

# **CITY OF BUNKER HILL VILLAGE**

## **MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS NOVEMBER 20, 2012 AT 5:00 P.M.**

### **I. PLEDGE OF ALLEGIANCE**

The pledge was lead by James Talbott, a boy scout from Memorial Middle School and Harris Cooley, a boy scout from St. Frances.

### **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  
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. Utility customer concerns regarding cost for water**

Ms. Sager, the City Administrator, said we have had more calls than normal with our most recent billing that went out on October 25<sup>th</sup>. She asked city staff and they estimated 25 calls which is unusual to have that many calls regarding utility bills.

Ms. Sager said the rates increased in June of this year and prior to that the last increase was November 2010. She said we mailed 1,346 utility bills and of that 1,033 were in excess of 70,000 gallons. She said our rate structure is that after 70,000 gallons the cost per thousand gallon is \$6.00 and prior to June the rate for over 70,000

gallons was \$4.95 per thousand gallon. Ms. Sager pointed out that we have to pay the City of Houston penalties for water taken in excess of 14,750,000. She also said for excess water we are penalized by the Harris-Galveston Subsidence District.

The mayor reminded council that 70,000 gallons is the cut-off point where we start having to pay the penalty to the City of Houston. The mayor also reminded council that from a study that was done in Austin for yards the size of the average Bunker Hill home, 70,000 gallons over a two month period of time is a sufficient amount for irrigation.

B. Frostwood/drainage comments

Mayor Essary said he hoped everyone got an opportunity to look at the drainage/piping and protection system that was put in at Frostwood Elementary. He said it is a very effective way to put in underground detention.

C. Presentation to third grade students at Bunker Hill Elementary regarding Office of The Mayor

The mayor said he met with approximately 100 students at Bunker Hill Elementary. He said they were studying local government and presented him with 25 questions. He said they presumed the mayor got everything he wanted. He said it was a very interesting process and commended the teachers and principal at Bunker Hill Elementary.

**V. POLICE COMMISSIONER'S REPORT**

A. Acceptance of resignation letter from Dave Ellis, Alternate Police Commissioner

Mayor Essary said Mr. Ellis submitted his resignation effective November 30, 2012.

B. Discussion and possible action regarding appointment of an alternate police commissioner

Mayor Essary recommended Councilman Jay Williams as alternate police commissioner.

Motion was made by Councilman Brown and seconded by Councilman Glover to appoint Councilman Jay Williams as alternate police commissioner and accept Dave Ellis' resignation. Motion carried 5-0.

C. Discussion and possible action on a request to make an interbudgetary transfer of funds in the department's 2012 fiscal year budget of \$27,000.00 from M&O into Capital Outlay

Chief Walpole said they amended their original request of \$27,000.00 to \$17,500.00. Chief Walpole said they are asking to move \$17,500.00 to capital outlay from M&O. He said this is to move up the process of purchasing tasers. He said they are not asking for any additional funds, it's just moving funds within the 2012 budget.

Motion was made by Councilman Williams and seconded by Councilman Brown to transfer \$17,500.00 from the M&O line items salaries and workers compensation to capital outlay. Motion carried 5-0.

D. Discussion and possible action on a request to make an interbudgetary transfer of funds in the department's 2012 fiscal year budget of \$17,000.00 from M&O into Professional Services

Chief Walpole said this transfer is to help cover the cost of EPM, an accounting firm. Chief said EPM is helping the department migrate and update their accounting software.

Motion was made by Councilman Williams and seconded by Councilman Brown to transfer \$17,000.00 from M&O line items of health insurance, dental insurance and salaries to professional services. Motion carried 5-0.

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

Councilman Smyre said the Fire Department budget through October is 3.5% under budget. He said in the month of October in Bunker Hill Village there were 11 fire responses and 12 EMS responses. He said the fire department is averaging 6 calls a day between EMS and fire. He said in October the average response time for Bunker Hill Village was 5.47 minutes with the average for all the villages at 4.19 minutes.

Councilman Smyre said they are still working out details on the potential pilot program of housing some fire equipment at the police department. He also reported that the new ambulance has not been ordered, it's on hold pending the outcome of the grant notification.

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

Mr. Smitha reported that production is up considerably on the Strey Lane Drainage Project. He said they have transitioned from the 5x7 box culverts to the 4x6 box culverts. He said as we move upstream the box culverts get smaller.

Mr. Smitha said we have put in over 1,700 linear feet of waterline. He said it was a good decision to replace the waterline because it was even closer to the storm sewer than the plans showed. Mr. Smitha said there is about 400 feet left to put in on the waterline. He said they should be done with the waterline in another month.

Mr. Smitha said we should have the main box culverts in place by April 1, 2013. He said the contractor has a projected completion date of mid June 2013.

#### **VIII. UPDATE ON EAST SIDE DRAINAGE PROJECT - KLOTZ ASSOCIATES**

Mr. Ramsey, the City Engineer, said the plans along Blalock are complete and ready for the City of Piney Point Village to review. He also said they are wrapping up the plans on Flintdale and will need to sit down and review with the city.

Councilman Williams said when we started the East Side Project we felt like the Blalock Drainage System was a problem. He said they have come to a conclusion that the Blalock Drainage System works well. He said the only issue with Blalock is over the last twenty years silt has built up in the ditch which has taken away capacity and they have discovered that some of the culverts installed are too small.

Councilman Williams said the plans that Klotz Associates presented yesterday addressed two issues. The first issue is removing silt from the ditch anywhere from six inches to

one foot all along the ditch to restore capacity and flow lines that originally were designed for the ditch. Secondly, to remove and /or replace culverts that are too small.

Councilman Williams said we feel it's our obligation as per the interlocal agreement we have with the City of Piney Point Village. He said the City of Piney Point Village actually owns that ditch but we are required to maintain it. He said we think this will help some of the localized flooding along Blalock Road.

Mr. Ramsey said the ball park cost to do the project that Councilman Williams outlined is \$200,000. As soon as the City of Piney Point Village has reviewed the plans we can move forward and go out to bid. The mayor said the contract should be ready to bid in January and start construction in February. Mr. Ramsey thought the construction time frame should not last more than sixty days. All of council was in consensus to get the plans over to the City of Piney Point Village for review and go out for bid on the project as soon as possible.

This was not listed as an action item so no action could be taken.

#### **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 October 16, 2012 Regular Council Meeting
- B. October 2012 Financials
- C. HTS, Inc., Invoice #31129 for the period September 1, 2012 – September 30, 2012 for Strey Lane Drainage Improvements in the amount of \$1,364.25
- D. HTS, Inc., Invoice #31251 for the period October 1, 2012 – October 31, 2012 for Strey Lane Drainage Improvements in the amount of \$1,881.25
- E. Prejean & Company, Inc. Surveying/Mapping, Invoice #264-19 in the amount of \$9,802.43 for services from September 20, 2012 thru October 9, 2012, for 3D Strip Topographic Survey in connection with East Side Drainage
- F. Renewal agreement between the Harris County Sheriff's Office and the City of Bunker Hill Village to house, support, maintain, and confine city prisoners under the same terms and conditions as 2012, with no increase in pricing for the term January 1, 2013 through December 31, 2013 (\$74.00 per day, or portion of a day)
- G. Klotz Associates, Invoice No. 1012134 in the amount of \$2,695.00 for professional services from September 16, 2012 to October 15, 2012 in connection with Strey Lane Drainage Project
- H. Klotz Associates, Invoice No. 1012066 in the amount of \$10,502.85 for professional services from September 16, 2012 to October 15, 2012 in connection with East Side Drainage Project
- I. Klotz Associates, Invoice No. 1012127 in the amount of \$20,580.00 for professional services from September 16, 2012 to October 15, 2012 in connection with East Side Drainage Improvements along Flintdale and Greenbay
- J. HillCo Partners, LLC, Invoice No. 22459, dated November 1, 2012 in the amount of \$468.16 for professional services related to Metro General Mobility Funding Agreement

- K. Texascal Enterprises, LLC, Invoice No. 3 in the amount of \$5,120.00 for professional services related to Strey Lane Storm Sewer Improvements
- L. AAA Asphalt Paving, Inc., Strey Lane Drainage Project Change Order No. 2, in the amount of \$80,073.44
- M. AAA Asphalt Paving, Inc., pay application No. Eight, dated November 12, 2012, in the amount of \$534,109.07 for Strey Lane Storm Sewer Improvements
- N. AAA Asphalt Paving, Inc., Strey Lane Drainage Project Change Order No 4, in the amount of \$16,628.24

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

**X. KELLY JOHNSON, FINANCE DIRECTOR**

**A. Financial Update**

Ms. Johnson, the City Secretary/Director of Finance, reported the General, Debt Service, Utility, and Metro Funds are on target with the end of year projections done during budget time.

Ms. Johnson said she wanted to go over the 2011 Bond Fund in detail. She reported the total committed funds for the Strey Lane Drainage Project were \$5,611,177 and the total committed funds for the East Side Project were \$345,445. She also included a total amount of \$1,935,000 that has not been approved but estimated for the construction of the East Side Project. She stated the total ending balance for the 2011 Bond Fund after committed funds and estimated construction funds to be \$34,748.

**XI. STEVE SMITH, DIRECTOR OF PUBLIC WORKS**

**A. Response to October 16, 2012 citizen comment regarding compliance with tree ordinance**

Ms. Sager, the City Administrator, said a citizen questioned compliance of the tree ordinance at 428 Knipp Oaks. She said the major difference is the lot size. She said when you go to Harris County Appraisal District's website and look up the lot size for the address in question it includes the street because it's a private street. Our ordinances state that the front building line is measured from the edge of the street. She said the house was completed and given a certificate of occupancy in August 2012 and was in compliance with the city tree ordinance.

**B. Response to October 16, 2012 citizen comment regarding doggy waste stations**

Ms. Sager, the City Administrator, said a resident requested doggy waste stations. She showed council pictures of two different waste stations, one costing \$279 and the other \$506.35.

Councilman Smyre asked who would be maintaining the waste stations. Ms. Sager said the city crew.

The mayor said a few years ago as part of a scout project a few stations were put up with sacks only, no receptacles. He said what people would do is clean up after their dogs and put their used sacks back in the stations unused sacks so when people would come to get a new sack they would find someone else's doggy waste. The mayor said the doggy waste stations being proposed would have receptacles with them.

The mayor said he would like to try out a couple stations on our most traveled street. He said with Strey Lane being closed he would like to try it out on Bunker Hill Road. Councilman Williams asked would residents really use them? Comments were made that the City of Hunter's Creek Village and the City of Piney Point Village both have doggy waste stations and they are used.

It was the consensus of council to try a couple doggy waste stations and come back in a couple months with an evaluation.

**XII. DISCUSSION AND POSSIBLE ACTION REGARDING CONSTRUCTION MANAGEMENT SUPERVISION WITH CONSULTANT TEXASCAL ENTERPRISES, LLC, (CARL W. SMITHA, P.E., CFM) FOR THE STREY LANE DRAINAGE PROJECT. (PRIOR CONTRACT STATED AN AMOUNT NOT TO EXCEED \$20,000)**

Mayor Essary said Carl Smitha has been very instrumental in improving the performance on the Strey Lane Drainage Project. The mayor asked to increase his contract an additional \$20,000 for a total contract amount of \$40,000.

Motion was made by Councilwoman Schwartz and seconded by Councilman Williams to approve an additional \$20,000 for a total contract amount of \$40,000. Motion carried 5-0.

**XIII. DISCUSSION AND POSSIBLE ACTION CONCERNING AN AGREEMENT BETWEEN THE CITY OF BUNKER HILL VILLAGE AND McGRATH HUMAN RESOURCES FOR THE CITY ADMINISTRATOR RECRUITMENT AND ASSESSMENT CENTER**

Councilman Brown said this is a contract with McGrath Human Resources for the city administrator search. He said the contract is for \$16,610 plus expenses. Councilman Brown said McGrath has already started the process. He also stated the City Attorney, Mr. Loren Smith, had reviewed the contract and was fine with it.

To update council on the progress of the search, Councilman Brown reported McGrath Human Resources has received up to 30 resumes and 16 seem to be viable candidates. He said Victoria, with McGrath Human Resources, will be down the first or second week in December to go over the resumes with council. Councilman Brown also said that council would be receiving a phone call from Victoria in the next few days asking each what they were looking for in a city administrator.

Motion was made by Councilman Brown and seconded by Councilwoman Schwartz to approve the contract of consulting search services with McGrath Human Resources. Motion carried 5-0.

**XIV. DISCUSSION AND POSSIBLE ACTION CONCERNING EMPLOYEE INSURANCE COVERAGE FOR CALENDAR YEAR 2013**

Ms. Sager, the City Administrator, said the increase from Blue Cross & Blue Shield to Aetna on the H.S.A is about 7%. The thinking behind the increase in the employers contribution was to continue participation in the H.S.A. She said we have mirrored what the police department has done the last four years and the recommendation is to continue.

Ms. Sager said the HMO plan would be a buy up plan with the employee paying the difference.

Motion was made by Councilman Williams and seconded by Councilman Brown to keep the city contribution percentages the same; 100% employee and 50% dependent coverage at the PPO level and on the H.S.A plan the city contributes to employee only coverage \$1,200 and \$2,400 for employee plus dependent coverage for the policy year 2013. Motion carried 5-0.

**XV. DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ADOPTING A SCHEDULING OF FEES, RATES, DEPOSITS, AND OTHER CHARGES FOR PUBLIC SERVICES, INCLUDING THOSE RELATING TO DEVELOPMENT, BUILDING AND CONSTRUCTION, ELECTRICAL, PLUMBING, LICENSING AND REGISTRATIONS, REGULATORY INSPECTIONS, PERMITTING, APPLICATIONS, HEARINGS AND OTHER MATTERS**

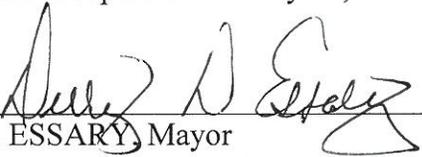
Ms. Sager, the City Administrator, said there are no changes in the resolution. It was a simple housekeeping issue that is done every year.

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

**XVI. ADJOURN**

Motion was made by Mr. Loren Smith and seconded by Councilman Smyre to adjourn the meeting at 6:21 p.m. Motion carried 5-0.

Approved and accepted on January 15, 2013.

  
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DERRY D. ESSARY, Mayor

ATTEST:

  
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Kelly Johnson, City Secretary