

The City of Hilshire Village

Public Hearing and Special Council Meeting September 26, 2013
THURSDAY, SEPTEMBER 26, 2013
PUBLIC HEARING AND SPECIAL COUNCIL MEETING
7:00 P.M.

1. PUBLIC HEARING:

1. 1 CALL TO ORDER: Mayor Whiting called the City of Hilshire Village Public Hearing to order at 7:02 P.M. at 8301 Westview, Houston, Texas 77055.

Mayor Whiting stated the purpose of the Public Hearing was to receive input from the public, either oral or written, regarding the removal of the existing 4,200 square foot building and replacement with a 9,600 square foot facility and 40 additional parking spaces at the Mennonite Church. She stated that the City has not received an application for development of any proposed property to be sold by Mennonite Church and if the City does, there will be a separate Public Hearing on that subject.

Russell Herron - Representing Hilshire Grove Lane, stated Hilshire Grove borders the western and northern side of the Church. He stated the packet presented to Council showed the issues they had with the new development for the Mennonite Church. Mr. Herron also wanted Council to know that Hilshire Grove was in favor of keeping the Zoning Ordinances as they are today.

Council Member Gunn wanted to know if there had been open communication between the residents and the Church. The answer was "yes".

Council Member Castro questioned the request for a nine (9) foot fence. She stated the existing ordinance does not allow for a fence higher than eight (8) feet. Mayor Whiting and City Attorney, David Olsen, said that it could be addressed in the ordinance during the Regular Council Meeting.

Council Member Castro also questioned the Neighbors' desire for the proposed property to be developed, to be connected to the City of Houston's water instead of the City of Hilshire. This item was discussed and it was decided that it was the City's desire but there was no way to know at this time if the City of Houston would agree to this. Mayor Whiting stated that the Church was connected straight to City of Houston at this time.

Marcus Dotson, 3 Hilshire Grove Lane, wanted to know if the setbacks for the Church were the same as it was for his residence. Mayor Whiting stated that the property would be treated as commercial and its rear set back was 40 feet but the Church shows the new facility will have a 60 foot rear set back. Mayor Whiting asked if Mr. Dotson was concerned with drainage and if so the Church will not be allowed to drain onto any property in Hilshire Grove and the Church would have to meet all of the City's

requirements.

Pastor Marty said the trees on the north and west side of their property will be retained. Their plans are to save as many trees as possible. The Church's intent is to landscape and plant additional trees and shrubbery. Pastor Marty said they were trying to blend their building in with the landscaping. They want to blend in with the City and not stand out.

Bill Bristow, 1233 Pine Chase Drive, wanted to know if the Church will have a jungle like the one existing today. Pastor Party said the trees they have will be well maintained.

Tom Chmores, 7 Hilshire Grove Lane, wanted to know if the Church had an arborist look at all the trees because the trees behind his house are under stress and he was afraid that they would be losing a lot of trees. Pastor Marty said they have not checked all the trees but it was their intention and they would remove any trees that were in danger of falling.

Marcus Dotson, 3 Hilshire Grove Lane, asked if the Church would explain the type of lighting they will be using. Pastor Marty said their intent was to use lighting that pointed down. He also stated the trees between the Church and Hilshire Grove would be taller than the light fixtures.

Other comments were made from residents from their chairs.

Pastor Marty addressed Hilshire Grove Lane's desired Criteria.

1.2 The Public Hearing was adjourned at 7:39 PM.

2. CALL TO ORDER SPECIAL COUNCIL MEETING: Mayor Whiting called the City of Hilshire Village Special Council Meeting to order at 7:40 P.M. at 8301 Westview, Houston, Texas 77055.

2.1. Present: were Mayor Shannon Whiting, Mayor Pro Tem Post and Council Members Connie Castro, Edward Davis, Paul Maddock and David Gunn. Also present were City Secretary Susan Blevins; City Attorney David Olson, Olson & Olson and City Engineer Efrain Him, P.E., HDR/Claunch & Miller, Inc.

4. ACTION ITEMS:

4.1 Council Member Castro made a motion to approve Ordinance Number 687 granting a Specific Use Permit to the Houston Mennonite Church located at 1231 Wirt Road for the addition of a 5,800 square foot building to be used as a Worship Center and additional parking, seconded by Council Member Maddock. Council discussed the 9 foot fence request by the Hilshire Grove Residents. Mayor Whiting said that the Church will have to present building plans that will be reviewed by the Building Official and the drainage plans by the City Engineer. Council Member Castro made a motion to amend her original motion to add that the Church would agree to the Desired Criteria presented by the Neighbors excluding item 3 and changing item 4 to have the Church survey all of the adjacent homeowners in regards to their needs for a fence. A vote was taken to approve the motion approving Ordinance Number 687 granting a Specific Use Permit to the Houston Mennonite Church located at 1231 Wirt Road for the

addition of a 5,800 square foot building to be used as a Worship Center and for the Specific Use Permit to include the Neighbors Desired Criteria less item 3 and with changes to item 4 to include a fence agreed upon by all the adjacent neighbors up to 9 feet tall. The vote passed unanimously.

The Council Meeting was recessed at 7:54 P.M.

The Council Meeting was reconvened at 8:03 P.M.

OUT OF ORDER:

4.6 Council Member Gunn made a motion to approve Ordinance # 689 of the City of Hilshire Village approving the abandonment and relocation of a certain drainage easement at 1122 Ridgeley, seconded by Mayor Pro Tem Post. Mayor Whiting said the potential buyers of the property at 1122 Ridgeley had a new survey done of the property and found the house to encroach into the City's easement. The Mortgage Company had an issue with financing a home that could be torn down by the City. David Olson said this particular property has a drainage easement that runs in the middle of it. The property has a moving easement that runs from the center line of the ditch. The potential lienholders requested the City address this issue. The new survey shows an encroachment of the main house, the secondary building in the back and part of the decking. David said this type of issue has come up on different properties in the past. He said that Efrain has worked with the current and potential owners of the property to re-define the easement to eliminate the encroachment of the main house as well as abandon the old one and relocate and give them consent to have those facility's that encroach in the easement. The steps the City would need to follow were approving Ordinance # 689 which is the abandonment of the easement and then there is an agreement with the homeowner to dedicate an alternate easement and then the City needs to authorize the Mayor to execute a Quick Claim Deed so the City can release the old easement before the City attaches the new easement. The City has the right to allow or to consent a building to encroach if it does not affect the natural flow or impede drainage. A vote was taken to approve the motion approving Ordinance # 689 of the City of Hilshire Village approving the abandonment and relocation of a certain drainage easement at 1122 Ridgeley. The vote passed unanimously.

4.61 Council Member Maddock made a motion to approve consent to encroachment for a portion of the main residential dwelling, the one story wood frame dwelling and the wood decking between these dwellings at 1122 Ridgeley, seconded by Council Member Davis. A vote was taken to approve the motion approving the consent to encroachment for a portion of the main residential dwelling, the one story wood frame dwelling and the wood decking between these dwellings at 1122 Ridgeley. The vote passed unanimously.

OUT OF ORDER

4.12 Council Member Maddock made a motion to approve Ordinance No. 688 of the City of Hilshire Village, Texas approving the change of the Regular Council Meeting to 6:30 PM, seconded by Mayor Pro Tem Post. A vote was taken approving the motion to approve Ordinance No. 688 of the City of Hilshire Village, Texas approving the change of the Regular Council Meeting to 6:30 PM. The vote passed unanimously.

OUT OF ORDER

4.2 Council Member Castro made a motion to review the proposals and award the Construction Contract to Scohil Construction, L.L.C., the lowest responsible bidder, for the Guinea Drive Water Line Replacement for a total contract amount of \$88,680.50, seconded by Council Member Maddock. A vote was taken to approve the motion to review the proposals and award the Construction Contract to Scohil Construction, L. L. C., the lowest responsible bidder, for the Guinea Drive Water Line Replacement for a total contract amount of \$88,680.50. The vote passed unanimously.

4.3 Council Member Castro made a motion to table the agenda item to review the proposal and award the Contract for Street Sign Replacement Project to the lowest responsible contractor, seconded by Council Member Davis. A vote was taken to approve the motion to Table the agenda item to review the proposal and award the Contract for Street Sign Replacement Project to the lowest responsible contractor. The vote passed unanimously.

4.4 Council Member Gunn made a motion to review the proposals and award the contract to Pump & Power Equipment, the lowest responsible contractor for the Lift Station Pump Replacement Project in the amount of \$7,500.00 seconded by Council Member Maddock. A vote was taken to approve the motion to review the proposals and award the contract to Pump & Power Equipment, the lowest responsible contractor for the Lift Station Pump Replacement Project in the amount of \$7,500.00. The vote passed unanimously.

4.5 Council Member Maddock made a motion to approve Change Order No. 3 to Triple B Services, L. L. P., for additional work associated with the 24-inch RCP Storm Sewer Replacement in Pine Chase Grove and the Sanitary Sewer Service reconnections at 1206 and 1210 Glourie Drive in the amount of \$4.98, seconded by Mayor Pro Tem Post. The cost of \$26,245.00 was offset by a supplemental that the City was not using. A vote was taken to approve the motion approving Change Order No. 3 to Triple B Services, L. L. P., for additional work associated with the 24-inch RCP Storm Sewer Replacement in Pine Chase Grove and the Sanitary Sewer Service reconnections at 1206 and 1210 Glourie Drive in the amount of \$4.98. The vote passed unanimously.

Mayor Whiting stated the City received a letter regarding the Hazard Mitigation Grant Program stating the City would have a new contact person that would be reviewing the City's submittals. The City had a conference call with the new contact, Taran Roddy. Ms. Roddy informed the City that the City was at the point of an additional 25% withholding until completion of the job. This procedure was changed after Hurricane Ike and the City was never informed. City Secretary Blevins informed Council that she requested a sample letter from Ms. Roddy to assist the City with their request for a waiver from this requirement.

The City Engineer was excused at this time.

4.6 Council Member Maddock made a motion to approve Ordinance Number 685 adopting the City of Hilshire Village, Texas General Budget for the FYE 2014. 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 \$17,895 WHICH IS A 2.15 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 \$23,188., seconded by Council Member Davis. Council did not make any changes to the budget. A vote was taken to approve the motion approving Ordinance Number 685 adopting the City of Hilshire Village, Texas General Budget for the FYE 2014. 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 \$17,895 WHICH IS A 2.15 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 \$23,188. The vote passed 5-0. Mayor Pro Tem Post, Council Member Castro, Davis, Maddock and Gunn voted for the motion.

4.7 Council Member Gunn made a motion to approve a component of the tax rate in the amount of \$0.464023/100 for the purpose of funding the maintenance and operation expenditures of the City for the FYE 2014, which such tax rate will effectively be raised by .81% from last year's tax rate and will raise taxes for maintenance and operations on a \$100,000 home by approximately -\$21.22, seconded by Mayor Pro Tem Post. A vote was taken to approve the motion approving a component of the tax rate in the amount of \$0.464023/100 for the purpose of funding the maintenance and operation expenditures of the City for the FYE 2014, which such tax rate will effectively be raised by .81% from last year's tax rate and will raise taxes for maintenance and operations on a \$100,000 home by approximately -\$21.22. The vote passed unanimously.

4.8 Council Member Castro made a motion to approve a component of the tax rate the in the amount of \$0.110238/100 for the purpose of paying the accruing interest and to provide a sinking fund for payment of the indebttness of the City for the next fiscal year, seconded by Council Member Maddock. A vote was taken to approve the motion approving a component of the tax rate in the amount of \$0.110238/100 for the purpose of paying the accruing interest and to provide a sinking fund for payment of the indebttness of the City for the next fiscal year. The vote passed unanimously.

4.9 Mayor Pro Tem Post made a motion to approve the property tax rate to be increased by the adoption of a tax rate of \$0.574261/100, which is effectively a .81 percent increase in the tax, seconded by Council Member Maddock. A vote was taken to approve the motion approving the property tax rate to be increased by the adoption of a tax rate of \$0.574261/100, which is effectively a .81 percent increase in the tax. The vote passed 5-0. Mayor Pro Tem Post, Council Member Castro, Davis, Maddock and Gunn voted for the motion.

4.10 Council Member Maddock made a motion to approve Ordinance No. 686 providing for the levy and collection of Ad Valorem Taxes of the City of Hilshire Village,

Texas for the year 2013: providing for two components to the proposed tax rate, consisting of a tax rate of \$0.110238 Cents one 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 \$0.464023 Cents 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 .81 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately \$-21.22, 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 Mayor Pro Tem Post. A vote was taken to approve the motion approving Ordinance No. 686 providing for the levy and collection of Ad Valorem Taxes of the City of Hilshire Village, Texas for the year 2013: providing for two components to the proposed tax rate, consisting of a tax rate of \$0.110238 Cents one 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 \$0.464023 Cents 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 .81 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately \$-21.22, 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. The vote passed 5-0. Mayor Pro Tem Post, Council Member Castro, Davis, Maddock and Gunn voted for the motion.

Bill Bristow wanted the record to state there were only two people in the audience.

The City attorney was excused at this time.

4.11 Approving the Disbursements – No Disbursements were presented

5. ADDITIONAL COUNCIL COMMENTS: NONE

6. ANNOUNCEMENTS: Mayor Whiting reminded everyone that National Night out was October 1st.

7. ADJOURNMENT: Council Member Maddock made a motion to adjourn, seconded by Council Member Davis. The meeting was adjourned at 8:47 P.M.

Shannon Whiting, Mayor
ATTEST:

Susan Blevins, City Secretary