



Regular Council Meeting Minutes

Tuesday, July 20, 2021 at 6:30 PM
8301 Westview Drive, Houston, Texas 77055

In accordance with the order of the Office of the Governor issued on March 16, 2020, as amended, this meeting was conducted via telephonic conference (Zoom).

1. CALL TO ORDER: Mayor Herron called to order the Regular Council Meeting at 6:30 P.M.

1.A. The **invocation** was given by Council Member Carey.

1.B. **Pledge of Allegiance**

1.C. **PRESENT**

Mayor Russell Herron
Council Member Mike Gordy
Council Member Robert Byrne
Council Member Andy Carey
Mayor Pro Tem Paul Maddock
Council Member David Schwarz

Also Present: City Attorney Bounds, City Engineer Him, City Engineer Vasquez, Deputy Building Official DuVall, Assistant City Secretary Stephens and City Administrator Blevins

2. CITIZEN'S COMMENTS: None

3. REPORTS TO COUNCIL

3.A. **Police Report:** Administrator Blevins said a construction site on Glourie Drive had some equipment stolen. She stated that an unknown person was reported at another construction site claiming to be with the City checking the security of the lot.

3.B. **Building Official's Report:** Deputy Building Official DuVall stated that there are no outstanding items to report. He stated that the new construction projects at the north end of Glourie Drive are moving along quickly.

3.C. **Engineer's Report:** Engineer Him said there is a potential **sinkhole** developing in the pavement in front of 8116 Bromley Road. He recommended seeking quotes to perform the repair from vendors including Houston Plumbing Specialists because they will be doing other paving work in the City.

Engineer Him said there is a new City Engineer at the City of Houston, Suhail Kanwar, who he is setting up a meeting with to discuss the **Wirt Road Safety**

Project. He stated that they will also discuss the potential to replace the water meters at Pine Chase Grove and Hickory Shadows.

Engineer Him said the water line work at **8373 Westview Drive** is underway. He said the contractor tapped into the main water line for the fire system and work continues to complete the connection.

Engineer Him stated that he has been working with Administrator Blevins to file the paperwork for the American Rescue Act Fund. He stated that she has been given administrator rights to coordinate on behalf of the City.

Council Member Byrne asked about the reconstruction of the ravine of his rear yard neighbor, being **1310 Ridgeley Drive**. Engineer Him said he has been involved in the project review and is performing intermittent inspections. He stated that the project is being overseen by Harris County Flood Control District and the City.

4. DISCUSSION AND POSSIBLE ACTION

4.A. Discussion and Possible Approval of the City of Hilshire Village Ordinance Number 809-2021 regulating parking pads in the Public Rights-of-Way

Motion made by Mayor Pro Tem Maddock, Seconded by Council Member Schwarz.

Mayor Herron said the fundamental part of the existing parking regulations is to remove the requirement that there be a five-foot distance from any driveway; and the compaction requirements have been retracted to be an inspection by the Building Official.

Council Member Byrne said he understands the grandfathering allowances in paragraph (b) but he doesn't want the grandfather status to prevent proper maintenance of the parking pad. Administrator Blevins said if utility work is done and the parking pad needs to be removed then the City will replace the parking pad only if it was permitted.

Council Member Byrne said there is an issue in section (f) regarding a parking pad being prohibited within twenty feet of any unmarked street intersection. Mayor Herron said it should read "any intersection". Council Member Gordy stated that the word "unmarked" should be stricken and the ninety-day time requirement to remove a non-compliant parking pad should be removed.

Greg Truax, 1306 Pine Chase Drive, said he thinks item (f.2.) should be deleted. Engineer Vasquez said the roadway adjacent to Mr. Truax's ditch sits higher than the top of the bank.

Council Member Gordy said he agrees that there are a lot of places in the City where there is not enough shoulder space to comply with the two-foot distance from the bank. He said the homeowner should provide a drawing and possibly engineering and at the least, the City Engineer should be able to make a decision to allow surface water to flow over the top of the parking pad. Council Member Gordy said the parking pad should not cause harm to the roadway, nor block the ditch.

Engineer Him said if a parking pad is built too close to the top of the ditch, then passengers can fall into the ditch when exiting the vehicle. He also said that stability on the top of the bank as vehicles park on it is a concern. Engineer Him said there should be a paragraph that allows the City Engineer to review and make case-by-case decisions. Administrator Blevins said the engineering costs will outweigh the parking permit fees.

Chris Osentowski, 1230 Glourie Drive, said he was permitted a parking pad but had to remove it because a neighbor complained. City Administrator said it was not because of a neighbor but because the specifications were not followed. Mr. Osentowski said his right-of-way is constantly muddy and guests end up parking completely on the roadway.

Engineer Him said retaining walls in the ditches will affect the ditch and it will need to be restored to the same profile to ensure that the ditch capacity is not affected.

Administrator Blevins stated that this is a time-sensitive subject as Mr. Truax, 1306 Pine Chase Drive, has already started his parking pad without a permit. Engineer Him said Mr. Truax needs to submit an engineered plan for review and approval. Mr. Truax responded that he is an engineer and has designed this system that he is installing himself.

Mayor Pro Tem Maddock amended his motion to table the item to the next Council Meeting in order to review proposed changes in ordinance format.

Voting Yea to Table the Motion: Council Member Gordy, Council Member Byrne, Council Member Carey, Mayor Pro Tem Maddock, Council Member Schwarz

4.F. OUT OF ORDER Discussion on the Zoning Ordinance regarding attic story and habitability provisions for the attic story

Mayor Herron said the ordinance lacks a definition for a legal attic story. He said the Council has discussed habitability in regards to accessory buildings, but did not establish rules for attics. Mayor Herron said the International Fire Code requires two points of egress and a stairwell. He also said there are ambiguous requirements on windows.

Council Member Gordy said if there is not a safety issue then he doesn't see the reason for preventing people from utilizing their attic square footage. He said his understanding of the accessory building resistance was that the Council didn't want property owners renting out to third parties, which he doesn't see happening in an attic space.

Attorney Bounds said when the ordinance was written, the Council at the time wanted to prevent a third story on a residential property. Council Member Gordy said the building height limit will remain and they will have to work within those limits.

Administrator Blevins said there is a new lot in the Hilshire Villas subdivision that is surrounded by local streets and therefore has a 15-foot side setback limiting the size of house that can be built. She said the potential buyer is interested in creating

attic space to accommodate for the lot limitations.

Council Member Byrne said as long as the structure height is abided then it shouldn't matter how many stories the house appears to be.

Mayor Herron said the main issue is that there is language in the ordinance that needs to be defined.

Council Member Byrne asked if the language preventing more than two stories needs to be edited. Attorney Bounds said that it should be defined as a second story attic because there is a two-story maximum, anything additional is restricted attic space.

Mayor Herron said the habitable area of the attic should be less than fifty percent of the floor area below it, providing the ability to have a pitched roof.

Council Member Schwarz asked if any of the other Villages have ordinances regarding this. City Attorney Bounds said some have a two-and-a-half story allowances but he is not sure about all of them. Council Member Schwarz said the key is safety and preventing three-story box houses.

Administrator Blevins said there will need to be a preliminary presentation to the Council in ordinance form, then there are two public hearings that have to happen before it can be adopted.

Council Member Schwarz asked if this would be eligible for a Board of Adjustments decision. Attorney Bounds said it would not currently fit the criteria for a special exception but if a list of topics was prepared for the Board to review then they could make architectural decisions based on that.

4.B. **Discussion on upgrading the City's street lights**

Council Member Schwarz stated that the infrastructure of the lights is roughly 60 years old. He said CenterPoint put together a proposal for increased lighting.

Administrator Blevins provided a map indicating the installation of 47 new street lights at every other address on alternating sides of the street. She said this plan also includes the removal of all of the cobra-style poles. Administrator Blevins said CenterPoint suggested that the cobra style does not provide sufficient lighting. Council Member Schwarz said installing new lights also provides uniformity throughout the City.

Greg Truax, 1233 Pine Chase Drive, asked if hiring a third-party contractor would decrease costs. Administrator Blevins said the City is getting a credit from CenterPoint and it is unlikely that another contractor could do the job including the underground cables for less.

Cheryl Wolfe, 1314 Pine Chase Drive, said she is in opposition to adding these lights due to health concerns as a result of lights at night. She said aesthetically it is unpleasing and reduces the quality of life. Mrs. Wolfe said if installed, the lighting will permanently change the Village.

Mayor Herron said the Council is working on the ideas to create a plan and intends to involve the citizens. He said aging street lights need to be considered, and if the City is going to spend composite money then fair treatment needs to be given to other parts of the City.

Council Member Byrne said this is a big decision of the legislative body and he doesn't want an LED light shining in his eyes preventing him from seeing his driveway. Council Member Byrne said the kelvin rating and type of lighting should be considered to avoid unwanted light spillover. He said this should be voted on by the citizens. Council Member Byrne said having darkness at night is good for your health.

Mayor Pro Tem Maddock said for years citizens have been saying that they want more lighting on Ridgeley Drive. Council Member Gordy said the Council needs to get all comments considered, possibly including public hearings. He said some of the raised concerns might not be valid with the style of fixtures selected. Council Member Gordy stated that he has not driven through Spring Valley which has implemented these types of lights and wants to see what kind of response Spring Valley has received from their residents. Administrator Blevins said she thinks we would get a better response from citizens by sending out an email and a follow-up letter asking the for engagement in the discussion and to express their preference.

Mayor Herron said this is the first time the Council has had any information arranged in such a way to determine cost and locations. Mayor Herron said a new map with a legend needs to be provided.

Alan Wolfe, 1314 Pine Chase Drive, said these kinds of projects can snowball and he supports adding lighting to the dark areas. He said he is also concerned about where the poles would be placed and additional easements required. Administrator Blevins said the poles would be placed in the right-of-way area already established.

4.C. **Discussion on the Wirt Road Safety Project**

Mayor Herron reviewed satellite footage and diagrams of the traffic patterns and existing lanes on Wirt Road.

Mayor Herron said that Council Member Gordy, Council Member Carey and himself met with Harris County Commissioner Ramsey. He said that Commissioner Ramsey said improving the safety on Wirt Road is important and if Hilshire Village can handle the permitting process through the City of Houston then the County will pay for the construction.

Council Member Gordy said the Commissioner was very generous. He said Commissioner Ramsey had already visited the area and observed the conditions. He stated that the Commissioner's commitment to the City of Hilshire Village was not only that they would construct the project but also administer the contract and go for bids. Council Member Gordy said Hilshire Village needs an interlocal agreement with the City of Houston for this sidewalk. He said Hilshire Village will cover the engineering and permitting costs and process. Engineer Him said during these types of agreements there is typically an attorney present to handle the legalities. He said City of Houston Engineer Kanwar just started in that position and may not be familiar with all of the policies and processes.

Mayor Pro Tem Maddock left the meeting.

Mayor Herron said there is an opportunity to make a significant improvement to the area. He said in 2017 there were conversations with the City of Houston Public Works Department who was not opposed to adding turning lanes but did not have the budget to do so. Further coordination between the City of Houston and the County Commissioner's office could allow the sidewalk and turning lanes to be constructed in conjunction. Council Member Gordy said that they also talked with Commissioner Ramsey about potential changes to the timing of the traffic lights at Wirt Road and the feeder road to I-10 to allow better traffic flow on Wirt Road.

4.E. OUT OF ORDER Discussion on Current Tree Ordinance

Mayor Herron said the Tree Ordinance allows for the removal of any tree so long as the minimum requirement is met. Council discussed and agreed with the ordinance language as it is.

4.D. Discussion on FYE 2022 Maintenance and Operations Budget, Utility and Capital Improvement Budget

Administrator Blevins said she asked Engineer Him to review the capital improvements list. Engineer Him said the City's infrastructure is roughly 80% updated with water and sewer within the last ten (10) years. He said within the next five (5) years there are a few projects that should be considered a priority. He stated that the American Recovery Act funds can be used for the City's meter upgrades and the emergency backup generator for lift station. The City has approximately five (5) pounds of pressure loss from the backflow assembly, and ten (10) pounds of pressure is lost when coming through the meter. He said the Pine Creek meter was installed to provide uniform distribution and provides a majority of the water flow to the City. Engineer Him stated that Pine Chase Grove has two (2) meters feeding the northwest corner of the City. He suggests the City replace these two (2) meters with MAG Meters. Lastly, the Hilshire Villas line should be interconnected to the City's infrastructure. Administrator Blevins said that water pressure should be a priority for the City. She said she has also received complaints about water pressure in Hilshire Villas. Engineer Him stated the City of Houston should be called out to check the pressure coming into the City.

Administrator Blevins reviewed the line items in the preliminary budget with Council. She said there will be an increase in charges for garbage collection and that the Council can integrate it into the budget now or wait until the rate increases in January and do a budget amendment. City Administrator Blevins stated she was not sure if the City would continue to have an increase in sales tax because residents are shopping in stores again and not ordering everything online. The City has started receiving money for Municipality Intermodal Permit Funds.

City Administrator Blevins reviewed the budget including a budget line item for the City to install three (3) license plate reader cameras. She said Spring Valley executed a contract for 68 license plate reader cameras. Administrator Blevins said that City Hall needs work including the floors, lighting, rotting exterior doors, molding eaves, exterior lights, and gutters at the back. She said Jared Jackson is helping to design the interior to make the transition to digital and improve the functionality. Council Member Byrne said he noticed the brick work and the slab at

the back of the building is separating from the porch. Administrator Blevins said she included salary for a third staff member and an increased salary for Assistant City Secretary to transition into the City Secretary role. She stated that she anticipates needing a city-wide ditch cleaning next year.

5. CLOSED EXECUTIVE SESSION: The Council did not convene into executive session.

6. DISCUSSION AND POSSIBLE ACTION: None

7. REPORTS TO COUNCIL

7.A. **Fire Commissioner's Report:** Commissioner Byrne said in June there were twelve (12) EMS calls and three (3) fire calls. He said there is a delay in dispatch response because of the construction but that has not been affecting the ability to respond to the scene within national standards.

Commissioner Byrne said the department is currently two (2) percent under budget.

Commissioner Byrne said that the Fire Station Renovation is experiencing some typical job site issues as there are a lot of moving pieces. He said interior painting, bathroom tiling, masonry veneer, and work on the driveway are underway. Commissioner Byrne thanked Council Member Gordy for his continued assistance with the project.

7.B. **Mayor Herron's Report:** Nothing additional to report.

7.C. **City Administrator's Report:** Mayor Herron asked if there were a lot of complaints about the trash service. Administrator Blevins said a lot of times it's just that the truck is running late, but if they do miss a house, they usually go back to pick it up.

Hybrid meetings – Attorney Bounds stated that a quorum is needed to be physically present. If a council member attends virtually then they need to be able to be seen by the Council and the audience during the meeting.

7.D. **City Treasurer's Report:** Administrator Blevins stated the Quarterly Investment Report was included in Council's packet

8. CONSENT AGENDA

Motion made by Council Member Byrne, Seconded by Council Member Carey.

8.A. Disbursements

8.B. Minutes from the June 15, 2021 Regular Council Meeting

8.C. Minutes from the June 17, 2021 Council Workshop

8.D. Check Registers - General Fund and Utility Fund - June 2021

8.E. 3rd Quarter 2021 Investment Report

**Voting Yea: Council Member Gordy, Council Member Byrne, Council Member Carey,
Council Member Schwarz**

Absent from Vote: Mayor Pro Tem Maddock

9. ADDITIONAL COUNCIL COMMENTS

10. FUTURE AGENDA TOPICS

11. ANNOUNCEMENTS: Council Workshop August 5, 2021 6:00 PM

12. ADJOURNMENT: Motion made by Council Member Gordy, Seconded by Council Member Schwarz.

**Voting Yea: Council Member Gordy, Council Member Byrne, Council Member Carey,
Council Member Schwarz**

Absent from Vote: Mayor Pro Tem Maddock

The meeting was adjourned at 9:49 P.M.

Russell Herron, Mayor

ATTEST:

Susan Blevins, City Secretary