CITY OF BUNKER HILL VILLAGE

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS
JANUARY 15, 2013 AT 5:00 P.M.

I. PLEDGE OF ALLEGIANCE

Spencer Hickman, a Boy Scout and a sixth grade student at Kincaid Middle School, was asked to lead the Pledge of Allegiance.

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 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.

No comments

IV. MAYOR'S REPORT

A. Turn lane at Plantation, north of Memorial, related to Frostwood Elementary Project

Mayor Essary said the driveways and drop off lanes at Frostwood Elementary are complete and the contractor is ready to start on the turn lane at Plantation. The mayor said the school wants to start the turn lane project in February with the project lasting approximately six weeks. The mayor said he did not think February was a good time to start the project given the status of the Strey Lane Project. He said Ms. Sager, Mr. Steve Smith, and himself are

going to try and meet sometime this week with Spring Branch Independent School District (SBISD) to delay the project until May.

B. January 8, 2013 TIRZ Meeting

Mayor Essary said he and Councilwoman Schwartz attended a TIRZ Meeting last Tuesday evening with LAN Engineering making the presentation. He said they are again talking about doing another regional study. Councilman Brown said it would be the ninth study done in the last twelve years.

The mayor said common practice by Harris County Flood Control District (HCFCD) regarding all bridges is the hydraulics of the bridge when it is reconstructed does not change. Mayor Essary said Alan Potok with HCFCD stated two significant statements at the meeting; the first being HCFCD would like to do something with the W-151 Bridge to enhance flow. However, the mayor of the City of Bunker Hill Village said if HCFCD tries to do something the City of Bunker Hill Village will withdraw their support. Secondly, Mr. Potok stated ultimately HCFCD will probably have to come back and do something to the bridge later.

V. DISCUSSION AND POSSIBLE ACTION PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 11, 2013, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO COUNCIL MEMBERS (POSITION NOS. 4, AND 5); PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

Motion was made by Councilman Brown and seconded by Councilman Glover to approve the holding of a General Election to be held on May 11, 2013. Motion carried 5-0.

VI. POLICE COMMISSIONER'S REPORT

A. Notice from Hunters Creek Village that Mayor David A. Wegner was appointed Memorial Village Police Commissioner and Trey Strake was appointed as Alternate Police Commissioner effective January 8, 2013

B. Notice of resignation of Memorial Villages Police Chief Haril Walpole

Commissioner Soanes said he would have more information on the police department's financial status after their meeting on January 21st. Commissioner Soanes said on January 3rd the commission accepted the resignation of Chief Walpole. He said on January 8th Captain Hooker was placed on administrative leave pending his retirement on February 28, 2013. He also said Lieutenant Sorrell left around January 8th for three months to attend a FBI school to undergo in-depth leadership training.

Commissioner Soanes said they have begun the process to select a chief following the same model used by the fire department. He said they have selected SGR Resources to help recruit a chief. He said SGR Resources had provided them with two candidates for an interim chief. He said the Commission selected Mr. Roy Osborne who has been in law enforcement for 32 years and 25 years as Chief at the City of Coppell. The interim chief will start on January 21st. He said he will transition with Haril Walpole for a period of time as to be determined by those two individuals.

Commissioner Soanes also said they have brought back Gary Byre as a consultant effective today. He will provide additional leadership resources and will be here at least until the new interim chief starts.

VII. FIRE COMMISSIONER'S REPORT

A. Discussion and possible action regarding acceptance of resignation from Jay Williams as Alternate Fire Commissioner

Motion was made by Councilman Williams and seconded by Councilman Smyre to accept the resignation of Jay Williams as Alternate Fire Commissioner. Motion carried 5-0.

B. Discussion and possible action regarding appointment of an Alternate Fire Commissioner

Mayor Essary recommended Mr. Mark Worthen. The mayor said he currently serves on the Board of Adjustment and said he has expressed wanting to take a more active role in the city.

Motion was made by Councilman Williams and seconded by Councilman Smyre to approve the resolution appointing Mark Worthen as Alternate Fire Commissioner. Motion carried 5-0.

VIII. CARL SMITHA, P.E. - UPDATE ON STREY LANE PROJECT

Mr. Smitha said we have had good progress on the Strey Lane Project since the last council meeting. He said in November they laid 973 feet of box culverts, October they laid 537 feet, and September they laid 160 feet. He said in December they ran into weather and holiday issues resulting in 628 feet of box culverts laid.

Mr. Smitha said they are currently up to Rip Van Winkle on the storm sewer. He said they are finished with the waterline and have completed everything on Chatam Lane. Mr. Smitha did report that the contractor is a little behind on the cleanup and he will hopefully get that taken care of by the next council meeting.

Mr. Smitha said the intersections are what slows them down. He said if they can get a clear shot they can lay 64 feet a day. He estimated April 1, 2013 to be finished with the box culverts. He said that does not mean they will be done with the project. He also said if the contractor has two crews working on the side streets he estimated the project to be completed by May 1, 2013 with Strey Lane looking like a brand new street.

IX. UPDATE ON EAST SIDE DRAINAGE PROJECT - KLOTZ ASSOCIATES

Mayor Essary said he had a meeting with the mayor of the City of Piney Point and they were great with our reconstruction of the Blalock ditch with one exception. He said they will not allow us to put in a 30" culvert at the end of Blalock unless we want to participate in their outfall. Mayor Essary said he has taken exception to that and himself, Gary Struzick, and Tom Ramsey are going to meet with Mayor Butler, their city engineer, and one of their councilman sometime next week. Mr. Ramsey said we can show we are not increasing flow if that is their concern.

Councilman Williams asked what are the size of the culverts now. Mr. Ramsey said they are 18" and 24" culverts. Mr. Ramsey said it will work better with 30" culverts but if we have to put back 24" culverts, we will do whatever makes it work.

Mr. Ramsey said the design of the Flintdale System is complete. He said they need to review it with Mr. Smith, Dir of Pblc Wrks/Blding Official. He said the cost estimates are consistent with what we estimated. Mr. Ramsey said we talked about going out for bid on both the Blalock ditch and the Flintdale System at the same time. He said as soon as we get the thumps up from the City of Piney Point we can go out for bid.

Councilman Williams asked what are we getting out of the Flintdale Drainage Project. Mr. Ramsey said we have some significant ponding areas along W-146, mainly to the north of Greenbay. He said we are getting detention plus improving how the water comes down Flintdale and blends with W-146. Mr. Ramsey said there will be less of impact on W-146 which will allow it to function better. Plus we are going to televise the W-146 line before we go to construction and if we need to do any point repairs we can tend to those at that time. He said folks that are having ponding problems on W-146, this will be the most we can do short of going in and totally removing and re-working the pipe which means going into people's backyards.

X. 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 November 20, 2012 Regular Council Meeting
B. Minutes of the December 17, 2012 Special Council Meeting
C. November 2012 Financials
D. December 2012 Financials
E. Klotz Associates, Invoice No. 1112120 in the amount of $48,020.00 for professional services from October 16, 2012 to November 15, 2012 in connection with East Side Drainage Project
F. Klotz Associates, Invoice No. 1112094 in the amount of $1,925.00 for professional services from October 16, 2012 to November 15, 2012 in connection with Strey Lane Drainage Improvements Design Bid & Construction Phase Services
G. Klotz Associates, Invoice No. 1112095 in the amount of $15,828.75 for professional services from October 16, 2012 to November 15, 2012 in connection with Blalock Road West Ditch Maintenance Design and Bid Services
H. Klotz Associates, Invoice No. 1212030 in the amount of $6,490.53 for professional services from November 16, 2012 to December 15, 2012 in connection with Blalock Road West Ditch Maintenance Design and Bid Services
I. Klotz Associates, Invoice No. 1212031 in the amount of $1,155.00 for professional services from November 16, 2012 to December 15, 2012 in connection with Strey Lane Drainage Improvements Design Bid & Construction Phase Services
J. Klotz Associates, Invoice No. 1212017 in the amount of $13,720.00 for professional services from November 16, 2012 to December 15, 2012 in connection with East Side Drainage Improvements along Flintdale and Greenbay
K. AAA Asphalt Paving Inc., Application No. 9 in the amount of $560,369.29 for Strey Lane Storm Sewer Improvements
L. AAA Asphalt Paving Inc., Application No. 10 in the amount of $363,619.96 for Strey Lane Storm Sewer Improvements
M. Houston Community Newspaper Contract for publishing notices or other matters required by law

N. Gary W. Orr notice of resignation from Planning and Zoning Commission because he has moved from Bunker Hill Village
O. Layne Christensen Company, Invoice No. 89042834 in the amount of $12,130.00 for work at the Taylorcrest Water Plant
P. HTS, Inc., Invoice No. 10924 in the amount of $2,459.00 for geotechnical investigation related to the Strey Lane Drainage Project
Q. HillCo Partners, LLC, Invoice dated December 1, 2012 in the amount of $478.31 for professional services related to Metro General Mobility Funding Agreement
R. Texascal Enterprises, LLC, invoice for the month of November, 2012 in the amount of $4,280.00 for professional services related to Strey Lane Storm Sewer Improvements
S. Texascal Enterprises, LLC, invoice for the month of December, 2012 in the amount of $3,605.00 for professional services related to Strey Lane Storm Sewer Improvements

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

XI. DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM MIKE ZAMIR, PROPERTY OWNER OF 11713 AND 11709 WINK, TO AMEND A SUBDIVISION PLAT OF 1.1173 ACRES, 48,669 SQUARE FEET OF LAND BEING LOTS 35 AND 36 OF FOREST GLEN SUBDIVISION. THE PLAT DESIGNATES A NEW COMMON SIDE LOT LINE ALLOWING AN ADDITIONAL 5.35' TO LOT 36

Mr. Smith, Dir of Pblc Wrks/Blding Official, said Mr. Zamir owns both lots and has a buyer for one of the lots that is wanting an additional 5.35'. He said with the new proposed plat, both lots meet the city's minimum lot size and all other requirements.

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

XII. 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. In 2012 residents paid a bi-monthly total of $60.65 and the 2013 proposed rate is $62.10.

Motion was made by Councilman Smyre and seconded by Councilman Glover to approve the ordinance. Motion carried 5-0.

XIII. DISCUSSION AND POSSIBLE ACTION CONCERNING SCREENING BUILDING SITES WITH FENCING

Mayor Essary said a resident, Mr. Bob Croyle, requested city council to consider requiring fencing for all building construction sites. The mayor said he thought it was a result of Mr. Croyle living by a particular job site that is not fenced and is unsightly with all the trash and debris. He said a 20,000 square foot lot would cost between $4,000 to $5,000 to fence with the green mesh.

There was discussion about fencing all sides of a construction site or only what faces the street. Council talked about what material to use and the mayor responded that Mr. Croyle wanted the City of Bunker Hill Village to do what the City of Piney Point is doing regarding fencing construction sites. Council also brought up the additional cost for the builder.

Councilman Williams suggested that if a builder gets a citation more than twice requiring them to clean up their job site, then at that point we could require them to put up a fence. Mr. Smith said he does police the builders to keep the job sites clean. He said if it's a chronic issue he will shut the job down and issue a ticket.

Mayor Essary said he will talk with Mr. Loren Smith, the City Attorney, regarding an ordinance.

No action taken

XIV. COUNCIL WILL NOW MEET IN CLOSED EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF THE TEXAS GOVERNMENT CODE AS FOLLOWS:

A. Pursuant to Section 551.071 of the Texas Government Code to consult with the city attorney regarding a matter in which the duty of the attorney requires to be discussed in closed session; and
B. Pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: the Chief of Police of the Memorial Villages Police Department."

Mayor Essary convened into closed executive session at 5:38 p.m.

Mayor Essary reconvened the meeting at 6:13 p.m.

XV. RECONVENE AND TAKE ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION

No action taken

XVI. ADJOURN

Motion was made by Councilman Brown and seconded by Councilman Smyre to adjourn the meeting at 6:44 p.m. Motion carried 5-0.

Approved and accepted on February 19, 2013.

DERRY D. ESSARY, Mayor

ATTEST:

Kelly Johnson, City Secretary