

# Minutes

City of Hudson Oaks  
Lakeshore Baptist Church  
200 South Lakeshore Drive  
Hudson Oaks, Texas 76087  
Regular City Council Meeting

**Thursday**  
**April 24, 2008**  
**7:00 p.m.**

## **Call to order/announce a quorum is present**

(Regular City Council meeting- 3 out of 5 council members present constitutes a quorum)

Meeting was called to order at **7:01** p.m.

Present were:	Mayor Pro-Tem	Tom Fitzpatrick
	Council Member	Tom Marquardt
	Council Member	Bill Young
	Council Member	Paula Wigley
Presiding was:	Mayor	Pat Deen
Absent was:	Council Member	Dan David

Staff:	City Administrator	Robert Hanna
	Asst. to City Administrator	Patrick Lawler
	City Secretary	Sheila Elmore
	City Attorney	Rob Allibon
	Captain	Brandon Mayberry

## **PLEDGE OF ALLEGIANCE**

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Lead by the Mayor

Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

There was no Texas flag present

## **A. HEARING OF CITIZENS AND ANNOUNCEMENTS**

Citizens expressed their concerns regarding the variance request from Devon Energy.

## **B. CONSENT AGENDA**

1. Approval of the Special City Council Meeting for March 24, 2008.
2. Approval of the Regular City Council Meeting Minutes for March 27, 2008.
3. Approval of the Special City Council Meeting Minutes for April 3, 2008
4. Approval of rescheduling the Regular May City Council Meeting from May 22, 2008 (Thursday) to May 20, 2008 (Tuesday) in order to canvass the May General Election.

**Council Member Marquardt made a motion to approve the consent agenda. Council Member Wigley seconded the motion all present voted “aye”. Motion carried 4-0**

## **C. OPERATIONAL REPORTS**

Mayor/City Administrator

- (1) Dash Board
- (2) Peter Morgan with George, Morgan & Sneed conducted the annual (FY 2007) audit (9 months)

Emergency Service District #3- no report

\*After reviewing staff reports, if you have any questions please contact the City Administrator.

## **D. PUBLIC HEARINGS**

### **1. Public Hearing:**

On request from Robert Beall for approval of General Commercial Zoning of proposed voluntary annexation property located on a 83.466 acre tract of land situated in and being a portion of the C.J. Eddleman Survey, Abstract No. 439, Parker County, Texas south of Interstate Highway 20 conveyed to John Guinn by deed recorded in Volume 1628, Page 985, Real Records, Parker County, Texas.

**Public Hearing** opened at **7:29** p.m. Robert Beall was present to answer any questions. There was no one present to speak against this request. **Public Hearing** closed at **7:38** p.m.

## **E. ITEMS FOR INDIVIDUAL CONSIDERATION**

1. Receive a report, hold a discussion, and provide staff direction/take action on a request from Robert Beall for approval of General Commercial Zoning of a 83.466 acre tract of land situated in and being a portion of the C.J. Eddleman Survey, Abstract No. 439,

Parker County, Texas south of Interstate Highway 20 conveyed to John Guinn by deed recorded in Volume 1628, Page 985, Real Records, Parker County, Texas.

**Council Member Wigley made a motion to approve the request from Robert Beall for General Commercial Zoning on a 83.466 acre tract of land situated in and being a portion of the C.J. Eddleman Survey, Abstract No. 439, Parker County, Texas. south of Interstate Highway 20 conveyed to John Guinn by deed recorded in Volume 1628, Page 985, Real Records, Parker County, Texas. Mayor Pro-Tem Fitzpatrick seconded the motion. All present voted “aye.” Motion carried 4-0**

2. Receive a report, hold a discussion, and provide staff direction/take action on adopting an ordinance annexing property on request from Robert Beall located on a 83.466 acre tract of land situated in and being a portion of the C.J. Eddleman Survey, Abstract No. 439, Parker County, Texas south of Interstate Highway 20 conveyed to John Guinn by deed recorded in Volume 1628, Page 985, Real Records, Parker County, Texas.

**Council Member Wigley made a motion to adopt Ordinance 2008-11, annexing property on request from Robert Beall located on a 83.466 acre tract of land situated in and being a portion of the C.J. Eddleman Survey, Abstract No. 439, Parker County, Texas south of Interstate Highway 20 conveyed to John Guinn by deed recorded in Volume 1628, Page 985, Real Records, Parker County, Texas. Council Member Marquardt seconded the motion. All present voted “aye”. Motion carried 4-0.**

3. Receive a report, hold a discussion and provide staff direction/take action on a request for a variance from Section 4.08.008(b) of the City of Hudson Oaks Code of Ordinances-well setback requirements from Devon Energy for the Hedrick-Coates #1H Well.

**Council Member Wigley made a motion to approve a request from Devon Energy for a variance (well setback) for the Hedrick-Coates #1H Well with conditions agreed to by Devon Energy. Council Member Young seconded the motion. Voting “aye” were Council Members Wigley, Young, Fitzpatrick. Voting “nay” was Council Member Marquardt. Motion carried 3-1.**

4. Receive a report, hold a discussion and provide staff direction/take action on approval of gas well permit application for Devon Energy

**Mayor Pro-Tem Fitzpatrick made a motion to approve a gas well permit for Devon Energy (Hedrick-Coates #1H Well). Council Member Wigley seconded the motion. Voting “aye” were Council Members Wigley, Young, Fitzpatrick. Voting “nay” was Council Member Marquardt. Motion carried 3-1.**

5. Receive a report, hold a discussion and provide staff direction/take action on the City of Hudson Oaks official newspaper of record

**Mayor Pro-Tem Fitzpatrick made a motion to make the Community News the City of Hudson Oaks official newspaper and the Democrat as alternate. Council Member Marquardt seconded the motion. Voting “aye” were Wigley, Fitzpatrick, &**

**Marquardt. Voting “nay” was Young. Motion carried 3-1.**

6. Receive a report, hold a discussion and provide staff direction/take action on establishing a residential sewer rate

**Mayor Pro-Tem Fitzpatrick made a motion to adopt Ordinance 2008-12, establishing a residential sewer rate being \$4.78 per thousand gallons and an \$18.00 base rate. Council Member Wigley seconded the motion. All present voted “aye”. Motion carried 4-0.**

7. Receive a report, hold a discussion and provide staff direction/take action on the five year financial plan

**Council Member Marquardt made a motion to approve the five year financial plan. Council Member Young seconded the motion. All present voted “aye”. Motion carried 4-0.**

8. Receive a report, hold a discussion and provide staff direction/take action on the trash and recycling survey

**There was no action taken on this item.** Staff will go out for bids.

9. Receive a report, hold a discussion and provide staff direction/take action on Board appointments for the Parker County Utility Board

**Council Member Wigley made a motion to appoint to the Parker County Utility Board Kelly Carta, David Vestal, & Jim Marsh. Council Member Young seconded the motion. All present voted “aye”. Motion carried 4-0.**

#### **F. EXECUTIVE SESSION**

Pursuant to Chapter 551, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting to receive legal advice from its attorney on any posted agenda item as permitted by law, or to discuss the following:

- a) Pending or contemplated litigation or to seek the advice of the City Attorney **pursuant to Section 551.071.**

**Adjourned** to Executive Session at **8:02** p.m.

1. Item E-3 (variance request from Devon Energy)
- b) Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072.
- c) Deliberation regarding gifts or donations to the City pursuant to Section 551.073.

- d) Personnel matters pursuant to Section 551.074 (to deliberate the appointment, employment, evaluation, reassignment or duties, discipline or dismissal of a public officer or employee).
- e) Deliberation regarding security pursuant to Section 551.076.
- f) Deliberation regarding economic development negotiations pursuant to Section 551.087.

**G. DISCUSSION/ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION**

Discussion/Action, if any, on items discussed in executive session.

See item E-3

**H. FUTURE ITEMS**

- 1. Permit fee for gas wells
- 2. Gas & oil well Ordinance
- 3. Emergency Sirens
- 4. Curfew Ordinance

**I. ADJOURNMENT**

**Council Member Marquardt made a motion to adjourn.** Meeting adjourned at **10:25** p.m.

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Pat Deen, Mayor

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Sheila Elmore, City Secretary