

TUESDAY, July 15, 2014
REGULAR COUNCIL MEETING

1. CALL TO ORDER: Mayor Whiting called the City of Hilshire Village Council Meeting to order at 6:34 P.M. at 8301 Westview, Houston, Texas 77055.

1.1 Invocation: was given by Council Member Maddock.

1.2 Pledge of Allegiance

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

2. CITIZEN'S COMMENTS:

Bill Bristow, 1233 Pine Chase, passed out photographs of 1206 Pine Chase showing one weed that had grown to a height that was over the top of his head. He had received a letter right before the election concerning weeds in his yard and wanted to know why it took the City so long to notify the owner of 1206 Pine Chase to mow. Mr. Bristow stated he took the picture about 2:30 PM and someone was mowing the lot about 5:00 PM. Mayor Whiting stated the complaint was called in and put on the complaint log on July 2, 2014 and the City contacted the contractor asking them to mow.

Mr. Bristow also reported that his stepdaughter's car was egged in front on his house on Sunday night. He reported the incident to the police and also reported an open hole in the right-of-way at 1202 Glourie Drive.

June Sommer, 1114 Guinea Drive, wondered if the ten houses proposed project on Wirt Road was a done deal; and if not, could the number of houses be reduced. Mayor Whiting stated nothing had been approved by Council as the applicant has not presented a formal engineered plat to the City for Council's consideration. However, as long as the builder complies with the Zoning Regulations of Zone B, the Council cannot deny his application. Mrs. Sommer wanted to know if the number of houses could be reduced and/or if we could change the ordinances. Kim Mickelson, Olson & Olson, stated that if the applicant complies with all the Zoning in place then Council cannot deny their application. Texas has strict rules and the City "cannot change the rules in the middle of the game." Mayor Whiting indicated that the developer has the ball in his court. He has the option to go forward or wait until the ordinances are changed.

Mrs. Sommer also asked about the \$10,000.00 referred to by Mayor Whiting regarding trash at the last meeting. Mayor Whiting stated that it was just an example.

Robert Burn, 1305 Bridle Spur, asked about the engineering on the Bridle Spur Lane Project. He has stated before that he had some ideas about how to fix the street without having ditches and wanted to know when the residents would be able to see the plans and submit input on the design.

3. COUNCILS COMMENTS: None

4. REPORTS TO COUNCIL:

4.1 Police Report: Chief Finkelman reported that in the case of the car egging of Bill Bristow's stepdaughter's car there was no written report as the owner decided to clean up the mess prior to calling the police. The police did come to the scene and they are interested in hearing what is going on in the neighborhood.

Chief Finkelman stated that a person is two and one-half times more likely to be a victim of a car burglary when parked on the street.

In June there were three (3) arrests. One (1) was a traffic stop on Bridle Spur with felony theft warrant in Montgomery County on the passenger. There was also an arrest for public intoxication at School of the Woods. The third was the result of a suspicious vehicle report and the driver had warrants for unpaid traffic violations. There was a burglary on Glourie Circle where two (2) bags including an iPad that went missing from an unlocked car.

In July, there was a sixty (60) inch plasma television that was stolen out of a house on Ridgeley undergoing major renovation where there were no walls. Chief Finkelman suggested that the use of a storage pod would help deter burglaries.

Chief Finkelman thanked everyone who participated in the Village Independence Festival. He stated he has hired two (2) new additional patrol officers. Previously the new hires were to replace officers who left. When they are trained there will be an extra officer to use where additional effort is needed.

Mayor Whiting stated she has seen some younger drivers speeding, not driving according to the traffic signage and would like the Chief to step up patrols.

Bob Sommer thanked everyone who helped with the Village Independent Festival.

5. REPORTS TO COUNCIL:

5.1 Engineers Report – given by Mayor Whiting as the Engineer was on vacation.
Pine Chase Glourie Drive Project – Mayor Whiting said Triple B was back in the area to repair the asphalt pavement. They will then re-grade and re-sod those areas still holding water. On July 10, 2014, the quarterly report was submitted by HDR to the State and the City was in the process of closing the project to get the ten (10) percent withholding back.

Pine Creek and Bridle Spur Reconstruction Projects – Council authorized HDR to hire a professional land surveyor to perform the deed records research to delineate the Right-Of-Way for Pine Creek Lane and to confirm the status of the road dedication to the City before that segment can be completed. The report was submitted to HDR on July 7, 2014 and it looks like the west roadway edge of Pine Creek Lane near City Hall is outside the right-of-way and there is no public record of the possible dedication on the west side of Pine Creek Lane by Stearns Corporation. The City is trying to get a survey from Stearns Corporation as the subdivision was conveyed to Hilshire Village by the County. When the City gets the survey, the City will then enlist the help of Olson & Olson to alter the right-of-way or suggest the best way to describe it to get the dedication done efficiently. The engineering plans are seventy (70%) complete for Pine Creek Lane and ninety (95%) complete for Bridle Spur Lane. Drainage issues are approximately sixty (60%) complete.

HDR completed and calibrated the **Existing Conditions Water Model**. Mayor Whiting, Efrain Him and Harry Walker with HDR met with Mrs. Carol Haddock, City of Houston Senior Assistant Director of their Planning Branch, to assess the potential interconnect at Pine Creek Lane. It was mostly a Q&A session. Mrs. Haddock indicated that as long as the City did not want to add any service connections, she did not see any issues on a new interconnect. We would not be drawing volume but distributing the flow. Mrs. Haddock with the City of Houston did state several times that they could not guarantee the distribution pressure of 55 psi, but could guarantee a minimum pressure of 35 psi as required by TCEQ. Also, discussed was how the backflow preventers hampered the water pressure. The City of Houston will also do their own modeling; but, they should have an answer for the City at the end of August. If the interconnect is approved there will have to be an amendment to the Water Purchasing Agreement and the latest water conservation language will have to be incorporated. The City will have the attorneys ensure the new agreement has what language is needed.

Mayor Whiting stated it was not the right opportunity to discuss the possibility of a new interconnect with respect to the new property on Wirt Road. She stated that discussion is the responsibility of the developer.

The new **street sign installation** began on July 1, 2014 and was finished on July 15, 2014. There are invoices for the materials and the installation in the Consent Agenda. Mayor Whiting advised Council that the invoice for the materials could be paid now and the installation invoice be paid once the installation was complete and inspected in the field. There is some tree trimming that needs to be done around some of the signs. The City can either work with the residents and/or hire it done. Council Member Davis indicated that he thought the street signs were a lot better and brighter. The old street signs are for sale.

Ongoing services included some drainage plans reviews which were all returned as incomplete except for 1308 Ridgeley. Mr. Efrain Him attended the June 17, 2014 Workshop and the June 19, 2014 Public Hearing on the Schwab project. There was also a sewer repair at 1202 Glourie Drive. The City has been working with Mr. Belt on a cost share.

City Hall Generator, Mr. Efrain Him has been working with the City and Ms. Milan, Assistant Mitigation Officer for Texas Division of Emergency Management, to audit and close out the Generator Project.

A swimming pool at **# 4 Hilshire Grove** was reviewed and rejected as it did not follow current ordinances.

Mayor Pro Tem Post questioned whether the City needed to mention to the City of Houston about the potential new connection on Wirt since the talks now indicate no new connections are proposed. The Mayor indicated that the City of Houston would have to do a different model exercise on a totally new connection on a totally different line on Wirt Road. Council Member Davis asked if any residences on Wirt were getting water from the City of Houston. The Mayor indicated the two houses next to Terrace Methodist Church were serviced by the City of Houston for water.

6. ACTION ITEMS:

6.1 Council Member Davis 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 # 4, in the amount of \$18,566.09, seconded by Mayor Pro Tem Post. **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 # 4, in the amount of \$18,566.09. The vote passed unanimously.**

6.2 Council Member Maddock made a motion to approve the City of Hilshire Village Ordinance Number 706 approving an Interlocal Agreement with Harris County whereby the County will conduct a food establishments program for activities in the City and adding Article 6.30 to Chapter 6, Health and Sanitation, seconded by Mayor Pro Tem Post. Council Member Maddock indicated that he thought the agreement was straight forward and a good idea. Mayor Pro Tem Post wanted to be sure that the ordinance adopts the requirements. Mayor Whiting stated that as long as the facility was not preparing food then they do not have to have inspections. The ordinance would not impact immediately any of the churches or schools unless they change what they are currently doing. This agreement is mainly for the commercial area to allow the City more flexibility on future business. The City will notify the schools and churches. Harris County will be responsible for permitting and inspections. **A vote was taken to approve the motion approving the City of Hilshire Village Ordinance Number 706 approving an Interlocal Agreement with Harris County whereby the County will**

conduct a food establishments program for activities in the City and adding Article 6.30 to Chapter 6, Health and Sanitation. The vote passed unanimously.

6.3 Mayor Pro Tem Post made a motion to authorize the City Secretary to send a Termination of Processing Agreement to Compass Bank who processes funds for utility billing for the City, seconded by Council Member Maddock. City Secretary, Susan Blevins, stated that Severn Trent is changing their billing and changing the options for payment. They will no longer be using Compass Bank for direct deposits. Council Member Maddock questioned the impact of this change on the City's ability to pay the City of Houston for water. He was told that it would not have any impact. **A vote was taken to authorize the City Secretary to send a Termination of Processing Agreement to Compass Bank. The vote passed unanimously.**

6.4 Council Member Davis made a motion to approve the Village Fire Department's Proposed 2015 Budget, seconded by Council Member Maddock. Mayor Whiting said the budget was delayed somewhat over conversation about compensation. Council Member Maddock stated that there was a 4:2 vote approving the budget. The reason is that while there is provision for increasing the pension 457 plan, there is no provision for salary increases. The City of Bunker Hill and Piney Point asked for an amendment to allow for salary increases. The City of Hedwig Village would not allow the amendment but it should have been allowed. This budget is \$5,000,000.00 of which \$4,300,000.00 is for personnel cost. It is a three (3) percent increase over last year. Hilshire Village's part of the budget is three (3) percent of the budget, \$152,000.00, which is \$4,000.00 over last year's budget. Council Member Maddock recommended that the budget be approved with the awareness that there may be an amendment to come. Mayor Pro Tem Post asked if there was an amendment, would it increase next year's budget as it would increase the salaries of forty-seven (47) employees. Mayor Whiting stated the budget was not on the agenda for the next meeting. She pointed out that the firefighters got a seven (7) percent increase in March 2014 which brought them up to being on level with other departments.

Bill Bristow -1233 Pine Chase, requested that meeting dates be posted at the City and both the meeting dates and budget be posted on the City's website. He feels that the tax payers have the right to go to the meetings. Mayor Whiting stated the Fire Department publishes all the meeting dates and the budget can be found on their website. She also stated the City's website has a link to the Fire Department's website.

A vote was taken to approve the Village Fire Department's Proposed 2015 Budget. The vote passed unanimously.

6.5 Council Member Maddock made a motion to approve the Interlocal Mutual Aid Agreement for Emergency Management between the City of Hilshire Village and Harris County, seconded by Mayor Pro Tem Post. The Mayor stated the terms state the appointment of an Emergency Management Coordinator which is Battalion Chief Howard Miller for the City of Hilshire Village. The terms also state that there must be an Emergency Management Plan filed with the Texas Division of Emergency Management and Chief Miller takes care of the filing for the City, so we are in compliance. Mayor Whiting stated she has a folder that has all the emergency numbers that would be

needed in case of an emergency. **A vote was taken to approve the Interlocal Mutual Aid Agreement for Emergency Management between the City of Hilshire Village and Harris County. The vote passed unanimously.**

6.6 Council Member Maddock made a motion to approve a Joint Resolution between the City of Hilshire Village and Harris County Emergency Management to continue the relationship for two (2) years to be concurrent with the newly elected Mayor, seconded by Council Member Davis. **A vote was taken to approve a Joint Resolution between the City of Hilshire Village and Harris County Emergency Management to continue the relationship for two (2) years to be concurrent with the newly elected Mayor. The vote passed unanimously.**

The City Attorney was excused at this time.

7. DISCUSSION:

7.1 Discuss amending the construction code to eliminate sheer walls (no second story setbacks) on all new construction and remodels: The Mayor stated that the reason for the discussion is because some of the new homes being built in the City are at the ten (10) foot side set back instead of eight (8) feet and then they go vertically straight from there. She did not think it was esthetically pleasing and was not sure it was the look the Village wanted. The goal of the City is to allow as much light and air as possible between structures and minimize structure density.

Council Member Gordy is not particularly fond of the straight up sides. The front building lot line, depending on the façade, works with a straight vertical wall.

Mayor Whiting suggested that Council Members and residents, if interested, take pictures of houses that they like and those that they don't like. The pictures could be used for a workshop and/or public hearing.

Council Member Maddock said that he could see examples of "canyons" in the buildings going up on the north end of Ridgeley. One (1) house in particular has had numerous residents asking if it is legal. Mayor Whiting said it was in compliance because they started at the ten (10) foot side set back.

7.2 City's Noise and Nuisance Ordinance regarding thirty party contractors for landscaping hours: Mayor Whiting stated the City has had several complaints about landscaping hours. The hours for landscaping by residents or third party contractors are 8 AM to 8 PM Monday through Friday and from 9 AM to 8 PM on Saturday, Sunday and holidays. Landscaping includes the use of lawn mowers, leaf blowers, power washers, chain saws and hedge trimmers.

By contrast Construction hours are set from 7 AM to 7 PM Monday through Friday, from 9 AM to 6 PM on Saturday and none on Sunday and holidays. It has been suggested that only third party contractors comply with the ordinance hours the same as those for construction. The City does not want to penalize residents. The third party contractors would have more restricted hours.

Council Member Gordy stated the third party contractors are not really needed in the City on Sundays and holidays. It is annoying to have workers during times when the family is visiting. However, the restriction should not be enforced during an emergency.

Council Member Maddock agreed with Council Member Gordy. Council Member Davis wanted to know if it was stated in the ordinances and it is. The intent is to mirror the landscaping with that of the construction. It would be enforced by the City office during normal hours and the police after-hours. The residents would be responsible to let the third party contractors know of any changes to when they are able to work.

Alan Wolfe, 1205 Pine Chase, agrees with the suggested restrictions. He has also noted that the contractors are parking on the pavement and not with two wheels off.

Bill Bristow, 1233 Pine Chase, would like Council to address the construction schedule to not allow demolitions and concrete pours on the weekend. Council Member Gordy stated that concrete is difficult to stop on weekends due to the cost factor. He feels demolition could and should be done only when the City Office is open. Mr. Bristow asked if the Inspector was needed during the pouring of concrete. Council Member Gordy indicated that he does not need to be there. The inspection is done before they pour to be sure the steel is good and the form survey has been done. It is good practice to pour right after the inspection.

8. REPORTS TO COUNCIL: (Con't)

8.2 Building: City Secretary, Susan Blevins stated there were eighteen (18) permits and thirty (30) inspections. She stated the Certificate of Occupancy was released for 1209 Pine Chase. She said it was being held due to the decision from Council on driveways.

8.3 City Secretary: City Secretary Blevins stated the City had a soft launch of the website and she asked everyone one to review and make suggestions where needed. The Hazard Mitigation Plan can be found on the website under notices for residents to review. City Secretary Blevins asked Council to advise her of their travel arrangements so she can schedule a budget workshop.

8.4 Treasurer: City Secretary Blevins stated the Quarterly Investment Report was in Council's packet and the balances are from the Balance Sheet not the Bank Statement. Mayor Whiting stated that she and City Secretary Blevins have scheduled a meeting with Amegy Bank to discuss bank charges.

8.5 CLOSED EXECUTIVE SESSION: None

9. REPORTS FROM COUNCIL:

9.1 Mayor Whiting: I-10 Noise Mitigation – Mayor Whiting stated City of Houston is discussing this item as part of their Capital Improvement Project. Council Member Stardig and Oliver Pendington are pushing the contribution from City of Houston on this project.

9.2 Mayor Pro Tem Post: Tree Ordinance - Mayor Pro Tem Post stated she had met with Alan Wolfe to go over the time frame to replant trees and the required size of the trees to be replanted. She stated she will be going to nurseries to review the size of trees and she should be able to bring changes to the ordinance to Council next month.

10. ACTION ITEMS:

10.1 CONSENT AGENDA: Council Member Davis made a motion to approve the Consent Agenda, including disbursements less invoices to PathMark Traffic Products, Northwest Pest Control, Republic Traffic Safety, Inc. and Severn Trent but including the Minutes from the June 17, 2014 Council Workshop & Regular Council Meeting, seconded by Council Member Maddock. **A vote was taken to approve the motion approving the Consent Agenda including disbursements less invoices to PathMark Traffic Products, Northwest Pest Control, Republic Traffic Safety, Inc. and Severn Trent but including the Minutes from the June 17, 2014 Council Workshop & Regular Council Meeting. The vote passed unanimously.**

Mayor Pro Tem Post wanted to know if all the signs were delivered to the City from PathMark Traffic Products, “the answer was yes”. She also asked what had been resolved with Northwest Pest Control. City Secretary Blevins said that Northwest Pest Control agreed to credit the sales tax and late fees and that no work would be performed without a signed contract. Mayor Pro Tem Post asked why there were so many charges for spray painting valves and why they included a vehicle charge. City Secretary Blevins said that it was part of general maintenance and the valves needed to be painted to identify them. Mayor Whiting stated the City’s contract is broken down with vehicle charges. Mayor Whiting stated that City Engineer, Efrain Him recommended cutting the check to Republic Traffic but not releasing it until HDR had inspected and released the project. **A vote was taken to approve disbursements to PathMark Traffic Products, Northwest Pest Control, Severn Trent and Republic Traffic Safety, Inc. The vote passed unanimously.**

11. ADDITIONAL COUNCIL COMMENTS: Mayor Whiting thanked Bob Sommer for coordinating the food disbursement at the Village Festival and she thanked Robert Belt for donating a vehicle for her to ride in. Council Member Davis told Council that he read in the paper that the Woodlands were having problems with their aging sewer lines.

12. ANNOUNCEMENTS: City Secretary Blevins reminded Council that the vote for the Alternate Board of Adjustment would be on next month’s agenda.

13. ADJOURNMENT: Council Member Maddock made a motion to adjourn, seconded by Council Member Davis. The meeting was adjourned at 8:39 PM.

Shannon Whiting, Mayor

ATTEST:

Susan Blevins, City Secretary