

# 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 regular session on **Monday, March 28, 2016**, in the Municipal Building, 3800 University, West University Place, Texas beginning at **6:30 p.m.**

Agenda Items were as follows:

**Call to Order.** Mayor Sample called the meeting to order at 6:30 p.m. in the Council Chambers. Council and Staff in attendance were: Mayor Pro Tem Kelly, Councilmembers Ballanfant, Reilly and Turner, City Manager Peifer, City Secretary Lenz, City Attorney Petrov, Public Works Director Beach, Finance Director Daugherty, Police Chief Walker and Assistant City Secretary Evelyn.

Boy Scout Collin Turbidy, Troop 55, led the Pledge.

City Secretary Lenz confirmed that the notice of the 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

### **1. Public Comments**

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

**Robert Grossman**, 4103 Ruskin, spoke to request that the zoning official provide a formal opinion that would allow AT&T to load and unload its vehicles with commercial materials and supplies on the residential lots zoned for parking. He said if the zoning official issues a formal opinion saying that it's okay, he can then take the opinion to the Zoning Board of Adjustment for a determination. Mr. Grossman said it is impossible for Council to understand that there are only two slots in the commercial lot for loading and unloading trucks, so there is no way for AT&T to load and unload their 50+ trucks except to load and unload them on the residential lots. He said the attorneys he have talked to said they could not understand how the city attorney and zoning official had not determined that the loading and unloading of AT&T vehicles on the residential lots was non-compliant, should be disallowed and subject to the necessary actions to prevent it. Mr. Grossman asked Council to ask the zoning official to simply render a decision, whatever it may be.

**William (Bill) Dieks** 4119 Cason, spoke on two issues – traffic and pocket parks. Regarding traffic, Mr. Dieks said the traffic situation on Cason and other streets is a mess due to people being allowed to park vehicles on both sides of the streets. He said when he moved to his home in 1981,

there were signs indicating that parking was on one side of the street only, but when the streets were repaved the signs were removed and never re-erected. He said it would be helpful to have the signs re-erected, especially when there are events at the Recreation Center. He said it would also help to erect signs in other parts of the City for safety reasons. Regarding pocket parks, Mr. Dieks said he feels the City has enough pocket parks and suggested that the City give a couple million dollars towards Evelyn Park and cooperate with Bellaire to expand that park, which he believes would be a benefit to all of West U citizens and a much better facility than a "little dinky" pocket park.

Regarding Mr. Grossman's comments, Councilmember Ballanfant asked legal to provide a written opinion to Council within the next two weeks. City Attorney Petrov said that he is reviewing the Administrative Official's decision and would have it to Council by the end of the week.

## 2. **Water Rate Increase**

Matters related to approval of an ordinance to increase water rates by 0.50%, effective May 1, 2016. *Recommended action: Approve ordinance increasing water rates to West University Place residents by 0.50%, effective May 1, 2016, on the first of two readings.*

Finance Director Daugherty presented and said the City received notice from the City of Houston in a letter dated March 10, 2016 that Houston would increase its treated water rates to the City of West University Place in the amount of 1.4 percent or approximately .4/gallon over the current rate. Ms. Daugherty said in order for the City to continue recovering the cost of purchasing the treated water and keeping the pay-as-you-go Capital Improvement Program, staff is proposing a .5 percent increase in the water rates sold to residents, which equates to approximately .95 cents per month for a customer that uses 12,000 gallons.

In response to Councilmember Reilly's request, Finance Director explained the process of figuring out the increase for City residents.

Councilmember Reilly said it surprises him that some residents will pay double what the increase is from the City of Houston.

City Manager Peifer pointed out that as part of the City's TCEQ requirements, the City's rates are volumetrically skewed for conservation.

Councilmember Turner said she does not understand the progression in rates. Finance Daugherty said there was an error in the formula and said she would provide the correct numbers and rationale in detail before adoption of the ordinance on second reading.

Councilmember Reilly said more information for the second reading is a great idea because he wants the residents to know that Council isn't overcharging them for the rate increase and that the idea is for the City to just pass Houston's increase along.

Councilmember Ballanfant said by the next meeting, he would like staff to provide Council a complete analysis of where the City's water comes from and how the City gets it from Houston. He said this issue literally touches every homeowner, so it should be more fully discussed.

Mayor Sample said there are requests for proposals out, with bids due March 31, for a Water Rate Study and so detailed information will be included in that study.

Councilmember Ballanfant said he would still like more detailed information before the next meeting.

**Alida Drewes**, 6112 Fordham Street, delayed her public comment until discussion of this item. She spoke to say Senior Board meetings are not posted on the website calendar. She said Council refuses to look at an alternative budget and it approves the highest budget submitted. She said Council continues to punish senior citizens when the costs for services increase. Ms. Drewes said she heard that the City plans to use tax money for pocket parks and said Council needs to fix the ones it already has first. She said she has suggested doing a survey and it totally went nowhere like everything else that is talked about at the microphone.

At this time, Councilmember Reilly moved to approve on first reading the ordinance attached to the agenda memo from Rhonda Daugherty (an ordinance relating to the water rates; amending the fee schedule). Councilmember Turner seconded the motion.

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

### **3. Future Agenda Items**

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

Councilmember Reilly asked if staff would be bringing the video distribution of Council and board meetings item back before Council. City Manager Peifer said yes. He said IT Director McFarland met with three other cities (Bellaire, Rosenberg, and Deer Park) and their staff prefers not to be subject to another city's council, so they will provide Mr. McFarland with information to present to Council. He said Mr. McFarland is exploring exactly what Council asked at the last meeting, which is audio indexing.

Mayor Pro Tem Kelly said after thinking about it after the last meeting, he thinks it would be best to have either an elected official or former elected official come before Council since it might be more of a political decision for Council to make rather a staff member.

Mr. Peifer said it is staff's plan to distribute a memorandum and see how Council wants to proceed from there.

Councilmember Reilly requested that another item be added to future agendas. He said Councilmembers are liaisons to the different boards and commissions, but Council hasn't reported on attending those meetings and he thinks it would be nice to add to the agenda. He said he doesn't think it's needed every meeting, but at least once every couple of months. It was agreed by Council that Council reports should be added to the agendas and that the Friends of West U Parks would not need to be included in those reports.

Councilmember Reilly also requested to move the Harris County District Attorney investigation from "To Be Determined" to the next meeting agenda in order to discuss that investigation and the city's indemnification policies for both the City Council and other boards and commissions for fees that are incurred as a result of spurious investigations.

Councilmember Turner said she wonders what Council would accomplish with that particular approach considering it is a legal situation involving each member of Council individually as opposed to the Council as a group.

Councilmember Ballanfant said it wouldn't hurt to discuss it and he seconded Councilmember Reilly's motion, so City Secretary Lenz will add it to the next agenda.

**4. 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 March 14, 2016. *Recommended Action: Approve Minutes.*

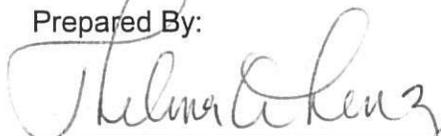
Councilmember Reilly moved to remove the Minutes from the Consent Agenda. He said on Page 3 of 9 in the third and fourth complete paragraphs, there are some parenthetical comments that he believes are not part of the Minutes. City Secretary Lenz will review and correct the Minutes as necessary and put them back on the Agenda for the next meeting for approval.

**5. Adjourn**

At 7:10 p.m., Councilmember Turner moved to adjourn the regular meeting. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

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

Prepared By:

  
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Thelma A. Lenz, City Secretary



04/11/16  
\_\_\_\_\_  
Date Approved