



Regular Council Meeting Minutes

Tuesday, October 18, 2022 at 6:30 PM
8301 Westview Drive, Houston, Texas 77055

This meeting was held in person with remote attendees present.

1. CALL TO ORDER

Mayor Pro Tem Maddock called to order the Regular Council Meeting at 6:30 P.M.

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

1.B. **Pledge of Allegiance**

1.C. **PRESENT**

Council Member Andy Carey
Council Member Justin Crawford
Mayor Pro Tem Paul Maddock
Council Member David Schwarz

ABSENT

Mayor Bob Buesinger
Council Member Mike Gordy

Also present were: City Administrator Blevins, Assistant City Secretary Stephens, City Clerk Ray, City Engineer Him, City Engineer Vasquez, City Attorney Bounds* and Attorney Ramsey, Olson & Olson, Spring Valley Police Chief Schulze, Spring Valley Police Sergeant Menchaca, Village Fire Chief Foster, and Fire Commissioner Presswood.

*Present remotely

2. CITIZEN'S COMMENTS

Bill Bristow, 1233 Pine Chase Drive, asked the Council to address the drainage easement at 1209 Pine Chase Drive. He stated that he is concerned about his house flooding if this area does not drain properly.

3. DISCUSSION AND POSSIBLE ACTION

3.A. **Discussion and Possible Approval of a Proclamation recognizing Domestic Violence Awareness Month**

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

Mayor Pro Tem Maddock introduced State Representative Lacey Hull. Representative Hull said that she looks forward to continuing her work on domestic abuse awareness and prevention in the coming legislative session as well as other crime issues. She said she serves on the Health and Human Service Committee and the Insurance Committee and enjoys working on the issues that affect day to day lives of citizens.

Voting Yea: Council Member Crawford, Council Member Carey, Mayor Pro Tem Maddock, Council Member Schwarz

The motion carried 4-0.

4. REPORTS TO COUNCIL

4.A. Police Report

Sergeant Menchaca said that in September there were 210 calls for service, 117 business checks, 49 public relations, and 12 traffic stops. He stated that Spring Valley Police Officers stopped an 18-year-old male who matched the description of an individual of interest who confessed to illegally entering vehicles.

Sergeant Menchaca stated that the Flock license plate reader cameras were utilized in a mail theft case. He stated that the vehicle license plate was captured and the photo on the registered owner's ID matched the video provided by the bank where the check was cashed. Sergeant Menchaca said that this individual has a criminal history for similar offenses.

Sergeant Menchaca said opportunistic criminals look for unlocked vehicles where they can easily get cash and valuables that can be sold.

4.B. Building Official Report

Administrator Blevins said in September there were various plan reviews, two (2) generator permits, and three (3) new construction projects. She said that one (1) red tag was issued for overgrown grass.

4.C. Engineer Report

Engineer Vasquez said that there was new infrastructure installed at **12 Pine Creek Lane** and the asphalt patch will need to be rebuilt.

Engineer Vasquez stated that there is a scheduled meeting on Monday with representatives of the **City of Houston Public Works** to coordinate direct contacts and operating procedures.

Engineer Him said the Interlocal Agreement for the **Wirt Road Safety Project** is under review by the City of Houston. He also stated that he sent a follow-up email to Harris County, who informed him that they were reviewing the Interlocal Agreement.

Engineer Vasquez said that the City of Houston has not responded regarding the **Pine Chase Grove** water meter vault area improvements. Engineer Him said that the City of Houston should not be flushing the backflow preventer in this area. Administrator Blevins said that she will remind Inframark how to flush the area, and asked residents to call City Hall if the water is being improperly flushed.

4.D. Fire Commissioner's Report

Commissioner Presswood said that the protective film on the windows on the fire station overhead doors has been installed.

Mayor Pro Tem Maddock asked what should have been done to prevent the issues with the roof. Commissioner Presswood said that the architect was supposed to do an inspection after the first layer of roofing, but that was not done. Chief Foster said that the contract required a superintendent on site, but they did not coordinate properly. He also stated that the contractor was supposed to perform twice weekly inspections.

Mayor Pro Tem Maddock asked about staffing the third ambulance. Chief Foster said they get assistance from the City of Houston when all their vehicles are in use.

5. DISCUSSION AND POSSIBLE ACTION

5.A. Discussion and Possible Action to use part of the contingency account in the FYE 2023 Budget for the purchase of three (3) additional flock cameras

Motion made by Council Member Gordy, seconded by Council Member Schwarz

Administrator Blevins said that the approved 2023 Budget included the cost to rent three (3) Flock License Plate Reader Cameras. She stated that she did not realize at the time that the rental fees are annual and asked the Council if they would like to increase the budget item to include funds for three (3) additional camera rentals to be installed at Hickory Shadows Drive, Pine Creek Lane, and Friarcreek Lane. The funds can be transferred from the contingency budget item or the HVCEFFC revenue.

Voting Yea: Council Member Crawford, Council Member Carey, Mayor Pro Tem Maddock, Council Member Schwarz

The motion carried 4-0.

5.B. Discussion and possible approval of a property owner's request to waive the cost of installation of a sewer line for the new development of # 12 Pine Creek Lane

Motion made by Council Member Crawford, Seconded by Council Member Schwarz.

Brian Gaudet, **12 Pine Creek Lane**, said that he disagrees with the cost of the water and sewer line installation, but is more concerned with the way that the City

communicated during the process. He stated that he agreed for the water line to be installed but was billed for both the water and sewer line before he approved the sewer work. He said that the City set a precedent by asking for his approval but did not wait for approval on both utility lines.

Attorney Bounds said that he represents a water district, and the charges are in line with those assessed to Mr. Gaudet.

Engineer Him said that there are several factors that could affect the cost of infrastructure work at any time including the economy of scale and increases in construction rates.

The council discussed the eventual need for a sewer connection for the new development, the costs and municipal procedures as compared with industry standards, and the right of the City to direct a contractor to install utility lines. It was decided that the infrastructure had to be installed, and the cost is the responsibility of the developer and/or property owner.

Voting Nay: Council Member Crawford, Council Member Carey, Mayor Pro Tem Maddock, Council Member Schwarz

The motion failed 0-4.

5.C. Discussion and Possible action regarding a letter from the Village Fire Department's Board of Commissioners dated October 5, 2022, related to Funding of Significant Incidents (emergency events).

Motion made by Council Member Schwarz, seconded by Council Member Carey

Attorney Bounds stated that the letter conflicts with the Interlocal Agreement which states that all cities must approve budget transfers. He said if a city does not approve the budget, then they have the option to leave the Interlocal Agreement. Attorney Bounds said if the commission is going to spend money outside of the approved amounts in the budget, then they need the participating city's approval.

Commissioner Presswood said that the letter is a result of the effects that the COVID pandemic had on the department's budget and the need to staff a second ambulance. He said if there is a potential of exceeding the budget then the commission will adjust for that at the next regularly scheduled meeting. Commissioner Presswood said this is for emergency situations.

City Attorney Bounds said that there are procedures for city councils to meet in declared emergency situations in order to approve fund expenditures.

Chief Foster said that the Fire Department historically has not had a contingency fund and in emergency spending situations waited for additional money from the participating cities through a budget amendment. He said that the attorney for the Fire Department issued a different opinion than the participating city's attorneys regarding the letter issued by Commissioner Presswood.

Attorney Bounds said that a contingency limit could be approved by the participating cities, but the Village Fire Department cannot transfer allocated funds on other budget items without approval. He added that the budget presented by the Fire Department does not show all revenue sources.

The council did not take action on agenda item 5.C.

5.D. Discussion and Possible Appointment of Cassandra Stephens as City Secretary

Motion made by Council Member Schwarz, seconded by Council Member Crawford

Voting Yea: Council Member Crawford, Council Member Carey, Mayor Pro Tem Maddock, Council Member Schwarz

The motion carried 4-0.

5.E. Administer Oath of Office for City Secretary

Assistant City Secretary Stephens took the oath of office as City Secretary.

The Council recessed for a reception in honor of City Secretary Stephens at 8:39 P.M. and reconvened at 8:45 P.M.

5.F. Discussion and Possible Approval for the City of Hilshire Village to become an ERCOT Corporate Member with a \$100.00 annual membership fee

Motion made by Council Member Carey, seconded by Council Member Crawford

Voting Yea: Council Member Crawford, Council Member Carey, Mayor Pro Tem Maddock, Council Member Schwarz

The motion carried 4-0.

5.G. Discussion of front yard obstructions

Council Member Crawford said that the ordinance from the Town of Trophy Club may be too simple but does not require definitions of open-air structures.

Council Member Schwarz stated that he did not want to create an ordinance that was too restrictive on outdoor living and therefore not family-friendly.

Mayor Pro Tem Maddock said that he thought the ordinance from the City of Hunters Creek Village looked good but might be too specific.

Administrator Blevins asked if an ordinance is passed can the City give the property owner notice of a timeframe to remove the items that would be in violation?

6. CLOSED EXECUTIVE SESSION: The Council did not convene into an Executive Session.

7. REPORTS TO COUNCIL

- 7.A. **Mayor Buesinger's Report:** No outstanding items to report.
- 7.B. **City Administrator's Report:** City Administrator Blevins said that the water line break caused by Verizon's right-of-way work on Ridgeley Drive was repaired.
- 7.C. **City Treasurer's Report:** City Administrator Blevins stated that there was fraudulent activity on an account that is rarely used, and the funds have been recovered.

8. CONSENT AGENDA

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

- 8.A. Disbursements
- 8.B. Minutes From the Public Hearing and Special Council Meeting, September 19, 2022
- 8.C. Minutes From the Regular Council Meeting, September 20, 2022
- 8.D. Check Registers
- 8.E. 4th Quarter Investment Report

Voting Yea: Council Member Crawford, Council Member Carey, Mayor Pro Tem Maddock, Council Member Schwarz

The motion carried 4-0.

9. ADDITIONAL COUNCIL COMMENTS

Council Member Carey asked that a reminder be sent to the residents on Pine Creek Lane regarding loose dogs as he has received multiple notices from Pine Creek Lane citizens.

10. FUTURE AGENDA TOPICS

The Council would like to review a draft ordinance regarding playground equipment in residential front yards.

11. ANNOUNCEMENTS None

12. ADJOURNMENT

Motion made by Council Member Schwarz, seconded by Council Member Crawford.

Voting Yea: Council Member Crawford, Council Member Carey, Mayor Pro Tem Maddock, Council Member Schwarz

The motion carried 4-0.

The meeting was adjourned at 9:06 P.M.

Paul Maddock, Mayor Pro Tem

ATTEST:

Cassie Stephens, City Secretary