

TUESDAY, FEBRUARY 17, 2015
REGULAR COUNCIL MEETING
6:30 P.M.

REGULAR COUNCIL MEETING

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 Gordy.

1.2 Pledge of Allegiance: was given by Brownie Troop 18914 from Valley Oaks Elementary School.

1.3 Present: were Mayor Shannon Whiting, Mayor Pro Tem Stephanie Post and Council Members Michael Gordy and Edward Davis. Council Member Paul Maddock was late arriving. Also present were City Secretary Susan Blevins, City Engineer Efrain Him, P.E., HDR/Claunch & Miller, Inc. Chief Gary Finkelman, Spring Valley Police Department, City Attorney Kim Mickelson, Olson & Olson and City Auditor, Nathan Krupke, Belt Harris Pechacek, LLLP. Council Member David Gunn was absent.

OUT OF ORDER

3. REPORTS TO COUNCIL:

3.1 Police Report: Chief Finkelman said the assault from January is still pending. So far in February there was a criminal mischief incident where there was a tire slashing on Archley where someone left a party and was not happy. On Friday February 13th Spring Valley Police received a call reporting that someone was wandering through Hickory Shadows. It ended up being an Alzheimer's patient who had wandered off. He was united with his family.

Chief Finkelman was concerned with the fact that Hedwig Village had sent out a letter regarding a mass number of burglaries and the fact that the Memorial Village Police Department held a press conference with Channel 13 regarding these burglaries in the Memorial Villages. A large map was shown including Spring Valley and Hilshire Village. Chief Finkelman said that in the Spring Valley/Hilshire Village area there has been one (1) burglary in the last four to five months.

2. ACTION ITEMS:

2.1 Council Member Davis made a motion to approve the City of Hilshire Village Ordinance 716 including Budget Amendment Numbers 1, 2 and 3 amending Ordinance 685, the adoption of the original General Budget for Fiscal Year Ending 2014, seconded by Council Member Gordy. Mayor Whiting said that the City needed to approve the

Budget Amendments for 2014 prior to the audit being presented. She stated this is routine and the City amends the Budget at this time every year. **A vote was taken to approve the motion approving the City of Hilshire Village Ordinance 716 including Budget Amendment Numbers 1, 2 and 3 amending Ordinance 685, the adoption of the original General Budget for Fiscal Year Ending 2014. The vote passed unanimously. Mayor Pro Tem Post and Council Members Gordy and Davis voted for the motion.**

Council Member Maddock arrived at the meeting.

3. REPORTS TO COUNCIL: Con't

3.2 Auditors: Nathan Krupke, Belt Harris Pechacek, went over the audit with Council and reported an unmodified opinion which is the highest level of assurance from your auditor. It is a "clean opinion" on the audit. Mr. Krupke reported that the City's total revenues were just a little over \$1,000,000 and Debt proceeds of \$1,300,000 The City has \$1,530,826 in the Fund Balance. As the City's Auditor, he recommends the City continue to build up the Fund Balance Reserve. In the Utility Fund the City shows a total operating loss due to the non-cash element of depreciation. The City's assets depreciate over time and loses value. He recommends Council continue to look at the City's expenses so that rates for services are enough to replace the infrastructure when needed. Mayor Whiting said the City has been using a 30 year replacement on water and sewer lines.

2. ACTION ITEMS: Con't

2.2 Council Member Maddock made a motion to authorize the Mayor to sign the Audit Engagement Letter for services for Fiscal Years Ending 2015, 2016 and 2017, seconded by Council Member Davis. **Mayor Whiting stated Belt Harris has consistently come in at a lower rate than other firms. A vote was taken to approve the motion authorizing the Mayor to sign the Audit Engagement Letter for services for Fiscal Years Ending 2015, 2016 and 2017. The vote passed unanimously.**

4. CITIZEN'S COMMENTS:

Russell Herron, 12 Hilshire Grove Lane, stated first that the Tree Preservation Ordinance was not well understood and he thinks something should be put in the next newsletter. Second, the tree ordinance does not appear to be accomplishing its purpose "to preserve the Village's canopy and prevent residents/construction to clear cut a lot" as the Schwab area has been deforested. Third, the City needs a "no goofy lot" ordinance. Mr. Herron thinks that the zoning needs an addition to prevent gerrymandered plotting to squeeze more houses into a limited space. Jumbled houses give the impression that the City has no plan. He gave some examples on Wirt and Pine Chase.

Alan Wolfe, 1314 Pine Chase Drive, stated he echoes the sentiments just stated. In addition he would like to see a solution to the trash problem where trash is left out on the

street (by lawn maintenance companies) for days before being picked up. He also stated that there is a noise problem from the lawn maintenance and the construction noise. He stated that if the construction crews could not follow the rules they should not be allowed to work. All construction sites should have readable signs posting the working hours. Mr. Wolfe also said that the new water bill shows Hilshire misspelled with two L's.

Bill Bristow, 1233 Pine Chase Drive, stated he had asked several months ago that on the Police report, violations of City Ordinances be separated from other violations so residents can see that there are complaints on ordinances not being followed. Mr. Bristow also stated that several months ago he reported water retention under his and his neighbor's driveway and he has not heard or seen anything about this issue. On the tree ordinance, he said that he had received a letter from the City advising him that he was delinquent in planting replacement trees for the two trees that were removed. Mr. Bristow said the tree ordinance needs to be addressed since everyone is supposed to have 15 trees in their yard and with the new construction there is not room for two (2) trees. Mayor Pro Tem Post said there was no requirement for 15 trees. It was to replace trees if you do not have 15 trees. Mr. Bristow also stated there should be special provisions for houses over 30 to 40 years that will be torn down.

David Hay, 13 Hilshire Grove Lane, wanted to know if Schwab had submitted a plat application. Mayor Whiting said that Mr. Schwab had not had a final plat approved. The Mayor stated that Mr. Schwab will have to have a plat according to the City's ordinances and if he does not develop the property he will need to replant trees accordingly.

Ann Budill, 2 Hilshire Grove Lane, appreciates the City's assurance on the trees and property lines. "Mrs. Budill sincerely pleads with City Council to keep our properties valuable."

5. COUNCILS COMMENTS:

6. REPORTS TO COUNCIL: (Con't)

6.1 Engineers Report – Efrain Him reported that in regard to **Pine Chase and Glourie Drive Reconstruction/HMGP Project** it is under warranty until March 19, 2015 and that he is setting up a field meeting to go over all drainage issues including 1206 Glourie.

Pine Creek & Bridle Spur Reconstruction Project: Scohil Construction Company has completed the sewer replacement project and he had the walkthrough on Monday. Efrain recommended Council approve the Change Order for \$10,691.30 associated with quantity overruns based on actual quantities installed in-place, Pay Application # 3 in the amount of \$94,913.22 for work completed to date and the 5% retainage, Pay Application # 4 in the amount of \$11,693.58 contingent upon the final inspection being done.

Efrain said that he and the Mayor were coordinating with Mr. Stearns on the acquisition of land for the Pine Creek Lane roadway right-of-way and the proposed water meter vault site.

Miscellaneous Ditch Cleaning/Regrading Project work has been completed and the work has been inspected. There is no standing water. Efrain said that he met with Council Member Gordy at 1220 Archley to discuss the resident's concerns regarding the depth of the recently regraded ditch in front of the property. He stated that the assessment was that the improvements were necessary. Efrain met with the contractor to discuss additional work to address drainage issues at Channel Crossing "A". It was determined that the large rip-rap boulders previously installed, as part of the Ridgeley Drive Reconstruction Project, on the upstream end of Channel Crossing "A" have settled and a few of the boulders have been displaced into the culvert pipe causing the upstream end of the ravine to be approximately 10 inches lower than the concrete splash/spill guard causing water to pond upstream of the crossing. The contractor submitted a proposal for \$1,450 to perform the work to fix this issue. He recommends Council approve the work.

Drainage Plans have been reviewed for **1228 Archley, 1030 Glourie Circle, 1331 Friarcreek Lane, 1102 Guinea, 1323 Ridgeley, 1249 Ridgeley, 7 Hilshire Oaks Court, 1317 Ridgeley and 1305 Ridgeley.**

Schwab Development has been informed that they must install and maintain a silt fence around the parameter of the property. Mr. Herron had concerns regarding the destruction of the trees on the property. Mayor Whiting stated the City had already discussed with Mr. Schwab that each lot will be required to have a certain amount of trees on it.

7. ACTION ITEMS:

7.1 Council Member Davis made a motion to authorize the Mayor to approve Change Order 1 to Schohil's Construction Services, LLC for \$10,691.30 associated with quantity overruns related to the Pine Creek Sewer Replacement Project, seconded by Council Member Maddock. **A vote was taken to approve the motion authorizing the Mayor to approve Change Order 1 to Schohil's Construction Services, LLC for \$10,691.30 associated with quantity overruns related to the Pine Creek Sewer Replacement Project. The vote passed unanimously.**

7.2 Council Member Davis made a motion to authorize payment of Schohil's Construction Services, LLC, invoice for services provided to the City for the Pine Creek Sewer Replacement Project, Invoice # 3, in the amount of **\$94,913.22**, seconded by Council Member Maddock. **A vote was taken to approve the motion authorizing payment of Schohil's Construction Services, LLC, invoice for services provided to**

the City for the Pine Creek Sewer Replacement Project, Invoice # 3, in the amount of \$94,913.22. The vote passed unanimously.

7.3 Council Member Maddock made a motion to authorize payment of Schohil's Construction Services, LLC, invoice for services provided to the City for the Pine Creek Sewer Replacement Project, Invoice # 4, in the amount of \$11,693.58 (5% retainage) to be released once the final inspection is conducted and punch list items, if any, are corrected, seconded by Council Member Davis. A vote was taken to approve the motion authorizing payment of Schohil's Construction Services, LLC, invoice for services provided to the City for the Pine Creek Sewer Replacement Project, Invoice # 4, in the amount of \$11,693.58 (5% retainage) to be released once the final inspection is conducted and punch list items, if any, are corrected. The vote passed unanimously.

7.4 Mayor Pro Tem Post made a motion to authorize payment of DonMar Grading invoice for services provided to the City for ditch grading, Invoice # 2, in the amount of \$19,154.00, seconded by Council Member Maddock. A vote was taken to approve the motion authorizing payment of DonMar Grading invoice for services provided to the City for ditch grading, Invoice # 2, in the amount of \$9,154.00. The vote passed unanimously.

7.5 Council Member Maddock made a motion to authorize DonMar Grading to proceed with drainage improvements at Channel Crossing A in the amount of \$1,450.00, under the current Purchase Order for the ditch re-grading project, seconded by Council Member Davis. A vote was taken to approve the motion authorizing DonMar Grading to precede with drainage improvements at Channel Crossing "A" (\$1,450.00), under the current Purchase Order for the ditch re-grading project. The vote passed unanimously.

The City Engineer was excused at this time.

7.6 Council Member Davis made a motion to authorize the Mayor to enter into a contract with Northwest Pest Patrol for mosquito fogging for March 1, 2015, through October 31, 2015, seconded by Council Member Maddock. Mayor Whiting said this was the same contract as previous years. A vote was taken to approve the motion authorizing the Mayor to enter into a contract with Northwest Pest Patrol for mosquito fogging for March 1, 2015, through October 31, 2015. The vote passed unanimously.

7.7 CLOSED EXECUTIVE SESSION: None

8. DISCUSSION:

8.1 Construction Parking: Mayor Whiting said that watching the construction jobsites that she has noted that the workers are following the ordinance by parking on one (1) side of the road with two (2) wheels off. She said the resident or their guests are parking opposite the workers which causes problems. Mayor Whiting said there was not an optimum solution. Mayor Pro Tem Post feels that there should be construction

parking on one (1) side of the street. Council Member Maddock said that it is the residents and their guest who are not parking with two (2) wheels off. Mayor Whiting said she would send a public awareness email to remind residents of the ordinance on parking. Mayor Whiting also said that residents do not want to park with two (2) off due to the fact they do not want to mess up their grass. Mayor Whiting said she is reluctant to make changes that can't be enforced. There might not be an easy solution for this issue because of enforcement. The City cannot enforce a policy. It needs to be an ordinance and there must be signs posted. Mayor Whiting said that the City does not want construction workers parking on the lots because of tree protection and the fact that the City does not want vehicles in the ditches. The City's main concern is health and safety.

8.2 Planning and Zoning: Kim Mickelson stated that Olson and Olson have had severe computer technical problems. The City Attorney said she would be sending the ordinance in track changes so that it was easy to see the changes that she had made. Mayor Whiting said that Kim Mickelson had been taken notes during the City's meeting and hearings so that she could make changes and then submit to Council and then the Committee before going to a public hearing.

The City Attorney was excused at this time

9. REPORTS TO COUNCIL: (Con't)

9.1 Fire Commissioner: Mayor Whiting said there had been a fire at Chappelwood Church during a wedding that was handled very quickly. She also said the Commissioners are looking into a consultant to do a space study on the Fire Station. Also Council will be reviewing the budget in the near future.

9.2 Building: (City Secretary): There were seventeen (17) permits in which one was for a remodel and one for new construction at 8210 Burkhart. There were forty-four (44) inspections. Mayor Whiting said that a red tag was issued last week to 1201 Pine Chase to tidy up their jobsite

9.3 City Secretary: City Secretary Blevins stated that elections were coming up and Council Positions Three, Four and Five were up for elections. She stated also that WCA purchased Royal Disposal. At this time there was no change in the rates.

9.4 Treasurer: City Secretary Blevins asked if there were any questions on the Quarterly Investment Report and there were none.

10. REPORTS FROM COUNCIL

10.1 Mayor Whiting: I-10 Noise Abatement: Mayor Whiting said there had been outstanding progress made. The Memorial Village Mayors have come to the conclusion that the City of Houston was not going to participate in this venture so the Cities went to TxDOT with a new proposal and in theory TxDOT has accepted the offer. Thanks needs to go out to Representative Jim Murphy for all the help that he contributed.

State Senate Bill 182: Mayor Whiting said it is a bill that our State Senator Paul Bettencourt wants to be partied to. This bill is the state's way to allegedly give the tax payers a tax break. The Mayor said this would be very punitive to small Cities like ours. In the past if a City proposed a tax rate over 8% residents could petition for an election. This legislation would mandate an election if the City goes over 4%. A 4% rate increase would not be conducive to the City's budget. This additional election would cost the City an additional \$5,000 because it would not be in the same cycle with the current elections. Mayor Whiting said she was writing a letter to Senator Bettencourt expressing the City's concerns.

60th Anniversary Commemoration. The City will turn 60 years old on April 15th. Mayor Whiting said she is working with the Civic Club to commemorate the occasion. The Civic Club said that it would work with the City on the event on April 26th. Mayor Whiting asked Council to make suggestions and she will come back to Council for appropriation of funds.

11. CONSENT AGENDA:

11.1 Council Member Maddock made a motion to approve the Consent Agenda, including disbursements and the Minutes from the Public Hearing and Regular Council Meeting of January 20, 2015, seconded by Council Member Davis. **A vote was taken to approve the motion approving the Consent Agenda, including disbursements, the Minutes from the Public Hearing and Regular Council Meeting of January 20, 2015. The vote passed unanimously.**

10. ADDITIONAL COUNCIL COMMENTS: None

11. ANNOUNCEMENTS: None

12. ADJOURNMENT: Council Member Maddock made a motion to adjourn, seconded by Council Member Gordy. The meeting was adjourned at 8:39 PM.

Shannon Whiting, Mayor

ATTEST:

Susan Blevins, City Secretary