

Minutes of Regular Meeting  
City of Weston Lakes, City Council Meeting  
Simonton City Hall, 35011 FM 1093, Simonton Texas 77476  
Tuesday, March 23, 2009  
6:00 pm

**1. Call to Order.** The meeting of the Weston Lakes City Council was called to order at 6 PM on the 23<sup>rd</sup> Day of March 2010 by Mayor Mary Rose Zdunkewicz. A quorum was present.

**Members Present:**

Mayor Mary Rose Zdunkewicz	Alderman Gary Owens	Kathy Nida
Alderman Clifton Aldrich	Marshal Ronald Horowitz	
Alderman Denis DeLuca	Alderman Trent Thomas	

**Members Absent:**

Alderman Ted Case

**Public Present:**

Fran Aldrich	Shannon Purcell	Alan McGaffin
Russell Beustring	Jean Stewart	
Pat Harris	Jack Stewart	

**2. Invocation and Pledge of Allegiance.** Alderman Trent Thomas led the Council in the Invocation and the Pledge of Allegiance.

**3. Public comments.** Mr. Alan McGaffin read a statement from the POA protesting city interference with the POA business. The statement was as follows:

“I am here tonight for the record to:

Dispute the city’s intervention, without knowledge of the POA to meet with the Texas Fish & Wildlife to discuss our Permit and work directly with the Department on whether a barrier was required or not for the Carp fish. The permit had already been authorized the day before the Alderman’s private meeting.

Statement: The Lakes of Weston Lakes are private and under the full control and maintenance of the Property Owner’s Association, which is mandated in the W.L. governing documents. The City of Weston Lakes has no authority over the lakes, as well as any POA controlled property and has overreached it’s authority by circumventing the POA and attempting to take control of the lakes and its ability to manage.

The City’s trend to interfere in the private matters of those within the City Limits are more aggressive actions than what was originally purported.

Thank you very much.”

Mr. McGaffin went on to say he had supporting documents to support his statements and the issue would be addressed at the POA meeting this Thursday night. Everyone is welcome to attend. Mayor Zdunkewicz stated that in the city’s defense, the city has no intention of taking over the lakes. The city knows the lakes belong to the POA. The City’s involvement was strictly about the Flood Plain permit. That issue has been resolved and the City has nothing to do with it anymore. The Mayor said she would like to set up a meeting with Mr. Marshal and with Mr. McGaffin and any POA members that want to meet to make it clear the city does not intend to get involved in POA business or the MUD business. We are all friends and neighbors and want to cooperate. The Mayor will

have the city liaison officer, Alderman DeLuca, attend the POA meeting. Mr. Beustring represents the POA at regular City Council meetings. She asked Mr. McGaffin to set up that meeting. If he thought the city engineer needed to be there, they would invite him. The Mayor emphasized that she is in charge of the health, safety and well-being of the citizens. If there had been a flood issue, the city would have to be involved. Mr. McGaffin said the complaint was not about the grate, it was about the city interference. In the POA's opinion, once Fish and Wildlife stated a grate was not required, the city should have no longer been involved. The Mayor interjected that Fish and Wildlife had never even been to Weston Lakes. Again, the Mayor stated the City has no intention of being involved in POA business, but if something does require the City's attention she hopes that the POA will cooperate with the City. Mr. McGaffin conceded everyone would like to work together. He also wished the POA had been included in the city's private meeting held with Wildlife and Fisheries. The Mayor stated she gives the orders and Mr. Aldrich was simply following her directives. She is always available to take calls with any of the POA's concerns. The Mayor thanked Mr. McGaffin for attending the meeting and his comments.

Mr. Beustring pointed out the major concern Mr. McGaffin had was he did not want to use the general welfare and protection clause as a wedge to create a great bureaucracy. Just wants to make sure everyone is on the same page and everyone works together with the understanding that there may be some overlapping of duties and responsibilities.

Alderman Trent Thomas stated the city tries to conduct its business publicly and make sure it does not run afoul of some law or regulation which by definition must run through the city. Getting a permit from Fisheries to put fish in the lake is one issue, but there may be other attended issues that need to be addressed. It is prudent and reasonable for the city to look into those kinds of things. As for the POA's part, the POA may have done things in private that we (the members of the POA) were not aware of. The city is simply trying to stay on course.

The Mayor reiterated her gratitude for everyone's comments and stated again that the City did not intend to get involved in POA's problems. Mr. Pat Harris said he is in charge of the lakes. It is a "done" issue now, but maybe there could be some clarification on some issues. Again the Mayor said the City position was clear; they will not get involved in POA business. He also said the fish would be released into the lake at 8 a.m. WED morning.

Mr. McGaffin said he appreciated the Mayor's comments because they did not know that before he made his statement that the City does acknowledge the POA's control of the lakes. Alderman DeLuca stated he ran into Mr. Marshal at the Club and it was obvious there was some tension over this issue. As the liaison for the City, he suggested to Mr. Marshal that before issues become problems, they should sit down over a glass of ice tea and discuss them. Everyone wants what is best for Weston Lakes. Mr. DeLuca made it clear the members of the council do not want the job of the POA. That is not what the council was elected to do. He also stated he appreciated what the members of the POA do for the community.

Alderman Aldrich mentioned that since Mr. Harris pointed out he was in charge of the lakes, that conversations had been ongoing with him about the grates and about the permit. It was made clear that the city's sole involvement in the lakes was simply that in accordance with the City ordinance passed last year, any obstruction or impediment of the drainage way required a flood plain permit. Mr. Aldrich also acknowledged the lakes are owned by the club and maintained by the POA. Mr. Harris said he told Mr. Marshall and Mr. McGaffin it was important to talk to Mr. Aldrich and keep an open dialog.

**4. Approval of Minutes.** *A motion was made by Alderman Denis DeLuca to accept the minutes as written; seconded by Alderman Cliff Aldrich. The motion was passed.*

#### **5. Mayor's Comments.**

- a) 2010 Census Report: Please fill out and return your census and remember to put "Weston Lakes" as their city of residence to assure any eligible funds will be designated to Weston Lakes.

- b) Fort Bend County Subsidence District will hold a public hearing at George Memorial Library in Richmond on March 31<sup>st</sup>. Anyone is welcome to attend.
- c) State Appliance Rebate Program is being offered during April. More information is available on the website at [www.secostimlus.org/rebate](http://www.secostimlus.org/rebate)

## 6. Finance

- a) Treasurer's Report.

*A motion was made by Alderman Gary Owens to approve the Financial Report for February; seconded by Alderman Trent Thomas. The motion passed.*

## 7. EDC Membership presented by Alderman Denis DeLuca

Mr. DeLuca has been a voting member of the Fort Bend Economic Development Council for about 10 years. As a member, Weston Lakes would be able to cooperate with other cities. The annual meeting discusses regional development. Membership provides a lot of information as well as discounts to maps and studies. When FM 1093 was resurfaced, the city was able to find out what was happening before it happened. The extended turning lane could have cost the city an additional \$30,000. The city would also be able to participate in programs offered by other cities that could ultimately benefit the city of Weston Lakes.

*A motion was made by Alderman Denis DeLuca to join the Fort Bend Economic Development Council; seconded by Alderman Cliff Aldrich. The motion passed.*

Alderman Trent Thomas said he was originally going to vote against the membership, but Alderman DeLuca's presentation showed him the benefits of the membership. Alderman Aldrich pointed out many members of the board include elected officials including the county judge.

## 8. ADOPT-A-HIGHWAY reported by Alderman Denis DeLuca

In April Alderman DeLuca reported that the City will participate in a state wide TEXAS TRASH OFF with the Adopt-A-Highway event. Volunteers are always needed. Mr. McGaffin offered the assistance of Boy Scout Troop 941. Everyone will meet in the parking lot of the sales center at 8 a.m.

## 9. Emergency Preparedness Update reported by Alderman Cliff Aldrich

- a. CERT Training was held March 12-14. 23 people attended the training from Weston Lakes, Simonton, Katy and Richmond.
- b. In April, those that attended CERT training will participate in a mock drill going door-to-door looking for people with special needs that would require special attention during an emergency. On May 5<sup>th</sup> there will be a state-wide EOC event. The EOC will be activated and will run a 4-hour drill of possible scenarios that could happen during that time working in tandem with other EOCs earning the city "points" for their participation. In June there will be a full EOC exercise with all people on the EOC committee. On June 25<sup>th</sup>.
- c. Alderman Aldrich did a presentation to the Weston Lakes Women's Club. A copy of his presentation was given to members of the council. The city has 45 people that have volunteered to work in an emergency.
  - i. Mr. McGaffin mentioned that the POA was working on a new directory. He wanted to know if they could share the updated city information. Alderman Aldrich said yes, that would not be a problem. Mr. Buestring said they were working on a central real time phone list to be used in emergency situations by the city, the country club and the POA. The City will be using Calling Post to notify citizens in emergencies.

**10. Discuss possible action to place carp or infrastructure in Pecan Lake.** Because this issue was discussed in detail during Public Comments, the Mayor moved on to item 11.

**11. Salary increase for secretary.** Mayor Zdunkewicz noted the 3 classes that the secretary has attended and the good job she has done for the city.

*A motion was made by Alderman Trent Thomas to raise the city secretary's salary a dollar an hour to \$13.50 an hour; seconded by Alderman Gary Owens. The motion passed.*

**12. Adjournment.** *A motion was made by Alderman Trent Thomas to adjourn and was seconded by Alderman Denis DeLuca. The motion passed.*

The meeting adjourned at 6:45 p.m.

Mary Rose Zdunkewicz  
Mayor, City of Weston Lakes

Attest:

Kathy Nida  
City Secretary