

CITY OF BUNKER HILL VILLAGE

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS FEBRUARY 15, 2011 – 5:00 P.M.

I. PLEDGE OF ALLEGIANCE

Nathan Dunbelberger, a boy scout, lead in 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:

City Staff:

Mayor Derry D. Essary

Ruthie Sager, City Administrator

Councilman Keith Brown (arrived @ 5:20 p.m.)

Councilman Dave Ellis

Steve Smith, Dir of Public Works/Blding Official

Councilwoman Cooky Mays

Kelly Johnson, City Secretary/Director of Finance

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.

Mrs. Donna Freedman at 11930 Surrey Lane said line locators were out today marking her street and they said they are going to deepen her ditch. Mrs. Freedman stated her ditch is an open ditch and her next door neighbors ditch is a closed ditch. Her concern was if they deepen her ditch how was the water in her ditch going to line up and drain into the closed ditch pipe next door.

IV. MAYOR'S REPORT

A. Legislative Update

Mayor Essary said he attended the Legislative Update yesterday in Austin. The mayor said several representatives are saying the shortfall for the State of Texas

budget is between 26 – 27 billion dollars. He said they are going to cut discretionary spending by 27 billion dollars. Mayor Essary stated three things that make up discretionary spending are public education, higher education, and health and human services.

Mayor Essary said every major school district in the state is announcing massive teacher layoffs. Health and human services will be cutting services and that will be felt all the way down to the county level, meaning our county taxes will go up. He said when you have a budget shortfall you have two choices; you can either raise revenues or cut expenses.

The mayor came back from the Legislative Update with three things; that no one has any money therefore Bunker Hill Village is on its own regarding drainage issues, TMRS is as big of a problem as we all thought, and our tax payers are going to see higher taxes from the county and school district.

B. TMRS Advisory Committee

Mayor Essary said TMRS is a problem we continually deal with. He said the general consensus among the villages is to put together an advisory committee to take a look at TMRS. He said each city will have an advisor that will sit on the advisory committee.

The mayor said it is not only a concern for the tax payers of Bunker Hill Village but he is concerned for the employees of Bunker Hill Village, the police officers, and the fire fighters in terms of the viability of the retirement plan.

C. Drainage and traffic issues related to redevelopment of Frostwood Elementary

Mayor Essary said late last week he received a phone call concerning the latest task force meeting at Frostwood. He said it was stated at the task force meeting that Bunker Hill Village was totally in line with using Memorial Drive as the exit and entrance to the new Frostwood design. The Mayor said he can assure everyone that nobody from the City of Bunker Hill Village said they could use Memorial Drive as the exit and entrance to the new Frostwood design.

The mayor said he is going to ask Dr. Duncan Klussmann, with SBISD, to submit the traffic plan and the drainage plan for Frostwood Elementary as soon as possible for our engineers to review.

D. Discussion and possible action to proceed with issues related to calling a bond election to be held in May, 2011

Mr. Drew Masterson, with First Southwest, said Bunker Hill Village has an AAA bond rating. He said there are not very many AAA issuers in the bond arena. Mr. Masterson said the state of North Carolina is AAA, but the state of Texas is only at an AA+ rating. He said bond issuance for high grade small issuances is still at record low interest rates. He said it's a fantastic time for Bunker Hill Village to sell bonds. The mayor asked Mr. Masterson if Bunker Hill Village would issue bonds in the amount of six to nine million dollars, in Mr. Masterson's opinion would it lower

Bunker Hill Village's bond rating. Mr. Masterson answered he did not think it would. He said they have looked at many things, one being the debt ratio and Bunker Hill Village's debt ratio is extremely low. He said even with new issuances, it would still be low.

The mayor asked if we called a bond election in May and it was approved what is the timeline in terms of issuance of the bonds. Mr. Masterson said we need to call the election by mid March, hold the election in May, election is subject to contest which takes a couple of weeks, put the bonds to market by July and fund projects in August at the earliest. The mayor said we would not start on the final engineering until the bond issuance passed.

Councilman Ellis pointed out if we go for the full eight million dollar bond Bunker Hill Villages tax rate would go up about five cents.

Mr. Masterson said the cost of issuance is \$95,000.

Councilman Ellis said he feels we have no choice but to float the bonds in order to fix the infrastructure in Bunker Hill Village. He said we have spent nine years trying to get Harris County Flood Control to pull together something and we've gotten nowhere.

The mayor said he wants to be clear in the fact he is not protecting against an April 2009 event. What we are concerned about is a 25 year event that surcharges into homes.

Mayor Essary said we will probably have two maybe three meetings where we explain to the citizens including the tax impact and other problems in the city. The city has spent 15 million dollars to fix drainage issues. The mayor said the current drainage issues are not of our making.

Motion was made by Councilwoman Schwartz and seconded by Councilman Brown to set in motion for Ms. Sager to set a date for a special meeting to call a bond election and look at dates for public meetings to discuss the bond election. Motion carried 5-0.

V. DRAINAGE ISSUES

A. Discussion and possible action regarding Preliminary Engineering Report on Strey Lane Storm Sewer Improvements

Mr. Tom Ramsey, with Klotz Engineering, said the design plans are complete. He said they believe they have the necessary approvals and the plans have been submitted to the city for comments.

Mr. Ramsey said Harris County Flood Control said that there is no impact at Pebble Hill.

Motion was made by Councilman Ellis and seconded by Councilman Brown acknowledging we have received the 30% plans from Klotz Engineering on the Strey Lane Drainage Improvement Project. Motion carried 5-0.

- B. Discussion and possible action regarding a request from TIRZ 17 to request coordination between TIRZ 17 engineers related to the W151 and Strey Lane Drainage Improvement Project

Mayor Essary said Harris County Flood Control asked if Bunker Hill Village would meet with the TIRZ 17 to discuss the Strey Lane Drainage Project. The mayor said the TIRZ 17 asked why are we only putting one 5 x 7 culvert down Strey Lane. Mayor Essary said the TIRZ 17 has a design that would put two 10 x 10 culverts down Strey Lane. Mayor Essary said the TIRZ 17 asked the question why we designed it that way. Mayor Essary said it's pretty obvious; we are only designing it for Bunker Hill Village water.

Councilman Brown said he was happy to share whatever information we have with the TIRZ 17 but he said he wanted it known, we are not slowing down.

No action taken

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. January 2011 Financials
- B. 2010 fourth quarter investment report
- C. Klotz Associates invoice #111054, dated January 21, 2011 in the amount of \$27,888.80 for professional services rendered from December 16, 2010 to January 15, 2011 in connection with Strey Lane Drainage
- D. Klotz Associates invoice #120036, dated January 21, 2011 in the amount of \$161.63 for on-call professional services rendered from November 16, 2010 to December 15, 2010 (update water map for Leisure Lane)
- E. Minutes of the February 8, 2011 special meeting (State of the City)
- F. Minutes of the January 18, 2011 regular meeting

Councilwoman Schwartz asked to remove item E from the Consent Agenda.

Motion was made by Councilman Ellis and seconded by Councilman Brown to accept items A through F with the exception of item E as presented. Motion carried 5-0.

Councilwoman Schwartz said that item E., the Special Meeting showed her being both there and absent. She asked a correction be made, she was not in attendance.

Motion was made by Councilman Brown and seconded by Councilwoman Mays to accept item E. with the noted correction that Councilwoman Schwartz was absent. Motion carried 5-0.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING CONSENT TO ENCROACHMENT REGARDING IMPROVEMENTS LOCATED AT 210 VANDERPOOL, ALSO KNOWN AS LOT 28, BLOCK 4 OF TEALWOOD SUBDIVISION

Mr. John Farrell, who was representing the property owners at 210 Vanderpool, stating they have a survey from 1984 when they bought their house that shows the house and pool not on or in the encroachment. He said time has passed and a new survey has been done and it now shows encroachment on the property. He said nothing has been done deliberately, but it shows encroachment. Mr. Farrell said now we are in the middle of a sale and with the new survey showing encroachment we are asking for consent to encroachment.

Mr. Loren Smith, the city attorney, said the city cannot grant consent to encroach for the aerial easement. Mr. Loren Smith said if council would approve the encroachment they would only be approving items 4, 5, & 6.

Councilman Ellis said the facts as he understands them are there was never an intentional encroachment. Councilman Ellis said the buyer relied in good faith on a survey that now with today's technology turned out to be inaccurate. He said the circumstances are very unusual and he would be in favor of granting the encroachment.

Mr. Loren Smith said if the house is torn down and rebuilt it would have to comply with current zoning regulations.

Motion was made by Councilwoman Mays and seconded by Councilman Smyre to approve the consent to encroachment for this particular building not to be repeated if the house is rebuilt, approving notes 4, 5, & 6. Motion carried 5-0.

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ADOPTING AMENDMENT NOS.1 THROUGH 6 TO THE ORIGINAL BUDGET OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, FOR THE FISCAL YEAR 2010; PROVIDING DETAILED LINE ITEM INCREASES OR DECREASES; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT

Ms. Kelly Johnson, City Secretary/Director of Finance, said there are six budget amendments. She reminded council that when doing the budget we don't always know what expenditures may arise in the coming year. Ms. Johnson briefly went through each amendment and gave a summary.

Motion was made by Councilman Ellis and seconded by Councilman Smyre to approve amendments one through six as presented under tab VIII. Motion carried 5-0.

IX. POLICE COMMISSIONER'S REPORT

Councilman Ellis said the monthly Police Commissioners Meeting is next week, he had nothing to report.

X. FIRE COMMISSIONER'S REPORT


Mayor Essary said the biggest thing we have going at the fire department is the simplification of the pay system.

Mayor Essary also said he thought that Chief Foster was reclaiming the morale at the fire department.

XI. ADJOURN

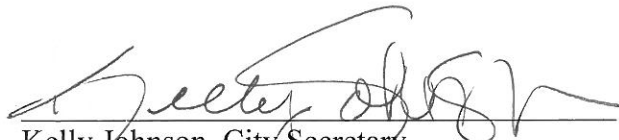
Motion was made by Mr. Loren Smith and seconded by Councilman Ellis to adjourn the meeting at 6:25 p.m. Motion carried 5-0.

Approved and accepted on March 15, 2011.



DERRY D. ESSARY, Mayor

ATTEST:



Kelly Johnson, City Secretary