

**TUESDAY, SEPTEMBER 17, 2019  
REGULAR COUNCIL MEETING AND PUBLIC HEARING  
6:30 P.M.**

REGULAR COUNCIL MEETING

**1. CALL TO ORDER 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 Schwarz.

**1.2 Pledge of Allegiance**

**1.3 Present** were Mayor Herron, Council Member Gordy, Council Member Byrne, Council Member Swanson, Mayor Pro Tem Maddock and Council Member Schwarz. Also present were Spring Valley Police Captain Newman, City Engineer Efrain Him and City Attorney Scott Bounds.

**2. DISCUSSION AND POSSIBLE ACTION**

**2.1** Council Member Swanson made a motion to approve Resolution # 2019-191 consenting to the law firm of Olson & Olson, LLP, acting as intermediary for the cities of Bunker Hill Village, Hilshire Village, Hunters Creek Village, Piney Point Village, and Spring Valley Village in connection with the dispute over the relationship of Bunker Hill Village to the Village Fire Department. City Attorney Scott Bounds explained that this would allow the cities to discuss the fire department with their attorneys. He stated that all the other Memorial Villages use Olson and Olson except for Hedwig. Since that includes Bunker Hill the cities could not legally discuss with Olson and Olson because of a conflict of interest. City Administrator Blevins stated that the other cities had already approved the Resolution.

**A vote was taken to approve the motion approving Resolution # 209-191 consenting to the law firm of Olson & Olson, LLP, acting as intermediary for the cities of Bunker Hill Village, Hilshire Village, Hunters Creek Village, Piney Point Village, and Spring Valley Village in connection with the dispute over the relationship of Bunker Hill Village to the Village Fire Department. The vote passed unanimously.**

**3. CITIZEN'S COMMENTS:** Andy Carey, 7910 Hilshire Green, discussed the need for the paving repair on Hilshire Green and that he understood that the budget was being prepared and he was hoping Council was considering placing money in the budget for the repairs.

**4. REPORTS TO COUNCIL:**

**4.1 Police Report:** Captain Newman stated that it was fairly quiet in the city this month.

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He stated there had been an incident in Hilshire Villas where a person on a bicycle stole a video camera door bell and a tv off the back porch. Officers scouted the area and were able to arrest the subject when he returned the following night.

**4.2 Engineers Report:** Engineer Him said that the final completion inspection for the **Archley Drive Reconstruction Project** was performed on August 23<sup>rd</sup> and the only outstanding punch list item at that time was the re-grading and re-sodding of the front yard and ditch at 1027 Ridgeley Drive associated with the Hickory Shadows Sanitary Sewer Project. Engineer Him stated that HDR is coordinating with the contractor to secure all documentation required for the closeout of the project including the project record drawings.

Engineer Him stated that he re-visited the ravine at **1213 Archley Drive** to re-assess the current embankment, drainage and rip rap conditions. Based on his assessment the ravine improvements appear to be performing as intended and the embankment stability has been re-established.

## **5. DISCUSSION AND POSSIBLE ACTION**

**5.1** 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 Road Reconstruction Project, Invoice # 21, in the amount of \$13,855.87, 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 Road Reconstruction Project, Invoice # 21, in the amount of \$13,855.87. The vote passed unanimously.**

**5.2** Council Member Byrne made a motion to authorize payment to TLC Trucking & Contracting, Inc. invoice for Construction Services provided to the City for the Archley, Friarcreek and Burkhart Road Reconstruction Project, Invoice # 9 in the amount of \$3,275.75, seconded by Council Member Swanson.

**A vote was taken to approve the motion authorizing payment to TLC Trucking & Contracting, Inc. invoice for Construction Services provided to the City for the Archley, Friarcreek and Burkhart Road Reconstruction Project, Invoice # 9 in the amount of \$3,275.75. The vote passed unanimously.**

**5.3** Council Member Swanson made a motion to discuss and possibly take action regarding the channel at **1213 Archley Drive**, seconded by Mayor Pro Tem Maddock.

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Justin Crawford, 1213 Archley Drive, asked for some of the rocks to be removed from the sides of the ravine and keep a narrow channel at the bottom because there is standing water where there hasn't been before. Engineer Him said the rip rap that was installed is necessary because the ravine is wide and without it, erosion of the bank will occur. Mr. Crawford said the bank is collapsing, Engineer Him said he has seen no signs of any kind of collapse. Engineer Him stated a second site inspection will be performed in another 90 days and a third inspection before the warranty expires. If any inspection results in additional work needed then those will be corrected under warranty. Mayor Herron said the ravine will be placed on the November agenda for another review.

**No vote was taken.**

The City Engineer was excused.

## **6. PUBLIC HEARING**

**6.1** Council Member Byrne made a motion to recess the Regular Council Meeting and open the Public Hearing, seconded by Mayor Pro Tem Maddock.

**A vote was taken to approve the motion to recess the Regular Council Meeting and open the Public Hearing. The vote passed unanimously. The time was 7:32 PM.**

### **6.2 PUBLIC HEARING COMMENTS:**

Mayor Herron said only 32% of the budget is able to be manipulated because emergency services costs, Police and Fire, make up the majority of the budget and are out of the City's control.

Mayor Pro Tem Maddock made a motion to adjourn the Public Hearing, seconded by Council Member Swanson.

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

## **7. DISCUSSION:**

**7.1** Discussion of the FYE 2020 Budget and 2019 Tax Rate. City Administrator Blevins went over changes in the Budget. She stated the Fire Commissioners have requested an additional \$45,000 be allocated to the Village Fire Department Capital Improvements for the Fire Station. City Administrator stated that the City cannot change the tax rate to accommodate so she had to adjust the line items in the Budget to balance. She went over the utility account and the rates the other cities were charging. Council Member Gordy suggested the cost of repairs be covered under the General Fund. Council discussed the budget line items and funds that could be

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reallocated, including establishing additional categories to account for utility infrastructure repairs.

**7.2** Discussion for amending Chapter 6 Health & Sanitation of the Code of Ordinances related to rules and regulations concerning disposal of garbage, trash, rubbish and junk and outdoor burning, recreational fires, portable outdoor fireplaces and outdoor cooking.

Council Member Gordy said there are existing well built fire pits that would not be allowed according to the language in the proposed ordinance. He asked if those homeowners would be required to remove the fire pit since health and safety ordinances and laws cannot be grandfathered.

City Attorney Bounds said per the International Fire Code there is a permitting process to construct and maintain a fire.

**8. CLOSED EXECUTIVE SESSION:** None

**9. DISCUSSION AND POSSIBLE ACTION**

**9.1** Mayor Pro Tem Maddock made a motion to approve Resolution # 2019-193 of the City of Hilshire Village approving terms and conditions of an Interlocal Agreement between the City of Bunker Hill Village and the Village Fire Department for Fire Protection and Emergency Services for a term of forty-eight months beginning on January 1, 2020 through December 31, 2023, seconded by Council Member Gordy.

Administrator Blevins said Council approved this Resolution last month and Hilshire Village was the first to sign it. Changes were made by the other Mayors and therefore it is being presented again for approval, the other participating cities have already approved this final version.

Council Member and Fire Commissioner Byrne stated that the changes made were regarding the timeline for payments on the retirement liability and if Bunker Hill re-joins the interlocal agreement the funds paid in as a contracting member would be returned in escrow.

**A vote was taken to approve the motion approving Resolution # 2019-193 of the City of Hilshire Village approving terms and conditions of an Interlocal Agreement between the City of Bunker Hill Village and the Village Fire Department for Fire Protection and Emergency Services for a term of forty-eight months beginning on January 1, 2020 through December 31, 2023. The vote passed unanimously.**

**9.2** Mayor Pro Tem Maddock made a motion for the consideration and possible action regarding Resolution No. 2019-192 of the City of Hilshire Village to

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approve the request from the Village Fire Department Commission to approve an Amendment to the 2020 Village Fire Department Budget for Facility Fund 4 in the amount of \$1,500,000.00 with Hilshire Village's 2020 Annual Assessment being \$45,000.00 (3%), seconded by Council Member Swanson.

Mayor Herron asked if this Resolution is approved when does the payment need to be made? He said it is likely that there will be another change in the budget. Administrator Blevins said the City currently pays monthly on both the Fire Department's operating and Capital Improvement Budgets. She said there are three (3) months remaining in the Fire Department's fiscal year and the City will pay those in the 2020 fiscal year.

Administrator Blevins said that due to the difference in fiscal year calendars it might be possible to split the additional \$45,000.00 into the next two years of the City's budget and stay within the time period of the Fire Department's fiscal year. She stated the Fire Department would need to have the funds inhouse prior to obtaining bids on the project.

City Attorney Bounds stated that the bulk of the capital improvements is for the Fire Station improvements and the cash flow requirement would be due at the time that the agreement is executed with the contractor.

Mayor Herron said the City has achieved the amount in reserves as planned and there is excess in that fund that can be reallocated to the Fire Department. Council Member Swanson agreed that the best option is to budget the entire \$45,000 in the 2020 fiscal year.

**A vote was taken to approve the motion approving Resolution No. 2019-192 of the City of Hilshire Village to approve the request from the Village Fire Department Commission to approve an Amendment to the 2020 Village Fire Department Budget for Facility Fund 4 in the amount of \$1,500,000.00 with Hilshire Village's 2020 Annual Assessment being \$45,000.00 (3%). The vote passed unanimously.**

**9.3** Council Member Gordy made a motion to approve Resolution # 2019-190 of the City of Hilshire Village nominating Mike Sullivan as a candidate for a position on the Board of Directors of the Harris County Appraisal District for a two (2) year term, seconded by Mayor Pro Tem Maddock.

**A vote was taken to approve the motion approving Resolution # 2019-190 of the City of Hilshire Village nominating Mike Sullivan as a candidate for a position on the Board of Directors of the Harris County Appraisal District for a two (2) year term. The vote passed unanimously.**

The City Attorney was excused

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**10. REPORTS TO COUNCIL: (Con't)**

**10.1** Council Member and Fire Commissioner Byrne did not report any additional information.

**10.2** Building Official: No Report

**10.3** City Administrator Blevins reviewed the Complaint & Issues Report and the Consent Agenda.

**10.4** City Treasurer Blevins reviewed the City's Investments.

**11. CONSENT AGENDA:**

Mayor Pro Tem Maddock made a motion to approve the consent agenda as presented, consisting of the disbursements presented to council and the City of Hilshire Village Preliminary August 2019 Financials and Check Registers, Minutes from the Regular Council Meeting of August 20, 2019, a Proclamation recognizing National Night Out to be held October 1, 2019 on Bromley between Pine Chase and Ridgeley Intersections, a Proclamation recognizing Halloween Night to be held October 31, 2019 on Archley Drive and the City's Notice regarding Title II of the Americans With Disabilities Act, 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 and the City of Hilshire Village Preliminary August 2019 Financials and Check Registers, Minutes from the Regular Council Meeting of August 20, 2019, a Proclamation recognizing National Night Out to be held October 1, 2019 on Bromley between Pine Chase and Ridgeley Intersections, a Proclamation recognizing Halloween Night to be held October 31, 2019 on Archley Drive and the City's Notice regarding Title II of the Americans With Disabilities Act. The vote passed unanimously.**

**12. REPORTS FROM COUNCIL:** None

**13. ADDITIONAL COUNCIL COMMENTS:** None

**14. FUTURE AGENDA TOPICS:** None

**15. ANNOUNCEMENTS:** The next Public Hearing Date for the Budget and Tax Rates is September 24, 2019 at 6:30 P.M.

**16. ADJOURNMENT:**

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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 8:54 P.M.**

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Mayor Herron

ATTEST:

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Susan Blevins, City Secretary