

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON AUGUST 18, 2008 AT 6:15 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

The meeting was called to order at 6:20 p.m. with the following present:

Mayor, Russell Hamley
Mayor Pro-Tem, Ernie English
Council Member, Joyce Berube
Council Member, Greg Holden
Council Member, Jill Klein

City Manager, Mike Castro
City Attorney, Kenneth Wall
City Secretary, Lorri Coody

Council Member, Frances Wubbenhorst was not present at this meeting.

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

CITY OF JERSEY VILLAGE CRIME CONTROL AND PREVENTION DISTRICT

1. Receive 2008-2009 adopted fiscal year budget from the Jersey Village Crime Control and Prevention District.

Council received submission of the 2008-2009 fiscal year budget from the Jersey Village Crime Control and Prevention District (JVCCPD) through a presentation of a certified copy of the JVCCPD's Resolution No. 2008-02.

2. Conduct a public hearing on the Jersey Village Crime Control and Prevention District budget for the fiscal year 2008-2009.

Mayor Hamley opened the public hearing at 6:25 p.m. in order to give all interested parties the right to appear and be heard on the proposed fiscal year 2008-2009 Crime Control and Prevention District budget.

With one person having signed up to speak at this hearing, the Mayor called:

Jim Fields, 16413 Saint Helier, Jersey Village, Texas (713-466-0804) – Mr. Fields commented about the municipal budget and the plans for a new City Hall. He stated that he believed that new streets are important. He thanked Council Member English for addressing the hard questions during the Council Budget Work Sessions.

With no other persons signing up to speak on the JVCCPD budget, Mayor Hamley closed the public hearing at 6:26 p.m. and called the next item on the agenda.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – August 18, 2008

3. Resolution No. 2008-30 adopting the Jersey Village Crime Control and Prevention District Budget for the 2008-2009 fiscal year.

Chief of Police, Charles Wedemeyer briefly explained the budget elements and the supplemental requests outlined in the 2008-2009 fiscal year budget and with limited discussion, Council Member Holden moved to approve Resolution No. 2008-30. Council Member English seconded the motion. The vote follows:

Ayes: Council Members Holden, English, Berube and Klein

Nays: None

The motion carried.

RESOLUTION NO. 2008-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE FISCAL YEAR 2008-2009 CRIME CONTROL AND PREVENTION DISTRICT BUDGET

FOLLOWING THE JVCCPD ITEMS, THE MAYOR HAMLEY CALLED THE FOLLOWING ITEMS OUT OF ORDER FOR COUNCIL CONSIDERATION:

CITY MANAGER'S REPORT

City Manager Castro's report included the following items, which Council received in their packet. There were no questions concerning these reports.

1. Monthly Fund Balance Report, Enterprise Funds Report, and Governmental Funds Report.
2. Departmental Request Report and Open Records Request
3. Fire & Emergency Services Departmental Report
4. Police Activity Report, Crime Prevention Unit, Warrant Report, and Investigations/Calls for Service Report.
5. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Detailed Report, and Revenue Comparison Report.
6. Public Works Departmental Report, Construction Update Summary, and Construction Update Detail
7. Combined Monthly and Annual Mileage Report
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

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – August 18, 2008

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. **Minutes of the July 21, 2008 Regular City Council Meeting, Minutes of the July 28, 2008 Work Session City Council Meeting, Minutes of the July 29, 2008 Work Session City Council Meeting, and Minutes of the July 30, 2008 Work Session City Council Meeting.**
2. **Consider Ordinance 2008-27 allowing a budgetary amendment to the 2007-08 budget (electrical work at city barn)**

ORDINANCE NO. 2008-27

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008; AND PROVIDING FOR SEVERABILITY.

3. **Consider Resolution No. 2008-31 authorizing a Consent Agreement with the Jersey Village Baptist Church, allowing a 16 foot utility easement for the purpose of a driveway.**

RESOLUTION NO. 2008-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A CONSENT AGREEMENT WITH THE JERSEY VILLAGE BAPTIST CHURCH, ALLOWING IT TO ENCROACH INTO A 16 FOOT UTILITY EASEMENT FOR THE PURPOSE OF A DRIVEWAY.

Council Member Holden moved to approve the Consent Agenda items 1 through 3.
Council Member English seconded the motion. The vote follows:

Ayes: Council Members Holden, English, Berube and Klein

Nays: None

The motion carried.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – August 18, 2008

REGULAR AGENDA

1. Discussion regarding the Red Light Safety Program and short presentation from the Police Chief regarding the same.

Chief of Police, Charles Wedemeyer gave a presentation on the Red Light Safety Program. He provided information from the 30-Day Warning Phase portion of the program that was completed on July 27, 2008. The presentation included a list of the approaches that were monitored with the cameras as well as a map that demonstrated the placement of the cameras.

The violation processing method for this program was outlined and explained by the Chief and he provided statistics on the number of tickets that were documented during the Warning Phase. He explained that 4,328 tickets or violations were captured by the cameras and later reviewed by an Officer as part of the violation processing method. After the review process, 3,813 warnings were actually issued to violators.

Details of actual violations were viewed and explained as well as video footage for several locations during the Warning Phase.

Discussion was had by Council about right turns on red without stopping. The Chief explained that this would be a violation.

MAYOR HAMLEY CALLED ITEM 7 FROM THE REGULAR AGENDA OUT OF ORDER

7. Consider Ordinance No. 2008-23 allowing a budgetary amendment to the 2007-08 budget (police department vehicle replacement and the crime control and prevention district budgets).

Council Member English moved to approve the Ordinance as submitted. Council Member Holden seconded the motion. The vote follows:

Ayes: Council Members Holden, English, Berube and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2008-23

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE CAPITAL REPLACEMENT BUDGET AND THE CRIME CONTROL AND PREVENTION DISTRICT BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008; AND PROVIDING FOR SEVERABILITY.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – August 18, 2008

- 8. Consider Ordinance 2008-24 allowing a budgetary amendment to the 2007-08 budget (wages for part time counter and cart staff at the Jersey Meadow Golf Course).**

Council Member Berube moved to approve the Ordinance as submitted. Council Member English seconded the motion. The vote follows:

Ayes: Council Members Holden, English, Berube and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2008-24

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GOLF COURSE FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008; AND PROVIDING FOR SEVERABILITY.

- 9. Consider Ordinance 2008-25 allowing a budgetary amendment to the 2007-08 budget (increase for utilities).**

Council Member Klein moved to approve the Ordinance as submitted. Council Member Holden seconded the motion. The vote follows:

Ayes: Council Members Holden, English, Berube and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2008-25

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE GENERAL FUND – BUILDING MAINTENANCE BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008; AND PROVIDING FOR SEVERABILITY.

- 10. Consider Ordinance 2008-26 allowing a budgetary amendment to the 2007-08 budget (water purchased from the City of Houston).**

After limited discussion concerning the increase in the water prices from the City of Houston, Council Member Holden moved to approve the Ordinance as submitted. Council Member English seconded the motion. The vote follows:

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – August 18, 2008

Ayes: Council Members Holden, English, Berube and Klein

Nays: None

The motion carried.

ORDINANCE NO. 2008-26

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE UTILITY FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008; AND PROVIDING FOR SEVERABILITY.

MAYOR HAMLEY CALLED ITEM 6 FROM THE REGULAR AGENDA OUT OF ORDER

6. Discussion with possible action regarding Ordinance 2008-22 amending Section 14-88(a)(7)a of the City's Comprehensive Zoning Ordinance to prohibit the parking or storage of trucks, trailers, and equipment in zoning districts A, C, or C-2 approved July 21, 2008.

Council engaged in discussion concerning their intent in passing Ordinance 2008-22. There was discussion the enforcement of the new Ordinance.

Code Enforcement Officer, Gordon Gibson addressed Council and explained that after the new Ordinance was passed a letter was mailed to Residents explaining the Ordinance and telling them that there would be a 30 day period before enforcement. He explained that the information in the letter was based upon Staff's understanding of information obtained during the last Planning and Zoning Meeting. He explained to Council that he felt that the most confusion seemed to be with commercial vehicles and at what weight limit are these vehicles prohibited under the ordinance?

Rick Faircloth, a member of the Planning and Zoning Commission, was present at the meeting. He told Council that it was discussed in the last Planning and Zoning Meeting that commercial vehicles would not be permitted at all and that was the intent of the Commission.

Discussion was had by Council and they received input from the City Attorney. After the discussion, it was decided that the new ordinance states commercial vehicles of a certain weight – 3,000 lbs.

MAYOR HAMLEY CALLED THE CITIZENS COMMENT ITEMS OUT OF ORDER

CITIZENS COMMENTS

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – August 18, 2008

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.

1. Rick Faircloth, 16010 Lakeview Drive, Jersey Village, Texas (713-466-8062) – Mr. Faircloth told Council of discussions had by the Planning and Zoning Commission on the new Ordinance. He explained that it was the intent of the Commission to not permit the parking of commercial vehicles.
2. Jim Fields, 16413 Saint Helier, Jersey Village, Texas (713-466-0804) – Mr. Fields complained about people using City property for their personal use since the new zoning ordinance has been passed. He still believes there needs to be additional “code tightening” in the areas of un-registered vehicles and junk vehicles. He also presented Council with a copy of an email that contained a report of code violations. The email with attached report was sent to the City back in February and he told Council that he never received a response to the questions that he asked in the email.
3. Robbie Morrow, 15613 Congo Lane, Jersey Village, Texas (713-302-3289) – Ms. Morrow stated that she supports the new Ordinance. She told Council that the vehicle that she had complained about in the past to Council is still parked in the circular drive. She presented Council with a picture of the violation.
4. Jeff Kopecky, 16125 De Lozier, Jersey Village, Texas (713-849-2948) – Mr. Kopecky told Council of the street vendors that are on the City Streets, particularly of a car war vendor by the auto parts store. He would like an Ordinance to stop this kind of activity.
5. Shannon Griffith, 16410 Jersey Drive, Jersey Village, Texas (713-466-0772) – Mr. Griffith told Council of his problem with the new Ordinance. He commutes to and from work and gets paid by his employer for mileage which he considers as income. He has lived in the City for over 23 years and has been commuting to and from work without an issue. The passing of this Ordinance has created a hardship for him and will take away income from his family.
6. John B. Lewis, 16415 Jersey Drive, Jersey Village, Texas (713-466-3102) – Mr. Lewis spoke in support of Mr. Shannon. He told Council that Mr. Shannon is a good neighbor and that his vehicle is not a bother. He also spoke out against the new Ordinance.
7. Darren Terry, 16209 Jersey Drive, Jersey Village, Texas (713-466-7434) – Mr. Terry talked about signage on vehicles and stated he was told that any kind of signage makes a vehicle commercial. He also told Council that he understood that recreational vehicles are okay, but that he does not understand the meaning of towed vehicles.
8. Joey Ritter, 16305 Wall Street, Jersey Village, Texas (713-320-5597) – Mr. Ritter is a plumbing contractor so his vehicle is commercial, but is only $\frac{3}{4}$ ton. In tonight’s discussion he has learned that his vehicle will not be considered a violation under the new ordinance as it is under 3,000 lbs.
9. Mark Maloy - 7803 Hamilton Circle, Jersey Village, Texas (713-461-1430) – Mr. Maloy spoke about the noise issue concerning the Harris County Toll Road. He made

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – August 18, 2008

suggestions about using the dirt from the park detention in an earthen berm program to help resolve the issue.

10. Ken Rose, 16122 Lakeview Drive, Jersey Village, Texas (713-849-4978) – Mr. Rose passed and did not address the Council when called.
11. Rick Faircloth, 16010 Lakeview Drive, Jersey Village, Texas (713-466-8065) – Mr. Faircloth was called to address issue 6 on the agenda. Mr. Faircloth passed and did not address Council when called.
12. Frank Gullo, 16026 Lakeview Drive, Jersey Village, Texas (713-466-8607) – Mr. Gullo told Council that the new Ordinance negatively affects many residents and places an extreme burden on many.
13. Joe Pennington, 8526 Ivy Falls Court, Jersey Village, Texas (713-899-3544) – Mr. Pennington wanted to know if Council was receiving his emails.

MAYOR HAMLEY RETURNED TO ITEM 6 FROM THE REGULAR AGENDA

REGULAR AGENDA - CONTINUED

- 6. Discussion with possible action regarding Ordinance 2008-22 amending Section 14-88(a)(7)a of the City's Comprehensive Zoning Ordinance to prohibit the parking or storage of trucks, trailers, and equipment in zoning districts A, C, or C-2 approved July 21, 2008.**

After receiving comments from the Citizens, Council continued discussion of this topic. City Attorney Wall, brought to the attention of Council that no changes were made to the Ordinance concerning signage or recreational vehicles.

Council engaged in discussion about the intent in passing the Ordinance and commercial vehicles. There was discussion about the intent to eliminate dump trucks and those type vehicles that are "eye sores." Council reviewed the wording of the new Ordinance and the changes that were made.

City Attorney Wall suggested that there may need to be a meeting with Planning and Zoning in order to clarify what "one ton capacity" means since this part did not change in the Ordinance.

Council agreed with a consensus that enforcement of the new Ordinance should be deferred for another 30 days until these issues can be resolved.

Council asked for a joint work session with the Planning and Zoning Commission either on September 2 or 3, 2008.

- 2. Consider with possible action the updated report from Jim Pulliam, Chairman of the Parks Review Committee.**

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – August 18, 2008

Jim Pulliam, Chairman Parks Review Committee gave the report to Council.

3. Discussion with possible action regarding funding options for proposed Police Department building expansion.

Finance Director, Isabel Kato, gave a presentation of the funding options for the proposed Police Department building expansion. She presented three different options for their consideration. Discussion was had on the pros and cons of these three options. The consensus of Council was to support \$500,000 from the General Fund and \$200,000 from the CCPD budget.

4. Discussion Regarding Traffic Control at Philippine and Argentina.

Mayor Hamley explained the problem and the congestion with the traffic existing at Philippine and Argentina due to the construction. The problem will be more serious once school starts. He had a citizen recommend no left turns. The consensus of Council was to wait until the construction was complete to see if this is still an issue.

5. Consider change order regarding construction of two additional inlets on Congo Lane.

Public Works Director, Danny Segundo, gave a report about the need to relieve the flooding in the Congo Lane area and that the two additional inlets will resolve the issue. Frank Brooks, the City Engineer, addressed Council. He explained that the change order is needed as the school construction has increased the flooding in this area.

Council Member Berube moved to approve the Change Order regarding construction of the two additional inlets on Congo Lane. Council Member Holden seconded the motion. The vote follows:

Ayes: Council Members Holden, English, Berube and Klein

Nays: None

The motion carried

COUNCIL MEMBERS' COMMENTS

Council Member Holden made no comments.

Council Member Berube assured those present that the issues with the new Ordinance would be addressed.

REGULAR MEETING OF THE CITY COUNCIL
CITY OF JERSEY VILLAGE, TEXAS – August 18, 2008

Council Member Klein reminded the public about the Ice Cream Social on September 9 at the City Pool.

Council Member English thanked the Parks and Recreation Committee for their work and stated that the information gained in the Red Light Camera Presentation was compelling. He stated that he believes that we are headed in the right direction with the new Ordinance.

MAYOR'S COMMENTS

Mayor Hamley stated that he was impressed with the safety records in Cities that had Red Light Camera Programs when this program was initially introduced in Jersey Village. He is looking for the same safety results in Jersey Village. The Mayor thanked all for coming and encouraged them to return.

ADJOURN

There being no further business on the agenda the meeting was adjourned at 8:40 p.m.

Lorri Coody, City Secretary