



## Regular Council Meeting Minutes

Tuesday, March 16, 2021 at 6:30 PM  
8301 Westview Drive, Houston, Texas 77055

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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.

1. **CALL TO ORDER:** Mayor Herron called the City of Hilshire Village Regular Council Meeting to order at 6:33 P.M.
  - 1.A. **Invocation** was given by Council Member Gordy.
  - 1.B. **Pledge of Allegiance**
  - 1.C. **Present were** Mayor Herron, Council Member Gordy, Council Member Byrne, Council Member Carey, Mayor Pro Tem Maddock, City Administrator Blevins and Assistant City Secretary Stephens. Also present were Spring Valley Police Captain Lane, City Engineer Him, City Attorney Bounds and Robert Belt with Belt, Harris & Pechacek. Council Member Schwarz was absent.
2. **CITIZEN'S COMMENTS:** None
3. **REPORTS TO COUNCIL**
  - 3.A. **Police Report:** Captain Lane stated that in the month of February there were no significant events. He said in the month of March there was a wheel and tire theft and the department is investigating alongside multiple other agencies. Captain Lane said in the month of February there were 156 calls for service including one traffic violation. He also said there were no parking tickets issued in February.

Mayor Pro Tem Maddock asked about an incident on Ridgeley where three (3) police cars responded to an address. Captain Lane said he was not aware of that situation.

Mayor Herron asked if there had been any calls regarding overnight parking violators. He said there are a few places in the City where cars are regularly parked on the street. Captain Lane said there have been no reports of illegal overnight parking but officers are watching for parking violations.
  - 3.B. **Building Official's Report:** Mayor Herron said the building official had no outstanding items to report and therefore was not in attendance.

**Bill Bristow, 1233 Pine Chase Drive,** said he recently had permitted work done at his house and when the building inspector arrived, they didn't provide identification. He also said the inspector used a City of Spring Valley document for the inspection result. Administrator Blevins said she would check on what supplies they are using and make sure they have business cards on hand. Council Member Byrne said that BBG Consulting should have appropriate credentials for the safety of residents.
  - 3.C. **City Auditor's Report:** Robert Belt, Belt Harris Pechacek, presented the Fiscal Year 2020 Audit. He stated that in the Independent Auditor's Report the City received an "unmodified opinion" which is the highest level of assurance that can be

provided. It means the Financial Statements are correct and in accordance with accounting principles as generally accepted in the United States of America. Mr. Belt said the City had an end of year fund balance net increase of \$102,000. He said the City is in good shape as it has well over a year's worth of fund balance. Mr. Belt said the Debt Balance and Metro Balance were also in good shape. He reported the Utility Fund had a negative change in the net position but that was primarily because of depreciation which is a non-cash item.

#### **4. DISCUSSION AND POSSIBLE ACTION**

##### **4.A. OUT OF ORDER City of Hilshire Village's Fiscal Year Ending 2020 Audit:**

Mayor Pro Tem Maddock made a motion to approve of the City of Hilshire Village Fiscal Year Ending Audit, seconded by Council Member Byrne.

**A vote was taken to approve the motion approving the City of Hilshire Village Fiscal Year Ending 2020 Audit.**

**The motion passed unanimously.**

##### **4.B. OUT OF ORDER Belt Harris Pechacek three-year agreement for annual audit:**

Council Member Gordy made a motion to approve the Mayor to enter into a three (3) year agreement with Belt, Harris, Pechacek for Fiscal Years 2021, 2022 and 2023 for the City's annual audit, seconded by Council Member Carey. City Administrator Blevins recommended that Council sign the agreement because it would save the City money in the long run.

**A vote was taken to approve the Mayor to enter into a three (3) year agreement with Belt, Harris, Pechacek for Fiscal Years 2021, 2022 and 2023 for the City's annual audit.**

**The motion passed unanimously.**

#### **3. REPORTS TO COUNCIL (CONTINUED)**

**3.D. Engineer's Report:** Engineer Him said there is a fire hydrant out of order at the corner of the north intersection of Archley Drive and Ridgeley Drive which was installed as part of the Ridgeley project several years ago. He said Inframark is determining the source of the leak. Administrator Blevins said a supervisor was going to investigate and report back before making repairs.

Engineer Him said there was a water line leak at 1027 Ridgeley Drive that Inframark responded to. He stated that some restoration is still needed.

**1330 Glourie Drive (Lot 3):** Engineer Him said that the City authorized the extension of water and sanitary sewer services to the four (4) re-platted lots on Glourie Drive. He said, before that work took place, the plumbing for the house under construction at 1330 Glourie Drive was installed at a steeper slope than normal and now is too deep to connect to the new sewer stack. Engineer Him said a quote to rebores and add to the sewer stack will be requested from T Construction, the same contractor that installed the service initially. Council Member Gordy asked who is going to pay for this additional work and why the coordination issue happened. Engineer Him said they were not anticipating the sewer line for the house to be that deep. He said it runs from the back of the property and has a steeper slope therefore ends at the right-of-way lower than anticipated. Engineer

Him said the builder will be assessed for the additional charges but the amount is still to be determined.

**Verizon Small Cell Nodes & MCImetro Conduit Plans and Permits:** Engineer Him said that he had a field meeting with Verizon to discuss the location of the new pole for the small cell node. He said they were able to identify space near 1201 Archley in the right-of-way. Verizon consulted CenterPoint for permission to install the pole in that location and was given permission as long as it is in the right-of-way. Engineer Him said out of the four (4) locations this is the only one that requires a new pole. He said they will use the existing pole at 1205 Archley Drive as a co-location.

**TCEQ MS4 Permit and Annual Report Update:** Engineer Him said the requested information for year one (2020) has been submitted. He stated that even though TCEQ has not yet approved the MS4 permit, compliance work for updating year two (2021) will be submitted by the end of this month.

**State Energy Conservation Office (SECO) Preliminary Energy Assessment Program:** Engineer Him said that the SECO office has contracted with TEESI Engineering to provide free engineering technical assistance to municipalities as part of their Preliminary Energy Assessment Program to identify energy saving opportunities. He stated that participation in this program could lead to savings opportunities in the future, including possible grants.

**Lift Station Generator:** Engineer Him said on March 8<sup>th</sup> 2021 Council Member Gordy, Administrator Blevins and himself visited the lift station site to evaluate available space for a natural gas generator. He stated that there appears to be enough room for a generator with an automatic transfer switch. Engineer Him said he asked an electrical engineer colleague to conduct preliminary sizing tests for an industrial generator in case of full load requirements. He said the generator at City Hall is a residential generator which does the job, but an electrical engineer would not sign off on it for commercial use. He said the generator suggested based on the load testing is quite large and would fit in the lift station area, but he will explore other options for a residential generator. Engineer Him said Generac vendors are saturated with new orders from the recent storm. He said he recommends an industrial generator but the option of a residential generator is available at the Council's discretion. Council Member Gordy said the 22KW model is the biggest air-cooled generator that Generac makes for residential purposes. He said those are not as good as industrial models which are water-cooled. Council Member Gordy said if the generator needs to run for an extended period of time, he wasn't sure that a residential model would last. He stated that the 25KW model is bigger because it needs more accessibility for service and air flow. Engineer Him said he is waiting to hear back from Generator Supercenter to present additional information to the Council.

Council Member Byrne said there is still water in and around the culvert at **1306 Bridle Spur Lane**. Engineer Him said they are sending corrective comments on that project, that the sod in the ditch needs to be level and the bottom needs fill. Engineer Him said Javier Vasquez, HDR Engineering, reported that he did not see any water standing in the culvert during the most recent inspection but the item is under review.

#### **4. DISCUSSION AND POSSIBLE ACTION (CONTINUED)**

##### **4.D. OUT OF ORDER Energy Management Program through the State Energy Conservation Office (SECO):**

Council Member Byrne made a motion to approve the City of Hilshire Village to participate in a free engineering technical assistance program for developing an Energy Management Program through the State Energy Conservation Office (SECO), seconded by Council Member Carey.

Administrator Blevins said this came as a result of the mandatory SECO survey. She said it is a 5-year program that helps the City reduce its energy footprint. Administrator Blevins said the air conditioning unit at City Hall was replaced and changes to the street lighting has been discussed before. She stated that this program may offer a way to pay for more efficient lighting. Administrator Blevins said an engineering analysis is conducted as part of the agreement then a presentation is made to the Council.

Council Member Byrne said the request form provided in the Council packet indicates that there should be a designated contact person representing the City to coordinate with SECO and its designated contractor. He suggested HDR Engineering work with them for infrastructure collaboration.

**A vote was taken to approve the motion approving the City of Hilshire Village to participate in a free engineering technical assistance program for developing an Energy Management Program through the State Energy Conservation Office (SECO).**

**The motion passed unanimously.**

##### **4.C. Wirt Road and the possibility of a sidewalk:** Mayor Herron displayed and summarized notes from previous discussions and actions regarding Wirt Road including speed limit trials and the addition of turning lanes. He also displayed and reviewed images from Google Earth including the utility poles and other obstacles along the roadway.

Council Member Byrne asked where the City of Houston right-of-way was. Mayor Herron said it extends to the brick walls of the outer subdivisions. Council Member Byrne said the sidewalk could be as wide as possible between the utility poles and the subdivision boundaries. Mayor Herron said there would need to be a consensus from the surrounding areas and the work needs to be done in conjunction with the City of Houston who owns the rights to the area.

Mayor Pro Tem Maddock said he has walked along that area with his dog and has sent pictures to Administrator Blevins of utility poles which were struck by vehicles. He said he no longer walks that area because of the dangerous traffic. Council Member Gordy said people still walk in the grass to get to the park, evident by the footpaths in the grass. **Bill Bristow, 1233 Pine Chase Drive**, said he thinks it is too dangerous to have a sidewalk along Wirt Road.

Council Member Carey said there is a bike lane on the east side of the road creating more of a buffer between traffic and the sidewalk. Council Member Gordy said they re-stripped the lanes in order to accommodate the bike lane on the east side. Council Member Carey stated that the bike lane is used frequently even by joggers.

Council Member Carey asked if there are special considerations for the residences and churches that face Wirt Road. Mayor Herron said there would likely be differing opinions on the matter. He said the residential property owners may not be in favor but the churches and school could be supportive.

Council Member Gordy said any time a commercial property is developed and a City of Houston permit is required, such as a driveway, they will probably be required to install a sidewalk. He said the sidewalk will need to be built around the existing poles and guide wires.

Mayor Herron said Council Member Carey located a website to request sidewalks but it appears to be focused toward requests from individual citizens.

Engineer Him stated that the City of Houston has a program for citizens in accordance with the Americans with Disabilities Act to request sidewalks leading to specific types of businesses. He said they review applications on an address basis, therefore councilmembers submitting individual requests would likely not work. Engineer Him stated that commercial facilities are required to comply with current standards when developing. He said the City of Houston's current minimum width for a sidewalk is five feet. Engineer Him suggested utilizing political avenues instead, especially if the City of Houston can be offered a cost share opportunity. Engineer Him also said the row of power poles along Wirt Road may not have enough space for a five-foot wide sidewalk. He said the City would have to curve the concrete around the pole or ask CenterPoint to relocate the pole which is difficult.

Attorney Bounds said the Metro Interlocal Agreement would allow the City to use Metro funds for the sidewalk project.

- 4.E. Lighting throughout the Village:** Mayor Herron said the energy audit may help with installing additional lighting. He said the Council should expect varying citizen opinions on the matter.

Administrator Blevins said she has scheduled a meeting with CenterPoint and Council Member Schwarz to discuss decorative poles and the installation of additional lighting on existing poles.

Council Member Carey said Spring Valley has a combination of decorative poles and traditional. He said the age of the lighting infrastructure may indicate that it all needs replacing or updating. Mayor Herron said the utility provider installed the existing equipment and that it is maintained by them. Administrator Blevins said in order to run electrical lines underground there would need to be a clear path without tree roots or barriers from the service pole to the decorative pole.

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

**6. DISCUSSION AND POSSIBLE ACTION:**

- 6.A. Zoning Ordinance: Habitability Ordinance Changes:** Council Member Byrne asked Attorney Bounds to elaborate on review comments he made regarding immediate family members and how they would be classified in this habitability ordinance. Attorney Bounds said the Supreme Court has had a difficult time defining "family" but in the latest court battle to qualify what constitutes a single housekeeping unit they developed the language provided. Attorney Bounds said

there were no suggested changes to the content, only updating definitions based on the results of a recent court case related to the subject.

## 7. REPORTS TO COUNCIL:

- 7.A. Fire Commissioner's Report:** Commissioner Byrne said in the month of February there were zero fire calls and five EMS calls. The response time was well within the national minimum standards.

Commissioner Byrne stated that he anticipated presenting a candidate for the **Alternate Fire Commissioner** position but the recent freeze caused the person in mind a lot of work and they have not been able to focus on the open position opportunity.

Commissioner Byrne said more of the **Fire Station Renovation** contingency funds will be used to work on issues that came up after the job was bid. He stated that more masonry veneer will be removed because of old and damaged sheathing issues. He said new windows were cut in which also had damaged sheathing but installing new materials will bring the building to a better standard for waterproofing. Commissioner Byrne said the design team initially decided to leave a supporting column that is now causing parking problems for the ambulances. He said there has been progress at the front of the building. The driveway was removed to make way for the extension of the apparatus bay. Commissioner Byrne said there is money available in other areas and he hopes to not have to come back to the Council for additional funds but he will keep Council advised.

- 7.B. Mayor Herron's Report:** Mayor Herron stated that he encourages everyone to continue to be vigilant with their precautions for the COVID-19 pandemic.

- 7.C. City Administrator's Report:** Administrator Blevins stated that the City office still requires masks to be worn inside the building.

Administrator Blevins said she sent Mr. Stearns, 1201 Archley Drive, an email regarding the Verizon pole that will be in his yard but has not heard back yet.

Administrator Blevins stated that Mr. Riley, who is in the audience, had a complaint about generator noise and wants something done in the residential area. Council Member Byrne said there are masonry products that can be installed around the generator at the Lift Station on Ridgeley to reduce the noise level. **Dwight Riley, 1118 Glourie Drive**, said the generator next to his house was natural gas and the issue was that the noise continued all night long. He said that the city of Miami in Florida has a rule that generators must be turned off at night. He said his bedroom was near his neighbor's generator and the wooden fence did nothing to absorb the sound. Mayor Pro Tem Maddock said he knows of someone personally who just moved to Florida and he will ask them how their ordinance is written. Mr. Riley said there is no Noise Ordinance in the City. Mayor Herron said there is a Nuisance Ordinance. Council Member Gordy said the air-cooled generators are louder than water-cooled generators. He said if the City enforces a generator noise ordinance, we will basically be outlawing generator use at night. Administrator Blevins said people with young children will not want to turn the generator off at night for health and safety reasons.

Administrator Blevins said the Office 365 account has been rectified for the **Council laptops** and she is working on multi-factor authentication, syncing Microsoft active directory and changing the DNS. Council Member Gordy asked if the City has the councilmember's emails backed up. Administrator Blevins said yes, but if they want access to those on the computer then they will have to be loaded in. Council Member Gordy said he was only asking for required retention and record keeping purposes.

Administrator Blevins said it is time for Council Cybersecurity Training and she will be sending out that information soon.

**7.D. Treasurer's Report:** Administrator Blevins provided the report and there were no questions or comments from the Council.

## **8. CONSENT AGENDA**

### **8.A. Disbursements**

### **8.B. Minutes from the Regular Council Meeting February 25, 2021**

### **8.C. Check Registers for February 2021**

Mayor Pro Tem Maddock made a motion to approve the Consent Agenda as presented to the Council, seconded by Council Member Carey.

**A vote was taken to approve the motion to approve the Consent Agenda as presented to the Council.**

**The motion passed unanimously.**

**9. ADDITIONAL COUNCIL COMMENTS:** Council Member Carey asked if there is a plan to return to conducting meetings at City Hall. Mayor Herron said the state was overly aggressive about reopening and what has been suggested is not very wise in his opinion. He said during his second vaccination the nurse warned him that he is still not fully protected and needs to continue taking precautions. Mayor Herron said the Council needs to be vaccinated first and teleconferencing still might be an option for audience members. Attorney Bounds said the governor's office said they will be extending the open meetings allowances for a while.

**10. FUTURE AGENDA TOPICS:** There were no additional items.

**11. ANNOUNCEMENTS:** There were no announcements.

## **12. ADJOURNMENT:**

Mayor Pro Tem Maddock made a motion to adjourn the meeting, seconded by Council Member Byrne.

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

**The motion passed unanimously.**

**The meeting was adjourned at 8:37 P.M.**

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Russell Herron, Mayor

ATTEST:

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Susan Blevins, City Secretary