

The City of Hilshire Village

TUESDAY, March 18, 2014
REGULAR COUNCIL MEETING
6:30 P.M.

1. CALL TO ORDER: Mayor Whiting called the City of Hilshire Village Council Meeting to order at 6:30 P.M. at 8301 Westview, Houston, Texas 77055.

1.1 Invocation: was given by Mayor Whiting.

1.2 Pledge of Allegiance:

1.3 Present: were Mayor Shannon Whiting, Mayor Pro Tem Stephanie Post and Council Members Connie Castro, Edward Davis, Paul Maddock and David Gunn. Also present were City Secretary Susan Blevins; Chief Gary Finkelman, Spring Valley Police Department; City Engineer Efrain Him, P.E., HDR/Claunch & Miller, Inc. and City Attorney David Olson, Olson & Olson.

2. CITIZENS COMMENTS: Bob Conklin, # 14 Hilshire Grove Lane – stated he came to celebrate the wonderful form of government we have in our City and the ethics that all have shown since the start of the City in 1955. He believes it shows in the quality of houses and the people buying new houses in the City because they want to live here. Mr. Conklin thanked the Council for volunteering and for listening to the residents.

3. COUNCIL COMMENTS: None

4. REPORTS TO COUNCIL:

4.1 Police Report: Chief Finkelman stated he addressed concerns made by several residents to City Secretary Blevins regarding an incident that had supposedly happened in Spring Valley. He said the concerns were based on bad information a resident had gotten. The incident they were referring to was on February 2, 2014 around the Spring Woods High School, outside of Spring Valley.

As for other activity, in February, the police had a call of a suspicious vehicle on Hickory Shadows and found the driver to have an outstanding felony theft warrant out so he was arrested. There was also an incident with two brothers fighting over a girl and both received tickets.

In March, there was a car burglary on the 2nd on Glourie where two cars in the same driveway were broken into. One was unlocked and the other had the window broken out. The only things stolen were some sunglasses, a camera and some loose change. On March 9th, one of the officers noticed a girl on Westview, with a couple of backpacks, crying so he stopped. She had been reported as a run-away by her parents. She was taken to the station to await her father.

5. DISCUSSION:

5.1 Hilshire Village Cultural Education Financial Finance Corporation – First Southwest – Joe Morrow: Mayor Whiting indicated that the HVCEFFC is a conduit

fund whereby private entities that would not normally be able to take advantage of public funding use the City's borrowing capacity to borrow public funds. The City is allocated a certain amount per year that it can access. There is no risk and the City receives a fee for the service. The HVCEFFC has participated in two transactions before. It is a way to generate some revenue. The City needs to select a new board as they are supposed to be elected every two years.

Joe Morrow with First Southwest introduced Drew Masterson who is the Manager of the Houston office but is representing St. Francis Episcopal Day School tonight as is Mr. Vance Ulsh.

Mr. Masterson indicated that they had a number of banks looking over the proposal and expected bids in the next week. After the bid, they would then come to HVCEFFC Board for approval of financing and then they would close in thirty days. He then introduced Mr. Ulsh who indicated that the school had acquired twenty-three (23) acres two (2) years ago and the school board wants to build a new primary school and an athletic facility on the property. They are currently using other schools and churches to cover all the activities they have for their primary and middle school students as their facilities are not adequate at present. The land is on Fondren.

Mayor Whiting stated the Board of HVCEFFC would approve the project and then Council would also have to approve. There may be a special meeting to approve the new Board. The last times the City participated it made around a \$40,000.00 fee which was used on capital improvement work such as the landscaping on the Ridgeley project. It is not used for City operating expenses.

Council Member Maddock wanted to confirm the City had no liability. City Attorney, David Olson said St. Francis would be on the hook if there was a default. Mayor Whiting said the City would pay for insurance for extra indemnity.

5.2 Wirt Road Subdivision – Schwab Design Builders Presentation: Mr. Schwab indicated the area in question is rather isolated from the main part of the City and the road would be accessed from Wirt through the Mennonite Church parking lot. He is proposing 8,000 sq. ft. lots against the current residences and twelve 6,000 sq. ft. lots with fifteen (15) foot setbacks on the front and back, twenty (20) ft. setbacks for garages and ten (10) ft. setbacks for the sides along with green space areas. The streets would be concrete.

Mayor Whiting thanked Mr. Schwab for his listening to Council and making changes. Mr. Schwab stated his option to buy runs out on May 15, 2014. Mayor Whiting said the public hearing would have to be prior to the April Council meeting.

Mr. Schwab said his intentions were to bring water to the subdivision from the City of Houston with a master meter going into the subdivision. The City of Hilshire Village would bill the residents.

Council Member Castro asked if this was still being viewed as a gated community. This would then be a private street and the City does not allow such a street by ordinance.

Council Member Davis asked if the Fire Department had been shown the plan.

The Mayor indicated that the Fire Department is fine with the layout and the area would probably need three hydrants.

Mayor Pro Tem Post indicated that this subdivision would set a precedent for future building and residents have indicated that they would like the setbacks to stay as they are.

Council Member Maddock asked about the gated community and if it was a deal breaker. Mr. Schwab indicated that it was a good selling point and helps deter home invasions. Council Member Maddock stated the HOA would then be responsible for the street repair. He also wanted to know about access for police, fire and other emergency vehicles. Mayor Whiting stated emergency vehicles are equipped to access the gate. Council Member Davis reminded Council that the City would not have to maintain the roads if it was private. Mayor Whiting indicated the City has Metro funds to maintain the roads and the funds were available until 2024.

The Mayor indicated that she would like the water to come through an interconnection with the City of Houston so that the rest of the City could benefit with better water pressure.

City Attorney Olson pointed out that it is probable that in future years, if the HOA had maintenance of the infrastructure and road, the HOA would lapse or not have enough money to cover the cost of replacement or repair and come to the City to take over. Council then discussed the property draining into storm sewers to the City of Houston. City Engineer, Efrain Him, said the conversations with the City of Houston were only about water and not drainage. He stated he was in the process of setting an appointment with the City of Houston for further discussion.

City Attorney Olson stated the City cannot enforce Home Owner Association rules or regulations and the City cannot keep funds for an HOA if it is a private street.

Council Member Gunn asked what the difference of this proposal was from the development of Creekside in the City of Spring Valley. Mr. Schwab answered the lot sizes for Creekside ranged from 3,600 sq. ft. to 9,000 sq. ft.

Mayor Whiting indicated that Mr. Schwab and Council were trying to adhere close to the same look and feel as Hilshire Grove. Mr. Schwab indicates ten to twelve houses is the point at which cost is effective in order to make buying the land economically feasible. Mayor Whiting stated there would be a public hearing for all residents to voice their concerns. She indicated she would like to see more "air" by using eight foot side setbacks. Mayor Whiting said the plat application would need to be approved in April. The City could either make a pad or create a new zone if they chose to. Mayor Pro Tem Post said she would like to see what the area would look like under the current zoning. Mr. Schwab indicated that he cannot do anything with the current zoning that makes economic sense.

Council Member Davis stated the zoning on Wirt Road was done early in the City's history. We have less and less land that can be used for building.

Bob Conklin, # 14 Hilshire Grove, stated that he felt the police records should be looked at over the last years on Hilshire Grove Ln. and considered the safety of the citizens as well as the police and fire departments. There is no cut in the median on Wirt Road at the proposed street site.

5.3 8381 Westview – Purchase and Redevelopment – Finial Group

Mike Seperandio with the Finial Group stated he currently has a contract with the Ya

Darm Presbyterian Church. He stated the Finial Group is a real estate development firm. Mr. Seerandio stated they do not intend to rebuild at this time, that they are looking to renovate the building, give it a face lift, occupy the second floor and find some tenants for the first floor. He stated they have read the zoning ordinances and think most of the business they would be renting to would meet the City's ordinances. Hopefully, by June they will have some renderings to show what they plan to do. Mr. Seerandio said he would like to have some type of café.

5.4 Zoning Amendment Committee updates – Council Member Gunn stated that he was having trouble finding a consulting company that would take on the City's zoning problems because the scale was too small. He stated that Kim Mickelson with Olson and Olson would be able to assist if the City would like. David Olson stated that Kim Mickelson was an attorney for Olson and Olson and she also teaches a class on planning. He stated the firm has a paralegal that also has a Masters in Planning and between the two of them they would be able to assist the City with these issues. Kim Mickelson said there was great opportunity for the City to explore the issues of redevelopment. She said they would identify what she thinks the City's issues are and she would come up with a scope of work and a cost estimate.

6. REPORTS TO COUNCIL:

6.1 Engineers Report: Efrain Him reported, in regard to the Texas Department of Public Safety/Governor's Division of Emergency Management (DEM), Hurricane Ike Hazard Mitigation Grant Program (HMGP), that the contractor has corrected all the Substantial Completion Punch List items with the exception of the identified deficient asphalt pavement areas and the asphalt walkway to the Holy Cross Lutheran Church. He stated the asphalt work will be corrected this summer when the weather conditions are more favorable. Efrain stated the Final inspection is scheduled for tomorrow. He stated he anticipated the close-out package should be completed and presented at the April 2014 Council meeting.

Street Signs Replacement Project – Efrain stated as soon as he has the final City logo he will have a sample sign made.

1122 Guinea Drive Drainage Plan has been reviewed and the City will be issuing a Conditional Certificate of Occupancy and the contractor will re-submit a final As-Built survey when the pool and landscaping is completed.

Efrain stated he had reviewed drainage plans for 1331 Friarcreek Lane and 1313 Ridgeley and both plans are being rejected.

7. ACTION ITEMS:

7.1 Council Member Castro made a motion to authorize HDR engineering services, associated with Pine Creek and Bridle Spur Lane's reconstruction project, seconded by Council Member Maddock. Efrain reported that he has presented Council with a detail report on the services that will be needed and has included individual breakdown of each phase. He said the subcontractor cost will be billed at the subcontract invoice cost plus 10%.

The proposed Pine Creek Subdivision improvements include the abandonment of the existing two (2)" water lines and valves, installation of approximately 1,500 LF of eight 8" water line, installation of fire hydrants and valves, installation of a water meter, backflow

preventer assembly and interconnect with the City of Houston, rehabilitation of approximately 1,500 LF of existing eight (8)" sanitary sewers, rehabilitation of sanitary sewer manholes, transfer and reconnection of approximately twenty-five (25) water and sanitary sewer services to the new lines , associated appurtenances and reconstruction of approximately 1,300 LF of 20-ft wide asphalt roadway and associated drainage system.

The proposed Bridle Spur Subdivision improvements include the abandonment of the existing 2-in water lines and valves, installation of approximately 600 LF of 8-inch sanitary sewers, rehabilitation of sanitary sewer manholes, transfer and reconnection of approximately ten (10) water and sanitary sewer services to the new lines, associated appurtenances and reconstruction of approximately 625 LF OF 30-ft wide asphalt roadway and associated drainage system.

For the purposes of this proposal, it is assumed that the paving, drainage, and utility improvements within the Pine Creek and Bridle Spur Subdivision will be designed and built as one project with an estimated construction cost of \$1,135,000.00

A vote was taken to approve the motion authorizing HDR's engineering services associated with Pine Creek and Bridle Spur Lane's reconstruction project. The passed unanimously.

7.2 Council Member Gunn made a motion to authorize payment of HDR invoice for Professional Engineering Services provided to the City for the Pine Chase and Glourie Utility, Drainage and Paving Improvements Project, Invoice # 28 in the amount of \$2,798.39, seconded by Council Member Maddock. A vote was taken to approve the motion authorizing payment of HDR invoice for Professional Engineering Services provided to the City for the Pine Chase and Glourie Utility, Drainage and Paving Improvements Project, Invoice # 28 in the amount of \$2,798.39. The vote passed unanimously.

7.3 Council Member Castro made a motion to discuss and approve the proposed new City Seal, seconded by Mayor Pro Tem Post. Mayor Whiting said the consensus from the last Council Meeting was to use an oak leaf because it was the City's most common leaf. After multiple changes she was presented to Council the seal and the colors will be finalized when the City goes to have the logo printed. Council Member Castro said the brown color would be used for the street signs. It was decided the log would be two toned. A vote was taken to approve the proposed new City Seal. The vote passed unanimously.

7.4 Council Member Maddock made a motion to approve the City of Hilshire Village Ordinance Number 697 deleting Article 3.300 of Chapter 3 and substituting a new Article 3.300 updating Flood Insurance Rate Map's (FIRM) new effective date of June 9, 2014, seconded by Mayor Pro Tem Post. City Engineer stated this ordinances changes the effective date of the Flood Insurance Rate Map's. Council Member Davis wanted to confirm that the City had the Map's available. City Secretary Blevins stated "yes". A vote was taken to approve the City of Hilshire Village Ordinance Number 697 deleting Article 3.300 of Chapter 3 and substituting a new Article 3.300 updating Flood Insurance Rate Map's (FIRM) new effective date of June 9, 2014. The vote passed unanimously.

The City Engineer was excused at this time.

7.5 No motion was made to nominate and approve candidates for the Hilshire Village Cultural Education Facilities Finance Corporation.

The City Attorney was excused at this time.

8. REPORTS TO COUNCIL: (CON'T)

8.1 Fire Commissioner: Mayor Whiting stated there will be a meeting on March 26th. After the last meeting where the cities voted to keep the surplus from the 2013 Budget in the Fire Department, an announcement was made to the staff on compensation adjustments and payment to the 529 Plan. The staff was very happy and there have been no more resignations. The Chief hopes to have an announcement on hiring of additional staff soon.

8.2 Building: City Secretary Blevins reported there were (13) permits and (27) inspections for the month. There was one (1) Conditional Certificate of Occupancy issued in March for 1122 Guinea.

8.3 City Secretary: City Secretary Blevins answered questions in regard to the Complaint and Issues Log. Council Member Castro asked about the pole leaning on Pine Creek and was told that CenterPoint has not decided what action to take. Mayor Whiting stated that she has observed many non-residents walking their dogs in the City. She suggested that we need to send out a message to residents on vacation watch service, trash, trees, dogs to remind everyone as summer is coming.

8.4 Treasurer's Report: City Secretary Blevins told Council that the City of Houston has raised their water rates and the increase needs to be passed on.

She also presented the financials.

8.5 CLOSED EXECUTIVE SESSION: None

8.6 Mayor Whiting said no action would be taken regarding the Executive Session.

9. REPORTS FROM COUNCIL:

Mayor Whiting: None

10. ACTION ITEMS:

10.1 CONSENT AGENDA: Council Member Maddock made a motion to approve the Consent Agenda, including disbursements presented to Council including the Severn Trent Invoice and the Minutes from the Regular Council Meeting of February 18, 2014, seconded by Council Member Davis. A vote was taken to approve the motion approving the Consent Agenda including the disbursements presented to Council, including the Severn Trent Invoice and the Minutes from Regular Council Meeting of February 18, 2014. The vote passed unanimously.

12. ADDITIONAL COUNCIL COMMENTS: None

13. ANNOUNCEMENTS: None

13. ADJOURNMENT: Mayor Pro Tem Post made a motion to adjourn, seconded by Council Member Maddock. The meeting was adjourned at 9:02 PM.

Shannon Whiting, Mayor

ATTEST:

Susan Blevins, City Secretary