

**CITY OF BUNKER HILL VILLAGE**

**MINUTES OF THE COUNCIL MEETING OF THE CITY COUNCIL  
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS  
MARCH 20, 2012 AT 5:00 P.M.**

**I. PLEDGE OF ALLEGIANCE**

The mayor suspended with the pledge

**II. CALL TO ORDER**

Mayor Essary called the meeting to order at 5:00 p.m. in the Council Chambers of City Hall, 11977 Memorial Drive, Houston, Texas.

Present:

Mayor Derry D. Essary  
Councilman Keith Brown  
Councilman Dave Ellis  
Councilwoman Susan Schwartz  
Councilman Jay Smyre  
Councilman Jay Williams

Also in Attendance:

Ruthie Sager, City Administrator  
Kelly Johnson, City Secretary/Dir of Finance  
Steve Smith, Dir of Pblc Wrks/Blding Official  
Loren Smith, City Attorney  
Gary Struzick, City Engineer

**III. JAY SMYRE – FIRE COMMISSIONER, SHOWCASE THE NEW VILLAGE  
FIRE DEPARTMENT AMBULANCE**

All of council took a short break and went out and looked at the new ambulance.

**IV. CITIZENS' COMMENTS**

This is an opportunity for citizens to speak to council relating to agenda and non-agenda items. Comments are limited to three minutes. If the topic the speaker wishes to address is on the agenda, the speaker can either speak at this time or defer comments until such time the item is discussed.

Speakers are required to address council at the microphone and give their name and address prior to voicing their concerns.

Note: To comply with provisions of the Open Meetings Act, the City Council may not deliberate on items discussed under this agenda item. Items that cannot be referred to the city staff for action may be placed on the agenda of a future City Council meeting.

Mrs. Donna Freedman, at 11930 Surrey Lane, asked about the drainage and retention at Frostwood Elementary School. She also spoke of a potential lawsuit that some residents are going to file against the TIRZ regarding detention.

**V. MAYOR'S REPORT**

A. Summary of the February 29 Annual Tealwood Homeowners Association Meeting

Mayor Essary said he attended Tealwood's Annual Homeowners Meeting. He said in attendance was about sixty homeowners along with Jack Christie, a City of Houston representative, and a representative from the constable's office. He said there were four concerns the residents had. The concerns were what we are doing on Strey Lane, the replacement of the bridge on Memorial at W-151, the reconstruction of Frostwood Elementary School, and water.

B. Frostwood Elementary Reconstruction Update

The mayor said the plans are ready to go to the Planning and Zoning Commission for review. He said it appears that the architects, engineers, and school officials have done everything that the City of Bunker Hill Village has requested of them.

He said Spring Branch Independent School District (SBISD) has taken the traffic off Gessner and Plantation and stacked it in storage lanes on the campus. The mayor also said they have drained their system into a series of underground pipes. The mayor said it looks like it will be a beautiful campus that will hold in excess of 900 students and the mayor thought it would be a very good addition to the city.

Mayor Essary said they will take the plans to the Planning and Zoning Commission on April 4, 2012, where they will make their full presentation. Then it will come to council for final approval.

The mayor said he will come to council in April for approval of an ordinance to prohibit parking on Plantation. This is to keep construction parking off Plantation. He said this is still an unresolved issue with SBISD. The mayor said he has asked SBISD to contract with the Lutheran Church for construction parking.

C. Summary of Water in Texas Conference held in Austin on March 1, 2012

Mayor Essary said he attended the Water in Texas Conference held in Austin on March 1, 2012. He said there were several things that came out of the conference that were pertinent to the City of Bunker Hill Village. He said even with the recent rain the recharging of the lakes in Texas continue to drag behind. He said in 2011 it was the worst 1 year drought on record.

Mayor Essary said we have a fundamental decision to make in Bunker Hill Village. A small fish in a big pond doesn't have a chance. The mayor asked does it make sense for us to make the best deal we can with Memorial Villages Water Authority? Then he asked does it make sense to form some kind of alliance with the City of Houston? He went on to say within the next decade the City of Bunker Hill Village will find out that it will not be economically viable to stay as an independent water system.

D. March 6 meeting with Mike Talbott at the Harris County Flood Control District

Mayor Essary said he and Ms. Sager, the City Administrator, attended a meeting with Mike Talbott and Alan Potak from the Harris County Flood Control District. He said the subject was the bridge replacement.



He said the coalition of the TIRZ, City of Houston, and Hedwig Village still has not made a unified solution for a drainage solution along Barryknoll.

The mayor said on the reconstruction of the bridge, he was basically told construct it as it is now, with the restrictor. He said they are scheduled to replace the bridge in 2015.

E. Response to Citizen Complaints – Valley Forge

The mayor said we have a private street with a private citizen complaining of a property drainage problem. He said the resident is surrounded by new homes that have complied with current zoning and have drained their lots from the back of their property to the front. The mayor said a drainage system needs to be installed and the citizen wants the city to pay for it. It is a private property matter.

**VI. CONSENT AGENDA**

**“ALL MATTERS LISTED UNDER CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION, THERE WILL NOT BE SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.”**

A. Minutes of the February 21, 2012 Regular Council Meeting

B. February 2012 Financials

C. Klotz Associates, Invoice No. 212114 dated February 28, 2012, in the amount of \$7,700 for professional services rendered from January 16, 2012 to February 15, 2012, in connection with Strey Lane Drainage Improvements Design Bid & Construction Phase Service

D. Accept the resignation of Monica Muschalik, alternate on the board of adjustment, who is out of the country for a temporary assignment

E. Langford Engineering, Inc., Invoice No. 16069, dated March 5, 2012, in the amount of \$161.70 for engineering services through February 29, 2012, related to the surface water meter run check valve

Motion was made by Councilman Williams and seconded by Councilman Smyre to approve the consent agenda as presented. Motion carried 5-0.

**VII. DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, DECLARING THE UNOPPOSED CANDIDATES FOR COUNCILMEMBER'S, POSITIONS 1, 2, AND 3 ELECTED; PROVIDING THAT THE MAY 12, 2012 GENERAL MUNICIPAL OFFICERS ELECTION SHALL NOT BE HELD; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH.**

Motion was made by Councilman Ellis and seconded by Councilman Williams to adopt the ordinance under tab VII as presented in the packets. Motion carried 5-0.

## **VIII. CITY ENGINEER REPORT**

### **A. Status of Strey Lane Project**

Mr. Conger, with Klotz Engineering, said the Strey Lane Project is under construction and they started on-time. He said they obtained the permit from Harris County Flood Control for the outfall.

Mr. Conger said the drainage system we have now remains in place. As each new segment of pipe is added it is fully active. He said we are getting improvements as the project progresses to the north. Mr. Conger also said the contractor knows not to block the existing storm sewer.

## **IX. DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSAL FROM KLOTZ ASSOCIATES FOR EASTSIDE DRAINAGE IMPROVEMENT ALTERNATIVES**

Mr. Struzick, with Klotz Engineering, said they are putting a plan together to re-grade the ditch to provide a better system along the westside of Blalock. He said they are assuming the cost for this improvement to be between \$150,000 to \$200,000.

Mr. Struzick said they looked at the W-146 system. He said it's an underground system that has different size pipe. He said going north and south down Flintdale the pipe size ranges from a 48" pipe to a 72" pipe in diameter. He said it drains from Taylorcrest down Flintdale to Greenbay, then hangs a left and goes down Greenbay into the W-146 spine and heads south to Memorial and then out to an open channel. He said the biggest bottle neck we have in W-146 is when the storm system comes down Flintdale and intersects at Greenbay. He said we have a 72" pipe coming in from the east and we have a 48" pipe coming from the north and a 24" pipe coming from the west all connecting together to an 84" pipe. He said at some point he would like to send a camera down at that point to see exactly what is going on in that part of the trunk line.

Mr. Struzick said W-146 runs along the backside of many homes that have landscaping and pools which would be difficult to gain access to. He said our approach has been to put improvements in where we have the most access to, such as roadways.

Mr. Struzick said what they are suggesting is to test the connectivity of connecting W-146 across Greenbay to the existing Bunker Hill Road System to see if we can come up with a balanced ten year system for both systems. He said right now on W-146 we have anywhere between a two year to a ten to fifteen year capacity. On the lower end of W-146 we have between a ten to fifteen year system. Upstream on W-146 we have a two to five year system. He said it's only about 1,300 feet to connect the W-146 System and the Bunker Hill Road System.

The mayor asked what is the cost to do the modeling to connect the two systems? Mr. Struzick said city council already approved Klotz Engineering to do an Eastside Drainage Study and this would fall into that study, so there would be no extra cost. He said if they go beyond that, they will come back to council for approval.

No action taken.



**X. NOTICE FROM THE CITY OF HOUSTON OF CONTRACT TREATED WATER CUSTOMERS ANNUAL RATE INCREASE OF 3.3% EFFECTIVE APRIL 1, 2012**

Mayor Essary said the rate in April 1, 2007 was \$1.467 per gallon and the new rate as of April 1, 2012 is \$2.596 per gallon. The mayor said we will be looking at water rates in April.

**XI. DISCUSSION AND POSSIBLE ACTION TO FILL TWO UNEXPIRED TERMS AS FOLLOWS:**

**A. Two members on the Board of Adjustment**

Mayor Essary recommended Catherine Wile as an alternate to the Board of Adjustment.

Motion was made by Councilman Brown and seconded by Councilman Williams to appoint Catherine Wile as a member to the Board of Adjustment. Motion carried 5-0.

**XII. DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE AMENDING CHAPTER 2, ARTICLE I, SECTION 2.4 OF THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, BY DELETING ALL OF SECTION 2.4 OF CHAPTER 2, ARTICLE I, AND ADDING A NEW SECTION 2.4, OF CHAPTER 2, ARTICLE I, SAID SECTION DESIGNATING THE HOUSTON COMMUNITY NEWSPAPER AS THE OFFICIAL NEWSPAPER OF THE CITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT**

Motion was made by Councilman Williams and seconded by Councilwoman Schwartz to approve the ordinance. Motion carried 5-0.

**XIII. DISCUSSION AND POSSIBLE ACTION REGARDING RESPONSE TO A RESIDENT WHO REQUESTED, AT THE FEBRUARY 2012 COUNCIL MEETING, THE CITY TO CONSIDER PROHIBITING SEX OFFENDERS FROM LIVING IN BUNKER HILL VILLAGE**

Mr. Loren Smith, the City Attorney, said the city can set up child safety zones. The zones would consist of where children are likely to gather. Once those are established by an ordinance, the city can prohibit a registered sex offender from living within a certain distance of the safety zone. Mr. Loren Smith also said the city is not tied to that distance; it's just a standard that most cities use. Also the city can limit a registered sex offender from entering those child safety zones.

Mr. Loren Smith said that any registered sex offender that currently is living within whatever distance the city may choose to adopt by ordinance; the registered sex offender cannot be required to move. However if the registered sex offender moves, you can prohibit him from moving back.

The mayor asked Mr. Steve Smith, Dir of Pblc Wrks/Blding Official, to take a map and identify potential child safety zones and see if that leaves any gaps within the city. He also asked Mr. Loren Smith, the City Attorney, to prepare an ordinance.

No action taken

**XIV. DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM A RESIDENT TO AUTHORIZE PLACEMENT OF A STREET LIGHT AT THE INTERSECTION OF RAYDON LANE AND MEMORIAL DRIVE. CENTERPOINT WILL INSTALL AND MAINTAIN THE LIGHT AND THE CITY WILL PAY THE MONTHLY FEE FOR POWER**

The mayor said we have a request to put a street light up.

Motion was made by Councilwoman Schwartz and seconded by Councilman Smyre to approve the street light. Motion carried 5-0.

**XV. FIRE COMMISSIONER'S REPORT**

Councilman Smyre said there currently is a vacancy in the fire department for a fireman. Councilman Smyre said all the radios have been approved as part of the grant that was received last year. He also said as part of another grant, all the trucks have iPads to communicate with the hospitals and ambulances.

On March 6, they had their initial meeting on the 2013 budget.

Councilman Smyre said the average response time in all the villages is 3.57 minutes. He said the City of Bunker Hill Village response time is about a minute longer.

**XVI. POLICE COMMISSIONER'S REPORT**

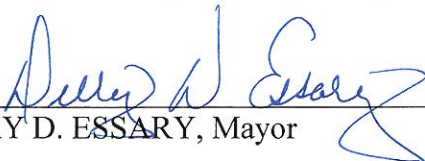
Chief Walpole said there was no crime to report in the month of February. He said their traffic initiative is still underway, which has been a huge success in trying to slow traffic down. He said they are still in their recruiting process to hire a new police officer.

Chief Walpole said they are working on the second part of the grant that was received last year. The grant is to purchase police radios and equipment. He said this year they are trying to get handheld radios that the department desperately needs.

**XVII. ADJOURN**

Motion was made by Mr. Loren Smith and seconded by Councilman Ellis to adjourn the meeting at 6:40 p.m. Motion carried 5-0.

Approved and accepted on April 17, 2012.

  
\_\_\_\_\_  
DERRY D. ESSARY, Mayor

ATTEST:

  
\_\_\_\_\_  
Kelly Johnson, City Secretary