

TUESDAY, May 20, 2014
REGULAR COUNCIL MEETING

1. CALL TO ORDER: Mayor Whiting called the City of Hilshire Village Council Meeting to order at 6:43 P.M. at 8301 Westview, Houston, Texas 77055.

1.1 Invocation: was given by Council Member Gunn.

Out of Order

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., Chief Gary Finkelman, Spring Valley Police Department and City Attorney David Olson, Olson & Olson.

2. ACTION ITEMS:

2.1 Recognition of service for Council Member Castro: Mayor Whiting thanked Council Member Connie Castro for her service and dedication to the City. She also presented Council Member Castro with a plaque and a Mayor's Proclamation to recognize her seventeen (17) years of service with the City.

2.2 Council Member Maddock made a motion to approve Ordinance Number 700 of the City of Hilshire Village, Texas, canvassing the returns and declaring the results of the General Election held on May 10, 2014, for the purpose of electing one (1) Mayor and two (2) Council Members for a full term of two (2) years, seconded by Council Member Davis. City Secretary Blevins read for the record the results of the Election. Mayor: Shannon Whiting 182 votes and Bill Bristow 40 votes. Council Member Position One: Mike Gordy 123 votes and Larry Wilkerson 103 votes. Council Member Position Two: Stephanie Post 193 votes. **A vote was taken to approve the motion approving Ordinance Number 700 of the City of Hilshire Village, Texas canvassing the returns and declaring the results of the General Election held on May 10, 2014, for the purpose of electing one (1) Mayor and two (2) Council Members for a full term of two (2) years. The vote passed unanimously.**

Council Member Gunn thanked Council Member Castro for her service to the City.

Recessed the meeting at 6:49 PM

Reconvened the meeting at 7:09 PM

Out of Order

1.2 Pledge of Allegiance: was given by Michael and Joseph Woloson.

2. ACTION ITEMS: cont'd

2.3 Administer Oaths of Office: City Secretary Blevins administered the Oath of Office to Mayor Shannon Whiting. Mayor Shannon Whiting administered the Oath of Office to Council Member Stephanie Post and Council Member Mike Gordy.

Council Member Gordy took his place on Council.

Out of Order

5. REPORTS TO COUNCIL:

5.1 Police Report: Chief Finkelman reported that in April there were two (2) arrests. One (1) was for public intoxication and the other was a traffic stop where the driver was found to have several Houston arrest warrants outstanding.

Chief Finkelman reported that in May the car and garage burglar resurfaced after about a three (3) month absence. The targets were cars left unlocked and garages opened. Only random items like sunglasses and loose change were taken, leading to the belief that the suspect was either on foot or on a bicycle. During the last five (5) weeks, nine (9) incidents were reported and five (5) more unreported at the time. On May 16th the Police Department got a video of a suspect on a bicycle entering the City. The suspect was stopped and found to have traffic warrants outstanding and was arrested. He then confessed to one (1) burglary on Archley. The suspect has been charged with multiple counts of burglary. Over the last fifteen years he has had a number of arrests. The last arrest was in November where he was given 320 days in the county jail. Chief Finkelman stated "he got out and started right back up with stealing".

CITIZENS COMMENTS:

Russell Herron, 12 Hilshire Grove Lane, commented that Holy Cross Church had raised the level of presentations to the Council to a new level with the visual presentation. He also stated that he believes there is no residence within Zone B that complies with the Zoning Ordinance and feels it is "a loose cannon waiting to go off". Mr. Herron hopes the Council will make zoning a priority. He also suggested that perhaps Council could get a projector and screen.

The Mayor stated that the City is in the process of buying a projector using a grant from Exxon with the help of Bob Sommer.

Bill Bristow, 1233 Pine Chase, stated he was glad to hear that the City was going to have some extra money and he would like for Council to spend some to improve the audio system. He is also concerned about the noise level in the City on the weekends and would like to see Council put a limit on the number of days that lawn maintenance can be done. Mr. Bristow stated "It would be nice to have a couple of days per week where there were no mowers or leaf blowers going in the City." Another item would be to limit demolition and concrete pouring to be done only during week days. He feels that the limits should be addressed in an Ordinance.

Bob Cochran – 14 Hilshire Gove Lane, stated he had gotten interested in Council and the planning back in August and September or so of last year. He wants Council to be aware that the zoning planning they are working on will impact the City for the next twenty (20) to twenty-five (25) years. Mr. Cochran believes in time more than two-thirds of the one story homes in the City will be replaced by two story homes impacting the infrastructure as well as the finances of the City. He feels that if Council reduces the zoning restrictions it will reduce property values. Mr. Cochran also felt it was important to connect the small subdivisions to the main subdivisions. A walking trail would also be great.

Richard Rains, 9 Pine Creek Lane, indicated at this time he wished to withdraw his request to City Secretary Blevins to talk to the City Attorney about his neighbor's raising their property about twenty (20) inches. The house has sold and he is going to talk to the new owners. The alteration to the property was done in 2009.

Gayle Lane, # 12 Pine Creek Lane, requested a variance from Council. She went before the Board of Adjustment and was referred to Council. Mrs. Lane presented Council with a survey and letter stating the information that she would like Council to consider when they are working on the zoning issues. The Mayor indicated she should give the information to City Secretary Blevins.

4. COUNCIL COMMENTS: None

6. ACTION ITEMS:

6.1 Council Member Gunn made a motion to approve the City of Hilshire Village Ordinance Number 698 granting a Specific Use Permit to Holy Cross Church located at 7901 Westview for the addition of a new 20' X 20' permanent wood front metal building to be added to the existing freshly painted and landscaped permanent metal building being utilized for the Food Pantry and an addition of a 20' X 20' permanent wood structure with hardy plank siding to be utilized as a storage building with appropriate landscaping to be added between the existing tennis courts and parking lot, seconded by Council Member Maddock. Council Member Maddock said he did not feel the buildings interfered with what the City should look like. Council Member Gunn said the changes were very much appreciated. Council Member Gordy said that the changes would be an overall improvement. Mayor Pro Tem Post appreciated the changes and Council Member Davis thanked the Goulas' for their effort.

A vote was taken to approve the motion approving the City of Hilshire Village Ordinance Number 698 granting a Specific Use Permit to Holy Cross Church located at 7901 Westview for the addition of a new 20' X 20' permanent wood front metal building to be added to the existing freshly painted and landscaped permanent metal building being utilized for the Food Pantry and an addition of a 20' X 20' permanent wood structure with hardy plank siding to be utilized as a storage building with appropriate landscaping to be added between the existing tennis courts and parking lot. The vote passed unanimously.

7. DISCUSSION:

7.1 Designating pavers as an impermeable building material: Mayor Whiting said that Council has discussed this at previous meetings. She said the City's Ordinance reads that pavers are not included as an impervious product. Mayor Whiting said that recently the City has had to approve drainage plans that included pavers as pervious material. Annual maintenance is required for pavers to be pervious. Mayor Whiting said that the idea is to count pavers in the lot calculations. City Secretary Blevins said this was in the Zoning Ordinance and the City would need to have a Public Hearing.

7.2 Amendments to the City Tree Ordinance and enforcement issues: Mayor Whiting said that the City has worked with this ordinance for approximately one (1) year. One of the items that were included in the ordinance is the fact that you have to replace the tree within thirty (30) days which is not a good idea in the summer. She said that the City could look into an inspection once a year allowing the residence to plant in the proper season. Also, she said that it has been brought to the City's attention that planting a 3" tree could be punitive in cost.

8. REPORTS TO COUNCIL: (Con't)

8.1 Engineers Report: Efrain Him reported on the following:

Street Signs Replacement Project – Efrain thanked Council Member Castro for her work on the street sign replacement project. He presented a sample paddle of the street signs. Efrain stated they were larger than Council had original discussed. Council Member Gordy asked what size pole would hold the sign up. He stated a three inch pole which would withstand 100 mph wind and it would be cemented in. Efrain said production would be 4-6 weeks and the installation would take 2 weeks.

Texas Department of Public Safety/Governor's Division of Emergency Management (DEM), Hurricane Ike Hazard Mitigation Grant Program (HMGP): Efrain stated he had scheduled Triple B Services for the corrective/outstanding work for next month.

Pine Creek & Bridle Spur Reconstruction Project: Efrain stated the geotechnical work is 90% complete and the survey had been completed. They have done the red-line design of the entire paving and drainage. He said that Pine Creek Lane would be challenging because it was so narrow. Council Member Davis asked what material will be used for the road. Efrain stated it would be black top and that Council has directed in the past that the look of the City is black top not cement. City Secretary Blevins confirmed that a workshop will be held for the residents. Efrain stated he is still trying to coordinate with the City of Houston regarding the additional water line interconnect for the Pine Creek Subdivision.

7 & 9 Pine Creek Lane – Efrain met with Mrs. Shannon at # 7 Pine Creek regarding her concerns with the ravine concrete rip rap work being done at # 9 Pine Creek. He determined the work was an improvement done for erosion.

1311 Pine Chase Drive – Efrain met with Mr. Labbe to determine if a drainage plan would have to be done if he replaced his wood deck with cement deck. It was determined a drainage plan was not required due to his lot calculations and the location of the deck.

1022 Glourie Circle and 8202 Burkhart were discussed with City Secretary on the request for subdividing the properties.

1313 Ridgeley Drive Drainage Plan and 1331 Friarcreek Lane Drainage Plan were approved with exceptions noted.

1102 Guinea – coordinated with the City and Builder in regard to driveway culvert replacement.

1240 Archley Drive – coordinated with the City and resident in regard to proposed drainage improvements and requirements.

8010 Bromley – coordinated with the City and resident in regard to drainage issues and the feasibility to use utility easements for surface drainage purposes. Resident was informed he could not use utility easement.

1308 Ridgeley Drive Drainage Plans were rejected and returned for additional information/corrections and resubmittal.

9 and # 10 Pine Creek Lane – performed site visit to investigate Mr. Raines concerns regarding drainage issues associated with the wooden fence replaced in 2009 at the common property line between the two lots. Efrain stated that Mr. Raines is going to try to coordinate with his new neighbor.

1310 Pine Chase Drive – Efrain stated he had inspected the project today and the Contractor would be resubmitting the as-built drainage plan and he does not foresee any problems.

1115 Glourie Drive - Efrain is currently reviewing the drainage plan.

Council Member Davis asked how the model was coming. Efrain stated that it is up and running and they are trying to run scenarios.

9. ACTION ITEMS:

9.1 Council Member Maddock 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 # 2 in the amount of \$26,453.42, seconded by Council Member Davis. **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 # 2 in the amount of \$26,453.42. The vote passed unanimously.**

9.2 Mayor Pro Tem Post made a motion to approve 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, seconded by Council Member Maddock.

Bill Bristow, 1233 Pine Chase, wanted to know what provision was being made for the lost pet's signs.

A vote was taken to approve the motion 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 vote passed unanimously.

9.3 Council Member Davis made a motion to approve the driveway approach where it meets the street at 1209 Pine Chase Drive, seconded by Mayor Pro Tem Post. Mayor Whiting stated the City's ordinance states that a driveway shall be no greater than 22 feet where it meets the street and you can add an additional 3 feet for a turning radius on either side. She stated the subject driveway was actually 36 feet where it meets the pavement. Mayor Whiting said the Building Official had approved this configuration and that he felt it was necessary due to the angle of the driveway as it meets the street. Efrain Him stated the configuration was the same as the original driveway of the original house before the property was subdivided. He also recommended that the City allow the approach that was installed for safety reasons. David Olson said it was brought to the Board of Adjustment because he did not realize the Driveway Ordinance was not part of the Zoning Ordinance. He stated the City does not have a variance procedure built into this ordinance. David Olson said it needed to be an objective reason to allow the driveway as it was built. He did not feel the City should give a variance to this single location that the City needed to address the ordinance as a whole. Council decided that the ordinance needed to be reviewed. **No action was taken on the motion.**

The City Engineer was excused at this time.

9.4 Council Member Gunn made a motion to discuss the Comprehensive Zoning Planning Process and approving the proposal of planning services, seconded by Mayor Pro Tem Post. Mayor Whiting said this proposal for professional services was to help the City conduct public meetings and develop a vision statement and goals. Olson & Olson would prepare a written plan detailing implementation steps and alternative regulatory solutions. Then they would revise the City's current zoning ordinance. Mayor Whiting said she has been thinking about this issue for a while. She said the cost would be billed on our hourly rate and would cost between \$10,000 and \$12,000. David Olson stated this was for legal services. He said that Olson & Olson does this type of work for several other Cities. David Olson said that Pine Creek Lane needed to be handled because none of the homes conform to Zone B and that the empty lot on Pine Creek was not buildable under the current zone. Council Member Maddock wanted to approve the services but wanted a cap on the cost. Mayor Pro Tem Post stated that a lot of residents were on vacation and wanted to postpone the project. Mayor Whiting said she did not want to lose momentum.

Council Member Maddock made a motion to amend the original motion to not to exceed \$12,000.00, seconded by Mayor Pro Tem Post. **A vote was taken to approve the amended motion approving the planning services by Olson & Olson to not exceed \$12,000.00. The vote passed unanimously.**

The City Attorney was excused at this time.

9.5 Council Member Maddock made a motion to approve the Village Fire Department's 2013 Intra Budgetary Transfers, seconded by Council Member Davis. **A vote was taken to approve the motion approving the Village Fire Department's 2013 Intra Budgetary Transfers. The vote passed unanimously.**

9.6 Mayor Pro Tem Post made a motion to approve the City of Hilshire Village Ordinance Number 701 adopting a new Schedule of Fees, seconded by Council Member Maddock. City Secretary Blevins said it was to clean up the old schedule. She said the City was able to control cost by using Bureau Veritas and she wanted to pass the savings on to the residents. **A vote was taken to approve the motion approving the City of Hilshire Village Ordinance Number 701 adopting a new Schedule of Fees. The vote passed unanimously.**

10. REPORTS TO COUNCIL: (Con't)

10.1 Fire Commissioner: Mayor Whiting stated the Fire Department Budget for 2015 is up for approval. The biggest chunk is in the salary expense which includes an increase in salaries to stay competitive. The Budget also includes a retirement contribution of one percent (1%) to the 457 Account (401K for Firefighters) for those firefighters at December 31, 2015. She said there was discussion about making the 457 Account contributions as part of the budget or to decide yearly based on any surplus funds. Previously there have only been two contributions made to the 457 Account since its inception. The Fire Department has another retirement plan with the TMRS that the firefighters have no control over.

The Fire Chief has not expressed an opinion on the issue. The concern is that if the contribution to the 457 Account is in the Budget then there would be an expectation that it would be done every year. Council Member Davis indicated he thought that the surplus funds should be held until the end of the year and then decided on. The rest of Council agreed.

Mayor Whiting said that the City of Bunker Hill was leading a campaign for a second fire station. A feasibility study has been proposed at a cost of approximately \$50,000.00. She stated Hilshire Village would not get a faster response time with a new station so she was not in favor of paying for a study.

Council Member Maddock reminded everyone Hilshire Village's portion of the fire budget was three percent (3%).

10.2 Building: City Secretary Blevins reported there were twenty-four (24) permits and forty-one (41) inspections for the month. There was no Certificate of Occupancies issued. There were two (2) plan checks, one for 1308 Ridgeley and one for 1115 Glourie.

City Secretary Blevins also stated she had redone the New House and House Addition Submittal and had included it in Council's Packet for their review. The Drainage Plan requirements have also been added to this Checklist.

10.3 City Secretary: City Secretary Blevins stated that Spring Branch ISD accidentally wired over \$10,000.00 to the City by mistake and the refund was in the Consent Agenda. Also, included in Council's Packet was the Board of Adjustment's decision on 1319 Glenhilshire.

10.4 Treasurer's Report: City Secretary Blevins stated that the City had extra funds in legal fees. She said wage expense was over budget as she has had City Clerk Graham work extra hours. The City sold the generator for \$1,000.00 and the City received a \$500 grant from Exxon through Bob Sommer's volunteer work.

10.5 CLOSED EXECUTIVE SESSION: None

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

11. REPORTS FROM COUNCIL:

Mayor Whiting: She stated that on May 12th the Hilshire Village Cultural Education Finance Facilities Corporation Board met and elected officers. They are now up and running.

Drew Masterson with First Southwest advised us that St. Francis will probably be coming with a proposal in June or July and the HVCEFFC will meet to review the proposal.

12. ACTION ITEMS:

12.1 CONSENT AGENDA: Council Member Davis made a motion to approve the Consent Agenda, including disbursements presented to Council, the Minutes from the Public Hearing on April 15, 2014, the Minutes from the Regular Council Meeting of April 15, 2014, the Minutes from the Special Council Meeting of May 2, 2014, Donation up to 500 to the HV Civic Club to fund the decorating of the Hilshire Village Parade float for the 4th of July Independence Festival, a temporary permit allowing the Hilshire Village 4th of July Festival Float to be parked outside during the construction and teardown of the float and donation of \$750.00 to the Villages Independence Festival, seconded by Council Member Maddock. **A vote was taken to approve the motion approving the Consent Agenda including disbursements presented to Council, the Minutes from the Public Hearing on April 15, 2014, the Minutes from the Regular Council Meeting of April 15, 2014, the Minutes from the Special Council Meeting of May 2, 2014, Donation up to 500 to the HV Civic Club to fund the decorating of the**

Hilshire Village Parade float for the 4th of July Independence Festival, a temporary permit allowing the Hilshire Village 4th of July Festival Float to be parked outside during the construction and teardown of the float, and donation of \$750.00 to the Villages Independence Festival. The vote passed unanimously.

12. ADDITIONAL COUNCIL COMMENTS: Council Member Davis will be out of state from June 7 to June 15, 2014. He also indicated parking on Ridgeley was not a good idea and parking on both sides of the street anywhere in the City was not a good idea.

Council Member Davis also stated he had witnessed a small child (3 to 4 years old) driving down the street in an electric car at the same time garbage and delivery truck was coming. He said he did not think the City should allow children to drive these motorized vehicles on the street nor should the City allow golf carts.

Mayor Whiting asked that council members let City Secretary Blevins know their vacation plans.

13. ANNOUNCEMENTS: Town Hall meeting still needs to be scheduled, so please watch for an email.

14. ADJOURNMENT: Council Member Davis made a motion to adjourn, seconded by Council Member Maddock. The meeting was adjourned at 9:39 PM.

Shannon Whiting, Mayor

ATTEST:

Susan Blevins, City Secretary