

TUESDAY, November 21, 2017
REGULAR COUNCIL MEETING
6:30 P.M.

REGULAR COUNCIL MEETING

1. CALL TO ORDER: Mayor Pro Tem Maddock 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 Swanson

1.2 Pledge of Allegiance:

1.3 Present: Mayor Pro Tem Maddock and Council Members Robert Byrne, David Gunn and Robert Swanson. Council Member Mike Gordy was late. Also, present were City Attorney Scott Bounds, City Engineer Efrain Him, P.E., HDR, Inc., Bob Ring with Severn Trent and City Administrator Susan Blevins. Mayor Herron was absent.

2. REPORTS TO COUNCIL:

2.1 Police Report: No Report this month.

3. CITIZEN'S COMMENTS:

Jim Harbison, 11 Pine Creek Lane, stated that he was disappointed that there was nothing on the Agenda on replacing the trees that were removed and the maintenance of the Right-of-Way.

4. COUNCIL DISCUSSION: None

5. REPORTS TO COUNCIL:

5.1 Engineers Report: City Engineer Him stated that HDR has subcontracted the surveys, geotechnical and tree protection plans to begin the Archley/Friarcreek/Burkhart Reconstruction Projects. They have also requested utility information from the private utility companies.

The outstanding projects on the Punch List for **Hilshire Villas Subdivision** have been completed and inspected.

City Engineer Him stated that Severn Trent had Accurate Meter & Backflow Inc., check out the backflow preventer to determine the cause of leakage. It was determined that both check valves are leaking due to the severe deterioration of the valves and valve bodies. The unit is a discontinued model and parts are not readily available. City

Engineer Him stated that it was HDR's recommendation that it be removed and replaced by the City. Quotes have been secured for the replacement of the eight inch (8") backflow preventer and are an agenda item.

City Engineer Him also stated he recommended that since the backflow preventer is being replaced he would also recommend that the Water Meter Assembly at Hickory Shadows be replaced as well. He stated that it should not be done at the same time of the replacement of the backflow preventer because the plans will have to be approved by the City of Houston. City Engineer Him recommended that the City go with a magnetic meter which will help reduce the low-pressure issues throughout the City. If the City would like he can prepare a proposal for the design and permitting through the City of Houston.

City Administrator Blevins stated she was working with the City of Houston regarding the residual problem in that area and the City of Houston is working to help resolve the problem with Severn Trent.

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 that he has not completed the Corrosion Study but should have it ready next month.

Mayor Pro Tem Maddock asked the City Engineer to discuss **the Pine Creek Lane/Commercial Area and clean-up status**. City Engineer stated that the Korean Church had approached the City regarding the location of the fence behind 8391 Westview because the agreed location of the fence did not allow room for exiting the attached building and a safe egress from the building around the air conditioning unit.

Council Member Byrne asked the City Engineer about the issue at **7903 Hilshire Green** with the curbs that had already been repaired and were cracking. He wanted to know if that was a warranty issue. The City Engineer stated unfortunately not. The repairs that were done by the City were only temporary fixes.

6. ACTION ITEMS:

6.1 Council Member Gunn made a motion to discuss and possibly approve a variance to Ordinance Number 704 regarding a circular driveway access in the Right-of-Way at 1201 Pine Chase Drive. The Ordinance states circular driveways can't exceed a total of twenty-eight feet in width, seconded by Council Member Swanson.

Brent Williams property owner of 1201 Pine Chase Drive had questions on circular driveways and if he was allowed a three-foot (3') turning radius. City Engineer Him said that on a circular driveway the points of entry cannot exceed a total of twenty-eight (28) feet in width. There is no additional footage allowed for a turning radius. Mr. Williams stated his driveway was unsafe, that drivers have driven off the driveway and he is asking to fix the situation. Mr. Williams would like to widen the driveway on the interior of the circle to allow more space to turn onto it. City Engineer Him said the Driveway Ordinance came about because of an issue in a cul-de-sac. City Engineer said that he

had come to Council several years ago asking the question if the City wanted to allow the three (3) foot radius on circular driveways and he was told “no”. He stated the driveway in question was unsafe and he felt a variance should be given. Council Member Gunn inquired as to how many people have fallen off and the home owner listed at least five (5) or six (6).

Council Member Byrne questioned would there be a problem meeting the section of the Ordinance that stated “The total number of feet of the width of the driveway and any walkway where it meets the paved street shall not exceed 50% of the front property line length and if they are allowed to make the changes would they still meet the lot coverage requirements. City Administrator Blevins stated that if Council approves the variance on the driveway it would still have to go to the Board of Adjustment if the lot coverage requirement was not met. Council Member Gordy said the submitted driveway plan shows that the driveway is being widened quite a bit. He thinks the radius needs to be looked at. The problem is getting off the street onto the driveway. City Engineer Him suggested the City issue a variance to the Driveway Ordinance to allow construction of a fourteen foot (14’) driveway and a three foot (3’) turning radius on each driveway as it meets the paved roadway.

Council Member Gunn amended his motion to read “approve a variance to the Driveway Ordinance to allow construction of a fourteen foot (14’) driveway and a three foot (3’) turning radius on each driveway as it meets the paved roadway at 1201 Pine Chase Drive”, seconded by Council Member Swanson. Council continued to discuss the situation and then decided they needed to see a drawing with definite plans to approve. Council then discussed the fact that they should table the motion.

Council Member Gunn amended his motion to read “table my amended motion to approve a variance to the Driveway Ordinance to allow construction of a fourteen foot (14’) driveway and a three foot (3’) turning radius on each driveway as it meets the paved roadway at 1201 Pine Chase Drive”, seconded by Council Member Byrne. A vote was taken to approve the amended motion tabling the amended motion to approve a variance to the Driveway Ordinance to allow construction of a fourteen foot (14’) driveway and a three foot (3’) turning radius on each driveway as it meets the paved roadway at 1201 Pine Chase Drive

6.2 Council Member Swanson made a motion to authorize the change of the fence encroachment and the License Agreement approved by City Council on September 19, 2017 to allow the ability to exit safely from the emergency exit door and to allow access to the storage unit attached to the building at 8391 Westview, seconded by Council Member Byrne. Council Member Byrne wanted clarification as to where the doors were located and why they needed to change the location of the fence. City Administrator Blevins stated that there were two (2) doors, one (1) on the side and one (1) in the back. The door on the side was unusable; therefore, there was no way to exit the rear door where the approved fence location was to be built. She said Mayor Herron walked the site and marked the survey where he thought the fence should be moved to. The fence was approved by Council to jut around the air conditioning unit (which was seven feet (7’) and he felt for safety reasons the fence should also be allowed to go out seven (7) feet around the door to allow for safe egress).

Jim Harbison, 11 Pine Creek Lane, stated this was City property and he did not understand why the City did not make the church tear down the attachment in the first place. He did not think the City should allow any other variances because it was going to reduce the space allowed for landscaping.

Council Member Gordy said that he was not comfortable with telling the church that they needed to tear down the attached building because the church could say they were not going to build the fence. The City has spent approximately \$10,000 in legal fees cleaning up the area and he personally would not vote for the City to spend money on a fence or landscaping that would enhance only a few property owners.

Council Member Byrne requested a better explanation of where the requested fence would be located and where the doors of the builder were. City Engineer Him drew a drawing of the property and the building explaining the request. He stated Council had approved the fence to go out seven feet (7') around the air conditioning unit and this request was to continue the seven feet (7') extension to the corner of the building so that safe egress from the back door could be established. Mayor Herron has been negotiating with the church on the location of the fence and it was his recommendation that the City extend the fence to seven feet (7') around the air conditioning and the attached building. Council asked what was in the building. City Administrator Blevins stated the building holds the required equipment (air compressor, etc.) that is used by the Dental Office.

A vote was taken to approve the motion authorizing the change of the fence encroachment and the License Agreement approved by City Council on September 19, 2017 to allow the ability to exit safely from the emergency exit door and to allow access to the storage unit attached to the building at 8391 Westview. The vote passed unanimously.

6.3 Council Member Byrne made a motion to authorize the City to replace the Backflow Preventer at Wirt and Hickory Shadows with a not to exceed cost of \$8,820.00. Both the check valves inside the existing Backflow Preventer are leaking and deteriorated. The unit itself is a discontinued model and parts are not readily available, seconded by Council Member Swanson.

A vote was taken to approve the motion authorizing the City to replace the Backflow Preventer at Wirt and Hickory Shadows with a not to exceed cost of \$8,820.00. The vote passed unanimously.

City Administrator Blevins introduced the new City Clerk, Cassie Stephens.

6.4 Council Member Gunn made a motion to accept the application for a Business Use for Gardline Surveys, Inc. at 8399 Westview, Suite 200 in accordance with the Commercial Zoning Ordinance, seconded by Council Member Gordy. There will be six (6) employees. The Parking Plan has already been submitted by the property owner.

A vote was taken to approve the motion accepting the application for a Business Use for Gardline Surveys, Inc. at 8399 Westview, Suite 200 in accordance with the Commercial Zoning Ordinance. The vote passed unanimously.

The City Engineer was excused.

6.5 Council Member Swanson made a motion to appoint Kathleen Stafford, currently an Alternate Board Member, to fill the vacant position on the Board of Adjustment replacing Michael Peterman for a two (2) year term, seconded by Council Member Byrne. Council Member Swanson wanted to make sure she could also be on the Zoning Committee and the answer was “yes”.

A vote was taken to approve the motion appointing Kathleen Stafford, currently an Alternate Board Member, to fill the vacant position on the Board of Adjustment replacing Michael Peterman for a two (2) year term. The vote passed unanimously.

6.6 Council Member Gordy made a motion to nominate Jared Jackson for the position of Alternate Board of Adjustment Member and appointing the position for a two (2) year term, seconded by Council Member Byrne.

Council was impressed with the qualifications of Jared Jackson.

A vote was taken to approve the motion approving Jared Jackson for the position of Alternate Board of Adjustment Member for a two (2) year term. The vote passed unanimously.

6.7. Council Member Gunn made a motion to authorize the City Administrator to purchase medical insurance for the City’s full-time employees with a not to exceed price of \$21,500.38/year to commence 1/1/2018. FYE 2018 cost would not exceed \$16,804.66. The funds would come from the Contingency and Miscellaneous Accounts. City Administrator stated she had three (3) quotes: one from the Village Coop, one from a consultant that Council Member Swanson had contacted and a third one from a payroll company that supplies services for payroll and insurance for the employees. Council Member Swanson asked if it was feasible to ask the employees to participate in the cost. City Administrator Blevins stated the only problem was that it could end up being a cut in pay for her since the City her husband works at pays for the majority of her coverage. There was discussion regarding the City’s difficulty in maintain long term employees without the medical benefits. City Administrator Blevins stated the City needed to review all its benefits and the personnel policy to be competitive and keep employees.

A vote was taken to approve the motion authorizing the City Administrator to purchase medical insurance for the City’s full-time employees with a not to exceed price of \$21,500.38/year to commence 1/1/2018. FYE 2018 cost would not exceed \$16,804.66 which funds would come from the Contingency and Miscellaneous Accounts. The vote passed unanimously.

7. ACTION ITEM:

7.1 CLOSED EXECUTIVE SESSION:

Council Member Byrne made a motion to recess the Regular Council Session to go into a closed session for consultation with Attorney per the Texas Government Code Sec. 551.071. Private consultation with attorney was regarding commercial use of property in Residential District R-1 at 1317 Ridgeley, seconded by Council Member Swanson. The time was 8:10 P.M.

Mayor Pro Tem Maddock re-convened the Regular Council Session at 8:31 P.M. and he stated no action was needed at this time.

City Attorney was excused.

8. REPORTS TO COUNCIL: (CON'T)

8.1 Fire Commissioner Report: Fire Commissioner Byrne stated that EMS calls were down for the year and that they were 1% under budget at this time. The next Fire Commissioners Meeting is 11-29-17 at 6:00 PM. On that Agenda will be an item to authorize the construction documents.

8.2: City Administrator: Information is in Council's Packet.

8.3 Building: Information is in Council's Packet. City Administrator Blevins stated that there were documents prepared by the Mayor regarding 8399 Westview and the encroachment of the staircase into the area that should be clean and unobstructed.

8.4 Treasurer: Information is in Council's Packet

9. CONSENT AGENDA:

9.1 Council Member Byrne made a motion to approve the Consent Agenda as presented, including the disbursements presented to Council, the Minutes from the Council Workshop, August 25, 2017, the Minutes from the Council Workshop and Special Council Meeting, August 29, 2017, the Minutes from the Pine Creek Lane Fence Workshop, Public Hearing and Council Workshop, September 14, 2017, approving the City of Hilshire Village Resolution Number 160-2017 casting its vote for Mike Sullivan, to fill the position on the Board of Directors of the Harris County Appraisal District, approving the City of Hilshire Village Resolution Number 161-2017 entering into an agreement with Harris County for administration and implementation of a regional watershed protection education program and approving the payment of \$395.38 for its share of the cost of the project, approving the City of Hilshire Village Resolution Number

162-2017 appointing Kyle Sears as a Board Member of the Subsidence District for a two (2) year term, seconded by Council Member Gordy.

A vote was taken to approve the motion approving the Consent Agenda as presented, including the disbursements presented to Council, the Minutes from the Council Workshop, August 25, 2017, the Minutes from the Council Workshop and Special Council Meeting, August 29, 2017, the Minutes from the Pine Creek Lane Fence Workshop, Public Hearing and Council Workshop, September 14, 2017, approving the City of Hilshire Village Resolution Number 160-2017 casting its vote for Mike Sullivan, to fill the position on the Board of Directors of the Harris County Appraisal District, approving the City of Hilshire Village Resolution Number 161-2017 entering into an agreement with Harris County for administration and implementation of a regional watershed protection education program and approving the payment of \$395.38 for its share of the cost of the project, approving the City of Hilshire Village Resolution Number 162-2017 appointing Kyle Sears as a Board Member of the Subsidence District for a two (2) year term. The vote passed unanimously.

10. REPORTS FROM COUNCIL:

10.1 Mayor Herron: None

11. ADDITIONAL COUNCIL COMMENTS: None

12. FUTURE AGENDA TOPICS:

Code Enforcement – Date for Town Hall Meeting to discuss
Capital Improvement Financing
City Hall Maintenance
Wirt Road/Westview Traffic Safety

13. ANNOUNCEMENTS: None

14. ADJOURNMENT: Council Member Byrne made a motion adjourning the meeting, seconded by Council Member Swanson.

A vote was taken to approve the motion to adjourn the meeting. The vote passed unanimously.

The meeting was adjourned at 8:54 P.M.

Mayor Pro Tem Maddock

ATTEST:

Susan Blevins, City Secretary