

TUESDAY, October 17, 2017  
REGULAR COUNCIL MEETING  
6:30 P.M

**REGULAR COUNCIL MEETING**

**1. CALL TO ORDER:** Mayor Herron called the City of Hilshire Village Regular Council Meeting to order at 6:30 P.M. at 8301 Westview, Houston, Texas 77055.

**1.1 Invocation:** was given by Council Member Gordy

**1.2 Pledge of Allegiance:**

**1.3 Present:** were Mayor Russell Herron, Mayor Pro Tem Paul Maddock and Council Members Mike Gordy, Robert Byrne, David Gunn and Robert Swanson. Also present were Spring Valley Police Captain Schulze, City Attorney Scott Bounds, City Engineer Efrain Him, P.E., HDR, Inc., Bob Ring with Severn Trent and City Administrator Susan Blevins.

**2. REPORTS TO COUNCIL:**

**2.1 Police Report:** Captain Schulze stated there were no major incidents for the month of September. He also stated there were 101 calls and 14 traffic violations issued. Captain Schulze stated there were no major incidents for the month of October. Captain Schulze thanked the Council for inviting the Police Department out for the National Night Out. There were six (6) officers that attended and they had a great time visiting with the residents.

Council Member Swanson asked Captain Schulze if the Police Department found the new lighting helpful in Spring Valley. Captain Schulze stated that it was helpful and that it could be used in crime prevention. With the extra lighting it gives less places to hide.

Mayor Herron asked Captain Schulze to report on what happened at the Terrace Methodist Church? Captain Schulze stated on the early morning of October 15, 2017, the fire alarm went off at the Terrace Methodist Church. There was a malfunction in the sprinkler system and water got into the electrical wiring. The Fire Department decided to station a fireman for the night at the Church to be on the safe side.

**3. CITIZEN'S COMMENTS:**

**Diane Rager, 8213 Mallie Court,** stated she has been reading the latest version of the Tree Ordinance and noticed that there was nothing in the Tree Ordinance about the high canopy/low canopy and the 75/25 tree requirement. She asked if it was taken out of the Tree Ordinance? Council stated it was taken out of the latest version of the Tree Ordinance. She thanked the Committee for doing so.

**Bob Ring, the account manager with Severn Trent,** stated he has been working with City Administrator Blevins on Utility Operation problems and trying to streamline the inspections. He stated Severn Trent is here to help with any utility problems that may arise.

Council Member Byrne questioned if the City should pay Severn Trent for trying to get into the City to check out a possible leak during the Hurricane, when they should not have even tried to get to the City because all the roads were closed. Bob Ring stated the call came from a resident so they sent someone out to check to see if it was a leak but the technician was not able to make it through the road closures.

Council Member Byrne stated there was another work order where the technician had been flushing the fire hydrants but there were no amounts of how much water was flushed.

Council Member Byrne also stated the City of Hilshire Village called Severn Trent out to a resident's home because the resident claimed their water tasted bad. When the technician from Severn Trent went to check out the water he found the homeowners filter had not been changed out in seven (7) years. Council Member Byrne stated he felt the homeowner should be responsible for the charge.

**Wallie Partridge, 1301 Glourie,** stated he has concerns regarding the placement of a gas line on his property. City Administrator Blevins asked him to send an email with his concerns and she will contact CenterPoint. Council Member Gordy stated unfortunately the City does not have any say so where the gas lines should be located.

#### **4. COUNCIL DISCUSSION: None**

#### **5. REPORTS TO COUNCIL:**

##### **5.1 Engineers Report:**

City Engineer Him stated on September 20, 2017, HDR met with Mr. Scott Gilbert, IDS Contractor, in the field to review and verify the As-Built-Survey for the **Hilshire Villas Subdivision**.

City Engineer Him stated on September 25, 2017, HDR met with the City, David Schwab, Schwab Design Builders, Mr. Scott Gilbert and Mr. Refugio Trejo, P.E., Momentum Engineering, (Engineer of Record) to discuss the outstanding documentation required by the City to determine the project to be substantially complete.

City Engineer Him stated the Materials Testing Lab Reports, City of Houston's Inspection and Chlorination/Disinfection Reports, As-Built Survey, As-Built Plans and the Certification Letter for the project had been submitted. HDR has reviewed these documents and determined that the project is substantially complete; therefore, HDR recommends that City Council accept the project as substantially complete. HDR will

transmit hard and electronic copies of these documents to City Administrator Blevins for the City's files/records.

City Engineer Him stated that Schwab Design Builders had previously provided a one (1) year Maintenance Bond to the City, which will be in effect as of the date of Substantial Completion. At the end of the one (1) year maintenance period, Schwab Development Builders will request by a formal letter to the City of Hilshire Village to accept the maintenance of the paving, drainage, water and sanitary sewer improvements in the subdivision. The City Council will then act to accept or reject the improvements for maintenance and release the Maintenance Bond, accordingly.

City Engineer Him stated once the project was considered substantially complete by the City, the Developer, Schwab Design Builders, may begin the construction/development of the lots in the subdivision.

City Engineer Him stated on September 18th and 28th, 2017, HDR coordinated with Mr. Travis Baker (TAC Engineering, LLC.) the engineer for the **Mennonite Church**, regarding the feasibility of adjusting the detention pond perimeter or limits, while maintaining the volume exactly the same, in order to create a play area for the church. HDR advised Mr. Baker that storm water detention is a requirement by the City of Houston not the City of Hilshire Village. Since the proposed drainage system is connected to the City of Houston, any revisions would have to be reviewed and approved by them.

HDR provided ongoing assistance to the City of Hilshire Village regarding drainage plans throughout the City and the Pine Creek Lane backlot easement, and emergency access through the west end of Pine Creek Lane.

City Engineer Him stated HDR has secured a quote from Gulf Coast Fence for the fabrication and installation of the double swing gate and fence at the end of Pine Creek Lane/Pech Road. HDR is currently waiting on quotes for two (2) other contractors.

HDR has been providing ongoing assistance to the City of Hilshire village regarding the **TCEQ's Copper and Lead Exceedance Issue**, and associated Agreed Order. City Engineer Him stated on September 20, 2017, the City of Hilshire Village and HDR had a conference call meeting with Mr. Brad Castleberry with Lloyd Gosselink Law Firm regarding this issue. Mr. Castleberry noted that a time extension request to TCEQ would not be a problem, and that the City of Hilshire Village still had until January, 2018, to address this issue without a time extension.

City Engineer Him stated that Mr. Castleberry recommended that the City of Hilshire Village develop an Action Plan to present to TCEQ, based on the fact that approximately 80% of the City's Water System Infrastructure has been replaced in the last ten (10) years with PVC lines, and only 10% of the dwellings within the City may be potentially impacted by this issue. Proper dosage of orthophosphates into the water system to control corrosion could also be a problem since the City does not own or operate a Water Plant, where the dosage of chemicals could be regulated. Mr. Castleberry will set up a meeting with TCEQ to present this Action Plan for their review and approval.

City Engineer Him stated as requested by the City, HDR is currently updating **the Water and Wastewater Utility Maps** previously prepared for the 2004 Comprehensive Underground Utility Assessment Report to incorporate all the System changes that have been completed since the construction of the Ridgeley Drive Project. The maps will include the Hilshire Villas Subdivision. Once completed, the City of Hilshire Village will forward these updated Utility Maps to Severn Trent Services and the Village's Fire Department so they can update their Utility Infrastructure Records accordingly.

## **6. ACTION ITEMS:**

**6.1** Council Member Byrne made a motion to discuss and possibly take action regarding installation of a gate separating Pine Creek Lane and Pech Road allowing access to the Fire Department and Police in emergency situations. Installation will not exceed \$6000.00, seconded by Mayor Pro Tem Maddock.

City Engineer Him discussed the specifications of the gate. Council Member Byrne stated he would like to see a locked gate at the west end of Pine Creek as an emergency entrance for the Fire Department with a four foot (4') opening on the side instead of the four foot (4') gate that would need to be opened and closed each time someone needed to walk through it.

**A vote was taken to approve the motion approving the installation of a gate separating Pine Creek Lane and Pech Road allowing access to the Fire Department and Police in emergency situations. Gate and installation will not exceed \$6,000.00. The vote passed unanimously.**

**6.2** Council Member Gordy made a motion to approve Resolution Number 159 of the City of Hilshire Village, Texas, finding that Schwab Design Builders, LLC., has substantially completed the Hilshire Villas Subdivision public improvements in accordance with the City's Subdivision Ordinance, seconded by Mayor Pro Tem Maddock. City Attorney Bounds made a change to the date the subdivision was approved to be October 17, 2017. Mayor Herron asked if the City was the owner of the streets as of today or when the one (1) year warranty was up. The answer was "in one (1) year".

**A vote was taken to approve the motion approving Resolution Number 159 of the City of Hilshire Village, Texas, finding that Schwab Design Builders, LLC., has substantially completed the Hilshire Villas Subdivision public improvements in accordance with the City's Subdivision Ordinance. The vote passed unanimously.**

**6.3** Mayor Pro Tem Maddock made a motion to approve Ordinance number 752 of the City of Hilshire Village, Texas, amending Chapter 10 by deleting and replacing Article 10.400 Stop and Yield Intersections, seconded by Council Member Byrne. Mayor Herron said every time the City changes or adds a stop sign an ordinance had to be approved. City Administrator Blevins said she had also corrected some language that was outdated.

Council Member Byrne stated there does not need to be a stop sign at Pine Creek Lane on the east corner. He also asked about the stop sign facing the private property at Mennonie Church and Hilshire Villas. City Administrator Blevins stated she spoke with Captain Shultz prior to adding it to the ordinance and was told it was ok for the City to place a stop sign at that location.

**A vote was taken to approve the motion approving the Ordinance Number 752 of the City of Hilshire Village, Texas, amending Chapter 10 by deleting and replacing Article 10.400 Stop and Yield Intersections including the changes made by Council. The vote passed unanimously.**

**6.4** Mayor Pro Tem Maddock made a motion to authorize HDR'S engineering services associated with the Archley Drive Reconstruction, Friarcreek Subdivision Sanitary Sewer Rehabilitation and Optional Burkhart Road Water Line Replacement and Sanitary Sewer Rehabilitation, seconded by Council Member Gunn.

Mayor Herron stated that the City has funds for the engineering without going out for financing. City Administrator explained that you have to have adequate funds for the project prior to advertising for the project.

City Engineer Him reported that HDR developed a Street Condition Survey & Overall Paving Improvement Plan and a comprehensive Underground Utility Assessment for the City of Hilshire Village in 2003 and 2004. The Utility Assessment Report recommended the replacement of the existing six (6) inch water lines along Archley Drive and Burkhart Road as part of the priority two (2) projects. The Utility Assessment Report recommended the rehabilitation of the existing six (6) inch and eight (8) inch sanitary sewers along Archley Drive and within the Friarcreek Subdivision as part of the priority one (1) projects. These water and sewer lines are approximately fifty (50) to sixty (60) years old.

City Engineer Him stated during the recent Capital Improvement Plan Workshops, the City had identified and prioritized the replacement and rehabilitation of these water and sanitary sewer lines, and the reconstruction of Archley Drive as the next Capital Improvement Plan Project to be designed and constructed. The City requested HDR to submit a proposal for the replacement and rehabilitation of the aging Utility Infrastructure, as well as the reconstruction of the asphalt roadway and drainage system along Archley Drive. The engineering will take approximately four (4) months.

**A vote was taken to approve the motion authorizing HDR'S engineering services associated with the Archley Drive Reconstruction, Friarcreek Subdivision Sanitary Sewer Rehabilitation, and Optional Burkhart Road Water Line Replacement and Sanitary Sewer Rehabilitation. The vote passed unanimously.**

**The City Engineer was excused.**

**6.5** Mayor Pro Tem Maddock made a motion to approve Ordinance Number 753 of the City of Hilshire Village, Texas providing a change in the Municipal Contributions to

the current service annuity reserve at retirement of the employees of the City of Hilshire Village, seconded by Council Member Swanson.

Mayor Herron stated the Municipal Contributions were approved in the 2018 Budget to match 2 to 1 on the TMRS retirement for each employee effective January 1, 2018.

**A vote was taken to approve the motion approving Ordinance Number 753 of the City of Hilshire Village, Texas, providing a change in the Municipal Contributions to the current service annuity reserve at retirement of the employees of the City of Hilshire Village. The vote passed unanimously.**

**6.6** Mayor Pro Tem Maddock made a motion to authorize the Mayor to consent to and approve the proposed appointment of Jim Griffin as the Harris County Municipalities Waste Disposal Council's representative to the Gulf Coast Waste Disposal Authority Board of Directors effective November 10, 2017, seconded by Council Member Gordy.

**A vote was taken to approve the motion authorizing the Mayor to consent to and approve the proposed appointment of Jim Griffin as the Harris County Municipalities Waste Disposal Council's representative to the Gulf Coast Waste Disposal Authority Board of Directors effective November 10, 2017. The vote passed unanimously.**

## **7. DISSUSSION:**

**7.1 Tree Ordinance Draft dated 10-12-2017** – Kathleen Stafford, Committee Chairman went over the changes from the last version of the proposed Tree Ordinance and also stated there were minor changes in wording that she was not going over.

**Minimum Tree Requirement:** Revisions are one (1) tree, 8 inches (8") or greater in diameter per 2000 sq. ft., excluding square footage in flood control easement and utility easement, or the number of trees on the lot three inches (3") or greater in diameter when a tree removal permit is sought, if less than one (1) per 2,000 square feet.

**Obligation to Replace Trees, add Trees:** Revisions state lot owner is required to replace trees eight inches (8") or greater in diameter that are removed with a tree removal permit or as a result of construction, unless the lot continues to meet the minimum tree requirement. Lot owner is required to add trees to the extent necessary to meet the minimum tree requirement if the lot owner is building a house, adding 40% or more sq. footage to a house, or building a swimming pool.

**Additional Provisions:** Ordinance does not apply to the commercial district. Lot owner must have a tree removal permit to remove a tree less than eight inches (8") in diameter if that tree is one of the trees counted in the minimum tree requirement or is a replacement tree.

Lot owner must meet the following criteria to obtain a tree removal permit: After removal, the lot will continue to meet the minimum tree requirement if the tree is diseased, dying, or dead, the tree creates a hazard, or good arbor management

practices would support removal. The City may also require a lot owner to remove a tree that is damaged, dead, or dying, if the City deems it a hazard to a person or property. A tree must be removed by a reputable tree removal company or the lot owner, and the lot owner will ensure that the tree removal work is adequately covered by bond or insurance. Replacement trees will be from the approved tree list and no certificate of occupancy will be issued until replacement or additional trees are planted. The high and medium canopy tree requirement has been removed and hardship language has been added. The tree survey language has also been cleared up.

Council thought the ordinance was a good balance between the City and the property owners. They requested a few tweaks. The City Attorney suggested that the ordinance omit the commercial area and that would solve some of the issues regarding zoning.

## **7.2 Reschedule Public Meeting on Code and Ordinance Enforcement:**

Mayor Herron asked City Administrator Blevins to schedule a Special Council meeting in early November so that Council could talk with the citizens on ordinance enforcement. Mayor Herron would like to get the citizens view on how ordinances can be enforced.

**Mayor Herron recessed the Regular Council Session at 8:26 P.M.**

## **8. ACTION ITEM:**

### **8.1 CLOSED EXECUTIVE SESSION:**

Mayor Pro Tem Maddock made a motion to go into closed Executive Session to deliberate on the resignation of the City Clerk, Diane Hurley, seconded by Council Member Byrne.

Mayor Herron convened the Regular Council Session at 8:56 P.M. and he stated no action was needed at this time.

### **City Attorney was excused.**

City Administer Blevins stated that she was approached by a company named Slow Pokes who was interesting in renting the first floor of 8399 Westview but wanted Councils approval before they finish the negotiation for the lease space. She asked Council if they were willing to have a Special Council Meeting. The answer was "yes".

Council Member Byrne thought it would be a good idea for the City to review other legal firms due to the hourly rates. Council thought Olson & Olson's experience was beneficial to the City and if there were any problems with their services the City needed to talk to upper management, but also stated it never hurts to review the services.

## **9. REPORTS TO COUNCIL: (CON'T)**

### **OUT OF ORDER**

**9.2: City Administrator:** City Administrator Blevins asked Council to keep their eyes open to 1317 Ridgeley for it appears that a business is being operated from the house and the fact that there is an extreme number of vehicles and activities going on all day long.

**9.3 Building:** Information is in Council's Packet

**9.4 Treasurer:** Information is in Council's Packet

## **11. CONSENT AGENDA:**

**11.1** Council Member Gunn made a motion to approve the Consent Agenda as presented, including the disbursements presented to Council, the Minutes from the Regular Council Meeting of September 19, 2017, approving the Minutes from the Regular Council Meeting of September 26, 2017, seconded by Mayor Pro Tem Maddock.

**A vote was taken to approve the motion approving the Consent Agenda as presented, including the disbursements presented to Council, the Minutes from the Regular Council Meeting of September 19, 2017, approving the Minutes from the Regular Council Meeting of September 26, 2017. The vote passed unanimously.**

## **9. REPORTS TO COUNCIL: (CON'T)**

**9.1 Fire Commissioner Report:** Fire Commissioner Byrne stated that in October there was \$63,000 spent in overtime due to Hurricane Harvey. There is a chance funds will be reimbursed by FEMA. Fire Commissioner Byrne stated the Fire Department was 1% under budget. The old ladder truck has not been sold at this time. The Commissioners asked the Fire Chief to report on an alternative strategy regarding a substation in the City of Bunker Hill. The report was thorough and impressive. The Commissioners are going to review and use it as a guideline. If a substation is built it will not impact the City of Hilshire Village. Mayor Herron discussed the fact that City of Hilshire Village has the longest response time.

## **11. REPORTS FROM COUNCIL:**

**11.1 Mayor Herron:** None

**12. ADDITIONAL COUNCIL COMMENTS:** None

## **13. FUTURE AGENDA TOPICS:**

Code Enforcement  
Capital Improvement  
City Hall Maintenance  
Wirt Road/Westview Traffic Safety



**14. ANNOUNCEMENTS:** Mayor Herron stated the Village Fire Department's Open House and 70th Anniversary will be on October 21st from 10:00 A.M. to 2:00 P.M.

**15. ADJOURNMENT:** Mayor Pro Tem Maddock made a motion to adjourn the meeting, seconded by Council Member Byrne.

**A vote was taken to approve the motion adjourning the meeting. The vote passed unanimously. The meeting was adjourned at 9:26 P.M.**

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Mayor Russell Herron

ATTEST:

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Susan Blevins, City Secretary