

**TUESDAY, AUGUST 20, 2019
REGULAR COUNCIL MEETING
6:30 P.M.**

REGULAR COUNCIL MEETING

1. **CALL TO ORDER REGULAR COUNCIL MEETING** 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 Herron, Council Member Gordy, Council Member Byrne, Council Member Swanson, Mayor Pro Tem Maddock and Council Member Schwarz. Also present were City Attorney Scott Bounds, City Engineer Efrain Him, City Building Official Kevin Taylor, Deputy City Building Official Evan DuVall and representatives from the Holy Cross Lutheran Church.

2. **CITIZEN'S COMMENTS:**

Bill Bristow, 1233 Pine Chase Drive, said the fee for a fence permit should be based on the amount of fencing being replaced instead of one standard fee. He also said that there is a failed framing inspection on the construction inspections log and that is indicative of the quality of the houses being built in the city.

3. **REPORTS TO COUNCIL:**

3.1 **Police Report:** There were no major incidents to report.

4. **DISCUSSION AND POSSIBLE ACTION**

4.1 Council Member Byrne made a motion to deliberate and consider action on a Preliminary Plat by the Holy Cross Lutheran Church for property adjacent to Glourie Drive, seconded by Council Member Gordy.

Mayor Herron stated that concerns have been expressed about building houses on the last undeveloped residential area in Hilshire Village. He presented diagrams of the area in question and explained that this is the first of a two-step process. He said the preliminary phase is to discuss the layout of the proposed residential lots and the secondary review will be concerning the accuracy of the plat presented for approval.

Representative Mark Kilkenny from Holy Cross Lutheran Church said the church has been in possession of the tract since it was purchased from the Telge family with intention to one day expand the church. He said the church is aging and is in need of capital improvements so they have decided to make repairs instead of a new building and need funds from selling part of the tract of land to finance the project.

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Engineer Him said he has reviewed the documents and visited the land and the proposed division generally conforms with the Zoning Ordinance. Engineer Him made comments that unclear markings and measurements will need to be edited to ensure that minimum lot size, building setbacks and frontage width are in compliance.

Mayor Herron said that the City Arborist prepared a report on the area, using a survey to estimate the locations and health of the trees on each proposed lot. He said if adjustments were made to the property lines then the rear property line of proposed lot three wouldn't have to be as narrow as it is.

Deputy Building Official DuVall said the lots appear to meet the requirements of the ordinances in the R-1 Residential District.

Mr. Kilkenny said the proposed layout was not meant to be final and the property lines can be adjusted. He stated that the proposed lot one is subject to a thirty (30) foot building line from the original plat so it was given more width because of that.

Council Member Gordy asked about the availability of utilities. Engineer Him responded that there are water and sewer lines available from Glourie Drive as well as overhead power lines at the back of the lots.

Council Member Byrne made a motion to table the motion to approve a Preliminary Plat by the Holy Cross Lutheran Church for property adjacent to Glourie Drive until the September 20, 2019 Council Meeting, seconded by Council Member Gordy.

A vote was taken to approve the motion to table the original motion approving a Preliminary Plat by the Holy Cross Lutheran Church for property adjacent to Glourie Drive until the September 20, 2019 Council Meeting. The vote passed unanimously.

5. REPORTS TO COUNCIL: Continued

5.1 Building Official's Report: Building Official Taylor responded to citizen comments stating that failed inspections could be a result of many things and does not always indicate poor workmanship.

Building Official Taylor stated that the dilapidated accessory storage building behind 8383 Westview Drive has been replaced with a new building in compliance with City ordinances.

5.2 Engineer's Report: Engineer Him stated that the **Archley Reconstruction Project** is substantially complete and they are now working on the punch list items. He said he anticipates the work to be complete this week. Engineer Him stated that the new grass has established at **1237 Archley Drive**, the **rip rap in the ravine** as well as the flow through the area will be monitored during the 11-month warranty period and issues will be addressed as needed.

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Engineer Him said multiple homeowners in the **Hickory Shadows Subdivision** have chosen to hire their own contractors for their driveway apron replacements and some of the reimbursement checks have already been distributed to them.

Engineer Him stated that he coordinated with BBG Deputy Building Official DuVall and Administrator Blevins on the **Hazard Mitigation Plan** update. He said that one of the mitigations could be clean up and erosion control for the ravine that travels from Westview across Bridle Spur Lane. Engineer Him said residents on the east side of Ridgeley Drive are also experiencing erosion control issues. He said there could possibly be grant money available.

6. DISCUSSION AND POSSIBLE ACTION

6.1 Mayor Pro Tem Maddock made a motion to authorize payment of HDR invoice for Engineering Services provided to the City for the Archley, Friarcreek and Burkhart Road Reconstruction Project, Invoice # 20, in the amount of \$18,713.90, seconded by Council Member Swanson.

A vote was taken to approve the motion authorizing payment of HDR invoice for Engineering Services provided to the City for the Archley, Friarcreek and Burkhart Road Reconstruction Project, Invoice # 20, in the amount of \$18,713.90. The vote passed unanimously.

6.2 Mayor Pro Tem Maddock made a motion to authorize payment to TLC Trucking & Contracting, Inc. invoice for Construction Services provided to the City for the Archley, Friarcreek and Burkhart Road Reconstruction Project, Invoice # 8, in the amount of \$24,631.94, seconded by Council Member Swanson.

A vote was taken to approve the motion authorizing payment of TLC Trucking & Contracting, Inc. invoice for Construction Services provided to the City for the Archley, Friarcreek and Burkhart Road Reconstruction Project, Invoice # 8, in the amount of \$24,631.94. The vote passed unanimously.

6.3 Mayor Pro Tem Maddock made a motion to approve Resolution # 2019-187 of the City of Hilshire Village approving terms and conditions of an Interlocal Agreement between the City of Bunker Hill Village and the Village Fire Department for Fire Protection and Emergency Services for a term of forty-eight months beginning on January 1, 2020, through December 31, 2023, seconded by Council Member Swanson.

Council Member and Commissioner Byrne said Bunker Hill will operate under contracted services and will not have voting rights or rights to assets until a new agreement is in place. He also said the contract prohibits outside contracting or operation of EMS services within the corporate limits of Bunker Hill to avoid liability conflict with the Village Fire Department

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Medical Director. Bunker Hill will continue to pay their 19% share of the approved budget during this time.

A vote was taken to approve the motion to approve Resolution # 2019-187 of the City of Hilshire Village approving terms and conditions of an Interlocal Agreement between the City of Bunker Hill Village and the Village Fire Department for Fire Protection and Emergency Services for a term of forty-eight months beginning on January 1, 2020 through December 31, 2023. The vote passed unanimously.

6.4 Mayor Pro Tem Maddock made a motion to approve Resolution # 2019-188 of the City of Hilshire Village approving an amendment to Article 5 of the Village Fire Department Local Agreement granting the Board of Commissioners the power to enter into a contract to provide fire and emergency medical services to the City of Bunker Hill, seconded by Council Member Gordy.

A vote was taken to approve the motion approving Resolution # 2019-188 of the City of Hilshire Village approving an amendment to Article 5 of the Village Fire Department Local Agreement granting the Board of Commissioners the power to enter into a contract to provide fire and emergency medical services to the City of Bunker Hill. The vote passed unanimously.

6.5 Council Member Byrne made a motion to approve Resolution # 2019-189 of the City of Hilshire Village approving a Mutual Release Agreement between The Village Fire Department and individually, each of its member cities (The City of Hedwig Village, The City of Hilshire Village, The City of Hunters Creek Village, the City of Piney Point Village and the City of Spring Valley) and the City of Bunker Hill, seconded by Council Member Swanson.

A vote was taken to approve the motion to approve Resolution # 2019-189 of the City of Hilshire Village approving a Mutual Release Agreement between The Village Fire Department and individually, each of its member cities (The City of Hedwig Village, The City of Hilshire Village, The City of Hunters Creek Village, the City of Piney Point Village and the City of Spring Valley) and the City of Bunker Hill. The vote passed unanimously.

6.6 City Administrator Blevins said that Ordinance # 786-2019 of the City of Hilshire Village amending Chapter 6 Health & Sanitation of the Code of Ordinances related to rules and regulations concerning disposal of garbage, trash, rubbish and junk and outdoor burning, recreational fires, portable outdoor fireplaces and outdoor cooking is still under revision and is not ready to be voted on at this time.

Council Member Gordy said some existing fire pits in the City wouldn't comply with the definition in the proposed ordinance and consideration needs to be made for manufactured and other types of fire pits.

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Council Member Byrne stated that more discussion is needed on the definitions and what will be done with the existing fire pits.

City Attorney Bounds said the law is clear that health and public safety regulations are not eligible for grandfathering.

No motion was made.

7. DISCUSSION:

7.1 City Attorney Bounds reviewed legislative changes to take effect September 1, 2019.

7.2 Discussion of the FYE 2020 Budget and 2019 Tax Rate.

City Administrator Blevins explained that Council needed to approve the highest rate that would be considered and publish that rate in the newspaper. Council could lower this rate but could not approve anything larger than the approved Proposed Tax Rate. She recommended going with the Rollback Rate which is actually lower than last year's adopted tax rate. City Administrator Blevins explained that the Rollback Rate of \$0.559069 includes the Debt Tax which is based on the amount of funds needed to fund the Capital Improvement loans.

8. DISCUSSION AND POSSIBLE ACTION: Continued

8.1 Council Member Swanson made a motion to approve the City's Proposed Tax Rate of \$0.559069 that will exceed the Effective Tax Rate, and dates for Public Hearings on September 17th at 7 PM, September 24th @ 6:30 PM and a special council meeting to vote on both the Tax Rate and FYE 2020 Budget on September 30th, 2019, seconded by Council Member Schwarz.

A vote was taken to approve the motion approving the City's Proposed Tax Rate of \$0.559069 that will exceed the Effective Tax Rate, and dates for Public Hearings on September 17th at 7 PM, September 24th @ 6:30 PM and a special council meeting to vote on both the Tax Rate and FYE 2020 Budget on September 30th, 2019. The vote passed unanimously.

9. CLOSED EXECUTIVE SESSION: None

10. REPORTS TO COUNCIL: Continued

10.1 Fire Commissioner's Report: Council Member and Commissioner Byrne said that the response times are within the national standard. He said the Fire Department has been approved by the commission to order a new pumper truck. Commissioner Byrne stated that the compensation plans being reviewed to ensure that they are able to maintain quality employees. He said that the Fire Department dispatch will be relocated to operate without being affected by the construction and there are plans to purchase new technology.

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10.2 City Administrator: Administrator Blevins reviewed the Complaint & Issues Report and Consent Agenda.

10.3 Treasurer's Report:

11. CONSENT AGENDA:

Mayor Pro Tem Maddock made a motion to approve the Consent Agenda as presented, consisting of the disbursements presented to Council and the City of Hilshire Village Preliminary July 2019 Financials and Check Registers, Minutes from the Regular Council Meeting of July 16, 2019 and the Minutes from the Council Workshop of August 13, 2019, seconded by Council Member Gordy.

A vote was taken to approve the motion to approve the Consent Agenda as presented, consisting of the disbursements presented to Council and the City of Hilshire Village Preliminary July 2019 Financials and Check Registers, Minutes from the Regular Council Meeting of July 16, 2019 and the Minutes from the Council Workshop of August 13, 2019. The vote passed unanimously.

12. REPORTS FROM COUNCIL:

13. ADDITIONAL COUNCIL COMMENTS:

14. FUTURE AGENDA TOPICS:

15. ANNOUNCEMENTS: Public Hearing Dates will be September 17, 2019 @ 7:00 PM and September 24, 2019 at 6:30 PM for Budget and Tax Rates.

16. ADJOURNMENT:

Mayor Pro Tem Maddock made a motion to adjourn 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 Herron

ATTEST:

Susan Blevins, City Secretary