

The City of West University Place

A Neighborhood City

CITY COUNCIL

Susan Sample, Mayor
Bob Kelly, Mayor Pro Tem
Burt Ballanfant, Councilmember
Brennan Reilly, Councilmember
Mardi Turner, Councilmember

STAFF

M. Chris Peifer, City Manager
Alan Petrov, City Attorney
Thelma Lenz, City Secretary

CITY COUNCIL MEETING MINUTES

The City Council of the City of West University Place, Texas, met in workshop and regular session on **Monday, March 14, 2016**, in the Municipal Building, 3800 University, West University Place, Texas beginning at **6:00 p.m.**

SPECIAL MEETING/WORKSHOP (held in the Bill Watson Conference Room at 6:00 p.m.)

Agenda Items were as follows:

Call to Order. Mayor Sample called the meeting to order at 6:00 p.m. in the Conference Room. Council and Staff in attendance were: Mayor Pro Tem Kelly, Councilmembers Ballanfant and Turner, City Manager Peifer, City Secretary Lenz, Assistant City Attorney Shelly Eversole, Public Works Director Beach, Parks and Recreation Director O'Connor and Police Chief Walker. Councilmember Reilly was absent.

1. Park Acquisition and Development

Matters related to the future acquisition and development of parkland in West University Place.
Recommended Action: Discuss and take any desired action.

Councilmember Turner presented and said the Parks and Recreation Board and staff have asked for direction on whether Council plans to pursue an effort to acquire additional parkland property based on survey results and usage. She said she wants to confirm with Council that there is an appetite for acquiring additional parkland property knowing that the City has had difficulties in the past identifying a reasonable property and convincing both the citizens and the property owners that this was a good use for their land. Councilmember Turner said the survey recommended that Council continue to look at the originally designated sites between Buffalo and Poor Farm Ditch and between Bissonnet and Holcombe. She said she doesn't see a great reason to stray from that recommendation because it is the results of the recent survey and the results of the previous bond issue approved in 2006.

Councilmember Turner said the City has identified two tracts of land – at the corner of Pittsburg and Mercer (Ownby property) and at the corner of Mercer and Duke (Lintner property). Councilmember Turner said Dr. and Mrs. Lintner are interested in selling the property to the City for use as parkland, although they do not expect that to happen for at least 4 or 5 years. She said both the Ownby and Lintner properties are approximate in size and price (approximately \$4,000,000), but she feels that the Lintner property would be a better buy simply because they are interested in

making it available as park property. She said the question becomes, though, how will the City get where it needs to be financially with a goal of 4 to 5 years down the road.

Mayor Pro Tem Kelly said one way to get there is to negotiate the sale now by giving the property owner money upfront to hold it (or lease it back to him) and lock in the price and then the City can have so many years to raise funds privately through Friends of West University Place Parks and/or other private initiatives.

Councilmember Turner said it has been suggested that the City does an analysis of the citizenry in that area to see how many kids would be using the open space.

Councilmember Turner said the questions she is putting to the Council are:

- Does Council want to pursue either the Ownby or the Lintner property regardless of money?
- Does Council want to ask the Parks Board to form a task force to evaluate other properties that could potentially fit the City's needs?
- Does Council want to do nothing?

Mayor Pro Tem Kelly said the recent survey indicated that residents were even split or just a little more in favor of having another park, but most people wanted it to be done through private funding instead of raising taxes. Councilmember Turner said it was a fairly even split between "I don't want to pay anything," "I'll pay for it out of taxes," and "I'm in favor with private money."

Mayor Sample suggested having appraisals done for the properties because she does not want to tie the hands of future councils one way or the other.

Councilmember Ballanfant said the election that was held (2006) is more significant than a survey.

Councilmember Turner responded by saying that the folks who voted in that very, very close election may not be living here anymore given the basic regression of numbers of houses that are changing hands every year.

Mayor Pro Tem Kelly said there are lots of reasons why it has been put off for so long and one of them is probably how hard it is to find tracts of land for park.

Mayor Sample said a few were found, but she thinks the problem is finding land that nearby neighbors are okay with being a park.

Mr. O'Connor confirmed that the City identified 9 properties in 2007 and Council authorized then City Manager Ross to move forward 3 of those properties, but the neighbors of those properties wouldn't have it so at that point Council backed off.

Mayor Pro Tem Kelly said either the Ownby property or Lintner property might reach the bar of neighbor support because a good portion of the properties back up to Poor Farm Ditch.

Councilmember Turner asked whether Council should ask the Parks Board to start canvassing the neighborhood since both properties are essentially in the same neighborhood.

Mayor Pro Tem Kelly said he is very much in favor of parks and thinks the City should not leave any stone unturned when trying to acquire more park space assuming that Council doesn't break the faith with the citizens in doing it.

After further discussion, Council agreed to direct the Parks Board to canvass the residents in a two-block radius to find out if they would be okay having a park near them. Council also agreed that obtaining market valuations for both properties would be appropriate at this time.

When Parks and Recreation Director is ready to present the findings from the Parks Board canvassing survey, Councilmember Turner asked that Mr. O'Connor also provide individual results as well as aggregate numbers.

Before adjourning, Mayor Pro Tem Kelly pointed out that the City wouldn't have a Rec Center if it would have had to been supported by the neighbors. He said even though the Rec Center is popular today, the election to have it was won by only a couple hundred votes.

2. Adjourn

At 6:29 p.m., Mayor Sample adjourned the special meeting.

REGULAR MEETING (6:30 p.m. in the City Council Chambers)

Call to Order. Mayor Sample called the meeting to order at 6:35 p.m. in the Council Chambers. Council and Staff in attendance were: Mayor Pro Tem Kelly, Councilmembers Ballanfant and Turner, City Manager Peifer, City Secretary Lenz, Assistant City Attorney Shelly Eversole Public Works Director Beach, Parks and Recreation Director O'Connor and Police Chief Walker. Councilmember Reilly was absent.

Boy Scouts Nathan and Benjamin Sicilano, Troop 642, led the Pledge.

City Secretary Lenz confirmed that the notice of this meeting was duly posted in accordance with the Texas Government Code, Chapter 551.

Agenda items are as follows:

Call to Order
Pledge of Allegiance
Matters related to the notice of this meeting

3. Public Comments

This was an opportunity for citizens to speak to Council relating to agenda and non-agenda items.

Eddie Matthews, 5906 Fordham Street, spoke to say that he was encouraged from the workshop discussion that the Council is taking a careful and steady approach to park acquisition. He said he thinks that when the survey was done last year there was an even number for and against any additional parkland and he thinks there is large amount of neutrals that might be against it if it means raising taxes.

Joe Studlick, 5321 Sewanee, spoke to discuss crime and sidewalks. Regarding crime, he said his perception is that the City is starting to have more burglaries and robberies in the City, which he experienced firsthand. He asked if the crime records could be published with some simple bar charts to show that the crimes have increased in the last couple of years. He asked if Council is considering adding more resources to the Police Department and technology such as cameras and license plate recorders. Regarding sidewalks, Mr. Studlick said he believes the City became the de facto owner of the sidewalks when it did the sidewalk bond infrastructure and so it is the responsibility of the City to maintain them. He said if that is so, there are about 10 percent of the sidewalks in some places that are getting very dangerous and the City should do an audit to address them.

Alida Drewes, 6112 Fordham Street, spoke to ask if taxpayers are to buy parkland in an area that already have parks when parkland is needed east of Buffalo. She asked Council to listen to the people. She said if Council is entertaining a bridge to Evelyn Park, the City needs to allow Bellaire residents access to the Rec Center. She said this is warranted in order to make it mutually beneficial, otherwise this City should not spend tax money.

4. Police Department Activity

Matters related to police department activity *Recommended Action: Hear from Chief Walker regarding City police activity.*

Police Chief Walker gave a briefing on current criminal activity in the City. He stated that the City is having more burglaries than it has in a long time. He stated that crime reports are published online and encouraged residents to sign up for crime alerts.

Chief Walker had the following suggestions for residents:

- Keep things secure (doors and cars locked);
- Be a nosy neighbor, because if something doesn't seem right, it's probably not;
- Have someone pick up papers and mail, etc., if going out of town; and
- Get alarm system (preferably the City's service, Direct Link).

Chief Walker said West U is a great place to live and relatively a safe place, but with all that he sees happening, things are getting dangerous all across Harris County.

Chief Walker said an officer will come out and survey a home at the residents' request.

Chief Walker said the City's number of burglaries of a motor vehicle has declined, but the number of residence burglaries has increased and the department is working in front and behind the scenes control it.

5. Tree City USA Recognition and Arbor Day Proclamation

Matters related to recognizing Tree City USA and proclaiming March 19, 2016 as Arbor Day. *Recommended Action: Proclaim March 19, 2016 as Arbor Day in the City of West University Place.*

Public Works Director Beach presented this item and said it is the City's 26th year being designated a Tree City USA and that the National Arbor Day Foundation promotes local Arbor Day festivities through the Tree City USA award program and sponsoring a community wide celebration of Arbor Day is one of the pre-requisites to receiving the Tree City designation.

Councilmember Turner moved to proclaim March 19, 2016 as Arbor Day in West University Place. Councilmember Ballanfant seconded the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Turner
Noes: None
Absent: Reilly

6. Park Acquisition and Development

Matters related to the future acquisition and development of parkland in West University Place. *Recommended Action: Discuss and take any desired action.* **Councilmember Mardi Turner**

Councilmember Turner moved that Council requests that the Parks Board canvass a two-block radius in the neighborhood around the two identified properties to determine whether or not the neighborhood wants a park. She said Council would like to review the questions in advance in order to cover demography as well as usage. Mayor Pro Tem Kelly seconded the motion.

Councilmember Turner said there should be a standard form of questions used by all the canvassers. She also requested that as part of the appendixes when the Parks Board presents the results of the canvass, that aggregate numbers be provided and backed by the individual forms and a summary of the information resulting from the last time canvassing that was done around each of the individual parks in 2014.

A vote was made on the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Turner
Noes: None
Absent: Reilly

Councilmember Turner moved to request an Agent's Opinion of Value of the properties that Mr. O'Connor identified at the workshop, including the two rental properties, in order to get a better idea of what the properties are worth today. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Turner
Noes: None
Absent: Reilly

7. Video Distribution of Council and Board Meetings

Matters relating to the feasibility and costs associated with broadcasting City Council and Board/Commission meetings via the internet. *Recommended Action: Discuss and take any desired action.*

IT Director McFarland presented this item and discussed video broadcasting in four fundamental elements:

- Broadcasting Methods:
 - Internet

- Public/Education/Government (PEG) Channel, i.e. Cable TV
- Content Types:
 - Archived (i.e. On-demand or Scheduled)
 - Live
- Production Methods:
 - In-House
 - Service Provider
- Quantity of Cameras (Council Chambers & Bill Watson Conference Room):
 - One camera in each room
 - Multiple cameras in each room

Mr. McFarland said from the above elements there are several options/costs:

- Option 1 – Internet Distribution, archived content only, produced one in-house using a single camera. First year costs: \$26,465; Recurring annual costs: \$11,231
- Option 2 – Internet distribution, archived and live content, produced by a service provider and using a single camera. First year costs: \$17,895; Recurring annual costs: \$5,940
- Option 3 – Internet and PEG TV, archived, scheduled and live content, produced in-house and using multiple cameras. First year costs: \$72,797; Recurring annual costs: \$42,923
- Option 4 – Internet and PEG TV, archived, scheduled and live content, produced by a service provider and using multiple cameras. First year costs: \$50,451; Recurring annual costs: \$24,340

Mr. McFarland said if Council chooses to go with a PEG channel, the state requires that at least 8 hours of programming be published on the channel, so there will be the need for someone to collect non-meeting content to fulfill and manage that requirement. He also noted that PEG funds the City receives can only be used for hardware, not for ongoing or recurring staff and/or other production costs.

Mr. McFarland explained the roles of an operator, editor and videographer/producer that would be required to make broadcasting.

Mr. McFarland noted that on January 1, 2016, House Bill 283, which states that any city with a population greater than 50,000 shall provide audio and video on the Internet of each regularly scheduled opened meeting, came into effect. However, this bill does not apply to West U.

According to the information Mr. McFarland presented regarding a survey of other cities viewership of their PEG channels and/or internet video, Councilmember Ballanfant said even though some of the cities have been broadcasting their meeting for a while, it doesn't appear that audience is growing very much anywhere.

Councilmember Ballanfant said he doesn't see a case to be made for this proposition, particularly when the money can be used for something else that would have more discernable benefit for the City.

City Secretary Lenz confirmed to Mayor Sample that she receives an average of 3 or 4 requests for Council meeting audio/video and that the requests are usually from the news media.

Mayor Sample said she can see why it would be worthwhile to broadcast in certain cities, but in West U people can just pop into City Hall and attend the meeting in person rather than watching it live on TV. She said she feels the number of people is too few for the costs involved.

Resident **David Kuykendall**, 3912 Milton, spoke on this item to say that he has used the Bellaire system online and has gone through the City Secretary to use the West U system of ordering an audio. He said sometimes you have to sit through an entire meeting to get the 10 minutes you need and said it is so user unfriendly. Mr. Kuykendall said on the Bellaire website, you can just click on the agenda for the meeting and then click on the agenda item you need and you are instantly transported to the discussion you're looking for and it makes a world of difference. He said he wouldn't have the need for live television, because he can come to meetings, but when he can't attend it would be really helpful to have something that is archived and easy to access. He said this council ran on transparency and you can't get more transparent than giving residents easy access to meetings.

Mayor Pro Tem Kelly agreed with Mr. Kuykendall. He said if the City decides to move forward with this, but decides later on in 4 or 5 years it wants to discontinue the service, would there be any penalties. Mr. McFarland said he can't think of any, other than disappointing residents who might become users of the service.

Mayor Pro Tem Kelly suggested having Bellaire staff come and give a presentation to Council regarding their processes and costs, so the City doesn't have to re-invent the wheel. He said the citizens deserve to have free and clear access to City government.

Councilmember Ballanfant said this would require additional personnel and he would prefer more policemen be hired than to implement this system.

Mayor Sample said staff can upload audio only for nothing.

Mayor Pro Tem Kelly said the City would still have to index the audio and Council doesn't know what that cost would be.

Mayor Pro Tem Kelly said staff has done a great job putting the presentation together and Council knows more than it did before, but he doesn't think Council is ready to vote to kill it until it gets more information and the perfect information provider would be the City of Bellaire. He said based on what Bellaire tells Council, it would be in a much better position to decide which way to go.

Councilmember Ballanfant said if additional personnel is required to provide this service, the police department is a better investment. He said he hasn't heard anyone clamoring to have this service.

Mayor Pro Tem Kelly said he thinks there are some things citizens are willing to pay for and this is one of them.

Councilmember Turner said for all the different vehicles that are providing information, such as the City's website, she is not seeing a whole lot of interest.

Mayor Pro Tem Kelly said he isn't voting for it right now. He said he is just saying he wants to hear from Bellaire as to what they are doing and why.

Council agreed to have Mr. McFarland look into the costs of audio and video indexing for the website. He was also asked to meet with representatives from Bellaire to see if they will come to a future Council meeting to discuss their process.

8. Water Well No. 9 Rehabilitation

Matters related to awarding a contract for the rehabilitation of Water Well No. 9. *Recommended Action: Award contract for the rehabilitation of Water Well No. 9.*

Public Works Director Beach presented this item and said Well No. 9 was built in 1992 and is typically on a 10-15 maintenance cycle. He said the last major work on it was done in 1999 and so staff is requesting approval to do a complete overhaul of the well's pump assembly items and an inspection. He said the well saves the City an average of \$300,000 a year.

Mr. Beach said staff solicited bids and the low bidder was Layne Christensen in the approximate amount of \$264,000, which is below the budgeted amount of City's \$325,000.

Mr. Beach recommended authorizing the city manager to approve a contract with Layne Christensen Company for performance of the Water Well 9 Rehabilitation Project in the amount of \$264,929.00.

Mayor Pro Tem Kelly moved to adopt staff's recommendation. Councilmember Turner seconded the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Turner
Noes: None
Absent: Reilly

9. Future Agenda Items

Matters related to future agenda items. *Discuss and take any desired action.*

Councilmember Turner requested that an item to hear the results of the canvass from the Parks and Recreation Board be added to the list.

10. Consent Agenda

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

A. City Council Meeting

Approve City Council Minutes of the February 22, 2016. *Recommended Action: Approve Minutes.*

B. Solid Waste Ordinance

Matters related to a proposed ordinance updating Chapter 38 Garbage and Trash of the Code of Ordinances of the City of West University Place. *Recommended Action: Approve ordinance updating Chapter 38 of the Code of Ordinances on the second and final.*

Mayor Pro Tem Kelly moved to approve the Consent Agenda as presented. Councilmember Turner seconded the motion. **MOTION PASSED.**

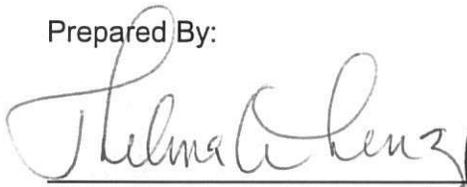
Ayes: Sample, Kelly, Ballanfant, Turner
Noes: None
Absent: Reilly

11. Adjourn

At 8:00 p.m., Councilmember Turner moved to adjourn the regular meeting. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Turner
Noes: None
Absent: Reilly

Prepared By:


Thelma A. Lenz, City Secretary



04/11/16
Date Approved