

# **CITY OF BUNKER HILL VILLAGE**

## **MINUTES OF THE REGULAR MEETING AND PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS OCTOBER 16, 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 John Glover  
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  
Tom Ramsey, City Engineer

### **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 before 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.

Randall Gross, at 11830 Chapelwood Lane, said the house behind him at 428 Knipp Oaks is still not in compliance with the tree ordinance. He referred to a letter from Mr. Steve Smith, Dir of Public Works/Blding Official, sent stating the property is in compliance with the city ordinances. Mr. Gross still insisted the property is not in compliance.

Donna Freedman, at 11930 Surrey Lane, talked about doggy waste stations, construction workers working on Sunday, and several board members with the TIRZ resigning.

Marcus Tucker, at 226 Stoney Creek, wanted to know about the surveying of Memorial Drive Bridge.

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

##### **A. Cancellation of December 18, 2012 regular council meeting**

Motion was made by Councilman Williams and seconded by Councilman Smyre to cancel December 18, 2012 regular council meeting. Motion carried 5-0.

##### **B. Kick-off meeting held at TxDOT on September 25, 2012 regarding Memorial Drive Bridge Replacement**

The mayor said he and Ms. Sager, the City Administrator, attended the kick-off meeting on September 25<sup>th</sup>. TxDOT plans are to go out for bid in March of 2015. He said if they can, they would like to move that date up to sometime in 2014.

The mayor said when the construction starts they will completely take the bridge out and the project is estimated to take 90 to 120 days. He said they already have started surveying and looking at elevations all around the bridge. The mayor said they also have an environmental study that has to be done. He said the cost still is estimated at about \$500,000.

The mayor asked the consulting engineers and TxDOT if they had been approached by any political entity on changing the design of the bridge for additional flow under the bridge at W151. He was told no, the current plan is the restriction that currently exists under the bridge will be maintained exactly at the same engineering design.

##### **C. September 24, 2012 meeting with Mike Talbott, P.E., Director of HCFCD**

The mayor said he and Ms. Sager, the City Administrator, met with Mike Talbott regarding information he had heard about cementing W151 south of the Memorial Drive Bridge. Mr. Talbott said HCFCD was broke and had no plans to concrete W151 south of the Memorial Drive Bridge. Mr. Ramsey, the City Engineer, confirmed that HCFCD had no money.

##### **D. Request from SBISD for the mayor to comment on their Race to the Top Grant Application known as Spring Branch T-2-4. The aim of the district is to double the number of graduates who complete a Technical certificate, 2-year degree or 4-year degree within the next five years.**

The mayor said he is writing a letter of support.

#### **V. UPDATE ON STREY LANE PROJECT – CARL SMITHA, P.E.**

Mr. Smitha said he appreciated council support relating to Change Order #3. He said conflicts last month with a 4' gas line have been resolved. He said they are off of Memorial Drive and now onto Strey Lane. He said they have Strey Lane northbound closed to traffic. He said at first the lane closure was a little confusing but he thinks residents have become accustomed to the re-route.

Mr. Smitha said Pebble Hill Lane is complete except for minor sodding at the outfall. He said on Chatam Lane they have put the base and concrete down on the south side of the road. Chatam Lane should be complete by next council meeting.

Mr. Smitha said they have laid 3,500 feet of new sidewalk along Memorial Drive. He said they have been very conscientious about following up behind the construction with the restoration. He said he thinks they are in a very good position to increase production. He said he anticipates next month to be able to report a better completion date.

He said the old waterline that council approved to be replaced was closer than plans showed to where they are going to lay the box culverts for the drainage. He said they are very proactive in looking for things that might slow down production. He said as an example they found another gas line that was not marked in the way of the box culverts.

He said they are probably still looking at an April completion date.

#### **VI. UPDATE ON EAST SIDE DRAINAGE - CITY ENGINEER**

Tom Ramsey, the City Engineer, said they are finishing up the plans on the East/Blalock area. He reminded council this is a separate submittal to the City of Piney Point. While the City of Piney Point is reviewing these plans Klotz will complete the plans on the Flintdale System. He said the survey is primarily complete on Flintdale, that is the biggest deal in completing the plans on the Flintdale System.

Mr. Ramsey said they will have the East/Blalock area finished and ready to submit to the City of Piney Point the first week of November. By the end of November the total project will be ready to bid. The goal is to have the bids done by the end of the year so the contract can start the first part of 2013.

Mr. Ramsey said he thinks there is enough money to video W146 from Memorial Drive up to Taylorcrest.

#### **VII. POLICE COMMISSIONER'S REPORT**

Commissioner Ellis reported the 2011 Audit is complete with a clean and unqualified opinion. He said there is a surplus of roughly \$23,100. He said the commission is recommending they hold onto that surplus until they get the final tally on the financial initiatives under the guidance of EPM. He said that is all related to the transition of the entire financial oversight that has gone on between 2011 and 2012.

Commissioner Ellis reported the 2012 Budget including EPM fees, still showing a \$28,000 surplus.

Commissioner Ellis said the health insurance for the City of Piney Point, City of Bunker Hill Village, and the Memorial Village Police Department all are handled by the Memorial Villages Police Department. He said the bids are back and we will see an increase. The increase will be between 6.5% and 8%. He said we only received bids from two providers, Aetna and Blue Cross and BlueShield. He said our performance is hurting us, it's been too good. He said in the last five years our rates are down a little over 3% where the national average is up over 10%. That is making insurance companies nervous. The insurance companies believe we are paying too low. He said the commission has directed the police department to offer a little more money on the hold outs to entice them to move over into the H.S.A.

Commissioner Ellis said Chief Foster and Chief Walpole are working on a pilot program to station one ambulance and one fire truck at the Memorial Village Police Department. This is to see if it would improve response time on the west side of the villages.

#### **VIII. FIRE COMMISSIONER'S REPORT**

Councilman Smyre reported the budget through September is 3.3% below budget. During the month of September in the City of Bunker Hill we had 28 calls in which 12 calls were fire and 16 calls were EMS. Councilman Smyre reported the number of calls for fire is on the increase and driven by false alarms.

The average call for the City of Bunker Hill Village in September is 5 minutes and 16 seconds. Councilman Smyre said as Commissioner Ellis reported they are looking at staging an ambulance and a fire truck at the Memorial Villages Police Department for a 3 month trial period.

Councilman Smyre said the Village Fire Department health insurance rates are up 11%. He said the carrier came back with an increase of 7% but it would increase the out of pocket expenses and the deductibles. He said the commission will discuss the rates at the next meeting.

Councilman Smyre said he reported last month that Chief Foster was going to order the new ambulance. He said Chief Foster has not ordered the ambulance because he has applied for a grant to pay for the ambulance. Councilman Smyre said you cannot apply for the grant if you have the ambulance on order. He said we are waiting to order the ambulance pending approval of the grant.

#### **IX. 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 September 18, 2012 Regular Council Meeting
- B. Minutes of the October 5, 2012 Special Council Meeting
- C. September 2012 Financials
- D. 2012 Third Quarter Investment Report
- E. Texascal Enterprises, LLC, Construction Management Services, Invoice #2 dated October 1, 2012, in the amount of \$4,140.00 for professional services related to Strey Lane Drainage Project for the month of September 2012
- F. Klotz Associates, Invoice No. 912139, dated September 27, 2012, in the amount of \$1,925.00 for professional services rendered from August 16, 2012 to September 15, 2012 in connection with Strey Lane Drainage Improvements Design Bid and Construction Phase Services
- G. Klotz Associates, Invoice No. 912122, dated September 25, 2012, in the amount of \$8,247.15 for professional services rendered from August 16, 2012 to September 15, 2012 in connection with Blalock Road West Ditch Maintenance Design Bid and Construction Phase Services

- H. AAA Asphalt Paving, Inc., pay application No. Seven, dated October 5, 2012, in the amount of \$237,238.14 for Strey Lane Storm Sewer Improvements
- I. AAA Asphalt Paving, Inc., Change Order No. Three, dated September 24, 2012, in the amount of \$180,000.00
- J. HillCo Partners, LLC, statement dated October 1, 2012, in the amount of \$476.75 for professional services related to Metro General Mobility Funding Agreement
- K. HTS, Inc., Invoice #30963 for the period August 1, 2012 – August 31, 2012 for Strey Lane Drainage Improvements in the amount of \$2,546.00

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

**X. DISCUSSION AND POSSIBLE ACTION REGARDING THE SECOND AMENDMENT TO CONGESTION MITIGATION/TRAFFIC MANAGEMENT AGREEMENT BETWEEN THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY AND THE CITY OF BUNKER HILL VILLAGE**

The mayor said this memorializes an agreement between the City of Bunker Hill Village and Metro to continue a mobility payment of roughly what we have been receiving in the past for an additional thirteen years. The mayor said for us he thinks it's the best deal we can get.

The mayor said this agreement will be modified if the referendum fails. He said if the referendum fails, Metro has the right to keep all the money. Metro is strongly suggesting if we sign this agreement we have to support the Metro referendum.

Ms. Sager, the City Administrator, today attended a meeting of the fourteen multi-cities. She said all fourteen cities were asked to sign this agreement and return prior to the 25<sup>th</sup> of October. She also said Metro encouraged the cities to have their residents put signs in their yards in favor of the referendum. She reported the Mayor of Missouri City said they are not signing the agreement prior to the referendum and if the referendum fails they are going immediately to the legislature. The City of Katy said they will not sign the agreement. The City of Humble will sign the agreement but if the referendum fails they are going to make every attempt to get out of Metro.

The mayor said in his opinion it is in the best interest for the City of Bunker Hill to sign the agreement and he will put a sign in his yard. Councilman Williams summarized that by signing the agreement and if the referendum passes we get our \$134,000. If the referendum fails Metro might look kindly on us and give us \$134,000 or they could give us zero. He said so what we have to do is sign the agreement and put the signs in our yards in favor of the referendum.

Motion was made by Councilman Brown and seconded by Councilman Glover to approve the Second Amendment to the Congestion Mitigation/Traffic Management Agreement between the Metropolitan Transit Authority of Harris County and the City of Bunker Hill Village. Motion carried 5-0.

**XI. CITY ADMINISTRATOR'S REPORT**

- A. Water usage summary

Ms. Sager, the City Administrator, referred to charts that were in the council packets showing the water consumption in 2011 through current and surface water costs for the same time period. Ms. Sager pointed out that the City of Bunker Hill Village is taking more surface water in 2012 since the city is out of A credits and can only pump 50% of groundwater from our wells.

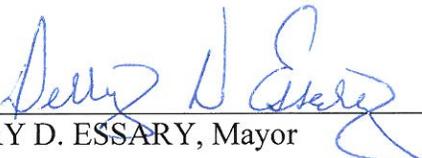
Ms. Sager explained the subsidence district states we can pump no more than 20% of groundwater from our wells. She said we purchase B credits at a cost of approximately \$100,000 annually so the city can pump an additional 30% of groundwater for a total of 50% of groundwater from our wells.

Ms. Sager said we are under contract with the City of Houston to take 14,750,000 gallons of surface water monthly and when we exceed that amount we have to pay a higher rate. She said through September 2012 we have paid a monthly average of \$7,000 to the City of Houston in excessive pumpage.

## **XII. ADJOURN**

Motion was made by Mr. Loren Smith and seconded by Councilman Brown to adjourn the meeting at 6:30 p.m. Motion carried 5-0.

Approved and accepted on November 20, 2012.

  
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DERRY D. ESSARY, Mayor

ATTEST:

  
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Kelly Johnson, City Secretary