

TUESDAY JANUARY 17, 2017  
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 Mayor Pro Tem Maddock.

**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 was a theft of lawn equipment and a burglary of a building in the 8300 block of Westview in January. They are both an active investigation.

**2.2 Fire Commissioner:** Council Member Byrne stated that the Fire Department is still operating 2.51% under Budget. He said the final numbers will be in at the end of January when the final bills are paid. Property Casualty Insurance will be discussed when the ladder truck is delivered in June. Firehouse remodeling issues are coming up at the start of the Budget in February. New Chair position for Commissioner is coming up in April.

## **3. CITIZEN'S COMMENTS:**

**Bill Bristow, 1233 Pine Chase Drive,** was concerned with the construction jobsite debris. He felt that the construction sites were a bigger concern than the resident garbage issue.

## **4. COUNCIL COMMENTS:** None

Mayor Pro Tem Maddock stated that at the corner of Burkhart and Ridgeley at a construction site there was loud music being played.

## **5. REPORTS TO COUNCIL:**

**5.1 Engineers Report** – City Engineer Efrain Him stated the construction work on **Bridle Spur, Pine Creek and Friarcreek** has been substantially completed. He also stated the total project is estimated to come in approximately \$25,000 under budget.

City Engineer Him stated Schwab's contractor for **Hilshire Villas** started construction activities on January 3, 2017. HDR met in the field and discussed with Mr. Scott Gilbert, ICS Project Manager, the tentative schedule of construction activities. The contractor began with the installation of the storm sewer box culverts and had planned to complete it in three (3) to four (4) weeks but the weather has slowed the process down. They have about 180 feet done so far.

City Engineer Him stated HDR also reminded the contractor of the materials testing and inspection requirements discussed during the Pre-Construction Meeting held on December 8, 2016. City Engineer Him stated Mr. Montreal Bailey (HDR Inspector) has been assigned to perform part-time inspection services for this project.

City Engineer Him stated the City of Houston is requiring the **Mennonite Church** to put in a new Fire Hydrant and abandon the old one that is located at the back of the property. The Mennonite Church has their own water tap and it is serviced by the City of Houston.

In order to provide a **safer traffic control on Ridgeley Drive** at the curved section between Guinea Drive and Mallie Court, the City Engineer stated the City has the option to install an additional speed limit sign, left/right curve signs or a flashing slow down sign, for this area. Mayor Herron stated he preferred the regular sign showing the left/right curve.

Council Member Byrne asked if **1130 Ridgeley's culverts and driveways** were set correctly. He thought there would be an easier solution to correcting the walkway than removing and starting over, like sloping from the culvert to the street. Council Member Byrne also stated that construction site needed to be cleaned. He also wanted to know if the Building Official could report on this problem while out doing inspections. City Administrator Blevins said that Bureau Veritas does not do Code Enforcement but she stated he usually reminds the contractors to clean up the area when he feels it needs addressing. She would ask him to also let her know.

## **6. ACTION ITEMS:**

**6.1** Mayor Pro Tem Maddock made a motion to approve the City of Hilshire Village Ordinance Number 739 providing for the holding of a General Election on May 6, 2017, for the purpose of electing three (3) Council Members: Position three (3) four (4) and five (5) for a term of two (2) years and providing details relating to the holding of such

elections, seconded by Council Member Byrne. **A vote was taken to approve the motion approving the City of Hilshire Village Ordinance Number 739 providing for the holding of a General Election on May 6, 2017 for the purpose of electing three (3) Council Members: Position three (3) four (4) and five (5) for a term of two (2) years and providing details relating to the holding of such elections. The vote passed unanimously.**

## **7. DISCUSSION:**

**7.1 Status of Pine Creek Lane's Petition** – Mayor Herron reminded Council that the residents on Pine Creek Lane submitted a petition to have the “tumbling down fence” and the weeds growing along Pine Creek Lane removed and the area cleaned up. He wanted to advise Council and the residents what the City had done so far. Mayor Herron stated a survey had been completed and reviewed by HDR. The survey shows that the City owns the easement. He stated that the existing fencing and some of the out-buildings are located on City property. Council Member Gordy questioned the actual location of the right-of-way. City Engineer Him explained the survey that was presented to Council. City Attorney Mickelson stated the City has the right to use utility easement but does not actually own the property. She said the homeowners would actually own the property if the City vacated the easement or right-of-way. City Attorney Mickelson said grant of an easement is not a transfer of fee of ownership but is only a limited transfer of property ownership. If the City was to abandon the easement area its easement would go back to the residential lot owners not the commercial owners. “The City does not own the dirt”. City Engineer said the surveyors said that no one owned the property. Mayor Herron showed pictures of the properties and discussed the area and what the City might be able to do. He said the buildings are on the property-line and that there are structures outside of the commercial property line. Council Member Gordy questioned what authority the City had on the property. City Attorney said the City could ask the commercial area owners to remove the out-buildings or structures that are outside of their property line. Council discussed the request of having the fence removed and the commercial owners replacing it. A discussion was held on a limited use of the easement area for the use of the commercial property owners to install a fence.

**Jim Harbison, 11 Pine Creek Lane**, discussed the ability of the Korean Church to fund the fence. He also wanted to make sure the fence would be eight (8) feet tall. Mr. Harbison asked if Pine Creek Lane would be opened to Pech Road?

Mayor Herron said an eight (8) feet wood fence would need to be put up between the commercial area and the residential area but it is not clear at this time who would be paying for it. He also said it was not known at this time if Pine Creek Lane would be opened to Pech Road and that it needed to be kept as a separate issue. He said if they are kept together the issues would probably never be solved.

**Bill Bristow, 1233 Pine Chase Drive**, said that he noticed in one of the projected pictures, a downspout coming off the roof draining into the easement and he wanted to know what provisions were being made for drainage coming off the buildings.

Mayor Herron said regardless of what happens with the fence that the properties needed to be cleared and cleaned up and will have to drain toward Westview.

### **The City Engineer was excused at this time**

**7.2 Planning and Zoning – Commercial Area** – Kathleen Stafford, Chairman, of the Planning and Zoning Board stated the Sub Committee is almost done with the Commercial area. She also said if anyone is interested in joining the Committee to please let her know.

**7.3 Ordinance on Restoration** – City Attorney Kim Mickelson stated she has a draft of the restoration and it is ready for the staff to review. City Administrator Blevins said the City will need to have a Public Hearing because it is in the Zoning Ordinance.

**7.4 Tree Ordinance** – Kathleen Stafford stated the Tree Ordinance is getting rewritten using the comments taken from the presentation that was giving to Council. She asked if the Residential Tree Ordinance and the Construction Tree Ordinance needed to be combined. City Administrator Blevins and City Attorney stated that they felt it needed to be combined. Council Member Byrne wanted to know what could be done to make sure the ordinances, like the Tree Ordinance were enforced and what penalties could be involved. City Attorney said that someone would need to enforce it like an Enforcement Officer. She said she would look at the current Tree Ordinance and see how it is written. Council Member Byrne wanted to make sure the new ordinances had the correct wording to make them enforceable.

**7.5 Status Report on Zoning and Planning Project** – Kathleen Stafford stated the committee was working at this time on the ordinances for fences, dumpsters for the residence and commercial area and the remodeling issues as to what constitutes a substantial remodel.

## **8. ACTION ITEMS:**

### **8.1 CLOSED EXECUTIVE SESSION: None**

**The City Attorney was excused at this time.**

## **9. REPORTS TO COUNCIL: (CON'T)**

**9.1 City Administrator:** City Administrator Blevins discussed the Complaint log and answered questions. Mayor Pro Tem Maddock questioned why the paving items were still on the list. Mayor Herron said the City is looking at alternative solutions to the paving problems to reduce the cost.

**9.2 Building:** City Administrator Blevins stated there were (9) nine permits issued and twelve (12) inspections. Council Member Byrne asked about the dumpster at 1023 Ridgeley and if they had a permit. City Administrator Blevins said that she had the Building Official stop by the site and after he was invited in he determined that a permit

was needed. They were doing a lot of superficial work that did not need a permit but it also included a framing of a wall and small plumbing and electrical work. The contractor pulled his permit. Council Member Byrne stated that part of the ordinance review was on dumpsters and a requirement for a permit and a requirement for an allotted time-frame.

**9.3 Treasurer:** Council Member Byrne questioned some of the items on the Severn Trent invoice as to who pays for the items on their invoice for services that the residents are requesting. City Administrator Blevins stated that it depended on the item. If it is related to finding a service due to construction, the cost of the permit includes some of these issues. When a reread of the meter is requested the resident is charged, if the meter was correctly read. She said that when a leak is reported the City has to determine what side of the meter the leak is on and the City pays for that.

City Administrator Blevins stated that during the closing of the year she always had to include payroll that was due for the ending month and she makes that adjustment every year. She said to solve this issue she has changed the Payroll dates to be the 15<sup>th</sup> and the last day of the month so actual charges are expended in the correct month. Mayor Herron stated on the financials the direct deposit and bill pay is implemented and is working. City Administrator Blevins stated she had included the Quarterly Investment Report.

Council Member Swanson stated he talked with Joe Morrow with First Southwest regarding Certificate of Obligations Loans and he also discussed the outstanding transaction with the Amigos Por Vida Tri-Party Loan Agreement with Hilshire Village Cultural Education Finance Facilities Corporation.

**10. REPORTS FROM COUNCIL:** None

**11. CONSENT AGENDA:**

**11.1** Mayor Pro Tem Maddock 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 January 17, 2017, seconded by Council Member Byrne. **A vote was taken to approve the motion approving the Consent Agenda as presented including the disbursements presented to Council and the Minutes from the Regular Council Meeting of January 17, 2017. The vote passed unanimously.**

**12. ADDITIONAL COUNCIL COMMENTS:** None

**13. ANNOUNCEMENTS:** None

**14. ADJOURNMENT:** Council Member Swanson made a motion to adjourn the meeting, seconded by Mayor Pro Tem Maddock. **A vote was taken to approve the motion to adjourn the meeting. The vote passed unanimously. The meeting was adjourned at 8:08 P.M.**

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Russell Herron, Mayor

ATTEST:

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Susan Blevins, City Secretary