

TUESDAY, MAY 15, 2018  
PUBLIC HEARING AND REGULAR COUNCIL MEETING  
6:30 P.M.

**PUBLIC HEARING AND REGULAR COUNCIL MEETING**

**1. PUBLIC HEARING:**

**1.1** Mayor Herron called the Public Hearing to order at 6:30 P.M. to discuss amending the Specific Use Permit for the Holy Cross Lutheran Church, located at 7901 Westview Road.

**1.2** Warren Schick Council President, Holy Cross Lutheran Church, said that the food pantry has been so successful that they are in need of more space for storage.

**1.3** Council Member Swanson made a motion to adjourn the Public Hearing, seconded by Council Member Gordy. **A vote was taken to adjourn the Public Hearing. The vote passed unanimously.**

**2. CALL TO ORDER THE REGULAR COUNCIL MEETING:** Mayor Herron called the City of Hilshire Village Regular Council Meeting to order at 6:33 P.M. at 8301 Westview, Houston, Texas 77055.

**2.1 Invocation:** was given by Council Member Gunn

**2.2 Pledge of Allegiance:**

**2.3 Present:** Mayor Herron, Mayor Pro Tem Maddock, Council Members Mike Gordy, Robert Swanson and David Gunn. Also present were Spring Valley Police Lieutenant Wood, City Engineer Efrain Him, P.E., HDR, Inc, City Attorney Scott Bounds, Joe Morrow, Director for Hilltop Securities Inc. and City Administrator Susan Blevins.

**3. REPORTS TO COUNCIL:**

**3.1 Police Report:** Lieutenant Wood stated in the month of April there were 129 calls for service to Hilshire Village and none were major events. City Administrator Blevins asked Lieutenant Wood how Spring Valley handles the coyotes in their area, Lieutenant Wood responded that Texas Parks & Wildlife advises to leave the coyotes alone, keep pet food secured and inside if possible. He said trapping has not proven to be effective, they are smart animals and firearm laws prevent hunting them.

**4. CITIZEN'S COMMENTS:** Ruth Rogers, 1318 Bridle Spur Lane, who also owns a house in Spring Valley and Colleen De Tata, 1314 Bridle Spur Lane spoke about their experiences with the coyotes including the death of pets and asked the City to

coordinate with the City of Spring Valley to take action to reduce the number of coyotes in the area. Mayor Herron said the City would research resources and contact Texas Parks & Wildlife.

**5. COUNCIL DISCUSSION:** None

**6. DISCUSSION AND ACTION ITEMS:**

**6.1** Mayor Herron on behalf of the City presented a Proclamation for Police Week to Lieutenant Wood who accepted on behalf of the Spring Valley Police Department.

**6.2** City Administrator Blevins recognized the service of the Election Judge, Diane Rager and Election Workers, Jan Fitts, Katherine Bodron, Gina Gunn, Veronica Mitchell, Betty Westenfelder, Judith Shields, Nancy Friedman and Brent Rager. The City appreciates their service.

**6.3** Council Member Gordy made a motion to approve Ordinance Number 761 of the City of Hilshire Village, Texas, canvassing the returns and declaring the results of the General Election held on May 5, 2018, for the purpose of electing one (1) Mayor and two (2) Council Members for a full term of two (2) years, seconded by Council Member Swanson.

City Administrator Blevins read the canvas of the election as follows: Council Member Position 1, candidate Mike Gordy, ran unopposed and received a total of 94 votes. Council Member Position 2, candidate Robert Byrne, ran unopposed and received a total of 95 votes. Mayor candidate, Russell Herron, received a total of 98 votes over Mayor candidate, Bill Bristow, who received a total of 11 votes.

**A vote was taken to approve the motion approving Ordinance Number 761 of the City of Hilshire Village, Texas, canvassing the returns and declaring the results of the General Election held on May 5, 2018, for the purpose of electing one (1) Mayor and two (2) Council Members for a full term of two (2) years. The vote passed unanimously.**

**6.4** Mayor Pro Tem Maddock made a motion for issuance of the Certificates of Election to elected Mayor and City Council Member Position 1 and administer Oaths of Office, seconded by Council Member Swanson. City Administrator/City Secretary Blevins administered the Oath of Office to Mayor Russell Herron and Mayor Russell Herron administered the Oath of Office to Council Member Mike Gordy.

**6.5** Mayor Pro Tem Maddock made a motion to consider acceptance of Council Member Robert Byrne's resignation and discuss the replacement process, seconded by Council Member Swanson.

Mayor Herron stated Council Member Byrne had submitted his resignation as Council Member Position 2. City Attorney Bounds said there are two options in handling the resignation of an unexpired council position term. The first is to appoint someone to the position. The second is to hold a Special Election. City Administrator Blevins pointed

out the financial cost of a Special Election. Council agreed they would appoint someone to the position at a later date.

**A vote was taken to approve the motion accepting Council Member Robert Byrne's resignation. The vote passed unanimously.**

**6.6** Council Member Swanson made a motion to approve Ordinance Number 763 of the City of Hilshire Village authorizing the issuance of the City of Hilshire Village, Texas Tax Anticipation Notes, Series 2018 and matters in connection therewith, seconded by Mayor Pro Tem Maddock.

Joe Morrow with Hilltop Securities said seven (7) bids were received from various banks. He stated that he had anticipated interest rates to be a little lower than three (3) percent but after receiving the bids and consulting with colleagues determined that the current cost of loans is high because the market is seeing a lot of lending. Mr. Morrow stated that he recommends the City accept the offer from Amegy Bank as it has the lowest interest rate as well as a thirty (30) day option for early pay-off. The Tax Note was for \$1,350,000.00 with an interest rate of 2.91%.

**A vote was taken to approve the motion approving Ordinance Number 763 of the City of Hilshire Village authorizing the issuance of the City of Hilshire Village, Texas Tax Anticipation Notes, Series 2018. The vote passed unanimously.**

**6.7** Mayor Pro Tem Maddock made a motion to approve Ordinance Number 760 of the City of Hilshire Village amending the original Ordinance 513 approving a Specific Use Permit to Holy Cross Church, seconded by Council Member Gordy. The amendment would be to add a 30 x 20 feet expansion to an existing storage shed used by the Food Pantry.

**A vote was taken to approve the motion approving Ordinance Number 760 of the City of Hilshire Village amending the original Ordinance 513 approving a Specific Use Permit to Holy Cross Church to add a 30 x 20 feet expansion to an existing storage shed used by the Food Pantry. The vote passed unanimously.**

## **7. REPORTS TO COUNCIL:**

**7.1 Engineers Report:** City Engineer Him stated the **Archley Drive Reconstruction Project** will take about seven (7) months to complete. He anticipates having plans ready by the end of June and work commencing in July.

City Engineer Him said the **Hickory Shadows Backflow Preventer** has been installed but needs calibrating by a master plumber before it can be operational. He said there are still items to be resolved between the City of Hilshire Village, TxDOT and City of Houston with regards to easements and permitting for a new water vault.

City Engineer Him stated drainage repairs are being made to **1339 Friarcreek Lane**, this property is the high point of the ravine and the homeowner is adding six (6) drains to feed excess rain water into the ravine.

City Engineer Him stated he and City Administrator Blevins met with **AT&T** regarding work to be done in the City. He said most of the upcoming improvements to be made by AT&T are aerial with a few underground exceptions. An additional control box is intended to be installed between 1303 Pine Chase Drive and 8108 Bromley Road and the current box will remain in place until the last customer switches to fiber optics which could take years.

City Engineer Him said the **Hilshire Green pavement** repair project has been sent out for bids.

### **8. ACTION ITEMS:**

**8.1** 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 # 5, in the amount of \$23,556.59, 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 # 5, in the amount of \$23,556.59. The vote passed unanimously.**

**The City Engineer was excused**

**8.2** Mayor Pro Tem Maddock made a motion to nominate candidates for the position of Mayor Pro Tem and approving Resolution # 2018-166, seconded by Council Member Swanson.

Council Member Gordy nominated Paul Maddock as Mayor Pro Tem, seconded by Council Member Swanson.

**A vote was taken to approve the motion approving Resolution # 2018-166 appointing Paul Maddock as Mayor Pro Tem. The vote passed unanimously.**

**8.3** Council Member Swanson made a motion to nominate candidates for the position of Fire Commissioner and approving Resolution # 2018-164, seconded by Council Member Gunn.

Council Member Gunn nominated Robert Byrne as Fire Commissioner, seconded by Council Member Swanson.

Mayor Herron stated that there is a lot of activity happening within the Village Fire Department and to have the same commissioner continue representing Hilshire Village is beneficial to the City.

**A vote was taken to approve the motion approving Resolution # 2018-164 appointing Robert Byrne as Fire Commissioner. The vote passed unanimously.**

**8.4** Council Member Swanson made a motion to nominate candidates for the position of Alternate Fire Commissioner and approving Resolution # 2018-165, seconded by Mayor Pro Tem Maddock.

Council Member Gordy nominated Ray Leiker as Alternate Fire Commissioner, seconded by Council Member Swanson.

**A vote was taken to approve the motion approving Resolution # 2018-165 appointing Ray Leiker as Alternate Fire Commissioner. The vote passed unanimously.**

## **OUT OF ORDER**

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

**11.1 Fire Commissioner Report:** Alternate Fire Commissioner Ray Leiker said that the McGrath Report on the Village Fire Station is still under review and no action is needed at this time. He stated that the critical event response time is within national standards. Alternate Commissioner Leiker stated the Commission has been receiving bids and is making a recommendation to replace the roof with a goal of completion by the end of the summer. He said the anticipated budget increases would provide for an aquatic emergency services boat in the case of flooding, a squad vehicle for narrow roads, updated salary schedules and renovation and restoration of the fire station.

### **8. ACTION ITEMS: - (CON'T)**

**8.5** Mayor Pro Tem Maddock made a motion to approve three (3) signatories for the financial institutions to be Mayor, Mayor Pro Tem and one (1) Council Member and approving Resolution # 2018-167 appointing the signatories for a one (1) year term, seconded by Council Member Swanson.

Council Member Swanson stated that he works nearby and offered to fill the position. Council Member Gordy stated that he also works nearby and would be willing to fill the position; however, due to frequent out-of-town business trips he would be unavailable at some times.

**A vote was taken to approve the motion approving Resolution # 2018-167 approving three (3) signatures for the financial institutions to be Mayor Russell Herron, Mayor Pro Tem Maddock and Council Member Swanson. The vote passed unanimously.**

**8.6** Mayor Pro Tem Maddock made a motion to accept the application for a Business Use for Taylor Real Estate Group at 8399 Westview, Suite 100 in accordance with the Commercial Zoning Ordinance, seconded by Council Member Swanson.

**A vote was taken to approve the motion accepting the application for a Business Use for Taylor Real Estate Group at 8399 Westview, Suite 100 in accordance with the Commercial Zoning Ordinance. The vote passed unanimously.**

8.7 Council Member Gordy made a motion to accept the application for a Business Use for OneTrust Home Loans at 8399 Westview, Suite 100, in accordance with the Commercial Zoning Ordinance, seconded by Council Member Swanson.

**A vote was taken to approve the motion accepting the application for a Business Use for OneTrust Home Loans at 8399 Westview, Suite 100, in accordance with the Commercial Zoning Ordinance. The vote passed unanimously.**

8.8 Mayor Pro Tem Maddock made a motion to appoint an Animal Control Officer, seconded by Council Member Swanson.

Mayor Pro Tem Maddock nominated the individual holding the position of City Administrator to be authorized as the City's Animal Control Officer.

**A vote was taken to approve the motion appointing the City Administrator to be the Animal Control Officer. The vote passed unanimously.**

8.9 Mayor Pro Tem Maddock made a motion to discuss and possibly take action by the City Council, acting as a Zoning Commission, to make a preliminary report and set a date for public hearing regarding proposed changes to the zoning regulations applicable to fences in Residential Zoning Districts, seconded by Council Member Gordy.

City Attorney Bounds explained that the City of Hilshire Village is a General Law City which according to state statutes allows the City Council to act as the Zoning Commission if such a commission has not been appointed. He said therefore the City Council acting as Zoning Commission would call for a public hearing.

**A vote was taken to approve the motion to set a Public Hearing for the next Council Meeting to discuss changes to the zoning regulations applicable to fences in Residential Zoning Districts. The vote passed unanimously.**

8.10 Council Member Gunn made a motion to discuss and possibly approve a Water Leak Adjustment Policy, seconded by Council Member Gordy.

City Administrator Blevins went over the policy. She said City Attorney Bounds had reviewed it. Council Member Gordy asked about the language in the policy. City Attorney Bounds explained that the intention is that, if approved, the City will calculate the average water cost for the property in question using the previous twelve (12) months' billing, then determine the difference between that average and the cost of the increased bill due to the leak. He said the City would then assume the cost of one-half of that difference. Council Member Gordy suggested that a customer should only be able to apply for one (1) adjustment within a twelve (12) month period.

**A vote was taken to approve the motion to approve a Water Leak Adjustment Policy including changes consisting of limitation of one (1) adjustment within a twelve (12) month period. The vote passed unanimously.**

**9. DISCUSSION: Ordinance Revision establishing rules and regulations concerning permit expiration and construction schedule, building permit requirements and trash, litter and construction debris.** Council was given a draft copy of the ordinance at the previous Council Meeting. Council Member Gordy wanted to make sure that specific wording was established for demolition permits.

**10. ACTION ITEMS: CON'T**

**10.1 CLOSED EXECUTIVE SESSION: None**

**City Attorney was excused.**

**11. REPORTS TO COUNCIL: (CON'T)**

**11.2 City Administrator:** City Administrator Blevins stated she sent an email out to the residents regarding the city-wide tree trimming in the case that they would prefer to trim their trees independently. She reported that the swimming pool at 12 Pine Creek Lane had been filled but not yet inspected. Mayor Herron said overall the Complaint and Issues Log looks good; unfortunately, there are a few items that take longer than the City would like to be resolved. However, progress is being made on other items such as trash bags and bins. He said the Mennonite Church has done a very good job of landscaping and tree planning, exceeding the minimum requirements by the City. City Administrator Blevins stated the coyotes are still an issue to be addressed and the City will continue to seek solutions. Council Member Gordy stated using firearms and BB Guns is prohibited by City Ordinance and therefore is not an option for remediation.

**11.3 Building:** City Administrator Blevins stated there were nineteen (19) permits issued and thirty-three (33) inspections. The City had received building plans and drainage for 1114 Glourie Drive.

**11.4 Treasurer:** City Administrator Blevins stated that the City had received the 2018 Certified Estimates from the Harris County Appraisal District. The estimated value was \$238,577,074 which was a 3.06% increase over last year. She asked if Council had any questions on the financials. Mayor Herron asked about the distribution of the Metro Fund and would the City be able to use any of the Metro Funds to help finance the paving and drainage on the Archley project other than the \$100,000 budgeted. City Administrator Blevins explained that the City will receive \$103,000 from Metro in October but we use the funds on street repairs, drainage issues and tree trimming. She said the City could review during the budget process.

## **12. CONSENT AGENDA:**

**12.1** Mayor Pro Tem Maddock made a motion to approve the Consent Agenda as presented, consisting of the disbursements presented to Council, Minutes from the April 17, 2018 Regular Council Meeting and Minutes from the May 10, 2018 Council Workshop, approving the City of Hilshire Village Ordinance Number 764 providing the City's Official Newspaper to be the Houston Community Newspaper, a Division of the Houston Chronicle Media, utilizing the Memorial Examiner Distribution and to authorize the Mayor to sign a one (1) year contract and a Proclamation of the City of Hilshire Village recognizing "Safe Digging Month", seconded by Council Member Gordy.

**A vote was taken to approve the motion approving the Consent Agenda as presented, consisting of the disbursements presented to Council, Minutes from the April 17, 2018 Regular Council Meeting and Minutes from the May 10, 2018 Council Workshop, approving the City of Hilshire Village Ordinance Number 764 providing the City's Official Newspaper to be the Houston Community Newspaper, a Division of the Houston Chronicle Media, utilizing the Memorial Examiner Distribution and to authorize the Mayor to sign a one (1) year contract and a Proclamation of the City of Hilshire Village recognizing "Safe Digging Month". The vote passed unanimously.**

## **13. REPORTS FROM COUNCIL:**

### **13.1 Mayor Herron:**

**Korean Church regarding clean-up and fence:** Mayor Herron said the Korean Church has agreed to remove the shed from the property first before correcting the fence staining.

**Pine Creek Lane landscaping:** Mayor Herron stated new sod will be placed in the areas that are dying or bare on Pine Creek Lane.

**14. ADDITIONAL COUNCIL COMMENTS:** Fire Commissioner Byrne stated he has a scheduled meeting this Thursday with Trees for Houston where they will select the trees and plan for the planting.

### **15. FUTURE AGENDA TOPICS:**

Wirt Road/Westview Traffic Safety  
Zoning Sections - Restoration

## **16. ANNOUNCEMENTS:**

**17. 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 8:19 P.M.**

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Mayor Russell Herron

ATTEST:

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Susan Blevins, City Secretary