

**TUESDAY, NOVEMBER 19, 2019**  
**PUBLIC HEARING AND 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 Mayor Pro Tem Maddock.

**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 Engineer Efrain Him, City Attorney Scott Bounds and Spring Valley Police Captain Newman.

**2. CITIZEN'S COMMENTS:** None

**3. REPORTS TO COUNCIL:**

**3.1 Police Report:** Captain Newman stated that last month there were 66 calls for service and 12 traffic violations, however none were significant events.

Captain Newman said that the holiday seasons are here and reminded citizens to secure all belongings and packages. He stated officers have been instructed to attempt to make contact where a delivery package is visible and will relocate it to be hidden from view. Captain Newman also advised to remove valuables and lock all vehicle doors. He said even when out shopping there are thieves waiting in parking lots to enter vehicles that they see new purchases being loading into. He suggested moving to a different parking spot before re-entering an establishment to give the appearance that you are leaving the area.

**4. PUBLIC HEARING**

**4.1 Mayor Herron recessed the Regular Council meeting and called to order the Public Hearing at 6:36 PM.**

**Christopher Brown, EHRA Engineering,** said the Holy Cross Lutheran Church has owned this land for a while but it has not been used. He said the Church would now like to sell the property and use the proceeds to repair and enhance their existing facility.

**Don Black, 8002 Bromley Road,** asked "how developing the land is a benefit to the community". Mr. Brown responded, "the space is not currently in use". Council Member Swanson added that property taxes from residential lots provide

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a larger tax base to the City than the tax-exempt status the Church currently has. Mr. Black asked about the benefit of having the open space in comparison to the financial gain in taxes. He said he would prefer the area not be developed. Mr. Black asked, "Is Council obligated to approve the re-plat?". City Attorney Bounds responded that Texas Open Government Code Section 212.010 states that the municipal authority is responsible for approving a plat if it conforms to the general plan of the city and its current and future streets and conforms to the general plan for the extension of the city including all zoning laws. Attorney Bounds said the Council's approval is ministerial in nature to ensure all Zoning Ordinances have been followed.

**Beth Black, 8002 Bromley Road**, asked if the Church has to apply for a change in use of the land to be removed from the Special Use Permit the Church currently holds. Mayor Herron said they have already applied to Council for a change in use.

**Paul Sedita, 1310 Pine Chase Drive**, asked about the existing trees and whether the developer will have to follow the same rules as other residential construction. Mayor Herron said all new residential construction has to comply with the minimum tree requirements set forth in the City's Tree Ordinance.

**Janice Sedita, 1310 Pine Chase Drive**, asked if a certain type of fencing or wall will be built for the North edge of the lot closest to Westview Drive and if the new homes will be built in the same style. Mayor Herron said the lots that adjoin Westview have a larger setback requirement and any fencing erected will be the responsibility of the individual property owner. Mayor Pro Tem Maddock said the lots will likely be sold to separate buyers who are not required to build in the same style.

Mayor Pro Tem Maddock asked Mr. Brown if the Church considered retaining part of the land to maintain a small green space. Mr. Brown responded that they are retaining what they need for their parking lot and storage.

**Mayor Herron adjourned the Public Hearing and reconvened the Regular Council Meeting at 6:52 P.M.**

**5. DISCUSSION AND POSSIBLE ACTION:**

**5.1** Council Member Gordy made a motion to approve the partial subdivision re-plat No. 1 of Lot 12 of Telge Place recorded under VOL 40, PG 11, Harris County Map Records in the City of Hilshire Village, Harris County, located at 7901 Westview Drive in Residential Zone "A", seconded by Mayor Pro Tem Maddock.

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Mayor Herron said the lots conform to City Zoning Ordinance but the size and shape of the lots could be slightly adjusted to create a wider rear line for Lot 3 without compromising the size of other lots. He said this would make the lot easier to build upon but is not a required change.

Mayor Pro Tem Maddock agreed with Mayor Herron about adjusting the lot lines to create a more sellable and buildable area.

Mayor Pro Tem Maddock made a motion to conditionally approve either the submitted partial subdivision re-plat No. 1 of Lot 12 of Telge Place recorded under VOL 40, PG 11, Harris County Map Records in the City of Hilshire Village, Harris County, located at 7901 Westview Drive in Residential Zone "A" or an amended re-plat with adjusted lot lines as suggested by Mayor Herron, seconded by Council Member Schwarz.

**A vote was taken to approve the motion made by Mayor Pro Tem Maddock to conditionally approve either the submitted partial subdivision re-plat No. 1 of Lot 12 of Telge Place recorded under VOL 40, PG 11, Harris County Map Records in the City of Hilshire Village, Harris County, located at 7901 Westview Drive in Residential Zone "A" or an amended re-plat with adjusted lot lines as suggested by Mayor Herron. The vote passed unanimously.**

**A vote was taken to approve the first motion made by Council Member Gordy approving the partial subdivision re-plat No. 1 of Lot 12 of Telge Place recorded under VOL 40, PG 11, Harris County Map Records in the City of Hilshire Village, Harris County, located at 7901 Westview Drive in Residential Zone "A". The vote passed unanimously.**

**5.2** Mayor Pro Tem Maddock made a motion to discuss and possibly take action on the erosion of the right-of-way area located at Pine Chase Grove and the private property at 1324 Pine Chase Grove, seconded by Council Member Swanson.

Administrator Blevins said the City received notice from a resident on Pine Chase Grove that the required regular flushing by the City has caused erosion of the surface dirt exposing tree roots and creating hazards. She said Inframark reported that the connection to the blow-off valve is damaged and they have since been instructed to make repairs in order to direct the water away from the ground using a hose.

Engineer Him said interconnect #2 and #3, which brings water into the City from the City of Houston, are both in this area and each one has a

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backflow preventer. He stated that one of the water vaults has a blow-off line that faces East and that is creating the erosion.

Administrator Blevins said she personally walked the area and stated the City should repair the damages near the two (2) water vaults at the end of the cul-de-sac as it is the City's responsibility. She said the ground is soft and has leaves and built-up debris. She suggested the City add dirt, sod and possibly gravel to reestablish the ground integrity.

Council Members Byrne and Gordy requested that action be postponed on restoring the dirt and grass until a proper plan can be made with respect to drainage. Administrator Blevins said in the meantime, repairs can be made to the blow-off valve in order for a hose to be connected to re-route the water.

Mayor Pro Tem Maddock made a motion to table the motion to take action on the erosion of the right-of-way area located at Pine Chase Grove and the private property at 1324 Pine Chase Grove.

**A vote was taken to approve the motion tabling the motion to take action on the erosion of the right-of-way area located at Pine Chase Grove and the private property at 1324 Pine Chase Grove. The vote passed unanimously.**

**6. REPORTS TO COUNCIL:**

**6.1 Engineers Report:** Engineer Him said several drainage plan reviews are under way. He stated that Inframark completed the installation of the wireless remote monitoring system and control panels on the lift station.

Council Member Byrne asked about the impervious coverage on the proposed drainage plans for demolition and new construction at 1306 Bridle Spur Lane and when they will be permitted to remove trees. Engineer Him said the drainage plan had been approved and impervious coverage is within the limits of the City Zoning Ordinance. Administrator Blevins stated that they can obtain a tree removal permit after the arborist has done the pre-construction inspection.

**7. DISCUSSION:**

**7.1** Planning and Zoning Committee Chair Kathleen Stafford said the committee has been reviewing the current regulations for accessory buildings in relation to lot setbacks. She discussed options to change the rules for smaller sized buildings, such as storage sheds, and the allowable height and location of open-sided structures such as gazebos.

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Committee Chair Stafford also discussed options for property owners to have either a carport or a garage, or both with new stipulations for the carport construction and location in relation to the main dwelling. The ordinance currently states a garage is required for each single-family dwelling. Mayor Pro Tem Maddock and Administrator Blevins voiced concerns over the possible storage of personal items in the carport which would be visible from the street. Committee Chair Stafford said there are other ordinances that prevent that.

Committee Chair Stafford also reviewed proposed regulations on allowing habitation in attics and accessory buildings with consideration to International Fire Code requirements for egress. She said there aren't many existing two-story homes that would be able to accommodate a habitable space in the attic as the roof line is too low to completely stand upright. Council Member Byrne said it is likely that there are already homes in the City that have a habitable space in the attic but because they aren't regulated by permit and inspection, may not meet the International Building and/or International Fire Code. Mayor Herron said this may be appealing to new construction and would allow more living area vertically to alleviate the ground floor footprint. Administrator Blevins said the maximum height of residential buildings is 35 feet inclusive of all roof structures and accessories, she asked if they would consider allowing the chimney cap to exceed that limit as a lot of builders submit their plans that way. Committee Chair Stafford said that can be considered when they get to the detailed composing phase of the ordinance.

**7.2** Mayor Herron said in a previous meeting, discussion was had regarding the proposed prohibited street parking hours and how that coincided with the existing Juvenile Curfew Ordinance. He stated the curfew hours are from 11:00 p.m. to 6:00 a.m. on weekdays, and 12:00 a.m. to 6:00 a.m. on weekends. Mayor Herron said the suggested 1:00 a.m. to 6:00 a.m. parking restriction would not be in conflict with the curfew.

**8. DISCUSSION AND POSSIBLE ACTION**

**8.1** Mayor Pro Tem Maddock made a motion to approve the City of Hilshire Village Ordinance Number 790-2019 Amendment "1" amending the FYE 2019 Budget for Capital Improvement expenditures already approved by Council at previous Council Meeting and the Utility Fund Account, seconded by Council Member Gordy.

**A vote was taken to approve the motion approving the City of Hilshire Village Ordinance Number 790-2019 Amendment "1" amending the FYE**

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**2019 Budget for Capital Improvement expenditures already approved by Council at previous Council Meeting and the Utility Fund Account. The vote passed unanimously.**

**8.2** Mayor Pro Tem Maddock made a motion to approve the Villages Mutual Insurance Group's recommended Insurance Carriers for Plan Year 2020 being United Health Insurance (Medical), Guardian Life (Dental), Lincoln National Insurance (Life/AD&D/LTD) and Superior Vision (Vision) for the City of Hilshire Village's Employee Benefits, seconded by Council Member Swanson.

**A vote was taken to approve the motion approving the Villages Mutual Insurance Group's recommended Insurance Carriers for Plan Year 2020 Being United Health Insurance (Medical), Guardian Life (Dental), Lincoln National Insurance (Life/AD&D/LTD) and Superior Vision (Vision) for the City of Hilshire Village's Employee Benefits. The vote passed unanimously.**

**9. CLOSED EXECUTIVE SESSION:** None

**10. REPORTS TO COUNCIL: (Con't)**

**10.1 Fire Commissioner's Report:** Fire Commissioner Byrne said per the Fire Chief's Report, Hilshire Village and Hedwig Village had less percentage of fire calls than EMS calls but the other villages had the opposite results.

Commissioner Byrne stated the department is over budget but should level back out once Bunker Hill's payment for attorney fees is resolved. He said over the last four (4) weeks there has been a big push to finalize the plans for the Fire Station Rebuild, including staging and additional contractors.

**10.2 Building Official's Report:** Nothing outstanding to report.

Council Member Gordy said he has been impressed with the detail of the inspection reports and service provided by the new company, BBG Consulting. Administrator Blevins said at least one of the company's representatives attends pre-development and pre-construction meetings with the contractors and homeowners during the new construction process.

**10.3 City Administrator's Report:** Administrator Blevins said there are some items on the complaint log that still need to be addressed and she will look further into them.

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**10.4 Treasurer's Report:** Administrator Blevins stated that she rolled over \$900,000 in the investment CD for 30 days with a slightly lower percentage rate and deposited the remaining \$100,000 into the checking account for bill payments. She said once tax income arrives, she will re-distribute the funds into multiple CDs set to expire at different intervals through the year.

Council Member Swanson asked when the next audit will begin. Administrator Blevins said they are scheduled to arrive February 2<sup>nd</sup>, 2020, and the City is still receiving final documents for the previous fiscal year.

**11. CONSENT AGENDA:**

Mayor Pro Tem Maddock made a motion to approve the Consent Agenda as presented, consisting of Disbursements presented to Council, the Minutes from the Regular Council Meeting on October 15, 2019, the Preliminary Check Register and Financials for September and October 2019, Resolution Number 2019-197 appointing Kyle Sears as a Board Member of the Subsidence District for a two (2) year term, and Resolution Number 2019-198 appointing Mike Sullivan for the position on the Board of Directors of the Harris County Appraisal District for a two (2) year term, seconded by Council Member Byrne.

**A vote was taken to approve the motion approving the Consent Agenda as presented, consisting of Disbursements presented to Council, the Minutes from the Regular Council Meeting on October 15, 2019, the Preliminary Check Register and Financials for September and October 2019, Resolution Number 2019-197 appointing Kyle Sears as a Board Member of the Subsidence District for a two (2) year term, and Resolution Number 2019-198 appointing Mike Sullivan for the position on the Board of Directors of the Harris County Appraisal District for a two (2) year term. The vote passed unanimously.**

**12. REPORTS FROM COUNCIL:**

**12.1** Mayor Herron said the City received a letter from Representative Murphy in response to a letter from the President of Harris County Mayors & Councils Association, Michel Bechtel, who is also the Mayor of Morgan's Point.

**13. ADDITIONAL COUNCIL COMMENTS:** None

**14. FUTURE AGENDA TOPICS:** Council Member Schwarz requested that discussion be held at the next meeting regarding the current impervious coverage limits and driveway width restrictions in residential districts. He said he would be interested in

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looking at what the other villages enforce with regard to those two (2) topics.

**15. ANNOUNCEMENTS:** Mayor Herron said the City office will be closed November 28<sup>th</sup> and 29<sup>th</sup> for the Thanksgiving holidays.

**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 8:33 P.M.**

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Mayor Herron

ATTEST:

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Susan Blevins, City Secretary