

# **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 SEPTEMBER 18, 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 (arrived @ 5:13)  
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  
Ed Conger, 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.

Mr. Randall Gross, at 11830 Chapelwood Lane, spoke about the house in back of him on Knipp Oaks and the lack of trees since the new construction. He referred to the city Tree Ordinance and stated many new homes constructed are not in compliance with the Tree Ordinance.

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

#### **A. September 16, 2012 meeting with Winshire Homeowners Association**

Mayor Essary said he met with the Winshire Homeowners Association and several of the residents would like to see the city put in dog waste stations. The mayor asked

Mr. Smith, the Director of Public Works/Building Official, to put an estimate together and he would bring it back to council in 30 to 60 days.

The mayor said another concern the residents had was property that bordered W-146. He said their concern was property owners putting a fence up that would block the natural flow of drainage into W-146. He said there probably needs to be an ordinance that states something like any fence within so many feet of the rights-of-way have the bottom twelve inches be constructed of some kind of permeable surface so water can freely flow into W-146. The mayor said he will probably have Planning and Zoning look at that in the months to come.

He said the Winshire Homeowners Association is very interested in what the city does on the east side.

B. Meeting with Multi-City Mayors on September 18, 2012

The mayor said Metro is proposing a contract that would institutionalize a mobility payment of \$140,000 annually for the next 10 years following 2014. In return the City of Bunker Hill Village will encourage residents to vote for the Metro referendum in November. The mayor said if the referendum fails the contract is void.

C. Update on construction Frostwood Elementary

Ms. Sager, the City Administrator, said they met with representatives from Spring Branch Independent School District and the contractor last week and they are due to start construction next week. She said construction should be complete in 1-1/2 years.

D. Set the date for the Christmas Party

Date set was for December 18, 2012

V. **PUBLIC HEARING**

THE PURPOSE OF THE PUBLIC HEARING IS TO RECEIVE INPUT FROM THE PUBLIC, EITHER ORAL OR WRITTEN, REGARDING THE 2012 PROPOSED PROPERTY TAX RATE TO SUPPORT THE 2013 BUDGET

Mayor opened the Public Hearing at 5:17 p.m.

No comments

Mayor closed the Public Hearing at 5:17 p.m.

VI. **DISCUSSION AND POSSIBLE ACTION REGARDING THE FOLLOWING ITEMS:**

A. AN ORDINANCE APPROVING AND ADOPTING THE CITY OF BUNKER HILL VILLAGE, TEXAS GENERAL BUDGET FOR THE YEAR 2013; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH YEAR AS REFLECTED IN SAID BUDGET ESTABLISHING THE PROCEDURE FOR INTRA-BUDGET

TRANSFERS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

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

- B. A RESOLUTION TO RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE 2013 MAINTENANCE AND OPERATIONS BUDGET BY 3.94% OR \$60,314. THIS AMOUNT REPRESENTS THE 2012 LEVY ON PROPERTY ADDED IN THE PRECEDING YEAR AND ON NEW IMPROVEMENTS THAT WERE NOT TAXABLE IN 2011

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

- C. AN ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, FOR THE YEAR 2012; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH

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

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

- A. Discussion and possible action concerning approval of the 2013 Memorial Villages Police Department Budget. Total budget is \$4,052,441.29 (including a capital request of \$116,900.00). Bunker Hill Village's obligation is \$1,350,813.76

Commissioner Soanes said the proposed 2013 Memorial Villages Police Department Budget is a flat budget from the 2012 budget. He said the difference in the 2013 budget that was presented in the last meeting is as follows:

1. Special contingency of \$66,522 has been eliminated
2. Salaries have been increased by \$12,500 to reflect the expected cost to change the step program from a 3 year program to a 2 year program.
3. Retirement expense have been increased by \$37,500 to allow the commission to consider alternatives.
4. An increase of \$16,431 is in the capital budget to ensure sufficient funds to purchase tasers.

Motion was made by Councilwoman Schwartz and seconded by Councilman Smyre to approve the 2013 Memorial Villages Police Department Budget. Motion carried 5-0.

Commissioner Soanes reported the following staff changes: Mrs. Williams that handled the finances resigned, a senior officer retired, and a new patrol officer was

hired. He also reported that EPM is a firm that has been hired to handle the finances in the absence of someone in that position.

Commissioner Soanes said the commission asked EPM to do a Control and Systems Audit in the absence of a finance person. EPM has finished the audit and reported that the police department accounting policies and procedures need to be updated, the need for segregation of duties, and streamlining of the accounting system. He said they have formed a committee to find out what is the best way to manage going forward for the police department. He said one thing that was worth noting was at no time when EPM was auditing and preparing the financial statements did they find any fraudulent or mismanagement of funds. He said we have a series of systems that have been band-aided together with no adequate segregation of duties and controls in place.

### **VIII. FIRE DEPARTMENT REPORT**

Councilman Smyre said the 2012 budget currently is 3.2% below budget. Councilman Smyre reviewed the statistical information and reported the average response time in Bunker Hill Village was 5:35. He also reported EMS collections are up from 18% to 28%.

Councilman Smyre said Motorola was finishing up the final installation of the new radios. He said this will enable the Village Fire Department to communicate with the City of Houston through the radios.

### **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 August 21, 2012 Regular Council Meeting
- B. Minutes of the August 28, 2012 Special Council Meeting
- C. August 2012 Financials
- D. Prejean & Company, Inc., Surveying/Mapping, Invoice #264-18, dated August 28, 2012, in the amount of \$16,500 for 3D topographic survey for Blalock Road from the roadway centerline to the apparent west right-of-way line from Taylorcrest Road south to Memorial Drive
- E. HillCo Partners, LLC, Invoice #22037, dated September 1, 2012 in the amount of \$478.76 for professional services related to Metro General Mobility Funding Agreement
- F. Texascal Enterprises, LLC, Construction Management Services, Invoice dated September 4, 2012, Estimate No: SL-1 in the amount of \$4,460.00 for professional services related to Strey Lane Drainage Project
- G. Klotz Associates, Invoice No 812098, dated August 29, 2012, in the amount of \$1,925.00 for professional services rendered from July 16, 2012 to August 15, 2012 in connection with Bunker Hill Village Strey Lane Drainage Improvements Design Bid and Construction Phase Services

- H. Klotz Associates, Invoice No. 812099, dated August 29, 2012, in the amount of \$2,430.00 for professional services rendered from July 16, 2012 to August 15, 2012 in connection with Bunker Hill Village Blalock Road West Ditch Maintenance Design Bid and Construction Phase Services
- I. AAA Asphalt Paving, Inc., pay application No. Six, dated September 11, 2012, in the amount of \$265,598.10 for Strey Lane Storm Sewer Improvements

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

**X. UPDATE ON STREY LANE PROJECT – TOM RAMSEY, P.E., KLOTZ ASSOCIATES**

Mr. Conger, with Klotz Engineering, said AAA Asphalt has struggled to finish and move off of Pebble Hill Road. He said as of today all the street pavement on Pebble Hill Road is complete. He said there are four driveway aprons that still need to be completed. He said AAA Asphalt is up to the Y at Strey Lane and Memorial Drive. He said tomorrow they will be putting in a junction box at the Y and once that is complete they will be working up Strey Lane.

**XI. DISCUSSION AND POSSIBLE ACTION AUTHORIZING A CHANGE ORDER TO AAA ASPHALT TO INCLUDE REPLACING THE WATER MAIN ON STREY LANE AT AN ESTIMATED COST OF \$180,000.**

Mr. Conger, with Klotz Engineering, said the water line was not originally included in the Strey Lane Drainage Project because it was a drainage project. He said this is an old water line that is close to where the new box culverts will be put in. The mayor said the old water line is approximately one inch from where they will be putting in the new box culverts.

The mayor said this is an asbestos water line that is over 40 years old and under Strey Lane. He said the water line needs to be replaced. Mr. Conger said by replacing and moving over the water line we will be getting a new water line and if it ever needs to be repaired or replaced it will not be under the pavement. Also, by replacing it and moving it over into the ditch, it will speed up the construction along Strey Lane to at least double the productivity.

Mayor Essary said the money for the replacement of the water line will come from the Utility Fund.

Motion was made by Councilman Glover and seconded by Councilman Smyre to approve the replacement of the water line. Motion carried 5-0.

**XII. DISCUSSION AND POSSIBLE ACTION REGARDING DESIGNATION OF A REPRESENTATIVE AND AN ALTERNATE TO THE GENERAL ASSEMBLY OF THE HOUSTON-GALVESTON AREA COUNCIL FOR THE YEAR 2013**

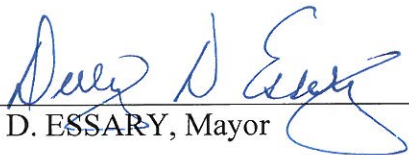
The mayor said currently our representative is Councilwoman Schwartz with Councilman Williams as the alternate.

Motion was made by Councilman Brown and seconded by Councilman Smyre to keep Councilwoman Schwartz as our representative and Councilman Williams as the alternate. Motion carried 5-0.

**XIII. ADJOURN**

Motion was made by Mr. Loren Smith and seconded by Councilman Smyre to adjourn the meeting at 6:24 p.m. Motion carried 5-0.

Approved and accepted on October 16, 2012.

  
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DERRY D. ESSARY, Mayor

ATTEST:

  
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Kelly Johnson, City Secretary