

TUESDAY, JUNE 16, 2015
REGULAR COUNCIL MEETING
6:30 P.M.

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1. CALL TO ORDER: Mayor Whiting called the City of Hilshire Village Council Meeting to order at 6:35 P.M. at 8301 Westview, Houston, Texas 77055.

1.1 Invocation: was given by Council Member Maddock.

1.2 Pledge of Allegiance:

1.3 Present: were Mayor Shannon Whiting, Mayor Pro Tem Stephanie Post, Council Members Mike Gordy, Russell Herron, Paul Maddock and David Gunn. Also present were City Secretary Susan Blevins, Chief Gary Finkelman, Spring Valley Police Department, Chief David Foster, Village Fire Department and City Attorney Kim Mickelson, Olson & Olson. City Engineer Efrain Him, P.E., HDR Inc. was absent.

Mayor Whiting stated that she was going to re-arrange the Agenda to allow visitors to leave as early as possible due to Tropical Storm Bill.

4. REPORTS TO COUNCIL:

4.1 Police Report: Chief Finkelman said there was a minor accident and a felony theft of building materials in the 1300 block of Ridgeley in May. In June, there was a drowning victim in the Spring Branch Creek after the second round of flooding. The victim was a homeless man who was first identified incorrectly due to some stolen papers found on his person. He was finally identified correctly and his next of kin was notified.

Chief Finkelman stated his officers have started twelve (12) hour shifts and will have every other Friday, Saturday and Sunday off. This will result in fewer hours with a slight bump in pay. Two (2) officers have also been added and one (1) replaced. Each patrol will include a Sergeant and three (3) officers who will work together.

Mayor Whiting asked for help at the stop signs located on Glourie at Pine Chase and Glourie at Ridgeley as cars are "blowing" through them. Chief Finkelman said he would make Officer Book aware of the situation. Officer Book will be staying on eight (8) hour shifts and will continue to be the traffic control officer.

7. ACTION ITEMS:

7.4 Council Member Maddock made a motion to hear a presentation from Chief Foster and to approve the Village Fire Department's Proposed 2016 Budget, seconded by Council Member Gordy.

Chief Foster said there was a salary bump in the 2014 Budget that continues in this budget. A recommended two percent (2%) cost of living increase is included in a total budget increase of four percent (4%). The consultant recommended an increase for health insurance, \$160,000.00 for vehicle replacement and a \$30,000.00 compensated absence fund to pay for unused vacation or sick leave when a person retires rather than taking the amount out of the payroll account.

Chief Foster said the audit for the year had been completed and should be presented to the Fire Commission next week. There were approximately \$200,000.00 surplus funds which will probably be refunded to the villages.

The department is two (2) positions short of being fully staffed and two (2) medics are in process of being hired. The department will have three (3) women, so the male to female ratio will be six percent (6%).

Chief Foster stated the Fire Commission approved a study of the thirty-five (35) year old fire department building. The building was built when the fire department had six (6) firefighters on duty. There are now thirteen (13) firefighters on duty in the building at times. The analysis is about half done so there should be a report in a couple of weeks.

Mayor Whiting said that the Fire Commission recommends a seeding of the Capital Replacement Fund, line item sixty-four (64) for approximately \$160,000.00. Sometimes this fund is funded by the surplus funds instead of refunding it back to the City. Chief Foster said that the ambulance fees are not included in the budget. A typical ambulance ride is approximately \$1,800.00. The Department takes what payments insurance will cover. The fees total approximately \$320,000.00 per year and are refunded to the cities. The funds are paid to the cities quarterly.

A vote was taken to approve the motion approving the Village Fire Department's Proposed 2016 Budget. The vote passed unanimously.

5. ACTION ITEMS:

5.1 A motion was made by Council Member Maddock to approve the issuance by the Hilshire Village Cultural Education Facilities Finance Corporation of its Education Revenue Bonds (Kipp Austin Public Schools, Inc.) Series 2015A, seconded by Council Member Herron.

Robert Swanson, President of the HVCEFFC, stated his committee met tonight for the first time since September, 2014. Jim Cullen and David Labbe also are present as are Ms. Francine Stefan with First Southwest Bank and Mr. Clay Holland with Andrews Kurth. Andrews Kurth is the legal counsel representing the City in this transaction.

Mr. Swanson explained that in 2005, the State of Texas issued a law whereby cities could form a non-profit corporation for the purpose of issuing tax exempt bonds. KIPP is taking advantage of this law to issue their bond.

The bond for the KIPP Public Schools (a Charter School) is \$4.1 million. They currently have two (2) schools and want to add a third. Both current schools have waiting lists of students wanting to attend. KIPP Public Schools show in last year's audit revenues of \$38.8 Million and cash of \$11.1 million.

Mr. Swanson explained that the City can be a conduit for \$10 million in bonds per year. Bonds issued by the HVCEFFC have no liability for the City but the City will receive a fee for this service. Last year the HVCEFFC facilitated a \$7.1 million bond for St. Francis with First Southwest Bank.

A vote was taken to approve the motion approving the issuance by the Hilshire Village Cultural Education Facilities Finance Corporation of its Education Revenue Bonds (Kipp Austin Public Schools, Inc.) Series 2015A. The vote passed unanimously.

2. CITIZENS COMMENTS/PUBLIC FORUM: None

3. COUNCIL COMMENTS: None

6. REPORTS TO COUNCIL: (Con't)

6.1 Engineers Report – Mayor Whiting gave the Engineering Report.

Pine Chase and Glourie Project – Mayor Whiting stated that she and Efrain Him have been in constant contact with Triple B in regards to the warranty items that still need to be fixed since April. She stated she had sent them an email to tell them that the City was running out of patience. With the last two (2) weeks of good weather nothing had been done. Mayor Whiting asked City Attorney Kim Mickelson if there was some way to compel Triple B with a demand letter. Ms. Mickelson said to give her copies of all correspondence and she would work up a letter.

Mayor Whiting stated on June 4th the state sent the City the final payment on the Pine Chase/Glourie Project. City Secretary Blevins will be working on disbursing the funds to the proper accounts and finalizing the paperwork.

Mayor Whiting said she met separately with Mr. Sterns and his attorney last Thursday regarding the **Pine Creek and Bridle Spur Project**. She said she presented them with

the appraisal the City had done on the property and offered to pay one hundred percent (100%) for the meter vault but needed the road dedicated to the City as there is a water line under it. Mr. Sterns and his attorney have not come back with a counter offer. Harris County Appraisal District values the land at \$14/sq. ft., the City is willing to pay \$22/sq. ft. and Mr. Sterns wanted \$32/sq. ft. Mayor Whiting said the City has alternative options which include putting the meter vault at City Hall and having the street dead end.

Mr. Sterns said he had made plans to put a house on the back lot but there was no time frame. He has protested his property appraisal and has had the hearing but there has been no ruling as yet.

Mayor Whiting stated that in 1999-2000 the City installed a water line under the street so there may be an understood easement with prescriptive used by public ingress and egress so the road may have been thought to be public. The City's case may be strengthened if more proof can be found. Mayor Whiting said the City could afford the meter vault, but would have to delay any work on Friarcreek if the City had to purchase the road. She also said that she had talked to Council Member Gordy and her husband on any suggestions as to what else might be done to negotiate with Mr. Sterns. A model was prepared and she wanted to discuss it in an Executive Session.

Mayor Whiting stated Efrain Him was revising the plans and specifications on the **Bridle Spur and Pine Creek Project** due to the emergency replacement of the sanitary line on Pine Creek. When the plans and specifications are finalized, the project will go out for bid. She also stated that Mr. Him has been working with the **Mennonite Church** and Mr. Schwab on the issue of an easement that needs to be abandoned by the Church. The easement shows on an original plat that runs East and West near the property line.

Mayor Whiting stated that Efrain Him had also done several inspections for drainage on new construction throughout the Village. He also met with Mr. Peterman as the creek behind his house at 1310 Ridgeley is part of the Harris County Flood Plan. At some point, a previous owner built a wooded retention wall along the creek. With the recent rains, the soil behind the wall has eroded causing concern of cave-ins along the creek and the possibility that the swimming pool at 1305 Ridgely might fall into the ravine. Harris County Flood Control personnel have been asked to help with the problem.

7. ACTION ITEMS: (Con't)

7.1 Council Member Gunn made a motion to authorize payment of HDR's invoice for Professional Engineering Services provided to the City for the Pine Creek & Bridle Spur Reconstruction Project, invoice # 9, in the amount of \$2,640.00, seconded by Council Member Maddock. **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 # 9, in the amount of \$2,640.00. The vote passed unanimously.

7.12 Mayor Pro Tem Post made a motion to go into executive session (as authorized by Texas Government Code Section 551.072 Real Property) to discuss authorizing the Mayor to negotiate compensation to Stearns Corporation for the acquisition of the Right-of-Way for Pine Creek Lane and a Water Meter Vault Site as negotiated by the City, seconded by Council Member Gordy.

Recessed the Regular Council Meeting at 7:26 PM

7.13 The City of Hilshire Village Council went into a closed executive session to discuss 7:12.

Reconvene the Regular Council Meeting at 8:26 PM.

7.12 No action will be taken on Agenda item 7:12 at this time.

7.2 Council Member Herron made a motion to authorize HDR to provide additional engineering services, as outlined in HDR's Proposal and associated with revisions and changes to the Plans and Specifications for the Pine Creek and Bridle Spur Reconstruction Project, seconded by Council Member Gordy. Mayor Whiting said the scope has changed from the original specifications due to the installation of the emergency sewer line on Pine Creek. Council Member Post wanted to approve without the engineering for re-locating the meter vault. City Attorney suggested that the wording should be "absent for the moment". Council Member Herron amended the motion to read "authorizing HDR to provide additional engineering services as outlined in HDR's Proposal and associated with revisions and changes to the Plans and Specifications for the Pine Creek and Bridle Spur Reconstruction Project, absent for the moment, the relocation of the meter vault", seconded by Council Member Gordy. **A vote was taken to approve the amended motion authorizing HDR to provide additional engineering services as outlined in HDR'S Proposal and associated with revisions and changes to the Plans and Specifications for the Pine Creek Lane and Bridle Spur Reconstruction Project, absent for the moment, the relocation of the meter vault. The vote passed unanimously.**

7.3 Council Member Maddock made a motion to authorize the Mayor to execute a contract between the City of Hilshire Village and Spring Branch Independent School District to address and collect ad valorem taxes, seconded by Mayor Pro Tem Post. **A vote was taken to approve the motion authorizing the Mayor to execute a contract between the City of Hilshire Village and Spring Branch Independent School District to address and collect ad valorem taxes. The vote passed unanimously.**

7.5 Council Member Maddock made a motion to authorize the change in the Policy and Procedure Manual – Policy Number Section 8-19 Purchasing, seconded by Council Member Gunn. Mayor Whiting stated that we made one change last month but after further review the whole policy was outdated. **A vote was taken to approve the motion authorizing the change in the Policy and Procedure Manual – Policy Number Section 8-19 Purchasing. The vote passed unanimously.**

7.6 Council Member Maddock made a motion to nominate candidates for the position of Mayor Pro Tem and appointing the position for a one (1) year term, seconded by Mayor Pro Tem Post. Mayor Whiting stated that since Mayor Pro Tem Post has stated she was not planning on running for a position on Council next year someone else should take over the position to gain the experience. Council Member Maddock amended his motion to read “nominate and appoint Council Member Maddock for the position of Mayor Pro Tem for a one (1) year term, seconded by Mayor Pro Tem Post. **A vote was taken to approve the amended motion nominating and appointing Council Member Maddock for the position of Mayor Pro Tem for a one (1) year term. The vote passed unanimously.**

7.7 Council Member Gunn made a motion to approve three (3) signatories for the financial institutions to be the Mayor, Mayor Pro Tem and one (1) Council Member, seconded by Mayor Pro Tem Maddock. Council discussed that it would be a good idea for Council Member Herron to get familiar with the City’s expenditures. Council Member Gunn amended his motion to read “approve three (3) signatories for the financial institutions to be Mayor Whiting, Mayor Pro Tem Maddock and Council Member Russell Herron, seconded by Council Member Post. **A vote was taken approve the motion approving the three (3) signatories for the financial institutions to be Mayor Whiting, Mayor Pro Tem Maddock and Council Member Herron. The vote passed unanimously.**

7.8 Council Member Post made a motion to nominate candidates for the position of Fire Commissioner and appoint the position for a one (1) year term, seconded by Council Member Gunn. **A vote was taken approve the motion nominating and appointing Mayor Whiting for the position of Fire Commissioner for a one (1) year term. The vote passed unanimously.**

7.9 Council Member Post made a motion to nominate candidates for the position of Alternate Fire Commissioner and to appoint the position for a one (1) year term, seconded by Council Member Gunn. Mayor Pro Tem Maddock said he would stay as Alternate Fire Commissioner unless someone else wanted the position. Council Member Post amended the motion to “nominate and appoint Mayor Pro Tem Maddock for the position of Alternate Fire Commissioner for a one (1) year term, seconded by

Council Member Gunn. **A vote was taken to approve the motion nominating and appointing Mayor Pro Tem Maddock for the position of Alternate Fire Commissioner for a one (1) year term. The vote passed unanimously.**

7.10 Council Member Post made a motion to nominate candidates for the position of Alternate Board of Adjustment Member and appoint the position for a one (1) year term, seconded by Council Member Gordy. City Secretary Blevins stated that one of the items the City was dinged on for the ISO Rating was the fact no one on the Board of Adjustments had building contractor experience. Council Member Gordy made a motion to nominate and appoint Robert Bryne as Alternate Board of Adjustment Member for a one (1) year term, seconded by Mayor Pro Tem Maddock. **A vote was taken to approve the motion to appoint Robert Bryne as Alternate Board of Adjustment Member for a one (1) year term. The vote passed unanimously.**

7.11 Council Member Post made a motion to approve the existing Board of Adjustment Members for a period of one (1) year, seconded by Mayor Pro Tem Maddock. The existing Board of Adjustment Members are Mike Woodruff, Kathleen Cullen, Wallace Partridge, Michael Peterman, Tom Steffan and Manfred Sternberg who is an Alternate Member. **A vote was taken to approve the motion approving the existing Board of Adjustment Members for a period of one (1) year. The vote passed unanimously.**

7.13 Council Member Gunn made a motion to approve Resolution Number 141 of the City of Hilshire Village, Texas adopting the Harris County Multi-Hazard Mitigation Plan, seconded by Council Member Herron. City Secretary Blevins stated this was the project she had been working on for several months and the Plan had been approved by all parties so now the City needed to approve the plan by means of a Resolution. **A vote was taken to approve the motion approving Resolution Number 141 of the City of Hilshire Village, Texas adopting the Harris County Multi-Hazard Mitigation Plan. The vote passed unanimously.**

8. DISCUSSION:

8.1 Planning and Zoning: Council Member Herron stated he had taken a look at the input so far on Ordinance changes and made up a list of categories that needed to be changed. It is tough to go through all the ordinances paragraph by paragraph so he suggested that the Council needed a “strategic vision input statement” against which ideas for changes could be measured to see if they fit the vision for the City. He also suggested a “top down” approach where the Council works on the first items and then works down the list. Council Member Herron said there were three (3) areas to consider: how to handle public input, selecting a working committee to do the leg work, and a time frame for issues.

City Attorney Kim Mickelson said that the City does have a first draft of the items that have been worked on and she does have copious notes on lots of public input. The draft combines all suggestions from those who have worked on the project. She also suggested meeting to go over what the City has and get a draft that could be used forward. Council Member Herron stated that some issues are pretty straight forward and easily solved while others are really tough. Mayor Whiting agreed that she, Susan Blevins, Russell Herron would meet and then go over with the City Attorney.

The City Attorney was excused at this time

9. REPORTS TO COUNCIL: (Con't)

9.1 Fire Commissioner: Mayor Whiting stated that the Commissioners were still discussing the new fire station. The Department is still waiting on the feasibility study on either building or renovating the current building.

Mayor Whiting also said that at the next meeting there will be a discussion on the Interlocal Amendment concerning how the cities vote. Currently when the Budget is approved, the cities each vote one-sixth (1/6) so all cities have an equal vote. The proposed amendment is to “weigh” the cities vote by their contribution to the Fire Department. Hilshire Village’s portion is three percent (3%) so under the amendment we would only get a three percent (3%) vote. Mayor Whiting says she will let the other cities know that Hilshire Village does not support the amendment. All cities should have an equal say in how the Fire Department is run.

9.2 Building: City Secretary Blevins stated there were ten (10) permits. One (1) of the permits was for a new construction at 1309 Ridgeley and the other was for the building at the Food Bank. There were thirty (30) inspections. There was one (1) Plan Check for the Food Bank building at 7901 Westview. A call was made to 1201 Pine Chase regarding trash on property.

9.3 City Secretary: Alan Wolfe wanted the City to resolve the issue with contractors regarding jobsite and hours. Mayor Whiting said there is a fine line with Code enforcement and building issues.

9.4 Treasurer: City Secretary Blevins said the General Fund showed that assets were up and expenses down. Next month there will be billing in the Utility Account and hopefully the Utility Fund will be in better shape.

10. REPORTS FROM COUNCIL

10.1 Mayor Whiting – the City still has not received the contract for the noise mitigation.

11. CONSENT AGENDA:

11.1 Council Member Post made a motion to approve the Consent Agenda for May and June, seconded by Mayor Pro Tem Maddock. Mayor Whiting explained that Council

approved May's Consent Agenda; however, no motion was made. **A vote was taken to approve the motion approving the Consent Agenda for May 19, 2015, and the Consent Agenda for June, 2015, which included the disbursements for both meetings, the Minutes from the Public Hearing and Regular Council Meeting of April 21, 2015, and reimbursement for the float for the Fourth of July Parade and Minutes from the Regular Council Meeting of May 19, 2015. The vote passed unanimously.**

12. ADDITIONAL COUNCIL COMMENTS: None

13. ANNOUNCEMENTS: Mayor Whiting reminded everyone about the Village Independence Festival on Saturday, July 4th.

14. ADJOURNMENT: Council Member Post made a motion to adjourn. The meeting was adjourned at 9:23 P.M.

Shannon Whiting, Mayor

ATTEST:

Susan Blevins, City Secretary