

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON JUNE 20, 2011 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Russell Hamley at 7:01 p.m. with the following present:

Mayor, Russell Hamley	City Manager, Mike Castro
Council Member, Joyce Berube	City Secretary, Lorri Coody
Council Member, Rod Erskine	City Attorney, Bobby Gervais
Council Member, Harry Beckwith III, PE	
Council Member, Mark Maloy	
Council Member, Jill Klein	

Staff in attendance: Mark Bitz, Fire Chief; Eric Foerster, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; and Michael Brown, Director of Parks and Recreation.

The following City of Jersey Village Planning and Zoning Commission members were present:

Chairman, Debra Mergel	Rick Faircloth, Commissioner
Tom Eustace, Commissioner	Barbara Freeman, Commissioner
Justin Ray, Commissioner	

Commissioner, Michael O'Neal was not present at this meeting.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

1. Prayer and Pledge by: Council Member Mark Maloy

C. JOINT PUBLIC HEARING

Before conducting the Public Hearings, Mayor Hamley made the following announcement:

Tonight's agenda has two joint public hearings scheduled to receive public comments in connection with a two-part process needed to address applications filed by Group 1 Realty and Capital Holdings LLC concerning the property located at 18700 NW Freeway in District G.

The first joint public hearing pertains to a request for a zoning amendment to permit "auto body shops" as a specific use in District G. The 2nd public hearing is contingent upon approval and passage of this requested zoning amendment and pertains to a request for the granting of a specific use permit to allow an auto body shop to operate at 18700 NW Freeway.

Immediately following this announcement, the first joint public hearing will be conducted. Upon completing the hearing, the Planning and Zoning Commission will retire in separate session to prepare its final report which will be submitted to Council this evening.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

Upon receiving the report and approving the zoning amendment, the second public hearing will be conducted. If the zoning amendment is not approved, the 2nd public hearing will not be conducted.

In completing the announcement, Mayor Hamley called the first joint public hearing as follows:

- 1. Conduct Joint Public Hearing with Planning and Zoning Commission on the proposal to amend the City’s zoning ordinance at Chapter 14, Article IV, Section 14-106(a)(19) by adding a subsection (d) to include auto body shops.**

Mayor Hamley called the item and Chairman Debra Mergel announced a quorum for the Planning and Zoning Commission. Mayor Hamley opened the Joint Public Hearing at 7:05 p.m.

Background information on this item is as follows:

The Planning and Zoning Commission met on May 10, 2011 and recommended in its preliminary report that amendments be made to the City’s comprehensive zoning ordinance.

The preliminary report was submitted to the Council at its May 23, 2011 meeting, and Joint Public Hearings have been ordered for June 20, 2011.

Joint public hearings must be conducted by the City Council and the Planning and Zoning Commission in accordance with the requirements of the Code of Ordinances of the City of Jersey Village - Section 14-84.

The purpose of the hearing is to provide an opportunity for the public to give oral or written comments proposed amendments to the City’s comprehensive zoning ordinance concerning the proposal to amend the City’s zoning ordinance at Chapter 14, Article IV, Section 14-106(a)(19) by adding a subsection (d) to include auto body shops.

Travis Crowder, 17101 Kuykendahl, Houston, Texas (281) 537-2171 – Mr. Crowder spoke to Council about the proposed amendment. He told Council that he represents Lone Star Chevrolet and was there to tell Council that they oppose the amendment because they would prefer that another car dealership locate at the proposed facility as opposed to an auto body shop. He stated that his clients chose their location because of the number of car dealerships in the area and the fact that it was known as an “auto mall” where car buyers come to shop visiting all the car dealerships. He stated that bringing in an auto body shop in this location defeats the “auto mall” concept and thus hurts his client’s business. He told Council that car dealerships bring revenue to the city by way of property tax and sales tax. He stated that the amount brought via their auto repair business is not as much as the car sales. Therefore, he pointed out that by granting this amendment, Council is making a decision to place a business that has the potential to bring less revenue for the City, rather than more revenue.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

Mr. Crowder also pointed out the negatives that an auto body shop would bring, such as problems with shielding wrecked cars.

Gloria McKay, 16313 Lakeview, Jersey Village, Texas (281) 389-4268 – Ms. McKay told Council that she lives in District G and has lived in this district for quite some time. She stated that she lives behind Joe Meyers and they have an auto repair shop as part of their auto sales business. In connection with this repair part of the business, Ms. McKay told Council that there are many issues that residents living nearby need to contend with. She told Council that in considering the changes that are before them, she is concerned about the safety issues that an auto body shop would present being located in a residential district. Some of her concerns were the chemicals, waste, noise, bright lights, and rodents.

She stated that while the location being discussed is up on the Highway, some areas of District G are residential, and she is concerned about those residential areas and future requests should this request be granted. Therefore, she opposes the amendment.

With no one else signing up to speak, Mayor Hamley and Chairman Mergel closed the joint public hearing at 7:12 p.m., and the Planning and Zoning Commission retired from the City Council meeting at 7:12 p.m. to conduct its posted meeting agenda and prepare the final report in connection with this joint public hearing.

D. CITIZENS COMMENTS

Citizens who have signed a card and wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and City Council Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy. Citizens are limited to five (5) minutes for their presentation to the City Council.

Vance Burnham, 16546 Village Drive, Jersey Village, Texas (713) 466-6227 – Mr. Burnham spoke to Council about the speeding on Village Drive and about agenda item 6 on this council agenda. He told Council that speeding on Village Drive is a continuing problem and anything that Council can do to alleviate the problem he supports. He told Council that he supports the solution provided in agenda item 6.

Jim Fields, 16413 Saint Helier, Jersey Village, Texas 77040 (713) 466-0804 – Mr. Fields spoke to Council about Code Enforcement. He told Council that good Code Enforcement is critical to the city because the value of homes is dependent upon it. He told Council that if Code Enforcement is applied appropriately, tax appraisals will be higher which will result in more tax revenue for the City. The end result will be a better community that attracts residents to the City. However, Mr. Fields told Council that our Code Enforcement is lax. He pointed out areas in the city where he saw room for improvement. He stated that the City's Code Enforcement program is not working and he cited ways in which this program could/should be improved.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

Gary Pillers, 16222 Crawford, Jersey Village, Texas 77040 (713) 937-6588 – Mr. Pillers told Council that he is a 30 year resident of this City. He is unhappy with the recreational vehicle renewal process. He told Council that he has many different licenses that he must renew annually, but the recreational vehicle renewal process with the City is unreasonable, time consuming and wants the system reviewed.

Nancy Roberts, 16542 Village Drive, Jersey Village, Texas (713) 466-4199 – Ms. Roberts told Council that she supports three items on this agenda – items 6 and 7 in connection with “pole-mounted radar” for Village Drive and the item for noise mitigation. She told Council that she has lived in the City many years and that over the course of these years, the terrain of the city has changed. These changes have caused issues with noise. She stated that there use to be more trees that would help block sound from the highway, but now with the absence of the trees, noise has become an ever increasing problem. Therefore, any kind of noise mitigation helps.

Mary Ormston, 39 Parkway, Jersey Village, Texas (832) 467-7997 – Ms. Ormston told Council about her problems with the City’s maintenance and Golf Course maintenance crews. She explained the issues she has been having with brush that grows along her back fence line. She told Council that the grounds at the Golf Course are not kept well. She stated that this is not pleasing to her and she wants it corrected.

E. CITY MANAGER’S REPORT

City Manager, Mike Castro, gave his monthly report. In addition to the items listed below, he told Council about an article that appeared in the last issue of the JV Star concerning the City’s water quality. He explained that the Water Quality – Consumer Confidence Report outlined in that article is a report that is required by the state and reports on the well located on Village Drive. He explained to Council that it is misleading because the City only uses this well as its 3rd backup source for water. He explained that 99% of the City’s water comes from the City of Houston. The 2nd water source is the well located on West Road. Nonetheless, this report is required by the State and therefore, City Manager Castro wanted to explain why it was published in the JV Star.

- 1. Monthly Fund Balance Report, Red Light Camera Fund Report, Enterprise Funds Report, Governmental Funds Report, and Budget Projections as of May 2011**
- 2. Open Records Request and Solicitor’s Permit Requests**
- 3. Fire Departmental Report and Communication Division’s Monthly Report**
- 4. Police Activity Report, Warrant Report, Investigations/Calls for Service Report, Red Light Camera Summary Report, and Staffing/Recruitment Report**
- 5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Report Graphs, Speeding and Stop Sign Citations within Residential Areas Report, and Court Proceeds Comparison Report**
- 6. Public Works Departmental Report, Jones Road Construction Up-Date Detail Report, and Jones Road Construction Update Summary**
- 7. Combined Monthly and Annual Mileage Report**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

- 8. Golf Course Monthly Report, Golf Course Financial Statement Report, and the Parks and Recreation Departmental Report**
- 9. Report from Code Enforcement**
- 10. Capital Improvements Projects Report**
- 11. White Oaks Bayou Capital Improvements Projects Report**

F. CONSENT AGENDA

The following items are considered routine in nature by the City Council and will be enacted with one motion and vote. There will not be separate discussion on these items unless requested by a Council Member, in which event the item will be removed from the Consent Agenda and considered by separate action.

- 1. Consider approval of the Minutes for the Special Session Meeting held on May 23, 2011.**
- 2. Consider Resolution No. 2011-36, authorizing the City Manager to enter into a contract with Minuteman Press Northwest for the City Star Newsletter**

RESOLUTION NO. 2011-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A CONTRACT WITH MINUTEMAN PRESS NORTHWEST

- 3. Consider Resolution No. 2011-37, appointing an Emergency Management Coordinator and an Assistant Emergency Management Coordinator for the City of Jersey Village.**

RESOLUTION NO. 2011-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING AN EMERGENCY MANAGEMENT COORDINATOR AND AN ASSISTANT EMERGENCY MANAGEMENT COORDINATOR

- 4. Consider Resolution No. 2011-38, authorizing the City Manager to enter into a contract with Tyler Technologies, Inc. (INCODE) for the Municipal Court online payments.**

RESOLUTION NO. 2011-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AN AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR MUNICIPAL COURT ONLINE PAYMENTS SERVICE.

- 5. Consider Ordinance No. 2011-26, amending the budget for fiscal year October 1, 2010 through September 30, 2011, in the amount of \$3,200 to implement the Municipal Court Online payment service thru Tyler Technologies, Inc. (INCODE).**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

ORDINANCE NO. 2011-26

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2011, IN THE AMOUNT OF \$3,200 TO PROVIDE FOR MUNICIPAL COURT ONLINE PAYMENTS THRU TYLER TECHNOLOGIES, INC.; AND PROVIDING FOR SEVERABILITY.

- 6. Consider Ordinance No. 2011-27, amending the budget for fiscal year October 1, 2010 through September 30, 2011, by allocating \$47,850 from the General Fund Balance and increasing line item 25-5508 by \$47,850 for waste disposal and remediation.**

ORDINANCE NO. 2011-27

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET FOR FISCAL YEAR OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2011, BY ALLOCATING \$47,850 FROM THE GENERAL FUND BALANCE AND INCREASING LINE ITEM 25-5508 BY \$47,850 FOR WASTE DISPOSAL AND REMEDIATION; AND PROVIDING FOR SEVERABILITY.

Council Member Maloy moved to approve items 1 through 6 on the consent agenda. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

G. REGULAR AGENDA

- 1. Receive presentation from Jonathan Blackwell with Valderrama Energy Services (VES) regarding a water meter replacement program.**

Danny Segundo, Public Works Director introduced the item. He told Council that the City's Finance Department and Public Works Department would like to address an issue in regards to the city's aging water meter system. A water meter replacement program is being considered by both departments in order to provide a more accurate billing and water accountability system.

Mr. Segundo presented Jonathan D. Blackwell with Valderrama Energy Services who gave a presentation regarding a program that will allow the city to install new water meters accompanied by new technology that will provide for better accountability in both water pumped and water sold. This new system is able to work with the city's existing billing software.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

Mr. Blackwell also presented funding options that will allow the city to benefit from a state law that provides for the expenditures to upgrade the city's utilities and be able to pay for those upgrades via future revenues.

In completing his presentation, Council engaged about the reason for this system. They discussed the fact that the City is selling more water than they are actually charging for and the meters will remedy that problem by permitting a more accurate measurement of the water passing to customers.

Council also discussed the cost to install these meters and how these costs will be paid. Mr. Blackwell explained that the system actually pays for itself and the concept is supported by state law. Basically, what happens is that any monies that are saved as a result of the meters will be used to pay for the product.

Discussion was had on how the new meters will affect the existing staff and their workload. Mr. Blackwell stated that their workload will be reduced so they will be freed up to do other tasks. He explained that the meter system is interfaced with the INCODE billing system and that once the system is in place, there will no longer be a need to read meters.

The Planning and Zoning Commission rejoined the Council Meeting in session at 7:25 p.m.

The next action will be to have an item to consider this program during the budget process. But, in order to prepare for the budget process, it will be necessary to gather data via studies. This will require a Memorandum of Understanding so that Valderrama can perform the studies. This item should be presented at the next Council Meeting for consideration.

Mayor Hamley called the next items on the agenda out of order as follows:

- 4. Consider Resolution No. 2011-40, receiving the Planning and Zoning Commission's Final Report to Council on the proposal to amend the City's comprehensive zoning ordinance at Chapter 14, Article IV, Section 14-106(a)(19) by adding a subsection (d) to include auto body shops.**

Debra Mergel, Planning and Zoning Commission Chairman presented the Final Report. She told Council that the Commission after duly considering all the information before it including that gathered at the Joint Public Hearing recommends that:

The City's comprehensive zoning ordinance be amended at Chapter 14, Article IV, Section 14-106(a)(19) by adding a subsection (d) to include auto body shops.

She told Council that the Final Report is identical to that submitted in the Preliminary Report and was unanimously adopted by the Commission.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

Council Member Beckwith moved to approve Resolution No. 2011-40, receiving the Planning and Zoning Commission's Final Report to Council on the proposal to amend the City's comprehensive zoning ordinance at Chapter 14, Article IV, Section 14-106(a)(19) by adding a subsection (d) to include auto body shops. Council Member Berube seconded the motion.

Discussion followed about body shops being located near residential areas, but Chairman Mergel explained that since this amendment was to include auto body shops in District G as a specific use, Council would have the final vote on locating any future shops.

The vote on the Resolution follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

- 5. Consider Ordinance No. 2011-28, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building and Development, by adding a new definition of "auto body shop" to Section 14-5; amending Section 14-106(a)(19) by adding a new subsection (d) to include auto body shops as a permitted use in District G (with a specific use permit); providing a severability clause; providing for repeal; providing a penalty in an amount not to exceed two thousand dollars; and providing an effective date.**

With limited discussion on this matter, Council Member Berube moved to approve Ordinance No. 2011-28, amending the Code of Ordinances of the City of Jersey Village, Texas, Chapter 14, Building and Development, by adding a new definition of "auto body shop" to Section 14-5; amending Section 14-106(a)(19) by adding a new subsection (d) to include auto body shops as a permitted use in District G (with a specific use permit); providing a severability clause; providing for repeal; providing a penalty in an amount not to exceed two thousand dollars; and providing an effective date. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

In approving this amendment, Mayor Hamley called the second Public Hearing item on the evening's agenda in accordance with the process explained earlier in the evening.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

C. JOINT PUBLIC HEARING

- 2. Conduct Joint Public Hearing with Planning and Zoning Commission concerning the proposal to amend the city’s zoning ordinance to grant a specific use permit to allow the operation of an auto body shop on a tract of land located at 18700 NW Freeway, Houston, TX 77065 within the city in zoning District G.**

Mayor Hamley called the item and Chairman Debra Mergel announced a quorum for the Planning and Zoning Commission. Mayor Hamley opened the Joint Public Hearing at 8:05 p.m.

Background information on the item is as follows:

The Planning and Zoning Commission met on May 10, 2011 and recommended in its preliminary report that specific use permit be granted to allow the operation of an auto body shop on a tract of land located at 18700 NW Freeway, Houston, TX 77065 within the city in zoning District G.

The preliminary report was submitted to the Council at its May 23, 2011 meeting, and Joint Public Hearings have been ordered for June 20, 2011.

Joint public hearings must be conducted by the City Council and the Planning and Zoning Commission in accordance with the requirements of the Code of Ordinances of the City of Jersey Village - Section 14-84.

The purpose of the hearing is to provide an opportunity for the public to give oral or written comments proposed amendments to the City’s comprehensive zoning ordinance concerning the proposal to grant a specific use permit to allow the operation of an auto body shop on a tract of land located at 18700 NW Freeway, Houston, TX 77065 within the city in zoning District G.

With no one signing up to speak, Mayor Hamley and Chairman Mergel closed the joint public hearing at 8:06 p.m., and the Planning and Zoning Commission retired from the City Council meeting at 8:06 p.m. to conduct the rest of its posted meeting agenda and prepare the final report in connection with this joint public hearing.

In completing the 2nd Joint Public Hearing, Mayor Hamley continued by calling the remaining items on the Council Agenda under the Regular Agenda as follows:

G. REGULAR AGENDA - Continued

- 2. Consider Resolution No. 2011-39, authorizing the city manager to sign a letter of intent with Fairway Suites, LLC, to enter into agreement for the location of a hotel site on the premises of Jersey Meadow Golf Course.**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

City Manager, Mike Castro introduced the item. He told Council that the city has been approached by Fairway Suites LLC, to locate a hotel on the city's golf course. The hotel would be located along the Jones Road frontage of the course. Fairway Suites is a company that operates out of Kansas City. They act on behalf of major hotel chains (Courtyard, Marriott, Hilton, etc.) to locate extended stay hotels on golf courses. Their business model is to locate a 120 to 160 room extended stay hotel on the grounds of an 18-hole golf course. In return, the golf course receives the benefit of additional rounds generated by the hotel patrons. In addition, the clubhouse restaurant receives additional business, as the hotel does not offer a restaurant or catering facility. Fairway Suites is a relatively new corporation, having started operations in 2007. Fairway Suites has completed one hotel-golf course contract in Overland Park Kansas. They are currently in the process of negotiating several such deals nationwide.

Fairway Suites believes that the hotel would generate 3,000 to 5,000 additional rounds per year for the course. Jersey Meadow currently averages between 32,000 and 36,000 rounds per year. Fairway Suites would seek a 49-year lease on an approximate one-half acre site along Jones Road. Fairway Suites would provide a \$100,000 front-loaded payment and one percent of gross hotel sales to the city on an annual basis. Aside from providing the one-half acre site, the city would be expected to provide for grounds maintenance at the hotel. Fairway Suites would also like the city to undertake some level of improvements to the existing club house. In addition, the city and Fairway Suites would work to provide joint marketing for the hotel and golf course.

The letter of intent would enable negotiation of terms and conditions with Fairway Suites, with such negotiated arrangements being finally approved by city council. A signed letter of intent would enable Fairway Suites to generate a pro forma that would provide a basis for further city actions. It also gives Fairway Suites the green light to find a specific hotel chain to locate on the course. The letter of intent gives both parties one year to sign a binding agreement for development of the site.

This item is to discuss and consider this opportunity.

Council engaged in discussion about the location that is desired by Fairway Suites, a ½ acre site adjacent to Jones Road. They also discussed the idea that Fairway Suites would use the food services at the club house and how that would be possible. They discussed the need to upgrade the club house and where the funds would come from to make those upgrades.

They also discussed the proximity of the current course to Jones Road and in considering same concluded that there may be a need for site modifications at the City's expense.

Discussion was also had about the cut though traffic that this type of project might create.

With a reminder that this item is to consider negotiating with Fairway Suites, Council Member Berube moved to approve Resolution No. 2011-39, authorizing the city manager

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

to sign a letter of intent with Fairway Suites, LLC, to enter into agreement for the location of a hotel site on the premises of Jersey Meadow Golf Course. Council Member Beckwith seconded the motion.

Further discussion was had that it would take at least 120 to 180 days to negotiate this opportunity since there are several legal issues to consider.

The vote follows:

Ayes: Council Members Berube and Beckwith

Nays: Council Members Erskine, Maloy, and Klein

The motion failed.

RESOLUTION NO. 2011-39 – FAILED

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, AUTHORIZING THE CITY MANAGER TO SIGN A LETTER OF INTENT WITH FAIRWAY SUITES, LLC., TO ENTER INTO AGREEMENT FOR THE DEVELOPMENT OF A HOTEL SITE ON THE PREMISES OF THE JERSEY MEADOW GOLF COURSE.

3. Discussion with possible action concerning Noise Mitigation relating to the expansion of U.S. Highway 290.

Council Member, Mark Maloy presented the item. He gave an update concerning TXDOT's response to the City's request for noise mitigation related to the expansion of US Highway 290. He explained that basically, TXDOT had completed its studies and had determined that no noise mitigation is needed in the Jersey Village Area. Despite this finding, TXDOT has offered to construct sound walls in the back yards of homes on Seattle Street, west of Senate. The walls would be for those homes that currently have wooden fences, and would be constructed to a height of eight feet to match existing masonry walls.

Council Member Maloy explained that residents in the area are living with noise and want it abated. The desired design for noise mitigation is either ground absorbing pavement or seven foot main lane barrier walls.

TXDOT typically uses walls away from the roadway; however, Council Member Maloy warned that devices of this type would be ineffective. Thus the promise to place the eight foot walls along the backs of homes on Seattle should not be accepted as a solution.

Council Member Maloy went on to explain that there are a number of areas around Jersey Village that have effective noise mitigation. He named Mission Bend and Clayton Subdivisions and stated that their efforts were headed by Consultant William P. Moore. He also stated that the City of Bellaire had a successful program and that they hired an attorney to represent their efforts.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

Council engaged in discussion on the various options and on a plan for moving forward. Council Member Maloy moved that the City Manager contact the City of Bellaire, Spring Valley, and Walter P. Moore who represented the interests of Mission Bend and Clayton Subdivisions, in order to see what noise abatement they were able to get. Council Member Erskine seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

The Planning and Zoning Commission joined the meeting in progress at 8:28 p.m.

6. Consider Resolution No. 2011-41, authorizing the City Manager to enter into a contract to provide for the installation of “pole mounted radar-speed displays” along Village Drive.

Council Member Joyce Berube introduced the item. She told Council that several citizens have complained about the speeding along Village Drive and have even filed a petition seeking to have the problem resolved. She explained that this item is to discuss installing pole mounted radar devices as a solution for this on-going problem and to eliminate speeding on Village drive.

Discussion was had about these devices. Four (4) different proposals were presented in the packet. Chief Foerster explained that pole mounted radar is an alternate traffic control device. These units are usually mounted in locations that are high traffic or high problem areas in an effort to slow traffic down. Some units are portable to the extent they can be moved from location to location with little effort. These units use radar to read the speed of vehicles and display the current speed or a warning to slow down.

There are some units with traffic data collection that will assist in traffic flow and speed studies. Some units are solar powered and others require a power source such as battery or electrical supply.

Discussion was had about the devices that have the “violator alert” option. Chief Foerster explained that this type of device will flash at the violator when speed has exceeded the device setting.

Council also discussed that the “pole mounted” radar devices only work in one direction. Therefore, in order to be effective, a device would need to be placed in each direction. Council then discussed the possibility of switching the direction of these devices and how the devices are powered.

Council also reviewed the statistics gathered from the speed radar trailer when it was placed on this street. Chief Forester reported that those statistics show that speeding was

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

not an issue for this street. The statistics indicate that out of 20, 995 cars, only 13% were going more than 4 miles over the speed limit.

Council Member Berube moved to approve Resolution No. 2011-41, authorizing the City Manager to enter into a contract to provide for the installation of “pole mounted radar-speed displays” along Village Drive – Option D, provided funds are appropriated. The motion died for lack of a second.

RESOLUTION NO. 2011-41 – FAILED – NO SECOND

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO PROVIDE FOR THE INSTALLATION OF “POLE MOUNTED RADAR-SPEED DISPLAYS” ALONG VILLAGE DRIVE.

9. **Consider Resolution No. 2011-43, receiving the Planning and Zoning Commission’s Final Report to Council on the proposal to amend the City’s comprehensive zoning to grant a specific use permit to allow the operation of an auto body shop on a tract of land located at 18700 NW Freeway, Houston, TX 77065 within the city in zoning District G.**

Debra Mergel, Planning and Zoning Commission Chairman, presented the Final Report. She told Council that the Commission after duly considering all the information before it including that gathered at the Joint Public Hearing recommends that:

The City’s comprehensive zoning ordinance be amended to grant a specific use permit to allow the operation of an auto body shop on a tract of land located at 18700 NW Freeway, Houston, TX 77065 within the city in zoning District G.

She told Council that the Commission set out conditions for the specific use permit and that these conditions were specifically set out in Section 5 of the proposed ordinance. She stated that the Final Report is identical to that submitted in the Preliminary Report and was unanimously adopted by the Commission.

With limited discussion, Council Member Berube moved to approve Resolution No. 2011-43, receiving the Planning and Zoning Commission’s Final Report to Council on the proposal to amend the City’s comprehensive zoning to grant a specific use permit to allow the operation of an auto body shop on a tract of land located at 18700 NW Freeway, Houston, TX 77065 within the city in zoning District G. Council Member Beckwith seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2011-43

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION'S FINAL REPORT TO COUNCIL ON THE PROPOSAL TO AMEND THE CITY'S COMPREHENSIVE ZONING TO GRANT A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF AN AUTO BODY SHOP ON A TRACT OF LAND LOCATED AT 18700 NW FREEWAY, HOUSTON, TX 77065 WITHIN THE CITY IN ZONING DISTRICT G.

- 10. Consider Ordinance No. 2011-30, amending Chapter 14, Article IV, of the Code of Ordinances, City of Jersey Village, said Ordinance being City of Jersey Village Ordinance No. 77-14, as amended, originally adopted the 6th day of September 1977, and being the Comprehensive Zoning Ordinance of the city, by granting to Group 1 Realty, Inc., a specific use permit to allow the operation of an auto body shop on a tract of land located at 18700 NW Freeway, Houston, TX 77065, within the city in zoning District G; providing requirements and conditions for this specific use permit; containing findings and other provisions relating to the subject; providing a penalty in an amount not to exceed two thousand dollars; providing for amendment of the official zoning map; providing for severability; and providing an effective date.**

With limited discussion on this item, Council Member Beckwith moved to approve Ordinance No. 2011-30, amending Chapter 14, Article IV, of the Code of Ordinances, City of Jersey Village, said Ordinance being City of Jersey Village Ordinance No. 77-14, as amended, originally adopted the 6th day of September 1977, and being the Comprehensive Zoning Ordinance of the city, by granting to Group 1 Realty, Inc., a specific use permit to allow the operation of an auto body shop on a tract of land located at 18700 NW Freeway, Houston, TX 77065, within the city in zoning District G; providing requirements and conditions for this specific use permit; containing findings and other provisions relating to the subject; providing a penalty in an amount not to exceed two thousand dollars; providing for amendment of the official zoning map; providing for severability; and providing an effective date. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Berube, Erskine, Beckwith, Maloy, and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2011-30

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING CHAPTER 14, ARTICLE IV, OF THE CODE OF ORDINANCES, CITY OF JERSEY VILLAGE, SAID ORDINANCE BEING CITY OF JERSEY VILLAGE ORDINANCE NO. 77-14, AS AMENDED, ORIGINALLY ADOPTED THE 6TH DAY OF

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

SEPTEMBER 1977, AND BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, BY GRANTING TO GROUP 1 REALTY, INC., A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF AN AUTO BODY SHOP ON A TRACT OF LAND LOCATED AT 18700 NW FREEWAY, HOUSTON, TX 77065, WITHIN THE CITY IN ZONING DISTRICT G; PROVIDING REQUIREMENTS AND CONDITIONS FOR THIS SPECIFIC USE PERMIT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS FOR VIOLATIONS HEREOF; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

7. **Consider Ordinance No. 2011-29, amending the budget for fiscal year October 1, 2010 through September 30, 2011, in the amount not to exceed \$25,000 to provide for the installation of “pole mounted radar-speed displays” along Village Drive.**

This item was not considered.

8. **Consider Resolution No. 2011-42, appointing a Commissioner to fill the unexpired term ending September 30, 2011 for Position One on the Planning and Zoning Commission.**

Lorri Coody, City Secretary, introduced the item. Background information is as follows:

On May 23, 2011, City Council accepted Harry Beckwith's resignation from position One on the Commission so he could take his seat on the City of Jersey Village City Council. Council appointed Jon Peterson to complete the unexpired term.

On May 31, 2011, Mr. Peterson declined the appointment due to a change in his personal circumstances.

Accordingly, appointment must be made to fill the unexpired term for Position One on this Commission. In order to prepare for this item the following actions were taken to inform residents of this opening and extend invitation for consideration of applications:

1. A notice was placed on the City's website; and
2. 2011 applicants have been notified that Council will consider all applications for this opening on June 20, 2011 unless notified otherwise.

The applications of qualified candidates were included in the Council packet for review.

Council Member Maloy nominated George Ohler to fill the unexpired term for Position One on this Commission. Council Member Erskine seconded the nomination.

Discussion was had on Mr. Ohler's qualifications. Upon which Council Member Berube stated the qualifications of applicant Ratan R. Jha.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – June 20, 2011

Mayor Hamley called for the vote on the nomination for the appointment of George Ohler as Commissioner to fill the unexpired term ending September 30, 2011 for Position One on the Planning and Zoning Commission.

The vote follows:

Ayes: Council Members Erskine, Beckwith, Maloy, and Klein

Nays: None

Abstain: Council Member Berube

The nomination carried.

RESOLUTION NO. 2011-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING A MEMBER TO FILL THE UNEXPIRED TERM FOR POSITION ONE ON THE PLANNING AND ZONING COMMISSION.

L. ADJOURN

There being no further business on the Agenda the meeting was adjourned at 8:50 p.m.

Lorri Coody, City Secretary