

TUESDAY, AUGUST 19, 2014
REGULAR COUNCIL MEETING

1. CALL TO ORDER: Mayor Whiting called the City of Hilshire Village Council Meeting to order at 6:32 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 Shannon Whiting, Mayor Pro Tem Stephanie Post and Council Members Michael Gordy, Edward Davis, Paul Maddock and David Gunn. Also present were City Secretary Susan Blevins, Chief Gary Finkelman, Spring Valley Police Department, City Engineer Efrain Him, P.E., HDR/Claunch & Miller, Inc. and City Attorney Kim Mickelson, Olson & Olson.

2. SERVICE AWARD: Mayor Whiting presented a Service Award to Phil Brooks for his thirteen years of contribution to the City as Web Master. She also thanked him for setting up the City's first website and setting up email addresses.

3. CITIZEN'S COMMENTS:

Bill Bristow, 1233 Pine Chase, stated he observed three large oak trees being cut down at 1201 Pine Chase. In his opinion, they have been there since before Hilshire Village was formed and they do not look to be inside the building line. He stated that he thought it was terrible and that there was "no creditability to the Tree Ordinance".

4. COUNCILS COMMENTS: None

5. REPORTS TO COUNCIL:

5.1 Police Report: Chief Finkelman reported that July was busier than usual. There was one (1) arrest for public intoxication on Glourie. The theft of a TV from a remodel in progress on Ridgeley was talked about last month. On the 29th there was a burglary on Archley where access was gained through the rear door. On August 12, 2014 there was a similar burglary on Glourie. There was some evidence recovered from this burglary and it is undergoing DNA testing. These burglaries are happening between 9 AM and Noon. It appears that the burglars are coming to the front door, ringing the bell and if someone answers they have some bogus explanation of why they are there. If no one is home, then they try to gain entrance through the rear of the home. There were no witnesses and no calls. There was one (1) call about a man sitting in a car that was running in a driveway where a neighbor knew the owners were not home. The police responded. The department is now facing an internal affairs investigation because the man filed a formal complaint.

Mayor Whiting asked if the home owners that were burglarized had alarms. The answer was "neither home had an alarm although one home did have an alarm sign in the yard".

6. ACTION ITEMS:

6.1 Council Member Gunn made a motion to discuss and possibly authorize Amegy Bank to remove the requirement of third party verification for two (2) signatories on each check to significantly reduce bank fees while maintaining dual signatories to be reviewed by auditors, seconded by Council Member Maddock.

Mayor Whiting stated City Secretary Blevins and she had met with Steve Peters, Senior Vice President for Commercial Banking for Amegy Bank for this area. He oversees our Amegy Bank accounts. The City has eleven or twelve accounts with Amegy Bank. Each account was being charged \$75.00/month to manually check all disbursements issued to make sure the checks had two signatures. Some accounts have numerous checks written while others may have only one check per month. A letter, August 19, 2014, from the bank indicated savings could be found by Standard Account Analysis.

Mr. Peters stated the Amegy Connect User Fee was being waived by the Bank as the City only has one (1) or two (2) users. The City could take over checking for the two signatures. Mr. Peters also stated that the City would still have the normal processing and protections with each account. Mayor Whiting indicated that the City spends approximately \$500.00/month in fees which could be saved. She also stated the City had checked with the auditors and she had an email from Nathan Krupke stating the City had a policy that required two signatures and the bank did not need to verify them. Mayor Pro Tem Post asked if two signatures would still be required. The requirement by the City would not change from the two signatures; the City would just take over checking for two signatures. Mayor Whiting stated that check signing at present is very random as to whom of the three signers will be signing.

Mr. Peters stated that the City's accounts earn interest and also earn a shadow credit to offset fees. With the change and consolidating several Metro accounts, the City would earn an extra thirty (30) basis points.

A vote was taken to approve the motion authorizing Amegy Bank to remove the requirement of third party verification for two (2) signatories on each check to significantly reduce bank fees while maintaining dual signatories to be reviewed by auditors. The vote passed unanimously.

7. REPORTS TO COUNCIL:

7.1 Engineers Report – Efrain stated Triple B Services has completed the asphalt pavement repair work. He stated Triple B had addressed the drainage issue at **1327 Pine Chase Grove**; however, they would look at it again after a significant rain. The contractor also re-graded and re-sodded some segments of ditches that were holding water. Efrain stated that Triple B will return in the near future to complete all the ditch re-grading.

Efrain stated he had prepared the Period of Performance Extension Request letter to the State in order to complete the City's reimbursement request and the close-out.

Efrain stated the City has coordinated with Stearns Corporation regarding the possible right-of-way dedication for **Pine Creek Lane**. Mr. Stearns has requested the City prepare the legal documents to dedicate a right-of-way to the City for construction and maintenance of the west end of Pine Creek Lane. Efrain also met with Council Member Davis to discuss the potential dedication from Harris County on part of Pech Road's right-of-way for the use of a water vault. Upon further review it appears the County does not control the land.

The plan and profile drawings for paving, drainage and water and sewer utilities are approximately 70% complete for **Pine Creek Lane** and 95% complete for **Bridle Spur Lane**. 60% of the Traffic Contract Plans, Storm Water Pollution Prevention Plans and General Civil and Standard Detail Drawings for the project are complete.

Efrain stated that he has been coordinating with the City of Houston on the additional **water line interconnect** request; however, the City of Houston is still evaluating the request.

The **Street Sign Project** has been completed and Efrain will compile a list of street sign locations where existing trees and/or shrubs are partially obstructing the view of the signs and would require trimming.

The drainage plans for **1249 Ridgeley**, **8009 Bromley** and **1030 Glourie Circle** were reviewed and approved with exceptions noted.

Efrain has been coordinating with the City, Harris County Flood Control District and Cisneros Design Studios regarding the build-out in the drainage easement at for **1308 Ridgeley**.

Efrain is reviewing the Drainage Plan Amendment for **1313 Ridgeley Drive** and coordinating with the contractor for **1122 Guinea Drive** on new driveway culverts.

8. ACTION ITEMS:

8.1 Council Member Maddock made a motion to authorize payment of HDR invoice for Professional Engineering Services provided to the City for the Pine Creek & Bridle Spur Reconstruction Project, invoice # 5, in the amount of \$8,148.70, 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 Creek & Bridle Spur Reconstruction Project, invoice # 5, in the amount of \$8,148.70. The vote passed unanimously.**

The City Engineer was excused at this time.

8.2 Council Member Maddock made a motion to approve the City of Hilshire Village Resolution Number 136 for LED Lighting Suspension requesting CenterPoint Energy to amend its rates schedules to permit the City time to study the request, approving cooperation with the Gulf Coast Coalition of Cities and hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the company, seconded by Council Member Davis. City Attorney Kim Mickelson stated there was a phone conference with the Gulf Coast Coalition (they monitor utility rate changes and represent cities in the area on utilities). CenterPoint has proposed to raise the rates for LED street lights. The cost of the negotiation may be reimbursed by CenterPoint. If not, then all the cities, about thirty (30), would pay a portion and our portion would be approximately \$200. The City may opt to participate or not. The rate change would be effective October 1, 2014 unless delayed.

Mayor Whiting stated that the City can get additional street lights under our Tariff Agreement at no additional cost for installation.

Jason Ryan, CenterPoint Energy, stated that the company has had numerous requests from home owners associations for LED street lights as they are so much more efficient on energy, at about 65% savings. It is optional if the City takes the service. The cost for the infrastructure would initially stay the same cost for the pole, lamp and maintenance at \$3.64/month. The energy cost will be less immediately. In the future the infrastructure cost might go up because the poles and lamps are more expensive. The infrastructure is not on a set pay schedule but possibly every four (4) to five (5) years the rate may increase. There would be no cost to the City to retrofit the lights to LED. There would be an agreement for the time frame. Mr. Ryan stated the City of Houston had approved the rates.

Mayor Pro Tem Post made a motion to amend the original motion to read: “to approve the City of Hilshire Village Resolution Number 136 for LED Lighting Suspension requesting CenterPoint Energy to amend its rates schedules to permit the City time to study the request, approving cooperation with the Gulf Coast Coalition of Cities and hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the company not to exceed \$ 200.00”, seconded by Council Member Gunn. The vote to amend the original motion was approved unanimously. **A vote was taken to approve the original motion and the amendment approving the City of Hilshire Village Resolution Number 136 for LED Lighting Suspension requesting CenterPoint Energy to amend its rates schedules to permit the City time to study the request, approving cooperation with the Gulf Coast Coalition of Cities and hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the company not to exceed \$200.00. The vote passed unanimously.**

The City Attorney was excused at this time.

8.3 Council Member Maddock made a motion to nominate candidates for the position of Alternate Board of Adjustment Member and appointing the position for a new (1) year term, seconded by Mayor Pro Tem Post. Mayor Whiting stated that the request had been made for Council to be able to discuss and nominate potential candidates. The candidates under consideration were Jason Hawthorne, Tom Plagens, Manfred Sternberg, Bill Bristow and Larry Wilkerson. Council Member Gunn thanked everyone for volunteering. He stated this member would take minutes and would not vote unless a regular member was absent. Council Member Gunn nominated Manfred Sternberg and Larry Wilkerson. Council Member Maddock nominated Tom Plagens. Council Member Davis nominated Manfred Sternberg. Council Member Gordy nominated Jason Hawthorne.

A vote was taken to appoint Manfred Sternberg for the position of Alternate Board of Adjustment Member. Mayor Pro Tem Post, Council Member Davis and Council Member Gunn voted for Manfred Sternberg. A vote was taken to appoint Larry Wilkerson for the position of Alternate Board of Adjustment Member. No votes were cast. A vote was taken to appoint Tom Plagens for the position of Alternate Board of Adjustment Member, Council Member Maddock voted for Mr. Plagens. A vote was taken to appoint Jason Hawthorne, Council Member Gordy voted for Mr. Hawthorne. Manfred Sternberg was appointed the position of Alternate Board of Adjustment Member for a one (1) year term.

8.4 Mayor Pro Tem Post made a motion to approve the City of Hilshire Village Ordinance 707 Noise Ordinance deleting Chapter 7, Section 7.600, titled Grounds Maintenance and replacing with new hours for lawn maintenance, seconded by Council Member Maddock. Mayor Whiting stated the change is for third party lawn maintenance crews to not work on Sunday or Holidays, except for emergencies and from 8 AM to 7PM on Monday-Friday and from 9 AM to 6 PM on Saturday. Residents would be able to do ground maintenance work from 8 AM to 8 PM Monday thru Friday, from 9 AM to 8 PM on Saturday and Sunday except on emergency basis. Council Member Gunn asked about the intensity of the feelings on this matter and the response was that feelings were pretty strong especially on holidays. **A vote was taken to approve the City of Hilshire Village Ordinance 707 Noise Ordinance deleting Chapter 7, Section 7.600 titled Grounds Maintenance and replacing with new hours for lawn maintenance. The vote passed unanimously.**

8.5 CLOSED EXECUTIVE SESSION: None

8.6 Mayor Whiting said no action would be taken regarding the Executive Session

9. DISCUSSION:

9.1 New Construction – Sheer Walls: Mayor Whiting stated there will be a public hearing on this matter. The change is for Chapter 12, Zoning, Section 11.0104 which states “no second story shall be located closer than ten (10) feet to any side lot line”. The change will have to be for both Zones A and B. Currently, if a builder starts at eight feet (8) they must come in two (2) feet for the second story, but at ten (10) feet from the

side building line, they do not have to move in for the second story. The City is trying to maintain minimal light space and control structural density.

Mayor Pro Tem Post suggested a range might work. If the setback is between eight (8) to fifteen (15) feet the second floor requires a setback. At fifteen (15) feet no set back is required. Council Member Gordy cautioned that the language needed to be carefully written so there would be no unforeseen negative impact, especially on corner lots. Council Member Gordy was asked to research and come back next month with suggestions.

9.2 An extra Council Meeting to be held in the AM to handle day to day operations and decisions:

Council Member Maddock stated there were other ways to control the length of the meetings like lengthy discussions over minor items. He also stated a discussion with City Secretary Blevins concerning the Consent Agenda prior to the Council Meetings would cut out a lot of discussion. Mayor Whiting stated she tries to make the Agenda as efficient as possible. Council Member Gunn indicated those items that are mundane and mechanical could be addressed at the morning meetings.

Any meetings would still need to be placed on the calendar and could be cancelled as needed. The meetings would be open to the public. If the morning meeting took care of financials, consent agendas, City Secretary report, etc., the public would know what to expect. The second meeting would need to be set up through an ordinance. Council Member Davis objected to morning meetings since it would discourage residents from running for Council if they were still in the work force. Council Member Gordy indicated that he did not know how many morning meetings he could attend. He also felt that the Council meetings could move along faster. Mayor Whiting said Council would experiment.

10. REPORTS TO COUNCIL:

10.1 Fire Commissioner: The next meeting is scheduled for August 27, 2014. The 2014 Budget was approved by all six cities while the 2015 Budget is still pending. Bunker Hill and Piney Point have disapproved the 2015 Budget since they want salary increases for the firefighters in spite of the adjustment that was just done.

10.2 Building: City Secretary Blevins stated eighteen permits and thirty-seven inspections were issued. Also, there were no Certificate of Occupancy, no plan check and no red tags were issued.

10.3 City Secretary: City Secretary Blevins stated the Mayor and she attended an Emergency Preparedness Meeting by CenterPoint. She stated she had added an invoice to the Consent Agenda for HCAD in the amount of \$1,609.00. City Secretary Blevins asked for questions on the Consent Agenda or complaint log.

Mayor Pro Tem Post indicated that on the Public Hearing meeting of June 19, 2014, on Page 5 she would like the word “water” added to her comment about the new connection.

City Secretary stated if the City does not go over the Effective Tax Rate then no public hearings would need to be held.

10.4 Treasurer: City Secretary Blevins had nothing to highlight since we have several budget workshops.

11. REPORTS FROM COUNCIL:

11.1 Mayor Whiting: The Mayor stated that she would be going around pinpointing the street lights and determining where more lights were needed. Council Member Maddock agreed to join her.

Mayor Pro Tem Post stated she and City Secretary Blevins were working on the electricity bills to determine why they vary. Mayor Whiting indicated that the bills were based on the number of circuits. CenterPoint indicated that they could not give out the map as Homeland Security felt it could compromise the infrastructure.

Council Member Maddock and Russell Herron stated the residents of Hilshire Grove Lane and Hilshire Oaks Court were paying for the electricity on their street lights. The Mayor stated she would look into the matter.

12. ACTION ITEMS:

12.1 CONSENT AGENDA: Council Member Maddock made a motion to approve the Consent Agenda, including disbursements, Minutes from the Public Hearing and Special Council Meeting of June 19, 2014, including Mayor Pro Tem Post’s addition of the word “water” to her comments on page 5, Minutes from the Regular Council Meeting of July 15, 2014, Minutes from the Council Workshop Meeting of August 6, 2014 and approving the Mayor to enter into a contract with Houston Community Newspapers for a period between September 1, 2014 and August 31, 2015, to reduce the City’s cost for advertising, seconded by Council Member Davis. **A vote was taken to approve the motion approving the Consent Agenda, including disbursements, Minutes from the Public Hearing and Special Council Meeting of June 19, 2014, including Mayor Pro Tem Post’s addition of the word “water” to her comments on page 5, Minutes from the Regular Council Meeting of July 15, 2014; Minutes from the Council Workshop Meeting of August 6, 2014 and approving the Mayor to enter into a contract with Houston Community Newspapers for a period between September 1, 2014 and August 31, 2015 to reduce the City’s cost for advertising. The vote passed unanimously.**

13. ADDITIONAL COUNCIL COMMENTS: None

14. ANNOUNCEMENTS: The Civic Club is sponsoring National Night Out to be held on October 9, 2014.

15. ADJOURNMENT: Council Member Maddock made a motion to adjourn, seconded by Council Member Davis. The meeting was adjourned at 8:35 PM.

Shannon Whiting, Mayor

ATTEST:

Susan Blevins, City Secretary