

TUESDAY, JANUARY 15, 2019  
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 6:31 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:** Mayor Russell Herron, Mayor Pro Tem Paul Maddock and Council Members Mike Gordy, Robert Swanson and David Gunn. Also, present were Spring Valley Police Lieutenant Newman, City Attorney Scott Bounds, Engineer Efrain Him, P.E., HDR, Inc., Fire Commissioner Robert Byrne and City Administrator Susan Blevins.

**2. CITIZEN'S COMMENTS:**

**Justin Crawford, 1213 Archley,** said he continues to see frequent coyote traffic. On two (2) occasions his neighbor's dog was attacked and he wanted to know what stage the City was at with handling the problem.

**3. REPORTS TO COUNCIL:**

**3.1 Police Report:** Lieutenant Newman reported that for the month of December there were 111 calls, and 33 traffic violations. On January 3<sup>rd</sup>, there was a theft of a pickup truck which is under investigation.

Lieutenant Newman asked the council and citizens to tell their alarm company to call Spring Valley Police Department first so that they may be in route in case of actual emergency. He said the alarm companies spend several minutes trying to contact the homeowners and emergency contacts while the police could already be on their way.

**3.2 Engineers Report:** Engineer Him said the **Archley Drive Reconstruction Project** has completed the tree protection phase, although they are still working to save as many trees as possible. He said the water lines are being installed on Archley and are expected to be completed by the end of the week. Engineer Him said at **1315 Friarcreek Lane** the sewer line is under the

driveway so the driveway panel will be replaced after that work is complete. Engineer Him said the estimated completion date is June 9, 2019.

The **Pine Creek Lane gate** has been fabricated and is expected to be installed by the end of the month.

Engineer Him said that the residential water samples for **TCEQ** requirements has tested clean for the last two (2) years and they are using that information to negotiate with TCEQ.

City Administrator Blevins added that she is obtaining pricing on replacing water meters on Archley Drive that have surpassed the one-million-gallon mark to be done during the construction.

#### **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 # 14, in the amount of \$14,444.61, seconded by Council Member Gordy.

**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 # 14, in the amount of \$14,444.61. The vote passed unanimously.**

**4.2** Mayor Pro Tem Maddock made a motion to authorize payment of TLC Trucking & Contracting, Inc., invoice for construction services provided to the City for the Archley, Friarcreek and Burkhart Reconstruction Project, Invoice # 1, in the amount of \$117,782.39, seconded by Council Member Gordy.

**A vote was taken to approve the motion authorizing payment of TLC Trucking & Contracting, Inc., invoice for construction services provided to the City for the Archley, Friarcreek and Burkhart Reconstruction Project, Invoice # 1, in the amount of \$117,782.39. The vote passed unanimously.**

**4.3** Council Member Swanson made a motion to discuss and authorize the covering of the swale in the front yard of **1220 Archley Drive** to allow prospective buyers the option to extend the building footprint to the 30-ft front building setback, seconded by Mayor Pro Tem Maddock.

Engineer Him said the prospective buyers have provided a plan to install in-line detention similar to what was done in the Hilshire Villas Subdivision as dictated by the City of Houston. In order to handle the water that would accumulate there

would be three (3) 30-inch pipes installed underground which would collect overflow from the ditch.

Lonnie Sykes, Sykes Engineering, said from topographical survey calculations they estimated a volume of 1,870 cubic feet of water that the depression could hold. He said the option they are proposing would provide storage volume to replace surface volume.

Mayor Herron said the depression is not a natural feature, and the City does not have requirements for underground detention.

Council Member Gordy was concerned that filling in the depression would affect the roots of the two (2) trees in that area. He also said that it sets a precedent for other lot owners that also have a natural or manmade ravine or swale. He stated the City has previously prohibited a large natural ravine from being filled in on another lot.

Bill Bristow, 1233 Pine Chase Dr, said he is concerned about the drainage impact that filling in the swale would cause. Engineer Him explained that Archley Drive has three (3) ravines that drain the area and the proposed changes to the property at 1220 Archley would not be an issue.

City Attorney Bounds read from the City of Hilshire Village Zoning Ordinance 11.01.07 which says that "each lot shall be finish graded so as to not adversely affect the drainage of a neighboring property". He said if the professional opinion of the City Engineer is that filling in the depression according to an approved drainage plan will not affect adjacent properties then it should be allowed to be done.

Mayor Herron asked for a vote to authorize the covering of the swale in the front yard of 1220 Archley which would require an approved drainage plan by the City Engineer.

**A vote was taken to approve the motion authorizing the covering of the swale in the front yard of 1220 Archley Drive to allow prospective buyers the option to extend the building footprint to the 30-ft front building setback. The vote passed unanimously.**

**City Engineer was excused.**

**4.4** Mayor Pro Tem Gordy made a motion to authorize the Mayor to give a 90-day notice to Bureau Veritas to terminate contract for services, seconded by Council Member Swanson.

City Administrator Blevins stated the City has had some issues with Bureau Veritas with certain services they do not offer or are not fully adequate in and the personal service that the City needs has not been maintained.

**A vote was taken to authorize the Mayor to give 90-day notice to Bureau Veritas to terminate contract for services. The vote passed unanimously.**

**4.5** Mayor Pro Tem Maddock made a motion to authorize the Mayor to enter into a contract with BBG Consulting, Inc., for Plan Review, Inspections, Building Official and Code Enforcement Service, seconded by Council Member Gordy.

City Administrator Blevins said Council Member Gordy and Mayor Herron were also able to meet with Kevin Taylor with BBG Consulting to discuss services offered.

Kevin Taylor, BBG Consulting Owner, said the primary goal is to customize the services as the City needs them. He said they study the City's ordinances to enforce the regulations during construction and work with the contractors as well as City staff in a friendly manner. He stated BBG is able to offer services to investigate claims of ordinance violations which would then be enforced with citations in coordination with the Spring Valley Police Department.

**A vote was taken to authorize the Mayor to enter into a contract with BBG Consulting, Inc. for Plan Review, Inspections, Building Official and Code Enforcement Service. The vote passed unanimously.**

**4.6** Council Member Gunn made a motion to approve the City of Hilshire Village Ordinance Number 774 providing for the holding of a General Election on May 4, 2019, 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 a Special Election for the purpose of electing one (1) Council Member, Position two (2) for a term of one (1) year and providing details relating to the holding of such elections, seconded by Mayor Pro Tem Maddock.

**A vote was taken to approve the motion approving the City of Hilshire Village Ordinance Number 774 providing for the holding of a General Election on May 4, 2019 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 a Special Election for the purpose of electing one (1) Council Member, Position two (2) for a term of one (1) year and providing details relating to the holding of such elections. The vote passed unanimously.**

**4.7** Mayor Herron stated that he had talked to Kathleen Bradley regarding filling the Council Member Position Two for the balance of the four (4) month

term. Council Member Gunn said he has not yet met Kathleen Bradley and would like to get to know her. He also felt someone from the volunteer committees with knowledge and experience be brought up to council.

Council Member Gordy agreed that he wants to know more about potential candidates to be appointed to council before he can make a decision.

**No motion was made for the appointment of Kathleen Bradley as Council Member Position Two for the term of four (4) months.**

**4.8** Mayor Pro Tem Maddock made a motion to approve the City of Hilshire Village Ordinance Number 772 amending Article 10.300, Section 10.301, Article 10.600, Section 10.605, and adding Article 10.600, Section 10.606 and 10.607 of Chapter 10 regulating truck traffic, the parking of vehicles on private property and establishing penalty provisions, seconded by Council Member Swanson.

Mayor Herron said that during previous council discussions the sections regarding truck traffic and vehicle parking were agreed upon but the ordinance was unable to be passed until the on-street parking section was able to be resolved. This ordinance has been separated in order to begin enforcing the items that are unanimously agreed upon and the on-street parking will be considered in a separate ordinance.

**A vote was taken to approve the motion approving the City of Hilshire Village Ordinance Number 772 amending Article 10.300, Section 10.301, Article 10.600, Section 10.605, and adding Article 10.600, Section 10.606 and 10.607 of Chapter 10 regulating truck traffic, the parking of vehicles on private property and establishing penalty provisions. The vote passed unanimously.**

**4.9** Council Member Swanson made a motion to approve an Application of a change in Lessee in the C-1 District at 8385 Westview. Applicant is Mario Salazar and the business type will stay the same, a hair salon, seconded by Mayor Pro Tem Maddock.

City Administrator Blevins stated that the building would have to have a Certificate of Occupancy after it was inspected by the Building Official and the Fire Marshal.

**A vote was taken to approve the motion approving an Application of a Change in Lessee in the C-1 District at 8385 Westview. Applicant is Mario Salazar and the business type will stay the same, a hair salon. The vote passed unanimously.**

**4.10** Council Member Gordy made a motion to approve the City of Hilshire Village Ordinance Number 775 adopting a Predatory Animal Control Work Plan (Coyote Management Plan) providing for the reimbursement of certain expenses incurred by property owners, providing for funding of the Management Plan and making other findings and provisions, seconded by Council Member Swanson.

Mayor Herron reviewed the steps taken by the City with regards to the concerns from the citizens. He said per the professional wildlife company who investigated both Spring Valley Village and Hilshire Village there is not enough evidence to declare either city in a state of infestation. Mayor Herron said what the City of Hilshire Village is offering will not be offered to the citizens of Spring Valley as confirmed with their Mayor. Mayor Herron clarified that this procedure is for coyotes only, not every animal considered to be predatory.

**A vote was taken to approve the motion approving the City of Hilshire Village Ordinance Number 775 adopting a Predatory Animal Control Work Plan (Coyote Management Plan) providing for the reimbursement of certain expenses incurred by property owners, providing for funding of the Management Plan and making other findings and provisions. The vote passed unanimously.**

## **5. CONSENT AGENDA:**

**5.1** Council Member Gordy made a motion to approve the Consent Agenda as presented, consisting of the disbursements presented to Council and the Minutes from the December 18, 2018, Regular Council Meeting, Resolution Number 2019-176 approving the Investment Policy for Public Funds, the City of Hilshire Village Preliminary December 2018 Financials and Check Registers, and the City of Hilshire Village 1<sup>st</sup> Quarter FYE 2019 Quarterly Investment Report, 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 December 18, 2018, Regular Council Meeting, Resolution Number 2019-176 approving the Investment Policy for Public Funds, the City of Hilshire Village Preliminary December 2018 Financials and Check Registers, and the City of Hilshire Village 1<sup>st</sup> Quarter FYE 2019 Quarterly Investment Report. The vote passed unanimously.**

## **6. DISCUSSION:**

**6.1** Amending Article 10.300, Section 10.601, 10.604 and 10.607(c) and adding Article 10.700 Section 10.701 of Chapter 10 regulating the parking of vehicles on streets and establishing penalty provisions:

Mayor Herron said the proposed regulation to maintain sixteen (16) feet of unobstructed roadway for emergency vehicles is not practical as the widest street with ditches in the City is only twenty (20) feet wide. He stated that although the streets with curbs are a little wider you are not able to park with one wheel off the pavement because of the curbs. Mayor Herron said the narrow streets do not allow enough space for a vehicle to be parked on the side with enough space for the emergency vehicle to pass.

**Bill Bristow, 1233 Pine Chase Drive**, suggested the City should widen the streets and use the right-of-way areas to provide more road space. Mayor Pro Tem Maddock pointed out that widening the streets would cause the re-engineering of the ditches and in places like the South side of Glourie Drive it would be a major project.

**Ruth Rodgers, 1318 Bridle Spur Lane**, suggested that the City paint lines or markers to indicate spaces where people are allowed to park. She also said that the construction contractors take up a lot of space when parking at the job site. Mayor Herron stated that the construction contractors are required to park on the same side of the street as the project, but that they themselves were not causing an issue. He said the problem is when someone else, like a neighbor or a lawn care company servicing an adjacent property, parks across from an already parked vehicle thus creating a bottleneck in the street.

Mayor Pro Tem Maddock said the City could adopt an alternating schedule for parking on the street, at one time it could be the even numbered address side of the street and then it would switch to the odd numbered address side of the street. This is complicated to enforce considering the primary offenders of the current Parking Ordinance are those who do not regularly spend time in the City and therefore would not be aware of what side to park on.

## **7. CLOSED EXECUTIVE SESSION: None**

## **8. REPORTS TO COUNCIL:**

### **8.1 Fire Commissioner**

Commissioner Byrne said in 2018 there was a total of 32 calls for fire and 41 calls for EMS. He said in both areas the response time was below the minimum national standard response time.

Commissioner Byrne stated there was a fire call in Hunter's Creek and upon arrival it was found that the homeowner was attempting to burn their Christmas tree in an outdoor fireplace.

Commissioner Byrne said last week repairs were made to the boiler and other related equipment at the station in order to get heat from the central system. They had been using space heaters prior. He stated the re-roof of the existing fire station is still not yet complete, a punch list is being reviewed and final payment has not been approved yet.

Commissioner Byrne said at last month's Fire Commission Meeting there was a presentation for the resolution of re-entering the Village Fire Department. He stated the presentation included the proposal of a future second station in the southwest area of the VFD service area costing as much as 2.9 million, the payment of the balance remaining on VFD invoices for November and December 2018 and Bunker Hill's share of the roof replacement expenses. They also acknowledged they want to continue as a contracting city with the VFD for 2019 and pay the budgeted expenses including their share of the renovation of the existing fire station.

Commissioner Byrne said that he spoke with Chief Foster about the address markers and how important they are for the safety of residents and the efficiency of emergency responders.

**Robert Byrne** stated he wanted to be considered for Council Member Position 2 since his prior situation had changed and he was qualified.

**8.2 City Administrator:** City Administrator Blevins said that TCEQ had denied the City's request for a **MS4** waiver. City Attorney Bounds said the denial was not unique to the City of Hilshire Village that all small cities had been denied. He said that TCEQ was adopting new rules and that City Engineer Him will have to prepare a response to them for the City. City Administrator Blevins said the waiver was first requested for in 2016 and it took over a year for them to respond to her request in which time she was told to wait for them to contact her.

**8.2 Building:** Report is in Council's packet. City Administrator Blevins said the number of building inspections was lower than average because of the holidays but there are plans in progress for new construction projects.

**8.3 Treasurer:** Preliminary Financials were included in the Consent Agenda.

**9. REPORTS FROM COUNCIL: NONE**

**10. ADDITIONAL COUNCIL COMMENTS: NONE**

**11. FUTURE AGENDA TOPICS:** Mayor Herron said he is attempting to make contact with someone at the City of Houston regarding the traffic on Wirt Road. Mayor Pro Tem Maddock stated he spoke with County Commissioner Radack

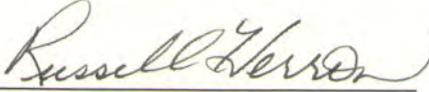
about the excessive speeding on Wirt Road. Mayor Herron said Spring Valley Police Department has a radar detector that can be placed at the roadside to collect a current set of data to report to City of Houston.

**12. ANNOUNCEMENTS:**

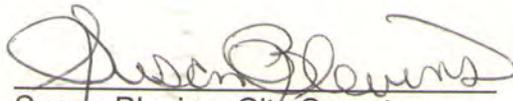
**13. ADJOURNMENT:** Mayor Pro Tem Maddock made a motion to adjourn the meeting, seconded by Council Member Gunn.

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

**The meeting was adjourned at 8:48 P.M.**

  
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Mayor Russell Herron

ATTEST:

  
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Susan Blevins, City Secretary