

TUESDAY, JANUARY 20, 2015  
PUBLIC HEARING AND REGULAR COUNCIL MEETING  
6:30 P.M.

**1. PUBLIC HEARING:**

**1.1 CALL TO ORDER:** Mayor Whiting called the City of Hilshire Village Public Hearing to order at 6:30 P.M. at 8301 Westview, Houston, Texas 77055.

**1.2 Public Hearing: Specific Use Permit for the Food Pantry located at the Holy Cross Lutheran Church, located at 7901 Westview - No Citizen comments.**

The Public Hearing was adjourned at 6:31 PM.

**REGULAR COUNCIL MEETING**

**1. CALL TO ORDER:** Mayor Whiting called the City of Hilshire Village Council Meeting to order at 6:32 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, Paul Maddock and David Gunn. Also present were City Secretary Susan Blevins, Chief Gary Finkelman, Spring Valley Police Department and City Attorney Kim Mickelson, Olson & Olson. City Engineer Efrain Him, P.E., HDR/Claunch & Miller, Inc. were absent.

**3. ACTION ITEMS:**

**3.1** Council Member Maddock made a motion to approve the City of Hilshire Village Ordinance 713 amending Ordinance 698 approving a Specific Use Permit to Holy Cross Church. The amendment would be to increase the size of the permanent wood structure approved but not yet built from a 20' X 20' to a 20' X 30' permanent wood structure to be utilized for storage, seconded by Council Member Gordy. **A vote was taken to approve the motion approving the City of Hilshire Village Ordinance 713 amending Ordinance 698 approving a Specific Use Permit to Holy Cross Church to increase the size of the permanent wood structure approved but not yet built from a 20' X 20' to a 20' X 30' permanent wood structure to be utilized for storage. The vote passed unanimously.**

#### **4. CITIZEN'S COMMENTS:**

**Sue Ruthsrom, 1220 Archley**, stated her ditch had been dug out for the purpose of allowing better drainage for the new house at 1228 Archley. She stated that the ditch has drastically altered the landscape of her yard because it is too deep. The ditch only drains water from 1228 Archley and does not need to be that deep. Miss Rustroom said she can no longer maintain her property as the ditch is too steep and there is no other ditch like it on Archley. Her property drains directly into the ravine so the ditch is not needed. The water from the backyard goes into a pipe under her house (built partially over the ravine), joins another pipe that runs along her neighbor's land, into the ravine, under the street into the ravine across the street and then into the creek.

Mayor Whiting stated that the ditch before construction was almost silted full. The excavation was more aggressively dug especially when looking at 1228 Archley. She suggests that the City Engineer be asked to revisit the site to see if there is a remedy. This was part of the DonMar Grading contract and it has not been finalized yet.

**Zandra Anderson, 8214 Mallie Court**, stated she was bringing an honest mistake to the attention of Council. On December 17<sup>th</sup>, the City sent out a notice to residents of Christmas Eve and Christmas Day as holidays but saying nothing about holidays for the next week. An email was sent to Spring Valley stating that December 30 and December 31st were holidays and the City would be closed. Mina Graham, City Clerk, sent out emails to all the contractors. In Section 7.601 it does state that yard work is not to be done on holidays, but these days are not normal holidays. Miss Anderson stated her yard guy came to do the yard and was told by the police that he could not work which scared him. She suggested that for designated holidays the Office send out a notice to residents and remind them that yard work is not allowed.

**5. COUNCILS COMMENTS:** Mayor Whiting stated that Valley Oaks is having their Grand Opening and ribbon cutting on Thursday and the public was welcome.

#### **6. REPORTS TO COUNCIL:**

**6.1 Police Report:** Mayor Whiting stated that the Chief has requested the new vehicle stickers be put on the lower left side of the rear window. He also said the stickers did not result in being followed home by an undesirable person, but that it is a method for the police to know that you belong in the City. Chief Finkelman stated there was one (1) assault where a family member assaulted another member, a Class "Misdemeanor and one (1) arrest where a skateboarder with a previous warrant was arrested. January has been quiet so far.

**6.2 Engineers Report** – Mayor Whiting stated that City Engineer Efrain Him was ill but she had met with him and he updated her on his report. Mayor Whiting reported that in regard to **Pine Chase and Glourie Drive Reconstruction HMGP Project**, HDR had prepared and submitted supplemental information packages to the State to aid in the

project close-out process. She stated Efrain was watching the warranty deadline and coordinating with Triple B to address all punch-list items.

**Pine Creek & Bridle Spur Reconstruction Project:** Scohil Construction Company has installed all the sanitary sewer lines and manholes located under Pine Creek Lane, including sanitary sewer services. They will be transferring the services to new line starting next week. Scohil Construction has uncovered multiple unmarked buried utilities and encountered hard base material under the asphalt requiring hand excavation, causing delays in the project. The contractor has everything done up to the manhole at City Hall. Pre-TV inspection of the existing sanitary sewer on Bridle Spur was done revealing the sewer in good condition with the exception of approximately 20-ft of pipe on the downstream end connecting to the City of Houston's manhole. However, the pipes are a truss pipe, which is a very brittle material and HDR recommends rehabilitation by pipe bursting. Mayor Whiting stated Council would be voting on payment to Scohil and HDR recommends payment. Mayor Pro Tem Post asked when the City would be going out to bid for the rest of the project. Mayor Whiting said the City was coordinating with Mr. Stearns on the acquisition of land for the roadway right-of-way and proposed water meter vault site. Bridle Spur and Pine Creek will be bid together.

**1313 Ridgeley** has changed their address to 1317 Ridgeley through the post office. The home owner requested that he be allowed to widen his proposed circular driveway. It was denied due to impervious coverage limitations due to his front building line set-back. He was instructed he would have to go to the Board of Adjustments for a variance.

**Miscellaneous Ditch Cleaning/Regrading Project** was completed and the grass has been replaced. DonMar Grading also grouted the invert at Channel Crossing "C". Mayor Whiting said that the City would get with the City Engineer and DonMar Grading regarding the 1220 Archley ditch request.

Council Member Maddock stated the homeowner for 1206 Glourie was in the audience and he would like to read the City Engineers report regarding the issue of the water standing in his ditch. Mayor Whiting stated there were several factors regarding this issue. The contractor had already regraded and planted grass when it was discovered that there was a sprinkler system leak at 1214 Glourie, which has been repaired. There is also water in the ditch intermittently from 1202 Glourie which may be coming from homeowner's pool. The contractor has requested that all other issues be addressed before he goes back to do any further regrading.

## **7. ACTION ITEMS:**

**7.1** 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 # 8, in the amount of \$11,331.75, seconded by Council Member Davis. **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 # 8, in the amount of \$11,331.72. The vote passed unanimously.**

**7.2** Council Member Davis made a motion to authorize payment of Schohil's Construction Services, LLC, invoice for services provided to the City for the Pine Creek Sewer Replacement Project, Invoice # 2, in the amount of \$85,304.63, seconded by Council Member Maddock. **A vote was taken to approve the motion authorizing payment of Schohil's Construction Services, LLC, invoice for services provided to the City for the Pine Creek Sewer Replacement Project, Invoice # 2, in the amount of \$85,304.63. The vote passed unanimously.**

**7.3** Council Member Davis made a motion to authorize payment of DonMar Grading invoice for services provided to the City for ditch grading, Invoice # 1, in the amount of \$14,937.00, seconded by Council Member Gordy. **A vote was taken to approve the motion authorizing payment of DonMar Grading invoice for services provided to the City for ditch grading, Invoice # 1, in the amount of \$14,937.00. The vote passed unanimously.**

**7.4** Council Member Gunn made a motion to approve the City of Hilshire Village Ordinance 714 adopting a new water deposit rate of \$500.00 instead of \$250.00 and correcting a billing charge for insufficient funds to reflect a charge of \$25.00, seconded by Council Member Maddock. Mayor Whiting stated that Council had previously discussed this with the discussion of invoices being turned over to a collection agency. She stated that a \$250.00 deposit does not cover two (2) months billing. Mayor Whiting stated the \$25.00 charge was to correct conflicting charges with the previous ordinance. **A vote was taken to approve the motion approving the City of Hilshire Village Ordinance 714 adopting a new water deposit rate of \$500.00 instead of \$250.00 and correcting a billing charge for insufficient funds to reflect a charge of \$25.00. The vote passed unanimously.**

**7.5** Mayor Pro Tem Post made a motion to approve a negotiated amount to Severn Trent for November's services, seconded by Council Member Gordy. Mayor Whiting stated that she met with Joe Williams, Efrain Him, City Secretary Blevins and a representative from Magna Flow. The City wanting to make sure the charges were correct and to see if a negotiated amount could be established. The sub-contractor charges were related to the point repair for Pine Creek Sewer and the work had to be done. She said that Severn Trent marks up their sub-contractors 20% where the standard industry is 10%. Mayor Whiting recommended that the City take a look at the contract and renegotiate the mark-up and the charge for idle time on trucks. She said the only thing that she was able to negotiate was the charges for replacement of a fire hydrant. The City will be credited on the next invoice. **A vote was taken to approve the motion approving Severn Trent's November's invoice as presented. The vote passed unanimously.**

**7.6 CLOSED EXECUTIVE SESSION:** None

## **8. DISCUSSION:**

**8.1 Planning and Zoning:** Kim Mickelson stated she has started looking at the Zoning Ordinances. She was proposing to have on February 11, 2014 a draft and executive summary for Council. At the February 17, 2014 meeting she will be glad to do a ten (10) to twenty (20) minute briefing to Council. Mayor Whiting asked if a workshop before the Council meeting could be scheduled.

**8.2 Construction Parking:** Council Member Maddock stated Ridgeley Drive is basically a one (1) way street and parking is not working. There is parking on both sides of the street where the ordinance states parking is only on one side. There is destruction of property. He has heard about trees, ditches and grass being destroyed. Council Member Maddock suggested that the City find someplace else for construction workers to park or assign the number of spaces each contractor can have.

Mayor Whiting said that if parking is off site, some contractors will be penalized and others will not. Council Member Gordy also said parking is so bad that something needs to be done. The current ordinance is being enforced. Mayor Pro Tem Post stated the problem is that on a street where more than one permit has been pulled, the contractors may be parking on their right side of the street, but since there is more than one permit it results in cars parked on both sides of the street – each contractor using their correct side.

Mayor Whiting stated the police were doing their best to enforce the ordinances. They do make contractors move, but it may not be timely. City Secretary Blevins indicated that trying to designate which side of the street for parking would be a “headache” for the office. Council Member Davis pointed out that most contractors bring their own tools. Unloading heavy tools and then parking elsewhere contains a risk for theft.

City Attorney Mickelson said that contractors are following the ordinances and are parking on one (1) side of the street. The ordinance is not clearly written. In order to fine for parking mistakes, signs have to be posted. She stated that when a permit is pulled, the City (or the contractor) could post signs saying “Parking Here Only” or “No Parking” along the street where the work will be done. There could be exceptions for really heavy equipment. City Secretary Blevins suggested issuing parking permits (showing the address) allowing so many per construction site. Council Member Gordy said that off-site parking is managed and done a lot with commercial construction. Residential contractors can do the same, they just have to get used to doing so. Contractors can find their own parking off site. Every job site has enough room for two to four vehicles on site off the street.

Mayor Whiting stated that the only limit would be the number of vehicles for construction job sites. The number of vehicles permitted to park on the street at the job site (probably four (4) to five (5) vehicles) would obtain parking permits from the general contractor. The rest would park off site. Most contractors are willing to work with the City.

Mayor Pro Tem Post stated that even if we issue permits we need to designate one (1) side of the road. Council Member Gordy stated that residents are also parking opposite the contractor workers. Mayor Whiting said there is obviously not a clear-cut solution.

Mayor Whiting said that she was in favor of off-site parking and parking permits. Council Member Davis stated that the parking situation now will not last forever. He said he was in favor of "No Parking" signs along the streets.

Council Member Davis also said that he does not like the fencing around Construction as it prohibits some parking. He thinks that we need to make some streets "One Way".

## **9. REPORTS TO COUNCIL: (Con't)**

**9.1 Fire Commissioner:** Mayor Whiting said there was no meeting in December so there is no report.

**9.2 Building: (City Secretary):** There were (12) permits and (66) inspections. There was a Conditional Certificate of Occupancy for 1228 Archley due to the "As-built" Drainage Survey had not been submitted correctly. Plans were approved for 1305 Ridgeley and 8210 Burkhart.

**9.3 City Secretary:** City Secretary Blevins stated an HDR invoice had been added to the Consent Agenda. The Investment Policy is in the Consent Agenda because there was no change in the policy; it just needs to be approved each year. She also said the Election Ordinance was in the Consent Agenda calling for an election of three seats on Council. Mr. Jeffery Klam will be the election judge again this year.

Council Member Maddock stated that on the complaint log there was an issue of a leaning pole (near the lift station). City Secretary Blevins said she would send another email to her CenterPoint contact.

**9.4 Treasurer:** City Secretary Blevins stated the auditors have been at the City for two (2) weeks. She said the City was still waiting for documentation requested by the auditors from Severn Trent. City Secretary Blevins reported the billing for water had gone out but was not reflected in the December Financials for the Utility Account. The City's budget will be way out of line on Repairs to Water Lines and Repairs to Sewer Lines. Mayor Whiting said the City could allocate some of the cost to the Construction Project.

## **10. REPORTS FROM COUNCIL**

**10.1 Mayor Whiting: Appointment of Don Elder to succeed Burt Ballanfant as metro Cities Representative on the Metro Board:** There was a conference call among the Metro Cities' Members and Don Elder was elected. Mayor Whiting has worked with Mr. Elder on the Katy Freeway noise issue.

**I-10 Noise Abatement:** Mayor Whiting received an email stating that a number of Houston Council Members were working to get Houston to commit funds. She said that

the rest of the cities are tired of waiting and are going to work on a plan to move forward without the City of Houston's funding, although no one is entirely sure exactly what that means.

**11. CONSENT AGENDA:**

**11.1** Council Member Maddock made a motion to approve the Consent Agenda, including disbursements, the Minutes from the Regular Council Meeting of November 18, 2014 and the Minutes from the Special Council Meeting of December 15, 2014, City of Hilshire Village's Investment Policy for 2014 and 2015, City of Hilshire Village's Ordinance Number 715 providing for the holding of a General Election on May 9, 2015, for the purpose of electing three (3) Council Members for a term of two (2) years, seconded by Council Member Gordy. **A vote was taken to approve the motion approving the Consent Agenda, including disbursements, the Minutes from the Regular Council Meeting of November 18, 2014 and the Minutes from the Special Council Meeting of December 15, 2014, City of Hilshire Village's Investment Policy for 2014 and 2015, City of Hilshire Village's Ordinance Number 715 providing for the holding of a General Election on May 9, 2015, for the purpose of electing three (3) Council Members for a term of two (2) years. The vote passed unanimously.**

**10. ADDITIONAL COUNCIL COMMENTS:** None

**11. ANNOUNCEMENTS:** None

**12. ADJOURNMENT:** Council Member Gunn made a motion to adjourn, seconded by Council Member Gordy. The meeting was adjourned at 8:13 PM.

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Shannon Whiting, Mayor

ATTEST:

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Susan Blevins, City Secretary