

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON MARCH 16, 2009 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

The meeting was called to order by Mayor Pro tem English at 7:00 p.m. with the following present:

Mayor Pro-Tem, Ernie English
Council Member, Joyce Berube
Council Member Greg Holden
Council Member, Frances Wubbenhorst
Council Member, Jill Klein

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

Mayor Hamley was not present.

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.

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

INVOCATION AND PLEDGE OF ALLEGIANCE

JOINT PUBLIC HEARINGS

- 1. Conduct joint public hearing with the Planning and Zoning Commission on the proposed amendments to Section 14-5 and 14-88a of the City's comprehensive zoning ordinance regulating the parking and storage of recreational vehicles, boats and similar items in zoning districts A, C and C-2.**

Mayor Pro Tem English opened the joint public meeting at 7:03 p.m. with the following City of Jersey Village Planning and Zoning Commission members present:

1. Chairman David Paul
2. Commissioner John Hanley
3. Commissioner Richard Faircloth
4. Commissioner Debra Mergel
5. Commissioner Tom Eustace
6. Commissioner Harry Beckwith, III
7. Commissioner John Adriance

Having had the joint work session pertaining to the proposed amendment to Section 14-88(a)(27)a of the City's comprehensive zoning ordinance regulating the parking and storage of trucks, trailers, and equipment in residential zoning districts, Mayor Pro tem English called the those individuals signing up to speak on this matter as follows:

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Jim Fields, 16413 Saint Helier, Jersey Village, TX (713) 466-0804 – Mr. Fields addressed Council and suggested that those who have recreational vehicles be permitted to keep them. He also stated that the 3 day time frame for loading and unloading within a 30 day period is unreasonable and feels that 2 to 3 weeks is needed.

Anna Lewandowski, 16226 Capri Dr., Jersey Village, TX (713-937-4389 – Ms. Lewandowski is opposed to this ordinance change. She told Council of her memories from childhood and that travel is exciting. As such, when making her home purchase, she considered that the Village permitted the storage of recreational vehicles, with certain restrictions, within residential areas. She also told Council that she is unhappy about the timing of the public meeting in that it was being conducted during Spring Break week and felt that it was an inconvenience to recreational vehicle owners.

David Mikulenska, 16210 Singapore, Jersey Village, TX (713) 937-1849 – Mr. Mikulenska was opposed to the ordinance and specifically stated that the 3 day time frame for loading and unloading within a 30 day period was unreasonable.

Jerry DeFour, 16110 Congo, Jersey Village, TX (713) 466-7744 – Mr. DeFour thanked Council for the opportunity to voice his concerns over the proposed change. He told Council that he believes that the issue is being viewed as one of aesthetics and what is pleasing to one may not be pleasing to another. He too stated that 3 days was not enough time for loading and unloading and that 2 to 3 weeks was more reasonable. He also told Council that there was no need to change anything, that the current ordinance was sufficient.

Ronald T. Templeton, 16022 Crawford, Jersey Village, TX (713) 466-5683 – Mr. Templeton opposes the proposed ordinance change. He does not own a recreational vehicle.

Janet Layton, 8005 Senate, Jersey Village, TX (713) 983-9333 – Ms. Layton opposes the proposed ordinance change. She explained her experience with recreational vehicles and the parking of same while living in the Village. She feels harassed. She stated that she wanted to be able to park her recreational vehicles on her residential property; however, if others did the same and it looked bad the City should have them removed.

Ron Mizrany, 15902 Singapore, Jersey Village, TX (713) 896-7375 – Mr. Mizrany is retired now and had purchased a recreational vehicle to enjoy his retirement. This proposed ordinance change will make it difficult for him to continue with his retirement as he had originally planned.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, TX (713) 937-0408 – Mr. Maloy suggested that if a change is needed to the zoning ordinance for the parking of recreational vehicles, perhaps it should be taken to the voters to decide.

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Glenn Williamson, 15722 Lakeview Drive, Jersey Village, TX (713) 937-8595 – Mr. Williamson has lived in the Village for 30 years. He told Council that the recent change to the truck/trailer ordinance affected him in ways he had not imagined. He stated that this proposed change will affect people in ways that they cannot imagine until the ordinance is actually implemented. He stated one thing that has caused him issues with the recent truck/trailer ordinance change was the addition of storage fees to his annual budget.

John Pettijohn, 16034 Crawford, Jersey Village, TX (713) 937-7489 – Mr. Pettijohn addressed the issue from the standpoint of freedom and rights. He told Council that this proposed change is just another way of taking away another right and/or freedom. He stated that the City of Jersey Village was founded on certain principles. He asked if the legality of these proposed issues had been reviewed because his research showed there were cases that have gone to the Supreme Court and the municipality lost.

Ruth Pettijohn, 16034 Crawford, Jersey Village, TX (713) 937-7489 – Ms. Pettijohn gave statistics about how ordinances of this nature have violated citizens' rights.

Ben Harrison, 15706 Singapore, Jersey Village, TX (713) 937-9565 – Mr. Harrison has lived in the Village for 18 years. He told Council of his experience in being a recreational vehicle owner. He is opposed to the change and suggested that Council focus on other areas in the City that need attention.

Cindy Hillman, 16218 Congo Lane, Jersey Village, TX (281) 617-7895 – Ms. Hillman stated that she was opposed to this ordinance change. She stated that 3 days for loading and unloading within a 30 day period was not enough time and that paved surfaces in the back yard was not necessary. She also stated that those individuals who already have a recreational vehicle should be “grandfathered” from having to abide by an ordinance change.

James V. Schattle, 15409 Clevedon, Jersey Village, TX (713) 937-1577 – Mr. Schattle explained that he has a BBQ pit that he had been parking in his back yard. With the changes in the truck/trailer ordinance, this is no longer legal. He stated that the truck/trailer ordinance cause him problems, and suggested that there should be a grandfather clause for any proposed change to the recreational vehicle ordinance.

With no other citizens signing up to speak at the public hearing, Mayor Pro tem English closed the public meeting at 7:45 p.m.

- 2. Conduct joint public hearing with the Planning and Zoning Commission on the Specific Use Permit Application of Owner Artisan American for the development of 76 units of affordable housing at 12505 Savile Lane, Jersey Village, Texas.**
Mayor Pro tem English opened the joint public hearing with the members of the Planning and Zoning Commission present at 7:46 p.m.

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Vernon Young, Specific Use Permit applicant and owner of Artisan American, was present.

Mayor Pro tem English explained that the purpose of the meeting was for the public to give comments on the Specific Use Permit Application of Owner Artisan American for the development of 76 units of affordable housing at 12505 Savile Lane, Jersey Village, Texas, and he called those individuals signing up to speak as follows:

Jim Fields, 16413 Saint Helier, Jersey Village, TX (713) 466-0804 – Mr. Fields told Council that Jersey Village cannot afford affordable housing. Our EMS, Volunteer Fire Department and Police are already stretched. He stated that these types of housing projects are better suited for larger cities, like Houston.

Ronald T. Templeton, 16022 Crawford, Jersey Village, TX (713) 466-5683 – Mr. Templeton is not in favor of the project because he believes that it will draw lower income families that will not be able to afford their property into this area.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, TX (713) 937-0408 – Mr. Maloy is not in favor of this project because he believes that this project would be a drain on the City's services.

Cindy Hillman, 16218 Congo Lane, Jersey Village, TX (281) 617-7895 – Ms. Hillman asked for a description of the project. **Vernon Young**, the applicant for the specific use permit, briefly explained the project. He explained what the project would look like upon completion. He also described the average resident. After Mr. Young's explanation, Ms. Hillman stated she was in favor of the project.

Jim Pulliam, 15713 Tenbury, Jersey Village, TX (713) 983-0932 – Mr. Pulliam asked Council to give consideration to the type of residents that will reside in the new housing and the demand that these residents will place on City services.

Dorothy Starkey, 16206 Saint Helier, Jersey Village, TX (713) 896-7911 – Ms. Starkey asked for a report from Fire Chief, Mark Bitz on the calls for service to the current facility during calendar year 2008. Chief Bitz stated that 87 calls were made during 2008 and 17 calls have been made so far during 2009.

Council engaged in discussion about the number of EMS calls, metro service, and transportation issues in general for the residents at the current facility. There was discussion on the current number of residents. Mr. Vernon explained the composition of the residency. He also explained the project and how he sees the project unfolding. He explained the typical resident.

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With no citizens signing up to speak at the public hearing, Mayor Pro tem English closed the public meeting at 8:00 p.m. and the Planning and Zoning Commission retired from the City Council meeting to conduct its posted meeting agenda.

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.

Jim Pulliam, 15713 Tenbury, Jersey Village, TX (713) 983-0932 – Mr. Pulliam told Council that he is not in favor of routing Jersey Meadows Drive into Rio Grande across from Koester Street. He is concerned about the destruction this path would take on the existing driving range at the Golf Course. He told Council that he would support routing Jersey Meadows Drive directly into Rio Grande or curving it south across the diversion channel, east of the golf course parking lot to intersect with Rio Grande Street at the existing entrance of the golf course.

Cindy Hillman, 16218 Congo Lane, Jersey Village, TX (281) 617-7895 – Ms. Hillman addressed Council about the ordinance requirements for in-ground lawn sprinklers. She also addressed the drainage problem in front of the church on Rio Grande.

Mark Maloy, 7803 Hamilton Circle, Jersey Village, TX (713) 937-0408 – Mr. Maloy voiced his concern about Council being about to get approval for large costly projects without getting citizen approval. He named the Jones Road Expansion Project as an area of concern. Mr. Maloy was also concerned about the re-alignment of Jersey Meadows Drive and how that project might affect the driving range at the golf course.

Jim Fields, 16413 Saint Helier, Jersey Village, TX (713) 466-0804 – Mr. Fields spoke to Council about code enforcement. He stated that there are two trees down at his home that cannot be seen from the street that he is having trouble getting neighbors to resolve.

CITY MANAGER'S REPORT

City Manager Castro presented specific information concerning the Standard & Poor's Rate Increase Report included under Item #1. He reviewed the report given by Standard & Poor's stating that the rating for Jersey Village went up two notches and is now at AA. Mr. Castro gave credit for the recent rate increase to Finance Director, Isabel Kato. He also stated that the financial policies that Council passed at the February 2009 meeting played a key role in getting this rate increase.

City Manger Castro explained that the Are You Ready Video will be distributed throughout the city by the end of March. The video, while promoted by the City of Houston, has good hurricane preparedness information. Residents are encouraged to review the video and be prepared. Mr. Castro also gave an update on the financial status of the city.

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Police Chief Wedemeyer introduced Javier Perez, a new officer added to the Jersey Village Police force.

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Standard & Poor's Rate Increase, 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. Capital Improvements Projects Report**
- 10. Code Enforcement Monthly Report**
- 11. Code Enforcement – Follow-Up to Citizen Comment**
- 12. 2008 Racial Profiling Report**
- 13. Introduction of Officer Javier Perez**
- 14. Are You Ready Video - Information for Emergencies**

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 of the Work Session Meeting held on February 16, 2009 and the Regular Session of the City Council Meeting held on February 16, 2009.**

Council Member Berube moved to approve the Consent Agenda as submitted. Council Member Wubbenhorst seconded the motion. The vote follows:

Ayes: Council Members Holden, Berube, Wubbenhorst, and Klein
Mayor Pro tem English

Nays: None

The motion carried.

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REGULAR AGENDA

1. Consider Ordinance No. 2009-11, allowing a budgetary amendment to the 2008-09 budget (Asset Forfeiture Fund).

Chief of Police, Charles Wedemeyer explained that the police department would like to purchase equipment and services from various businesses to install equipment on the D.A.R.E. truck as follows:

S.O.L. Graphics:	D.A.R.E. unit art work (computer time)	\$300.00
S.O.L. Graphics:	Striping and Graphics on D.A.R.E. unit	\$499.00
Fleet Safety Equip.:	Installation of lights/siren on D.A.R.E unit	\$575.00

The Chief explained that in order to purchase equipment from the Asset Forfeiture Fund, an Ordinance approving same is required.

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

Ayes: Council Members Holden, Berube, Wubbenhorst, and Klein
Mayor Pro tem English

Nays: None

The motion carried.

ORDINANCE NO. 2009-11

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING THE ASSET FORFEITURE FUND BUDGET OF SUCH CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009; AND PROVIDING FOR SEVERABILITY.

2. Consider on third and final reading for Ordinance No. 2008-35, granting a Franchise Agreement with CenterPoint Energy for the provision of electrical service.

Council engaged in discussion on this item concerning the matter that further research may be needed to understand the agreement and to see if a better agreement might be reached. City Attorney, Ken Wall explained that he had met with a concerned citizen on this matter and the results of that meeting had been summed up in a memo to Council. The memo was included in the Council packet for review.

Council further discussed the experience of Olson & Olson in terms of franchise law. Ken Wall, the City Attorney, and a member of the firm, stated that there was a high level of expertise on staff at Olson & Olson in this area of law. Council continued to discuss the issue and the benefits of getting a second opinion on the proposals being reviewed

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since the ultimate agreement will be in place for 30 years. With this in mind, discussion was had on the scope of work that would be included to secure a second opinion.

Mayor Pro tem moved to direct the City Manager to solicit proposals from experts in the area of utility franchise taxes for an opinion and recommendation on the proposed agreements, noting areas of possible improvements or risks, and in doing so within 30 day time frame that allows us to move forward definitively in the following Council Meeting. Council Member Holden seconded the motion. The vote follows:

Ayes: Council Members Holden, Berube, Wubbenhorst, and Klein
Mayor Pro tem English

Nays: None

The motion carried.

3. Receive an update from City Engineer, Frank Brooks on the Jersey Meadow road alignment.

City Engineer, Frank Brooks gave an update to Council regarding the Jersey Meadows Road alignment project. He told Council that he had met with Harris County in order to let them know about the City's interest in this project and to inform them of the discussions that took place during the last Council Meeting. The results of the meeting were that Harris County knows we are interested in the outcome of this project and that we are working closely with them on the alignment project.

4. Consider Resolution No. 2009-09, authorizing an agreement with Brooks & Sparks, Inc. relating to the addition of engineering services to the 2007 Street Bond Program for paving and drainage improvements to Honolulu Street.

City Engineer, Frank Brooks explained this item to Council. He began by telling Council that according to the SER contract, the City is limited by a value of 25% in change orders. As a result of this limitation and the costs involved in the repairs to Honolulu Street, Mr. Brooks recommends going out for bid on the Honolulu project and using the 25% change order work that is allowable under the contract for the repairs on North Tahoe.

Council Member Wubbenhorst moved to approve Resolution No. 2009-09 as submitted. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Holden, Berube, Wubbenhorst, and Klein
Mayor Pro tem English

Nays: None

The motion carried.

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RESOLUTION NO. 2009-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A CONTRACT WITH BROOKS AND SPARKS, INC. FOR ENGINEERING SERVICES RELATED TO THE ADDITION OF PAVING AND DRAINAGE IMPROVEMENTS TO THE 07-08 STREET BOND PROJECT FOR HONOLULU STREET.

5. **Consider Resolution No. 2009-10, authorizing an agreement with Brooks & Sparks, Inc. relating to the addition of engineering services to the 2007 Street Bond Program for paving and drainage improvements to North Tahoe Drive.**

With limited discussion on this item, Council Member Wubbenhorst moved to approve Resolution 2009-10 as submitted. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Holden, Berube, Wubbenhorst, and Klein
Mayor Pro tem English

Nays: None

The motion carried.

RESOLUTION NO. 2009-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING A CONTRACT WITH BROOKS AND SPARKS, INC. FOR ENGINEERING SERVICES RELATED TO THE ADDITION OF PAVING AND DRAINAGE IMPROVEMENTS TO THE 07-08 STREET BOND PROJECT FOR NORTH TAHOE DRIVE.

6. **Discuss with possible action the possibility of standardizing the speed limit to 25 mph for residential streets throughout the City.**

Council Member Berube explained the possibility of standardizing the speed limit to 25 mph for residential streets throughout the City. She has received a request that this standardization take place. The roads in question are Congo which is currently set at 30 mph, Senate which is set at 35 mph, and Jersey Drive which is set at 30 mph. She would like these streets to have the established speed of 25 mph.

City Manager Castro stated the established process for establishing speed zones on City Streets. The City Engineer, Frank Brooks, further explained to Council how speed zones are set and regulated by the City. He stated that a warrant study must be conducted which more often than not has nothing to do with speed. He stated that typically, site, safety and/or school designation is the reason a speed limit is reduced. As a result, Mr. Brooks explained that it will be difficult to get this reduction in speed at this time.

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Discussion was had about alternatives for reducing speeders such as additional stop signs, radar, and patrolling. Engineer Brooks cautioned that placing additional stop signs also requires a warrant study.

After further discussion, no action was taken on this item.

7. Discuss with possible action the removal of a member of any board or commission whose members are appointed by the city council if the member is absent from three consecutive or five non-consecutive meetings per two-year term in accordance with Sec. 2-37 of the Jersey Village Code of Ordinances.

Council Member Berube introduced this item. She explained how there has been an issue with attendance for advisory boards and that we have Sec. 2-37 to addresses non-attendance issues. Council Member Berube recommends that the attendance of advisory boards be researched to see if this section of the code is being followed. She mentioned that she believed that the Sec. 2-37 should only apply to advisory boards. She specifically stated that the Recreation and Events Committee, a non-advisory committee, not be held to this Section of the code because in addition to posted meetings, committee members must attend recreational events. Board Member Berube stated that advisory boards and committees are more important and attendance is necessary.

City Manager Castro stated that the attendance information for all of the City's boards and committees was included in the packet and is current.

Discussion was had on this issue. Consensus was that Section 2-37 should be implemented for advisory boards and committees but there was discussion on how to do this and who should notify the board and committee members of violations. City Attorney Wall suggested that the chairman of each board and/or committee be responsible for this task. He also advised that before a board or committee member could be removed there must be a public hearing and the member must be given notice.

After limited discussion on the matter, Council Member Berube moved that the City Secretary send a letter to any advisory board or commission member who is absent from three consecutive or five non-consecutive meetings per two-year term. The letter should state:

- (1) A public hearing has been scheduled for the member's removal;
- (2) Give the date, time and place of the public hearing; and
- (3) Ask if the member wishes to tender a resignation

Mayor Pro tem seconded the motion. The vote follows:

Ayes: Council Members Holden, Berube, Wubbenhorst, and Klein
Mayor Pro tem English

Nays: None

The motion carried.

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8. Consider Resolution No. 2009-11, authorizing an interlocal agreement with the Texas Department of Transportation (TXDOT) for the refusal of vehicle registrations due to delinquent accounts payable under the transportation code.

Finance Director, Isabel Kato explained that this is a Resolution for an interlocal agreement between the City of Jersey Village and the Texas Department of Transportation (TXDOT) to perform the services of flagging vehicles that are delinquent on the payments of the red light camera citations. These flags prohibit the vehicle owners from renewing their registration until the payments on the delinquent charges are received. TXDOT is granted the authority to perform this service under section 707.017 of the Texas Transportation Code.

Council engaged in limited discussion about the program, its process and how the list is updated. Council Member Holden moved to approve Resolution No. 2009-11 as submitted. Council Member Berube seconded the motion. The vote follows:

Ayes: Council Members Holden, Berube, Wubbenhorst, and Klein
Mayor Pro tem English

Nays: None

The motion carried.

RESOLUTION NO. 2009-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE REFUSAL OF VEHICLE REGISTRATIONS DUE TO DELINQUENT ACCOUNTS PAYABLE UNDER THE TRANSPORTATION CODE

9. Receive Golf Course Advisory Committee Report.

Council Member Klein gave the Golf Course Advisory Committee Report. A copy of the report was presented to each council member and is included as an attachment to these minutes and incorporated herein as Exhibit A.

Mayor Pro tem English called the next item out of order:

COUNCIL MEMBER COMMENTS

1. Comments regarding the Emergency Services awards banquet.

Mayor Pro tem English gave thanks to the Jersey Village Emergency Services volunteers and staff for their dedicated service to the City. He told everyone that he had attended the awards banquet and that there were many awards given and that he was thankful for the sacrifices that these individuals willingly make for the safety of our community.

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Mayor Pro tem English resumed the regular order of the agenda and called item number 10 as follows from the Regular Section of the Agenda:

10. Receive the Final Report from the City of Jersey Village Planning and Zoning Commission containing recommendations on proposed amendments to Section 14-5 and 14-88a of the City’s comprehensive zoning ordinance regulating the parking and storage of recreational vehicles, boats and similar items in zoning districts A, C and C-2.

Planning and Zoning Chairman, David Paul presented the Final Report to Council which contained the recommendations on the proposed amendments to Section 14-5 and 14-88a of the City’s comprehensive zoning ordinance regulating the parking and storage of recreational vehicles, boats and similar items in zoning districts A, C and C-2. A copy of the report is attached to these minutes and incorporated herein as Exhibit B, which outlines the details of the recommendation.

Chairman Paul told Council that the Final Report had been amended from the preliminary findings in order to conform to some of the comments made during the public hearing.

Council Member Holden moved to accept the Final Report from the City of Jersey Village Planning and Zoning Commission containing recommendations on proposed amendments to Section 14-5 and 14-88a of the City’s comprehensive zoning ordinance regulating the parking and storage of recreational vehicles, boats and similar items in zoning districts A, C and C-2. Mayor Pro tem English seconded the motion. The vote follows:

Ayes: Council Members Holden, Berube, Wubbenhorst, and Klein
Mayor Pro tem English

Nays: None

The motion carried.

11. Consider Ordinance No. 2009-12, amending the City’s Comprehensive Zoning Ordinance to regulate the parking and storage of recreational vehicles, boats, and similar items in zoning districts A, C, and C-2.

Discussion was had about the timing of this meeting. It was explained that the Planning and Zoning Commission had been meeting for many months discussing these changes and that our ordinances provide for a set process in making these changes. It was not planned that this meeting fall during Spring Break it just happened to fall during this time. There was discussion that it might be wise to delay the vote until next month for this reason.

There was also discussion about the comments made during the public hearing about democracy and that it might be a good idea to take these changes to the citizens of Jersey Village for a vote on the issue. Comments were received on the direction this Council is taking for the greater good of Jersey Village with these Code changes.

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The recreational vehicle issue has come up again and again without resolution. Discussion was had about how ordinance changes are not always supported by every citizen. The consensus of Council seemed to be that the issue should be put to a vote for the public to decide.

Mayor Pro tem English called for a motion on Resolution 2009-12. There was no motion made, but a consensus to have the Resolution brought back on next month's agenda for consideration along with an item for an understanding on what it would take for this Council to put this item to the public for a vote in a special election.

12. Receive the Final Report from the City of Jersey Village Planning and Zoning Commission containing recommendations on the Specific Use Permit Application of Owner Artisan American for the development of 76 units of affordable housing at 12505 Savile Lane, Jersey Village, Texas.

Planning and Zoning Chairman, David Paul presented the Final Report to Council which contained the recommendations on the Specific Use Permit Application of Owner Artisan American for the development of 76 units of affordable housing at 12505 Savile Lane, Jersey Village, Texas. A copy of the report is attached to these minutes and incorporated herein as Exhibit C, which outlines the details of the recommendation. Chairman Paul explained that after public comment and all the information before the Commission, the Commission recommends that the Specific Use Permit be denied.

Council engaged in discussion about the EMS calls and the statistics for same. Fire Chief, Mark Bitz reported that 12% of the City's calls last year were made to the Manor. Discussion was had by Council that 4% of the population accounts for 12% of the EMS calls.

Council Member Berube moved to accept the Final Report from the City of Jersey Village Planning and Zoning Commission containing recommendations on the Specific Use Permit Application of Owner Artisan American for the development of 76 units of affordable housing at 12505 Savile Lane, Jersey Village, Texas. Council Member Klein seconded the motion. The vote follows:

Ayes: Council Members Holden, Berube, Wubbenhorst, and Klein
Mayor Pro tem English

Nays: None

The motion carried.

13. Consider Ordinance No. 2009-13, granting a Specific Use Permit to Artisan American for the development of 76 units of affordable housing in zoning district G at 12505 Savile Lane, Jersey Village, Texas.

After receiving the Final Report from the Planning and Zoning Commission in the prior agenda item, Mayor Pro tem English called for a motion to approve Ordinance No. 2009-

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13, granting a Specific Use Permit to Artisan American for the development of 76 units of affordable housing in zoning district G at 12505 Savile Lane, Jersey Village, Texas.

Receiving no motion to approve this Ordinance, it failed with no action being taken and Mayor Pro Tem English called the next item on the agenda.

14. Consider Resolution No. 2009-12, supporting Artisan American on the proposed development of 76 units of affordable housing at 12505 Savile Lane, Jersey Village, Texas.

With no motion being received to approve Ordinance No. 2009-13, granting a Specific Use Permit to Artisan American for the development of 76 units of affordable housing in zoning district G at 12505 Savile Lane, Jersey Village, Texas, no action was taken on this item.

ADJOURN

There being no further business on the Agenda the meeting was adjourned at 10:00 p.m.

Lorri Coody, City Secretary