

TUESDAY, OCTOBER 20, 2015
REGULAR COUNCIL MEETING
6:30 P.M.

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 Mayor Whiting.

1.2 Pledge of Allegiance: was given by Zach Griffith and Andrew Ward from Troup 837.

1.3 Present: were Mayor Shannon Whiting, Mayor Pro Tem Paul Maddock, Council Members Stephanie Post, Russell Herron and David Gunn. Also, present were City Administrator, Susan Blevins, Assistant Chief L. Evans, Spring Valley Police Department and City Engineer Efrain Him, P.E., HDR Inc. Council Member Mike Gordy and City Attorney Kim Mickelson, Olson & Olson, were absent. Special Guest, Mayor Brian Muecke from Hedwig Village was present.

2. Citizens Comments:

Bill Bristow, 1233 Pine Chase Drive, said he still could not hear the Council Members when they speak from the podium. Mr. Bristow stated there was still standing water in his ditch and wanted to know what was going on with the Schwab property as they have not mowed.

Mayor Whiting stated that the City had done some work on the sound system and where Mr. Bristow was sitting was the worst place to sit. The last row was the best point to sit to hear.

3. COUNCIL COMMENTS: None

4. PRESENTATION OF FUNDS: Robert Swanson, representing Hilshire Village's Conduit Corporations, presented Council with a check for \$19,000.00 on the latest transaction for the Hilshire Village Higher Education Facilities Corporation (HVHEFC) from the Kipp Austin Public Schools Public Schools in Austin and a check from Hilshire Village Cultural Education Finance Facilities Corporation from last year's transaction with St. Francis Episcopal Day School of \$15,000.00 for a total of \$34,000.00. The money will go into the General Fund and then Council will decide how the funds will be used. Mayor Whiting said she would like to do some City Hall improvements. She also said Council could consider replacing some of the trees being cut down on Bridle Spur. The street will lose a major portion of the canopy due to construction.

5. REPORTS TO COUNCIL:

5.1 Police Report: Mayor Whiting reported that Chief Finkelman had retired. Darrell Bond had been promoted to Chief and Lieutenant Evans was promoted to Assistant Chief of Police. Assistant Chief Evans will be attending the Council Meetings and giving the monthly report.

Assistant Chief Evans stated that he has twenty-five (25) years of experience straight out of the military. He has patrolled in Hilshire Village. Assistant Chief Evans wants the house checks to be done more often. Residents can email dispatch to ask for vacation watch or other watch requests. He also stated that in the future Council's report will take a different format.

Assistant Chief Evans reported that in September a routine traffic stop at 1321 Ridgeley resulted in finding drug paraphernalia and suspicious behavior of the occupants of the vehicle. Outstanding warrants were found on both suspects leading to both being arrested.

There was a burglary on October 2, 2015. On October 7th the suspect came to the officers as he knocked on a resident's door saying he was there to do maintenance. The person answering the door was an officer. The suspect has now been linked to other burglaries.

Assistant Chief Evans said he wants residents to report anything and everything. Patrols are using unmarked cars.

5.2 Engineers Report – Efrain Him stated in regard to the **Pine Chase and Glourie Project** that Triple B Services was in the City addressing warranty issues and will also be back tomorrow. Mayor Pro Tem Maddock said the ditch at 1206 Glourie still has a problem. Efrain said he would work with Triple B to correct the issue.

Efrain stated that HDR has started the Construction Phase for the **Pine Creek & Bridle Spur Reconstruction Project**. Conrad Construction Company has started preparing the road for construction. Efrain stated that he confirmed the trees that would have to be removed and tried to talk to the homeowners today to explain why they would have to be removed. The City had a Pre-Construction Meeting on October 12th. Conrad will start breaking ground October 26th. CenterPoint is in the process of moving the gas line on Pine Creek. He was able to change the location of the gas line at City Hall where their intent was to run the line through the location of the water meter.

Mennonite Church and Schwab Development - HDR is reviewing the engineering plans submitted by Momentum Engineering. He is also reviewing the plans submitted to the City of Houston. City Administrator Blevins is preparing a letter to the City of Houston explaining the City's two (2) step process of approving plats and that the preliminary plat had been approved.

Mayor Whiting asked what Council would like done at Hilshire Villas. Council wanted to make sure the lot was cleaned up and drainage was working. Council Member Herron said that half of the residents in Hilshire Grove like the way it looks and the other half would like to see it mowed.

Council Member Post asked what the City was doing about the **water lines on Friarcreek Lane** and Efrain said it would be in the City's best interest to add it to the Pine Creek/Bridle Spur Reconstruction Project.

6. ACTION ITEMS:

6.1 Mayor Pro Tem 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 # 11, in the amount of \$ 11,326.13, seconded by Council Member Post.

Bill Bristow, 1233 Pine Chase, protested the payment of this invoice until such time as all the work on the Pine Chase & Glourie project was completed.

A vote was taken to approve the motion authorizing payment of HDR's invoice for Professional Engineering Services provided to the City for the Pine Creek & Bridle Spur Reconstruction Project, invoice # 11, in the amount of \$11,326.13. The vote passed unanimously.

The City Engineer was excused at this time

6.2 Mayor Pro Tem Maddock made a motion to authorize the Mayor to enter into a three (3) year contract with Waste Corporation of Texas, L.P., solid waste and recycling disposal with solid waste services to stay the same but increase recycling to weekly instead of biweekly, seconded by Council Member Herron.

Mayor Whiting introduced Mr. Trevor Royal from WCA who was at the meeting to answer any questions. She stated that WCA purchased Royal Disposal last December and that the City experienced some service issues around Labor Day. Mayor Whiting also stated that if the City decided to go out for bid and went with another company there would be some service disruption as the new company learned the route for the City.

Mayor Whiting stated that the terms of the contract under discussion were very similar to what the City has now. The fee would be \$19.45/month for trash and \$3.14 for recycling for a total of \$22.59/month for residential. There would be twice weekly back door or garage pickup of trash and one weekly garage door pickup of a sixty-five (65) gallon wheeled recycling cart. Commercial is separate but would be the same price without recycling. Mayor Whiting stated the price was slightly lower than the current price.

Mr. Royal stated that there were no fuel charges or environment fees in the contract price. Council Member Post wanted to know when the Consumer Product Index was published and if the rate would go down if the CPI went down.

The effective date of the three (3) year contract was proposed for December 1, 2015 but may have to start on January 1, 2016 depending on the availability of the recycling carts. Mr. Royal said that any rate increase could be tied to the City's budget year. The first year could be prorated. Both parties would have sixty (60) days for notice for termination of the contract. In the case of nonperformance, the City would first give written notice and give WCA fourteen (14) days to cure. The City's acceptance of the cure would be conclusive. Mayor Whiting said that Council had discussed and would like for there to be some monetary penalty for non-performance. Mr. Royal said he would work on adding potential penalties.

Council Member Post said she would like for the section on termination and penalties to be clearer. Mr. Royal indicated that penalty clauses were frequently included in contracts. Mayor Pro Tem Maddock wanted to know about extra charges that could be charged to the City. Mr. Royal stated that WCA is a fully integrated company (excluding recycling). He stated WCA owns their landfill so there would be no extra charges. Mr. Royal stated that any increase would have to be approved by the City. Council Member Herron asked about recycling. All recycling goes to either Waste Management or another local recycling company. Council Member Post asked if there could be a limit on any potential increases. Mr. Royal stated it is standard to have a clause stating "not to exceed three (3%) percent".

The contract presently states that City's service would be on Mondays and Thursdays with garage door pickup due to liability issues. "Garage door" means the trash is visible and directly accessible from the driveway. Residential refuse must be contained within resident provided receptacles not to exceed a capacity of forty (40) gallons or bags not exceeding forty (40) pounds weight. Collection is limited to eight (8) items, receptacles or bags at the garage door. If residents store their trash behind a gate they would have to move it to the garage door prior to pick up. Mayor Whiting does not want trash cans on the street because it is a safety hazard to pedestrians and emergency vehicles.

Lawn, leaf and yard debris rules stay the same. Limbs must be tied in bundles of no more than four (4) feet and no limb greater than three (3) inches in diameter. Bags of leaves and debris may weigh no more than forty (40) pounds. These items need to be left at curbside. Bags and bundles are limited to ten items each week. One (1) bulk waste item will be picked up each Thursday and must be left at curbside. This includes mattresses, furniture and appliances (refrigerators and freezers have to be drained of Freon). One item per week is the limit. They will not pick up bricks, rocks, dirt, paint (unless dried) waste generated by private contractors or hazardous materials. Receptacles will be returned to point of origin.

WCA will provide recycling picked up at the garage door once a week on Thursday. They will provide each residence with one (1) sixty-five (65) gallon cart on wheels. Any replacement due to misuse, theft or loss will be \$75.00. Replacements of carts due to normal wear and tear will be at no cost to the residents. Bins will no longer be used and glass will no longer be accepted.

Time for putting out trash and recycling stays the same at not before 7 PM the night before or by 7 AM the morning of collection. WCA will notify the City of any delays.

Council Member Post stated she would like to see a contract before authorizing the Mayor to sign. This means the new contract will start January 1, 2016. WCA said they would rework the contract to reflect the items discussed tonight.

Mayor Pro Tem Maddock made a motion to table his original motion, seconded by Council Member Herron. **A vote was taken to table the motion to authorize the Mayor to enter into a three (3) year contract with Waste Corporation of Texas, L.P., solid waste and recycling disposal with solid waste services to stay the same but increase recycling to weekly instead of bi-weekly. The vote passed unanimously.**

6.3 Council Member Gunn made a motion to authorize the Mayor to enter into a contract with TxDOT, City of Houston and the Memorial Villages for installation of Next Generation Concrete Surface Grinding Process to mitigate I-10 freeway noise under revised scope of work, seconded by Council Member Post. Mayor Whiting reminded Council that In July of 2013 Council approved a \$100,000 expenditure from Metro Funds to contribute to a program to grind and re-groove the I-10 corridor. The purpose of the project is to reduce noise levels from the freeway. She stated the reason this was brought back to Council was because of a new development. As the project was being reviewed, TxDOT engineers reported the decking on the elevated portions of the corridor are only two (2) inches thick, which does not allow enough clearance to grind and re-groove the sections without compromising support capability. There are approximately 600 linear feet of elevated area. 10% of surface area is overpasses and entrance/exit ramps and can't be resurfaced. Mayor Whiting wanted to make sure Council still wanted to participate in the program. The City of Houston has agreed to fund part of the project but Hilshire Villages' portion would still be \$100,000 paid in a five (5) year note, interest free. Experts are still reporting that the Cities would experience a meaningful amount of noise reduction. City of Hilshire Village's direct frontage has the longest section that cannot be resurfaced.

Council was not pleased with the new information and the fact that the City's cost did not reduce the traffic noise. Council wanted to know how the other Cities voted. Mayor Whiting stated that Hilshire Village was the first to vote on this issue.

Council Member Gunn made a motion to table his original motion, seconded by Council Member Post. **A vote was taken to approve the motion tabling the motion to authorize the Mayor to enter into a contract with TxDOT, City of Houston and the Memorial Villages for installation of Next Generation Concrete Surface Grinding Process to mitigate I-10 freeway noise under revised scope of work. The vote passed unanimously.**

7. DISCUSSION:

7.1 8373 Group: Mayor Whiting stated that while the City was reviewing the Zoning Ordinance it was discovered that the 8373 Group, Inc., an Alcoholics Anonymous group, does not have a Specific Use Permit (SUP) on file. They are housed in a commercial area which requires such a permit. The City will be notifying them of the need for the SUP. If they provide us with a copy, we will have one on file. If not, they will need to

apply for a SUP so Council may see a request in the future. The City Staff is reviewing all zones to make sure the City has Specific Use Permits for all entities that require one.

7.2 Planning and Zoning: Council Member Herron stated that everyone in the Zoning Committee is going in the same direction. Robert Byrne has been an anchor of reason. The group started in September and meets on Mondays, one meeting in the afternoon and one later in the day. The Committee would like to have a workshop with Council concerning a set of questions, the Committee's proposals and a presentation on how the Committee arrived at the proposal. The Committee would like to hear the Council's view, before proceeding.

Council Member Herron stated the Committee has put in one hundred fifty-one (151) hours per person. One of his goals is for a person to be able to look at the Table of Contents and find all the information on that subject in that one place. We can also include pictures.

Council Member Herron asked for a possible date for a workshop. He also requested being able to meet with the City Attorney at some time to answer legal questions. October 29, 2015, was set as the meeting date for ninety (90) minutes maximum. Mayor Whiting stated the workshop could be combined with a Special Council Meeting if the Trash Contract or TxDOT Contract comes in.

8. REPORTS TO COUNCIL: (Con't)

8.1 Fire Commissioner: Mayor Whiting attended the last meeting. There was discussion on the refurbishment of the fire house and what type of ladder truck to order. A recommendation should be coming at the next meeting

8.2 Building: City Administrator Blevins stated there were twenty-three (23) permits issued and one (1) was for a new residence at 1210 Archley. There were forty (40) inspections. One (1) Certificate of Occupancy was issued in October for 1201 Pine Chase.

8.3 City Secretary: City Administrator Blevins stated that regarding the Complaint and Issue Log, the majority of the drainage issues had been handled. AT&T is still working on their issues at 1202 Glourie. The manhole at # 3 Hilshire Oaks has been fixed thanks to Mayor Whiting and her crew of volunteers. City Administrator Blevins stated that WCA, the City's refuse company, has improved their services and there have been fewer calls. The AA Group has finally cleaned up their area.

Mayor Whiting pointed out that the City Engineer, Efrain Him and City Administrator Blevins earned a plaque for their work on the Emergency Preparedness Plan and thanked them both for their hard work.

City Administrator Blevins stated that Northwest Pest Control asked if the City wanted to continue their service through November. Council replied "yes".

8.4 Treasurer: City Administrator Blevins said that she did not present financials to Council because all the invoices had not come in to close FYE 2015. She did include a Fund Balance of all the accounts and the Quarterly Investment Report.

9. REPORTS FROM COUNCIL

9.1 Mayor Whiting – Mayor Whiting recognized the Civic Club for the excellent National Night Out that they sponsored.

Council Member Post wanted to thank Council Member Herron and his Committee for their work on the Zoning Committee.

10. CONSENT AGENDA:

10.1 Mayor Pro Tem Maddock made a motion to approve the Consent Agenda as presented including the disbursements, the Minutes from the Regular Council Meeting of September 15, 2015, Minutes from the Special Council Meeting of September 24, 2015, approving an Inter-local Agreement between the City of Hilshire Village and Harris County for administration and implementation of a Regional Watershed Protection Education Program in the amount of \$395.38, approving a proclamation recognizing Halloween Night and authorizing the Mayor to enter into a contract with Power Now LLC for a two (2) year contract for Generator Maintenance in the amount of \$995.00, seconded by Council Member Post.

A vote was taken to approve the motion approving the Consent Agenda as presented including the disbursements, the Minutes from the Regular Council Meeting of September 15, 2015, Minutes from the Special Council Meeting of September 24, 2015, approving an Inter-local Agreement between the City of Hilshire Village and Harris County for administration and implementation of a Regional Watershed Protection Education Program in the amount of \$395.38, approving a proclamation recognizing Halloween Night and authorizing the Mayor to enter into a contract with Power Now LLC for a two (2) year contract for Generator Maintenance in the amount of \$995.00. The vote passed unanimously.

11. ADDITIONAL COUNCIL COMMENTS: None

12. ANNOUNCEMENTS: Mayor Whiting reminded everyone of Halloween Event on Archley on Halloween night and that the Fire Department was having an open house on Saturday, October 24, 2015.

13. ADJOURNMENT: Mayor Pro Tem Maddock made a motion to adjourn, seconded by Council Member Post. The meeting was adjourned at 8:47 P.M.

Shannon Whiting, Mayor

ATTEST:

Susan Blevins, City Administrator/City Secretary