

## **CITY OF BUNKER HILL VILLAGE**

### **MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS NOVEMBER 16, 2010 – 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 5:01 p.m. in the Council Chambers of City Hall, 11977 Memorial Drive, Houston, Texas.

Present:

City Staff:

Mayor Derry D. Essary

Ruthie Sager, City Administrator

Councilman Keith Brown

Steve Smith, Dir of Public Works/Blding Official

Councilman Dave Ellis

Kelly Johnson, City Secretary/Director of Finance

Councilwoman Cooky Mays

Councilwoman Susan Schwartz

Tom Ramsey, City Engineer

Councilman Jay Smyre

#### **III. 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.

Mr. Bob Newman at 314 Chapel Belle Lane requested to view the master drainage plan.

#### **IV. MAYOR'S REPORT**

**A. DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, BY DELETING ALL OF SECTION 16-26 OF ARTICLE II OF CHAPTER 16 THEREOF AND SUBSTITUTING THEREFOR A NEW SECTION 16-26; ESTABLISHING RATES TO BE CHARGED BY THE CITY FOR WATER, SANITARY SEWER AND SOLID WASTE SERVICES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES**

**INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY**

Kelly Johnson, City Secretary/Director of Finance, gave a presentation on the Utility Fund and end of year estimated fund balances as of December 31, 2010 and December 31, 2011. She stated that as of December 31, 2010 the estimated fund balance would be \$421,218 with a formal reserve balance of \$419,725. She went on to say the estimated fund balance as of December 31, 2011 would be \$168,231 with a formal reserve balance of \$652,497. The mayor pointed out that a new water line for Leisure Lane and the first year of the meter replacement program is included in the numbers Ms. Johnson reported.

Mayor Essary said he would like to keep in the range of \$400,000 to \$600,000 in the formal reserve fund. The mayor said it is absolutely essential because everyone knows that we have relatively old water wells and when one goes down it generally starts with a six digit figure to get it back on line.

Ms. Johnson stated to increase fund balance at December 31, 2011 to be more in line with December 31, 2010 we would have to increase water rates by 20%. By raising rates 20%, Ms. Johnson said it would increase fund balance at December 31, 2011 by an estimate \$222,000.

Mr. Johnson said the garbage rates per our contract with Republic Waste will be increasing by 2.51%, based on the CPI index. She said currently our garbage rate per household including sales tax is \$58.00 for two months. She said it will increase to \$59.25.

The mayor said we can increase water rates 20% and get our fund balance back up to the \$400,000 range. Councilman Ellis said by doing nothing, we are losing ground with our fund balance. Councilman Brown commented that 20% increase was a big increase. He liked to go with 10% and re-address it in a couple months. Councilwoman Mays and Councilwoman Schwartz said 10% would not cover the increases from the City of Houston in 2011. Again the mayor and council discussed the age of the wells and the likelihood of another well going down.

Motion was made by Councilwoman Mays and seconded by Councilman Smyre to increase water rates 14% in order to keep pace with City of Houston's increases in 2011. Councilwoman Mays stated the 14% increase to be effective December 16, 2010. Motion carried 4-1. (Councilman Brown voting Nay)

**B. Request from the City of Piney Point to consolidate municipal courts**

Mayor Essary said he thought we should consolidate as many municipal services as we can. He said he has instructed Ms. Sager, City Administrator, to coordinate with the City Administrator of the City of Piney Point Village regarding details in consolidation. He said his only concern was that the last time this situation occurred it did not end well. The mayor wants to make sure that the City of Bunker Hill

Village costs are completely covered if we consolidate with the City of Piney Point Village.

Ms. Ruthie Sager said previously the City of Piney Point Village had their court clerk office at Bunker Hill Village. The only advantage back then was we had a back up if our court clerk was out. Ms. Sager stated we do not need that anymore, we have backup. She said to consolidate now would be a disadvantage. She said we would have to remodel city hall because we do not have the room for another court clerk and we also would have to add another phone line.

The mayor again said he instructed Ms. Sager to get with the City of Piney Point Village to work out the details. He said his concern was he wanted to make sure that if we consolidate courts, Bunker Hill Village is held whole with everything.

C. Discussion and possible action concerning retiree health benefits

Councilman Smyre said on November 9<sup>th</sup> the Village Fire Department held a workshop session. The purpose of the meeting was to talk about 2010-2011 benefits. He said in particular they discussed post retirement benefits. He said today we pay 100% of the employee's health benefits and 50% of their spouses when the employee retires from the Village Fire Department. He also stated we currently have two retirees.

Councilman Smyre said the background behind the discussion was around unfunded liabilities. He said the Fire Commission is trying to take a long term view about budgeting and fiscal responsibility. He said they went out ten years and began looking at how many people would potentially be retiring and the impact it would have on the Village Fire Department's budget. He said it became real clear the unfunded liability would be growing very, very rapidly based on the number of retirees that would be eligible over the next ten years. Councilman Smyre said the Fire Commission is trying to get out in front of the issue.

Councilman Smyre said we have several options in order to maintain and fund these types of benefits. He said we have to rein in on some of the post retirement benefits offered by the Village Fire Department. Councilman Smyre said these post retirement benefits are not offered to Bunker Hill Village municipal employees. Councilman Smyre said the Fire Commission is looking at several options. He said one option is to stop the benefit immediately. Second option is to stair step the cost to the employee over time and begin to back down the employers contributions. Third option is to do nothing and fund the benefit at 100%. He said again the spirit of this is to get out ahead of what we know is coming down the path over the next ten years. He said we are trying to set up policies and procedures.

Councilman Smyre said they are asking council for their input. As part of the stair step option over time we begin to ask the retiree to fund more and more of their benefits. They would continue to be a part of the group policy. He said they are

looking at what is right for the cities and what is right for the employee. He said we have to get a hold of this as more and more employees retire.

Councilman Smyre said one of the villages wants to stop the post retirement benefit immediately, effective December 2011. He said another village wants to stair step the benefit starting in 2011 with the employee paying 25% of the benefit, in 2012 the employee paying 50% of the benefit and 2013 the employee paying 75% of the benefit and 2015 the employee pays 100% of the benefit. Councilman Smyre said we are spending approximately \$1,100 a month for health coverage for both an employee and their spouse that has retired. Councilman Smyre said with the spouse coverage it would be stair stepped like the employee's coverage over time. Councilman Smyre said they could participate in the current plan at their cost until eligible for Medicare.

Council discussed wanting to get consistency with all the villages. They also discussed the difficulties in getting that done. Council anonymously wants to move towards the direction of stair stepping the health post retirement benefit, where the employee would gradually pay more for the coverage to eventually paying all of the benefit but still allowed to participate in the plan.

**V. 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 October 19, 2010 Regular Council Meeting
- B. October 2010 Financials
- C. Klotz Associates, Invoice No. 100233 dated October 28, 2010, in the amount of \$32,983.03 for professional services rendered from September 16, 2010 to October 15, 2010 in connection with Strey Lane Drainage
- D. Klotz Associates, Invoice No. 100192 dated October 23, 2010 in the amount of \$483.15 for sanitary sewer and storm sewer map update
- E. Langford Engineering, Inc., Invoice No. 15294 dated November 4, 2010 in the amount of \$1,258.46 for engineering services through October 29, 2010

Motion was made by Councilman Ellis and seconded by Councilwoman Schwartz to accept the consent agenda. Motion carried 5-0.

**VI. DISCUSSION AND POSSIBLE ACTION CONCERNING STREY LANE DRAINAGE PROJECT - TOM RAMSEY, P.E., KLOTZ ASSOCIATES**

Mr. Tom Ramsey with Klotz Engineering made a presentation regarding the Strey Lane Drainage Project. Mr. Ramsey said this project is not a study it's a report to mayor and council on their design findings. Mr. Ramsey said the purpose for tonight's presentation is to give council a clear understanding of Klotz Engineering's findings and recommendations before going into the final design details.

Mr. Ramsey said the scope of the project is Strey Lane. The project starts at Taylorcrest and ends at Pebble Hill. He said the primary box culvert will be 7 x 5 all the way down the east side of Strey Lane. He said the proposed pipe on Strey Lane will be installed under Strey Lane lower and deeper than the current pipe. Mr. Ramsey said they have done the watershed analysis and the modeling and there will be no impact when the water gets down to W151. He said that is the only acceptable answer. Mr. Ramsey said working with Harris County Flood Control District, no impact is the only answer they are looking for.

Mr. Ramsey said the second point of the project is to close multiple outfalls north of Memorial Drive. All the outfalls going into W151 will be closed. He said the only outfalls going into W151 will be the new 7 x 5 pipe at Pebble Hill.

Mr. Ramsey said currently the sanitary sewer line runs down the west lane of Strey Lane. Designed in the new project is to leave the existing sanitary sewer line on the west side but also to install a new sanitary sewer line running down the east lane of Strey Lane. He said that way we are not fighting multiply sanitary sewer crossings with the new box culverts running down Strey Lane. He said there will be improvements made to the underground systems at Homewood and Arbordale.

Mr. Ramsey said the overall cost for the Strey Lane Drainage Project is \$5,900,000.

Mr. Ramsey presented a timeline. He said Klotz Engineering should be able to iron out the details of the Strey Lane Drainage Project with Harris County Flood Control District by January 15, 2011. That would allow Klotz Engineering to have the final plans drawn up and ready to go out to bid by April 15, 2011. Mr. Ramsey said then we can bid and award the project by May 1<sup>st</sup> and have it completed by December 2011.

Mr. Ramsey said there clearly will be a benefit to W151 between Taylorcrest and Memorial by closing off those outfalls. Mr. Ramsey said their design team approached this project with the thought of what is the best way to protect Bunker Hill Village and provide the best long term solution. Mr. Gary Struzick with Klotz Engineering said we should see a reduction of six inches to one foot of surface water elevation in W151 as a result of moving those waters east down Strey Lane.

Mr. Gary Struzick said any new pipe going into W151 Harris County Flood Control District has to approve. He said whenever adding pipe into the channel the entity would have to show no impact on the channel. Mayor Essary said his concern was Harris County Flood Control District letting someone else put additional water into W151. The mayor used the example of the I-10 expansion and the Gessner Road Project. He said Harris Control Flood Control District let someone put more water into W151 and as a result it has had a negative impact on Bunker Hill Village.

The mayor said in 1995 we did not have a flooding concern with W151. He said someone allowed something to happen and a result more water is going into W151.

Mr. Ramsey said two things that happened to note in the past 15 years. First, City of Houston came in with the Gessner Road Project and closed off all the outfalls west of W151 in the Frostwood area. Secondly, Texas Department of Transportation improvements to I-10, the water gets into W151 much quicker.

Mr. Ramsey said the point all of us are watching with great interest is when people come up with their solutions, the solutions do not involve larger pipes going into W151 to the north of us. He said a lot of things have happened in the past 15 years, but it did not involve someone installing larger pipes to the north of us in W151.

The mayor and council made comments and expressed their concerns that someone might try and take the place in W151 of the water that is being diverted down Strey Lane. Mr. Ramsey said the first question Harris County Flood Control District asks is if you are having any impact downstream. If the answer is no, then Harris County Flood Control District will talk. He said if you have any impact Harris County Flood Control District does not want to talk. Mr. Ramsey said if someone puts more water into W151 north of Taylorcrest it has to have a negative impact on W151 and he does not know how Harris County Flood Control District would approve it.

Councilman Ellis said someone snuck by Harris County Flood Control District in the last 15 years and increased water capacity to W151 thus having a negative impact. Councilman Ellis asked the question should we take advantage of W151 by filling it up first before water going down Strey Lane. Mr. Ramsey said to do that we would have to install flap gates. He said that would be an incredible maintenance and cost annually. Mr. Ramsey said it would not be cost efficient. Councilman Ellis asked to include putting some of Bunker Hill's water west of W151 into the channel to make up for some of the diverted water. Mr. Struzick said he would check into that and possibly add that in the design.

Mayor Essary said his greatest fear is when we start this process and all of the sudden the headwater restrictions are changed. He asked Mr. Ramsey that if a combination of governmental units want to increase that outfall at Bunker Hill Elementary School would that require mitigation? Mr. Struzick answered yes. Mr. Ramsey said the bridge at Memorial and W151 is somewhat a constrictor. He said doing something with that bridge would be disastrous. Councilman Ellis said to change out a bridge is very expensive.

Mr. Struzick said by going five foot deeper down Strey Lane and coming out at Pebble Hill is a huge benefit.

Councilman Brown said with this project we are addressing the drainage issues on the west side of the city but we have to figure out something to address the flooding on the east side of the city.

Mayor Essary said to move forward he will talk with his contacts at First Southwest Securities and then council will probably be called into a special session where we will approve the preliminary process.

**VII. DISCUSSION AND POSSIBLE ACTION REGARDING THE PEDESTRIAN CROSSING AT BUNKER HILL ROAD AND EATON COURT – STEVE SMITH, DIRECTOR OF PUBLIC WORKS**

Mr. Steve Smith, Director of Public Works/Building Official, said that council approved a new pedestrian sign for the intersection of Eaton Court at Bunker Hill Road. Mr. Smith said the equipment has arrived and upon further investigation he said we may need to expand the project to resolve another problem.

Mr. Smith said we have a very low sidewalk on the west side of Bunker Hill Road that is actually the drainage channel. He said that section of sidewalk is always wet for various reasons. He said we have tried to solve the problem with different types of inlets but nothing seems to have worked. He also said the sidewalk is 24” lower than the street.

Mr. Smith proposed a resolution to all the problems with a new sidewalk that will have an increase in grade which would bring the sidewalk up to less than 2” below the edge of the roadway. The current drainage that goes down the existing sidewalk will be re-directed to the side of the new sidewalk into the new type F inlets. Mr. Smith said the estimated cost for the improvements would be just under \$13,000.

Motion was made by Councilman Ellis and seconded by Councilwoman Schwartz to approve the installation and design as presented and proposed under tab VII for the pedestrian crosswalk and sidewalk at Eaton Court at Bunker Hill Road. Motion carried 5-0.

**VIII. DISCUSSION AND POSSIBLE ACTION REGARDING A WATER LINE REPLACEMENT ON LEISURE LANE, AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT**

Mr. Steve Smith, Director of Public Works/Building Official, said we have an old 2” cast iron water line that is serving the residence on Leisure Lane. He said we currently have \$14,000 budgeted to replace the water line in this year’s budget assuming we did the project in-house. Mr. Smith said that is not the mode of operation the city wants to be in at this point in time.

Mr. Smith said we received a very good bid from CALCO of \$40,370. This would include the installation of a new 6” water line and a small 4” section in the cul-de-sac and one fire hydrant. The mayor said this project is long overdue.

Motion was made by Councilman Smyre and seconded by Councilwoman Mays to authorize the mayor to execute a contract replacing the water line on Leisure Lane. Motion carried 5-0.

**IX. REPORT ON BUNKER HILL VILLAGE MARKERS – COUNCILWOMAN MAYS**

Councilwoman Mays said she got a couple of estimates for the Bunker Hill Village entrance signs. Councilwoman Mays said Sightworks would do the center portion of the sign with the name and the top cap for \$450.00 per sign. She also said she talked with Mr. McGee and he can build the concrete at the bottom, do all the masonry work and installation for \$3,300 per sign. She said the estimated cost per sign would be \$3,750, which does not include the lighting.

Councilwoman Mays said she has not had a chance to check on the lighting. She said if we could do solar power it would be a lot cheaper. She told council she would look into the costs for lighting.

Councilwoman Mays said it appears we could purchase four signs. She suggested we place them at Gessner, Memorial Drive Presbyterian Church, and where Bunker Hill intersects at Taylorcrest. Councilwoman Schwartz suggested the fourth sign be put at the intersection of Blalock and Taylorcrest.

The mayor asked Councilwoman Mays to get a contract together and have ready at the next meeting for council approval.

**X. DISCUSSION AND POSSIBLE ACTION REGARDING STREET SIGN REPLACEMENT POLICY**

Councilwoman Mays said she is concerned that in the future the city will look like a hodge podge with different street sign poles. She also said she was concerned that the residence may come to council to request the streets that never change out to decorative street poles ask the city to pay to change them out.

Councilwoman said if the city replaced all the street sign poles to the decorative poles it would cost an estimated \$117,000.

All of council was unanimous in that the city will not pay to upgrade the street poles to the decorative poles.

No action was taken.

**XI. POLICE COMMISSIONER'S REPORT**

**A. Discussion and possible action regarding proposed budget amendment**

Mr. Paul Soanes, Police Commissioner, said the good news is the police department for 2010 budget year will come in \$160,000 under budget. However, Mr. Soanes said the bad news is they need a new generator.

Mr. Soanes said we currently have an inline gas generator that has failed in every crisis we have had in the last five years. The generator is again in need of repairs with the estimated cost of \$10,000. Chief Byre is recommending having it replaced.

Chief Brye has received bids on the preferred generator, which is a highly recommended generator with a five year warranty and is sized correctly for the police department needs at a cost not to exceed \$52,000. Mr. Soanes said this is an unbudgeted amount and would have to be approved by the cities.

Mr. Soanes said last night the commission directed Chief Brye to look at other alternatives. He said possibly to look at two generators instead of one to increase the reliability. He also said other alternatives were discussed to reduce the cost of installation and to try to achieve higher resale value of the existing generator.

Mr. Soanes said Chief Brye is to come back to the commission on December 21<sup>st</sup> with the final schematics and cost. He said if everything goes well they will be back in front of council in January for final approval. He said they will need guidance, assuming the Police Commission approves the expenditure, on how to handle the budgeting issue. Mr. Soanes said the commission recommends we do a budget amendment increasing the capital budget in the 2011.

No action was taken

**XII. FIRE COMMISSIONER'S REPORT**

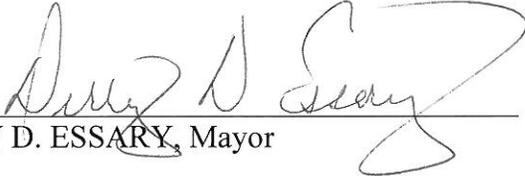
A. Assistant Fire Chief, Rick Poirier's notice of retirement, effective May, 2011.

Mayor Essary said the Fire Department has eliminated the position of Assistant Fire Chief.

**XII. ADJOURN**

Motion was made by Councilman Ellis and seconded by Councilman Brown to adjourn the meeting at 7:14 p.m. Motion carried 5-0.

Approved and accepted on January 18, 2010.

  
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DERRY D. ESSARY, Mayor

ATTEST:

  
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Kelly Johnson, City Secretary