

TUESDAY DECEMBER 20, 2016
REGULAR COUNCIL MEETING
6:30 P.M.

REGULAR COUNCIL MEETING

1. CALL TO ORDER: Mayor Herron called the City of Hilshire Village Regular 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:

1.3 Present: were Mayor Russell Herron, Mayor Pro Tem Paul Maddock, Council Members Mike Gordy, Robert Byrne, Robert Swanson and David Gunn. Also present were City Administrator Susan Blevins, Spring Valley Police Lieutenant Schultz, City Attorney Kim Mickelson and City Engineer Efrain Him, P.E., HDR Inc. Fire Commissioner Whiting was absent.

2. REPORTS TO COUNCIL:

2.1 Police Report: Lieutenant Schultz stated there were no major crimes for December. There were a couple of arrests after traffic stops where warrants were outstanding.

2.2 Fire Commissioner: Council Member Byrne stated there would be no Commissioner Meeting this month. The Fire Department is still operating 3.2% under Budget. Captain Croft and Fire Fighter Campbell have been recognized and received the Certificate of Valor. Administrator Cheryl Easley is retiring after 22 years of service. Her retirement celebration is December 29th at the Fire Department.

3. CITIZEN'S COMMENTS:

Chris Mineo, # 10 Pine Creek Lane, read a Citizen Petition regarding Pine Creek Lane requesting prompt action be made by the City to correct the conditions of the City owned property located on the west end, north side of Pine Creek Lane. He said this property is the biggest eyesore in the City. This property hurts the residents on Pine Creek Lane's property values, embarrasses them and reflects shamefully on the City.

4. COUNCIL COMMENTS: Council Member Gunn stated it was hard to argue but it was a matter of priorities. Mayor Herron stated that Council will discuss the matter during the City Engineer's report.

5. REPORTS TO COUNCIL:

5.1 Engineers Report – City Engineer Efrain Him stated the only thing left on the **Pine Creek/Bridle Spur/Friar Creek Lane Reconstruction Project** was addressing the punch list. He said there was a new sink hole that has developed in front of the Friar Creek Subdivision that needs to be addressed and the subcontractor is going to wait until spring to replant the replacement plants at # 14 Pine Creek Lane.

City Engineer Him stated he attended the City's Pre-Construction Meeting for the **Hilshire Villas Subdivision**. He also reviewed the plans for the **Mennonite Church Re-Development** and returned them for additional corrections/changes and additional information.

City Engineer Him stated he received three (3) quotes that were over the City's preliminary budget for concrete pavement point repair work. He will work with the Mayor to modify the scope of work.

Wastewater Pump Station repair was completed under partial warranty with Precision Pump Systems, formerly Pump & Power Equipment.

As requested by Mayor Herron, HDR engaged the services of Landtech, Inc., to perform supplemental survey work along the existing 10-ft back lot utility easement in the **Pine Creek Subdivision** and identified private encroachments. Mayor Herron said that Council made it very clear that the City needed to get busy cleaning up the Commercial Area. Before the City could get started on cleaning up, the survey needed to be completed, so he authorized the work. The survey shows all the encroachments from the commercial area. On # 4, 6, and 8 Pine Creek Lane the fence is on private property but on the western end it belongs to the City. City Attorney Mickelson said it looks like the City has a limited prescriptive easement in it but may be limited to use. She said the City needs to look at the plat to decide where the easement and right-of-way areas are. Mayor Herron said that regardless of where the right-of-way and easement were there are clearly items that should be removed.

Mayor Pro Tem Maddock asked what the City could do to resolve this petition. Mayor Herron said the City is working on resolving this situation; however, it is the matter of having time to meet with all parties involved and resolve what area belongs to whom and for everyone to work together.

The City Engineer was excused at this time.

6. ACTION ITEMS:

6.1 Mayor Pro Tem Maddock made a motion to approve the City of Hilshire Village Resolution Number 151 suspending the December 21, 2016, effective date of the statement of intent of CenterPoint Energy to increase rates within the Houston and Texas Coast Divisions and consolidate the Houston and Texas divisions to permit the City time to study the request and to establish reasonable rates, seconded by Council Member Swanson. City Attorney Mickelson stated the City is a member of the Gulf Coast Coalition of Cities and this resolution if approved by the Cities allows the coalition time to review the rate increase. **A vote was taken to approve the motion approving the City of Hilshire Village Resolution Number 151 suspending the December 21, 2016, effective date of the statement of intent of CenterPoint Energy to increase rates within the Houston and Texas Coast Divisions and consolidate the Houston and Texas divisions to permit the City time to study the request and to establish reasonable rates. The vote passed unanimously.**

6.2 Council Member Byrne made a motion to authorize the change in the Policy and Procedure Manual – Policy Number Section 8-19 (2E) Purchasing to read “During normal situations the Mayor has authority to approve purchases under \$5,000.00, seconded by Mayor Pro Tem Maddock. Mayor Herron stated that he recently had to approve the survey which was over \$2,500 because the City Council wanted to get started on cleaning the Pine Creek Lane area. **A vote was taken to approve the motion authorizing the change in the Policy and Procedure Manual – Policy Number Section 8-19 (2E) Purchasing to read “During normal situations the Mayor has authority to approve purchases under \$5,000.00”. The vote passed unanimously.**

7. DISCUSSION:

7.1 Planning and Zoning – Commercial Area – Mayor Herron said the Committee gave a presentation and a draft of the proposed ordinance. The City Attorney and City Engineer have also made their comments. Mayor Herron said he would like to have an in-depth conversation at the January meeting and then have a Public Hearing at the February Meeting.

7.2 Ordinance on Restoration – Council Member Byrne stated this was an item that Council Member Gordy wanted the Zoning Committee to review. The ordinance allowed under certain conditions restoration to be done even if the building was non-conforming and the slab was removed. He stated the City Attorney reviewed the current ordinance and made changes and the committee was not sure it addressed the situation. City Attorney Mickelson said she will review the ordinance wording again to make sure that if the City does not want the restoration to be made if the slab is removed or a certain amount of work was done she will make sure the wording is correct.

7.3 Tree Ordinance – Zoning Committee Member Zandra Anderson went over the changes the Committee would like to address to the Tree Ordinance. She said the existing ordinance does not take in account the uniqueness of each individual lot. The

purpose of the Tree Ordinance is to preserve the character of the Village, protect the existing canopy of trees and ensure the rights of property owners. The committee wants to define the different type of canopy trees and require different heights. They also want to base the tree requirement on the size of the lot; therefore, allowing enough permeable lot area for each required tree. The new Ordinance would also address the importance of maintaining the trees. Ms. Anderson went over the triggers for planting additional trees – removal of an existing house and new construction, construction of a house on a previously unoccupied lot and additions to the total building area which are 40% or more of the existing total. She went over tree removal permits and the criteria to be able to remove a tree. The following are the reasons to remove a tree: There are more than the required number of trees specified in the minimum tree requirement, the tree is diseased, damaged or dead, construction is planned in the area where the tree stands, a hazardous situation exists that will likely result in damage to property or impact personal safety or good arbor management practices indicate removal will be beneficial to surrounding trees.

Council Member Gunn asked if the committee had looked at a sale of a home being used as a trigger? Ms. Anderson said that they had discussed it and will look at it again.

Council Member Gordy wanted to see something put in the Tree Ordinance regarding a time frame in which a person has to remove a dead tree. He also wanted to know if there should be a cap on the number of trees. City Administrator Blevins stated she would like to see something stating that if a tree needs to be cut down that only an insured company be permitted to remove the tree.

Council Member Swanson asked if the tree is on the property line who gets credit for the tree. Ms. Anderson said that both homeowners could claim the tree.

8. ACTION ITEMS:

Mayor Pro Tem Maddock made a motion to recess the Regular Council Meeting to go into a Closed Executive Session to discuss the 8373 Group, 8373 Westview, per Texas Government Code, Sections 551.071, Consultation with Attorney, seconded by Council Member Gordy. **A vote was taken to approve the motion to recess the Regular Council Meeting to go into a Closed Executive Session to discuss the 8373 Group, 8373 Westview, per Government Code, Sections 551.071, Consultation with Attorney. The vote passed unanimously.**

Mayor Herron recessed the Regular Council Meeting at 8:00 PM.

8.1 CLOSED EXECUTIVE SESSION:

Mayor Herron reconvened the Regular Council Meeting at 8:12 PM. He stated no action would be taken from the Executive Session.

The City Attorney was excused at this time.

9. REPORTS TO COUNCIL: (CON'T)

9.1 City Administrator: City Administrator Blevins stated that she added two invoices to the Consent Agenda and Council Member Byrne wanted to change the wording on page 2, bottom of number 5.1 of the Minutes of the Regular Council Meeting of November 15, 2016. He stated it should say that the City needs the City Engineer's assistance not his assistance.

9.2 Building: None – Council was given a written report in their packet.

9.3 Treasurer: None – Council was given a written report in their packet.

10. REPORTS FROM COUNCIL: None

11. CONSENT AGENDA:

11.1 Council Member Gordy made a motion to approve the Consent Agenda as presented including the disbursements presented to Council and the Minutes from the Regular Council Meeting of November 15, 2016, seconded by Council Member Swanson. **A vote was taken to approve the motion approving the Consent Agenda as presented including the disbursements presented to Council, the Minutes from the Regular Council Meeting of November 15, 2016, including the changes made by Council Member Byrne. The vote passed unanimously.**

12. ADDITIONAL COUNCIL COMMENTS: Mayor Pro Tem Maddock asked if the City was going to discuss the other improvements like the sewer on Archley? Mayor Herron said he would like a committee to review what improvements need to be made and bring them to Council. Council Member Byrne, City Administrator Blevins and Mayor Pro Tem Maddock volunteered.

13. ANNOUNCEMENTS: Mayor Herron said he was leaving town for the holidays but he was accessible by phone. Merry Christmas to all.

14. ADJOURNMENT: Mayor Pro Tem Maddock made a motion to adjourn the meeting, seconded by Council Member Gunn. **A vote was taken to approve the motion to adjourn the meeting. The vote passed unanimously. The meeting was adjourned at 8:17 P.M.**

Russell Herron, Mayor

ATTEST:

Susan Blevins, City Secretary