

MONDAY, SEPTEMBER 26, 2016
PUBLIC HEARING & SPECIAL COUNCIL MEETING
6:30 P.M.

PUBLIC HEARING AND SPECIAL COUNCIL MEETING

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

1. PUBLIC HEARING:

1.1 Citizen's Comment's: None

Close the Public Hearing at 6:31 P.M.

2. CALL TO ORDER: Mayor Herron called the City of Hilshire Village Special Council Meeting to order at 6:31 P.M.

2.1 Present: were Mayor Russell Herron, Council Members Mike Gordy, Robert Byrne, Robert Swanson and David Gunn. Also present were City Administrator Susan Blevins and City Attorney Kim Mickelson. Mayor Pro Tem Paul Maddock was absent.

3. DISCUSSION:

3.1 Mayor Herron discussed the FYE 2017 Budget and 2016 Property Taxes. He discussed the fact that the month of September's numbers had been entered into the budget, but they were not the final numbers because the month had not been closed out. Also, the City received the actual budget number from the Police Department and it was slightly higher than estimated. Mayor Herron said that Council Member Gordy's company prepared an estimate of the construction work for City Hall.

City Administrator Blevins stated that line items were put in the budget for Urgent or Prioritized Capital Improvements in case Council wanted or needed to do a Capital Improvement. She said the Utility Fund Budget was prepared using a \$.25 increase in revenue per 1000-gallon water use. Mayor Herron recommended that the Utility Fund be a break-even fund and the City show a small modest increase yearly. He said the higher tax rate would be deductible for the residents on their personal taxes; however, water bills were not deductible. Council Member Gordy agreed.

Council Member Gordy discussed the City Hall Improvements and if the cost is over \$50,000 then it would need to be engineered, stamped and then gone out for bid. He thought it was a good idea to roll the projects together and see what the prioritization was next year.

4. ACTION ITEMS: Council Member Byrne made a motion to approve Ordinance Number 734 amending Appendix "A" Fee Schedule of the Code of Ordinances of the City of Hilshire Village, Texas by deleting section 7.200 and replacing with a new section 7.200 establishing new water and trash rates. **A vote was taken to approve the**

motion approving Ordinance No. 734 amending Appendix “A” Fee Schedule of the Code of Ordinances of the City of Hilshire Village, Texas by deleting section 7.200 and replacing with a new section 7.200 establishing new water and trash rates. The vote passed unanimously.

4.2 Council Member Gordy made a motion to approve Ordinance Number 732 adopting the City of Hilshire Village, Texas General Budget for the FYE 2017. In accordance with Section 102.007(c) of the Local Government Code, adoption of this year’s budget will require raising more revenue from property taxes than in the previous year; therefore, the City must, by separate vote of the City, ratify the property tax increase reflected in the budget. THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR’S BUDGET BY AN AMOUNT OF \$89,384 WHICH IS A 9.22 PERCENT INCREASE FROM LAST YEAR’S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$25,332, seconded by Council Member Byrne. A vote was taken to approve the motion approving Ordinance Number 732 adopting the City of Hilshire Village, Texas General Budget for the FYE 2017. In accordance with Section 102.007(c) of the Local Government Code, adoption of this year’s budget will require raising more revenue from property taxes than in the previous year; therefore, the City must, by separate vote of the City, ratify the property tax increase reflected in the budget. THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR’S BUDGET BY AN AMOUNT OF \$89,384 WHICH IS A 9.22 PERCENT INCREASE FROM LAST YEAR’S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$25,332. A record vote was taken. Council Member Gordy, Byrne, Swanson and Gunn voted for the motion. The vote passed unanimously.

4.3 Council Member Swanson made a motion to approve a component of the tax rate in the amount of \$0.415369/100 for the purpose of funding the maintenance and operation expenditures of the City for the FYE 2017, which such tax rate will effectively be raised by 8 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately ~~-\$0.03~~, seconded by Council Member Byrne. A vote was taken to approve the motion approving a component of the tax rate in the amount of \$0.415369/100 for the purpose of funding the maintenance and operation expenditures of the City for the FYE 2017, which such tax rate will effectively be raised by 8 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately ~~-\$0.03~~. The vote passed unanimously.

4.4 Council Member Byrne made a motion to approve component of the tax rate the in the amount of \$0.066933/100 for the purpose of paying the accruing interest and to provide a sinking fund for payment of the indebtedness of the City for the next fiscal year, seconded by Council Member Swanson. A vote was taken to approve the motion approving a component of the tax rate the in the amount of \$0.066933/100 for the purpose of paying the accruing interest and to provide a sinking fund for payment of the indebtedness of the City for the next fiscal year. The vote passed unanimously.

4.5 Council Member Gordy made a motion approving the 2016 property tax rate to be increased by the adoption of a tax rate of \$0.482302/100, which is effectively a 6.75 percent increase in the tax, seconded by Council Member Swanson. **A vote was taken to approve the motion approving the 2016 property tax rate to be increased by the adoption of a tax rate of \$0.482302/100, which is effectively a 6.75 percent increase in the tax. A record vote was taken. Council Member Gordy, Byrne, Swanson and Gunn voted for the motion. The vote passed unanimously.**

4.6 Council Member Gunn made a motion approving Ordinance Number 733 providing for the levy and collection of Ad Valorem taxes of the City of Hilshire Village, Texas for the year 2016: providing for two components to the proposed tax rate, consisting of a tax rate of \$0.066933 on each one hundred dollars for the purpose of paying the accruing interest and to provide a sinking fund for payment of the indebtedness of the City, and a tax rate of \$0.415369 on each one hundred dollars for the purpose of funding the maintenance and operation expenditures; this tax rate will raise more taxes for maintenance and operations than last year's tax rate, the tax rate will effectively be raised by 8 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately **\$.03**, which shall be approved by separate motion; providing for the date on which such taxes shall be due and payable; providing for penalty and interest on all taxes not timely paid; repealing all ordinance or parts of ordinances inconsistent or in conflict herewith; and providing for severability, seconded by Council Member Byrne. **A vote was taken to approve the motion approving Ordinance No. 733 providing for the levy and collection of Ad Valorem taxes of the City of Hilshire Village, Texas for the year 2016: providing for two components to the proposed tax rate, consisting of a tax rate of \$0.066933 on each one hundred dollars for the purpose of paying the accruing interest and to provide a sinking fund for payment of the indebtedness of the City, and a tax rate of \$0.415369 on each one hundred dollars for the purpose of funding the maintenance and operation expenditures; this tax rate will raise more taxes for maintenance and operations than last year's tax rate, the tax rate will effectively be raised by 8 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately **\$.03**, which shall be approved by separate motion; providing for the date on which such taxes shall be due and payable; providing for penalty and interest on all taxes not timely paid; repealing all ordinance or parts of ordinances inconsistent or in conflict herewith; and providing for severability. A record vote was taken. Council Member Gordy, Byrne, Swanson and Gunn voted for the motion. The vote passed unanimously.**

4.7 Council Member Byrne made a motion to approve Ordinance No. 735 amending the Code of Ordinances of the City of Hilshire Village, Chapter 3, allowing solar panels and imposing certain conditions, seconded by Council Member Swanson. Mayor Herron stated at the last Council Meeting Council and residents stated there was a growing interest in the use of solar panels and there were some concerns with the appearance of solar panels. In the discussion it was a consensus that fundamentally no one had a problem with solar panels but that they did not want to see them from the street nor did they want any trees cut down. Mayor Herron stated that at this time if someone wanted

to install solar panels they would have to go to the Board of Adjustment. His thoughts were that an ordinance could be written to handle this.

City Attorney Mickelson stated she had a few changes that needed to be made to the ordinance. She was traveling and did not have an opportunity to read the ordinance thoroughly. City Attorney Mickelson stated the changes were that solar panels “shall mean a structure containing one or more receptive cells”. She stated sections “a”, “b” and “c” should say “may” instead of “shall” be installed. Section “c” should say “may be installed as long as no trees are removed”. Council Member Swanson asked if you could trim the trees and the answer was “yes”

Council Member Gordy asked about the structure of the solar panels and how they were installed. City Administrator Blevins stated that the Building Official would have to review and approve the plans. That it would be his responsibility to make sure they are designed appropriately.

Patty K. Joiner, # 4 Pine Creek Lane, said she had a problem with the Ordinance saying “cannot be visible from any street”. She said there should be a provision for smaller lots like those on Pine Creek Lane. Ms. Joiner agreed that wind load should be checked. She said if the frames and panels were bronze they would not be seen as easily. Ms. Joiner felt a provision for that might be put in the Ordinance. She said that the panels need to be on the south side of the roof for efficiency.

Mayor Herron said that 25% of the lot sizes are less than 8,000 square feet.

Council Member Byrne stated that not every house in the Village can have solar panels just like some houses can't have a pool. Council Member Gunn said that there could be a Special Exception from the Board of Adjustment where they can take everything into consideration. City Attorney said that a Special Exception can be added to the Zoning Ordinance when re-written.

Bill Swan, 1302 Bridle Spur, stated that he cut down three (3) trees and he was able to save 33% more energy. He said the City should not mandate that trees should not be cut down. Mr. Swan said the International Residential Code states that new construction will be solar ready. He went over the benefits of solar panels and he felt the City should not control where the panels were placed and asked Council to reconsider the restrictions.

Council Member Gordy appreciated Mr. Swan's information, he said solar panels are a rapidly growing energy source and Council does not know what they will look like in the future. The concern is what the City is going to do now and how the City will control what the City looks like. He said if you are really interested in solar panels then a person should look at where the house is located before purchasing. Council Member Gordy felt this Ordinance was a good start and that the City would be willing to make changes after further review. Council Member Gunn agreed that this is just step one (1) and Council will have to review the subject again. He said that Council could write some rules wherein the Board of Adjustment could give a Special Exception.

Council Member Byrne stated that solar panels were on the Zoning Committee's list to address. Mayor Herron said this is a complicated issue which Council will continue to review. The purpose of this Ordinance was to be a somewhat temporary solution to address those situations that do not have a complexity.

A vote was taken to approve the motion approving Ordinance Number 735 amending the Code of Ordinances of the City of Hilshire Village, Chapter 3 allowing Solar Panels and imposing certain conditions. The vote passed unanimously.

5. ADJOURNMENT: Council Member Byrne made a motion to adjourn. The motion passed unanimously. The meeting was adjourned at 7:33 P.M.

Russell Herron, Mayor

ATTEST:

Susan Blevins, City Secretary