

TUESDAY, JULY 18, 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 Council Member Swanson.

1.2 Pledge of Allegiance:

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

2. REPORTS TO COUNCIL:

2.1 Police Report: Captain Schultze stated there were no new incidents for the month of June. Council Member Gunn asked, "What were the city ordinance violations that were on the report". Captain Schultze stated they were either observations by the police officers or contractors working outside of the construction hours. He also stated there were no major incidents for the month of July.

Council Member Byrne asked if Captain Schultze thought the City needed to install stop signs at Anadell at Pine Chase and Glourie Drive. Captain Schultze stated there have never been any incidents and the law states you have to stop before turning onto a street; however, if Council decides they want a stop sign at these locations they can install one. He stated there is nothing blocking the view. City Engineer Efrain Him stated he did not feel it was necessary and it would be extra cost to the City. Council Member Gunn asked if the citizens were able to call the Police Department and ask questions about any incidents from the Police Report given at the Council Meetings. Captain Schultze stated the person would have to fill out an open request form.

3. CITIZEN'S COMMENTS:

3.1 Bill Bristow, 1233 Pine Chase, stated he has good hearing aids but he is still having trouble hearing the Council Members speak. He asked if they could speak louder or speak into the microphones. Mayor Herron stated he would do his best to talk louder.

4. COUNCIL DISCUSSION: Mayor Herron asked Council if there were any comments regarding the request for better audio. Council Member Gunn stated it was a reasonable request and suggested Council speak up and be heard.

5. ACTION ITEMS:

5.1 Council Member Swanson made a motion for consideration and possible action for approving the City of Hilshire Village Ordinance Number 746 approving Budget Amendment No. 2 to the original General Budget for Fiscal Year Ending 2016, seconded by Council Member Byrne.

City Administrator Blevins stated the City makes a budget amendment every year prior to the audit. Then after the final adjusting entries are done, the City is required to balance the budget including those entries. Two (2) of the items that are involved are the Pine Creek, Bridle Spur and Friarcreek Construction Accounts and the Child Safety Account. **A vote was taken to approve the motion approving the City of Hilshire Ordinance Number 746 approving Budget Amendment No. 2 to the original General Budget for Fiscal Year Ending 2016. The vote passed unanimously.**

5.2 Council Member Swanson made a motion for consideration and possible action regarding the Presentation of the Fiscal Year Ending 2016 Audit (Belt Harris).

Catie Rodgerson with Belt Harris Pechacek made a presentation for the Fiscal Year Ending 2016 Audit. She presented the City of Hilshire Village Statement of Activities. The expenses on the total Primary Government were \$1,823,770. Charges for Services were \$659,340 and the Operating Grants and Contributions were \$104,500. The total General Revenues were \$1,087,545. The change in Net Position was \$27,615. The Statement of Revenues, Expenditures and Changes in the Fund Balances and Governmental Funds state the Total Revenues were \$1,439,140 and Total Expenditures were \$2,899,307. The net changes in Fund Balances were -\$1,460,167 with an Ending Fund Balance of \$1,237,133.

6. REPORTS TO COUNCIL: Con't

6.1 Engineers Report: City Engineer Efrain Him stated work by ICS (Schwab's Contractor) for the Hilshire Villas Subdivision was 100% complete with the installation of the Storm Sewer System and Sanitary Sewer System. The Contractor was 100% complete with the paving and has installed the Storm Water Pollution Prevention System Plan Measurements around the new storm sewer inlets throughout the subdivision. HDR is waiting for the contractor to submit copies of all the Material Testing Reports, the City of Houston Inspection Reports for the project and the As-Built Drawings for the City of Hilshire Village's review and records. The properties in Hilshire Villas Subdivision that back into the Hilshire Grove Subdivision are still holding water. During a heavy rain event, it drains towards Hilshire Grove resident's backyards. The City has notified Mr. Schwab and HDR is currently setting a Field Meeting to discuss and address these drainage issues.

City Engineer Him stated HDR is providing on-going assistance to the City regarding the **Mennonite Church Re-Development**. HDR conducted a Cover Inspection for the City of Hilshire Village on July 14, 2017. The City of Houston also did an inspection of the storm sewer line, since the line will be connected to their system.

HDR is providing on-going assistance to the City to address **Terrace Methodist Church's** drainage issues in the 1100-1200 blocks of Glourie Drive associated with the church's private drainage ditch behind these properties.

HDR is providing on-going assistance to the City regarding the Water and Sewer Utility Services for the **8399 Westview Drive Re-Development**.

City Engineer Him stated HDR also inspected the 6-inch fire line water tap and connection to the backflow preventer assembly installed by HG Fire Systems. The subcontractor planned to backfill, compact the excavated trench and installs the water line valve risers, accordingly, on the same date.

HDR reviewed and returned to the City the preliminary plans for the addition of concrete pavers at **1130 Ridgeley Drive**. HDR had no objections to the additional pavers in the backyard area; however, the proposed additional pavers on the south side of the property will not be allowed due to drainage considerations/concerns. The impervious coverage is still under the allowable limit.

City Engineer Him stated HDR has been coordinating with the City regarding the sanitary sewage back-up issue at **1228 Ridgeley Drive**. Severn Trent did a CCTV inspection and HDR reviewed the report and concurred with the assessment that there is a connection issue between the sanitary sewer service line and the main sewer line and a sag on the service line between the clean-out and the main sewer line. HDR will include the repair of this sewer service line in the Archley Drive Reconstruction and Friarcreek Subdivision Sanitary Sewer Rehabilitation Project.

City Engineer Him stated HDR has been providing on-going assistance to the City regarding the Pine Creek Lane backlot easement and emergency access through the west end of **Pine Creek Lane**. He is coordinating with fence contractors on the design details for the proposed double swing gates to be installed on the west end of Pine Creek Lane, in order to provide emergency access to the Pine Creek Subdivision through Pech Road.

7. ACTION ITEMS:

7.1 Council Member Byrne made a motion to authorize HDR's Engineering Services associated with the Archley Drive Reconstruction, Friarcreek Subdivision Sanitary Sewer Rehabilitation and the optional Burkhart Road Water Line Replacement Project, seconded by Council Member Gunn. City Engineer Him asked the City to take no action at this time due to the fact he was not able to provide the written proposal at this time.

No action was taken to authorize HDR'S engineering services associated with Archley Drive Reconstruction, Friarcreek Subdivision Sanitary Sewer Rehabilitation and Optional Burkhart Road Water Line Replacement.

The City Engineer was excused.

7.2 Council Member Byrne made a motion approving the City of Hilshire Village Ordinance Number 745 replacing Article No. 7.700 in its entirety from Chapter 7 Offenses and Nuisance of the Code of Ordinances and deleting Article 3.700, Tree Protection of Chapter 3, Building and Construction in its entirety, seconded by Council Member Gunn.

Mayor Herron stated the Planning & Zoning Committee has been working on revising the Tree Ordinance. He also stated there had been a workshop with several citizens attending the workshop regarding the Tree Ordinance with concerns and questions. Some of the concerns were if someone wants to remove a tree do they have to get a tree survey before they get a permit. Another concern was the 75% high canopy trees versus the 25% mid canopy trees. It was requested that the deposit for a tree removal permit be eliminated. The proposed ordinance states a lot owner would need to apply for the permit. If the City needs to hire an arborist, the City would need at least 72 hours prior notice to pulling a Tree Removal Permit. Mayor Herron stated the City could ask the homeowner to remove a tree if it seems dangerous or diseased but the homeowner would have to replace it if they did not meet the required Tree Ordinance requirement. The language states the City could require documents from a qualified person. He suggested the City have an arborist do the inspection and the City would then pay for it. City Administrator Blevins stated she talked to Piney Point Village's Arborist and she would be interested in working for Hilshire Village at \$80.00 an hour. She also suggested item 7.71 # 2 be taken out of the Tree Ordinance because it already gives 120 days to replace the tree. Council Member Gordy stated he felt the City was trying to micromanage the residents. City Attorney Mickelson read a letter from resident Diane Rager regarding her concerns with the 75% high canopy and the 25% mid canopy tree requirements. Mrs. Rager felt the homeowner should be able to decide what type of trees they wanted to put in their yard. Ms. Rager requested the "Required Tree" list be changed to "Suggested Tree List". Lastly, she stated that trees grow healthier when allowed more space. Mayor Herron asked if the Council would agree to have a Special Council Meeting regarding the Tree Ordinance.

Council Member Byrne withdrew his original motion and made a motion to table the agenda item. **A vote was taken to approve the motion to table the agenda item approving the City of Hilshire Village Ordinance Number 745 replacing Article No. 7.700 in its entirety from Chapter 7 Offences and Nuisance of the Code of Ordinances and deleting Article 3.700, Tree Protection of chapter 3, Building and Construction in its entirety. The motion passed unanimously.**

Mayor Herron recessed the Regular Council Meeting at 8:15 p.m. for a short break.

Mayor Herron reconvened the Regular Council Meeting at 8:24 p.m.

7.3 Council Member Gordy made a motion approving the execution of the License Agreement between the City of Hilshire Village and the Texas Conference Association for the construction of a fence and the approval of exiting encroachments to remain in place after the City Engineer and City Attorney complete the list of approved encroachment's, seconded by Council Member Swanson.

Mayor Herron stated the Houston 7th Day Korean Church has agreed to work with the Final Group, along with the other businesses/residents in getting their fence installed at the same time. The church has requested the City allow a seven (7) foot encroachment where their air conditioning (A/C) unit is located. Council Member Gordy stated the A/C unit needed to either be re-located or installed on top of the roof so that there would not be an issue with the A/C unit being on the City's encroachment. City Administrator Blevins also asked if the telephone poles needed to be on the inside of the fence or the outside of the fence on Pine Creek Lane. The church has agreed to remove the shed that is located on the City's property. City Attorney Mickelson stated the City could write the Lease Agreement allowing the encroachment for the item's useful life span and then reverse the Ordinance. In the Lease Agreement, the City would need to require that the church carry an Insurance Policy. Mayor Herron wanted to make sure there would not be any liability for the City if the church kept the A/C unit on the City's property and City Attorney Kim Mickelson stated there would not be any liability for the City. Council would like the City to discuss the encroachment setbacks with the church before approving.

Council Member Gordy withdrew his motion. A vote was taken to table the agenda item to execute the License Agreement between the City of Hilshire Village and the Texas Conference Association for the construction of a fence and the approval of exiting encroachments to remain in place after the City Engineer and City Attorney complete the list of approved encroachments. The vote passed unanimously.

7.4 Council Member Swanson made a motion to accept the application for a Certificate of Occupancy for current occupants of the buildings at 8375, 8377, 8381, 8383, 8385, 8389, 8391 and 8393/8397 Westview in accordance with the Commercial Zoning Ordinance for yearly approval, seconded by Council Member Gunn.

Mayor Herron stated the City has received all of the businesses' Application for a Certificate of Occupancy for Current Occupants for the Commercial Area. City Staff sees no problems except for 8373 Westview, which had operating hours until 2:00 A.M., and they had not corrected all the items to be addressed. Council Member Byrne asked the City Attorney Kim Mickelson if the businesses are grandfathered as far as parking plan and landscaping. City Attorney Kim Mickelson stated "yes", they are grandfathered until they make a change. City Administrator Blevins stated 8399 Westview has leased the second floor to an Engineering Firm. Council Member Gordy asked if the Houston 7th Day Korean Church got their sign permit and City Administrator Blevins stated "yes".

A vote was taken to approve the motion approving the application for a Certificate of Occupancy for current occupants of the buildings at 8375, 8377, 8381, 8385, 8383, 8389, 8391 and 8393/8397 Westview in accordance with the Commercial Zoning Ordinance for yearly approval. The vote passed unanimously.

7.5 Council Member Swanson made a motion authorizing the Mayor to execute a contract between the City of Hilshire Village and Spring Branch Independent School District to assess and collect ad valorem taxes, seconded by Council Member Byrne.

City Administrator Blevins stated the fee for Spring Branch Independent School District to assess and collect ad valorem taxes was \$1200. Council Member Swanson asked what the fee was last year and she stated it had not changed in ten (10) years.

Bill Bristow stated the School District Tax Assessor needed to make an effort to collect the "deliquate taxes". Mayor Herron stated the school district uses Harris County Appraisal District to appraise the homes to get a base number, and then they send out bills and collect the fees.

A vote was taken to approve the motion authorizing the Mayor to execute a contract between the City of Hilshire Village and Spring Branch Independent School District to assess and collect ad valorem taxes. The vote passed unanimously.

8. DISCUSSION:

8.1 Status of Clean-up of Commercial Area: Jim Harbison asked if the City plans to clean the R-O-W area along the fence on Pine Creek Lane. Mayor Herron stated, "The City Engineer is working on the fence design and the City is getting a contractor to clean-up the concrete and the water-loop connection is complete". Council Member Byrne stated he would like to have someone grind the tree stumps on Pine Creek Lane along the fence. Mayor Herron asked if everyone was in agreement with having the concrete cleaned up and having the tree stumps ground. All Council Members agreed.

8.3 Sign Ordinance: Mayor Herron stated the City would have a Public Hearing at the August Council Meeting regarding the Sign Ordinance.

8.4 Current Priorities for Planning and Zoning: Mayor Herron stated they have not changed.

9. ACTION ITEMS:

9.1 CLOSED EXECUTIVE SESSION: None

Mayor Herron stated there would be an enforcement workshop the latter part of August.

Mayor Herron thanked City Attorney Kim Mickelson for her service to the City of Hilshire Village and wished her luck with her new adventures. Kim Mickelson introduced Scott Bounds with Olson and Olson and stated he most likely would be the City's new attorney.

The City Attorney was excused at this time.

10. REPORTS TO COUNCIL: (CON'T)

10.1 Fire Commissioner Report: Fire Commissioner Byrne stated that the Fire Department was 2.21% under budget. The Fire Station Building Committee presented their recommended plans and an estimated cost. He also, stated the committee received input from the Chief, Duty Chief, staff, fire fighters and EMS on what they needed in the new Fire Station. The Pushing Ceremony for the new fire truck would be the first week of August.

10.2 City Administrator: Letters were mailed to 1322 and 1323 Ridgeley regarding their illegal parking pads. City Administrator Blevins said she spoke with the homeowner at 1210 Archley regarding the removal of the dead tree. The homeowner will get the tree removed as soon as they can.

10.3 Treasurer: Information in Council's Packet

11. CONSENT AGENDA:

11.1 Council Member Gunn 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 June 20, 2017, seconded by Council Member Byrne.

Council Member Byrne stated he had questions regarding the Severn Trent's invoice and would like to have a meeting set-up. He stated he would like Severn Trent to explain the different billing items regarding the flushing of the hydrants on the weekends and the different flushing times. City Administrator Blevins stated she would schedule a meeting with Severn Trent, Mayor Herron and Council Member Byrne; however, she recommended approving the invoice and a credit could be issued if due.

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 June 20, 2017. The vote passed unanimously.

12. REPORTS FROM COUNCIL:

12.1 Mayor Herron: None

13. ADDITIONAL COUNCIL COMMENTS: None

14. FUTURE AGENDA TOPICS:

Code Enforcement
YTD Budget Review (add Fire Station Renovations)
Capital Improvements
City Hall Maintenance
Wirt Road/Westview Traffic Safety

15. ANNOUNCEMENTS: None

16. ADJOURNMENT: Council Member Gordy 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 9:17 P.M.**

Russell Herron, Mayor

ATTEST:

Susan Blevins, City Secretary