MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS
APRIL 16, 2013 AT 5:00 P.M.

I. PLEDGE OF ALLEGIANCE

Patrick Lewis, a Boy Scout and an eighth grade student at Westchester Academy along with Jacob Giles, a Boy Scout and junior at Houston Heights High School, 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 Public Wrks/Bldg Official
Loren Smith, City Attorney

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.

Mrs. Donna Freedman, a resident at 11930 Surrey Lane, handed all of council, mayor, and the city secretary an Application for Complaint regarding her neighbor's dog. She read the complaint and said something needs to be done.

IV. MAYOR'S REPORT

A. Candidate Forum - April 23, 2013

The mayor announced the Candidate Forum and hoped everyone could attend.

V. POLICE COMMISSIONER'S REPORT

A. Discussion and possible action regarding proposed amendment to the Memorial Villages Police Department Agreement

Commissioner Soanes said the changes were made to increase the voting members from 3 to 6. He said currently two members could not have dinner with the chief without violating the Opens Meeting Act. Commissioner Soanes said this would increase each city vote from one vote to two. Commissioner Soanes asked council to approve the amendment.

Motion was made by Councilman Williams and seconded by Councilman Brown to approve the Amended Memorial Village Police Department Agreement. Motion carried 5-0.

B. Update on accounting issues

Commissioner Soanes said the Memorial Villages Police Department has gone through some difficulties over the past eight months. He said they still haven't closed 2012 books. He said they are working through the new system and transitioning from the contract accounting firm. He reported they have brought in Wendy Moses to help with the accounting. He said the goal for May's commission meeting is to have the books closed for 2012 and 2013 up to date. He expected the police department to be over budget primarily due to the staffing changes that have occurred.

Commissioner Soanes did report that on the search for a new chief they had over 100 people apply for the position. He said the commission went through the applications last night and narrowed down to 32 applicants. He said those 32 applicants will now go through the interview process through SGR, the search firm, and they will narrow down the applicants to 10 for the commission to review and make their recommendation.

VI. FIRE COMMISSIONER'S REPORT

Commissioner Smyre said the fire department is running 2% below budget. He said in March, Bunker Hill Village had 28 calls, 14 fire and 14 EMS. He said of those 14 fire calls 11 were false alarms. The villages in total had 160 calls, 98 fire and 60 EMS.

Commissioner Smyre said the ISO inspection has taken place and the recommendation is each city remain a two. He said it could take up to six months to get the official rating but they did not anticipate any changes.

Commissioner Smyre said a couple of weeks ago the fire department suspected they had some mold issues. They called in a third party contractor and they detected mold spores in the front part of the building, in some sleeping areas, and some offices. He said it was bad, but not bad enough to call in hazmat. He said the cost for the assessment was $5,000 and another $10,000 to get rid of the old beds and equipment and to purchase new. He said they found out the vent system was causing the problem.

Commissioner Smyre said they have asked the Chief to work on a master plan on whether to repair and fix the fire station or if it would be better to tear down and start over with a new building.

Commissioner Smyre reminded council the first fire department 2014 Budget Meeting was Thursday, April 17, 2013 at 6:00 p.m. Also family day and awards is this Saturday, April 20, 2013 from 10:00 a.m. to 1:00 p.m.

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

Mr. Smitha said the project is 94% complete with the storm sewers at 99.7% complete. Traffic has been moved to the other side and black base put down on the north side of Strey Lane. He expected the completion of the project to be in very early May.

VIII. UPDATE ON EAST SIDE DRAINAGE PROJECT - KLOTZ ASSOCIATES

A. Blalock West Ditch Improvements

Mr. Conger, with Klotz Engineering, said they were ready to advertise the Blalock Ditch Project. He said they could receive bids before the next council meeting and if the bids came in well, it would be up for approval at the next council meeting.

B. HCFCD W146 Video Summary

Gary Struzick, with Klotz Engineering, said the video of W146 was complete. He said they started at Carolane Trail with a 36" reinforced concrete pipe and moved down W146 and ended at Memorial Drive with a 7 x 6 box culvert. He said that Chief Solutions did the videoing and did a very good job. They noted anything that was a problem.

Mr. Struzick said they thought all of W146 was reinforced concrete pipe (RCP). They found from the videoing that a 100 foot section is a corrugated metal pipe. He said south of Flintwood and north of Brandon Way is where the 100 foot section of corrugated metal pipe is. He said half of that 100 foot section is crushed and has partially collapsed the pipe.

Mr. Struzick said there is a lot of mud in the upstream section of the storm sewer which is reducing capacity. He also reported there was a lateral gas pipe running across from a side street through the storm sewer. He said the gas pipe running through the storm sewer was a great concern for him.

Mr. Struzick said the upper part of W146 needs to be cleaned out and the section that has been crushed/collapsed needs to be repaired and/or replaced. Mr. Struzick said we have a rare opportunity in that the crushed/collapsed section of pipe is across from a vacant lot which means we would have easy access to repair or replace the pipe. Council discussed open cutting the section of pipe that was crushed/collapsed along with adding additional in-line detention. Mr. Struzick said the system upstream is shallow and there is some benefit of additional in-line detention but it would be better further downstream where the system is deeper.

IX. DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A PERMIT FROM RUNNING FOR THE ARTS TO BE HELD ON MAY 4th FROM 8:00 A.M. UNTIL 10:00 A.M. THE RUN WILL BENEFIT THE SPRING BRANCH EDUCATION FOUNDATION

Mayor Essary said a permit is required for the Running for the Arts. Ms. Sager, the City Administrator, said a resident on Tara objected because in the past there were parking issues and not being able to get in and out of their driveways during the run. Mr. Going, a resident at 12131 Tara, asked if they could move the run over into City of Houston.

Mr. Martin, with the Spring Branch Education Foundation, said they have made special arrangement with the police for residents on Tara and Plantation to get in and out of the driveways during the run. He also said they will have additional personnel during the race to help at the drink stations picking up the cups that get discarded along the route. He also noted the comment about re-routing the run out of Bunker Hill Village.

Motion was made by Councilwoman Schwartz and seconded by Councilman Smyre to approve the request for a permit. Motion carried 5-0.

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 March 19, 2013 Regular Council Meeting
B. March 2013 Financials
C. AAA Asphalt Paving Inc., Application No. 13 in the amount of $442,112.45 for Strey Lane Storm Sewer Improvements
D. Klotz Associates, Invoice No. 313050 dated March 22, 2013 in the amount of $1,715.00 for professional services rendered from February 16, 2013 to March 15, 2013 in connection with East Side Drainage Improvements along Flintdale and Greenbay
E. Klotz Associates, Invoice No. 313084 dated March 25, 2013 in the amount of $2,356.89 for professional services from February 16, 2013 to March 15, 2013 in connection with Blalock Road West Ditch Maintenance Design and Bid Services
F. Klotz Associates, Invoice No. 313083 dated March 25, 2013 in the amount of $385.00 for professional services in connection with Strey Lane Drainage Improvements Design Bid and Construction Phase Services
G. HTS, Inc., Invoice No. 31755 dated February 1, 2013 – February 28, 2013 in the amount of $1,385.00 for geotechnical investigation related to the Strey Lane Drainage Project
H. Texascal Enterprises, LLC, invoice for the month of March 2013 in the amount of $4,840.00 for professional services related to Strey Lane Storm Sewer Improvements
I. Agreement between the City of Bunker Hill Village and the Memorial Villages Police Department concerning the contract accounting services and the oversight to be provided by Kelly Johnson
J. Max Construction, LLC in the amount of $11,248.00 for remodel of maintenance building as approved in the 2013 budget

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

XI. NOTICE OF CITY OF HOUSTON 3.6% ANNUAL RATE ADJUSTMENT FOR CONTRACT TREATED WATER TO BE EFFECTIVE APRIL 1, 2013

Ms. Sager, the City Administrator, said this is a routine item that happens every year.

XII. DISCUSSION AND POSSIBLE ACTION REGARDING AN INCREASE IN THE CONSTRUCTION MANAGEMENT SUPERVISION WITH CONSULTANT

TEXASCAL ENTERPRISES, LLC FOR THE STREY LANE DRAINAGE PROJECT ($40,000 APPROVED AND PAYMENT THROUGH MARCH 2013 IS $36,530)

Mayor Essary requested to increase Texascal Enterprises, LLC contract to $50,000.

Motion was made by Councilwoman Schwartz and seconded by Councilman Glover to approve the increase to Texascal Enterprises, LLC contract to $50,000. Motion carried 5-0.

XIII. DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM HARRIS COUNTY PUBLIC LIBRARY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY AND THE COUNTY TO PARTICIPATE IN FUNDING CERTAIN LIBRARY MATERIALS AT THE SPRING BRANCH MEMORIAL LIBRARY FOR THE BENEFIT OF THE RESIDENTS OF THE CITY AND THE COUNTY AT A COST OF $1,500.00

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

XIV. DISCUSSION AND POSSIBLE ACTION REGARDING A CHANGE ORDER TO THE STREY LANE PROJECT TO INCREASE ASPHALT QUANTITIES FOR OVERLAY OF EDGEWOOD AND LAZEE TRAIL

Mr. Smith, the Dir of Publ Works, said that he and Mr. Smitha did an inspection of both Lazee Trail and Edgewood. He said both those streets are private streets and there was some damage to both streets as a result of the Strey Lane Drainage Project. His recommendation was to overlay both streets at a total cost of $6,000. He said he asked the city's attorney to draw up for each property owner to sign prior to the overlay that each understand that the repairs to their street in no way means the City of Bunker Hill Village is taking over the maintenance or ownership of their street.

Motion was made by Councilman Williams and seconded by Councilwoman Schwartz to approve Change Order #7 in the amount of $6,000 for the overlay of Edgewood and Lazee Trail subject to getting all the property owners to approve and sign the agreement presented by the City of Bunker Hill Village. Motion carried 5-0.

XV. DISCUSSION AND POSSIBLE ACTION TO CONTINUE THE SERVICE AGREEMENT WITH NORTHWEST PEST PATROL FOR MOSQUITO FOGGING AS FOLLOWS:
$245.00 PER APPLICATION ONCE A WEEK
$235.00 PER APPLICATION TWICE A WEEK
$220.00 PER APPLICATION THREE TIMES PER WEEK

Ms. Sager said this is not a budgeted item. This is a renewal from last year which was approved after the 2013 budget was approved. The mayor said if this year is a dry year hopefully we will not need their services. They only fog when the city calls for service.

Motion was made by Councilman Smyre and seconded by Councilwoman Schwartz to approve to continue services with Northwest Pest Patrol for mosquito fogging. Motion carried 5-0.

XVI. EXECUTIVE SESSION

THE CITY COUNCIL WILL CONVENE INTO CLOSED EXECUTIVE MEETING

PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE TO DELIBERATE CONCERNING THE APPOINTMENT, EMPLOYMENT, OF A PUBLIC OFFICER OR EMPLOYEE, TO WIT: CITY ADMINISTRATOR

Mayor Essary convened into closed executive session at 6:19 p.m.

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

Mayor Essary reconvened the meeting at 6:31 p.m.

XVIII. ADJOURN

Motion was made by Mr. Loren Smith and seconded by Councilman Brown to adjourn the meeting at 6:32 p.m. Motion carried 5-0.

Approved and accepted on May 21, 2013.

DERRY D. ESSARY, Mayor

ATTEST:

Kelly Johnson, City Secretary