

TUESDAY, OCTOBER 16, 2018
REGULAR COUNCIL MEETING
6:30 P.M.

REGULAR COUNCIL MEETING

1. CALL TO ORDER THE REGULAR COUNCIL MEETING: 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: Mayor Russell Herron, Mayor Pro Tem Paul Maddock and Council Members Robert Swanson and Mike Gordy. Also, present were Spring Valley Police Captain Schulze, City Attorney Scott Bounds, Engineer Efrain Him, P.E., HDR, Inc. and City Administrator Susan Blevins. Council Member Mike Gordy was absent.

2. CITIZEN'S COMMENTS:

David Hay, # 13 Hilshire Grove, stated he has a utility box in his yard which over time has been replaced by new boxes. He said the box is not within a utility easement and the utility company has recently installed a large unattractive box.

Bill Bristow, 1233 Pine Chase Drive, said the speed limit for Ridgeley is too high, especially for the curve where driving visibility is limited. He said it is dangerous to walk or to park vehicles in that area. Mr. Bristow also stated that there is an empty seat on council and he believes it should be filled.

Ruth Rogers, 1318 Bridle Spur Lane, stated she is disappointed with the response of Hilshire Village and Spring Valley regarding the coyotes.

Judy Arnold, Spring Valley Resident, said she has neighbors that have had leashed pets taken by coyotes. She said the coyotes are a threat and she doesn't feel the City should wait until a human is hurt to act.

3. REPORTS TO COUNCIL:

3.1 Police Report: Captain Schulze stated that in the month of September there were zero (0) major incidents, they ran ninety-five (95) calls for service and issued twenty-three (23) citations. He said in the early hours of October 16th two

(2) young adults were stealing items from cars, they were arrested and are awaiting charges.

3.2 Engineers Report: City Engineer Him said the **Pine Creek Lane Gate** is being prepared for fabrication and then will be installed.

He stated a second wave of **Ditch Grading** requests came in when the citizens saw the equipment in the City and the results of their neighbors. A second purchase order was issued.

Engineer Him said the **Archley Drive Reconstruction** bids came in higher than expected. They are now looking at starting construction in early November to avoid disrupting the Halloween Night event on Archley.

4. DISCUSSION AND ACTION ITEMS:

4.1 Mayor Pro Tem Maddock made a motion to authorize payment of HDR invoice for Engineering Services provided to the City for the Archley, Friarcreek and Burkhart Reconstruction Project, Invoice # 11, in the amount of \$16,430.01, seconded by Council Member Swanson.

A vote was taken to approve the motion authorizing payment of HDR invoice for Engineering Services provided to the City for the Archley, Friarcreek and Burkhart Reconstruction Project, Invoice # 11, in the amount of \$16,430.01. The vote passed unanimously.

4.2 Mayor Pro Tem Maddock made a motion to review the Bid Tabulation for the Archley Drive Reconstruction, Friarcreek Sanitary Sewer Rehabilitation & Burkhart Road Water Line Replacement and awarding the Construction Contract to the lowest responsible bidder, TLC Trucking & Contracting, for a total contract amount of \$1,430,847.76, seconded by Council Member Swanson.

Engineer Him said the bids came in higher than expected, the extra costs were in the mobilization of the equipment and setup of the job site. He said there are supplemental items included in the contract that may not be needed, therefore the total cost may be able to be reduced.

Engineer Him stated the plan is for construction to last nine (9) months with daily penalties for time extended. The notice to proceed will be issued in November.

It was asked if the City had the funds available for the increase in the projected cost of the project. City Administrator went over the funds available for the project.

A vote was taken to approve the motion reviewing the Bid Tabulation for the Archley Drive Reconstruction, Friarcreek Sanitary Sewer Rehabilitation & Burkhart Road Water Line Replacement and awarding the Construction Contract to the lowest responsible bidder, TLC Trucking & Contracting, for a total contract amount of \$1,430,847.76. The vote passed unanimously.

City Engineer was excused.

5. REPORTS TO COUNCIL:

5.1 Fire Commissioner Report: Alternate Fire Commissioner Leiker said the **Fire Station Roof** project is experiencing delays due to the recent rain but the first section of the roof is off and there doesn't appear to be any decking damage so some of the contingency money added into the budget might be saved.

He said that the City of Bunker Hill Village is scheduled to vote again on the Fire Department budget at their Council Meeting tonight and are expected to approve all items. Alternate Commissioner Leiker said there is legal debate about the continued participation of the City of Bunker Hill Village in the Interlocal Agreement due to the budget issue. He said this unusual increase in legal expenses will likely result in an amendment to the budget to allow for more money for legal fees.

6. DISCUSSION:

6.1 Parking and Traffic Control Ordinance:

Council discussed options for the wording of the stipulation to maintain sixteen (16) feet of open road space when parking directly across from another vehicle. Mayor Herron said that at the local Night Out he took photos of the fire truck sitting on Ridgeley and that it was apparent that only one (1) vehicle could be parked on the road. He also stated that he talked to the Fire Chief and he felt that the northside of Pine Creek Lane should also be designated as a "no parking zone". Mr. Bill Bristow felt the City needed to restrict parking from across the street of a driveway.

6.2 Guidance on the consistent appearance of buildings located in District C-1.

Mayor Herron said that the commercial building at 8391 Westview Drive painted their existing brick with blue paint color. He said one reason the tenant gave for painting the brick was that they are a small office and were having difficulty with people finding their location and they wanted to stand out. Mayor Herron asked

council what they think about the painting in relation to the Commercial Ordinance.

City Attorney Bounds stated that currently the Zoning Ordinance states that all new buildings must be brick and not more than 25% of the first floor can be painted. He also said the City has not defined an approved color palette for the buildings that are already painted.

Mayor Pro Tem Maddock said the problem with painting brick is that it creates a long-term maintenance issue.

Council Member Gunn stated he wants the businesses to succeed; however, he understands the intention of keeping the commercial area consistent.

Mayor Herron said no future buildings are allowed to have painted brick.

7. DISCUSSION AND POSSIBLE ACTION ITEMS: Con't

7.1 Mayor Pro Tem Maddock made a motion to appoint a Council Member to represent the City to participate in negotiations with the other Memorial Villages to establish a long-term plan for the Fire Department, seconded by Robert Swanson. Mayor Pro Tem Maddock amended his motion to appoint himself, seconded by Council Member Swanson.

A vote was taken to approve the amended motion to appoint Mayor Pro Tem Maddock to represent the City to participate in negotiations with the other Memorial Villages to establish a long-term plan for the Fire Department. The vote passed unanimously.

7.2 No motion was made to authorize the painting of the existing buildings in the C-1 District.

7.3 Mayor Pro Tem Maddock made a motion to approve a Public Hearing to be held on November 20th to discuss changes to the Zoning Ordinance regarding all Districts to include the uses, regulations and limitations unless otherwise stated in Ordinance 728 adopted in 2016, seconded by Council Member Swanson.

City Administrator Blevins explained that this action item is only to approve the Public Hearing to take place at the next scheduled Council Meeting; and no action is being taken at this time.

A vote was taken to approve the motion approving a Public Hearing to be held on November 20th to discuss changes to the Zoning Ordinance

regarding all Districts to include the uses, regulations and limitations unless otherwise stated in Ordinance 728 adopted in 2016. The vote passed unanimously.

7.4 Council member Swanson made a motion to approve the City of Hilshire Village Ordinance Number 770 amending Chapter 7 Offenses & Nuisances by adding Article 7.900 titled Sexual Oriented Business establishing rules and regulations governing sexually-oriented business located within the City, seconded by Mayor Pro Tem Maddock.

City Attorney Bounds said when the Zoning Ordinance was amended a section regarding sexually-oriented businesses was deleted. He said in the Zoning Ordinance there is a list of business uses that is permitted in the commercial area and generally when you list what is permitted it automatically excludes anything not on that list. However, he said to be sure that you are specifically prohibiting the sexually-oriented businesses, the City can include it in the Zoning Ordinance as well as in the Nuisance Section. He said including a provision in the Nuisance Section will provide regulations for the location of such businesses in relation to neighborhoods and schools, essentially disallowing the business anywhere in the City.

A vote was taken to approve the motion approving the City of Hilshire Village Ordinance Number 770 amending Chapter 7 Offenses & Nuisance by adding Article 7.900 titled Sexual Oriented Business establishing rules and regulations governing sexually-oriented businesses located with the City. The vote passed unanimously.

8. ACTION ITEMS: Con't

8.1 CLOSED EXECUTIVE SESSION: NONE

City Attorney was excused.

9. REPORTS TO COUNCIL: Con't

9.1 City Administrator: NONE

9.2 Building: Report is in Council's packet

9.3 Treasurer: NONE

10. CONSENT AGENDA:

10.1 Council Member Gunn made a motion to approve the Consent Agenda as presented, consisting of the disbursements presented to Council and the Minutes from the September 13, 2018, Public Hearing and Council Workshop Meeting, Minutes from the September 18, 2018 Public Hearing and Regular Council Meeting, the September 25, 2018, Special Council Meeting and October 1, 2018 Special Council Meeting, seconded by Mayor Pro Tem Maddock.

A vote was taken to approve the motion approving the Consent Agenda as presented, consisting of the disbursements presented to Council and the Minutes from the September 13, 2018, Public Hearing and Council Workshop Meeting, Minutes from the September 18, 2018 Public Hearing and Regular Council Meeting, the September 25, 2018, Special Council Meeting, and October 1, 2018 Special Council Meeting. The vote passed unanimously.

11. REPORTS FROM COUNCIL: Mayor Herron reported that he met with citizens concerned with the cracks in the pavement on Hilshire Green as well as standing water in the cul-de-sac.

12. ADDITIONAL COUNCIL COMMENTS: NONE

13. FUTURE AGENDA TOPICS:

14. ANNOUNCEMENTS:

15. ADJOURNMENT: Mayor Pro Tem Maddock made a motion to adjourn the meeting, seconded by Council Member Swanson.

A vote was taken to approve the motion to adjourn the meeting. The vote passed unanimously.

The meeting was adjourned at 8:33 P.M.

Mayor Russell Herron

ATTEST:

Susan Blevins, City Secretary