

# 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 Gilliam, City Secretary

## **CITY COUNCIL MEETING MINUTES**

The City Council of the City of West University Place, Texas, met in regular session on **Monday, April 25, 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 Gilliam, City Attorney Petrov, Parks and Recreation Director O'Connor, Public Works Director Beach and Police Chief Walker.

Mayor Pro Tem Kelly 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 were as follows:

### **1. Public Gold Medal Award**

Representative Sarah Davis will present the City of West University Place with a Proclamation acknowledging the City's receipt of the Gold Medal Award from the Texas Recreation and Parks Society.

Parks and Recreation Director O'Connor provided an overview of the award and thanked all involved in achieving the award and supporting the Parks and Recreation Department. He then introduced Representative Davis.

Representative Davis, representative for West University Place and resident, spoke to say that receiving the Texas Gold Medal is not an easy feat and said West University Place was the only city in its class size to receive such a distinction. She then read the proclamation proclaiming West University Place as a recipient of the Gold Medal Award and presented it to Council.

### **2. Public Comments**

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

The speaker who signed up deferred his comments until Item 4 was discussed.

### **3. National Water Safety Month**

Matters related to proclaiming the month of May 2016 "National Water Safety Month" in the City of West University Place. *Recommended Action: Proclaim May 2016 "National Water Safety Month" in the City of West University Place.*

Brittany Bakes presented this item and spoke regarding drowning statistics and other related matters. Mayor Sample then read the proclamation proclaiming May 2016 as National Water Safety Month in West University Place.

### **4. Video Distribution of Council and Board Meetings**

Matters related to posting audio and /or video of Council and Board meetings on the City's website.

Before Council discussion, resident **David Kuykendall**, 3912 Milton, spoke to say that there are many reasons why people can't come to Council meetings, so effective archiving of meetings with user friendly retrieval would be a good thing for the community. Mr. Kuykendall said there was discussion of costs at the last meeting and said improving information access might actually reduce costs. He said the City spent a lot of money last year on plans involved with potential land swaps with West U Baptist Church and said some of the expenses might have been avoided with improved information access. Mr. Kuykendall said in addition to the options being considered tonight, he asked Council to also consider audio archiving on the internet with audio topic start times written on the accompanying Minutes. He said the start time might be recorded by the City Secretary during the actual Council meeting so there would be very little extra cost involved and though not as effective as video indexing, it is a low cost alternative.

After the public comment, IT Director McFarland presented and said from the discussions that have been had on this issue, he would like further direction from Council so he can proceed accordingly. He said he needs to know if Council wants audio only, video only, broadcast on the internet or Public Education and Government (PEG) channel or both, and the number of cameras.

Regarding video for the website, Mayor Pro Tem Kelly the number of people that watch the meetings is usually agenda driven so routine items get less traffic. He said if there was something of interest to the community more people would watch.

Mayor Pro Tem Kelly said with the limited space in the Chambers and Conference Room, and with there not being any way for anyone to hear in the hallways, when there is a very critical interest item to the City it is virtually impossible for citizens to actively participate live.

Mayor Pro Tem Kelly said the people in Bellaire and other cities are not spendthrifts and he doesn't see them throwing around \$30,000 or \$40,000 to initially set up something and then spending \$20,000 to \$30,000 a year because they don't have anything better to spend their money on. He said he feels those cities recognize the arguments he has made and feels that being able to get the word out to the community to be something that's important for government. Mayor Pro Tem Kelly said whether a resident wants to take advantage of it is their choice, but as a government entity, the City would be providing a resource that gets the information to them.

Mayor Pro Tem Kelly said in the last and prior elections there was talk about transparency and so having a way for citizens to at least see the meetings if they are unable to attend is very important. He said he thinks it is a little misleading to go on a tangent and say just because of costs this shouldn't be considered.

Mr. McFarland demonstrated on the website the indexed audio of the previous meeting that was put together by the IT staff. He said staff was able to index the audio, but said software was needed to be able to pause the audio and “sew” it back together where needed in order for a smooth transition. He said the cost for the software was \$500.

Mr. McFarland said he is most concerned with cross-platform compatibility – the iPhone, versus Android, versus Windows, versus Samsung, etc. He said third party software vendors take those kinds of compatibility issues into account.

Councilmember Reilly said eventually video archiving of meetings is going to be common, so he thinks the City should start the archiving process sooner rather than later. He said it would be immensely helpful for residents to be able to see past discussions that come up again and again. He said Minutes do not provide complete descriptions of what was discussed regardless of how detailed they are because they miss a lot of the flavor of the discussion. He said the current solution for audio is amazing, but it is his suggestion that Council move forward on a proposal to implement video because it will be a great tool for residents.

Mr. McFarland said his IT staff is incapable of accomplishing the video process in-house without third-party vendors and said he believes for the full video implementation it is more cost effective for it to be completely done by a service provider rather than having everything done in-house.

Councilmember Turner asked if staff can determine the number of hits to the audio feature being implemented on the City’s webpage. Mr. McFarland responded yes, staff should be able to count all of the accesses to the webpage like it would any other webpage.

Councilmember Turner confirmed with Mr. McFarland that for a minimal cost the City could go live with audio and determine the number of hits to find out what the traffic is to see if there is a desire by residents to implement the process for full video. Mr. McFarland said the evaluation time would need to be a minimum of 6 months to a year so that residents can have time to learn and use the feature.

Councilmember Turner said she would be inclined to continue pursuing the audio with indexing since staff has already made a great deal of headway on realizing that solution. She said she has a hard time approving funds a more sophisticated solution until results from the amount of traffic determines that it is necessary.

Councilmember Ballanfant said he supports Councilmember Turner’s concept.

Councilmember Reilly said the hits on the webpage will be dependent on whether there is an issue that the public is interested in – like the proposal to do the land swap, which drew dramatic citizen involvement. He said he would like the City to have a professional archive of City Council meetings as well as for all the statutory commissions, too.

Councilmember Turner asked if Council was concerned that the video would be posted before the official Minutes are approved. Councilmember Reilly said there is no concern and thinks it’s fantastic because the Minutes are an official summary, but now someone can listen directly to what was discussed.

Councilmember Reilly said he believes the primary use of video for people will be for research.

Mayor Pro Tem Kelly said video is good for research, etc., but it is also important to things like the land swap situation. He said when there is an important issue being discussed, the information needs to be able to get out to the citizens so that they can understand it live.

Mayor Pro Tem Kelly asked how much more complicated is it during the trial period to have a third-party provider come in and set up a camera to have video with the audio.

Mayor Sample said she supports the audio process that was done in-house for \$500 that has already been paid.

Mayor Pro Tem Kelly said it sounds to him that Mayor Sample and Councilmember Turner are looking at this as cost driven. He said that is a valid concern, but it is an important part of government to have a vehicle for research and for watching government in action particularly when significant issues arise.

Councilmember Turner said she doesn't see this so much as a cost thing, although the lack of costs for the audio only is appealing, but as a software developer she is always happy to go into an alpha stage to see what she trolls up. She said if she doesn't get any hits or if she gets 5 or 10 of the same people every month, she's not inclined to spend anything on a bigger solution to a problem that really isn't there.

Mayor Pro Tem Kelly said he thinks this issue is a matter of open government. He said if the City puts this strictly on a cost-per-view averaged over a certain period of time, then it's a no brainer not to do it. He said the City would have to be doing it for the long run and said citizens are being denied access to video on the basis that it can't be justified in a short run situation.

Councilmember Turner moved that Council direct the IT Director to implement the audio indexing of the City Council meetings only, at this time, with a report back in 6 months of the hit rate on that audio website and to obtain an RFP for internet video providing a similar service. Mayor Pro Tem Kelly seconded the motion.

The Council asked IT Director McFarland to use his best professional judgment regarding the number of cameras that will be sufficient for internet video.

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

<b>Ayes:</b>	Sample, Kelly, Ballanfant, Reilly, Turner
<b>Noes:</b>	None
<b>Absent:</b>	None

**5. Interlocal Agreement with Harris County Flood Control District**

Matters related to an Interlocal Agreement with the Harris County Flood Control District for an easement exchange. *Recommended Action: Discuss and authorize the Mayor to execute an Interlocal Agreement and related easement deed documents with Harris County Flood Control District for an easement exchange – upon approval by the Commissioners Court.*

Public Works Director Beach presented and explained that when the sewer treatment plant was originally constructed in the 1980's it encroached on easement dedicated to the HCFCD and so part of the City's sewer treatment plant is on HCFCD's easement.

Mr. Beach said HCFCD has recommended an exchange of easement property which will facilitate the widening of Braes Bayou and, at the expense of the HCFCD, secure a retaining wall and relocate the outfall to the west end of the retaining wall to direct WWTP treated effluent into the bayou.

In response to Mayor Pro Tem Kelly's question as to whether this effects the City's sewer facility, Mr. Beach said other than relocating and improving the City's outfall, the facility will not be affected.

In response to Councilmember Reilly's concern as to whether this will affect any future use of the vacant site nearby known as "the yard", Mr. Beach said he doesn't see how it's affected, other than it being smaller.

In response to Councilmember Turner's concern as to whether it will affect the kennel, Mr. Beach said it will not be affected.

In response to Councilmember Reilly's question as to what is "the yard" currently used for, Mr. Beach said it used for materials, equipment and spoils from roadwork, etc.

Councilmember Reilly said if the City needed a place to park its garbage trucks, would "the yard" be a place to do it. Mr. Beach responded, yes, but with improvements.

City Manager Peifer said the best way to explain this project is that the City is giving HCFCD what it already has and getting almost an equal amount of property out of what they currently have, plus a retaining wall and a more efficient outfall that the City had planned for within the next 12 months.

Mr. Beach recommended that Council authorize the Mayor to approve an Interlocal Agreement with the Harris County Flood Control District for an easement exchange and execute the Easement Deed Documents to fulfill the agreement upon approval by the Commissioners Court.

Councilmember Reilly moved to approve staff's recommendation. Councilmember Turner seconded the motion. **MOTION PASSED.**

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

## 6. Future Agenda Items

Matters related to future agenda items. *Recommended Action: Discuss and take any desired action.*  
**City Council**

Councilmember Reilly moved to move this item to follow his Zoning and Planning Commission liaison report in case there is a desire to add something regarding Zoning and Planning to the next agenda. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

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

This item was postponed for the discussion until after Item 8 was discussed in case Council wanted to add an item after discussion of that item. Council revisited this item after discussion of Item 8 and no new items were added to the list.

**7. 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 April 11, 2016. *Recommended Action: Approve Minutes.*

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

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

**8. Council Liaison Report – Zoning and Planning Commission**

Matters related to an activity report from the Zoning and Planning Commission Council liaison.

Councilmember Reilly, Council liaison to the Zoning and Planning Commission, spoke to say that he asked to have this item on the agenda because he thought it would be helpful given the resolution that was adopted on October 26, 2015 to request that the ZPC review zoning and the Town Center Planned Redevelopment District and make recommendations regarding improvements for parking and whether or not a special exception should be added back and other matters necessary and appropriate in light of those two areas of focus. He said since October, the ZPC has had three meetings to discuss Town Center zoning. He said the January 2016 meeting was basically an overview of past zoning efforts through the Town Center as well as a discussion whether or not a parking study would be beneficial in determining whether or not they should move forward with some recommendations for changing the parking component of the Town Center zoning.

Councilmember Reilly said at the February 2016 meeting, there was a presentation by a consultant who reviewed a proposal involving individuals who would be standing at the corners counting the number of individuals who both parked in the Town Center and then went somewhere else. He said the ZPC members were concerned that despite that proposal there was not going to be an accurate read of exactly how many people are parking off-site, on the streets nearby. He said the study was approximately \$70,000 with significant limitations, so the ZPC spoke with staff about an alternative study and it received a proposal from staff at the April 2016 meeting for just a parking count study, which is more limited in scope and less expensive. Councilmember Reilly said, again ZPC was concerned because if the scope is reduced that much, nothing new is learned. He said the ZPC discussed the studies and eventually unanimously voted not to pursue a parking study because they didn't believe it would be beneficial.

Councilmember Reilly said there was discussion from the ZPC about whether Council wants them to do a study or not. He said if there is Council consensus for wanting ZPC to do a parking and traffic study, it would need to provide the ZPC some direction and, therefore, would need to be added to the Future Agenda Items list.

Mayor Pro Tem Kelly asked if the ZPC feels it can reach a decision about the Town Center without a parking study. Councilmember Reilly said yes, they believe they can. He said they think a

parking study isn't going to inform them of the real issue. He said the real issue is what will be the effect of the new zoning. He said ZPC doesn't think it will make it better and, at best, it will be the same.

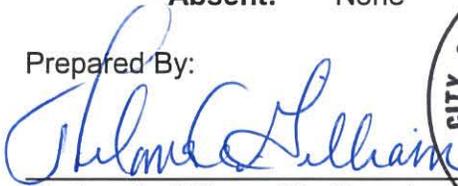
Councilmember Reilly also reported that the ZPC has been reviewing extensively for the last three months proposals regarding the definition of what a school is and encouraged interested residents to attend ZPC meetings to be heard regarding this and all other ZPC issues.

**9. Adjourn**

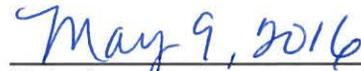
At 7:52 p.m., Mayor Pro Tem Kelly moved to adjourn the regular meeting. Councilmember Ballanfant seconded the motion. **MOTION PASSED.**

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

Prepared By:



Thelma A. Gilliam, City Secretary



Date Approved