

TUESDAY, April 15, 2014
REGULAR COUNCIL MEETING

1. CALL TO ORDER: Mayor Whiting called the City of Hilshire Village Council Meeting to order at 7:44 P.M. at 8301 Westview, Houston, Texas 77055.

1.1 Invocation: was given by Council Member Castro.

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; City Engineer Efrain Him, P.E., HDR/Claunch & Miller, Inc. and City Attorney Kim Mickelson, Olson & Olson. Chief Gary Finkelman, Spring Valley Police Department was absent

2. CITIZENS COMMENTS

Bill Bristow, 1233 Pine Chase, stated that Agenda item 6.1 refers to the Zoning Amendment Committee and he would like to know who they are and if they are present at this meeting. In regard to item 6.2, he thinks there should be an amendment to the City Ordinance on trees to provide for “older or tear down homes” to be exempt from having to re-plant. Mr. Bristow indicated that his home is sixty years old and is a tear down and if he has to replace trees, it would cost him \$1,000.00 per tree and then someone who buys his house will just remove them. With respect to item 7.1 he would like to know why the City Engineer is not reporting City ordinance violations at 1209 Pine Chase. Under item 9.2 he would like to know why the Building Official is not present at Council Meetings to give his report in person rather than by hearsay which is not the best evidence. Regarding item 9.3, Mr. Bristow said he received a letter from the City Clerk stating his yard needed to be mowed because it was over eight (8) inches high. He indicated that his yard only had blooming flowers and clover that were eight (8) inches high and once the blooms fell, the yard was mowed. There are other yards in the City that have the same seasonal wildflowers.

Christopher Sharkey – 1233 Archley, stated with regard to the Spring Valley Police Department, the officers participating as First Responders are having a “once a year Wild Game Cook-off”. He and his neighbors usually make a contribution to help support the team and he thinks that any contribution from any resident would be appreciated.

3. COUNCIL COMMENTS: None

4. REPORTS TO COUNCIL:

4.1 Police Report: Mayor Whiting read a report from Chief Finkelman. She stated that in March the Chief reported two (2) cars burglarized that were parked side by side in the 1300 block of Glourie. Also, on April 13, there were two (2) instances of car burglaries. The first one was on Friarcreek where a garage was entered, rifled and a

bicycle stolen. The second was at her house. Mayor Whiting stated she had left her car unlocked and her glove box was emptied but nothing was stolen.

5. ACTION ITEMS:

5.1 Council Member Gunn made a motion to discuss and approve the City of Hilshire Village Ordinance Number 698 granting a Specific Use Permit to Holy Cross Church located at 7901 Westview to allow for an addition to an existing portable building and the addition of a portable building for storage, seconded by Mayor Pro Tem Post. Attorney Kim Nicholson pointed out the main concern voiced was esthetic. Her recommendation was to either take no action or to table the vote on this subject and place it on another agenda following a public hearing. Council Member Castro stated that she is opposed to a metal structure that is visible to the street. She considers it an eye-sore and detrimental to the Village.

Council Member Davis indicated that he thinks the Civic Club should help landscape the area and the park that is provided by the church. The Mayor pointed out there is also a Beautification Organization but both they and the Civic Club improve public lands rather than private. It would be up to the boards of those organizations.

Council Member Gunn is sympathetic but he wants to go view the area. Council Member Maddock would like to see more information as to what the building would look like. Mayor Pro Tem Post stated she was not opposed to a metal building but would like more information as to what it would look like.

Mr. Goulas pointed out they were just asking for the Specific Use permit as they cannot get a building permit without it. Mayor Whiting pointed out that the two (2) cannot be separated as the Building Code has no way to enforce esthetics. Mayor Whiting indicated that she had heard no opposition to the purpose of the Specific Use of the buildings, just the esthetics.

It was asked if there was any way that the Specific Use Permit could be granted with specific conditions and the Mayor indicated that there was no way to separate the Specific Use Permit from the building permit. A fence was mentioned as a possible compromise. Mayor Pro Tem Post and Council Member Maddock again stated that they wanted to know where the buildings would be and what they would look like before granting the Specific Use Permit.

Council Member Gunn made a motion to table the original motion approving the City of Hilshire Village Ordinance Number 698 granting a Specific Use Permit to Holy Cross Church located at 7901 Westview to allow for an addition to an existing portable building and the addition of a portable building for storage, seconded by Mayor Pro Tem Post. **A vote was taken to approve the motion to table the original motion approving the City of Hilshire Village Ordinance Number 698 granting a Specific Use Permit to Holy Cross Church located at 8901 Westview to allow for an addition to an existing portable building and the addition of a portable building for storage. The vote passed unanimously.**

5.2 No motion was made to approve the City of Hilshire Village Ordinance Number 700 changing the Zoning Classification of a 2.368 Acre Tract of Land from District B (Single Family) to District B2 (Higher Density Homes).

6. DISCUSSION:

6.1. Zoning Amendment Committee updates and Comprehensive planning issues: Council Member Gunn stated his committee consisted of Nyle Polis, Larry Wilkerson, Nancy Taub and himself. He indicated that they were in need of professional input.

Mayor Whiting stated that it has come to the attention of Council that the City needs to address zoning as a whole. Numerous questions have been asked regarding what can be done in both Zone "A" and "B". The City has several potential opportunities in Zone "B" and in the Commercial Area. However, a lot of subdivisions in both Zones do not comply with current zoning. The current ordinances are punitive and severely limiting building in some subdivisions and the current remedy is the Board of Adjustment. The residents here have made it clear that they want the esthetics of the City to stay the same.

Mayor Whiting stated we need professional help in planning long term development so that twenty years from now there will be some documentation as to why the City decided on what they did. The Hilshire Building that was located where the park is now made up ten percent (10%) of the City's tax base and the City has been catching up ever since the loss of that property to TxDOT.

The rebuilt elementary school, Valley Oaks, is going to be very visible in the community and the City may have some opportunities generated there.

Attorney Kim Nicholson recommended that the City initiate a comprehensive planning process starting with a steering committee and some town hall meetings to give resident's the opportunity to express their vision, help define area of current ordinances that need to be fixed and how to fix them, how to deal with redevelopment if they do not meet current lot size or setbacks without having to go to the Board of Adjustments and review what types of commercial uses are acceptable. The City needs to both preserve and optimize its land use. The City does need to maximize the potential for more property tax and sales tax revenue.

6.2 Minimum Tree Replacement on new Construction: Mayor Pro Tem Post said she wanted to get Council's thinking about the Tree Ordinance regarding new construction and undeveloped land and what the City would like the tree canopy to be.

7. REPORTS TO COUNCIL:

7.1 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 completed the job except that they will be returning to the asphalt roadway deficiencies, the walkway to the

Holy Cross Lutheran Church and issues on the ditches in May or June when the weather conditions are more favorable. Mayor Pro Tem Post just wanted to make sure it was okay to pay the final payment. Efrain stated HDR recommends release of the final payment to the Contractor and acceptance and close-out of the project.

Street Signs Replacement Project – Efrain stated as soon as he has a sample of the signs he will bring it to Council.

1313 Ridgeley Drive Drainage Plan is in the process of being reviewed. Efrain stated Council had discussed the fact that they wanted pavers to be impermeable but at this time the ordinance has not been changed.

1331 Friarcreek Lane is in the process of being reviewed. Efrain stated that the contractor was using a rain barrel system and he did not believe that was a look that the City wanted to go with.

1310 Pine Chase Drive – Efrain stated he met with Mr. Wolfe, the Mayor and the Contractor regarding the sizing of the culvert. He stated that if the ditch is not draining properly Triple B will address it in the summer.

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

Efrain said he was not aware of any issues regarding **1209 Pine Chase**. Bill Bristow stated there were plants in the easement. Mayor Whiting said if there is an issue it needs to be reported to the City but plants are allowed in the easement.

8. ACTION ITEMS:

8.1 Council Member Castro made a motion to authorize payment of Triple B Services, L.L.P., Pay Application No. 19 for work related to the Pine Chase & Glourie Paving, Drainage & Utilities Improvements Project in the amount of \$46,430.42 to be paid by the City of Hilshire Village, seconded by Council Member Davis. Mayor Pro Tem Post asked if the City has been reimbursed for the grant. City Secretary Blevins and City Engineer both said “yes”. **A vote was taken to approve the motion authorizing payment of Triple B Services, L.L.P., Pay Application No. 19 for work related to the Pine Chase & Glourie Paving, Drainage & Utilities Improvements Project in the amount of \$46,430.42 to be paid by the City of Hilshire Village. The vote passed unanimously.**

8.2 Council Member Maddock made a motion to authorize payment of Triple B Services, L.L.P., Pay Application No. 19 for work related to the Pine Chase & Glourie Paving, Drainage & Utilities Improvements Project in the amount of \$139,291.25 to be paid by the City of Hilshire Village and then reimbursed by the Texas Department of Public Safety, seconded by Mayor Pro Tem Post. **A vote was taken to approve the motion authorizing payment of Triple B Services, L.L.P., Pay Application No. 18 for work related to the Pine Chase & Glourie Paving, Drainage & Utilities Improvements Project in the amount of \$139,291.25 to be paid by the City of**

Hilshire Village and then reimbursed by the Texas Department of Public Safety. The vote passed unanimously.

8.3 Mayor Pro Tem Post made a motion to accept and close out the Pine Chase & Glourie Drive Paving, Drainage & Utility Improvements Project performed by Triple B Services, L.L.P., seconded by Council Member Maddock. **A vote was taken to approving the motion to accept and close out the Pine Chase & Glourie Drive Paving, Drainage & Utility Improvements Project performed by Triple B Services, L.L.P. The vote passed unanimously.**

8.4 Council Member Gunn made a motion to authorize payment of HDR invoice for Professional Engineering Services provided to the City for the Pine Creek & Bridle Spur Reconstruction Project Invoice # 1 in the amount of \$6,148.42, seconded by Council Member Castro. **A vote was taken to authorize payment of HDR invoice for Professional Engineering Services provided to the City for the Pine Creek & Bridle Spur Reconstruction Project Invoice # 1 in the amount of \$6,148.42. The vote passed unanimously.**

8.5 No motion was taken on approving the City of Hilshire Village Ordinance Number 699 amending the Code of Ordinances of the City of Hilshire Village, Texas Chapter 10, by deleting Article 10.400 and replacing with a new Article 10.400 reflecting all stop and yield signs.

The City Engineer was excused at this time.

8.6 Council Member Gunn made a motion to approve the City of Hilshire Village Ordinance Number 695 amending Chapter 3 by deleting section 3.608 and replacing with a new section 3.608 to specify fence requirements for new construction, seconded by Council Member Maddock. City Secretary Blevins stated that the last ordinance left room for the fence to be installed at a lower height than what was the intent of the original ordinance. **A vote was taken to approve the City of Hilshire Village Ordinance Number 695 amending Chapter 3 by deleting section 3.608 and replacing with a new section 3.608 to specify fence requirements for new construction. The vote passed unanimously.**

8.7 No motion was made to nominate and approve candidates for the Hilshire Village Cultural Education Facilities Finance Corporation. Mayor Whiting stated that she would bring this back to City Council during a Special Council Meeting when the City has found five (5) candidates.

The City Attorney was excused at this time.

9. REPORTS TO COUNCIL: (CON'T)

9.1 Fire Commissioner: Mayor Whiting stated there will be a meeting on April 16th to discuss the budget.

9.2 Building: City Secretary Blevins reported there were twenty-two (22) permits and fifty-three (53) inspections for the month. There was one (1) Conditional Certificate of Occupancy issued in March for 1122 Guinea. A Conditional Certificate was issued because the pool was not complete and the drainage was also tied to the pool.

9.3 City Secretary: City Secretary Blevins answered questions in regard to the Complaint and Issues Log. She reported that CenterPoint had contacted the City in regard to the pole leaning between Pine Creek Lane and the commercial area. The pole will either be replaced or straightened; however, the City was in the process of determining who owns the fence that must be taken down to get access to the pole. Mayor Pro Tem Post said the City needed to take action on 8001 Bromley. City Secretary Blevins stated the website development was progressing. She also stated a payment would need to be made prior to the next meeting but it was in the budget.

9.4 Treasurer's Report: City Secretary Blevins presented the Quarterly Investment report to Council. She reported that the funds were deposited in a new account from the Certificate of Obligation.

9.5 CLOSED EXECUTIVE SESSION: None

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

10. REPORTS FROM COUNCIL:

Mayor Whiting: I-10 Noise Mitigation – Mayor Whiting said the Mayors were still waiting to coordinate a meeting with Mayor Parker and Senator Murphy. Paul Maddock questioned the City's involvement with the noise mitigation since we do not have property along I-10. Mayor Whiting said the City was still affected by the noise. Mayor Whiting wanted to bring to Council's attention a document from George Scott bringing to the City's attention that since HCAD has raised residential and commercial values by 17% and 19% they expect the volume of protestors to increase. He did not believe HCAD was equipped to handle the volume of protestors which would delay the cities receiving their Certified Taxable Value. This is a problem when establishing the City's budget. The City cannot approve the budget without a Certified Appraised Value.

11. ACTION ITEMS:

11.1 CONSENT AGENDA: Council Member Maddock made a motion to approve the Consent Agenda, including disbursements presented to Council, the Minutes from the Council Workshop of February 25, 2014, the Minutes from the Special Council meeting of February 25, 2014, the Minutes from the Regular Council Meeting of March 18, 2014 and a Proclamation proclaiming April 2014 as Safe Digging Month, seconded by Council Member Davis. **A vote was taken to approve the motion approving the Consent Agenda including the disbursements presented to Council, and the Minutes from the Council Workshop of February 25, 2014, the Minutes from the Special Council Meeting of February 25, 2014, the Minutes from Regular Council Meeting of March 18, 2014 and a Proclamation proclaiming April 2014 as Safe Digging Month. The vote passed unanimously.**

12. ADDITIONAL COUNCIL COMMENTS: None

13. ANNOUNCEMENTS: None

14. ADJOURNMENT: Council Member Maddock made a motion to adjourn, seconded by Mayor Pro Tem Post. The meeting was adjourned at 9:11 PM.

Shannon Whiting, Mayor

ATTEST:

Susan Blevins, City Secretary