

# The City of Hilshire Village

TUESDAY, February 18, 2014

REGULAR COUNCIL MEETING

6:30 P.M.

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

**1.1 Invocation:** was given by Council Member Gunn.

**1.2 Pledge of Allegiance:** was given by Lucas Williams and Avi Patel.

**1.3 Present:** were Mayor Shannon Whiting, Mayor Pro Tem Stephanie Post and Council Members Connie Castro, Edward Davis and David Gunn. Also present were City Secretary Susan Blevins; Chief Gary Finkelman, Spring Valley Police Department; Chief David Foster, Village Fire Department; City Engineer Efrain Him, P.E., HDR/Claunch & Miller, Inc. and City Attorney Kim Mickelson, Olson & Olson. Council Member Maddock was absent.

**2. CITIZENS COMMENTS:** **Jean Bravenec** – 8010 Burkhart stated that they built their home in 1968. She stated that the trend is for older homes to be bought, torn down and rebuilt and over the last couple of years there have been a couple of homes built on Pine Chase directly behind her. Removing and building houses is a noisy process with the equipment, trucks, hammering and music. The city ordinance states that construction can be done in the City Monday through Saturday. She would like Council to consider giving the residents some relief on the weekends.

**Bill Bristow – 1233 Pine Chase** – stated there was twenty-two (22) residents in attendance and thanked them for coming.

**3. COUNCIL COMMENTS:** None

**4. REPORTS TO COUNCIL:**

**4.1 Police Report:** Chief Finkelman stated that he had reported in January on the aggravated robbery in Hickory Shadows where a woman was robbed of her purse and vehicle in her driveway. The vehicle was recovered and the police are still working leads. A composite sketch is in circulation with surrounding law enforcement agencies.

There was also a water meter stolen in January from an unlocked Triple B truck that was left parked overnight. The arrest in January was for a warrant for unpaid parking tickets.

In February the only arrest was on the 9<sup>th</sup> where a suspicious vehicle was reported, the driver stopped and arrested on an outstanding warrant for felony theft.

Chief Finkelman said he enjoyed meeting with the representatives from the Hickory Shadows Homeowners Association on their concerns of safety and to discuss using a security gate. He stressed that it works best if we work in partnership and call them if anything looks suspicious in the area.

## **5. ACTION ITEMS:**

**5.1** Mayor Pro Tem Post made a motion to consider and approve Ordinance 696 authorizing the Issuance of City of Hilshire Village, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2014; Levying an Ad Valorem Tax; Pledging Certain Net Revenues; Authorizing the Execution of a Transfer and Paying Agency Agreement and Other Matters in Connection therewith, seconded by Council Member Gunn. Christine Crotwell from First Southwest stated that eight (8) bids came in at noon today with a low bid from TIB – The Independent Banker’s Bank of 2.19% interest rates with a fixed rate for all ten (10) years. They were very pleased with the low bids and number of participants. The Certificate of Obligation will be issued for \$1,300,000.00 with the ability to not affect the tax rate and maintain a certain tax rate. Closing will be approximately four (4) weeks. The City will receive a little over \$1,250,000.00 after deductions for the Capitalized Interest Fund which the City requested and the Cost of Issuance. Christine Crotwell said that it was First Southwest’s opinion to go with TIB, the low bid.

**Bill Bristow, 1233 Pine Chase**, wanted to know if all the Council Members had read all 50 pages of the ordinance or were they just relying on the City Counsel. He also wanted to know if all of Council had the opportunity to review the bids. Mr. Bristow also questioned the number of workshops the City had held. He stated the City was borrowing \$1,300,000.00 and he wanted the citizens to know that they would have to pay back through their taxes and he would like a record vote.

**Council Member Castro** wanted to make sure the residents at the meeting tonight knew that she had originally voted against the ten (1) year \$1,300,000.00 certificate in favor of a seven (7) year \$870,000.00 note because she was in favor of lowering taxes. In her view some of the projects included in this proposal were not needed at this time. Council Member Castro stated funding for infrastructure was needed but she was in favor of lowering the taxes instead of increasing them. Mayor Whiting recognized Mayor Pro Tem and City Secretary Blevins for their hard work on this project.

**A vote was taken to approve the motion considering and approving Ordinance 696 authorizing the Issuance of City of Hilshire Village, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2014; Levying an Ad Valorem Tax; Pledging Certain Net Revenues; Authorizing the Execution of a Transfer and Paying Agency Agreement and Other Matters in Connection therewith. The vote passed 3-1. Mayor Pro Tem Post, Council Member Davis and Council Member Gunn voted for the motion and Council Member Castro voted against the motion.**

## **6. REPORTS TO COUNCIL:**

**6.1 Zoning Amendment Committee** – Council Member Gunn stated that the Commercial area, Wirt Rd., and all of Zone B are out of compliance from the last Zoning Ordinance passed in April, 1996. With the current trend toward redevelopment of properties, potential buyers in the City are running into problems meeting the zoning restrictions and are being forced to go to the Board of Adjustments for relief. The Presbyterian Church on Westview is for sale and several businesses have been interested, but the restrictions have made the sale a problem.

Council Member Gunn also stated that the BOA is an awkward process. The City's ordinances for the two residential and the commercial areas do not fit all the properties. Council needs to figure out how we want the City to look. The City controls the rules. The Mennonite Church has sold its land so the question of what can or will be built is soon to come up. The commercial area has a 40 foot real set back. The parking and green space restrictions have been completely ignored. The thirty-five (35) foot height restriction may be okay, but it limits the businesses that might want to locate here.

Council Member Gunn stated that Larry Wilkerson and Nyle Polis have been helping him. Larry Wilkerson stated that in order to get commercial redevelopment in the City we are going to have to have ordinances that make sense. Mr. Polis indicated that he feels we should treat all commercial property the same. He says the Fire Chief has no problem with a business building to the back property line and next to each other as long as there is a fire wall. In some areas, we have to be sure the Fire Department can get to the back of the houses with their hoses. As for the houses on Pine Creek, he thinks their footprint should be the same. The setbacks may need to change.

Mayor Whiting indicated that each subdivision has unique characteristics and the City may need to have individual needs for each area. The elementary school is being rebuilt and with some interest now in the commercial area, there is a great opportunity here. The current remedy is the Board of Adjustments, but we are looking forward.

Council Member Gunn expressed his concern that the City needed more help than just volunteers. He stated that he had talked also to a landscape architect and the head of the BOA. Council Member Gunn wanted to have some professional help. Ms. Kim Mickelson, with Olson & Olson, volunteered that she would be glad to help. She is a Certified Planner.

Council Member Davis suggested having a master plan for the commercial area which may encompass a change of ownership or finding another way.

**6.2 Engineers Report:** Efrain Him reported, in regard to the Texas Department of Public Safety/Governor's Division of Emergency Management (DEM), Hurricane Ike **Hazard Mitigation Grant Program (HMGP)**, that the Substantial Completion Inspection was performed on January 21, 2014. The City, Contractor and HDR representatives were in attendance and a Punch List was prepared. The Contractor is currently addressing the Substantial Completion Punch List items requiring corrective action. Triple B did not submit a Pay Application for work performed in January. Efrain stated that on February 12, 2014, Ms. Taran Roddy, H2O Partners, State Hazard Mitigation Specialist, visited the project area to perform the State Close-out Inspection and discuss the Change Orders approved by the City under this project.

**Street Signs Replacement Project** – Efrain stated HDR has been coordinating and requesting quotes from several manufacturers/suppliers to purchase the materials for the Street Signs Replacement Project.

**1318 Ridgeley Drive Drainage Plan** was reviewed, approved and returned to the City.

**1122 Guinea Drive Drainage Plan Amendment** was reviewed and approved including changes in the proposed pool layout and minor modifications to the initial drainage system discharge pipe.

**Wirt Road Subdivision** – Efrain stated that he met with Mayor Whiting and Mr. Larry Brownback, Brownback Projects, to discuss the proposed re-development of the Wirt Road Subdivision by Schwab Development.

**TCEQ Waiver of MS4 Storm-water Discharge Permitting Requirements** – Efrain stated he had been assisting City Secretary Blevins in the preparation and waiver renewal to the Small Municipal Separate Storm Sewer System and the general permit requirements.

## **7. ACTION ITEMS:**

**7.1** Council Member Castro made a motion to authorize payment of HDR invoice for Professional Engineering Services provided to the City for the Pine Chase and Glourie Utility, Drainage and Paving Improvements Project, Invoice # 27 in the amount of \$34,936.07, seconded by Council Member Davis. **A vote was taken to approve the motion authorizing payment of HDR invoice for Professional Engineering Services provided to the City for the Pine Chase and Glourie Utility, Drainage and Paving Improvements Project, Invoice # 27 in the amount of \$34,936.07. The vote passed unanimously.**

**7.2** Council Member Davis made a motion to authorize, discuss and approve the street signs modifications and revised cost, seconded by Council Member Castro. Council Member Castro said that

the price to install the signs and the size of the signs had changed. The installation cost on the first bids were too high so Council can either choose one of the two signs presented tonight or start over. Efrain Him stated that at first the project was to replace the street signs only at a budget of around \$25,000.00. Council then decided they wanted to consolidate signs which added twenty-eight (28) signs to the mix and raised the budget to around \$45,000.00. The first bids from two contractors were extremely high at around \$80,000.00 so the City has looked at purchasing the signs directly and then having them installed. Two suppliers have been found, Metalcraft and Pathmark. Efrain recommends a 3" round poles. Both suppliers indicate that their standard is either 9"X30" or 9"X36" frames. Efrain also pointed out the signs are now made where the blades (street names) are bonded to the paddle (frame) so it makes one single unit that is not prone to rattling or breakage. He also stated that he had received two bids for installation and both were high with the lowest one at \$300/pole. He is waiting on another bid from Republic Traffic who installed the street signs for the City of Spring Valley at a bid of \$13,000.00. Currently it is 58% materials and 42% for installation.

Mayor Pro Tem Post asked which pole the City would get and it was pointed out as a smooth pole with a finial on top and the new City logo on the street sign (blades). Mayor Whiting asked about the requirement to have the poles at 7 ft. Other signs such as "Stop" or "Yield" will be affixed to the poles. Lettering will be 5" font with a smaller white border on the 9"X36" blade.

Efrain indicated he hoped to get a bid from Republic Traffic in the \$10,000.00 range which would bring the price into the \$42,000.00 range.

Council Member Castro made a motion to table the motion to approve street sign modifications and revised cost, seconded by Council Member Gunn. **A vote was taken to approve the motion tabling the original motion. A vote was taken to table the motion to discuss and approve street sign modifications and revised cost. The vote passed unanimously.**

**7.3** No motion was made to discuss and approve the proposed new **City Seal**.

**The City Engineer was excused at this time.**

**7.4** Mayor Pro Tem Post made a motion to approve the Village Fire Department's request to keep the audited "underage" from the 2013 Budget, seconded by Council Member Castro. Mayor Whiting said this was a planned surplus which was included in the Fire Departments budget. Normally the City allows the Fire Department to keep the underage and last year it was used to seed the new ladder truck. **A vote was taken to approve the motion to approve the Village Fire Department's request to keep the audited "underage" from the 2013 budget. The vote passed unanimously.**

**7.5** Council Member Davis made a motion to authorize the City to increase the City's Amegy Credit Card limit from \$1,000.00 to \$2,000.00, seconded by Council Member Gunn. Mayor Whiting said the City is purchasing more budgeted items through the credit card. **A vote was taken to approve the**

**motion to authorize the City to increase the City's Amegy Credit Card limit from \$1,000.00 to \$2,000.00. The vote passed unanimously.**

**7.6 Council Member Castro made a motion to approve the City of Hilshire Village Ordinance Number 694 providing for the holding of a General Election on May 10, 2014, seconded by Mayor Pro Tem Post. Mayor Whiting said that this ordinance also assigns the Election Judge to be Jeffrey Klam and the use of paper ballots. A vote was taken to approve the motion to approve the City of Hilshire Village Ordinance Number 694 providing for the holding of a General Election on May 10, 2014. The vote passed unanimously.**

**8. DISCUSSION: Request by Hickory Shadows Home Owners Association to install a security gate at Wirt Road.**

Mayor Whiting indicated that she had met with Chief Finkelman, Lt. Evans, Lisa Ferchau and Mr. Person on their requests to install a security gate on the South entrance to Hickory Shadows. The city ordinances prohibit private streets. Public streets have to be accessible to the public at all times.

Council Member Castro indicated that David Olson had told her that if a gate was installed at the South entrance, Hickory Shadows would become a private street and its residents would be responsible for its upkeep.

Kim Mickelson, with Olson & Olson, said the general rule was once a street has been dedicated on a subdivision plat it is dedicated for use by the "general public". The "general public" is greater than the people who live on the street or in the City. In order to give up that property, the City has to transfer the property at fair market value. This means they would have it appraised; the residents would request that the City vacate the dedication of the street and would pay the City for the fair market value of the property. The residents would take over any cost of maintaining the street.

**The City Attorney was excused at this time.**

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

**9.1 Fire Commissioner:** Mayor Whiting stated that she reported last month on the issue the fire department was having in recruiting due to compensation. Sugarland and Katy are recruiting heavily. The Fire Department has just lost a firefighter to Katy.

The Commission held a workshop on January 29, 2014, to review the latest recommendations on compensation. There will be a salary adjustment in the amount of \$221,000.00 plus a contribution to the 457 Plan (retirement) of 2% or approximately \$73,000.00. The last contribution was made in December, 2012, in the amount of \$64,000.00 to those employed at December 31, 2012. Funding for

the compensation package will mainly be from the 2012 Budget and the 2014 Budget. The Commission voted to approve, pending the approval of the rest of the Villages to use the surplus funds.

Mayor Whiting said the Fire Chief sent a picture of the ceremony of the awarding of the Class "I" ISO certification. The trucks and uniforms have a special sticker.

**9.2 Building:** City Secretary Blevins reported there were twenty-two (22) permits and twenty-eight (28) inspections for the month. There was a new tenant at 8383A Westview. She said a red tag was issued in January to 1322 Ridgeley for not having the proper fencing and required items for new construction.

**9.3 City Secretary:** City Secretary Blevins answered questions in regard to the Complaint and Issues Log.

&#61623 **9.4 Treasurer's Report:** City Secretary Blevins stated she had given Council up-to- date financials for January. Collections for taxes were at 87%. She also said that expenses for permits are over budget but the revenue was also up.  
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**9.5 CLOSED EXECUTIVE SESSION:** None

**9.6** Mayor Whiting said no action would be taken regarding the Executive Session.

## **10. REPORTS FROM COUNCIL:**

**Mayor Whiting: I-10 Noise Mitigation** –Mayor Ramsey of Spring Valley has been coordinating meetings with City of Houston District G - Council Member Oliver Pennington and City of Houston District A – Council Member Brenda Stardig.

Mayor Whiting met with Council Member Pennington along with Mayor Ramsay of Spring Valley Village and Mayor McMillan of Hunters Creek to discuss the noise issue along I-10. Specifically, it was requested that the City of Houston contribute \$800,000.00 of the total budget of \$7.9 million, since 50% of the frontage belongs to City of Houston. TxDOT has agreed to pay \$6.1 million as their contribution. Four of the Villages impacted are committed to the noise mitigation. Mayor Whiting stated she was meeting with Council Member Stardig next Thursday and they were also working with Representative Jim Murphy to facilitate a meeting with Mayor Parker.

**Website** – Mayor Whiting stated she and City Secretary Blevins have been working on the website. They have been developing content for the tabs and working with a graphic artist for a new city seal that will translate well to the website and street signs.

**11. ACTION ITEMS:**

**11.1 CONSENT AGENDA:** Council Member Davis made a motion to approve the Consent Agenda, including disbursements presented to Council and the Minutes from the Regular Council Meeting of January 21, 2014, seconded by Mayor Pro Tem Post. **A vote was taken to approve the motion approving the Consent Agenda including the disbursements presented to Council and the Minutes from Regular Council Meeting of January 21, 2014. The vote passed unanimously.**

**12. ADDITIONAL COUNCIL COMMENTS:** None

**13. ANNOUNCEMENTS:** None

**13. ADJOURNMENT:** Council Member Davis made a motion to adjourn, seconded by Mayor Pro Tem Post. The meeting was adjourned at 8:30 PM.

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Shannon Whiting, Mayor

ATTEST:

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Susan Blevins, City Secretary