

TUESDAY, JULY 19, 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 6:31 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 Russell Herron, Mayor Pro Tem Paul Maddock, Council Members Mike Gordy, Robert Byrne and David Gunn. Also present were City Administrator Susan Blevins and City Attorney David Olson, Olson & Olson, Fire Commissioner Shannon Whiting, Spring Valley Police Chief Evans, Village Fire Department Chief Foster and City Engineer Efrain Him, P.E., HDR Inc. Council Member Robert Swanson was absent.

2. REPORTS TO COUNCIL:

2.1 Police Report: Chief Evans said there was one (1) major crime of burglary in the 8000 Block of Bromley. Entry was made through an open garage door between 10 P.M. and 6:30 A.M on June 1, 2016. There was an incident of criminal mischief with a broken window in the same block on June 11, 2016.

Sixteen (16) traffic citations were issued with most being warnings. The department continues to monitor traffic areas with speeding problems.

2.2 Fire Commissioner: Fire Commissioner Whiting stated the Fire Commission met, approved the Intra Budgetary Transfers and went over the audit. The budget had already been approved by the Commission.

Due to the way the Interlocal Agreement works the budget has to be to the Cities by the end of June and voted on by the end of August so that the Fire Department will have the budget in place for the beginning of the new year on the First of January. The Fire Department is a year ahead in planning and a year behind with the audit.

For the Year End 2015 there is a \$58,652.65 surplus. The Commission has recommended that this money go into a new restricted Fund in the 2017 Budget which will seed the Capital Investment Fund for a new or renovated fire house. FYE 2016 is currently under budget.

In the audit, the item of Unfunded Liability is always a concern. The Unfunded Liability Account consists of the Compensated Absence and the Pension Fund. The

Compensated Absence Fund consists of compensation for employee paid time off and unpaid leave. The Compensated Absence went down so the Unfunded Liability went down from \$752,800 to \$707,200, which is a very healthy sum for a department the size of the Fire Department.

The 2017 Budget includes a two percent (2%) increase in the base salary contribution and a two percent (2%) increase in the deferred compensation benefit. The deferred compensation is the employer contribution into the fund. There is also a one hundred sixty thousand dollar (\$160,000) budget for a Capital Replacement Fund that is strictly for replacing equipment. The Compensated Absence Reserve Fund is increased due to some planned departures scheduled for January.

In the past the Fire Department has budgeted for a larger surplus to eliminate the need to come back to the Cities when emergencies arise. However, in the last couple of years the Commission has opted to reduce this amount.

The Department facility needs a lot of work. The roof has been repaired but needs to be replaced and the living and office areas need to be expanded and upgraded. Commissioner Whiting stated the 2015 Budget Surplus would initiate a Reserve Fund for Physical Facilities to be included in the 2017 Budget.

Council Member Byrne asked if the 457 Plan contribution is the Pension Plan. He also asked about the forty-five thousand dollar (\$45,000) expense for gas and oil, and if it was a hedge on the total cost of running the vehicles based on the estimated price of gas. The answer was "yes" on both items. Council Member Byrne questioned the line item marked Professional Services – Others. Commissioner Whiting stated it was earmarked for "IT Services" as the Department's server went down recently and they realized the need for a professional service.

Chief Foster said that the new one hundred feet (100) truck will be ordered in approximately two (2) weeks. The truck is actually shorter than the current fire truck but has a twenty-five (25) feet longer ladder.

Commissioner Whiting said there will be no July Fire Commissioner Meeting.

3. ACTION ITEMS:

3.1 Mayor Pro Tem Maddock made a motion to approve the request by the Village Fire Department Commissioners to transfer Surplus from the 2015 Budget in an amount of \$58,653.00 to initiate a Reserve Fund for Physical Facilities to be included in the 2017 Budget, seconded by Council Member Byrne. **A vote was taken to approve the motion approving the request by the Village Fire Department Commissioners to transfer Surplus from the 2015 Budget in an amount of \$58,653.00 to initiate a Reserve Fund for Physical Facilities to be included in the 2017 Budget. The vote passed unanimously.**

3.2 Mayor Pro Tem Maddock made a motion to approve the proposed 2017 Village Fire Department Budget in the amount of \$5,562,581.00 with the City of Hilshire Village's 2017 Assessment being \$165,117.84, seconded by Council Member Gordy.

Mayor Pro Tem Maddock pointed out that Hilshire Village's amount was three percent (3%) of the total.

Bill Bristow, 1233 Pine Chase, asked if there was a copy of the Fire Department's Budget available to be looked over. The Mayor stated the Budget was in the Council Packet copy on the back table.

A vote was taken to approve the motion approving the proposed 2017 Village Fire Department Budget in the amount of \$5,562,581.00 with the City of Hilshire Village's 2017 Assessment being \$165,117.84. The vote passed unanimously.

4. CITIZEN'S COMMENTS:

Bill Bristow, 1233 Pine Chase, said he would like the City to change the section "Citizen's Comments" on the Agenda under Note to change the word "may" to "shall" be placed on a future City Council agenda.

5. DISCUSSION:

Mr. Keith Bilski, Finial Group, said he and his office have been very happy at 8381 Westview. He stated that Finial Group has a contract to buy the Stearns Corporation Property at 8399 Westview.

Mr. Bilski reminded Council that the City did not have an easement for Pine Creek Lane and that their redevelopment plans did not include the current driveway through to the residential area. He hopes the City can connect Pine Creek to Pech Road to give the residents another outlet. He intends to build a two (2) story office building that mirrors the architectural style of the school and comply with the City's ordinances. The tenant mix has not been determined but Mr. Bilski foresees small retail on the first floor with a great restaurant concept and small companies like CPA offices, attorney offices, etc., on the second floor.

Mayor Pro Tem Maddock asked about parking and if there was going to be a restaurant on the first floor would there be a parking problem. Mr. Bilski stated there was only a slight chance that the restaurant would take up the entire floor and if necessary, there could be an arrangement for valet parking with 8381 Westview where there is plenty of parking and the second floor office space would use only a small amount of parking.

Mayor Pro Tem Maddock also asked if Pine Creek Lane could be connected to Pech Road before the property at 8399 Westview. Mr. Bilski stated Pech Road continues south

of Westview and stops past where Pine Creek would cross. There is already a road on the other side of the curb and fence so joining the two roadways would not be too difficult. Mayor Herron stated it was possible and he has requested an estimate from the City Engineer. Mr. Bilski said there is a fence that is actually on their property and would be removed.

Council Member Byrne said that there were a lot of kids and parents coming north on Pech from the Spring Valley Bridge and across Westview to the School. He asked if there were any plans to plant a low hedge or some sort of protection for the pedestrians. Mr. Bilski said the foot traffic was one thing that made it such a great location.

If the deal closes within the next thirty (30) days, they plan is to start demolition on the existing building within the next sixty (60) to ninety (90) days.

Bill Bristow asked, with the school being so close, if any investigation of the Texas Alcoholic Beverage Commission rules had been done. Mr. Bilski stated that he did not plan on having any liquor on the premises at this time, but if a restaurant was a tenant and they wanted to serve alcohol they would look into it at that time.

Mayor Herron stated that the fence is a safety hazard and the fence coming down would be a great improvement.

6. COUNCIL COMMENTS: None

7. REPORTS TO COUNCIL: Con't

7.1 Engineers Report – City Engineer Him stated in regard to the Pine Creek/Bridle Spur Lane Reconstruction Project the paving and drainage work on Pine Creek is finished and driveways have been restored. An issue with the storm sewer outfall pipe on the west end has been identified and a proposal to pipe burst and rehabilitate the pipe has been requested.

The water line work is at eighty-five percent (85%) completion due to the meter and backflow preventer installation work being on hold pending the meeting with the City of Houston.

City Engineer Him said a construction meeting was held on June 30, 2016. Completion of the project is forecast for September 5, 2016, weather permitting.

City Engineer Him stated in regard to the Friarcreek Water Line Project, Conrad Construction has been working with CenterPoint to locate the gas lines. Tree Protection and Storm Water Pollution Prevention measures have been installed. The replacement of the water line will begin within the next week and should not take over four (4) weeks.

City Attorney Mickelson, City Engineer Him and Mr. Schwab have been conversing on the Performance and One Year Maintenance Bond requirements. The asphalt sinkhole at 1205 Archley has been repaired. The asphalt crack sealing work along Ridgeley and Mallie Court has been delineated/marked. The drainage issue at 8006 Burkhart has

been resolved. An evaluation and potential repairs for the concrete pavement cracks and damaged concrete curbs in the Hickory Shadows, Hilshire Green and Hilshire Grove subdivisions are underway.

City Engineer Him also stated that the ditch cleaning work at 1206 Glourie Drive has started and the concrete channel liner work is scheduled for July 16, 2016. Due to the rain it may have to be redone.

City Engineer Him presented an up-to-date Capital Improvements Project Schedule (CIP). Schedule 1 prioritized and grouped the projects based on the age of the utility infrastructure and includes roadway reconstruction similar to the Pine Creek & Bridle Spur Reconstruction Project.

Schedule 2 presented by City Engineer Him prioritized and grouped the projects based on the age of the utility infrastructure but excluded roadway reconstruction work. The top priorities for this schedule are water and sanitary sewer for Friar Creek Lane and Archley Drive and water line replacement for Burkhart Road from Ridgeley Drive to Glourie Drive.

Mayor Herron indicated that there will be a workshop with Council on these projects and their priorities.

Council Member Gordy said he would like to know what is driving the projects listed in regard to their prioritization. When driving around the City he noticed the roadway on Archley and Guinea have asphalt cracking but he did not feel they needed to be repaved. Council Member Gordy wanted to pursue either a sealant or overlay on the roads to get a few more years of service. City Engineer Him stated the age of the infrastructure was the guideline on most items.

Council Member Gordy asked, regarding # 3 Hilshire Oaks, if black star gravel was considered pervious. City Engineer Him said it is pervious unless it is used as a driveway. He stated #3 Hilshire Oaks will be using the star gravel instead of pavers in their backyard to meet the pervious coverage calculation.

Mayor Pro Tem Maddock stated that there were concrete curb damages at the Hilshire Oaks Court entrance. Mayor Herron has done a preliminary study of all the cracked concrete curbs in the City. City Engineer Him stated patches in those places will not last and he does not recommend a new curb on Hilshire Oaks Court as it would just be destroyed again. The repair to the entrance area done in 2009 was not built with a stable foundation so the area is now in need of work. A permanent repair or complete replacement of asphalt would be the best solution. He is securing quotes for the work. Other areas will have curbs replaced.

Council Member Gordy stated that for all the areas where the transition and curb areas need to be replaced it will cost a great deal of money. City Engineer Him is working on a quote. Mayor Herron said on Hilshire Green there is a big crack on the road and the area is beginning to sink. He would rather see a repair of several thousand dollars than

waiting until the entire street needs to be replaced. Council Member Gordy stated he was in favor of maintenance on the roads.

City Administrator Blevins brought to Council's attention that the drainage permit costs need to be increased especially for those projects that do not include a Certificate of Occupancy. Swimming Pools and projects that include house additions are often remiss in submitting the as-built survey at the end of the job. Several jobs are still not closed as City Engineer Him is still resolving drainage issues.

8. ACTION ITEMS:

8.1 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 # 9, in the amount of \$182,447.47, seconded by Council Member Byrne. **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 # 9, in the amount of \$182,447.47. The vote passed unanimously.**

8.2 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 # 21, in the amount of \$18,683.40. City Engineer Him stated this invoice also included Friarcreek. Mayor Pro Tem Maddock withdrew his original motion.

Mayor Pro Tem Maddock made a new motion to authorize payment of HDR invoice for Engineering Services provided to the City for the Pine Creek, Bridle Spur and Friarcreek Reconstruction Project, invoice #21, in the amount of \$18,683.40, 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, Bridle Spur and Friarcreek Reconstruction Project, invoice # 21 in the amount of \$18,683.40. The vote passed unanimously.

8.3 Mayor Pro Tem Maddock made a motion to approve the City of Hilshire Village Ordinance Number 730 establishing minimum sizes and side, back and front setbacks for R-4 (Bridle Spur), seconded by Council Member Gunn.

Mayor Herron said the spaces between the current Bridle Spur homes are approximately forty (40) feet apart. The lots on the street are fairly wide but not very deep. The right-of-way goes beyond the pavement into the land. The front set back is proposed to change to twenty-five (25) feet from the edge of the pavement rather than the current thirty (30) feet from the center of the street. The side set back proposal is to go from eight (8) feet to ten (10) feet with the second story at twelve (12) feet.

Council Member Gordy asked if there were any residents from Bridle Spur at the meeting. The answer was "no"; however, the City was in receipt of a letter from Mr.

Klam who owns lot # 1 who indicated that he was in favor of the changes. Other residents have expressed the desire to keep the twenty-five (25) feet rear set back.

Mayor Herron stated the mean lot size was 13,500 and is now about 11,800 square feet so residents gave up about fifteen hundred (1,500) square feet on each lot due to the street dedication. Residents lost fifteen feet (15) from the center of the street. Current homes are approximately twenty-five (25) feet from the property line.

These lots are in the 12,000 square foot range, wider than deeper. The net building and permeability rules are the main controlling feature. New homes will have plenty of room to build. The twenty-five (25) feet line puts new homes in line with existing homes if built to the front set back.

Council Member Gordy said he was struggling with the change from eight (8) to ten (10) feet side setbacks. He is in favor of the twenty-five feet front set back. He is concerned with property rights of the residents. Mayor Pro Tem Maddock said that due to the fact that the lots are wider he has no problem with the 10 feet side setback. The lot size remaining at 12,000 square feet protects residents from a buyer coming in and buying several lots and then trying to subdivide. City Attorney Olson said it also protects residents that may be encroaching on the front building line from having to knock off part of their house on the front end if they wanted to remodel their home.

A vote was taken to approve Ordinance Number 730 establishing minimum lot size to be 12,000 square feet, side setback to be 10 instead of 8, back to remain at 25 feet and front setback to be 25 feet from the property lines for District R-4 (Bridle Spur). The vote passed unanimously. Council Member Byrne had abstained from the vote since he lives in the Bridle Spur Subdivision.

The City Engineer was excused at this time.

9. DISCUSSION:

9.1 8373 Group – The fire and building inspections have passed. The question now is if the building is being used as an office or not. City Attorney David Olson said that any legal aspects need to be discussed in Executive Session.

The City Attorney was excused at this time.

9.2 Planning and Zoning - Mayor Herron said that Mayor Whiting had put him in charge of an ad hoc committee on Zoning. Now that he is Mayor he felt that it was no longer appropriate to be the Committee Chair and plans to appoint Kathleen Stafford as the new Chair. She will be coming to Council Meetings in the future to give the progress reports.

Mayor Herron stated that since the Ordinance for Zone R-4 (Bridle Spur) has been finished, the next area for the Committee's concern is the Commercial Zone and the Sign Ordinance. Drafts for both of these areas have been given to Council Members to review.

Workshops for both the Zoning and Budget need to be scheduled.

10. ACTION ITEMS:

10.1 CLOSED EXECUTIVE SESSION: None

11. REPORTS TO COUNCIL: (CON'T)

11.1 City Administrator – The City was visited by TCEQ for its annual review. The City will need to prepare a report on all new plumbing regarding lead pipes. These documents will be required to be kept for ten (10) years.

City Administrator Blevins stated that meetings were being held with the Fire Department and the other Memorial Villages on the Emergency Operation Center. Stop signs have all been replaced and most of the ditch grading work was complete. Low water pressure still continues to be a problem throughout the City. City Administrator Blevins stated she called the City of Houston and discussed the issue and begged for additional pressure.

11.2 Building (City Administrator) – There were sixteen permits (16) and twenty-nine (29) inspections. The report on the status of construction has been updated and will continue to be updated monthly.

11.3 Treasurer – Council Member Gordy asked about the difference between the budgeted and revenue on the Building Permits and if it was due to the additional monies on the drainage. City Administrator stated that an increase in revenue also means an increase in expenses; however, expenses were a definite problem due to drainage cost being so high. Council Member Gordy wanted to know if the City could restructure the fees. City Administrator Blevins said she would analyze the data and bring it back to Council. Council Member Gunn said that the Council would be receptive to suggestions on this topic.

12. REPORTS FROM COUNCIL:

12.1 Mayor Herron:

Village Mayors Meeting: Mayor Herron stated he was impressed with the Mayors meeting in May. There was a lot of discussion on drainage especially south of I-10 and they are very committed to fixing the drainage. The Mayors are trying to do what Hilshire Village has already done.

City Hall Maintenance: A number of City Hall projects have been done. New power outlets on the Dias, sound system training, refinished outside doors, power washed the patio and sealed it, power washed the building eaves, replaced the breaker box, rewiring the outside electric and replacing the outside lights as well as fixing the sign and flag lights. During the work it was found that the former electricity was coming off the ground wire.

TML- Newly Elected City Officials Orientation – Council Member Byrne has volunteered to go to a workshop to learn about being a new City Official.

12.2 Mayor Pro Tem Maddock:

Rate for Police Services per person: The cost of Police protection for the City is about a hundred dollars (\$100) per month per household. Since we contract with Spring Valley it was asked if we paid more than Spring Valley. In checking we find that the City has very good pricing especially for the service the City receives.

City Hall Remodel: The City Hall was designed for one (1) employee. Now there are two (2) full time employees with a lot more activity.

Council Member Gordy suggested that Council get some space planning help to determine what needs to be done to make the area work better. The wall behind City Administrator Blevins is not load bearing. He suggested some people who might be able to help with little cost and he can help with plans once it is decided what is to be done.

Council Member Byrne suggested an accessory storage building to store tables, chairs and other items that do not need to be stored inside.

Mayor Pro Tem Maddock said that we have a unique environment but need to get more volunteer help involved.

13. CONSENT AGENDA:

13.1 Mayor Pro Tem Maddock made a motion to approve the Consent Agenda as presented including the disbursements presented to Council prior to the meeting plus additional disbursements presented tonight, and the Minutes from the Public Hearing and Regular Council Meeting of June 21, 2016, the Minutes from the Special Council Meeting of June 28, 2016, seconded by Council Member Gordy.

A vote was taken to approve the motion approving the Consent Agenda as presented including the disbursements presented to Council prior to the meeting plus additional disbursements presented tonight, and the Minutes from the Public Hearing and Regular Council Meeting of June 21, 2016, and the Minutes from the Special Council Meeting of June 28, 2016. The vote passed unanimously.

14. ADDITIONAL COUNCIL COMMENTS: Mayor Herron said that Council needed to decide when to have workshops for the Budget and Zoning.

The Budget will be ready for review next week. The final numbers will not be available until the end of August. The Budget has to be approved by October 1, 2016. Mayor Herron would like Council Member Swanson to look at it right away. If Council Members will send their schedules to the City Administrator she will coordinate a date.

Council Member Gordy said that he feels construction vehicles are blocking traffic and it needs to stop. There needs to be some type of ordinance that states vehicles may not be parked across from each other. He thinks something needs to be done even if it is just signs.

Council Member Maddock said that there are construction workers, residents, yard folks and delivery trucks. He said that the largest emergency vehicle needs to be able to get through.

Council Member Byrne said that he wants Council to look at the Commercial and Sign Ordinances and have feedback sent to either him or the City Administrator. The drafts given Council include all notes to date.

15. ANNOUNCEMENTS: NONE

16. ADJOURNMENT: Council Member Gunn made a motion to adjourn the meeting, seconded by Council Member Byrne. **A vote was taken to approve the motion to adjourn the meeting. The vote passed unanimously. The meeting was adjourned at 8:42 P.M.**

Russell Herron, Mayor

ATTEST:

Susan Blevins, City Secretary