

**City of Woodcreek City Council Meeting**  
**July 11, 2018; 6:30 p.m.**  
**Woodcreek, Texas**

**Minutes**

1. **Call to Order:** Mayor Scheel called the meeting to order at 6:30 p.m.
2. **Invocation**
3. **Pledge of Allegiance**
  - A.) To the Flag of the United States of America
  - B.) To the Flag of the Great State of Texas
4. **Roll Call. Present:** Mayor William P. Scheel, Mayor Pro Tem Nancye Britner, Councilmember Jerry Moore, Councilmember Judy Brizendine, Councilmember Ray Don Tilley, City Manager Brenton B. Lewis, Director of Public Works Frank Wood, City Attorney Roger Gordon, City Clerk Barbara Grant. **Absent:** Councilmember Aurora LeBrun, Assistant Administrator Linda Land.
5. **Public Comments:** Linda Lang said she is very happy with the new road. She thanked the Council. Item 9)D Comments: Augusta Drive Residents: Monica Rasco, Jeff Rasco, Abigail Adams, Kae Cryar, Christina Weaver, Collin Weaver, Beau Cryar, Jules Dupree, Joe Branco, and Augusta Drive resident Layton Rasco, spoke in favor of closing the LaRocca Lane gate. Jules DuPry's written comments, in support of closing the gate, were delivered and read by Jeff Rasco.
6. **Citizen Communications:** There were no citizen communications.
7. **Report Items:**
  - A. Public Works Monthly Report (Director of Public Works Frank Wood)
  - B. Financial Report for April 2018 (City Manager Brenton Lewis) City Manager Lewis reported year-to-date revenues of \$512,980.00 and \$267,069.00 in expenditures.
  - C. City Manager's Monthly Public Report (City Manager Brenton Lewis)
8. **Consent Agenda: All the following items are considered self-explanatory by the Council and may be acted upon with one motion. There will be no separate discussion of these items unless a Councilmember or Citizen so requests. For a Citizen to request removal of an item from the Consent Agenda, a written request must be completed and submitted to the City Manager.**
  - A. Approval of the Minutes of the Council meeting of June, 2018
  - B. Approval of Financial Statements for June 2018

Councilmember Moore moved to accept the Consent Agenda as presented. The motion was seconded by Councilmember Tilley, which passed with a vote of 4-0-0.
9. **Regular Agenda**

**Mayor Scheel changed the order of the Agenda: Item 9. D follows:**

**Discussion and Take Appropriate Action on Ordinance No. 06-98 as it Relates to LaRocca Lane.** After discussion, Councilmember Moore moved to leave the LaRocca Lane gate open for the traffic count, and then bring the matter back to the September Council Meeting for a decision to close or leave open. The motion was seconded by Councilmember Brizendine. Councilmember Tilley spoke against the motion of leaving the gate open another day; that the gate should be closed as promised, that the open gate was temporary during the construction project; that undoing an ordinance in a single council meeting seemed hasty thing to do and stated he is completely against it. Councilmember Brizendine said she did not view it as undoing an ordinance, but rather doing more research and putting more facts together for the Council to make a decision. Mayor Pro Tem Britner concurred. The question of ownership of the lane was discussed, particularly the possibility that the Golf Course may be the owner. City Attorney Gordon said as a public street, the Council has absolute discretion whether to open or close it, and that the issue of ownership would be a very important component of any future determination. City Manager Lewis suggested that a survey should be ordered to find out whether it is on private property or public property. Councilmember Brizendine amended the motion to say that ownership needs to be clarified to see if the City has the right to open or close the gate. Councilmember Tilley repeated that we have an ordinance in place that has been followed for twelve years and a road project that has been completed. He added that, for what it's worth, he lives on Augusta Drive and was a major factor when he bought his house. Councilmember Moore asked to rescind his motion and revisit the issue at a future date. Mayor Scheel said that at this point we have no action. Councilmember Tilley made a substitute motion, that in keeping with the original stated reason for the opening of the gate attached to the construction project, and that the project is substantially complete, that the gate be closed in keeping with our ordinance, forthwith. Councilmember Moore seconded the motion. The vote was 2-2-0. Councilmember Tilley and Councilmember Moore voted Yea; Councilmember Brizendine and Mayor Pro Tem Britner voted Nay. City Attorney Gordon stated the Mayor could vote to change the outcome of the vote they needed to follow through. Mayor Pro Tem Britner changed her vote to Yea, changing the result to 3-1-0 to close the gate.

- A. Consider Ratifying the Decision of the City Manager on a Revision of a Site Development Permit Application from Camp Young Judaea, 5410 Bellaire Blvd., Suite 207, Bellaire, Texas 77401 to Change the Location of the Sports Pavilion at Camp Young Judaea in Woodcreek, Texas. Recommendation from Planning and Zoning Commission. Tabled from June 13, 2018 Meeting.** After discussion, Mayor Pro Tem Britner moved to table this item to the next meeting. The motion was seconded by Councilmember Brizendine, which passed with a vote of 4-0-0.
- B. Consider Change Order Request for the City of Woodcreek Brookhollow Road Improvements Project.** Curran Contractor representative Scott Hansen said the reason for the change order was the necessity to locate utilities. Grant Litschka said there were costs that were not anticipated.

**Council Recessed and Convened in Executive Session at 7:37 p.m.**

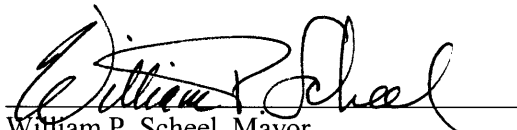
**Executive Session as Authorized by Section 551.071 for the purpose of legal consul.**

**Council Reconvened in Open Session at 7:54 p.m.**

After discussion, Councilmember Brizendine moved to authorize City Manager Lewis to negotiate a resolution to the problem. The motion was seconded by Councilmember Tilley, which passed with a vote of 4-0-0.

- C. Consider Authorizing Staff to Enter into an Agreement with ABIP, PC or Preparing the Audit of Financial Services for the City of Woodcreek** After discussion, Mayor Pro Tem Britner moved to authorize staff to negotiate a three-year agreement with ABIP for preparing an audit, on-site, presented to the Council. The motion was seconded by Councilmember Brizendine, which passed with a vote of 4-0-0.
- D. Discussion and Take Appropriate Action on Ordinance No. 06-98 as it Relates to LaRocca Lane.** This item was moved to the beginning of the Regular Agenda.
- E. Discussion and Appropriate Action on 2018-2019 Budget Calendar.** After discussion, August 2, 2018, 9:00 a.m. was selected as the date for the Budget Workshop.
- F. Discussion and Possible Action on Storage Facilities and Fence.** After discussion, Councilmember Moore moved to give the City Manager the authority to purchase the storage facility as discussed. The motion was seconded by Councilmember Brizendine, which passed with a vote of 3-1-0; Councilmember Tilley voted Nay.
- G. Discussion on 2017-2018 Brookhollow Drive Improvement Project.** Jones Carter Engineer Grant Litshka talked about the progress on guardrail installation on the low-water crossing and reason that concrete was only necessary on three down-sides of the crossing. He added that the project would not have final approval until vegetation is added. City Manager reported that he met with Frontier Communications regarding their areas needing repairs on Brookhollow Drive. Based on the meeting, Frontier engineers said they will be submitting new applications for the work.
- H. Executive Session – Pursuant to the Texas Gov’t Code Section 552.074 Evaluation, Compensation, and Employment Agreement of the City Manager Brenton B. Lewis.** The item was tabled because data was not available.

10. **Adjourn** There being no further business, Mayor Scheel adjourned the meeting at 8:35 p.m.

  
William P. Scheel, Mayor

  
Brenton B. Lewis, City Manager