

# The City of Hilshire Village

Regular Council Meeting October 18, 2011  
TUESDAY, October 18, 2011  
PUBLIC HEARING & REGULAR COUNCIL MEETING 6:00 P.M.

1. CALL TO ORDER: Mayor Robin Border called the City of Hilshire Village Council Meeting to order at 6:07 P.M. at 8301 Westview, Houston, Texas 77055.

1.1 Invocation: was given by Council Member Post.

1.2 Present: were Mayor Robin Border, Mayor Pro Tem Connie Castro and Council Members Shannon Whiting, Stephanie Post, Bill Bristow and Edward Davis. Also present were Chief Gary Finkelman, Spring Valley Police Department and City Attorney, David Olson. Efrain Him, P.E., HDR/Claunch & Miller, Inc., was absent.

2. REPORTS TO COUNCIL:

2.1 Police: Chief Finkelman said there were two (2) motor vehicles (buses) burglarized on Terrance Methodist property in September. He stated there was one credit card theft in September and one in October in which both were stolen while work was being performed in the house.

The Council Meeting was recessed at 6:11 P.M.

3. PUBLIC HEARING: Review of the proposed FYE 2012 Budget and hear public comments thereon. Mayor Border went line by line over the budget. He asked for comments as he went through the budget. Mayor Border said the tax rate the Council would be voting on was \$0.035 lower than the year before. Mr. Farris asked if the City of Houston was involved in the grant from FEMA. Mayor Border answered "No". FEMA was funding \$3,000,000 and the City of Hilshire Village was funding \$1,000,000.

The Public Hearing was closed at 6:39 P.M.

The Council Meeting was reconvened at 6:40 P.M.

4. CITIZENS COMMENTS:

Robert Wolf, 1205 Pine Chase, said there were three (3) dead trees at 1209 Pine Chase that were harboring wild animals and could fall in the City's drainage ditch or on his house. He wanted to know why the City had not made the owners remove the dead

trees.

Don DeTata, 1314 Bridle Spur Lane, said in 2007 his lawyer advised him that Bridle Spur was a public Right-Of-Way due to the long term use by the public of Bridal Spur Lane. He said it had been used for more than 50 years. Mr. De Tata asked when Bridle

Spur was developed. He referred to Texas Code Jur. 3rd Title Book 30, page 61 and 83.

Mr. De Tata said “per these codes Bridle Spur Lane had been used for public use for over 50 years therefore it constitutes a completed dedication”.

Grady Farris, 1138 Glourie, provided a picture of the dead trees at 1209 Pine Chase and stated as usual the City treated him different than other residents. He stated he received a certified letter when he had a dead tree in his yard. Mr. Farris said all residents should be treated the same. He also stated that 1134 Glourie culverts do not drain properly and the City has not addressed the issue.

Mayor Border said he walks or drives through the Village daily and he has never seen these trees. Mr. Wolf said the trees are not visible from the street. Mayor Border said the City does not normally get involved unless it affects the City’s ROW or drainage. Mayor Pro Tem Castro asked when this issue had been reported to the City. Mr. Wolfe said he had not reported the issue to the City Office. Council stated the City could not address an issue it did not know about.

3.2 Engineer’s Report: City Secretary Blevins stated the City Engineer was absent due to illness. She reported that Efrain had submitted the quarterly report to the Texas Department of Public Safety for the Pine Chase/Glourie Drive Drainage Grant.

City Secretary Blevins said that Efrain had awarded the contract to Don Mar Grading and held the pre-construction meeting for the Pine Chase/Glourie Drainage Improvements under the Texas Department of Rural Affairs Program.

City Secretary Blevins said Efrain had filed for the reimbursement of expenses for the air conditioning units under the U. S. Department of Energy, the SECO Grant.

City Secretary Blevins said Efrain had reviewed and rejected the drainage plans for 1209

Pine Chase and 8201 Westview. He had approved the drainage plans for 1211 Pine Chase swimming pool addition. Efrain also met with the homeowner at 1115 Glourie regarding the requirements of a drainage plan. Council Member Whiting asked why there were so many drainage plans being rejected. City Secretary Blevins said the drainage guidelines were given to the residents or contractors but they were not following the requirements.

City Secretary Blevins said the City Engineer did not recommend allowing booster

pumps to be installed.

## 6. DISCUSSION ITEMS:

6.1 Bridle Spur zoning issues: David Olson said the topic came up when a resident had requested a letter be written to their mortgage company stating that if the street was dedicated it would not cause any zoning issues. He said that all the houses in Bridle Spur were non-conforming because of the setbacks. David Olson said it needed to be treated like a Specific Use Permit with a Public Hearing. Mayor Border did not feel there would be any problems with re-zoning this subdivision.

## 7. ACTION ITEMS (CONSIDERATION AND POSSIBLE ACTION):

7.1 A motion was made by Council Member Davis to approve Ordinance # 665 adopting the City of Hilshire Village Texas Budget for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012; making appropriations for the City for such year as reflected in said budget and establishing the procedure for intra-budget transfers, seconded by Mayor Pro Tem Castro. A vote was taken to approve the motion adopting Ordinance # 665 of the City of Hilshire Village Texas Budget for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012; making appropriations for the City for such year as reflected in said budget and establishing the procedure for intra-budget transfers. The vote passed unanimously.

7.2 A motion was made by Mayor Pro Tem Castro to approve a component of the tax rate in the amount of \$0.475422/\$100 of valuation for the purpose of funding the maintenance and operation expenditures of the City for the next fiscal year, seconded by Council Member Whiting. A vote was taken to approve the motion approving a component of the tax rate in the amount of \$0.475422/\$100 of valuation for the purpose of funding the maintenance and operation expenditures of the City for the next fiscal year. The vote passed unanimously.

7.3 A motion was made by Mayor Pro Tem Castro to approve a component of the tax rate in the amount of \$0.129640/\$100 of valuation for the purpose of paying the accruing interest and to provide a sinking fund for payment of the indebtedness of the City for the next fiscal year, seconded by Council Member Davis. A vote was taken to approve the motion approving a component of the tax rate in the amount of \$0.129640/\$100 of valuation for the purpose of paying the accruing interest and to provide a sinking fund for payment of the indebtedness of the City for the next fiscal year. The vote passed unanimously.

Mayor Border said that Council has had several workshops, meetings and a public hearing to discuss each one of the budget and tax components.

7.4 A motion was made by Council Member Post to approve Ordinance No. 664 providing for the levy and collection of Ad Valorem taxes of the City of Hilshire Village, Texas for the year 2011: providing for two components to the proposed tax rate, consisting of a tax rate of \$0.129640 cents on each one hundred dollars of valuation for the purpose of paying the accruing interest and to provide a sinking fund for payment of the indebtedness of the City and a tax rate of \$0.475422 cents on each one hundred dollars of valuation for the purpose of funding the maintenance and operation expenditures; providing for the date on which such taxes shall be due and payable; providing for penalty and interest on all taxes not timely paid; repealing all ordinance or parts of ordinances inconsistent or in conflict herewith and providing for severability, seconded by Council Member Davis. Council Member Bristow asked what the difference between the two motions was. David Olson explained that the tax code requires the City to approve the Maintenance and Operations and the Indebtedness tax under a separate motion. A vote was taken to approve the motion approving Ordinance No. 664 providing for the levy and collection of Ad Valorem taxes of the City of Hilshire Village, Texas for the year 2011: providing for two components to the proposed tax rate, consisting of a tax rate of \$0.129640 cents on each one hundred dollars of valuation for the purpose of paying the accruing interest and to provide a sinking fund for payment of the indebtedness of the City and a tax rate of \$0.475422 cents on each one hundred dollars of valuation for the purpose of funding the maintenance and operation expenditures; providing for the date on which such taxes shall be due and payable; providing for penalty and interest on all taxes not timely paid; repealing all ordinance or parts of ordinances inconsistent or in conflict herewith and providing for severability. The vote passed unanimously.

7.5 A motion was made by Council Member Whiting to approve Ordinance No. 666 amending the City of Hilshire Village, Texas, Ordinance Number 650 passed and approved October 19, 2010, same being an ordinance approving and adopting the City's General Budget for Fiscal Year Ending 2011, by approving "Budget Amendment No. 1" to the "Original General Budget of the City of Hilshire Village, Texas, for the Fiscal Year Ending 2011"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability and providing other matters related to the subject, seconded by Council Member Davis. City Secretary Blevins stated this procedure is done to balance the budget at year end. She also stated after the audit the City would most likely be doing another amendment. A vote was taken to approve the motion approving Ordinance No. 666 amending the City of Hilshire Village, Texas, Ordinance Number 650 passed and approved October 19, 2010, same being an ordinance approving and adopting the City's General Budget for Fiscal Year Ending 2011, by approving "Budget Amendment No. 1" to the "Original General Budget of the City of Hilshire Village, Texas for the Fiscal Year Ending 2011"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability and providing other matters related to the subject. The vote passed

unanimously.

#### 7.6 CLOSED EXECUTIVE SESSION: NONE

The City Attorney was excused at this time.

#### 8. REPORTS TO COUNCIL:

8.1 Water Conservation Update: City Secretary Blevins said there were 61 violations of the Mandatory Water Conservation Ordinance. Of these reports 51 came from the Spring Valley Police Department while 10 came from residents.

8.2 Fire Commissioner: Mayor Border said the Fire Department replaced the dispatcher that had resigned. They also hired a new firefighter. Mayor Border said Captain Daily will retire at year end and he has begun "burning" his leave time. He said they will be purchasing a new ambulance and will replace the current ten year old cardiac equipment. The Mayor said that the Commissioners approved a \$6500 one-time lump sum salary increase for Chief Foster and henceforth he will be considered for pay rates at budget time. The next meeting will be December 14, 2011.

8.3 Building: City Secretary Blevins reported that there were three (3) permits issued for the month of September consisting of one new construction, one demo and one plumbing. She reported twenty-six (26) inspections for the month of September. Joe Garrett reviewed plan checks for new homes at 1209 Pine Chase and 8201 Mallie Court. He also reviewed plan checks for swimming pools at 8201 Westview and 1211 Pine Chase. Council Member Bristow said he had concerns with the property 8201 Mallie Court in regards to the drainage. Mayor Border said there were no support issues in the drainage easement. Mayor Border said that if Council Member Bristow knew of a violation of the ordinances he needed to bring them to the attention of the City Office prior to the house being built.

8.4 City Secretary: City Secretary Blevins reported that she and the Mayor attended the TML Exhibit Hall. She said they had an interesting conversation with Municipal Code Corporation and they did pick up material on street signs. City Secretary Blevins said that Severn Trent would be addressing the outstanding leaks next week. She also reported that Severn Trent would be making the minor repairs to the street as Council requested.

8.5 Treasurer's Report: City Secretary Blevins submitted the Fourth Quarter Investment Fund Report to Council. She stated the financials were preliminary to the year-end audit.

#### 9. REPORTS TO COUNCIL:

9.1 Mayor and Council:

Mayor – NONE

Council Member Whiting – NONE

10. CONSENT AGENDA: A motion was made by Council Member Davis to accept the Consent Agenda as presented, seconded by Council Member Whiting. A vote was taken to approve the motion approving the Consent Agenda including disbursement of invoices and approving the Minutes from the Special Council Meeting of September 27, 2011, approving the Minutes from the Regular Council meeting of September 20, 2011, approving the Minutes from the Special Council Meeting of September 15, 2011, approving the Minutes from the Special Council Meeting of September 12, 2011 and approving the Minutes from the Special Council Meeting of October 6, 2011. The vote passed unanimously.

11. ADDITIONAL CITIZENS COMMENTS:

Alan Wolfe, 1314 Pine Chase, said he attended a continuing education program in which the discussion was on trees. He said an injury to a tree was for life, that a tree departmentalizes its cells and blocks off the damaged area. Mr. Wolfe stated that when a tree drops its leaves it is a good thing but now the trees are holding on to their leaves due to the drought. He also said that piling up mulch around the tree is not good for the tree. Mr. Wolfe said that ideally the trees should be watered at night time and watering should be at the feeder roots not around the trunk.

12. ANNOUNCEMENTS: Mayor Border asked Council to review the information he passed out on elections prior to the next meeting.

13. ADJOURNMENT: Council Member Davis moved to adjourn, seconded by Council Member Whiting. A vote was taken to approve the motion to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 7:53 P.M.

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Robin S. Border, Mayor  
ATTEST:

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Susan Blevins, City Secretary