

TUESDAY, June 17, 2014
COUNCIL WORKSHOP & REGULAR COUNCIL MEETING

1. WORKSHOP

1.1 CALL TO ORDER: Mayor Whiting called the City of Hilshire Village Workshop to order at 6:10 P.M. at 8301 Westview, Houston, Texas 77055.

Mayor Whiting stated a new proposal has been received from the Mennonite Church with Mr. Schwab as their agent. The Mennonite Church still owns the property. The proposal is for ten (10) lots all of which meet Zone B requirements for square footage as well as front, back, and side building lines. All the streets meet the 22 ft. wide requirement except for the "T" areas.

Mayor Whiting stated the City has a restriction in the Ordinances in Zone B that states a lot needs to be 50 ft. at the street and 70 ft. at the building line. Because of the curve of the streets or pie shape lots there are three (3) lots that do not meet the requirement. Those lots will need to go to the Board of Adjustment for a potential variance.

Mayor Whiting stated she had met with the Fire Chief and showed him the plans. He had no problem with the street layout or width. His only concern was Wirt Road. At present, fire trucks come north on Wirt Road to get to the City with a response time of less than eight (8) minutes. There is a median where the trucks would need to turn to get into the new development. The fire trucks cannot make a U-turn on Wirt Road so they would have to go Campbell to Westview to Wirt adding two (2) minutes to the response time. It may be possible to get the City of Houston to provide a cut in the median to allow access to the new development area. This median cut might be something Council wants to add as a stipulation.

Mayor Whiting stated Efrain Him, City Engineer, had been working on a possible additional water intake on Wirt Road to try to optimize pressure in the City. Efrain Him stated the average pressure is 40 psi. Each fire hydrant has a flow of 1,000 to 1,400 gallons per minute. If the City connects ten more houses to the existing system, the psi would drop to about 38 psi for the City. If Hilshire Village adds an interconnect to the City of Houston the City's psi would go from about 40 to 45. Mr. Him stated he is still trying to set up a meeting with the City of Houston concerning the interconnect.

David Schwab stated the entry has been set up to coincide with a present turn in from Wirt Road. He also stated the Mennonite Church was aware of this plan and were incorporating same in their plans for the new Church. Mr. Schwab said there would be landscaping to indicate that it was an entrance. He also stated the homes would cost from \$1,200,000.00 to \$1,400,000.00 with a two (2) year build and sale cycle.

Mayor Pro Tem Post had some concerns about setbacks on a couple of the lots that the sides back into homes on Glourie. She thought it might be a good idea to increase the setback in those areas and decrease the side setback between the new homes in the subdivision. Mr. Schwab indicated he would be agreeable to the change if the City allowed the variance.

Council Member Gordy asked about parking. Mr. Schwab stated there would be parking on site for all the houses.

Mayor Pro Tem Post also wanted to point out that the current Tree Ordinance has no provisions for a replat. Mr. Schwab indicated that he plans to save as many trees as possible; however, he has had the trees inspected and many are in bad shape. Mr. Schwab stated adding trees to the new homes was reasonable.

Council Member Gordy wanted to know if there was a plan for the number of fire hydrants. The Mayor stated that fire hydrants are planned to cover all the houses.

Mayor Whiting stated the City was working closely with the City Attorneys on the procedures for subdividing the property.

1.2 CLOSED THE WORKSHOP Mayor Whiting closed the Workshop at 6:55 P.M.

REGULAR COUNCIL MEETING

2. CALL TO ORDER: Mayor Whiting called the City of Hilshire Village Council Meeting to order at 6:55 P.M. at 8301 Westview, Houston, Texas 77055.

2.1 Invocation: was given by Mayor Whiting.

2.2 Pledge of Allegiance

2.3 Present: were Mayor Shannon Whiting, Mayor Pro Tem Stephanie Post and Council Members Mike Gordy, Edward Davis and Paul Maddock. 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. Council Member David Gunn was absent.

Out of Order

5. REPORTS TO COUNCIL:

5.1 Police Report: Chief Finkelman reported the suspect for the burglary reported in April was still in jail awaiting his court appearance. He has been charged with burglary of a habitation which is a 2nd degree felony.

In June there was a car burglary on Glourie of an unlocked car parked on the street. An iPad was taken.

Chief Finkelman reported there were three (3) arrests made in June. Two (2) were made during traffic stops; one (1) for a theft warrant and one (1) for a traffic warrant. There was also a public intoxication.

Out of Order

3. CITIZENS COMMENTS:

Nancy Freeman Taub, 1313 Pine Chase Drive, wanted to know if the Zoning Committee is going to meet. The Mayor indicated that she has been working toward getting a Town Meeting date which is the first step. She will pass on the message to Council Member Gunn.

Paul Sedita, 1310 Pine Chase Drive, said he had just built a home in the City and it was a difficult process so he wanted to know why the Council was considering concessions. He also wanted to know if traffic had been considered since the new homes would exit onto Wirt which is already very busy.

Tom Chmores, #7 Hilshire Grove Lane, wanted to ask the City Engineer if the interconnect would be a "T" off or be interloped between the connections.

Zandra Anderson, 8214 Mallie Court, stated that regarding lot # 3 in the proposed plat there was already an ordinance addressing when a back lot abuts to a side lot and the side building line was not eight (8) feet in that instance. She also stated that the notice in the utility billing indicated five (5) lots did not meet the seventy (70) foot building setback and she would like them identified. She does not want existing residents negatively impacted. Ms. Anderson stated that the City's role is to follow the ordinances and if the plans do not meet them to follow the legal procedures for a variance, but that the new homes do not qualify as a "hardship".

Mayor Whiting indicated that at the hearing the Council will have specific provisions that will be required by the City and anything that does not meet the Zoning Ordinances would have to go through the Board of Adjustments.

Ms. Anderson also stated that she feels the Agenda for the Thursday's meeting was "unintelligible".

David McDuffie, 1335 Friarcreek Lane, wanted to know if anyone had computed the permeable area of the proposed lots. The Mayor indicated that the permeable area would have to be calculated according to the structure built and would have to comply with all building codes and would not exceed sixty percent. The plat presented was showing the buildable area. He also requested some idea of the size and look of the new homes proposed as some residents are concerned about having a "patio" village.

Bob Conklin # 14 Hilshire Grove Lane, stated that Bykerwoods Drive comes in from the City of Houston across Wirt Road and is an ideal way to have one street come into the proposed area. He stated that due to the price of the proposed homes, they will not

be bought as starter homes so the number of vehicles will probably be more than one (1) to a house. He also stated that there is not enough water pressure in Hilshire Grove.

Ed Budill, # 2 Hilshire Grove Lane, stated he has lived in the Village for twenty-four (24) years and he thinks that the proposed subdivision needs a simpler road plan. His feeling is there is not enough road for when construction starts and everyone is moving in. He stated there is not ample room to park.

Bill Bristow, 1233 Pine Chase Drive, stated that he echoed Ms. Anderson's statements concerning the Agenda items. Other cities publish the entire ordinance under consideration in the agenda and he would like to see our Agenda do the same.

Mr. Bristow stated he had looked at Schwab's website, quoted some excerpts from the website and stated that he did not want cheap homes built in the City. He also asked if there was going to be an Environmental Study done on the effect of the construction to the animals currently living on the site.

David Hay, # 13 Hilshire Grove Lane, stated he was one of the first to move into Hilshire Grove and he did not realize that it was a cul-de-sac. In order to walk he goes across Wirt so he would love to see a walkway between his street and the proposed construction. He pointed out a place on Hilshire Grove between two (2) homes where, if an easement was taken from both houses, a walkway might fit.

Nyle Polis, 1210 Glourie Drive, stated he has two large trees on the fence line that he is afraid will be killed during construction. He also stated that he was willing to talk to the City about connecting the two subdivisions. Mayor Whiting stated "it was all about the money" and Mr. Polis agreed.

Russell Herron, # 12 Hilshire Grove Lane, wanted to know what the Mennonite Church and Terrace United Methodist Church thought of the proposed construction. He would like representatives to be invited to the Thursday meeting.

David Schwab stated he does not build "cheap homes"; he builds "custom homes". He has built in Spring Valley, Bellaire and Creekside. He is not a track home builder, but there are track home builders that would love the property.

4. COUNCIL COMMENTS: None

OUT OF ORDER:

6. DISCUSSION

6.1 Designating pavers as an impermeable building material: Mayor Whiting said that this topic would be discussed at the Public Hearing on Thursday. She asked if Council had any questions before the Hearing.

7. REPORTS TO COUNCIL: (Con't)

7.1 Engineers Report: Efrain Him reported on the following:

Pine Chase/Glourie Construction Project – Efrain stated he and the Mayor met with Larry Bennett with Triple B Services to discuss and schedule the outstanding/corrective asphalt pavement and ditch work. He said he should be receiving an email tomorrow stating when the work would commence.

Pine Creek & Bridle Spur Reconstruction Project: Efrain stated that during the review of the completed topographic survey it appears that a portion of Pine Creek Lane on the east end is outside the right-of-way. He also stated that neither HDR nor City Secretary Blevins could find records to verify the dedication of an easement or right-of-way on the west side. Therefore, he was requesting that the City approve the scope of work to Landtech Consultants for deed research of the right-of-way and to provide the location of the right of way lines. Efrain stated that HDR was still working on the design work and the plan and profile drawings were approximately 70% complete. Efrain stated he had coordinated with the City and Severn Trent to obtain pressure readings in the field in order to calibrate the City's Water Model. The existing conditions model has been completed and HDR is incorporating the proposed water line improvements in the model to evaluate and assess the impact of the new improvements.

Efrain stated he has been coordinating with Mr. Christopher Varela, City of Houston Contract Administrator, to schedule a meeting to discuss the additional water line interconnect.

Street Signs Replacement Project – Delivery of the signs is anticipated next month. Efrain stated after discussing with the City an option of having Republic Traffic Safety (the sign installer) to store the sign materials in their warehouse rather than at City Hall. He stated that Republic Traffic Safety has revised their initial quote to include \$500 to store the sign material. Efrain stated it was not on the agenda to approve because the City was still under the contract amount that Council approved not to exceed.

Mayor Whiting wanted to discuss the fact that the Beautification Committee had originally discussed selling the old signs and poles as a fund raiser. Beth Qualls stated that the Committee was no longer interested in handling the project. However, she suggested that the City could sell the blades for \$25 and poles for \$100. Mayor Pro Tem Post said she did not want to see the signs sitting behind City Hall. City Attorney David Olson said the City could sell the material but could not give it away. Council decided to give the residents the opportunity to purchase the blades and poles on a first come first serve basis at \$25 a blade and \$50 a pole.

1122 Guinea – coordinated with the City on required as-built drainage plan incorporating recently constructed swimming pool.

1115 Glourie Drive – reviewed and approved the drainage plan resubmittal.

1310 Pine Chase Drive – approved the as-built drainage plan after a site visit to verify job site.

Local Hazard Mitigation Update – Efrain stated he provided assistance to the City in updating the 2009 and preparing the 2014 Local Hazard Mitigation Plan required by the Harris County Office of Homeland Security & Emergency Management. City Secretary Blevins stated that the City needed to consider putting money in the budget to complete some of the projects in the Plan.

1245 Ridgeley Drive – coordinated with the City and met with the property owner to discuss proposed concrete patio replacement, impervious coverage and drainage requirements.

1308 Ridgeley Drive – currently reviewing the drainage plan resubmittal.

Driveway Ordinance Revisions – coordinated with the City and City Attorney on proposed revisions to the current driveway ordinance as requested by City Council during the May 2014 Council Meeting.

8. ACTION ITEMS:

8.1 Mayor Pro Tem Post 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 # 3 in the amount of \$33,699.67, 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 Creek & Bridle Spur Reconstruction Project Invoice # 3 in the amount of \$33,699.67. The vote passed unanimously.**

8.2 Council Member Davis made a motion to authorize HDR to contract with Landtech Consultants to perform a records research for right-of-way determination along the entire Pine Creek Lane and to provide a CAD file to overlay on the HDR base map in the amount of \$2,065.20 which includes HDR's 10% markup, seconded by Mayor Pro Tem Post. **A vote was taken to approve the motion authorizing HDR to contract with Landtech Consultants to perform a records research for right-of-way determination along the entire Pine Creek Lane and to provide a CAD file to overlay on the HDR base map in the amount of \$2,065.20 which includes HDR's 10% markup. The vote passed unanimously.**

8.3 Mayor Pro Tem Post made a motion to approve the City of Hilshire Village Ordinance Number 704 deleting section 4.623 of Article 4.60 and substituting a new section regarding driveways, seconded by Council Member Maddock. Efrain stated he went through the original ordinance and simplified the way the ordinance read. Efrain wanted to know if it was the City's intent to have a 6 foot flare at the curve on both entrances of a circular driveway. David Olson said that the City could exclude circular driveways from the ordinance. Efrain stated that on the second page he included wording to handle an exception from the perpendicular/right angle requirement in case of situations like 1209 Pine Chase. David Olson stated the City needed to have a provision to allow the applicant the right to appeal to City Council.

Council Member Maddock made a motion to amend the original motion to include these changes, seconded by Mayor Pro Tem Post. **A vote was taken to approve the motion approving the City of Hilshire Village Ordinance Number 704 deleting section 4.623 of Article 4.60 and substituting a new section regarding driveways and including the exclusion of circular driveways from the additional three (3) foot turning radius added to each side of a driveway and to add a provision for an applicant the right to appeal to City Council. The vote passed unanimously.**

The City Engineer was excused at this time.

Recessed the meeting at 8:09 PM

Reconvened the meeting at 8:19 PM

8.4 Council Member Davis made a motion to nominate Council Member Stephanie Post as Mayor Pro Tem, seconded by Council Member Maddock. **A vote was taken to approve the motion to nominate Council Member Stephanie Post as Mayor Pro Tem. The vote passed unanimously.**

8.5 Council Member Maddock made a motion to approve three (3) signatories for the financial institutions to be Mayor, Mayor Pro Tem and one (1) Council Member, seconded by Council Member Gordy. Mayor Whiting stated that the City needed someone that was available during the day and suggested that Paul Maddock be the third. Council Member Davis made a motion to amend the original motion to add Council Member Maddock as the third signatory, seconded by Mayor Pro Tem Post. **A vote was taken to approve the motion approving three (3) signatories for the financial institution to be Mayor Whiting, Mayor Pro Tem Post and Council Member Maddock. The vote passed unanimously.**

City Secretary Blevins discussed with Council the bank charges for verifying two signatures and that the auditors did not require the verification; however, they required two signatures on each check.

8.6 Council Member Maddock made a motion to nominate candidates for the position of Fire Commissioner and appointing the position for a one (1) year term, seconded by Council Member Davis. Mayor Whiting suggested that she be appointed the Fire Commissioner for another term. Council Member Maddock amended his motion to nominate Mayor Whiting as the Fire Commissioner, seconded by Mayor Pro Tem Post. **A vote was taken to approve the motion nominating and appointing Mayor Whiting as the Fire Commissioner for a one (1) year term. The vote passed unanimously.**

8.7 Mayor Pro Tem Post made a motion to nominate and appoint Council Member Maddock for the position of Alternate Fire Commissioner for a one (1) year term, seconded by Council Member Davis. **A vote was taken to approve the motion nominating and appointing Council Member Maddock for the position of Alternate Fire Commissioner for a one (1) year term. The vote passed unanimously.**

The City Attorney was excused at this time.

8.8 Council Member Maddock made a motion to nominate and appoint candidates for the position of Alternate Board of Adjustment Member for a one (1) year term, seconded by Mayor Pro Tem Post. Mayor Whiting stated that the City had an open call for candidates. Mike Woodruff said the alternate position requires a fairly good knowledge of the ordinances, taking turns taking the minutes at the meetings and serving as a voting member in the absence of a Board Member. Mayor Whiting stated the following applications were received: Jason Hawthorne, Tom Plagens, Manfred Sternberg, Leroy Hermes, Bill Bristow and Larry Wilkerson. She said it was up to Council to nominate a candidate. Council Member Gordy said he did not know some of the candidates and was reluctant to choose without interviewing each candidate. He said this is a very important position and that the Board of Adjustment needs to have balance. David Olson said that he would prefer that Council talk to the candidates at the Council Meeting. Council talked to Bill Bristow, Larry Wilkerson and Leroy Hermes. Council Member Maddock made a motion to table the motion, seconded by Council Member Gordy. **A vote was taken to table the motion to nominate and appoint candidates for the position of Alternate Board of Adjustment Member. The vote passed unanimously.**

8.9 Mayor Pro Tem Post made a motion to approve the existing Board of Adjustment Members for a period of one (1) year, seconded by Council Member Maddock. Mayor Whiting stated the current Members were Mike Woodruff, Kathleen Cullen, Wallie Partridge, Steve Stringer, Michael Peterman and that Tom Steffan was the Alternate Member and the Council would decide on another alternate at a later date. Mike Woodruff said that the Board normally chooses the Chairperson unless Council wanted to do so. Council agreed that the Board would choose the Chairperson. **A vote was taken to approve the motion approving Mike Woodruff, Kathleen Cullen, Wallie Partridge, Steve Stringer, Michael Peterman and Tom Steffan as the Alternate Board Member with another Alternate to be chosen at a different meeting. The vote passed unanimously.**

8.10 Council Member Maddock made a motion to approve the renewal notice for mosquito fogging for the period of March 2014 through October 31, 2014, seconded by Council Member Gordy. Mayor Whiting said she thought the County had been spraying; however, it was Northwest Pest Patrol. Northwest Pest Patrol failed to send a renewal notice but they have been spraying. They have been directed not to do this in the future. She encourages Council to approve this contract due to the new virus that is showing up. Residents have stated that there is an improvement in the density of the mosquitoes when the City sprays. Mayor Pro Tem Post said she didn't think we should pay the invoice in full. City Secretary Blevins stated the City would not pay for the interest or sales tax. Mayor Pro Tem Post wanted the invoice negotiated. Council Member Maddock amended his motion to have the Mayor discuss March services prior to signing the contract, seconded by Council Member Davis. **A vote was taken to approve the motion to renew the mosquito fogging for the period of March 2014 through October 31, 2014 after the Mayor discusses March services. The vote passed unanimously.**

8.11 Council Member Gordy made a motion to approve the City of Hilshire Village Ordinance Number 702 deleting section 7.501 of Article 7.500 (Junked and Abandoned Vehicles) and substituting a new section, seconded by Council Member Maddock. Mayor Whiting said this was a housekeeping item. She said a resident could not have an abandoned vehicle on their property but you could have them on the street. Council discussed antique vehicles and what constitutes a special interest vehicle. **A vote was taken to approve the motion approving the City of Hilshire Village Ordinance Number 702 deleting section 7.501 of Article 7.500 Junked and Abandoned Vehicles and substituting a new section. The vote was passed unanimously.**

9. DISCUSSION: (Con't)

9.1 Amendments to the City Tree Ordinance and enforcement issues. Mayor Pro Tem Post said that there were issues that have been brought to the City regarding the time frame to replant a tree. David Olson brought up new plats and City Secretary Blevins brought up new construction. Mayor Pro Tem Post said she would work on reviewing the ordinance.

9.2 Amendments to the City's Zoning Ordinance in regards to parking of recreational vehicles or trailers, boats and utility trailers on Public Street. Mayor Whiting said this would be on the Agenda for the Public Hearing. David Olson said that it cleans up the original ordinance. This would keep vehicles from parking in front of someone else's house for more than 48 consecutive hours.

The City Attorney was excused at this time.

10. REPORTS TO COUNCIL: (Con't)

10.1 Fire Commissioner: Mayor Whiting stated they were still discussing the budget. They discussed the 457 contribution but two of the Cities had not had their meetings yet. The fire department is still losing employees to retirement. The tone of the Commission is to address the 457 contribution in the budget. Council discussed retirement issues. Mayor Whiting said that two of the Cities voted for the 457 contribution. Council said that if the City needed to support the contribution they would. Mayor Whiting also said that City of Bunker Hill wanted a substation closer to their area to reduce the response time. It was proposed that the Cities fund \$50,000 for a feasibility study to see if an additional station was needed, but it was denied.

10.2 Building: City Secretary Blevins reported there were twenty-six (26) permits and thirty-six (36) inspections for the month. There was one (1) Certificate of Occupancies issued to 1310 Pine Chase. There was one (1) plan check at 8381 Westview. She reported that 8381 Westview has a demo permit at this time.

10.3 City Secretary: City Secretary Blevins stated she had added an invoice to Spring Branch I.S.D. and EZ Task. She said that the City needs to pay the invoice prior to the website going live. City Secretary Blevins said she would not release the check to EZ Task until the website was ready to go live.

10.4 Treasurer's Report: City Secretary Blevins stated that the City needed to replace the fire hydrant on Pine Creek or there would be invoices to fix the yard at # 1 Pine Creek. She said that she coordinated it with the City Engineer and they would not engineer it to be replaced with the road. City Secretary Blevins said that she called all those that were on the list to have their water cut off and cleared those issues. She then presented the financials.

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: discussed the letter from Lloyd Gosselink regarding a conference call held with the Gulf Coast Coalition of Cities regarding an appeal of the decision concerning the Houston Import Project.

12. ACTION ITEMS:

12.1 CONSENT AGENDA: Council Member Maddock made a motion to approve the Consent Agenda, including disbursements presented to Council excluding the invoice to North Pest Patrol, the Minutes from the Public Hearing on May 20, 2014, and the Village Fire Departments 2014 Amended Budget, seconded by Mayor Pro Tem Post. **A vote was taken to approve the motion approving the Consent Agenda, including disbursements presented to Council excluding the invoice to North Pest Patrol, the Minutes from the Public Hearing on May 20, 2014, and the Village Fire Departments 2014 Amended Budget. The vote passed unanimously.**

A motion was made by Mayor Pro Tem Post to approve the Northwest Pest Patrol's invoice excluding sales tax, finance charges and potential negotiations for services during the month of March, seconded by Council Member Maddock. **A vote was taken to approve the motion approving the Northwest Pest Patrol's invoice excluding sales tax, finance charges and potential discount. The vote passed unanimously.**

12.3 A motion was made by Mayor Pro Tem Post to approve the Minutes from the Regular Council Meeting of May 20, 2014 with corrections made to page 6, 9.4, to read "Mayor Pro Tem Post stated that a lot of residents were on vacation and wanted to postpone the project", seconded by Council Member Gordy. **A vote was taken to approve the motion approving the Minutes from the Regular Council Meeting of May 20, 2014, with corrections made to page 6, 9.4, to read Mayor Pro Tem Post stated that a lot of residents were on vacation and wanted to postpone the project. The vote passed unanimously.**

13. ADDITIONAL COUNCIL COMMENTS: None

14. ANNOUNCEMENTS:

Village Independence Festival is July 4th.

Mayor Whiting wanted to thank Mr. Herron for all his work in communicating with the developer and the residents. She acknowledged all the work he had done. Also, he brought in his projector for the City to use.

15. ADJOURNMENT: Council Member Maddock made a motion to adjourn, seconded by Council Member Davis. The meeting was adjourned at 9:27 PM.

Shannon Whiting, Mayor

ATTEST:

Susan Blevins, City Secretary