

TUESDAY, APRIL 17, 2018
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: Led by Kyle Helberg - a Tenderfoot with Troop 652

1.3 Present: Mayor Herron, Mayor Pro Tem Maddock, Council Members Mike Gordy, Robert Byrne, Robert Swanson and David Gunn. Also present were, Spring Valley Police Captain Schulze, City Engineer Efrain Him, P.E., HDR, Inc, City Attorney Scott Bounds and Derra Purnell, City Auditor Catie Rodgerson, Joe Morrow, Director for Hilltop Securities Inc. and City Administrator Susan Blevins.

2. REPORTS TO COUNCIL:

2.1 Police Report: Captain Schulze stated in the month of March there were 95 calls for service and 16 citations were issued. He said on March 3rd an intruder set off a home alarm and attempted to hide at a neighboring property but was apprehended by a Spring Valley K-9 Officer. Captain Schulze said there was graffiti vandalism in the 1200 block of Wirt earlier this month. The police department is working with neighboring agencies and the school to identify the suspect. He also stated there has been an increase in complaints about street-parked vehicles and has driven through the city with Council Member Byrne to identify areas which may benefit from a no parking zone sign. Council Member Byrne stated he is working with the Zoning Committee on developing traffic testing and plans for intersections and areas such as fire hydrants with regards to parking.

3. CITIZEN'S COMMENTS:

Bill Bristow, 1233 Pine Chase Drive, came forward to speak about Agenda item 5.3 stating he is against multi-year contracts. He also said the wording for Agenda item 5.4 and 7.3 was too vague.

4. COUNCIL DISCUSSION: None

5. DISCUSSION AND ACTION ITEMS:

5.1 Council Member Gordy made a motion to approve Ordinance Number 759 approving Budget Amendment Number 2 to the original General Budget for Fiscal Year Ending 2017 for the City of Hilshire Village, seconded by Council Member Swanson.

City Administrator Blevins explained that after the audit there were necessary reassignments of expenditures between accounts within the budget. She said the only changes are to which account is being charged.

A vote was taken to approve the motion approving Ordinance Number 759 approving Budget Amendment Number 2 to the original General Budget for Fiscal Year Ending 2017 for the City of Hilshire Village. The vote passed unanimously.

5.2 Catie Rodgerson with Belt Harris Pechacek, LLLP, presented the Fiscal Year Ending 2017 Audit to Council. She thanked City Administrator Blevins for her cooperation and assistance with the Audit. Ms. Rodgerson stated the City had approximately ten (10) months of operating budget in reserves, which is a healthy level. She stated the City's long-term debt consisted of certificates of obligation with an outstanding balance of \$940,000 and a net pension liability of \$37,308. Ms. Rodgerson stated that overall, governmental activity revenues increased by \$62,839 which was four percent (4%) over the prior year and governmental expenses increased by \$197,675 or fifteen percent compared to the prior year due to expenditures related to public works. **City Administrator Blevins stated there was no action needed by Council.**

5.3 Mayor Pro Tem Maddock made a motion to authorize the Mayor to sign an Engagement Letter with Belt Harris Pechacek for audit services for Fiscal Year Ending 2018, 2019 and 2020 utilizing a multi-year discount, seconded by Council Member Byrne. City Administrator Blevins recommended Council approve the multi-year contract.

A vote was taken to approve the motion authorizing the Mayor to sign an Engagement Letter with Belt Harris Pechacek for audit services for Fiscal Year Ending 2018, 2019 and 2020 utilizing a multi-year discount. The vote passed unanimously.

5.4 Mayor Pro Tem Maddock made a motion to approve Resolution # 2018-163 to issue the City of Hilshire Village, Texas, Tax Notes, Series 2018, including the preparation of all financing documents, engagement of professionals, and other provisions regarding such notes and matters incident thereto Considering and Approving Resolution Number 2018-163 authorizing Publication of Notice of Intention to Issue Certificates of Obligation, seconded by Council Member Byrne

Mayor Herron said this motion was to authorize the City to obtain bids for the proposed financing for the Archley Reconstruction Project which is estimated at a cost of 1.3 million dollars. Council Member Swanson stated the proposed interest rate presented by Hilltop Securities is very low at three percent (3%). Joe Morrow with Hilltop Securities said the intention of Resolution # 2018-163 is to authorize Hilltop Securities to find a purchaser for Tax Notes which have a term limit of seven (7) years. Mr. Morrow stated that their aim is to obtain a Private Placement Purchaser who intends to hold the note

through the maturity of seven (7) years. Further, Mr. Morrow said once a bid is accepted the Bond Council will submit all documents to the Office of the State Attorney General who will review them and approve per Texas Law which makes the obligation incontestable. He said the Bond Council will also issue an opinion that the interest is tax exempt.

A vote was taken to approve the motion approving Resolution # 2018-163 to issue the City of Hilshire Village, Texas Tax Notes, Series 2018, including the preparation of all financing documents, engagement of professionals, and other provisions regarding such notes and matters incident thereto Considering and Approving Resolution Number 2018-163 authorizing Publication of Notice of Intention to Issue Certificates of Obligation. The vote passed unanimously.

6. REPORTS TO COUNCIL:

6.1 Engineers Report: City Engineer Him stated the **Archley Drive Reconstruction Project** 70% Plan has been submitted to the City electronically and the Tree Protection Plan which is required in order to hold the resident workshop has not been completed yet.

City Engineer Him reported that the **Hilshire Villas Subdivision Fire Hydrant** did not pass inspection, the hydrant needs to be rotated so all nozzles are accessible.

Engineer Him stated that the **Mennonite Church** is ready to wrap up construction, HDR has been verifying that all inspections have been completed and the City of Hilshire Village should be receiving copies of City of Houston inspection records. City Administrator Blevins stated that the building official has been tasked with inspecting the outdoor lighting and will confer with City Attorney Bounds to determine whether the lighting is in accordance with the Special Use Permit.

City Administrator Blevins stated **Holy Cross Lutheran Church** will be coming to City Council for approval to amend their Special Use Permit to expand their building storage unit for the Food Pantry. City Engineer Him said the location of the building is on the corner of the existing parking lot so he does not anticipate any impact on drainage.

City Engineer Him stated this morning there was a cutoff test on the **Hickory Shadows Backflow Preventer** with the City of Houston and they were able to close valves and isolate the line segment without impacting Hickory Shadows' residents. He said they are coordinating to have equipment delivered with an estimated completion date at the end of this week or early next week. City Engineer Him stated Javier Vasquez from HDR has been working with Council Member Byrne on the Pine Creek Gate details. He is suggesting to leave hardware type open to the contractor and review what they suggest instead of detailing exact specifications.

Mayor Pro Tem Maddock asked about **1220 Archley**. The Engineers Report stated Council is to determine where elevation is measured. City Engineer Him said "there is a ravine at the front of the property" and the submitted plans show the house elevated on piers and has a ridge height above allowable. City Attorney Bounds said ultimately it is

the Building Official's determination; but, that he would advise to measure from natural elevation. City Engineer Him stated the garage sits at natural elevation so his opinion is to use the garage finished floor elevation. City Administrator Blevins said the resident was informed that his options were to come to City Council to ask for an ordinance change, appeal to the Board of Adjustments for a variance or change his building plans to comply with the ordinance. She said the City has not received additional information from them since then.

City Council and attendees recognized and honored the memory of former first lady Barbara Bush with a moment of silence.

7. ACTION ITEMS:

7.1 Council Member Swanson made a motion to discuss and possibly take action on the pending repairs to the paving of the streets that open to Wirt Road (Hickory Shadows, Hilshire Grove and Hilshire Green), seconded by Council Member Byrne.

City Engineer Him stated he and Council Member Gordy inspected two (2) areas in Hilshire Green that need repair. He said the cracks in the pavement in Hickory Shadows and Hilshire Grove do not require repair at this time, the rideability is still good and repairs would be only for aesthetic reasons.

Council Member Swanson amended his motion to read: "to authorize City Engineer Him to solicit bids to repair the street on Hilshire Green", seconded by Council Member Gordy.

A vote was taken to approve the amended motion authorizing City Engineer Him to solicit bids to repair the street on Hilshire Green. The vote passed unanimously.

7.2 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 # 4, in the amount of \$16,348.12, 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 Archley, Friarcreek and Burkhart Reconstruction Project, Invoice # 4, in the amount of \$16,348.12. The vote passed unanimously.

7.3 Council Member Byrne made a motion to discuss and possibly take action to authorize staff, working with Olson and Olson, to draft a right-of-way rental agreement for use by network providers desiring to contract with the City for approval of all small cell node installations projected by the provider for a one (1) year period, seconded by Council Member Swanson.

City Attorney Purnell explained that the City of Hunter's Creek received a notice that cell communicators were going to be installed in their city. The attorneys then invited each

of the Memorial Village cities to a meeting in order to possibly enter into an agreement with the utility company which would allow each city to be involved in the decision-making process of installing the new equipment.

A vote was taken to approve the motion authorizing staff, working with Olson and Olson, to draft a right-of-way rental agreement for use by network providers desiring to contract with the City for approval of all small cell node installations projected by the provider for a one (1) year period. The vote passed unanimously.

The City Engineer was excused

8. DISCUSSION:

8.1 Hours for lawn maintenance: Council Member Gordy said the current ordinance prohibiting lawn service and construction work on City holidays is not being adhered to. He suggested revising the ordinance for better enforcement capability as well as clarity for all contractors. City Administrator Blevins added that the ordinance does not prevent homeowners or residents from doing yard work any day at any time. Mayor Herron stated the City holidays that differ from federal holidays may not be known to lawn servicers. Council Member Gunn asked what Spring Valley's policy is in order to create continuity for the police department. Council Member Gunn said he was in favor of educating homeowners of the regulations instead of changing the ordinance. Mayor Herron stated the ordinance can be reviewed and brought back to council with suggested changes.

8.2 Ordinance Revision establishing rules and regulations concerning permit expiration and construction schedule, building permit requirements and trash, litter and construction debris. City Attorney Purnell said the Zoning Committee has revised portions of the ordinance, and during that process she has updated the construction codes to be current and found that the Existing Building Code was not adopted with the Building Code, leaving a gap in construction performed on existing structures, both residential and commercial.

8.3 Suggested Fence Ordinance Changes: Zoning Committee Chair Kathleen Stafford said the main change in the ordinance is the allowable location of the fence on corner lots.

8.4 Discussion of a Water Leak Reimbursement Policy: Nancy Friedman Taub requested Council to consider a policy to assist residents who have a water leak. Council Member Gunn said the City of Spring Valley has a reimbursement policy in place that can be referenced and considered.

9 ACTION ITEMS: CON'T

9.1 CLOSED EXECUTIVE SESSION: None

City Attorney was excused.

10. REPORTS TO COUNCIL: (CON'T)

10.1 Fire Commissioner Report: Fire Commissioner Byrne said next week the commission will make a decision to solicit the professional design services for renovating the existing Fire Station. They are also soliciting bids for roof replacement on the existing main building.

10.2: City Administrator: City Administrator Blevins stated there are 71 new items on the complaint log and 11 old items. She said 61 items were resolved of which 43 were related to trash in one way or another. Administrator Blevins said the vacant property at **12 Pine Creek Lane** has been mowed and the For-Sale sign has been removed, the property owner has hired a company to fill the pool and is waiting on their availability. She said **1323 Ridgeley** is supposed to have sod installed to correct the parking pad violation per the homeowner. Council Member Byrne said the **1306 Glourie** property conditions have not been corrected and legal action against the homeowner is necessary. Mayor Herron stated the issue as well as mediating steps will be investigated tomorrow. Mayor Herron said the trash bag and bin issue is improving; however, there are still some neighbors that need to take steps to prevent the bins from being visible from the street. Council Member Byrne said he met with Allison Griffiths at 1324 Pine Chase Drive in an effort to engage the **Boy Scouts** who live in Hilshire Village in helping move trash to the curb for any residents who require assistance possibly in exchange for merit badges.

City Administrator Blevins stated a replacement is needed for the **HVCEFFC** and **HVHEFC** as the previous member has moved out of the City. Council Member Swanson said he would contact the resident who was recommended by another committee member as well as look for someone who would fit the financially based role.

City Administrator Blevins said she is preparing for a city-wide tree trimming in low hanging or overgrowth areas which extend into the Right-of-Way. She said she will send an email out to the residents in case that they would prefer to trim their trees independently.

10.3 Building: City Administrator Blevins said we have issued a Conditional Certificate of Occupancy for the Mennonite Church and are processing plans for another home on Glourie.

10.4 Treasurer: Financials were in packet

11. CONSENT AGENDA:

11.1 Council Member Gordy made a motion to approve the Consent Agenda as presented, consisting of the disbursements presented to Council, Minutes from the February 20, 2018 Regular Council Meeting and Minutes from the March 20, 2018 Regular 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 Minutes from the February 20, 2018 Regular Council Meeting and Minutes from the March 20, 2018 Regular Council Meeting. The vote passed unanimously.

12. REPORTS FROM COUNCIL:

12.1 Mayor Herron:

Korean Church regarding clean-up and fence: Mayor Herron said the shed sits within the setback and is creating rust marks on the fence from rain water draining off its roof. He also stated they have painted or stained the fence with the intention of water sealing it and have agreed to correct the discoloration that the paint or stain has caused which is in violation of city ordinance.

Pine Creek Lane landscaping: Mayor Herron stated Pine Creek Lane resident Mr. Harbison and Council Member Byrne have been watering and tending to the newly planted grass. There is a section that died and the City has requested the contractor to replace it. Council Member Byrne said Trees for Houston is still going to donate trees for the area.

13. ADDITIONAL COUNCIL COMMENTS: Council Member Gordy said he would like to see that when a Demolition Permit is issued there be a requirement for a security fence and erosion control fence. City Administrator Blevins stated they have both been added to the requirement of the permit.

14. FUTURE AGENDA TOPICS:

Wirt Road/Westview Traffic Safety
Zoning Sections - Fence
- Restoration

15. ANNOUNCEMENTS: Mayor Herron said May 5th is Election Day and urged everyone to vote.

14. ADJOURNMENT: Council Member Gunn 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 8:49 P.M.

Mayor Russell Herron

ATTEST:

Susan Blevins, City Secretary