

TUESDAY, JANUARY 19, 2016
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 6:34 P.M. at 8301 Westview, Houston, Texas 77055.

1.1 Invocation: was given by Mayor Pro Tem Maddock.

1.2 Pledge of Allegiance:

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

2. REPORTS TO COUNCIL:

2.1 Police Report – Assistant Chief Evans stated that either Chief Bond or Detective Brian Baldwin would fill in for him if he has to be absent again. In December, 2015, there were no major crimes. On the 1200 block of Ridgeley there was a broken window but the alarm went off and nothing was taken. On Hickory Shadows there was a broken car window, but nothing was taken. In January, there were two alleged burglars stopped in the 8200 block of Burkhart for a traffic violation. The suspects were allegedly casing the area.

The Police Department is working a proactive operation headed by Detective Baldwin and using unmarked police cars to cut down on crimes. Please contact the Police if anything suspicious occurs.

Assistant Chief Evans went over the Open Carry Law as to how it relates to the City.

3. Public Hearing:

Mayor Whiting said the Public Hearing for the Specific Use Permit for the 8373 Group was cancelled at the request of 8373 Group's attorney to allow them time to review since they were just recently hired to represent the Group.

4. ACTION ITEMS:

4.1 No motion was made to approve the City of Hilshire Village Ordinance Number 725 approving a Specific Use Permit to the 8373 Group, a Charitable Alcoholic Foundation that has been operating at 8373 Westview in the Commercial Area.

5. Citizens Comments:

Bill Bristow, 1233 Pine Chase Drive, said he was glad that the Police were doing a proactive program and talked about the Open Carry Law. He also asked if any Council Members were carrying at the meeting. Mr. Bristow stated that he thought there should be a Treasurer's report at every meeting and he looked forward to the City Administrator's Report.

Betty Westenfelder, 1310 Bridle Spur, said a big "thank you" to the Mayor, Council, the City Engineer, Conrad Construction and their Foreman, George for Bridle Spur Project. Also, she thanked her neighbors who pushed for the work to be done on Bridle Spur and it becoming a city street.

6. COUNCIL COMMENTS: None

7. REPORTS TO COUNCIL:

7.1 Engineers Report –

Lot Coverage Calculations – Efrain Him stated the City's maximum lot coverage is 60% of the lot area behind the front building line and 50% in front of the building which is very restrictive compared to other Cities in the area. If the City is wanting more green space, he suggests the side setbacks be more restrictive. He said the builders are going to build exactly where the setbacks are regardless of lot coverage. Council Member Herron said that during the Zoning Meeting he discovered the impact is the net building area of 40%. Mayor Whiting stated the City is even more restrictive because it also counts swimming pools and pavers as non-permeable. Efrain still said that the best solution for the City is changing the side set back. Council Member Gunn stated that he is concerned with the preservation of the tree canopy, grass, the wild life and concrete. City Administrator Blevins stated that it is not just new construction residents that think the City is too restrictive; it is the current home owner who is trying to add a pool that is also having issues with the City's lot restrictions.

Pine Chase and Glourie Drive Reconstruction Project – Efrain stated that HDR has attempted multiple times to contact Triple B Services in regard to the outstanding ditch drainage issues at 1206 Glourie Drive; however, the Contractor is being non responsive. He stated after talking to the Mayor and City Administrator it would be costlier for legal action than would be to hire someone else to do the job. At this time there is an action item to authorize HDR to request a quote from DonMar Grading, Inc., for 1206 Glourie and any additional ditch cleaning work the City would like them to perform. Mayor Pro

Tem Maddock wanted to make sure Triple B Services was put on a black list. Council Member Gordy wanted to know if the City has checked into the Bond. Efrain Him stated the one (1) year warranty has expired.

Pine Creek & Bridle Spur Reconstruction Project – Bridle Spur Reconstruction Project has been completed. Conrad Construction Company has completed the water line behind the commercial lots on Pine Creek. The installation of Traffic Control, Tree Protection and Storm Water Pollution Preventions have been done. Conrad is 43.57% complete in place and has used 24.36% of the contract time as of December 31, 2015. Efrain recommends Council authorize payment of Pay Application Number 3.

Friarcreek Subdivision – Efrain stated HDR has prepared an Engineering Services Proposal for the replacement of the water line system.

Efrain stated that Mrs. Bravenec, 8010 Burkhart, has brought to the attention the need for the water lines to be replaced on Burkhart Road. Mayor Whiting stated that the City could discuss this topic with the discussion on Friarcreek's water line replacement. Council Member Gordy asked if it was water quality or a pressure problem? City Administrator Blevins stated it was both.

She also wanted to know if the City would provide maintenance of the ravine behind her property.

Mayor Whiting said that she and Council Member Herron met with City of Houston's Council Member Stardig and their Public Works Department regarding a traffic light on Wirt Road and found it was not on the table because of the traffic count. City of Houston will continue to review a left hand turn lane into Hilshire Villas.

8. ACTION ITEMS:

8.1 Mayor Pro Tem Maddock made a motion to authorize payment of Conrad Construction Company Limited for services provided to the City for the Pine Creek and Bridle Spur Reconstruction Project, invoice # 3, in the amount of \$132,673.43, seconded by Council Member Post. Council Member Gordy asked about the over-runs (items 22, 23 and 24) on the job and how they will affect the final contract. Efrain stated that he is carefully watching the over-runs but there are under-runs to counter balance. **A vote was taken to approve the motion authorizing payment of Conrad Construction Company Limited for services provided to the City for the Pine Creek & Bridle Spur Reconstruction Project, invoice # 3, in the amount of \$132,673.43. The vote passed unanimously.**

8.2 Mayor Pro Tem Maddock made a motion to authorize payment of HDR invoice for Engineering Services provided to the City for the Pine Creek and Bridle Spur Reconstruction Project, invoice # 14, in the amount of \$11,598.17, seconded by Council Member Post.

Bill Bristow, 1233 Pine Chase, questioned why some houses on Bridle Spur had covered ditches while others had an open ditch. Mayor Whiting said the question had nothing to do with paying the invoice and should be discussed at a later time.

A vote was taken to approve the motion authorizing payment of HDR invoice for Engineering Services provided to the City for the Pine Creek and Bridle Spur Reconstruction Project, invoice # 14, in the amount of \$11,598.17. The vote passed unanimously.

8.3 Mayor Pro Tem Maddock made a motion to authorize the City Engineer to request a proposal from Don Mar Grading for ditch cleaning throughout the City, seconded by Council Member Gordy. Council Member Post asked if this was for ditch cleaning or regrading. Efrain stated it was both. Mayor Pro Tem Maddock amended his motion to include ditch regrading, seconded by Council Member Gordy. **A vote was taken to approve the amended motion to authorizing the City Engineer to request a proposal from Don Mar Grading for ditch cleaning and regrading throughout the City. The vote passed unanimously.**

8.4 Mayor Pro Tem Maddock made a motion to authorize HDR'S Engineering Services associated with replacing the water line for the Friarcreek Subdivision, seconded by Council Member Post. Efrain said that he has presented Council with a proposal for engineering and that the actual construction work would be a supplement to the contract with Conrad Services. The proposal is for the engineering only for replacing approximately 1000 linear foot of cast iron water lines located in the City's Right-of-Way in the Friarcreek Subdivision. The water lines would be augured; therefore, he had estimated the construction cost; however, he has requested a price from Conrad per square foot. Mayor Whiting stated the project would be under 25% of the original contract; therefore, the City could amend the project without going out for bids.

City Administrator Blevins went over the worksheet she had prepared showing the available funds and the year to date budget for the Capital Improvements. Council Member Post had questions regarding the budget and available Metro Funds. She questioned the available funds and the use of Metro dollars to complete the project. Council Member Post felt the project was too close to estimate and that Council needed to see all the funds spent to-date and the funds needed to finish the Pine Creek/Bridle Spur Reconstruction Project and show these number compared to what was actually budgeted. City Administrator Blevins stated the project spans over a three (3) year time frame and that the Metro Funds were being used for paving and drainage only. City Administrator Blevins also stated she would be more comfortable if she would have had time to prepare the proper documents. She stated she had been working with the auditors for the year-end audit and time was not available to prepare proper documentation prior to the Council Meeting. Council Member Post said that she was for

the project but she just was not comfortable voting for the project without knowing that the actual Funds were available. Mayor Whiting stated she would also like to see a clearer worksheet; however, she would rather not postpone the engineering of the project. She said the money was definitely there to do the engineering. Council Member Post stated she would rather have a Special Council Meeting after the City Administrator had prepared the needed information.

Council Member Gordy stated that he was concerned if the project was going to have overages and from where the funds would come. Council Member Gunn stated he would rather have a Special Council Meeting if the City Administrator could get numbers together quickly. City Administrator Blevins stated she could have them available the following week. Mayor Pro Tem Maddock made a motion to table the motion to authorize HDR'S Engineering Services associated with replacing the water line for the Friarcreek Subdivision, seconded by Council Member Post. **A vote was taken to approve the motion to table the motion authorizing HDR'S Engineering Services associated with replacing the water line for the Friarcreek Subdivision. The vote passed unanimously.**

8.5 Council Member Herron made a motion to authorize HDR to provide surveying services associated with the survey plat and metes and bounds description for the 15-ft x 25-ft meter vault easement at City Hall in the amount of \$1,980.00, seconded by Council Member Gordy. Mayor Whiting said that the City had not done a survey for the new location at City Hall and needed the survey for the City of Houston. **A vote was taken to approve the motion authorizing HDR to provide surveying services associated with the survey plat and metes and bounds description for the 15-ft x 25-ft meter vault easement at City Hall in the amount of \$1,980.00. The vote passed unanimously.**

The City Engineer was excused at this time

8.6 Council Member Gunn made a motion to authorize the Mayor to sign an agreement with Election Systems & Software, LLC, for one (1) time rental of equipment, sale of services and license of software for the May 7, 2016, Election, seconded by Mayor Pro Tem Maddock. **A vote was taken to approve the motion authorizing the Mayor to sign an agreement with Election Systems & Software, LLC, for one (1) time rental of equipment, sale of services and license of software for the May 7, 2016, Election. The vote passed unanimously.**

8.7 Council Member Gordy made a motion to approve the City of Hilshire Village Ordinance Number 724 providing for the holding of a General Election to be held on Saturday, May 7, 2016, for the purpose of electing one (1) Mayor and two (2) Council Members for a two (2) year term, seconded by Mayor Pro Tem Maddock. **A vote was taken to approve the motion approving the City of Hilshire Village Ordinance Number 724 providing for the holding of a General Election to be held on Saturday, May 7, 2016, for the purpose of electing one (1) Mayor and two (2) Council Members for a two (2) year term. The vote passed unanimously.**

8.8 Council Member Gunn made a motion to authorize the Mayor to sign an agreement with Southern Shred, seconded by Mayor Pro Tem Maddock. **A vote was taken to approve the motion authorizing the Mayor to sign an agreement with Southern Shred. The vote passed unanimously.**

8.9 Mayor Pro Tem Maddock made a motion to discuss, choose an Electrical Provider for the City and authorize the Mayor to sign an agreement with the new Electrical Provider after review of contract by City Attorney, seconded by Council Member Gunn. City Administrator stated that the lowest three (3) company rates are shown. Mayor Whiting said that if Council authorizes her she will review and negotiate the best rates. **A vote was taken to approve the motion authorizing the Mayor to choose an Electrical Provider for the City and sign the agreement after review by the City Attorney. The vote passed unanimously.**

8.10 CLOSED EXECUTIVE SESSION: None

9. DISCUSSION:

9.1 Grounds Maintenance Hours by Third Party - Mayor Pro Tem Maddock stated there was an email sent from a resident who was upset that their lawn services could not work on a City Holiday. He just wanted to review to see if this was still the intent of the City. City Administrator Blevins reminded Council this was brought to Council a couple of years ago when the 4th of July fell on a Wednesday and several residents were having outside parties and commercial lawn services mowing yards. She stated the holidays are tied to staff's holidays at this time. If Council wants the ordinance changed she will bring it back next month. Council Member Gordy said the spirit of the ordinance was for those who work to have a quiet holiday. Council stated that there would be pro and cons either way. Council consensus was not to do anything with the ordinance.

9.2 Planning and Zoning: Council Member Herron stated his goal was to bring to Council in March changes to the Commercial Zone and the new Residential Zone for Pine Creek Subdivision for review. After that the committee will be looking into re-development.

9.3 Lot Coverage Calculations - Already discussed in the City Engineer's report.

10. REPORTS TO COUNCIL: (CON'T)

10.1 Fire Commissioner – No report at this time. The next meeting is next week.

10.2 Building – City Administrator Blevins stated there were twelve (12) permits issued, three (3) fence, two (2) drainage, two (2) trees, one (1) roof, one (1) demolition at 8006 Burkhart, one (1) remodel, one (1) swimming pool at 1309 Ridgley and one (1) plumbing. There were forty-one (41) inspections and one (1) plan check for a new construction at 1107 Ridgeley.

The City Attorney was excused at this time

10.3 City Administrator – City Administrator Blevins reminded everyone the Election packets were available.

10.4 Treasurer – City Administrator Blevins stated the City Auditors have been at the City for two (2) weeks and will continue to work with the City until completion. They will present the audit to Council at the March meeting. Mayor Whiting said that the reason the financials were not in the packet was because City Administrator Blevins had been working on the audit for the last month. City Administrator stated that she had added an invoice for \$1,299.00 for the accounting software to the Consent Agenda.

11. REPORTS FROM COUNCIL:

11.1 Mayor Whiting stated the City still does not have the **Noise Mitigation Contract** but that TxDOT has put the project on their schedule and they have signed off with the City of Houston.

Mayor Whiting stated this was the time of the year that Council wanted to review the hiring of a full time position for Assistant City Secretary/Permit Clerk. She was looking for a volunteer to help with the process. Mayor Pro Tem Maddock volunteered.

12. CONSENT AGENDA:

12.1 Council Member Gordy made a motion to approve the Consent Agenda as presented including the disbursements including the additional invoice for accounting software, the Minutes from the Public Hearing and Regular Council Meeting of November 17, 2015, the Minutes from the Special Council Meeting of December 14, 2015, the Minutes from the Council Workshop of January 14, 2016, and the approval of Kyle Sears as the City Representative for the Houston-Galveston Subsidence District, seconded by Council Member Post.

A vote was taken to approve the motion approving the Consent Agenda as presented including the disbursements including the additional invoice for accounting software, the Minutes from the Public Hearing and Regular Council Meeting of November 17, 2015, the Minutes from the Special Council Meeting of December 14, 2015, the Minutes from the Council Workshop of January 14, 2016, and the approval of Kyle Sears as the City Representative for the Houston-Galveston Subsidence District. The vote passed unanimously.

13. ADDITIONAL COUNCIL COMMENTS: Council Member Herron stated he really likes his recycle bin.

14. ADJOURNMENT: Mayor Pro Tem Maddock made a motion to adjourn, seconded by Council Member Post. The meeting was adjourned at 8:42 P.M.

Shannon Whiting, Mayor

ATTEST:

Susan Blevins, City Secretary