

TUESDAY, MAY 17, 2016
REGULAR COUNCIL MEETING
6:30 P.M.

REGULAR COUNCIL MEETING

1. CALL TO ORDER: Mayor Whiting called the City of Hilshire Village Regular Council Meeting to order at 6:43 P.M. at 8301 Westview, Houston, Texas 77055.

1.1 Invocation: was given by Mayor Whiting.

1.2 Pledge of Allegiance: Was given by Joseph and Michael Wolison

1.3 Present: were Mayor Shannon Whiting, Mayor Pro Tem Paul Maddock, Council Members Mike Gordy, David Gunn and Stephanie Post, Mayor Elect Russell Herron and Council Member Elect Robert Byrne. Also, present were City Administrator, Susan Blevins; Detective Baldwin, Spring Valley Police Department; City Attorney Kim Mickelson, Olson & Olson and Ron Servis, Director of Intergovernmental Relations for Harris County Judge Emmett. City Engineer Efrain Him, P.E., HDR Inc., was absent.

Mayor Whiting and Council Member Post thanked everyone for coming to the City's reception honoring their services. They both felt very honored. She thanked Susan Blevins, Mina Graham and Vickie Gordy for the lovely spread.

2. ACTION ITEMS:

2.1 Mayor Whiting recognized the service of the Election Judge, Jeffrey Klam and all the Election Workers (Nyle Polis, Bill Swan, Ann Diebel, Michael Peterman, Alison Peterman, Kathleen Cullen, Greg Whiting and Anh Woodmansee).

2.2 Mayor Whiting recognized Council Member Stephanie Post for her service to the City. She read a proclamation which stated that Council Member Post has been on Council for six (6) years and served as Mayor Pro Tem for three (3) of those years. She also presented her with a framed copy of the Proclamation, a Service Award Plaque and a bouquet of flowers.

2.3 Mayor Whiting read a Proclamation for Police Week – May 15-21, 2016. She said Police Week is the week that recognizes officers who have lost their lives on the job. Mayor Whiting said she has a real appreciation of the Spring Valley Police Force and thinks Hilshire Village is very lucky to have them. Tying a blue ribbon around a tree or showing a blue light shows your support.

2.4 Mayor Pro Tem Maddock made a motion to approve the Minutes from the Public Hearing and Regular Council Meeting of April 19, 2016, seconded by Council Member Post. **A vote was taken to approve the motion approving the Minutes from the**

Public Hearing and Regular Council Meeting of April 19, 2016. The Vote passed unanimously.

2.5 Mayor Pro Tem Maddock made a motion to approve Ordinance Number 727 of the City of Hilshire Village, Texas, canvassing the returns and declaring the results of the General Election held on May 7, 2016, for the purpose of electing one (1) Mayor and two (2) Council Members for a full term of two (2) years, seconded by Council Member Gordy.

Mayor Whiting said the tabulation sheet showed, for the Mayoral position, that Russell Herron received one hundred thirty-seven (137) votes and Bill Bristow received eighteen (18) votes. Russell Herron prevailed. In the uncontested Position One, Council Member Mike Gordy received one hundred thirty-eight (138) votes and for the uncontested Position Two, Robert Byrne, received one hundred forty-five (145) votes. The tabulation results are also recorded in the Ordinance.

Mayor Pro Tem Paul Maddock stated that the one hundred fifty-five votes were less than fifty percent (50%) of the registered voters. **A vote was taken to approve the motion approving Ordinance Number 727 of the City of Hilshire Village, Texas canvassing the returns and declaring the results of the General Election held on May 7, 2016, for the purpose of electing one (1) Mayor, Russell Herron and two (2) Council Members, Mike Gordy and Robert Byrne, for a full term of two (2) years. The vote passed unanimously.**

Mayor Whiting thanked a number of people for their help and spoke about the accomplishments made by Council during her tenure as Mayor.

2.6 City Secretary Blevins administered the Oath of Office of Mayor to Russell Herron and Mayor Russell Herron administered the Oath of Office of Council Member to Mike Gordy and Robert Byrne.

2.7 Mayor Herron recognized and thanked Mayor Whiting for her services by reading a Proclamation and awarded a Service plaque. Mayor Whiting served as Mayor for four (4) years, City Council Member for five (5) years and Commissioner to the Village Fire Department Board of Commissioners for three (3) years.

3. REPORTS TO COUNCIL:

3.1 Police Report – Detective Baldwin said in April there was a crime of theft of a motor vehicle in the 1200 block of Archley. Suspects were identified and the Police worked with various outside agencies and conducted operations thereby identifying an organized crime group, working out of the Red Apple Apartment complex at Longpoint and Campbell. Those involved are now facing charges with the Harris County District Attorney's Office.

The other two (2) related issues to this group are the burglaries of two (2) motor vehicles that happened on April 21st and April 28th in the 1200 block of Archley and the 1100

block of Guinea, respectively. There was also a theft in the 7900 block of Hilshire Green where wheels and tires were removed from a vehicle. On April 30th there was a burglary in the 8000 block of Anadell with items missing from inside the house. For April there were zero (0) arrests, five (5) traffic citations and two (2) warnings.

On May 5th, there was a burglary in the 8200 block of Mallie Court between 5 P.M. and 8 P.M. The investigation is currently active in this case.

Council Member Gunn asked if the residents were giving the Police enough feed-back. Detective Baldwin said that the Police want residents to call if they see anything suspicious. The Department wants the phone calls. He also stated that residents should lock their cars and take their keys and valuables inside to be safe.

3.2 Fire Commissioner - Shannon Whiting, Fire Commissioner, said the commission started discussing the budget in April and a draft budget will be ready by the end of June which is when it is due by the Interlocal Agreement.

Commissioner Whiting stated two (2) Captains have resigned and one (1) Level One Captain was promoted to Level 2. The Chief will promote another person. There is an opening for a Fire Medic with a paramedic license.

The Commission is also studying options for the new budgeted ladder truck. There are two (2) major companies producing trucks and orders are placed a year in advance. The old truck keeps breaking down. There is also budgeted money for repairs at the Fire Station, specifically the roof.

3.3 Warehouse Fire and Spring Branch Creek Update – The warehouse fire that happened on May 5, 2016 was fought with water that went into the sanitary sewer line and then into Spring Branch Creek. The EPA and TCEQ have cleaned up the bulk of the contaminates. On May 12, 2016, there was a successful controlled flush to dilute any remaining contaminates and wash down any left into the Creek. The rains that came during that time also helped to dilute any contaminates still in the Creek. Robert Belt, a resident of the City, had a drone he flew along the Creek enabling the City to get a good aerial picture of the current natural waterway so it can be compared to other aerial pictures in the future to see how it has changed. The City is very grateful to Mr. Belt for his help.

The EPA will continue to test the Creek area. The TCEQ will continue to monitor the water quality and soil testing. The contaminants were a diesel fuel additive (red), pesticides and hydrogen peroxide. The main problem for the wildlife was the dissolution of the oxygen level due to the fuel additive.

The investigation into the fire continues. It was found that the City of Houston had not inspected the facility since 2008. Also, proper barriers were not in place for such an emergency.

4. Citizens Comments:

Jean Bravenec, 8010 Burkhart, said there was standing water in the ravine at 8014 Burkhart. After every rain, there is a pool of water that comes from the pipes at 1209 Pine Chase. The size of the pipes allows a large amount of runoff to wash out the bottom and sides of the ravine and provides a breeding ground for mosquitoes. There are many times when she cannot enjoy or work in her yard due to the mosquitoes. The ravine is overgrown with trees, brush, vines, and trash that come through the pipe. She would like to know who owns the ravine. Spraying for mosquitoes does not reach this area. She would also like some help from the City in fixing the standing water issue.

Mayor Herron said it would be looked into to see what could be done.

Bill Bristow, 1233 Pine Chase, stated he could not hear Detective Baldwin's report and wanted to know if he talked about the burglary on Mallie Court. He also asked why he did not get a Nixle report about it. City Administrator Blevins stated that originally the resident did not want any information given out so their wishes were respected. Mr. Bristow said he disagreed and that the residents' privacy ends when a crime is committed. He said "he does not care who the victim is, he wants to know what happens in his Village".

5. COUNCIL COMMENTS: None

6. REPORTS TO COUNCIL: Con't

6.1 Engineers Report – Mayor Herron gave the City Engineer report. He stated there were two (2) major projects at this time. The first is finishing the work on Pine Creek Lane. The work has been delayed by rain.

The second is the Friarcreek water line. This is the last of the red line projects on the schedule. It is under the current contract as the City had enough money to cover it. The City Engineer is currently evaluating and putting a new list together of projects that need to be addressed.

As far as the rest of the report, Mayor Herron asked if any Council Members had any questions. Council Member Maddock asked for an estimated time of completion for Pine Creek construction. The project should be finished in the next thirty (30) to sixty (60) days. The water vault has been installed but the City is waiting on the City of Houston for approval. The water will be turned on very slowly to protect the residents who might otherwise have plumbing problems.

The new street signs are here but the City is still trying to find some to install them. The rains have stopped the installation of the new plumbing lines on Burkhart. The Schwab development plans were approved by the City of Houston. The Construction Bond is in progress so construction should start soon.

Council Member Byrne mentioned that the new fire hydrant on Bridle Spur needed to be painted.

7. ACTION ITEMS:

7.1 Council Member Gunn made a motion to approve the installation of a parking pad at 8010 Bromley exceeding the length on the parking pad specification, seconded by Mayor Pro Tem Maddock.

Mr. Musgrove, 8010 Bromley, said that he had a parking pad built and felt that twenty-six (26) feet was too short for more than one car at a time. He made his parking pad fifty-one (51) feet and kept it five (5) feet from the driveway and five (5) feet from the property line. The pad has a full pressure rating and has a decorative topping which keeps the gravel in place. He wrote a report complete with pictures and would like a variance to keep his parking pad at fifty-one (51) feet.

Council Member Maddock asked if the parking pad was permeable and was told it is permeable.

Mayor Herron said he found the parking pad specifications to be hard to find and fairly ambiguous. In looking at the pictures, all the pads are different. He feels that the parking pad specifications need to be updated. Mayor Herron also said that there are a number of places where there is no place to put a parking pad.

Council Member Gordy said that most of the pictures shown are pre-parking pad specifications and some are the reason the specifications were put in place. He also said the ninety-five percent (95%) compaction is the reason that he did not put in a parking pad and thinks this is unnecessary.

Council Member Maddock said that Council needs to revisit the specifications. However, he feels this parking pad is too big.

City Administrator Blevins suggested that the parking pad Mr. Musgrove put in be deemed temporarily "okay" until such time as the parking pad specifications have been re-evaluated. He will then need to follow those guidelines.

Council Member Byrne said he had looked at the parking pad. He asked Mr. Musgrave if he needed to pull up five (5) feet or so, would he do so? Mr. Musgrove said he would do whatever was necessary.

Council Member Gunn made a motion amending his original motion to read "approving the temporary installation of a parking pad at 8010 Bromley exceeding the length on the parking pad specifications until such time as new guidelines have been put in place, seconded by Mayor Pro Tem Maddock. **A vote was taken to approve the amended motion approving the temporary installation of a parking pad at 8010 Bromley exceeding the length on the parking pad specifications until such time as new guidelines have been put in place. The vote passed unanimously.**

7.2 Mayor Pro Tem Maddock made a motion to authorize payment of Conrad Construction Company Limited for services provided to the City for the Pine Creek and Bridle Spur Reconstruction Project, invoice # 7, in the amount of \$59,542.56, seconded by Council Member Gunn. **A vote was taken to approve the motion authorizing payment of Conrad Construction Company Limited for services provided to the City for the Pine Creek & Bridle Spur Reconstruction Project, invoice # 7, in the amount of \$59,542.56. The vote passed unanimously.**

7.3 Mayor Pro Tem Maddock made a motion to authorize payment of HDR invoice for Engineering Services provided to the City for the Pine Creek and Bridle Spur Reconstruction Project, invoice # 19, in the amount of \$30,795.71, seconded by Council Member Byrne. **A vote was taken to approve the motion authorizing payment of HDR invoice for Engineering Services provided to the City for the Pine Creek and Bridle Spur Reconstruction Project, invoice # 19, in the amount of \$30,795.71. The vote passed unanimously.**

7.4 Mayor Pro Tem Maddock made a motion authorizing Change Order # 2 for the water meter relocations at 4, 6 and 8 Pine Creek Lane and adjustments of sprinkler lines and fire line at City Hall in conflict with proposed backflow preventer and water line work, in the amount of \$7,800.00 and a time extension of four (4) calendar days seconded by Council Member Gordy. **A vote was taken to approve the motion authorizing payment of Change Order #2 for the water meter relocation at 4,6, and 8 Pine Creek Lane and adjustments of sprinkler lines and fire line at City Hall in conflict with proposed backflow preventer and water line work, in the amount of \$7,800.00 and a time extension of four (4) calendar days. The vote passed unanimously.**

7.5 Mayor Pro Tem Maddock made a motion authorizing payment in the amount of \$5,732.45 to Texas Department of Public Safety to reimburse TDEM after comprehensive reconciliation of funds disbursed to Hilshire Village for the Drainage Project, seconded by Council Member Gordy.

City Administrator Blevins said this amount was determined by the Texas Department of Public Safety as not eligible during their audit of the project. After research, the City determined that the items considered "not eligible" were the engineer's markup on services. She stated the City had no choice but to refund the funds. **A vote was taken to approve the motion approving payment in the amount of \$5,732.45 to Texas Department of Public Safety to reimburse TDEM after comprehensive reconciliation of funds disbursed to Hilshire Village for the Drainage Project. The vote passed unanimously.**

7.6 Council Member Gunn made a motion nominating candidates for the position of Mayor Pro Tem and appointing the position for a one (1) year term, seconded by Council Member Byrne. Mayor Herron said that in order to minimize transition issues he suggested current Mayor Pro Tem Maddock continue in that position. Council Member Gunn amended his motion to read "nominating Paul Maddock for the position of Mayor Pro Tem and appointing the position for a one (1) year term", seconded by Council

Member Byrne. **A vote was taken to approve the amended motion nominating and appointing Paul Maddock as Mayor Pro Tem for a one (1) year term. The vote passed unanimously.**

7.7 Council Member Maddock made a motion approving three (3) signatories for the financial institutions to be Mayor, Mayor Pro Tem and one Council Member. seconded by Council Member Gordy. Mayor Pro Tem Maddock said it was a good training tool and suggested Council Member Byrne. Council Member Gunn amended his motion to read “approving the three (3) signatories for the financial institution to be Mayor Herron, Mayor Pro Tem Maddock and Council Member Byrne”, seconded by Council Member Gordy. **A vote was taken to approve the amended motion approving the three (3) signatories for the financial institutions to be Mayor Herron, Mayor Pro Tem Maddock and Council Member Byrne. The vote passed unanimously.**

7.8 Council Member Gordy made a motion nominating candidates for the position of Fire Commissioner and approving Resolution # 148 appointing the position for a one (1) year term, seconded by Mayor Pro Tem Maddock.

Mayor Pro Tem Maddock nominated Shannon Whiting who is the current Fire Commissioner. He stated this was also the year when Hilshire Village will chair the Fire Commission. Mrs. Whiting has indicated that she was willing to serve.

Council Member Gordy amended his motion to read “nominating Shannon Whiting as the Fire Commissioner and approving Resolution #148 appointing the position for a one (1) year term”. **A vote was taken to approve the amended motion nominating Shannon Whiting as Fire Commissioner and approving Resolution #148 appointing the position for a one (1) year term. The vote passed unanimously.**

7.9 Mayor Pro Tem Maddock said he has served as Alternate Fire Commissioner and is willing to continue. He said as Alternate Fire Commissioner, one does not get to vote unless the Fire Commissioner is absent, but does learn a lot. The next meeting starts the budget cycle.

Council Member Byrne stated he would like to be involved. He asked if the vote could be postponed for a month so he has time to decide. City Administer Blevins stated that Mayor Pro Tem Maddock could continue as the Alternate Fire Commissioner until Council voted.

Mayor Pro Tem Maddock made a motion to table the agenda item, nominating candidates for the position of Alternate Fire Commissioner and approving Resolution # 149 appointing the position for a one (1) year term, seconded by Council Member Byrne. **A vote was taken to table the agenda item nominating candidates for the position of Alternate Fire Commissioner and approving Resolution #149 appointing the position for a one (1) year term. The vote passed unanimously.**

8. DISCUSSION:

8.1 Appointment of Council Member Position 3

8.2 Appointment of two (2) Alternate Board of Adjustment Members

Mayor Herron suggested that Council have a Workshop to decide how these members would be recruited.

8.3 Planning and Zoning: Mayor Herron also suggested that Council discuss the direction for the Zoning Committee. He would like to have the Workshop before the next Council Meeting. City Administrator will send out an email concerning the time for the meeting.

8.4 Update on **8373 Group**: Attorney Kim Mickelson stated she sent a letter to the group's attorney asking them to come in asking for inspections and a Certificate of Occupancy as to provide more detail why they believe they do not come under the Zoning Ordinance. The 8373 Group has responded that they are an office use under the "C" Commercial Regulations. They also state that they preceded the effective date of the first Zoning Ordinance so they should be grandfathered.

9. ACTION ITEMS: CON'T

9.1 CLOSED EXECUTIVE SESSION: None

The City Attorney was excused at this time.

10. REPORTS TO COUNCIL: (CON'T)

10.1 City Administrator – There were no questions on the complaint log. Mayor Herron said that he mentioned he would like to have a report on construction and he got it very quickly.

10.2 Building (City Administrator) – There were seventeen permits issued, thirty-three inspections done and no Certificates of Occupancy issued. Red tags were issued to #3 Hilshire Oaks and 8383 Westview. A plan check for a remodel was done for 1228 Ridgeley.

The Archer's at 1307 Friarcreek were given a three-month Conditional Certificate of Occupancy that has now expired. They still have not done their drainage. The City informed them that they could not move into the house until the drainage requirement was completed.

10.3 Treasurer – There was no report due to software issues with Peachtree.

11. REPORTS FROM COUNCIL:

11.1 Mayor: Mayor Herron suggested that the Dedicated Council Committees be discussed at the Workshop.

12. CONSENT AGENDA:

Mayor Pro Tem Maddock made a motion to approve the Consent Agenda as presented, including the disbursements, reimbursement up to \$500 to the HV Civic Club to fund the decorating of the Hilshire Village Parade float for the 4th of July Independence Festival and a temporary permit allowing the Hilshire Village 4th of July Festival Float to be parked outside during the construction and tear down, seconded by Council Member Gunn. **A vote was taken to approve the motion approving the Consent Agenda as presented, including the disbursements, reimbursement up to \$500 to the HV Civic Club to fund the decorating of the Hilshire Village Parade float for the 4th of July Independence Festival and a temporary permit allowing the Hilshire Village 4th of July Festival Float to be parked outside during the construction and tear-down. The vote passed unanimously.**

13. ADDITIONAL COUNCIL COMMENTS - None

14. ANNOUNCEMENTS – Mayor Herron said he thinks there should be some ways to make the meetings shorter. He would like to have two (2) meetings per month. Mayor Herron said he would like for the Regular Council Meeting to consist of those items that the citizens are interested in and the Special Council Meeting to take care of the payment of bills and other business that do not hold much interest for residents.

15. ADJOURNMENT – Mayor Pro Tem Maddock made a motion to adjourn, seconded by Council Member Gordy. The meeting was adjourned at 8:22 PM.

Shannon Whiting, Mayor

Russell Herron, Mayor

ATTEST:

Susan Blevins, City Secretary