% of the costs. He said he plans to talk to the other property owners. He noted that for private use, you can have both water and sewer systems within 150' of each other, however for public use they must be 300' away.

He added that he will try to come up with different routes for the line and work on some sort of cost sharing and report back to Council when he has additional information.

H. No parking signs at Tahoe and N. Tahoe -

Mr. Brown reported these signs have been ordered, but we have not received them as yet.

I. Senate Avenue Commercial development -

Mr. Brown then reported the Grizzard family, who own about 10 acres, is selling one lot to Meineke Muffler Shop and are also trying to sell another lot to a motel. He recently had a meeting with the Grizzards, Meineke, Motel, Bob Hartsough (for Charles Hamilton), and representatives of the Amerida Hess property regarding development and utilities. The Grizzard family would pay \$150,000 of the \$316,000 cost, plus \$75,000 would come from Charles

Hamilton, but Amerida Hess cannot agree to put any money into it. He said he is waiting for their proposals to bring to City Council, to see what they plan to do and how much participation the City wants to do.

Councilwoman Berube asked how this would affect our lawsuit with Visco and Ken Wall advised maybe none, but it needs to be looked into.

City Council agreed to call a special meeting if necessary to consider a proposal.

ADJOURN

With all business completed, Councilman Klussmann made a motion, seconded by Councilman Jackson and the vote was unanimous to adjourn the open meeting at 10:35 p.m.

CLOSED MEETING

The closed meeting was convened at 10:40 p.m. and was adjourned at 10:55 p.m.

Respectfully Submitted,


Laverne M. Hale
City Secretary

APPROVED AS MINUTES

6/17/96



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1996

A Texas Star Community

MINUTES FOR THE SPECIAL CALLED MEETING OF THE
JERSEY VILLAGE CITY COUNCIL

DATE: May 28, 1996
TIME: 7:30 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Steve Schneider convened the meeting, following a meeting of the Planning and Zoning Commission. Noted present were City Council members Duncan Klussmann, Bruce Bowden, Charlie Wilson, David Jackson and Joyce Berube; and City Manager Dale Brown.

It was noted that City Attorney Ken Wall and City Secretary Laverne Hale were not in attendance.

CITIZEN'S COMMENTS

There were none at this time.

PRELIMINARY PLAT OF FAIRVIEW ACRES, 6.6700 ACRES OF LAND BEING A PARTIAL REPLAT OUT OF TRACT 54, FAIRVIEW GARDENS

Dale Brown explained that Fairview Acres has both their preliminary and final plats here. He said this is for a Conoco Service Station to be located on the corner of FM529 and Charles Street, and Staff is recommending approval of the preliminary plat.

Mr. Brown said there are two variances that also have to be addressed. The first one being to allow them to develop without extending public water, which has an estimated cost of \$100,000.00, and would have to be extended about 5,000 feet. The second variance is not to provide public sewage facilities. To extend sewage would cost approximately \$500,000.00, so at this point it is too expensive for this one lot to provide public utilities. We have required that they provide public utility easements, so that

at such time as utility construction occurs, there are easements there. Therefore Staff is also recommending approval of Variances 1 and 2, followed by the approval of the preliminary plat.

Mayor Schneider asked if the easement that is set out on this plat is envisioned with the FM529 expansion, and Mr. Brown said yes, he had personally contacted the Highway Department and that part of the expanded right-of-way has already been acquired.

Councilman Bowden asked about the check-off list for utilities, where the developers submit documentation for approval of a sanitary system through the TNRCC, and wanted to know why we don't have that up front for approved systems so we know what they are installing. Dale Brown advised there are multiple ways of doing it and State Law says they must have an individual system approved by a registered engineer or sanitarian.

Councilman Bowden said he thinks they should have that before they come to us, because we should not wait and let the TNRCC determine our future. He said TNRCC has a lot of regulations, depending on where you are, and we should find out exactly what they require here and have these people get that approval before they plat. If we are going to give variances on these things, then he would like to know what TNRCC says we are going to have to settle with.

Dale Brown said he knows what they will approve is a water well and septic system and the water well will be required to either be 150 feet or 300 feet from the septic system, depending on how the TNRCC determines the water is to be used. If they determine the service station is providing water to the public, it will be a public system and be required to be a minimum of 300 feet from the septic system. If they determine it is a private well, they will be allowed to put it within 150 feet. He said whichever way the TNRCC determines, the architect has shown him a layout of either situation and how it will work.

Dale Brown said Council needs to either approve or disapprove each of the variances separately.

Councilman Bowden then made a motion on "Variance A" to not provide water for the Fairview Acres tract, and seconded by Councilwoman Berube.

In discussion of the motion Councilman Wilson said Mr. Brown stated the City of Jersey Village water is 5,000 feet away and wanted to know if this is Jersey Village water or water that we are purchasing from the City of Houston. Mr. Brown said this is water we are purchasing from the City of Houston. Councilman Wilson then said there is a 36" water line that runs from that water plant to

the intersection of Britmoore Road and Hempstead Highway.

Mr. Brown then advised that it had cost Master Builders \$40,000.00 to make a tap into that water and to do so again involves a lot of complicated metering.

There was a further brief discussion and Councilwoman Berube asked where the Melendy property is located and Mr. Brown advised it is about 2,500 feet west of this property.

The vote on the motion was unanimous.

Councilman Wilson then made a motion on "Variance B", seconded by Councilwoman Berube and the vote was unanimous not to provide public sanitary sewer to this tract.

Councilman Bowden then made a motion, seconded by Councilwoman Berube and the vote was unanimous to approve the preliminary plat of Fairview Acres, 6.6700 acres of land being a partial replat out of Tract 54, Fairview Gardens.

APPROVAL OF THE FINAL PLAT OF FAIRVIEW ACRES, 6.6700 ACRES OF LAND BEING A PARTIAL REPLAT OUT OF TRACT 54, FAIRVIEW GARDENS

Dale Brown stated that Staff recommends approval of the final plat subject to the following conditions; (1) Developer submits documentation from the appropriate state agency of construction and operation of a private water well; and (2) Developer submits documentation of design of the alternative sanitary sewerage treatment system by a registered engineer or sanitarian and approval from the appropriate state and/or county agency of construction and operation of a private sewage treatment system.

Councilwoman Berube made a motion that the final plat be approved subject to the two noted conditions. Councilman Bowden seconded the motion and the vote was unanimous.

APPROVAL OF THE PRELIMINARY PLAT OF JERSEY VILLAGE MEINEKE

Dale Brown said Staff is recommending approval of this plat, with the only condition noted from the Planning and Zoning Commission, being the extension of a private access easement along Lot 1 and a part of Reserve A. Mr. Brown noted both Lots 1 and 2 are on the plat, but at this point there is no way of knowing what will be built on the other lot.

Mr. Brown then said the Planning and Zoning Commission has recommended to Council that the Preliminary Plat of Jersey Village Meineke be approved subject to the condition that a private access easement be shown along the north boundary line of Lot 1 and a portion of Reserve A to connect into Hillcrest Road. He then said Meineke and the Grizzards will have to get Jack-In-The-Box to sign an access easement that can be filed at the County Courthouse, that gives all of the Grizzard property the rights to that access or driveway that Jack-In-The-Box already has.

Mr. Brown said Meineke has already submitted their building permits to us which shows them extending that driveway all the way across their property and he has told them we will not approve a building permit that has that on it unless they present a permanent access easement to us.

Meineke feels that access to Senate Avenue is mandatory and if Jack-In-The-Box will not give it to them, one of two things will have to happen. They will talk to the Grizzards to see if they will give them the full amount on their property, or the deal would be off.

Councilwoman Berube asked if we should be concerned about environmental problems with oil leakage, etc. and she was advised not on a subdivision plat, that would be discussed on the building permit. Some of this we have no control over, however Mr. Brown said Meineke has told him that they recycle everything that can possibly be recycled and they build a catch basin to catch whatever cannot be recycled.

Mayor Schneider then said the two conditions are the private easement on the north side of Lot 1, and all the way to Hillcrest on Reserve A. Dale Brown said that could be considered as one condition.

Councilwoman Berube made a motion, seconded by Councilman Wilson and the vote was unanimous to approve the preliminary plat of Jersey Village Meineke subject to the noted condition stated above.

APPROVAL OF THE FINAL PLAT OF JERSEY VILLAGE MEINEKE

Dale Brown said he has provided Council an updated memo regarding this final plat, and Staff is recommending approval subject to the following conditions: (1) Acquisition of all necessary off-site easements; (2) Designation on the plat of the lift station site; (3) Assurances approved by the City to guarantee construction of their required public improvements. The value of such assurances shall be based on an estimate of the cost to construct all required

public improvements as determined by the developer's engineer and approved by the City; (4) The access of the designation of the access easement across Lot 1 and across part of Reserve A as recommended by the Planning Commission.

Councilwoman Berube made a motion, and seconded by Councilman Bowden to approve the final plat of Jersey Village Meineke subject to the above noted conditions.

In discussion, Councilman Klussmann said if this is the approval, does it include all of the costs that we are looking at incurring of doing the sewer improvements. Dale Brown asked if Council would like to give him some guidance on this, because at this point he is working under the assumption that the Grizzard's \$150,000.00 will basically pay for everything. However it is possible they may decide not to put in the extra \$30,000.00 and say they could put in everything that will function for their 10 acres for \$125,000.00.

Mayor Schneider asked if by our approval of this, it is based on him fully funding the cost to cover his acreage. Dale Brown said that is correct, but Mr. Grizzard could say he could cover his acreage for \$125,000.00 and that is all he is willing to build.

Councilwoman Berube and Council concurred that at that point, they could come back here and upgrade.

Councilman Bowden said he hopes the Grizzard's take into consideration that if they plan to sell more of this property, they have to have their own capacity built in there to handle all of that, and not necessarily just what the City requires.

Dale Brown then explained Mr. Grizzard's committal for this \$150,000.00. He said this was generated when we were still looking at a \$300,000.00 sewer project for everything in this entire 100+ acres. He had submitted a letter saying he would put up \$150,000.00. Mr. Brown said he had called Mr. Grizzard last week to advise we could not get the property owners on the other side of Senate to commit to him in writing for anything and we could not continue holding up the Meineke project, and advised that he has told Meineke that he was willing to take a proposal to Council that only serviced the Hillcrest Road area and did not try to deal with the other side of Senate or Amerada Hess, on either side of them.

Mr. Brown added that Engineer Karen Rose thought the \$150,000.00 would cover the cost, and he told Mr. Grizzard that should cover his entire acreage on this side of U.S.290, and he agreed to let Mr. Brown go to Council with this proposal.

Mr. Brown added that just today, Karen Rose has determined that on Mr. Grizzard's development alone, it would cost the \$125,000.00, however he has not seen this and may not, due to the fact that Meineke is who Ms. Rose is working with. Mr. Brown said he believes that if Mr. Grizzard does see this, he will come in and ask to change his amount to the \$125,000.00.

Councilman Klusmann then asked if we could write Condition No. 3 to say a specific dollar amount instead of "as determined by developer's cost". Mr. Brown said he can see problems with setting a dollar amount, because Mr. Grizzard could say you are taking my property and my money, and requiring me to build in excess of what I need for other people's benefit and are not making a provision for me to get paid back.

A vote was then taken on the motion and it was unanimous.

ADJOURN OPEN MEETING

With all business completed Councilman Wilson made a motion, seconded by Councilman Bowden and the vote was unanimous to adjourn the meeting at 9:30 p.m.

CLOSED MEETING

There was no closed meeting.

Respectfully Submitted,



Laverne M. Hale
City Secretary

APPROVED AS MINUTES

6/17/96



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1995

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MINUTES FOR THE REGULAR CALLED MEETING OF THE JERSEY VILLAGE CITY COUNCIL

DATE:	June 17, 1996
TIME:	7:00 P.M.
PLACE:	City Hall, 16501 Jersey Drive, Jersey Village Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Steve Schneider, followed by the invocation by Councilman Jackson, and pledge of allegiance to the flag. Noted present were Council members Joyce Berube, David Jackson, Duncan Klussman, Bruce Bowden and Charlie Wilson; City Manager Dale Brown; and City Secretary Laverne Hale.

It was noted City Attorney Ken Wall was not in attendance.

PRESENTATIONS TO RETIRING EMPLOYEES OF THE CITY

Mayor Steve Schneider presented a plaque of appreciation and, as part of the City's retirement plan, a check in the amount of \$2,000.00 to Bob Howe in recognition of his thirty-five (35) years of service with the City. During those years, Mr. Howe served as a police officer and was on the Electrical Board and is now retiring from the Fire Department.

Mayor Schneider then presented Bill Smith with a retirement check in the amount of \$2,000.00 and a plaque recognizing his twenty-one (21) years of service with the City. Mr. Smith is also retiring from the Fire Department.

Laverne Hale then received a plaque from Mayor Schneider in recognition of fifteen (15) years of service with the City. Laverne began as a warrant clerk and Public Works secretary from 1981 to 1983, then was Assistant City Secretary from 1983 to 1992, and lastly, as City Secretary from 1992 to the present. Mayor Schneider stated that Laverne has made a great contribution to the City and is appreciated by everyone.

CITIZENS' COMMENTS

Mr. Bob Biggs, who resides on Village Drive, asked that the speed limit on Village be reduced to 20 miles per hour because of the tremendous volume of traffic. He complimented the Fire Department for not using Village as their route. He said most people are still going too fast down the street to allow the residents on Village to safely exit their driveways. He also asked that the full length of Village Drive be a "no passing zone". He then asked Dale Brown when the lot between Village Drive and the bayou would be mowed. He stated he had asked this same question in March and was told the City would begin mowing it.

Next, Randall and Kathy Sutton spoke regarding maintenance issues of the fencing along the golf course. Mr. Sutton said the barbed wire on the top of the fence was very offensive. Mayor Schneider stated that Dale Brown could approach BSL about changing the appearance. Mr. Sutton then asked if there were any written ordinances concerning maintenance of one's property; i.e., dead trees in yard, grass not mowed, etc. Dale Brown responded by stating that if it comes to the point that it could be declared a health hazard, the City can require the owner to mow. He said by our ordinances, a health hazard is when the grass gets to be twelve inches or higher and that if junk is lying around and can be determined to be a rat harborage, then it can be declared a health violation. Anything the City does relating to residents cleaning their yards has to be related to the public health issue, and that issue is defined in the city ordinances.

Mrs. Sutton said there are two homes across the street from the golf course that have been for sale for a year or so which are an eyesore. She said she thinks the appearance is hurting the development in Wyndham Village and that something more aesthetic would be an improvement for the entire city. She said she understands the barbed wire is to protect the club house, but if someone wanted in, they could just cut the wire. Mr. Biggs then stated that BSL is very easy to work with and would probably allow the fence to be removed.

Gloria McKay then spoke regarding the situation with Joe Myers. She said she had spoken with Joe Myers and their attorney, David Carp. She stated she has found plastic inserts that can be put in the fence which helps block the light coming through the fence. She said Joe Myers thought the bid she got from one company was too high and they want more estimates. She said Cornelius Nursery recommended oleanders and ligustrum be planted along the fence line as a visual barrier. Mrs. McKay said she spoke with Mr. Mitchell, a spokesman for the church, and he said the church would be agreeable to the planting. She then said that Joe Myers commented that the plants behind the police station look as if they are water starved and not maintained. She stated she would like to see complete blockage from her house to past the church. She said she is hopeful that Joe Myers will get all the bids back for the fence within the next month.

Dale Brown said our sprinkler system now does not extend as far as the bushes and that is part of the problem the city is having when watering the plants. He said a hose has to be pulled over to that area to water the bushes and that we are not able to water the bushes enough in order to

keep the plants in good condition. He stated that during the last few weeks we have been extending the sprinkler systems around as most plants are being affected by the heat. He said if the plants are planted, there still will not be enough people taking care of them as far as watering them.

Mrs. McKay said Joe Myers has water facilities all along the fence line and perhaps they would have one of their employees water the plants once a week. She said she was assured by Cornelius Nursery that oleanders do not require a lot of maintenance.

Mayor Schneider asked Dale Brown to contact the pipeline company to make sure there is no problem in proceeding with the planting. It was determined that Chief Hutchens might be able to provide the telephone number for an emergency contact with the pipeline company.

Meg Crady, who resides on Jersey Drive, spoke next regarding no traffic ordinances on Jersey Drive. She said she understands the high school traffic, but they would like to see some kind of deterrent there as there are small children on the street and they are really afraid someone is going to get hurt.

Finally, a representative from Warner Cable spoke on the subject of "Hometown Heroes", which is a program that was started in 1992 to honor one individual in each area served by Warner Cable who has done something for the children. She passed out nomination forms to everyone and said that the person who wins the award will get several different honors. She said a grant program was started last year whereby all the "Heroes" are put in a drawing and the winner would get a \$5,000.00 grant to a non profit group of their choice. The new thing added this year is public service air time donated to the organization that the "Heroes" represent, which would amount to approximately \$10,000.00 in air time over the next year. She stated that nominations will be accepted through July 19, 1996 and would like to have a judge from Jersey Village on the panel of judges.

Mayor Schneider asked Councilwoman Berube to handle this and respond back for the City as far as a candidate.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE CONTROL OF SUBSIDENCE IN HARRIS COUNTY

Juan Maldonado, of Maldonado Consulting, first of all introduced Jim Box, a Jersey Village resident, who is Chairman of the Board of the Harris Galveston Coastal Subsidence District. Mr. Maldonado said his company is part of a team doing studies with the Subsidence District in north-northwest Harris County in respect to subsidence and related issues. He said his purpose is to invite Council and Mayor and all residents to presentations they are holding regarding subsidence issues. He said they would like to work on something in this area and

invited anyone interested to speak with him and then passed around a sign up sheet for any residents interested.

Mayor Schneider said subsidence is a principal concern and stated that we are in a region that is mandated, because of subsidence and the attempt to correct it, to attempt to change our water source by the year 2010 to 80% surface water. He said we have an issue that we are going to have to deal with very soon and we are concerned as to how we go about accomplishing that because the capital requirements, unless we hook on to the City of Houston and triple water rates. He said we are at an impasse as to what mechanism some of the outlying MUD Districts and other municipalities in this area are experiencing as far as trying to comply not only with that requirement but also to help out in this subsidence effect.

Mr. Maldonado said that at the presentations, he wanted to gather information from the community as to their feelings about conversion.

Mr. Jim Box said he would be happy to respond to some of the items addressed. He said sooner or later Jersey Village will have to deal with not only the loss of elevation from subsidence, but also the reliability of ground water. He said that with this drought, the water table is dropping and work may need to be done on existing wells. He said there is no doubt that surface water costs more and pointed out that 100% of Galveston County is on 10% ground water and 90% surface water and over half the city of Houston is on an 80/20 schedule.

Mayor Schneider said it seems it would be easier to coordinate an effort from a State agency than from a local agency. Mr. Box said they are still working on the study and it would be premature to say anything other than they are trying to get input from everyone. Mr. Box encouraged everyone to look at their conservation program, which recently received a National award and a State award.

Mayor Schneider said he and Dale Brown had talked about the conservation issue and based on the water pumpage we are generating versus the amount of waste water collected (approximately 50%), the assumption is that a lot of the water pumped goes back to beautify lawns, etc.

Mr. Box said conservation is good, but it is not enough to solve the problem. Mr. Brown said he thinks the City will eventually have to require that sprinkler systems be on separate meters, and that way people will learn the real consumption of sprinkler systems. He thinks that ultimately the City will have water rates that are really burdensome after 2,000 or 3,000 gallons.

Bob Biggs said that when a house is sold in Llano County, the shower head must be replaced with a conservative type shower head and the commode must be replaced with a one-gallon pressure commode; otherwise, the house may not be sold.

COUNCIL MEMBERS' REPORTS AND COMMENTS

Councilman Wilson thanked members on Council for electing him Mayor Pro Tem. He then praised the Police Department for their actions on the robbery of the McDonald's Restaurant on the Northwest Freeway. He said one of the City's fully paid police officers and one of the reserve officers happened upon the robbery very quickly and made an arrest on the scene, recovered a weapon and the money, with no one being hurt. He praised the Police Department on their fast response in taking care of that situation.

Councilwoman Berube acknowledged Gloria McKay on the fine job she has done in dealing with Joe Myers. Ms. Berube then asked if the bicycle patrol would be activated this summer.

Dale Brown replied that when the City had the bicycle patrol, the Schwinn dealership loaned the bicycles and said he didn't think the police had discussed the subject.

Detective Mike Connor said the subject was brought up in conversation recently and the police department had spoken with the Schwinn Shop and they would supply the bicycles again if the interest was there in pursuing the program. He said Chief Lindsey has consented to review the program again as there are members of the department who are interested in participating.

Councilwoman Berube stated she thought it was a good idea and had been approached by a deputy who lives in the Village to say, he would consider participating, if possible.

Dale Brown said one of the problems we had was when one officer out on the bicycle, that officer could not be considered on regular patrol, so that officer is not available to help other officers with whatever situation that might arise and that sometimes created a problem since we don't have that many officers.

Detective Connor said it would have to be a fairly modified program to have someone assigned just to the bicycle; there would have to be two units on the street. He said other resources are available such as reserve officers and officers who live in the Village.

Councilwoman Berube then said she thought speed bumps could help and understands we have liability with that, but feels the City should look at that possibility.

Dale Brown said he would get the City of Houston's design standards for speed bumps to see if that would be functional, but as City Attorney Ken Wall stated last month, there is a legal concern in that the flow of traffic cannot be impeded. If it is determined that the speed bump is impeding the traffic, then the City is in violation of State law. He then said that when school is out for the day, virtually all of the police force is somewhere around the school patrolling the traffic, we just have more streets than officers to cover them all.

Mayor Schneider then stated the City should get one last letter to Mrs. Owens prior to July 1, 1996. He then said that Mike Descant was present last month and talked about a "no parking" ordinance in the park. Was it determined whether we definitely had one?

Dale Brown said there is no ordinance on this, but a sign is to be installed that states "No Parking in the Park" and the form for renting the pavilion has also been adjusted that specifically states "No Vehicles Allowed Outside Parking Lot". He then said we are also looking at some method of closing that driveway. He said last week he had the Public Works crew build a nice fence around the electric service drop in the parking lot as he considered it a danger to children. When the Cy-Fair truck delivered all the ice and food for the fifth grade graduation party, the truck destroyed most of the fence, so some type of gate-type structure needs to be installed there.

CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussions on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in its normal sequence on the Agenda.

Councilman Wilson made a motion to approve the following items on the Consent Agenda, seconded by Councilwoman Berube and the vote was unanimous:

- A. Approval of the minutes of the May 20, 1996 Regular Meeting.
- B. Approval of the minutes of the May 28, 1996 Special Meeting.
- C. Approval of Harris County Appraisal District's 1993 Correction Appraisal Roll #27 as an amendment to the Tax Roll with a tax rate of \$.7300/\$100 valuation and a total value reduction of \$459,190.00 for a tax levy reduction of \$3,352.08.
- D. Approval of Harris County Appraisal District's 1994 Correction Appraisal Roll #20 as an amendment to the Tax Roll with a tax rate of \$.7300/\$100 valuation and a total value reduction of \$388,900.00 for a tax levy reduction of \$2,848.97.
- E. Approval of Harris Country Appraisal District's 1995 Correction Appraisal Roll #19 as an amendment to the Tax Roll with a tax rate of \$.68408/\$100 valuation and a total value reduction of \$547,580.00 for a tax levy reduction of \$3,745.88.

- F. Approval of Harris County Appraisal District's 1995 Supplemental Appraisal Roll #9 as an amendment to the Tax Roll with a tax rate of \$.68408/\$100 valuation and a total value increase of \$73,880.00 for an additional tax levy of \$505.39.
- G. Approval of the appointment of Nell Protas as Clerk of the Municipal Court.

REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES

No reports were presented at this meeting.

DISCUSSION WITH POSSIBLE ACTION CONCERNING A COMMUNITY MEETING ROOM

Councilman Jackson stated he was in the audience when this topic was first brought up two meetings ago and at that time was a resident and had received the survey. He said from his point of view as a resident, he didn't know exactly what he was voting on as he did not have enough information in the flyer to make an intelligent decision and still doesn't have enough information. He said he doesn't think it should be assumed that the residents who did not return the survey card are against the community center or for the community center, he just doesn't feel there has been enough research into this to see what the residents really want, aside from the fact of the cost of the center. He concluded by saying that from a resident's standpoint, he doesn't think the survey had enough information for the residents.

Councilwoman Berube said she has had numerous people call and say they did not have enough information, they did not understand why the cost was so excessive, etc. She feels a better job could have been done on the survey in the way of more information, as residents still do not understand the scope of what has to be done or what is being proposed to be done - all they saw was the \$230,000.00 amount and were confused as to why that large amount of money was stated for a 2,300 sq. ft. structure. She said the amount of \$230,000.00 needs to be fully explained. She said she would like to see other alternatives; i.e., there needs to be a great deal of work done at the pool, restrooms, equipment room, etc.

Dale Brown said the City is looking at approximately \$100,000.00 worth of rehabilitation at the swimming pool, which includes resurfacing, new tile work, and building new restroom facilities as city employees are spending a great deal of time each week unstopping the restrooms because they are at least twenty (20) years old and are starting to give us a lot of problems.

Councilwoman Berube asked if we could combine all the things that must be done with the pool and have a small meeting room added to that or if they should be separate issues.

Dale Brown said the rehabilitation of the pool has always been maintained as a separate issue. When Parks & Landscaping proposed the facility, he suggested adding extra restrooms in it that would be specifically for the pool that would open outside and replace what we now have. Of the 2,300 sq. ft. of the building, approximately 500 to 600 sq. ft. would be restroom facilities for pool use to replace those we currently have.

Councilman Jackson said the other questions he hears from residents are what will it be used for and who may use it. He said we should not assume that everyone knows what a community center is. He said he feels everything should have been addressed in the survey.

Diana Garza, a resident, said when you have a public room several things need to be considered such as utilities, maintenance and general upkeep of the building since most people probably won't clean the room after using it and also decide on a rate if the room is to be rented and require that people clean after and if not, impose a maintenance fee.

Dale Brown stated that part of the cost of the community center was that it had to be built to be totally handicapped accessible, which adds approximately 20% to the cost. He said the other proposal that was not clearly delineated was the Parks & Landscaping Committee suggestion that a driveway off Equador be built whereby children could be dropped off at the entrance of the swimming pool and leave, rather than dropping them off at a parking lot and then have the child walk from the parking lot to the pool. He said it was proposed to be a brick building and the square footage cost of \$64.00 per square foot is less than the square footage cost of housing in Jersey Village. He said an architect who resides in Jersey Village donated all the proposed layouts and for cost, he went to St. Maximilian's Church, who had just built a recreational building of some type, and asked the cost per square foot for the building and was told \$64.00.

Bob Biggs stated that the City of Bryan charges \$.50 per head or \$25.00 minimum for use, and people do not mind paying.

Councilman Klussman said this is definitely something that needs to be looked at and he would be more comfortable looking at an overall plan, as they do in Capital Improvements where they bid over a period of time. He added that in talking to people just as Councilman Jackson and Councilwoman Berube, he had determined also that it was confusing to them and even though they may be in favor of having some type of facility such as a club house at the pool that they could use for parties, meetings, etc., they didn't get that feel from the survey. He said he would like to continue looking at this more as a Capital Improvement type issue where it is planned, financed and accepted over a period of time, such as the Fire Station being an accepted improvement by the year 2000.

Dale Brown said he thought this was on the Capital Improvement in 1999, but the Committee requested Council to move it up to this summer.

Mayor Schneider said their recommendation was based on the fact that excess funds were available at the time and after speaking with them about things going on in the city and the need of cash for economic development in moving some of the motels along Hwy. 290 that is where the monies will have to be spent right now. He understands the need for expanding our tax base, which would benefit the city in the long run. He said he is a proponent of the club house and thinks it is something that the community needs, but he can't support it over something that needs to take priority over development within the city because he thinks that is one of the strongest things that needs to be done at this point in time with whatever available dollars the city has. He then added he believes Councilman Bowden feels the same way, as far as spending dollars on economic development.

Councilman Bowden said he thinks it sounds as if the Mayor is "backdooring" this by saying it would be done in 1999 with Capital Improvements when it has failed on two separate issues - once in an open vote and then by the survey. He said it now sounds as if the Mayor is saying come in and do it on a capital program where no one votes on it except the people on Council - and he doesn't think that's right.

Mayor Schneider said he wasn't "backdooring" it at all and Councilman Bowden said that by the Mayor saying it be done through the capital improvements program and that brought in as a separate issue, that is the problem he has had with this issue all along. Councilman Bowden said there were only 150 people supporting this out of a population of 5,000 and Mayor Schneider said he didn't think that correlation could be drawn from the survey, and Councilman Bowden said that was all that responded the first and second time. Mayor Schneider said the first time it was presented to the public, it was an entirely different package and the second time there was non response on both sides, so he can't say there was support or negativity. Councilman Bowden responded by saying that if anyone really wanted it, they would have filled out the form and turned it in. Mayor Schneider then said if someone had really not wanted it, they would have filled it out and turned it in. Councilman Bowden said the point is that it only had less than 173 people even bother with it.

Councilman Klussman said the people he had talked to thought it was too confusing from the instrument they received, they definitely liked the concept of having a club house and he thinks that from that point, if you're looking at a club house/pool renovation issue that can be used for meetings, for families and for parties, etc., then if it is presented in the right way, then the correlation cannot be made that that vote represents the vote on something else that would be presented the way that the overall community, or many people in the community, would like to see done. He doesn't feel it would be "backdooring" it, but rather that it would allow time to look at the issue, come up with a proposal and get the citizens involved in that process to find out what they would like if they were in favor of it. Councilman Bowden responded by saying it should then be brought up for a vote; let it be a separate issue all along and let the people in 1999 vote on whether they want it or not; without that vote, Council's vote will be placed above everyone else's priority. He said there are a lot of people here on a fixed income who don't

think we need improvements, and \$100,000.00 into that pool is a substantial investment - and that is just to keep it at the pool, which would be in addition to the \$20,00.00 that comes from taxpayers just to keep it going. Councilman Klussman said he wasn't putting his priorities above anyone else's, he would just like to see it looked at over a period time, and whether it is done or not, he feels there should be something in the plan that is put in place to look at to see if we want it done in the future, as he feels there is enough interest in the community.

A resident spoke up to say she agreed with Councilman Klussman about the confusion because she had spoken with a lot of people about the community center and there were a lot of rumors and misinformation about it, such as people thinking their taxes would go up.

Councilman Bowden said any revenue could be applied as funds available to be spent. He said if \$200,000.00 is spent on a lift station or \$200,000.00 on a meeting room, it is still money spent. If one is spent over the other and there is not enough money for the next one, then obviously you will have to pay for it somehow or other. He personally feels that there are many other things that need to be fixed, such as everyone having clean water.

Mayor Schneider said that he agreed with Councilman Bowden in that if the community did not want it and Council vocalized it and even more so if the community did want it and Council voted it down. He doesn't feel that anyone is trying to force this on anyone, it should be what the public desires, but no one knows what the public wants.

Councilman Bowden questioned why this has to be discussed every two months. He said if this is going to wait until 1999, it should not be brought up again until 1999.

Councilman Klussman said the Council in April voted to put this issue on the June agenda for the new council members to review and that is why it is being discussed tonight.

Mayor Schneider said that in talking with members of the Committee, he thinks they want to go back to the survey and really look at the negative comments that were made so they can address those and see if there is an alternative.

Councilwoman Berube suggested that Council look at this at a later date and perhaps the Committee could come up with less costly alternatives. She said she does feel there should be a charge for the use of the building - that it should not be free.

A resident said he thinks the maintenance costs should be included in the plan and that there should be a five-year business plan.

Councilman Bowden said there would probably have to be a revenue of approximately \$20,000.00 in maintenance costs just to pay for itself, which would mean renting it out so many times and recoup that amount in order for it not to be a burden.

Haden Lambert said he has lived here for twenty-six (26) years and would like to see this much attention placed on water and sewage.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE EXTENSION OF POOL HOURS FOR THE MONTHS OF JULY AND AUGUST

Dale Brown reminded everyone that our current contract with Sweetwater Pools goes with the Cy-Fair School District calendar which says that on August 6th or 8th, when school starts, that we close the pool except on weekends. There was a request from a number of residents that we keep the pool open through August since there are a lot of children who are either home schooled or attend private schools that have a different calendar than Cy-Fair. The cost estimate states that if the pool remains open Tuesdays through Fridays, all day long, just like the normal July schedule, it will cost an additional \$4,468.80. If we look at keeping the pool open only during the afternoons from 3:00 P.M. until 8:00 P.M. Tuesday through Friday, it will be \$2,234.40.

Councilman Jackson asked if the swim teams would still be utilizing the pool during those times and Dale Brown stated that at the end of June, the swim team would be finished for the year.

Councilman Jackson then asked if the swim team had any financial obligation for the pool and Dale Brown responded in the negative, but said they donate things to the City that the swim team need; i.e., additional lane ropes, funds to widen concrete aprons at the pool, and a number of years ago, they donated an ice machine at the pavilion.

Councilman Wilson said previous history shows that Council has spent a lot of hours on the swimming pool. He said it was addressed as how to put a cost on, say, a one-year lease and who would be penalized, the cost per person to attend, etc. Councilman Wilson said he would like to see Option 1, whereby the pool would be opened August 8 - 31 from 10:00 A.M. until 8:00 P.M.

Dale Brown said since we are getting very close on our budget there are no funds to actually transfer from other line items within Parks & Recreation budget, he would need to come back at another Council session and ask Council to amend the budget to move money out of the unencumbered funds and increase funds in this division.

Councilman Bowden said a poor job was done planning around the swim team and feels the swim team should know all the information by December and set everything so there will be time to write the contract. He then said Jersey Village had three swim meets here this year and feels the swim team should be asked to be a little more courteous to the citizens and schedule only a maximum of two. He said it is too much of a burden to ask 70% of the citizens to stay away from the pool.

Mayor Schneider said he thinks that next year we should consider the possible elimination of outside Jersey Village people being part of the team and Councilman Bowden said that is not possible because it is a public pool.

Dale Brown said he is getting lots of complaints from citizens complaining about the swim team's excessive use of the pool.

Councilman Wilson said he hopes this can be wrapped up in December because of the confusion factor of people not understanding the change of pool hours.

Councilman Wilson made a motion to approve Option 1, whereby the pool would be opened August 8 - 31 weekdays, except Mondays, from 10:00 A.M. until 8:00 P.M. with three lifeguards on duty at all times, for a cost of \$4,468.80. The motion was seconded by Councilman Jackson and the vote was unanimous.

Mayor Schneider concluded the discussion by stating this should be publicized in the Jersey Village "STAR" and the hours should be posted on the marquee.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPROVAL OF AN ORDINANCE SETTING THE SPEED LIMIT FOR VILLAGE DRIVE

Dale Brown said we have the ordinance and there is a recommendation from Traffic Engineers, Inc., who did the study that Council lower the speed to 25 miles per hour.

Councilman Bowden said he would like to see it written into the contract that they are to address all six separately and if they don't apply, they should tell us that they don't apply. He said we shouldn't have to go back to them to do their job.

Bob Biggs, a resident on Village Drive, said he was hoping to get it lowered to 20 miles per hour until the sidewalks are installed.

Councilman Bowden made a motion to approve Ordinance No. 96-09, amending the speed limit on Village Drive to 25 miles per hour from Rio Grande to Village Green Drive, and the motion was seconded by Councilman and the vote was unanimous.

**DISCUSSION WITH POSSIBLE ACTION CONCERNING AN INCREASE IN
AMBULANCE CHARGES AND MEAN OF COLLECTION**

Dale Brown began by saying that hospitals are changing the way things have been done in the past. In the past, when people were taken to the hospital, the hospital replaced medical supplies we used. That is no longer done now, there are no trade-offs. Everything that we expend taking someone to the hospital is a direct cost to the City. He said our ambulance rates are \$100.00 per run, which is cheap by \$500.00-\$600.00 anywhere else and it's time that we look at the ambulance service as to whether we need to start a much more detailed billing procedure. Also, in the past, the City has only billed to the individual and it looks as though we should be billing Medicare, insurance companies, etc. He said that type of billing is far beyond the capacity of the City and that Kathy Hutchens has been looking around as to what other EMS's are doing.

Kathy Hutchens said they have resisted raising their rates in the past because of older citizens on a fixed income and "repeat" users - those who use the service frequently. She said they did not want to put an undue burden on those citizens. As the system currently stands, a trip to the hospital costs \$100.00 with no additional charges and typically the insurance company will pay 80%, with the citizen being responsible for the remaining 20%. She said now, with increased standards, the City has no way of recouping some of the cost.

Kathy Hutchens then introduced Karen Laake of Specialized Billing and Collection Systems of Texas, with whom she had spoken regarding ambulance billing. Ms. Laake said her company handles 97% of the Harris County services. She said their goal is to make ambulance service self supportive from the call volume and there is not one service they bill for that is not self supported upon the call volume. She said they bill to the insurance company, Medicare, Medicaid, Workmen's Comp, attorneys, homeowner's insurance, whomever is responsible for that bill. She stated they do not bill it directly to the patient until it becomes time for the patient to be responsible for the bill. They basically handle the billing for the patient and have a very high collection rate of 72%-84%. They do not harass citizens, they do not sue patients and do not put it against their credit. There are three different policies they use as far as handling their billing: (1) Service can bill to the insurance company; (2) Run everyone the same across the board; or (3) Out of district billing. She said a lot of cities have gone to out of district billing, meaning the citizens that live within the district (the taxing area) are billed to their insurance company and write the remainder off - they are not responsible for the remainder of their bill. The people who do not live within the area would be responsible for their ambulance bill. She said that the \$100.00 flat rate being charged by Jersey Village was the rate back in the early 1970's. She said there are also a lot of different things that could be billed for that are not being billed, such as any Life Flight calls and just the City's revenue from that area would be approximately \$1,500.00; anything the ambulance crew does should be billed for. They have been doing this type of billing in the Houston area for eleven (11) years.

Kathy Hutchens then said that as of September 1, 1996, basic EMT's and Paramedics will have increased skills and responsibilities, thereby possibly decreasing the patient's stay in the hospital. She said services, as well as revenue, will be increased.

Councilman Bowden asked if we did go with this system or this type of system, would that require the ambulance personnel to become bookkeepers, as far as keeping account of everything done.

Ms. Laake said they supply a UPS overnight delivery package containing, among other items, an itemized check-off sheet which requires the crew to check items used. Her company audits sheets when they are sent back to them to make sure everything supported in the medical record is going to be billed. If the crew somehow checks off wrong items, if it is not in the medical record, it is removed from the bill and if something is documented in the medical record but is not shown on the check-off sheet, it will be billed. The bill has to be supported by the medical record. If the crew did not document it, it never happened.

Councilman Jackson asked Ms. Laake is they have rates set in accordance with insurance, and Ms. Laake answered in the affirmative. Councilman Jackson then asked if Ms. Laake's company was the only one of it's kind or if she had competition and Ms. Laake said her company is the largest in the state that deals strictly with EMS companies, but there is one other service in Houston that, in addition to ambulance billing, also does physician and hospital billing.

Kathy Hutchens said she first spoke with Ms. Laake approximately three years ago and has researched Ms. Laake's company thoroughly, in the way of speaking with the people serviced by Ms. Laake's company, and has never heard a negative. All say she excelled, was outstanding, etc.

Ms. Laake said she has never advertised, that her service has spread by word of mouth, as her company is very tight-knit and she wants only good reputable services. She said Cypress Creek, who uses her service, has gone from an \$800,000.00 four years ago to an approved budget of \$4,000,000.00 as of last week, which supports the fact that if she doesn't produce the money for them, they don't get to spend it. She said they do increase the revenue dramatically for these services.

Councilman Klussman said if the insurance company sends an individual a bill stating the individual is responsible for a certain amount of money, who should that individual contact? Ms. Laake said the individual should contact her company as they handle all billing questions and billing problems. She stated they also do quite a few reports for the services, informing the service of the call volume, how much money you're billing out, how much money you have collected, and the outlook for the next year.

Councilman Wilson then asked the percentage of bills that the City of Jersey Village has billed in the past which have been paid and Dale Brown stated 97% of the residents and much less for non residents.

Councilwoman Berube asked Ms. Laake if her company has a financial statement. Ms. Laake said she has fidelity bonds of \$25,000.00, which is maximum and a \$3,000,000.00 E.N.O and stated she has never had an attempted lawsuit against her company.

Councilman Wilson said he would like to pursue this, with a one-year contract.

Councilman Wilson made a motion to accept the recommendation of Staff to assist the Fire Department in specialized billing with Specialized Billing & Collection Systems of Texas and have Staff bring contract back for signature. Councilman Klussman seconded the motion.

In discussion, Councilman Bowden asked Ms. Laake for a 10-15 day period to look at what we're currently sending out and what Specialized Billing & Collection Systems of Texas would bill, so when the contract comes back, we could compare and see the differences.

Ms. Laake said she would be willing to do that and will also go back on the City's records and take over any open accounts that have not been resolved and file with appropriate insurance. Councilman Bowden said he would just like to see what the comparison and impact might be prior to giving the contract.

Councilman Bowden asked Ms. Laake how the person(s) involved are determined to be out of district and Ms. Laake said by the address.

Ms. Laake said in six months they will monitor the process and inform the City.

Councilman Wilson said no motion is needed for this. He said Council needs to direct City Staff to do a contract and bring it back next month.

Dale Brown said he would bring a draft contract for Council to review and if Council approves it, then Council would authorize completion of it.

Mayor Schneider thanked Ms. Laake for coming out and said it sounds like a very good program.

**DISCUSSION WITH POSSIBLE ACTION REGARDING CONTRACTING WITH
BROOKS & SPARKS FOR PROFESSIONAL SERVICES:**

- A. Engineering analysis and design for the sewer rehabilitation of the 27" sewer line on Ginger Lane.

Dale Brown stated the original sewer line must have washed out along what is now Ginger Lane. The City had a construction company replace the sewer line about 20 years ago. When the company replaced the pipe, they put in approximately 1,000 feet of 27" galvanized drainage pipe that was coated with some sort of rubbery, plastic material. The liner has become very brittle and is breaking off, causing the lift station controls to burn up, costing several thousands of dollars to replace. We are also getting the debris in the sewer treatment plant, where it is creating problems.

Dale Brown said the proposal for this contract is to examine this line and determine if there is more of it somewhere down the line and to determine the solution for it, which may mean replacing the entire 1,000 feet of pipe. If so, this would also include design work to replace that. He said that Staff is recommending that Council approve a contract with Brooks & Starks for the engineering services related to rehabilitation of the 27" sewer line as defined in the work proposal dated May 20, 1996. This will be funded out of the capital improvements fund Account No. 91-7011, which is our general purpose water/sewer construction account.

Councilwoman Berube asked if homeowners would be affected in any way as far as cost and Dale Brown responded in the negative.

Dale Brown said the construction plans from twenty years ago show the replacement sewer pipe to be from N. Tahoe to Philippine. The City plans to televise everything from N. Tahoe/Tahoe to the plant to determine composition of the pipe.

Councilman Bowden made a motion to contract with Brooks & Sparks for engineering services for rehabilitation of 27" sewer line. The motion was seconded by Councilwoman Berube and the vote was unanimous.

- B. Develop standard specifications and drawings for public improvements for the City.

Dale Brown said we need to have a set of standard drawings and a set of written specifications that are used for all of our projects. He said the example he has been using lately is the fact that he knows of at least five different types of fire hydrants with in the City, some of which are not very good fire hydrants and are a problem.

He said Frank Brooks is already developing a set of specs to go along with the water line proposal and he felt it would be useful to have him do a full set of specs for us. Mr. Brooks is proposing a cost of \$4,300.00. Mr. Brown said he is recommending that we contract with Brooks & Sparks for this set of specs.

Councilman Bowden said the only problem he has with this is using the AutoCad 13 format, which means we have to keep them updated. Dale Brown said he already had plans to amend that slightly to, instead of saying AutoCad 13 format, to say they would provide us with AutoCad's input/output type system (Dxf) that is standard for transferring drawing, making it available to anyone to use on any AutoCad. Mr. Brown stated that the City has AutoCad 12, we have not updated to AutoCad 13, yet.

Mr. Brooks said they have all the updates, so that is not a problem.

Councilman Wilson made a motion to contract with Brooks & Sparks for professional services to develop standard specifications and drawings for public improvements for the City. The motion was seconded by Councilman Bowden and the motion was unanimous.

DISCUSSION WITH POSSIBLE ACTION TO ACCEPT DESIGNS AND AUTHORIZE STAFF TO ADVERTISE AND ACCEPT BIDS ON:

- A. Water line on Jones Road south of Village Green Drive
- B. Water line on U.S. 290 to extend across the Houston Lighting & Power easement.

Dale Brown stated at the March meeting, Council authorized the contract with Karen Rose Engineering and Surveying to design some water extensions on U.S. 290 across the frontage of the HL&P power line and also to extend the water line along Jones Road to connect it to water lines which have basically dead-ended there. He said this is a project in the Capital Improvement Program whereby we are slowly, as we can afford it, connecting the water lines that have been left either dead-ended. Water needs to constantly flow to keep it clean.

Mr. Brown is recommending, since we now have the construction plans for these projects, that Council authorize us to go out for bids for them. He said \$47,000.00 had been budgeted for the two projects; the engineering estimate is for \$31,225.00. He hopes to get a bid closer to the engineer's estimate and will have extra money to go back into the Capital Improvements Fund for other projects. He said he is also proposing that since offsets and water lines that the engineering firm of Brooks & Sparks have already completed for us which Council has already approved for going out for bids, that we add this project to them and do one bid for all of them, because we should get better bids if we have all the wording included in one.

Mayor Schneider asked if the proposed standards had been established in all of this and it was determined they had.

Councilman Wilson questioned the Jones Road extension from U.S. 290 to Village Green Drive on the east side of the street. He asked if an additional fire hydrant was needed on that line, even though there is one on the other side and if it would be proper to request a fire hydrant be installed on the other side to enhance fire protection for the shopping center. Karen Rose said the same concern had occurred to her although she did not show that on the plans and considers it a good idea and would recommend it.

Councilman Wilson said if a hydrant could be placed in the water line it would assist in the flushing of it, but if it were near one of those two current entry driveways, it would be beneficial to the Fire Department as far as getting in and out for fire protection. He recommended to Council to include in the plan.

Councilman Wilson made a motion to accept designs and authorize staff to advertise and accept bids on (A) the water line on Jones Road south of Village Green Drive and (B) on the water line on U.S. 290 to extend across the Houston Lighting & Power easement. Councilman Bowden seconded the motion and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION CONCERNING A REQUEST FOR PARTICIPATION AND CONSTRUCTION OF SANITARY SEWER FACILITIES FOR THE JERSEY VILLAGE MEINEKE DEVELOPMENT

Dale Brown said Mr. Grizzard, property owner of the land behind Chevron and Jack-in-the-Box, approximately six acres there and another four acres on the other side of Hillcrest, has sought to develop that tract, dividing it into two lots. We required that sanitary sewer be extended to the site. The property owner, Mr. Grizzard, has sent a letter stating that he is willing to pay \$150,000.00 toward the cost of extending the lift station, force main and gravity line that will handle his development. The lift station would be at Hillcrest, the force main needs to run up through the Amerada-Hess tract and over to the manhole where Solomon Street dead-ends at the high school tennis courts. The proposed lift station will have a greater capacity than required by the Grizzard tract. The total cost of the project, as proposed by the engineer, Karen Rose, is estimated at \$164,532.23 (see page 15.3). With the \$150,000.00 the Grizzards are willing to contribute, they are about \$15,000.00 short and they are requesting the City consider participation in the project to the extent of that \$15,000.00. Mr. Brown said this is not a great expense for the City and recommends that the City contribute \$15,000.00 to provide a sewer capacity for approximately 100 acres of land. It will provide the capacity for all of the current development along Senate from Hi-Lo south, which as Mr. Lambert stated, does not have City sewage. This will allow all of that to be provided sewer and at a future time with the extension of a simple gravity main up Hillcrest. It will provide capacity to the Amerada-Hess tract, which

is about 70 acres that it will be able to develop. It will be able to be upgraded easily if the developers on the other side of Senate will participate and Ms. Rose said she heard today that they will participate.

Mr. Brown said we need a utility easement from Amerada-Hess, which is the 70 acres on our east side. Amerada-Hess came in with a request that if they are going to provide the easement that all future tap fees, line fees, capacity fees or other use fees will be waived by the City of Jersey Village. Mr. Brown said he called and told them that was just too broad a statement and he couldn't even consider taking a statement like that to Council and recommending it. They came back to him and said they would be willing to accept something such as leaving the reimbursement fee for the sewer collection system impact fees, which would be about \$495.00 per single family equivalent on their tract, which would mean that if we were going to be reimbursed by Amerada-Hess, that we would be reimbursed for that \$15,000.00. He then said by the way the impact fee statute is written, we would probably have to go back and recalculate our impact fees. That collection fee of approximately \$500.00 was designed on the assumption that the City was going to bill all of the collection systems and lift stations. The City won't have to put that money in there, we will probably have to go back and recalculate and at that point the cost would be recalculated on spreading that \$15,000.00 out among everyone, so the impact fee would probably drop down to \$20.00 or \$30.00 for that. Essentially, there is not a major loss of revenue to the City by letting Amerada-Hess have a waiver of the impact fee for the 175 welling units they are asking for.

Mr. Brown is recommending to Council to participate up to \$15,000.00 in the cost of this project and that we waive the sewer collection system impact fee for Amerada-Hess in return for their providing the utility easement through their property. Mr. Brown then added that Amerada-Hess is also willing to provide the site for the lift station, which would be about a 50x50 square foot area.

Councilman Klussman made a motion to accept Staff's recommendation to participate up to \$15,000.00 in the cost of the construction of sanitary sewer facilities for the Jersey Village Meineke development and waive the sewer collection system impact fee for Amerada-Hess in return for their providing the utility easement through their property. The motion was seconded by Councilwoman Berube and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION CONCERNING A FINAL REPORT FROM THE PLANNING AND ZONING COMMISSION AND THE APPROVAL OF AN ORDINANCE REGARDING THE PARKING AND STORING OF TRUCKS AND VANS LARGER THAN ONE TON OVERNIGHT OR ON UNPAVED SURFACES

Dale Brown said the Planning and Zoning Commission has submitted it's final report to Council, which is part of the requirement for adopting an amendment to the zoning ordinance. The

Planning Commission has recommended that Council add two paragraphs to Section 302.1 of the Zoning regulations of the City:

1. Trucks and vans larger than one ton in capacity, trailers other than recreational vehicles, and towed vehicles, shall not be parked or stored overnight in a front or side yard in Zoning Districts A or B.
2. No vehicle shall be parked or stored on an unpaved surface in a front or side yard in Zoning Districts A or B, subject to some renumbering and reorganization as shown in Attachment A.

The Planning and Zoning Commission recommended that the section of 302.1 be slightly renumbered to put this in a logical sequence with some of the other requirements and that is what is provided on pages 16.2 through 16.7. He then said on page 16.11 is the Ordinance the City Attorney prepared that amends the zoning regulations.

Councilman Bowden made reference to the individual who had his trailer parked off Senate last year and said Council decided that so long as a recreational vehicle, etc., was parked behind a garage or fence that it was allowed and there was no stipulation that it be parked on concrete. How will these changes affect that situation, since it states it must be paved?

Mr. Brown said that in this situation, the individual is considered as parking in the back yard.

Councilman Bowden said they also said last year that as long as it was behind a fence, it could stick out in front of a garage if you are on a corner, and it was never specified that it had to be paved.

Mr. Brown said the original section was amended to provide for that required pavement and the amendment left out the word "pavement" and that is when complaints began coming in.

Councilman Bowden said his point is that if you have something behind the fence and it is not offending anyone, it should not make a difference whether it's on concrete or not on concrete - people just don't want to see another person's junk. He said we have one ordinance that says they can park it and another that says they cannot. He then said the new provision specifies towed vehicles, and a boat is a towed vehicle and it says in Section 6 that as long as you have it parked anywhere but in the front yard, it doesn't matter whether there is pavement or not. Then, you come down two sections and it says it has to be parked on concrete.

Councilman Wilson said he understands and it shows Section 8 is in conflict with Section 6. He feels Section 6 should be amended.

Dale Brown said Section 6 should be revised, which would mean going back to the three month process of having the Planning and Zoning Commission review it, having a public hearing and another report to Council.

Councilman Bowden said Sections 7 and 8 are fine but Section 6 needs to be revised.

Councilman Bowden made a motion to accept Ordinance 96-10 as written with modifications to renumbering. The motion was seconded by Councilman Wilson and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION CONCERNING A PRELIMINARY REPORT FROM THE PLANNING AND ZONING COMMISSION REGARDING THE REZONING OF 67 ACRES, KNOWN AS THE JERSEY MEADOW GOLF CENTER AND CALL FOR A JOINT PUBLIC HEARING

Dale Brown said that BSL Golf Corporation has requested to rezone the 67 acre portion of Jersey Meadow Golf Center from District A to District F, with District A being a residential zone and District F being a commercial zone that also allows townhouse and garden house development in it. They originally requested that 140+ acres be rezoned to commercial. After a series of discussions with the Planning and Zoning Commission, BSL amended their request to 67 acres with the HL&P high line being the boundary on the east side. The Planning and Zoning Commission has reviewed the request and discussed it with the property owner's representative and has submitted a preliminary recommendation to Council recommending that the City rezone that area to District F. As part of that recommendation, they are also recommending that at the next Council meeting Council call and hold a joint public hearing between the Planning and Zoning Commission and Council to hear public input. Once the public hearing has been completed, the Planning and Zoning Commission will have to meet and formulate a final recommendation to Council, submit that to Council and only after receiving the final recommendation, that Council take action. Council does not have to follow the recommendation of the Planning and Zoning Commission, it just has to receive the final recommendation.

Councilman Bowden asked if District F was currently zoned for golf course for single family residence. Dale Brown said District F includes public parks, playgrounds, theatres, churches, community buildings, public recreational facilities, townhouses, patio homes, banks, barber and beauty shops, professional offices, business offices, educational institutions, hospitals, nursing care centers, hotels, motels, etc. Mr. Brown then said this part was an annexation and under our zoning ordinance when we annex, everything is automatically zoned to District A, which is the most restrictive zone, being totally single family residence, so that part of the golf course was zoned by default upon annexing it. The other part of this golf course, the old Cameron Iron Works part of the golf course, was rezoned when Cameron still owned it into a special district called a Planned Unit Development P.U.D. District which provides specifically for a golf course

course and a specific number of residential lots that can be developed within the golf course. Councilman Bowden said this was annexed at least five years ago and he doesn't think the nine holes were there. He said when this property was annexed, it was a field and was developed afterwards as a golf course. Dale Brown said he was told specifically that the Family Recreation Center was built before annexation, but he will check to be sure.

Councilman Bowden made a motion to table the rezoning of 67 acres, known as the Jersey Meadow Golf Center until the August Council Meeting. The motion was seconded by Councilman Jackson and the vote was unanimous.

CITY MANAGER'S REPORT

Dale Brown said the City Attorney has proposed the following language for painting/repair ordinance but has not formulated it into an ordinance yet: "That the exterior of every structure including accessory structures and fences shall be maintained in good repair. The same shall be maintained free of broken glass, loose shingles, crumbling or broken stone or brick, excessive peeling paint or other conditions reflective of deterioration or inadequate maintenance to the end of the structure itself may be preserved, safety and fire hazards may be eliminated and adjoining properties may be protected from blighting influences". Mr. Brown said the City Attorney is still researching how such statements could be enforced, which is why it is not ready. He said Ken Wall feels it would have to be processed in the same manner as substandard buildings. Councilmen Bowden and Jackson said this may cause problems and be tough to enforce.

Mr. Brown then spoke on the matter of basketball goals at the pavilion. He said he had received calls from some parents of swim team members concerning a fight at the pavilion. The parents felt the basketball goals were once again generating a great deal of violence and want the City to reconsider the installation of them. Mayor Schneider said the phone call he received was directed at the safety of his children in allowing them to go back and forth from the park area. Councilman Jackson added that he had received three calls complaining of foul language of older boys. Dale Brown said they were removed for approximately a year after receiving complaints, but the problem returned with the installation of goals. Councilman Bowden said signs should be posted that state if police are called out for any type of disturbance, the goals will come down and everyone agreed. Councilman Wilson asked if the pay phone at the pool could be removed to the outside of the fence and Dale Brown informed that the pay phone had been removed. Councilman Wilson said he feels a phone is needed in this area.

Dale Brown said he would have information on the tennis courts on Rio Grande next month.

Next, Mr. Brown said the building code does not prohibit or specify types of materials in buildings. He said the zoning code states that approval of the quality of accessory structures is up to the Director of Public Works. He said his recommendation is if the exterior appearance

is to be controlled, the zoning ordinance needs to be amended to state something to the effect "that accessory structures will be built in the same general style and materials of the residential structure". Councilman Bowden asked if that would include workshops, etc. and Mr. Brown said that would basically mean anything other than the garage and main house. He then said it would be difficult to control things unless it is defined specifically. Councilman Bowden said he thought the Ordinance Review Committee should review this matter.

Dale Brown then talked about the Charter Review Committee. He said a workshop on Charter review is needed. Mayor Schneider said the City is obligated to put together a Charter review every four years and since we are in the fourth year, something needs to be done by July. Mayor Schneider then said Council needs to decide on a workshop forum and then give the Committee directive as to what needs to be addressed. Dale Brown said he thinks Council should give direction and advice to the Committee and he hopes that this time it would not be a six to nine month process as the last one, but that it be dealt with in approximately three months. Mayor Schneider suggested that everyone bring forth their recommendation at next Council meeting. Councilman Klussman asked if a work session was needed on fire station planning and Dale Brown said he has basic information which Council had asked for by June. He said a workshop session would be more relaxed than a formal meeting and would be easier to deal with discussion. Councilman Klussman asked if the Charter Review Committee came with recommendations individually, could the Charter Review workshop and fire station workshop be conducted at the same time. Craig McKnight, a member of the Charter Review Committee, said he would recommend that the Committee be at the workshop and Mr. Brown said that was the intention. Kathy Hutchens will provide information and data on fire stations and said it would be beneficial to go see other stations and stated that Cy-Creek has a very nice one.

Next, Dale Brown provided articles and regulations for Council on satellite dish regulatory concerns and said we need to see the new FCC standards, which are to be issued by August, before we take further action.

Finally, Mr. Brown said as of this date, he has not checked on the status of the no parking signs at Tahoe/N.Tahoe.

ADJOURN OPEN MEETING

With all business completed, Councilman Bowden made a motion, seconded by Councilwoman Berube and the vote was unanimous to adjourn the meeting at 10:58 P.M.

CLOSED MEETING

Following a brief recess, the closed meeting convened at 11:00 P.M. and was adjourned at 11:39 P.M.

Respectfully submitted,

Deborah L. Loesch

~~Laverne M. Hale~~ DEBORAH L. LOESCH
City Secretary

APPROVED AS MINUTES *July 15, 1996*

Ordinance No. 96-09 and No. 96-10 are on file in the City Secretary's office and is made a part of these minutes by reference.



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1996

A Texas Star Community

MINUTES FOR THE SPECIAL SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: July 08, 1996
TIME: 7:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened by Mayor Steve Schneider, followed by the invocation and pledge of allegiance to the flag. Noted present were Council members Joyce Berube, Duncan Klussman, Bruce Bowden and Charlie Wilson.

It was noted that Councilman David Jackson, City Attorney Ken Wall and the City Secretary were not present. City Manager Dale Brown was not present at this time.

Councilman Bowden made a motion to go into Executive Session, seconded by Councilman Wilson and the vote was unanimous.

OPEN SESSION

The Open Session was convened at 9:30 P.M. by Mayor Steve Schneider. Noted present were Council members Joyce Berube, Duncan Klussman, Bruce Bowden and Charlie Wilson; and City Manager Dale Brown.

It was noted that Councilman Jackson, City Attorney Ken Wall and the City Secretary were not present.

Councilman Klussman spoke on the issue of Citizen Comments. He feels that citizens should speak either during the Citizen Comments phase or at the Agenda Item phase to avoid repetition

and Councilman Bowden suggested a time limit for discussions. Mayor Schneider said he would make a sincere attempt to minimize discussion. Councilman Bowden then suggested a Saturday session from 8:00 A.M. until 11:00 A.M. once every two months or perhaps a Friday evening session.

Next, Mayor Schneider stated he would be on vacation July 22nd and 23rd, therefore the budget workshop date was changed to July 29th at 7:00 P.M.. Dale Brown advised he would revise the calendar to reflect July 29, August 12, 13, 14, 19, and 26.

ADJOURN OPEN MEETING

There being no further business, Councilman Klussman made a motion, seconded by Councilman Bowden and the vote was unanimous to adjourn the meeting at 10:00 P.M.

Respectfully submitted,

Deborah L. Loesch

Laverne M. Hale
City Secretary

APPROVED AS MINUTES July 15, 1996



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1956

A Texas Star Community

MINUTES FOR THE REGULAR CALLED MEETING OF THE JERSEY VILLAGE CITY COUNCIL

DATE:	July 15, 1996
TIME:	6:00 P.M.
PLACE:	City Hall, 16501 Jersey Drive, Jersey Village Texas

OPEN MEETING

The Open Meeting was convened at 6:00 P.M. by Mayor Schneider. In attendance were Councilwoman Berube, Councilman Jackson, Councilman Klussman, Councilman Bowden, Councilman Wilson; Mayor Steve Schneider; City Manager Dale Brown; City Attorney Ken Wall; and recording the minutes, Sherry Jackson.

Councilman Wilson made a motion that the Agenda be changed to immediately go to Item No. 4 (Closed Meeting) for executive purposes, then rejoin prior to 7:00 P.M. for the Open Meeting and pick up Agenda Item No. 1. If Council is in Executive Session, Council will recess prior to 7:00 P.M. and return to Council Chambers by 7:00 P.M. and reconvene. The motion was seconded by Councilman Bowden and the vote was unanimous.

CLOSED MEETING

The closed meeting was convened at 6:05 P.M. and recessed at 7:00 P.M. Council Members returned to Council Chambers to continue the Open Meeting.

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was reconvened by Mayor Steve Schneider at 7:00 P.M., followed by the invocation by Councilman Wilson and the pledge of allegiance to the flag. Noted present were Council Members Joyce Berube, David Jackson, Duncan Klussman, Bruce Bowden and Charlie

Wilson; City Manager Dale Brown; City Attorney Ken Wall; and recording the Minutes, Sherry Jackson.

CITIZENS' COMMENTS

Meg Crady, who resides on Jersey Drive, reiterated the traffic problem on Jersey Drive. She is very concerned for the safety of the children on her street due to the speeding problem. She stated that from Lakeview and Senate, going down Jersey Drive toward the pool, there are no speed limit signs on the right side, only a 20 miles per hour school zone sign which is hidden by a tree. She said there is no speed limit sign on the street. She understands the opposition to speed bumps, but would like them to be seriously considered. She said she read that Houston purchased 285 speed bumps to install in various neighborhoods around the city to slow traffic. Ms. Crady then asked Council's permission to research this matter.

Dale Brown stated he has requested a copy of the City of Houston's Standards.

Councilman Wilson stated he is familiar with the speed bumps in Houston, as they have tested them with fire trucks, ambulances, etc. and if you hit those bumps at 35 miles per hour, they will slow you down, but will jolt you if you are in an ambulance.

Next, Gloria McKay, who resides on Lakeview Drive, addressed the issues with Joe Myers Ford Dealership by first introducing Fred Grimm and David Carp who were present on behalf of Joe Myers. Mr. Carp stated it was his understanding regarding the complaints raised with the City of Jersey Village against the Joe Myers Dealerships over the last several months, that the Dealerships were in compliance with all ordinances. Mr. Brown confirmed that, in his opinion, Mr. Carp's understanding was correct. In reliance upon this understanding, Mr. Carp, on behalf of the Joe Myers Dealerships, offered to pursue a bid received to place "butterfly" slats of a dark brown color in the chain link fence between the property of the Church of Christ and the Joe Myers Dealerships for a distance of 550 feet to 575 feet, beginning at the property of Mr. Mitchell. Samples of the slats were demonstrated. Additionally, Mr. Carp, on behalf of the Joe Myers Dealerships and in reliance upon the same understandings, committed to donate \$600.00 for the purpose of placing plants along the fence on the property of the Church of Christ, provided sufficient authorization could be obtained from the Church to allow the City and/or volunteer citizens to accomplish the planting, and provided that sufficient accommodations for the maintenance of such plants can be arranged between the Church, the City and/or any citizen groups, and provided that the plants selected would not flower to the extent that a bee problem would result for the workers/customers of the Joe Myers Dealerships. Mr. Carp stated that the offers were made by the Joe Myers Dealerships as good citizens and good neighbors and, along with other previous actions taken were intended to satisfy all concerns regarding the fence, noise, lighting, etc. which had been raised before the Council. Mrs. Gloria McKay, the leader of a group of citizens which had raised the issues, agreed that the concerns were satisfied and

thanked the Joe Myers Dealerships for cooperation in resolving the matters. All involved agreed that the slats and the plants would provide an effective and attractive barrier between the Joe Myers Dealerships and the residential areas near the section of fence indicated which would assist in maintaining property values.

Mayor Schneider directed Dale Brown to discuss the "at will easement" with members of the church and report to Council. Ms. McKay then said she had talked with Mr. Mitchell, an active member of the church, and stated he was appreciative of all efforts up to this point and seemed to like the idea of the "at will easement". She then asked if the City could help in breaking up the ground and stated November would be the best time to plant. Ms. McKay asked for City Council's commitment for funds to extend this to City Hall.

Councilman Bowden suggested she talk to Parks & Landscaping and recommended she also talk to the Boy Scouts.

Ms. McKay again asked for endorsement by City Council and Councilman Bowden stated they would be working on the budget next month and recommended she talk with Kathy Stokan of the Parks & Recreation Committee.

Ms. McKay expressed her appreciation of the efforts by Joe Myers and City Council in accomplishing this.

Next, Karen Hughes, who lives behind Epernay Place Subdivision, spoke about the drainage plan for Lots 2, 3, and 4 for Epernay. She said an agreement was made between Epernay Place and City Council that the drainage problem they were experiencing because of the construction at Epernay, that (1) a drainage pipe would be installed down an easement that was taken from Lot No. 5 to Lot No. 4; (2) a drainage plan for the three lots would be drawn up by John Horton, which it was. She then said that less than a year ago in Council Chambers they all looked over the plans John Horton had put together, which was to make sure those three lots would drain appropriately. She said Lot No. 3 abided by the drainage plan, but Lot No. 2 has had tremendous amounts of dirt put on it and there is no way it is going to drain according to plans. She wants to know what has happened to that plan, because if what is happening on Lot No. 2 is allowed to occur on Lot No. 4, which is the lot adjacent to her property, then the drainage pipe on that piece of property will be completely covered and they will have approximately 24 inches of dirt adjacent to their yard. She wants to know what happened to the plan and why it is not being followed.

Mayor Schneider responded by saying Rod Hainey, Director of Public Works, would be consulted about this. Ms. Hughes said she called and talked with Rebecca Cavasher two weeks ago about this, when dirt was being brought into the lot, and she felt the City had sufficient time to stop it.

Councilman Bowden said there are two things to consider: (1) it is illegal to drain onto another property; (2) the Flood Plain Regulations sets the minimum height of slabs. He said our Ordinances state the minimum to be one foot above the flood plain, and Dale Brown said that was correct - one foot above the designated flood level. Councilman Bowden said we need to address that issue and possibly modify the Ordinance.

Ms. Hughes stated she wants this corrected because it ruins the value of her house.

Rod Hainey, Director of Public Works, stated he would contact John Horton regarding the location of the plans drawn up by him.

Dale Brown stated the City's basic drainage standards are that all lots must drain to the street and Ms. Hughes said the lots in Epernay do drain to the street. She said the problem is that the builders are bringing in so much dirt for the foundation, they have to alter what is already occurring naturally. Mr. Brown then said that some of the buildings are built out of the flood zone, and therefore do not have to pay the federal flood insurance. Mr. Brown said a problem that was corrected earlier was the older lots on Capri were actually flowing across the Epernay lots, rather than flowing to the street, so the City and the developer worked together to get the drainage pipes to redirect all that water to keep it from flowing as it was. He said they are looking for the plans that John Horton did. Mr. Brown said all he remembered seeing were the drainage designs where they built the pipes and in order to do a design for the entire subdivision, a survey would have been done and he doesn't believe that was ever done and Ms. Hughes said that was part of the agreement - that a survey would be done.

Councilman Wilson said Council would refer back to the Minutes of the meeting in which this was discussed to refresh memories and said Mr. Hainey would research the situation.

Councilman Bowden asked Mr. Hainey to get information back to Council by Wednesday, July 17, 1996.

Finally, Minnie Harrell spoke regarding a scheduling conflict for her son's birthday at the swimming pool that resulted from the revised pool schedule. She said she followed all rules for reserving the pool for August 23rd and was told she could not have the party on that date. She is asking that the pool be closed on Friday, August 23rd, from 6:00 P.M. until 9:00 P.M., as she originally reserved it.

Dale Brown said the swimming pool company agreed to allow Ms. Harrell to use the pool on a Friday before it was agreed to extend the hours of the pool. He said there was obviously a conflict, as the pool company did not inform him that they had made these kind of reservations when they sent us the cost estimate for the extra month, and as a matter of fact, until Ms. Harrell informed him, he was not aware of the party.

Mayor Schneider recommended to Council that the pool be closed from 6:00 P.M. until 9:00 P.M. on August 23rd for Ms. Harrell's party.

Councilman Bowden said he has a problem with an outside company determining the City business. He said an outside company should not dictate to us when they are going to do business with the City's property. He said a much better job will have to be done on the pool contract next year.

Mr. Brown said the pool contract basically turns over the operation of the swimming pool to the private company to operate for the City during a certain period of time. He said he thinks our contract is May 1 until September 30, and during that period of time, they totally run the pool, the City does nothing aside from supplying basic necessities. The contract specifies that they are allowed to contract privately for parties and states that when the pool is not opened to the public, the individual may contract with the pool company to supply lifeguards, because the City requires that lifeguards must be there when the pool is in use.

Councilwoman Berube said there should be advance notification that the pool will be closed.

Ms. Harrell then brought up another subject she had discussed with Dale Brown. Mr. Brown said Ms. Harrell informed him the house across the street from her on Singapore has been vacant for one and one-half years and that her husband and a neighbor have been mowing the property and she was hoping that the City would do something about that, as well as seeing that a sign is posted. Mr. Brown stated he found out the house is under the ownership of H.U.D. Mr. Brown stated he will get in contact with H.U.D. to see what management company is responsible for that tract and discuss the problem, as well as inquiring about a sign stating the house is for sale.

COUNCIL MEMBERS' REPORTS AND COMMENTS

Councilman Bowden asked Dale Brown to strategically place additional speed zone signs on Jersey Drive so they would be easily noticed and Mr. Brown stated he would.

CITY MANAGER'S REPORT

- A. Joe Myers - Discussed earlier in Agenda.
- B. Minnie Harrell - Schedule conflict for private party at the swimming pool resulting from the revised pool schedule - Discussed earlier in Agenda.

- C. Tennis Courts on Rio Grande - Unable to get in touch with representative from BSL. Mr. Brown stated he would ask if Council is considering spending funds on the tennis courts if we contract with BSL, to provide the courts to the public again. Mr. Brown said he would pursue the idea of getting some companies to actually walk the courts and get opinions on the condition of the courts. Mr. Brown then said he would get with BSL to see what sort of actual plan can be worked out and present to Council at the July 29th workshop on Capital Improvements.
- D. Fall Street Dance - Mr. Brown said he will discuss with the Recreation and Events Committee. Councilwoman Berube said the scheduled date is September 13. The event is to be at Carol Fox Park and the Committee would like to close off one street, possibly Jersey or Senate and he will work with them on that.

Mr. Brown then stated that, if the City had no objections, Mr. and Mrs. Lambert would like to take up a collection among residents to place a small plaque below Carol Fox's monument memorializing Carol Fox's daughter, Megan, who died several weeks ago. Mr. Lambert said it would be similar to Carol's plaque. There were no objections.

CONSENT AGENDA

The following items are considered routine by the City Council and will be enacted by one motion. There will not be separate discussions on these items unless a Council member or citizen so requests, in which event, the item will be removed from the general order of business and considered in it's normal sequence on the Agenda.

Councilman Bowden made a motion to remove Items C and D on the Consent Agenda, seconded by Councilman Wilson and the vote was unanimous.

Councilman Wilson made a motion to approve the Items A and B on the Consent Agenda, seconded by Councilman Bowden and the vote was unanimous.

- A. Approval of the minutes of the June 17, 1996 Regular Meeting.
- B. Approval of the minutes of the July 8, 1996 Special Meeting.
- C. Authorize the re-appointment of John Hart as a Reserve Police Officer.

John Hart said he expressed to Chief Lindsey that he would like to work with the Bicycle Patrol Program being reinstituted since he has now recovered from the death of his bloodhound, Lightning.

- D. Authorize the appointment of Donald James as a new Reserve Police Officer.

Chief Lindsey said Donald James is a Houston Fireman with two years experience with another agency and he feels he would do a fine job with Jersey Village. Mr. James stated he works with the Medic Unit and Councilman Wilson stated that was excellent.

Councilman Bowden asked if all criteria was established regarding lights on privately owned vehicles - if that was in the past, and Chief Lindsey responded in the affirmative.

Councilman Wilson made a motion to accept Donald James and John Hart as reserve police officers for the Police Department under Items C and D of the Consent Agenda. The motion was seconded by Councilwoman Berube and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPOINTMENT OF MEMBERS TO VARIOUS COMMITTEES

Councilwoman Berube made a motion to appoint Karen Listi to the Recreation and Events Committee. The motion was seconded by Councilman Jackson and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION CONCERNING A PRELIMINARY REPORT FROM THE PLANNING AND ZONING COMMISSION REGARDING THE REZONING OF 67 ACRES, KNOWN AS THE JERSEY MEADOW GOLF CENTER AND CALL FOR A JOINT PUBLIC HEARING

Dale Brown stated there is a memo from Leroy Narendorf, Chairman of the Planning and Zoning Commission recommending this action. He said the sequence of events regarding the development of the golf course were questioned last month and referenced the letter from BSL Golf Corporation depicting a time line as to when things were developed. Mayor Schneider asked the date of annexation and Mr. Brown said it was effective December 31, 1990.

Councilman Wilson made a motion to call for a public hearing at the next August Regular Session of Council as recommended by the previous Board. The motion was seconded by Councilman Bowden and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION TO ADOPT AN ORDINANCE AUTHORIZING MUD 199 TO ISSUE REFUNDING BONDS

Councilman Duncan Klussman made a motion to adopt Ordinance No. 96-12 authorizing MUD

199 to issue refunding bonds. The motion was seconded by Councilwoman Berube and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION CONCERNING APPOINTMENT OF FRANK BROOKS OF BROOKS AND SPARKS, INC. AS CITY ENGINEER

Councilman Bowden asked Mr. Brooks how many people in his company were City Engineers and Mr. Brooks replied he has ten people employed as designers, draftspeople, secretaries, etc., but he is the only City Engineer. Mr. Brooks stated his company uses electrical subcontractors, structural engineers as subs, etc. Mr. Brooks then stated his firm can cover anything needed by the City and he is always available, but suggested his firm be appointed rather than himself, individually.

Councilman Bowden made a motion to appoint the firm of Brooks and Sparks, Inc. as City Engineer. Councilman Wilson seconded the motion and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION CONCERNING EMERGENCY REPAIRS TO WATER WELL AND PLANTS NUMBER 1 AND 2

Dale Brown asked Council to approve an expenditure up to \$35,000.00 for water well No. 1 to take it off line and drop the pump an additional 30 feet into the well. He stated that within the last year or so, since the onset of the draught condition, the water level in the well has dropped significantly.

Director of Public Works, Rod Hainey, said the pumping level of the well is only 20 feet above the bowl, which means we only have 20 feet before we pump dry. The draw down at this point in time is so great that we need to have the bowls lowered by at least another 30 feet. He said more extensive work will need to be done in the winter. He said this is only a temporary repair to gain ground. He said in 1994 the static level of the well was 415 feet, the static level in 1996 is 439 feet, so 24 feet of water has been lost in the aquifer over the two year period, evidence that the draught is affecting us, making this action necessary at this time.

Haden Lambert asked what the cost would be to drill a new well and Mr. Hainey said the repair of water well No. 1 is something that must be done now to continue our water supply. He said to drill a new well at this time, the expenditure would be approximately \$350,000.00. Mr. Brown said they are looking at whether or not a new well would be the next consideration or possibly doing something with our interconnect with Houston, but at this point, we have to get water well No. 1 producing. He said we are 18 percent higher in consumption that we were last year.

City Attorney Ken Wall said Council needs to take action as this affects public health and then authorize the expenditure of approximately \$35,000.00. Dale Brown said it could possibly be only \$10,000.00-\$12,000.00, but whenever you get into something underground, you never know what to expect, so the figure of \$35,000.00 is based upon a "worst case scenario".

Councilman Jackson asked what the impact of closing one well for repairs would be and Mr. Brown said the basic household needs of the citizens can be serviced, but outside watering will have to cease during the week the well is down because water cannot be provided for household use, lawn watering and maintain the proper level of water in case of fires - which is addressed in following Agenda item.

City Attorney Ken Wall said any type of outside watering would be prohibited during this one week period.

Mr. Hainey pointed out that during the last week, the water plant operator has been called in three different days to run the system manually because we cannot deliver enough water to the residents to meet demands. If this system is allowed to run automatically, we would run out of water because the demand is so high.

Councilman Bowden asked if this qualified us to take the tie-in to Brookhollow and Mr. Brown said Mr. Hainey had been in contact with the MUD district. Mr. Hainey said the innerconnect people have no problem with doing the connect and opening the innerconnect. They can supply 1,340 gallons per minute with their well, but they requested we only take 500 gallons per minute because they are having problems with their well.

Councilman Wilson made a motion to declare an emergency under public health and accept Staff's proposal to drop the pump in the well an additional 30 feet and approve an expenditure of up to \$35,000.00 if needed. The motion was seconded by Councilman Bowden and the vote was unanimous.

DISCUSSION WITH POSSIBLE ACTION CONCERNING ADOPTION OF AN ORDINANCE PROHIBITING ON A TEMPORARY BASIS THE DISCHARGE OR USE OF WATER OUTSIDE OF BUILDINGS.

Councilman Wilson stated that according to the monthly report, an average of 2,100,000 gallons of water per day in June and 466,000 with the sewer plant, which meant that 1.6 million gallons of water per day was for other use and Mr. Hainey replied that was correct. Mr. Hainey said that could be reduced by encouraging people to water at night as an enormous amount is being lost to evaporation on a day to day basis.

Mayor Schneider asked if Mr. Hainey was proposing that consideration at this time and Mr. Hainey stated, no, total elimination of outside use would be necessary.

Councilman Wilson mentioned that another city is on a rationing program whereby they can only water outside one day out of five. He thinks we need to go with the draft and ask citizens not to water for one week.

Dale Brown said the City is also installing equipment to monitor the well level daily so that from now on we would be aware of the water situation, because if this draught continues, we may have to look at encouraging water conservation.

Councilman Bowden said he is in full support of prohibiting outside watering.

Councilman Klussman asked if it was necessary to have eight days of not watering and Mr. Hainey said it could hopefully be done in five days. He said he could have the wells taken out of service on a Thursday and back into service on Friday, but needs a total of five working days to get bacterial samples cleared.

Councilman Klussman then asked at what point we should consider voluntary water conservation, as far as some type of schedule that citizens are suggested to follow, but not necessarily make it mandatory.

Mr. Hainey stated he is going to try and chart the water levels during the next 30 days on each well and see how they are responding to our use. If they continue to decline, that suggestion may need to be considered at the August Council Meeting.

Councilman Klussman asked how much it could drop over the next thirty days and Mr. Hainey said that since 1994 the static level has dropped a total of 24 feet and the pump level has dropped, from 493 feet in 1994 down to 512 feet in 1996.

Councilman Jackson stated that most other communities have already started a rationing program.

Councilman Klussman expressed his concern about waiting thirty days and Mayor Schneider said he agreed. Mayor Schneider said once monitoring begins and if Mr. Hainey comes to the conclusion that we can't wait thirty days, then an emergency session would be advisable.

Councilman Wilson asked if this information could be available to the public by July 18 and Mr. Brown stated there is a draft letter for Council to approve. A letter would be placed on every door, including commercial buildings. When it goes into effect, Mr. Brown said he would ask the police department's assistance by asking people to turn off the water when they see any outside watering. He expressed hope that citizens will cooperate.

Mayor Schneider said this must be communicated in a variety of ways. He instructed Dale Brown to put up the message on the marquee along with a hot line number. Mr. Brown said he will also work with Cy-Fair I.S.D. to run a message on the educational channel.

Councilwoman Berube asked Dale Brown to make mention of fire safety in the draft.

Councilman Bowden then said there is a penalty not to exceed \$500.00. He would like to add a minimum penalty of not less than \$50.00.

Councilman Bowden then asked who will enforce this and Mr. Brown said his proposal would be the police patrolling the City, as they would be the first to find violations.

Councilman Klussman stated the minimum penalty should be not less than \$200.00.

Councilman Klussman made a motion to accept Ordinance No. 96-11, declaring an emergency; prohibiting the intentional discharge of water outside of a building between July 18, 1996 and July 25, 1996; providing for severability; and providing a penalty of an amount not less than \$200.00 but not to exceed \$500.00. Councilman Wilson seconded the motion and the vote was unanimous.

Chief Lindsey added that officers would first ask people to shut off the water and if they don't comply, will be issued a citation. Councilman Bowden inquired about warning tickets and Chief Lindsey said nothing is generally done with warnings. Chief Lindsey said violations will be logged in dispatch, so that changing shifts will be aware. Mayor Schneider instructed Chief Lindsey to have a court date mentioned on the citations.

**DISCUSSION WITH POSSIBLE ACTION TO AUTHORIZE STAFF TO ADVERTISE
AND ACCEPT BIDS FOR SOLID WASTE DISPOSAL SERVICES OR TO EXTEND THE
CURRENT CONTRACT FOR ONE ADDITIONAL YEAR**

Mayor Schneider asked if the matter of bulk waste was addressed in the specifications; was there any time for bulk pick-up and Dale Brown said it does provide for bulk pick-up, and that the specifications are still being refined. Mayor Schneider said the specifications should state there is at least one day per month, etc. so citizens will know when to put out their bulk trash.

Mayor Schneider then said we are locking dates into the bid process and we may find a better rate if we are flexible with those dates, such as Monday/Thursday, Tuesday/Friday, etc., and asked if a Wednesday/Saturday concept would be considered. He stated that some collectors have a heavy load on the days we have outlined in our bid process and if we are looking for a better rate, maybe we could go to the less busy day. Dale Brown then responded by saying that we might try it as a possible alternate so we could compare. Mr. Brown said the program in

effect now has been used for years and people are accustomed to it, but there is nothing firm about the days written in the specifications.

Councilman Bowden made a motion to finalize the specs and go out for bids for solid waste pick-up. The motion was seconded by Councilwoman Berube and the vote was unanimous.

Councilman Bowden amended his motion to finalize the specs and go out for bids for a two-year contract for solid waste pick-up. The motion was seconded by Councilwoman Berube and the vote was unanimous.

RECESS - OPEN MEETING

A fifteen-minute recess was called at 8:50 P.M. before resuming with a brief work session.

WORK SESSION

Work session began at 9:05 P.M.

Dale Brown proposed a new grade and salary plan to Council. He said the proposal he is presenting proposes consolidation of our current Grade/Step Plan from twelve categories to eight. He would like Council to approve an adjustment for the current fiscal year and an adjustment for the next fiscal year.

Mayor Schneider suggested this topic be discussed at the work shop scheduled for Monday, July 29, 1996 and Councilman Bowden asked for the chart depicting the original 12 grades for that meeting.

Next, Chief Lindsay asked Council to consider a new position of Lieutenant in the police department in response to a request from Dale Brown that there be a supervisor on duty at all times as well as increasing visibility on the streets.

Chief Lindsey asked for a quick decision from Council if at all possible so the Assessment Center could combine the Sergeant position and the Lieutenant position at the same time.

It was decided this topic would also be discussed at the July 29th workshop.

ADJOURN OPEN MEETING

There being no further business, Councilman Klussman made a motion, seconded by Councilman Wilson and the vote was unanimous to adjourn the meeting at 10:00 P.M.

CLOSED MEETING

The closed meeting reconvened, following adjournment of the Open Session, in the conference room at 10:06 P.M. to continue discussion of personnel matters and was adjourned at 12:00 A.M..

Respectfully submitted,

Deborah L. Loesch
~~R. Dale Brown~~ DEBORAH L. LOESCH
~~City Manager~~ CITY SECRETARY

APPROVED AS MINUTES July 27, 1996

Ordinance No. 96-11 and No. 96-12 are on file in the City Secretary's office and are made a part of these minutes by reference.



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1996

A Texas Star Community

MINUTES FOR THE SPECIAL SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: July 29, 1996
TIME: 6:30 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

OPEN MEETING

The meeting was convened at 6:30 P.M. by Mayor Steve Schneider. In attendance were Council members Joyce Berube, David Jackson, Duncan Klussmann, Bruce Bowden and Charlie Wilson; Mayor Steve Schneider; City Manager Dale Brown; and recording the Minutes, Sherry Jackson.

It was noted that City Attorney, Ken Wall, was not in attendance.

Councilman Wilson made a motion that the Agenda be changed to immediately go to Item No. 4 (Closed Meeting) for executive purposes, then rejoin at 7:00 P.M. for the Open Meeting and pick up Agenda Item No. 1. If Council is in Executive Session, Council will recess prior to 7:00 P.M. and return to Council Chambers by 7:09 P.M. and reconvene. The motion was seconded by Councilman Jackson and the vote was unanimous.

CLOSED MEETING

The closed meeting was convened at 6:35 P.M. in the City Hall conference room and adjourned at 7:15 P.M. Council members returned to Council Chambers to continue the Open Meeting.

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was reconvened by Mayor Steve Schneider at 7:15 P.M., followed by the

invocation by Councilman Klussmann and the pledge of allegiance to the flag. Noted present were Council Members Joyce Berube, David Jackson, Duncan Klussmann, Bruce Bowden and Charlie Wilson; City Manager Dale Brown; and recording the Minutes, Sherry Jackson.

It was noted that City Attorney, Ken Wall, was not present.

CITIZENS' COMMENTS

Haden Lambert and Jim Hadfield reserved their comments until later in the meeting.

COUNCIL MEMBERS' REPORTS AND COMMENTS

There were no reports or comments by Council Members.

Mayor Schneider asked Councilwoman Berube the status of the Warner Cable Hometown Heroes and Councilwoman Berube stated the three nominees from Jersey Village were Debbie Muery, Mike O'Kelley and Darcy Mingoia. She stated that in approximately thirty (30) days, the winner would be announced.

Next, Mayor Schneider discussed a letter he received from Judge Jerry Adam concerning the municipal court schedule. He asked Dale Brown to coordinate a court schedule that would be agreeable to both Judge Dupont and Judge Adam. Dale Brown said he had discussed this issue with Court Clerk Nell Protas prior to receipt of the letter from Judge Adam and is working on a schedule to satisfy the judges and the prosecutors.

CITY MANAGER'S REPORT

Mr. Brown gave an update on the Meineke-Grizzard development relating to the sewer line extension and stated the lift station, force main and gravity line have all been taken care of. He stated there are contracts between Grizzard, the contractor - Jim Bailey, and the City. He said the Grizzards have contributed \$150,000.00 at a title company and the title company is now working on an escrow agreement as to the dispersion of that money. He then stated he had also received a letter from Robert Hartsough, representing the property owners on the west side of Senate, stating their desire to participate in the sewer project by oversizing in order to provide adequate capacity for the west side of Senate. He stated they are asking Council's support in working out an agreement with the contractor to expand the project, which would involve putting the gravity line deeper in the ground and oversizing it from an eight inch to a ten inch and upgrading and creating a wet well for the lift station and an extension of the gravity line under Senate. Mr. Brown said the plans are being reviewed at this time by the City Engineer.

CONSENT AGENDA

Councilman Wilson made a motion to approve Item A - Approval of the minutes of the July 15, 1996 Regular Meeting. The motion was seconded by Councilman Klussmann and the vote was unanimous.

There were no other items on the Consent Agenda.

DISCUSSION WITH POSSIBLE ACTION TO APPOINT A CITY SECRETARY

Councilman Wilson made a motion to appoint Debbie Loesch as City Secretary, seconded by Councilman Bowden and the vote was unanimous.

Councilman Wilson then thanked Ms. Loesch for her honesty and concern when appearing before Council.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE ADOPTION OF WATER CONSERVATION METHODS INCLUDING LAWN WATERING RESTRICTIONS

Dale Brown asked that Council approve the proposal as a voluntary measure with the understanding that if it is determined the City cannot continue functioning as a voluntary measure, then it would be necessary to return for Council's consideration in making the measure a mandatory one. Mr. Brown stated that after removing the water restrictions last week, the well had to be manually operated for two days because more water was being used than both wells, running almost 24 hours, could pump out of the ground.

Rod Hainey, Public Works Director, stated that now the wells are run on automatic, but consumption is still too high and the City needs to encourage some level of conservation.

Councilwoman Berube asked if any citations were issued during the period of water restriction and Police Chief Lindsey stated there were no citations issued, but numerous warnings were given.

Councilman Wilson said it was now his understanding, after looking at the schedule supplied by Mr. Hainey, that outside watering would correspond with the trash pick-up days. Mr. Hainey replied that the schedule he presented was just a suggestion and if Council wanted to consider even-odd days, that could also be a consideration. He then stressed that some sort of rotation is necessary.

Councilman Bowden said it would be a good combination to state that watering could be done between certain hours on certain days, as determined by Council. Councilman Bowden stated he did not think the voluntary measure would work.

Councilman Wilson asked how this information would get to the public and Mr. Brown stated the same as before - by hanging flyers on doors.

Councilman Jackson stated he did not think one week was enough and that it should extend until the August Council meeting of August 19, 1996.

Councilman Klussmann made a motion to put in force voluntary restrictions on lawn watering on a Monday-Thursday-Saturday schedule and a Tuesday-Friday-Sunday schedule between 9:00 A.M. and 8:00 P.M. with no watering on Wednesday. The motion was seconded by Councilman Wilson and the vote was unanimous.

Council Bowden asked that the notice state that if the voluntary measure does not work, more restrictive measures will be taken.

DISCUSSION WITH POSSIBLE ACTION AUTHORIZING THE CITY TO PARTICIPATE IN THE EXTENSION OF A WATER LINE EXTENSION TO MEINEKE MUFFLER

Dale Brown suggested the 165 foot water line be extended in order to work with Meineke Muffler. He said that since that is such a small line, if Meineke pays the material costs such as pipe and fitting and the cost of boring under their existing driveway, then City crews could lay the water pipe. Mr. Brown said Meineke, in anticipation of this, has already given him a check for their participation rate of \$3,000.00.

Councilman Bowden asked if the City has a right-of-way and Mr. Brown replied in the affirmative, stating it is all in the utility easement.

Councilman Wilson asked if this was a 12-inch line going east and if there was a fire hydrant. Mr. Brown stated there is a fire hydrant now at Jack-in-the-Box; therefore, with the additional 165 feet, there would be no need for another fire hydrant. Mr. Brown then said if and when the line is continued all the way to Hillcrest, there would be a need for another fire hydrant at the corner of Hillcrest.

Councilman Jackson made a motion to approve the proposal to extend the water line with the City providing engineering and labor costs, and Meineke providing all materials and survey costs, and authorized the City Manager to contact the adjacent property owner (Grizzard) about their participating in extending the water line, with a fire hydrant across the frontage of the lot

to Hillcrest, one fire hydrant, for the utility extension all the way to Hillcrest. The motion was seconded by Councilman Wilson and the vote was unanimous.

ADJOURN OPEN MEETING

There being no further business, Councilman Wilson made a motion, seconded by Councilman Wilson and the vote was unanimous to adjourn the meeting at 7:55 P.M.

WORK SESSION

A work session was held to review and discuss capital improvements budgeting, revamping of the employee salary structure, and proposed police department organizational changes.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch
City Secretary

APPROVED AS MINUTES August 19, 1996



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1956

A Texas Star Community

MINUTES FOR THE SPECIAL SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: August 12, 1996
TIME: 6:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 6:10 P.M. by Mayor Steve Schneider, followed by the invocation by Mayor Schneider and the pledge of allegiance.

In attendance were Councilmembers Joyce Berube, David Jackson, Duncan Klussmann, Bruce Bowden and Charlie Wilson; Mayor Steve Schneider; City Manager Dale Brown; and City Secretary Deborah Loesch.

It was noted that City Attorney, Ken Wall, was not in attendance.

CITIZENS' COMMENTS

There were none at this time.

COUNCIL MEMBERS' REPORTS AND COMMENTS

Councilmember Joyce Berube - Concerned that a street sign is needed at Jones Road and Village Green Drive indicating "No Left Turn allowed" and that there is not enough speed limit signage through out the Village and is very confusing to the residents.

Councilmember David Jackson - Commended the water conservation efforts. Expressed concern that Ordinance No. 96-10 regarding the parking and storage of trucks and vans has shown no improvements. A review of the ordinance is needed to bring any violators into compliance.

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August 12, 1996
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Mayor Steve Schneider -

Received a letter from Jersey Village Baptist Church
thanking the Fire Department for their clean up efforts.

CITY MANAGER'S REPORT

No report was presented at this time.

DISCUSSION WITH POSSIBLE ACTION CONCERNING APPROVING A CONTRACT
WITH K&P ASSOC. INC. FOR THE COLLECTION OF EMERGENCY MEDICAL
SERVICES CHARGES.

A motion was made by Councilmember Charlie Wilson to approve a contract with K&P Assoc. Inc. for a term of two (2) years to be effective August 1, 1996 unless the City Attorney mandates otherwise, second by Councilmember Duncan Klusmann. Motion carried unanimously.

ADJOURN OPEN MEETING

A motion was made by Councilmember Bruce Bowden to adjourn the open meeting subject to returning at the close of the executive session to continue with the Budget workshop, second by Councilmember David Jackson. Motion carried unanimously to adjourn the meeting at 6:35 P.M.

CLOSED MEETING

The closed meeting was convened at 6:37 P.M. and was adjourned at 8:02 P.M.

WORK SESSION

A work session was held to review and discuss the proposed 1996-97 Budget.

Respectfully submitted,

Deborah L. Loesch
Deborah L. Loesch
City Secretary

APPROVED AS MINUTES September 16, 1996



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1952

A Texas Star Community

MINUTES FOR THE REGULAR SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: August 19, 1996
TIME: 6:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

A motion was made by Councilmember Charlie Wilson to move Item #4, Closed Meeting, to the beginning of the agenda and to return from the Closed Meeting at 7:00 p.m., seconded by Councilmember Joyce Berube. Motion carried unanimously.

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 7:10 P.M. by Mayor Steve Schneider, followed by the invocation and the pledge of allegiance led by Councilmember Berube.

In attendance were Councilmembers Joyce Berube, David Jackson, Duncan Klussmann, Bruce Bowden and Charlie Wilson; Mayor Steve Schneider; City Manager Dale Brown; City Attorney Ken Wall and City Secretary Deborah Loesch.

Councilmember Wilson made a motion to suspend the order of business and go to Item #10, seconded by Councilmember Klussmann. Motion carried unanimously.

CITY MANAGER'S REPORT

Dale Brown presented the City Manager's Report.

Councilmember Bowden made a motion to go to Item #6, second by Councilmember Jackson. Motion carried unanimously.

JOINT PUBLIC HEARING

The Joint Public Hearing with the Planning & Zoning Commission was opened by Mayor Schneider concerning a proposal that a 67 acre portion of Jersey Meadow Golf Center, currently

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August 19, 1996
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situated in Zoning District A, to be considered for rezoning to District F (Section 301.3 Amendments to District Boundaries of the Development Code). Members present were:

Mayor and Councilmembers: Mayor Steve Schneider
Council Member Joyce Berube
Council Member David Jackson
Council Member Duncan Klussmann
Council Member Bruce Bowden
Council Member Charlie Wilson

Planning & Zoning Commission: Tom Eustace
Jim Fields
Kay Vaccaro
Gregg Bonaguerio

Others Present: Dale Brown, City Manager
Ken Wall, City Attorney
Deborah Loesch, City Secretary

Parke Patterson and Jim Box representing the owners (BSL Golf Corp.) made a short presentation regarding the proposed rezoning. Public comments were received from Randall Sutton, Bob Biggs, Joe Pennington, Donna & Ralph Holle, Bill Sharp, Bob Hartsough, Bob Humphrey, Chuck Mattair, John Thomas, and Paulette Williams.

With no other comments forthcoming from the public, a motion was made by Councilmember Jackson to close the public hearing, second by Councilmember Klussmann. Motion carried unanimously.

RECESS - OPEN MEETING

A five minute recess was called at 8:45 p.m. before resuming the Open Meeting.

CITIZENS' COMMENTS

Jim Hadfield distributed to Councilmembers correspondence regarding his status as a peace officer.

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COUNCILMEMBERS' REPORTS AND COMMENTS

- Councilmember Bruce Bowden - Concerned that we need to continue reminding residents of the voluntary water conservation program by keeping notice posted on the marquee indefinitely.
- Mayor Steve Schneider - Requested that all notices of public hearings need to be posted on the marquee. Asked for an update on the Grizzard waterline project. Dale Brown reported that no response has been received from the Grizzards on their participation in the project. However, we are finalizing all the paper work on the sewer extension. Mayor Schneider received a letter from a citizen regarding a broken water main thanking Public Works for doing a good job.

CONSENT AGENDA

Councilmember Wilson made a motion to approve the July 29, 1996 Minutes as corrected to reflect the change in the minutes to read that there would be no watering on Wednesdays, seconded by Councilmember Klusmann. Motion carried unanimously.

REGULAR AGENDA

No reports from Boards, Commissions, or Committees were presented.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPROVAL OF ORDINANCE NO. 96-13 AMENDING THE 1995-96 BUDGET.

Motion made by Councilmember Bowden to approve the amendments to the budget, second by Councilmember Berube. Motion carried unanimously.

Recessed Open Meeting to executive session at 9:05 p.m.

CLOSED MEETING

The Closed Meeting was adjourned at 11:25 p.m.

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ADJOURN OPEN MEETING

There being no further business, a motion was made by Councilmember Bruce Bowden to adjourn the open meeting, second by Councilmember Charlie Wilson. Motion carried unanimously to adjourn the meeting at 11:30 P.M.

WORK SESSION

The work session to review and discuss the proposed 1996-97 Budget was cancelled.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch
City Secretary

APPROVED AS MINUTES September 16, 1996

Ordinance No. 96-13 is on file in the City Secretary's Office and is made a part of these minutes by reference.



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

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A Texas Star Community

MINUTES FOR THE SPECIAL SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: August 28, 1996
TIME: 6:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 6:05 P.M. by Mayor Steve Schneider, followed by the invocation and the pledge of allegiance led by Councilmember Charlie Wilson.

In attendance were Councilmembers Joyce Berube, Duncan Klussmann, Bruce Bowden and Charlie Wilson; Mayor Steve Schneider; City Manager Dale Brown; and City Secretary Deborah Loesch.

It was noted that Councilmember David Jackson was not in attendance, but would be arriving later; and Ken Wall, City Attorney was also not in attendance.

CITIZENS' COMMENTS

There were none at this time.

COUNCIL MEMBERS' REPORTS AND COMMENTS

Councilmember Bruce Bowden - Concerned about the grass growing over the curb and into the street along Rio Grande from Village Drive to the bridge.

Mayor Steve Schneider - During October we need to review the committees who have appointees whose terms are expiring and/or have vacancies. Also need to set up organizational meetings for the Ordinance and Charter Review committees to get started.

CITY MANAGER'S REPORT

Dale Brown presented the City Manager's Report.

CONSENT AGENDA

Councilmember Bowden made a motion, and seconded by Councilmember Wilson to approve the following items on the Consent Agenda. The motion carried with Councilmembers Berube, Klussmann, Bowden, and Wilson voting. Councilmember Jackson was not present for the vote.

- A. Approval of Harris County Appraisal District's 1995 Supplemental Appraisal Roll No. 10 as an amendment to the Tax Roll with a tax rate of \$.68408/\$100 valuation and a total value increase of \$88,170 for an additional tax levy of \$603.15.
- B. Approval of Harris County Appraisal District's Correction Roll #22 as an amendment to the Tax Roll with a tax rate of \$.64808/\$100 and a total value reduction of \$56,150 for a tax levy reduction of \$384.11.

DISCUSSION WITH POSSIBLE ACTION TO CALL FOR A PUBLIC HEARING ON THE PROPOSED 1996-97 ANNUAL BUDGET.

A motion was made by Councilmember Bowden to call for a Public Hearing on the proposed 1996-97 Annual Budget on September 16, 1996, and seconded by Councilmember Berube. Motion carried with Councilmembers Berube, Klussmann, Bowden, and Wilson voting aye. Councilmember Jackson was not present for the vote.

DISCUSSION WITH POSSIBLE ACTION TO ADOPT THE HARRIS COUNTY APPRAISAL DISTRICT 1996 CERTIFIED TAX ROLL.

A motion was made by Councilmember Berube to accept the Harris County Appraisal District's 1996 Certified Tax Roll, and seconded by Councilmember Klussmann. Motion carried with Councilmembers Berube, Klussmann, Bowden, and Wilson voting aye. Councilmember Jackson was not present for the vote.

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DISCUSSION WITH POSSIBLE ACTION TO AUTHORIZE AN AGREEMENT FOR
CONSULTING SERVICES WITH MICHAEL G. LINDSEY.

A motion was made by Councilmember Wilson to approve the agreement for consulting services with Michael G. Lindsey, and seconded by Councilmember Berube. Motion carried with Councilmembers Berube, Klussmann, Bowden, and Wilson voting aye. Councilmember Jackson was not present for the vote.

ADJOURN OPEN MEETING

A motion was made by Councilmember Berube to adjourn the open meeting, second by Councilmember Wilson. Motion carried with Councilmembers Berube, Klussmann, Bowden, and Wilson voting aye. Councilmember Jackson was not present for the vote. The Open Meeting was adjourned at 6:35 p.m.

WORK SESSION

The work session convened at 6:40 p.m. to review and discuss the proposed 1996-97 annual budget. Participants in attendance were: Mayor Schneider, Councilmembers Berube, Jackson, Klussmann, Bowden, and Wilson; Dale Brown, City Manager, Department Heads Rod Hainey, Louis Rodriguez, Kathy Hutchens, and Mike Lindsey. Citizens present: Hayden Lambert and Jim Hadfield.

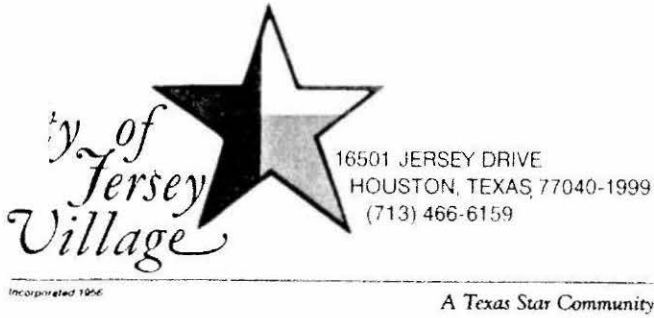
A motion was made by Councilmember Bowden to adjourn the work session, second by Councilmember Wilson. Motion carried unanimously. The work session was adjourned at 9:15 p.m.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch
City Secretary

APPROVED AS MINUTES September 16, 1996



MINUTES FOR THE REGULAR SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: September 16, 1996
TIME: 7:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 7:10 P.M. by Mayor Steve Schneider, followed by the invocation and the pledge of allegiance led by Mayor Schneider.

In attendance were Councilmembers Joyce Berube, David Jackson, Bruce Bowden and Charlie Wilson; Mayor Steve Schneider; City Manager Dale Brown; City Attorney Ken Wall; and City Secretary Deborah Loesch.

It was noted that Councilmember Duncan Klussmann was not in attendance.

PUBLIC HEARING

The Public Hearing was opened by Mayor Schneider to consider the proposed 1996-97 Annual Budget. Members present:

Mayor and Councilmembers: Mayor Steve Schneider
Councilmember Joyce Berube
Councilmember David Jackson
Councilmember Bruce Bowden
Councilmember Charlie Wilson

Other Present: Dale Brown, City Manager
Ken Wall, City Attorney
Deborah Loesch, City Secretary

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CITY COUNCIL
September 16, 1996
Page 2

Mayor Schneider made a brief statement on the status of the budget. City Manager Dale Brown summarized the expected revenues and expenditures. Public comments from citizens were received. With no further comments forthcoming, the Public Hearing was closed at 7:40 P.M.

CITIZENS' COMMENTS

Gloria McKay was concerned about the status of the fence along Joe Myers Ford property.

John Montgomery expressed concern regarding the resignation of the Police Chief and overall police department concerns.

Bill Sharp was concerned about what action had been taken regarding the rezoning request by the owners of the golf course.

COUNCIL MEMBERS' REPORTS AND COMMENTS

- | | |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Councilmember Joyce Berube - | Discussed the possible installation of speed bumps along Jersey Drive and Lakeview; and received complaints about an odor coming from the waste treatment plant. |
| Councilmember David Jackson - | Expressed concern that the grass along the bayou has not been mowed by the Harris County Flood Control District. |
| Councilmember Bruce Bowden - | Commended the members of the Recreation & Events Committee for a job well done on the Street Dance. |
| Councilmember Charlie Wilson - | Complimented the Recreation & Events Committee for a job well done on the Street Dance and requested they look at having it next year during October. |
| Mayor Steve Schneider - | Received the inspection of bridges report from Texas Department of Transportation; announced that the Governor's office was accepting nominations for the Texas Women's Hall of Fame; requested an update on the progress of spraying for mosquitoes; requested staff to review the mowing ordinance; and concerned about the permit for a house on Tahoe and Carlsbad. |

CITY MANAGER'S REPORT

The first Charter Review Commission meeting is scheduled for October 17, 1996 at 7:00 p.m.

Dale Brown distributed copies of a draft of an ordinance for painting and repairs for review and comments.

CONSENT AGENDA

Councilmember Wilson made a motion to approve Item A, Minutes of the August 12, 1996 Special Session, August 19, 1996 Regular Session, and August 28, 1996 Special Session on the Consent Agenda; and seconded by Councilmember Jackson.

Motion carried unanimously.

Items B and C were removed from the agenda.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPOINTMENT OF MEMBERS OF VARIOUS COMMITTEES.

Item tabled until October agenda.

DISCUSSION WITH POSSIBLE ACTION TO AWARD THE BID FOR THE COLLECTION AND DISPOSAL OF RESIDENTIAL SOLID WASTE AND RECYCLING PROGRAM.

A motion was made by Councilmember Bowden to accept the bid with Century Industries for the collection and disposal of residential solid waste and recycling program to begin October 1, 1996 for total city with pick up days on Monday and Thursday, recycling pick up on Thursday; recycling not to include glass. The motion was seconded by Councilmember Berube.

Motion carried unanimously.

MINUTES - REGULAR SESSION

CITY COUNCIL

September 16, 1996

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DISCUSSION WITH POSSIBLE ACTION TO AWARD THE BID FOR THE 6" WATER LINE REPLACEMENT ON ACAPULCO DRIVE AND SHANGHAI DRIVE AND 12" WATER LINE ON STATE HIGHWAY 290 AND JONES ROAD.

A motion was made by Councilmember Berube to accept the bid for the 6" water line replacement on Acapulco and Shanghai Drive and 12" water line on State Highway 290 and Jones Road with Wheaton Construction for \$142,339.30; seconded by Councilmember Jackson.

Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION CONCERNING MONTHLY FINANCIAL UPDATES AND BUDGET ADJUSTMENTS.

A motion was made by Councilmember Berube to approve the changes as noted; seconded by Councilmember Bowden.

Motion carried unanimously.

ADJOURN OPEN MEETING

A motion was made by Councilmember Bowden to adjourn the open meeting; seconded by Councilmember Wilson.

Motion carried unanimously.

The Meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch
City Secretary

APPROVED AS MINUTES October 21, 1996



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

A Texas Star Community

MINUTES FOR THE SPECIAL SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: September 23, 1996
TIME: 7:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 7:00 P.M. by Mayor Steve Schneider, followed by the invocation given by Mayor Schneider and the pledge of allegiance led by Cub Scout Troop # 1944.

In attendance were Councilmembers Joyce Berube, Duncan Klussmann, Bruce Bowden and Charlie Wilson; Mayor Steve Schneider; City Manager Dale Brown; and City Secretary Deborah Loesch.

It was noted that Councilmember David Jackson and City Attorney Ken Wall were not in attendance.

CITIZENS' COMMENTS

There were no comments at this time.

COUNCIL MEMBERS' REPORTS AND COMMENTS

Councilmember Bruce Bowden - Welcomed Cub Scout Troop # 1944 to the meeting; announced the November 2, 1996 Cub Scout Pow-Wow at Jersey Village High School and requested some type of welcome banner across Senate Ave.; and there are some scouts willing to plant trees along the Joe Myers Ford fence.

Councilmember Charlie Wilson - Thanked staff for putting together the Budget.

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September 23, 1996
Page 2

Mayor Steve Schneider -

Appreciates BSL directing commercial traffic along their private road instead of on Rio Grande; requested an update on Warner Cable retroactive local sales taxes.

CITY MANAGER'S REPORT

Dale Brown reported the receipt of a Certificate of Award for Financial Reporting Achievement to Louis Rodriguez from the Government Finance Officers Association of the United States and Canada and the status of the sale of the ambulance.

DISCUSSION WITH POSSIBLE ACTION TO CONSIDER APPROVAL OF ORDINANCE NO. 96-14 ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 1996 TO SEPTEMBER 30, 1997.

A motion was made by Councilmember Wilson to approve Ordinance No. 96-14 adopting the Budget for the fiscal year October 1, 1996 to September 30, 1997; seconded by Councilmember Bowden.

Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION TO APPROVE A MOTION TO SET THE TAX RATE FOR DEBT SERVICE AT \$.16644 PER \$100 VALUATION FOR 1996.

A motion was made by Councilmember Klussmann to set the tax rate for Debt Service at \$.16644 per \$100 valuation for 1996; seconded by Councilmember Berube.

Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION TO APPROVE A MOTION TO SET THE TAX RATE FOR MAINTENANCE AND OPERATION AT \$.51764 PER \$100 VALUATION FOR 1996.

A motion was made by Councilmember Berube to set the tax rate for Maintenance and Operation at \$.51764 per \$100 valuation for 1996; seconded by Councilmember Bowden.

Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION TO ADOPT ORDINANCE NO. 96-15 PROVIDING FOR THE ASSESSMENT, LEVY, AND COLLECTION OF AD VALOREM TAXES BY THE CITY OF JERSEY VILLAGE, TEXAS FOR THE YEAR 1996; PROVIDING FOR THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR THE PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; SETTING THE TAX RATE FOR DEBT SERVICE AT \$.16644 PER \$100 VALUATION; SETTING THE TAX RATE FOR MAINTENANCE AND OPERATION AT \$.51764 PER \$100 VALUATION; AND SETTING THE TOTAL TAX RATE FOR 1996 AT \$.68408 PER \$100 VALUATION.

A motion was made by Councilmember Berube to adopt Ordinance No. 96-15 providing for the assessment, levy, and collection of ad valorem taxes by the City of Jersey Village, Texas for the year 1996; providing for the date on which such taxes shall be due and payable; providing for the penalty and interest on all taxes not timely paid; and repealing all ordinances and parts of ordinances in conflict herewith; setting the tax rate for debt service at \$.16644 per \$100 valuation; setting the tax rate for maintenance and operation at \$.51764 per \$100 valuation; and setting the total tax rate for 1996 at \$.68408 per \$100 valuation; seconded by Councilmember Bowden.

Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION TO ADOPT RESOLUTION NO. 96-04 ENDORSING LEGISLATIVE INITIATIVE OF STATE SENATOR JERRY PATTERSON ADVOCATING THE AUTOMATIC ADULT STATUS FOR JUVENILES 14 YEARS OF AGE OR OLDER FOR ANY CRIME COMMITTED INVOLVING THE USE OF A FIREARM OR ANY OTHER DEADLY WEAPON.

A motion was made by Councilmember Wilson to adopt Resolution No. 96-04 endorsing legislative initiative of State Senator Jerry Patterson advocating the automatic adult status for juveniles 14 years of age or older for any crime committed involving the use of a firearm or any other deadly weapon; seconded by Councilmember Berube.

Motion carried unanimously.

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Page 4


ADJOURN OPEN MEETING

A motion was made by Councilmember Wilson to adjourn the open meeting; seconded by Councilmember Bowden.

Motion carried unanimously.

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,



Deborah L. Loesch
City Secretary

APPROVED AS MINUTES October 21, 1996

Ordinance Nos. 96-14, 96-15, and Resolution No. 96-04 are on file in the City Secretary's office and are made part of these minutes by reference.



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

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A Texas Star Community

MINUTES FOR THE REGULAR SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: October 21, 1996
TIME: 7:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 7:00 P.M. by Mayor Steve Schneider, followed by the invocation given by Councilmember Charlie Wilson and the pledge of allegiance led by Mayor Schneider.

In attendance were Councilmembers Joyce Berube, Duncan Klussmann, David Jackson (arriving late), Bruce Bowden and Charlie Wilson; Mayor Steve Schneider; City Manager, Dale Brown; City Attorney, Ken Wall; and City Secretary Deborah Loesch.

CITIZENS' COMMENTS

Comments were received from:

Bob Biggs - Requested placement of additional 25mph speed limit signs along Village Dr.; installing at least three (3) speed bumps along Village Dr.; and increase of patrol cars on the streets.

Gloria McKay - Updated Council on the status of Joe Myers Ford fence project. Received verbal approval from the Church of Christ to move ahead on the planting of the shrubs along the fence. The project is scheduled for completion by the end of the year. Suggested that the City consider honoring Larry Dierker with a "Larry Dierker Day" or in some other way.

Frank Gullo - Representing a group complaining about the mowing by the City of lots along Village Green and the invoicing to the lot owners.

John Hart - Concerned about the school kids smoking on home owners property along Congo Lane in front of the high school in the morning after getting off the school bus.

COUNCIL MEMBERS' REPORTS AND COMMENTS

Councilmember Joyce Berube - Presented a copy of an ordinance adopted by the City of Deer Park prohibiting the purchase and possession of tobacco products by minors. Requested staff to work with the School District to resolve these problems. Inquired about a web site on the Internet for Jersey Village.

Councilmember David Jackson - Complimented staff on the weekly update letter and Council books.

Councilmember Duncan Klusmann - Complimented the Fire Department on an excellent Open House.

Councilmember Bruce Bowden - Reminder of the Cub Scout Pow-Wow on November 2, 1996 at Jersey Village High School.

Councilmember Charlie Wilson - Commended Public Works Director and Crews for an excellent job done on the Jersey Dr. and Juneau street project.

Kathy Hutchens informed Council that a sprinkler system saved a property, had the fire out before the Fire Dept. arrived on the scene.

CITY MANAGER'S REPORT

Charter Review Committee Meeting scheduled for Wednesday, October 23, 1996 at 7:00 P.M. in the Police Services Training Room.

Hillcrest Building removal - all debris from the house has been removed.

Discussed the status of installing speed bumps on Village Drive.

Sewage Project on Senate has not begun yet; awaiting contract for participation by owners of property on west side of Senate.

REPORTS FROM BOARDS, COMMISSIONS, AND COMMITTEES

There were none at this time.

CONSENT AGENDA

- A. Approval of the Minutes of the September 16, 1996 Regular Session and September 23, 1996 Special Session.
- B. Approval of a TexPool Resolution amending the authorized representatives to act on behalf of the City.
- C. Approval of the appointment of Deborah Loesch as the Records Management Officer.
- D. Approval of Harris County Appraisal District's 1996 Supplemental Appraisal Roll # 1 as an amendment to the Tax Roll with a tax rate of \$.68408 per \$100 valuation and a total value increase of \$1,272,740.00 for a tax levy increase of \$8,706.56.
- E. Approval of Harris County Appraisal District's 1996 Correction Appraisal Roll # 2 as an amendment to the Tax Roll with a tax rate of \$.68408 per \$100 valuation and a total value decrease of \$50,000.00 for a tax levy reduction of \$342.04.
- F. Approval of Harris County Appraisal District's 1995 Correction Roll #23 as an amendment to the Tax Roll with a tax rate of \$.68408 per \$100 valuation and a total value decrease of \$32,890.00 for a tax levy reduction of \$224.99.
- G. Approval of Harris County Appraisal District's 1995 Supplemental Roll #12 as an amendment to the Tax Roll with a tax rate of \$.68408 per \$100 valuation and a total value increase of \$132,720.00 for a tax levy increase of \$907.91.

A motion was made by Councilmember Klussmann to accept the items as listed; seconded by Councilmember Berube. Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPOINTMENT TO VARIOUS COMMITTEES.

A motion was made by Councilmember Berube to accept the reappointment of Gregg Bonaguerio to Planning & Zoning; Marv Wurzer and Andrew Henderson to Board of

Adjustment and the new appointment of Bryan Akin to Planning & Zoning; seconded by Councilmember Wilson. Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION TO APPOINT A REPRESENTATIVE OF JERSEY VILLAGE TO THE HOUSTON GALVESTON AREA COUNCIL'S 1996 GENERAL ASSEMBLY.

A motion was made by Councilmember Bowden to appoint Steve Schneider and Charlie Wilson to represent Jersey Village; seconded by Councilmember Berube. Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION TO APPROVE ORDINANCE NO. 96-16 REQUIRING THAT STRUCTURES BE MAINTAINED IN GOOD REPAIR AND ESTABLISHING PROCEDURES FOR ORDERING THE REPAIR OF STRUCTURES.

A motion was made by Councilmember Wilson to accept Ordinance No. 96-16 as written; seconded by Councilmember Jackson. Vote was as follows:

Councilmember Berube	AYE
Councilmember Jackson	AYE
Councilmember Klusmann	AYE
Councilmember Bowden	NAY
Councilmember Wilson	AYE

Motion carried.

DISCUSSION WITH POSSIBLE ACTION REGARDING THE STATUS OF THE AMBULANCE.

A motion was made by Councilmember Klusmann to transfer the vehicle to Public Works and that the patient care module be declared as surplus and sold at public auction; seconded by Councilmember Jackson. Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION TO AUTHORIZE STAFF TO ADVERTISE AND ACCEPT BIDS FOR UNIFORMS FOR PUBLIC WORKS DEPARTMENT.

A motion was made by Councilmember Berube to approve the acceptance of bids for uniforms; seconded by Councilmember Jackson. Motion carried unanimously.

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DISCUSSION WITH POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF THE PARTICIPATION AGREEMENT WITH TEXPOOL.

A motion was made by Councilmember Wilson to approve the agreement with TexPool and authorize the City Manager to sign it; seconded by Berube. Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION TO ADOPT ORDINANCE NO. 96-17 AMENDING 803.1(1) OF THE DEVELOPMENT CODE RELATING TO THE DESIGNATION OF FLOOD HAZARD ZONES.

A motion was made by Councilmember Klusmann to adopt Ordinance No. 96-17; seconded by Councilmember Jackson. Motion carried unanimously.

ADJOURN OPEN MEETING

A motion was made by Councilmember Bowden to adjourn the open meeting; seconded by Councilmember Wilson. Motion carried unanimously. The meeting was adjourned at 8:50 P.M.

CLOSED MEETING

The Closed Meeting was convened at 8:55 P.M. in the City Hall Council Chambers and adjourned at 10:50 P.M.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch
City Secretary

APPROVED AS MINUTES November 18, 1996

Ordinance Nos. 96-16 and 96-17 are on file in the City Secretary's office and are made part of these minutes by reference.



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
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MINUTES FOR THE SPECIAL SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: November 4, 1996
TIME: 7:00 P.M.
PLACE: Police Services Training Room, 16401 Lakeview Dr., Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 7:00 P.M. by Mayor Steve Schneider, followed by the invocation given by Mayor Schneider.

In attendance were Councilmembers Joyce Berube, Bruce Bowden and Charlie Wilson; Mayor Steve Schneider; City Manager, Dale Brown; and City Secretary Deborah Loesch.

It was noted that Councilmembers Duncan Klussmann, David Jackson, and City Attorney Ken Wall were not in attendance.

CITIZENS' COMMENTS

There were none at this time.

COUNCIL MEMBERS' REPORTS AND COMMENTS

Councilmember Bruce Bowden - Thanked City Staff for putting out the welcome signs for the Cub Scout Pow-Wow on November 2, 1996 at Jersey Village High School.

CITY MANAGER'S REPORT

Dale Brown reported that the Hillcrest Sewer Project agreement is being negotiated with the participants on the west side of Senate.

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Harris County Pct. 4 has notified us that the traffic light at Jones Road and Village Green Dr. will go out for bids sometime in January 1997 and will be installed during the first quarter of 1997.

DISCUSSION WITH POSSIBLE ACTION TO AUTHORIZE STAFF TO ADVERTISE FOR
BIDS FOR A SANITARY SEWER REHABILITATION PROJECT ON GINGER LANE
(Project No. 537-0005).

A motion was made by Councilmember Wilson to authorize staff to go out for bids on the Ginger Lane sanitary sewer rehabilitation project; seconded by Councilmember Bowden. Motion carried unanimously.

ADJOURN OPEN MEETING

A motion was made by Councilmember Berube to adjourn the open meeting; seconded by Councilmember Wilson. Motion carried unanimously. The meeting was adjourned at 7:25 P.M.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch
City Secretary

APPROVED AS MINUTES November 18, 1996



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

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MINUTES FOR THE REGULAR SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: November 18, 1996
TIME: 7:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 7:05 P.M. by Mayor Pro Tem Charlie Wilson, who also led the invocation and the pledge of allegiance.

In attendance were Councilmembers Joyce Berube, Duncan Klussmann, David Jackson (arriving late), Bruce Bowden and Charlie Wilson (as Mayor Pro Tem); City Manager, Dale Brown; City Attorney, Ken Wall; and City Secretary Deborah Loesch.

It was noted that Mayor Steve Schneider was not in attendance.

PRESENTATION TO CINDY CUNNINGHAM FOR "SILENT HERO" AWARD FROM 911.

The "Silent Hero" award from 911 was presented to Cindy Cunningham by Kathy Hutchens, Fire Chief, who is the 911 Emergency Coordinator for the City.

CITIZENS' COMMENTS

Comments were received from:

Gloria McKay - Reported on the status of the Joe Myers Ford fence project. The screening has been placed on the fence and 150 plants were planted along the fence across the Church of Christ property at a cost of \$600.00. Three Boy Scout Troops assisted in the planting of the shrubs. One more section still needs to be done right behind the Police Building.

MINUTES - REGULAR SESSION
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Meg Crady - Concerned with the speeding on Jersey Drive and on other streets in the City and asked that the Council consider the placement of speed bumps throughout the City to help slow down some of the traffic on our streets.

Lisa Hall requested that the City consider placing a stop sign at the corner of Capri and Tahoe.

COUNCIL MEMBERS' COMMENTS

Councilmember Joyce Berube - Welcomed the new Police Chief, Charlie Wedemeyer and congratulated Gloria McKay, the Boy Scouts and City Hall Staff for getting the plants along the Joe Myers Ford fence line planted.

Councilmember Bruce Bowden - Thanked Boy Scout Troop 1944, 747, and Cub Scout Troop 1177 - Den 2 for working real hard to plant the 150 shrubs; thanked Officer Norris for stopping him to remind him a brake light was not working; explained what they are talking about regarding the placement of speed bumps on the City streets; and announced the Cy-Fair Sports Association Junior Varsity football team, the Vikings, (10-11 year olds) from Post Elementary made it to the "Super Bowl" and the playoff will be Thursday, November 21 at 6:00 P.M. at the Cy-Fair Stadium.

Councilmember Charlie Wilson - Requested that Dale Brown, City Manager, introduce to the community the new Police Chief, Charlie Wedemeyer; expressed concern that citizens writing letters to the Council are sending these letters anonymously which makes it hard for them to respond to the letters.

CITY MANAGER'S REPORT

Dale Brown reported to Council on the status of the Tennis Court Rehabilitation; Accounting for Ambulance Fees revenues; and a proposal to purchase a Telephone Voice Announcement Unit for City Hall.

REPORTS FROM BOARDS, COMMISSIONS, AND COMMITTEES

A report from the Charter Review Commission was presented to Council by Pam Newsome, as spokesman for the Commission. The Charter Review Commission recommended that no Charter Amendments be made at this time.

CONSENT AGENDA

- A. Approval of the Minutes of the October 21, 1996 Regular Session and November 4, 1996 Special Session.
- B. Approval of Resolution No. 96-05 authorizing designated individuals to request special exempt license plates for police vehicles from the State of Texas.
- C. Approval of Harris County Appraisal District's 1996 Correction Roll #3 as an amendment to the Tax Roll with a tax rate of \$.68408 per \$100 valuation and a total value decrease of \$27,460.00 for a tax levy reduction of \$187.85.
- D. Approval of Harris County Appraisal District's 1996 Supplemental Roll #2 as an amendment to the Tax Roll with a tax rate of \$.68408 per \$100 valuation and a total tax increase of \$8,566,550.00 for a tax levy increase of \$58,602.06.
- E. Approval of Harris County Appraisal District's 1996 Supplemental Roll #3 as an amendment to the Tax Roll with a tax rate of \$.68408 per \$100 valuation and a total tax increase of \$5,349,010.00 for a tax levy increase of \$36,591.51.
- F. Approval of Harris County Appraisal District's 1995 Correction Roll #24 as an amendment to the Tax Roll with a tax rate of \$.68408 per \$100 valuation and a total tax decrease of \$101,990.00 for a tax levy reduction of \$697.69.
- G. Approval of Harris County Appraisal District's 1995 Supplemental Roll #13 as an amendment to the Tax Roll with a tax rate of \$.68408 per \$100 valuation and a total tax increase of \$16,500.00 for a tax levy increase of \$112.87.
- H. Approval of Harris County Appraisal District's 1994 Correction Roll #21 as an amendment to the Tax Roll with a tax rate of \$.73000 per \$100 valuation and a total tax decrease of \$102,700.00 for a tax levy reduction of \$749.71.

MINUTES - REGULAR SESSION

CITY COUNCIL

November 18, 1996

Page 4

- I. Approval of Harris County Appraisal District's 1993 Correction Roll #28 as an amendment to the Tax Roll with a tax rate of \$.73000 per \$100 valuation and a total tax decrease of \$66,750.00 for a tax levy reduction of \$87.28.

A motion was made by Councilmember Bowden to accept items A through I; seconded by Councilmember Berube. Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPOINTMENT TO VARIOUS COMMITTEES.

Item was tabled until next regular meeting.

DISCUSSION WITH POSSIBLE ACTION CONCERNING A PROPOSED ORDINANCE PROHIBITING THE USE OF TOBACCO PRODUCTS BY MINORS.

A motion was made by Councilmember Klussmann to approve an ordinance prohibiting the use of tobacco products by minors as written in draft form; seconded by Councilmember Berube. Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE RECOMMENDATION OF A CANDIDATE FOR THE HARRIS COUNTY APPRAISAL DISTRICT'S APPRAISAL REVIEW BOARD.

Item was tabled until next regular meeting.

DISCUSSION WITH POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE CONTRACTS FOR THE EXTENSION OF SEWER ON HILLCREST AND SENATE.

A motion was made by Councilmember Berube to authorize the City Manager to execute the contracts for the extension of sewer on Hillcrest and Senate; seconded by Councilmember Jackson. Motion carried unanimously.

MINUTES - REGULAR SESSION
CITY COUNCIL
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Page 5

DISCUSSION WITH POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF AN
INTERLOCAL AGREEMENT BETWEEN HARRIS COUNTY AND THE CITY OF JERSEY
VILLAGE TO HOUSE THE CITY'S MUNICIPAL PRISONERS.

A motion was made by Councilmember Jackson to authorize the execution of an Interlocal Agreement between Harris County and the City of Jersey Village to house the City's municipal prisoners; seconded by Councilmember Berube. Motion carried unanimously.

ADJOURN OPEN MEETING

A motion was made by Councilmember Klussmann to adjourn the open meeting; seconded by Councilmember Berube. Motion carried unanimously. The meeting was adjourned at 8:20 P.M.

CLOSED MEETING

The Closed Meeting was convened at 8:20 P.M. in the City Hall Council Chambers and adjourned at 9:00 P.M.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch
City Secretary

APPROVED AS MINUTES *December 16, 1996*

Ordinance No. 96-18 is on file in the City Secretary's office and are made part of these minutes by reference.



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1996

A Texas Star Community

MINUTES FOR THE SPECIAL SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: December 2, 1996
TIME: 7:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

CONVENE, INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was convened at 7:05 P.M. by Mayor Steve Schneider. The invocation and pledge of allegiance was led by Councilmember Joyce Berube.

In attendance were Councilmembers Joyce Berube, David Jackson, Bruce Bowden and Charlie Wilson; Mayor Steve Schneider; and City Manager, Dale Brown.

It was noted that Councilmember Duncan Klussmann, City Attorney Ken Wall, and City Secretary Deborah Loesch were not in attendance.

CITIZENS' COMMENTS

There were no comments received at this time.

COUNCIL MEMBERS' COMMENTS

Councilmember Charlie Wilson - has been requested to speak on Dec. 9 at Epiphany Lutheran Church to a group of scouts to explain the budget process and local government; the same scout troop has requested to do a flag presentation and pledge of allegiance at the Dec. 16 Council Meeting; and commented on speed humps and bumps.

CITY MANAGER'S REPORT

Dale Brown briefed the Council the Jack-in-the-Box access agreement; prohibiting of parking in residential yards; and the possible purchase of a Telephone Voice Mail System.

REPORTS FROM BOARDS, COMMISSIONS, AND COMMITTEES

There were no reports at this time.

REGULAR AGENDA

DISCUSSION WITH POSSIBLE ACTION TO AWARD BID FOR THE SANITARY SEWER REHABILITATION PROJECT ON GINGER LANE (Project No. 537-0005).

A motion was made by Councilmember Wilson to accept the bid of Kinsel Industries as low bidder for a total of \$278,056 and approve the reallocation of Capital Improvement funds as follows: Utility Construction (91-7011) in the amount of \$156,800; Sewer Rehabilitation (91-7030) in the amount of \$21,256; Ginger Lane Sewer (91-7046) in the amount of \$100,000; seconded by Councilmember Jackson. Motion carried unanimously.

DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPOINTMENT TO VARIOUS COMMITTEES.

A motion was made by Councilmember Wilson to appoint David Paul to Position No. 6 on the Planning & Zoning Commission; seconded by Councilmember Bowden. Motion carried unanimously.

ADJOURN OPEN MEETING

A motion was made by Councilmember Wilson to adjourn the open meeting; seconded by Councilmember Berube. Motion carried unanimously. The meeting was adjourned at 7:46 P.M.

WORK SESSION

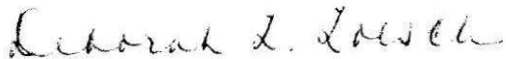
A Work Session was held to discuss employee evaluation systems and the revision of the sick and vacation policies. The Work Session was convened at 7:55 p.m. Those in attendance were Mayor Steve Schneider; Councilmembers Berube, Jackson, Klusmann

MINUTES - SPECIAL SESSION
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December 2, 1996
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(arrived at 8:00 p.m.), Bowden, and Wilson; City Manager Dale Brown; and Department Heads Kathy Hutchens, Rod Hailey, Louis Rodriguez, and Charlie Wedemeyer.

The Work Session was adjourned at 10:28 p.m.

Respectfully submitted,



Deborah L. Loesch
City Secretary

APPROVED AS MINUTES December 16, 1996



16501 JERSEY DRIVE
HOUSTON, TEXAS 77040-1999
(713) 466-6159

Incorporated 1990

A Texas Star Community

MINUTES FOR THE REGULAR SESSION OF THE JERSEY VILLAGE CITY COUNCIL

DATE: December 16, 1996
TIME: 7:00 P.M.
PLACE: City Hall, 16501 Jersey Drive, Jersey Village, Texas

A. OPEN MEETING

The meeting was convened at 7:05 P.M. by Mayor Steve Schneider. The invocation was given by Mayor Schneider. A presentation of the flag and pledge of allegiance was led by Scout Troop 747.

In attendance were Councilmembers Joyce Berube, Duncan Klussmann, David Jackson, Bruce Bowden (arriving late) and Charlie Wilson; Mayor Steve Schneider; City Manager, Dale Brown; City Attorney, Ken Wall; and City Secretary Deborah Loesch.

B. CITIZENS' COMMENTS

There were no comments at this time.

C. COUNCIL MEMBERS' COMMENTS

Councilmember Joyce Berube - Welcomed Scout Troop 747 and thanked them for the flag ceremony.

Councilmember David Jackson - Thanked Scout Troop 747 for their presentation and recognized Councilmember Wilson for his community involvement and participation in the Spaulding Foster Care organization.

Councilmember Duncan Klussmann - Thank Scout Troop 747 for their presentation.

Councilmember Charlie Wilson - Welcomed Scout Troop 747 and thanked them for their presentation and recognized Darcy Mingoia as Home Town Hero from Warner Cable.

D. CITY MANAGER'S REPORT

Proposed Tennis Court Rehabilitation on Rio Grande: A proposal from Councilmember Bowden was discussed which included street hockey courts along with the tennis and basketball courts.

Council Retreat: A Council Retreat is being planned to develop short and long term goals on February 1, 1997 at a place to be determined later.

Monitoring Violation of Public Water System: Legal notice must be published notifying the residents of the violation. Notice will be published in the This Week section of the Houston Chronicle.

E. REPORTS FROM BOARDS, COMMISSIONS, AND COMMITTEES

A representative from the Recreation & Events Committee informed the Council that the Holiday in the Park planned for Sunday December 15th was postponed due to inclement weather. It has been rescheduled for December 24th, Christmas Eve, from 10 am to 12 Noon.

F. CONSENT AGENDA

1. Approval of the Minutes of the November 18, 1996 Regular Session and December 2, 1996 Special Session.
2. Accept the resignations of Gregg Gilmore and Jill Mandel from the Parks and Landscaping Committee.
3. Adoption of Resolution No. 96-06 regarding revisions to the Investment Policy.

A motion was made by Councilmember Wilson to accept items 1 through 3; seconded by Councilmember Jackson. Motion carried unanimously.

G. REGULAR AGENDA

1. DISCUSSION WITH POSSIBLE ACTION CONCERNING THE APPOINTMENT TO VARIOUS COMMITTEES.

A motion was made by Councilmember Wilson to appoint Linda Gragg and Kathy Sutton to the Parks and Landscaping Committee and that Megan Sharp (3rd applicant) will be placed on a waiting list until another position on the committee is available; seconded by Councilmember Berube. Motion carried unanimously.

2. DISCUSSION WITH POSSIBLE ACTION CONCERNING THE RECOMMENDATION OF A CANDIDATE FOR THE HARRIS COUNTY APPRAISAL DISTRICT'S APPRAISAL REVIEW BOARD.

No action was taken at the meeting on this item.

3. DISCUSSION WITH POSSIBLE ACTION CONCERNING THE REVIEW AND APPROVAL OF BIDS FOR REMODELING OF CITY HALL.

A motion was made by Councilmember Berube to authorize City Staff to expend up to \$65,000 for the remodeling of City Hall; seconded by Councilmember Bowden. Motion carried unanimously.

4. DISCUSSION WITH POSSIBLE ACTION TO AUTHORIZE STAFF TO GO OUT FOR BIDS FOR FURNITURE FOR CITY HALL.

A motion was made by Councilmember Wilson to authorize the City Manager to go out for bids for Herman Miller/Meridan office furniture if the furniture from TCI is not acceptable, and approve the purchase of office furniture from TCI up to a maximum of \$26,000 subject to a determination by staff of the quality of the manufactured product; seconded by Councilmember Jackson. Motion carried unanimously.

5. DISCUSSION WITH POSSIBLE ACTION TO PURCHASE A TELEPHONE VOICE MAIL SYSTEM.

A motion was made by Councilmember Berube to approve an expenditure of \$7500 from unallocated General Fund revenues for the purchase of the Panasonic

Voice Mail System; seconded by Councilmember Jackson. Motion carried unanimously.

6. DISCUSSION WITH POSSIBLE ACTION CONCERNING THE 1997 SWIM TEAM SEASON.

A motion was made by Councilmember Wilson to approve the May practice schedule as outlined and adjust the June practice schedule to end by 11:30 a.m.; seconded by Councilmember Berube. Motion carried unanimously.

H. ADJOURN OPEN MEETING

A motion was made by Councilmember Bowden to adjourn the open meeting; seconded by Councilmember Berube. Motion carried unanimously. The meeting was adjourned at 9:35 P.M.

I. CLOSED MEETING

The Closed Meeting was convened at 9:45 P.M. in the City Hall Council Chambers and adjourned at 10:20 P.M.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch
City Secretary

APPROVED AS MINUTES *January 20, 1997*

Resolution No. 96-06 is on file in the City Secretary's office and are made part of these minutes by reference.