

## ***CITY OF BUNKER HILL VILLAGE***

### **MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS JUNE 21, 2011 – 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 Dave Ellis\*  
Councilwoman Susan Schwartz  
Councilman Jay Smyre  
Councilman Jay Williams

Also in Attendance:

Ruthie Sager, City Administrator  
Steve Smith, Dir of Public Works/Blding Official  
Kelly Johnson, City Secretary/Director of Finance  
Tom Ramsey, City Engineer

\*arrived at 5:05 p.m.

#### **III. DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND THE PAYING AGENT FOR THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2011 AND OTHER MATTERS RELATED THERETO**

Mr. Drew Masterson, with First Southwest, said the items on the agenda are for preliminary approval for the sale next month. He reported the bond market is at new record lows for AAA municipal bonds. He also said moving to lock in the interest rate expeditiously on the city's behalf was a great idea. He said potentially on July 19<sup>th</sup> we could lock in the rate if council could meet on that day.

Councilman Ellis said Councilman Jay Williams name needs to be added to the statement.

Ms. Kelly Johnson, City Secretary/Director of Finance, read the resolution of the Preliminary Official Statement in its entirety.

Motion was made by Councilman Brown and seconded by Councilman Ellis to approve the resolution approving the Preliminary Official Statement and the paying agent for the city's General Obligation Bonds, Series 2011 and other matters related thereto. Motion carried 5-0.

#### **IV. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF AMENDED PLAT OF LOTS 13 AND 14, BLOCK 2, HOLLY HILL SUBDIVISION, HARRIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 44, PAGE 30, HARRIS COUNTY MAP RECORDS (THIS AMENDED REPLAT IS TO RESOLVE AN ENCROACHMENT)**

Mr. Steve Smith, Dir of Public Works/Blding Official, said that a resident on Monica Lane is attempting to sell their house and in the process had a survey done and found that their neighbor's driveway was encroaching on their property. Mr. Smith said rather than move the driveway the

homeowner has agreed to sell the encroachment area to resolve the problem. Mr. Smith said the amended plat has the new property lines with no encroachments and the amended plat meets all the city's set-back requirements.

Motion was made by Councilman Brown and seconded by Councilwoman Schwartz to approve the amended plat of lots 13 and 14, block 2 of the Holly Hill Subdivision as outlined by the City Engineer. Motion carried 4-0 (item was taken out of order and discussed first; Councilman Ellis had not arrived yet).

**V. MAYOR'S REPORT**

**A. Discussion regarding referring the issue of fences in the front yard on Memorial Drive to the Planning and Zoning Commission**

The mayor said we have a lot at the corner of Memorial and Briar Forest that is in need of some rehabilitation. One thing the property owner has requested is to build a fence along Memorial. The mayor said he would have Planning and Zoning review and see if they could come up with an ordinance to allow fencing along Memorial. Mr. Smith, Dir of Public Works/Bldg Official, said this would impact approximately 10 lots in Bunker Hill.

Motion was made by Councilman Smyre and seconded by Councilwoman Schwartz to propose to Planning and Zoning that they conduct a study for fencing along Memorial. Motion carried 5-0.

**B. Rebuilding of Frostwood Elementary regarding the traffic and drainage issues affecting the city**

The mayor said we have seen preliminary engineering and thought we had a plan for dealing with the traffic along Plantation and Gessner. He said we thought everything was moving in the right direction when we received notification that it was not acceptable to the school district. The mayor said he wanted to inform council on what was going on.

The mayor said we have told the school district there are three things that the city will not budge on and they are traffic, drainage, and public safety.

The mayor said we now have a meeting set for June 28<sup>th</sup> at 10:00 a.m. with the school district.

**C. Meeting with Harris County Flood Control District at Hedwig Village City Hall**

HCFCFCD continues to try to come up with a regional solution around W151. The mayor said he doesn't see that happening and Bunker Hill Village is full steam ahead. He also said we have notified HCFCFCD we still are moving forward.

**D. State of the Fire Department presentation to the Village Mayors and Councils**

The mayor said they made a presentation to all the city councils last Thursday evening. The new budget for 2012 is coming in under the current amended budget.

**E. Observation of Houston/Village SWAT Team**

The mayor said he got to observe the SWAT Team two weeks ago and it was very impressive. Chief Brye said the SWAT Team Officers that receive the special training are able to bring that training back to their individual departments and provide that training to line level officers.

**F. Discussion on alternatives to Texas Municipal Retirement System**

Mayor Essary said he and Police Commissioner Paul Soanes have begun meeting with an investment group to discuss the possible alternatives to TMRS. He said the thought was to ultimately reduce our contributions to TMRS to a minimum match of 1 to 1 and take anything



else we are contributing to that plan and put it into some other investment alternative that would be much more controllable and accountable to the public service and city employees that service the villages.

- G. Authorization for the Mayor to send a letter to the residents requiring voluntary water rationing due to drought conditions

The mayor said he knew that all of city council was aware that we are in a severe drought situation in Harris County. He said currently we are pumping water at a fairly alarming rate. Mayor Essary said he was going to ask council to give him authorization to write a letter to the residents to start voluntary rationing. Mr. Smith, Dir of Public Works/Bld Official, reported we are 44% higher in water pumpage this year compared to this time last year.

Council all was in agreement to authorize the mayor to send a letter out to all the residents to start a voluntary alternate day water rationing plan.

#### **VI. 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 addressing 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

#### **VII. 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 May 17, 2011 Regular City Council Meeting
- B. May 2011 Financials

Motion was made by Councilman Ellis and seconded by Councilman Smyre to accept the consent agenda as stated. Motion carried 5-0.

#### **VIII. CITY ENGINEER'S REPORT – TOM RAMSEY, P.E., KLOTZ ASSOCIATES**

- A. Progress on Strey Lane Drainage Project

Tom Ramsey, the City Engineer, said we are making good progress on the plans. He said we are looking at details like the outfall, water flow, and etc. Mr. Ramsey said, responding to council's comments from last month's meeting, he perceives to have the pipe in the ground ready to receive water but the street may not be finished by hurricane season 2012.

- B. Joint Project with Piney Point on outfall at Memorial and Blalock Road

Mr. Tom Ramsey, the City Engineer, met with the City of Piney Point engineers regarding a possible joint project for the outfall south of Blalock. Mr. Ramsey said they would have to talk with city council to see the benefits vs. the value to the City of Bunker Hill Village.

Councilman Williams said the City of Piney Point Village is fixing their outfall problem. He said basically as the project stands now, it does not benefit the City of Bunker Hill Village. Councilman Williams said it could have the potential to help the City of Bunker Hill Village east side drainage and at that point the city would be willing to aid in the cost.

**IX. DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ACKNOWLEDGING REVIEW OF THE PUBLIC FUNDS MANAGEMENT AND INVESTMENT POLICY INCLUDING APPOINTMENT OF THE INVESTMENT COMMITTEE**

Motion was made by Councilman Brown and seconded by Councilman Williams to approve the resolution as written. Motion carried 5-0.

**X. 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 Councilman Ellis and seconded by Councilwoman Schwartz to approve the agreement as under tab X and authorizing the Mayor to sign on behalf of the city. Motion carried 5-0.

**XI. DISCUSSION AND POSSIBLE ACTION REGARDING AN AMENDMENT TO KLOTZ ASSOCIATES ENGINEERING FOR PROFESSIONAL SERVICES DATED AUGUST 4, 2010 IN THE AMOUNT OF \$278,000. (ADJUSTED AGREEMENT TOTAL IS \$403,000 FOR THE STREY LANE DRAINAGE PROJECT)**

The Mayor said this is taking Klotz Engineering from preliminary to final engineering. The percentage of engineering vs. the cost of the project is less than 10%.

Councilman Ellis said we have to get the approval from Harris County Flood Control District or this project does not go forward.

Motion was made by Councilman Brown and seconded by Councilman Ellis to approve the amendment to the professional agreement with Klotz Associates under tab XI increasing the Strey Lane Project from \$278,000 to \$403,000. Motion carried 5-0.

**XII. DISCUSSION AND POSSIBLE ACTION TO DELETE LULA (COOKY) MAYS AND ADD S. JAY WILLIAMS AS AN AUTHORIZED SIGNER ON THE CITY'S BANK ACCOUNTS AT AMEGY BANK OF TEXAS AND COMPASS BANK**

Motion was made by Councilman Ellis and seconded by Councilman Smyre to approve motion XII. Motion carried 5-0.

**XIII. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENTS TO THE PLANNING & ZONING COMMISSION, BOARD OF ADJUSTMENT, MUNICIPAL COURT, AND THE POLICE AND FIRE COMMISSION. THE APPOINTMENTS ARE FOR A TWO YEAR PERIOD ENDING MAY 31, 2013**

Mayor said we are moving Jean Krivan from Board of Adjustment to Planning and Zoning. She is filling a vacancy left by Al Augustine who is moving to Seattle, Washington. Bob Newman is replacing Jean Krivan on Board of Adjustment as a regular, he was an alternate. Monica Muchaslik is replacing Bob Newman as an alternate.

Motion was made by Councilman Brown and seconded by Councilman Smyre to approve the boards and commission as submitted. Motion carried 5-0.



**XIV. DISCUSSION AND POSSIBLE ACTION TO ENGAGE BELT HARRIS PECHACEK TO AUDIT THE CITY'S FINANCIAL STATEMENTS FOR THE YEAR ENDED DECEMBER 31, 2011 IN THE AMOUNT OF \$15,343 AND 2012 IN THE AMOUNT OF \$15,496**

The mayor recommended we continue to use Belt Harris Pechacek.

Motion was made by Councilwoman Schwartz and seconded by Councilman Williams to approve the auditors for audit year 2011 and 2012. Motion carried 5-0.

**XV. DIRECTOR OF PUBLIC WORK'S REPORT**

**A. Repairs to water plant at City Hall**

Mr. Steve Smith, Dir of Public Works/Blding Official, said approximately three weeks ago we had a storm where we lost power and our auxiliary power kicked on. Everything worked as it should until we tried to switch back to regular power. We had a power surge which affected the transfer switch.

The transfer switch we have is no longer being serviced with replacement parts. The least expensive option is to use the existing cabinet and replace all the parts in the cabinet. To replace all the internal parts in the cabinet we have an estimate of \$22,000 with an additional cost of \$9,000 for surge protectors.

The mayor asked where the money will come from. Ms. Kelly Johnson, City Secretary/Director of Finance, said it would come from unappropriated surplus in the Utility Fund.

Motion was made by Councilman Williams and seconded by Councilman Smyre to approve item XV (A). Motion carried 5-0.

**B. Discussion and possible action regarding purchase and installation of a 20KW natural gas generator for city hall. The estimated cost is \$16,500 and will be purchased with funds from unappropriated enterprise and general fund accounts**

Mr. Steve Smith, Dir of Public Works/Blding Official, said we do not have auxiliary power for city hall. To re-wire and utilize the water plant generator would cost in excess of \$31,000. The cheaper solution is to purchase a separate generator at an estimated cost of \$13,000.

Motion was made by Councilman Ellis and seconded by Councilman Smyre to approve the installation of a generator as associated under tab XV (B) at a cost not to exceed \$13,500. Motion carried 5-0.

**XVI. FIRE COMMISSIONER'S REPORT**

**A. Discussion and possible action regarding a request from the Board of the Village Fire Department to approve the 2010 Intra-Budgetary Transfers based on the 2010 audit**

Motion was made by Councilman Ellis and seconded by Councilman Smyre to approve the submitted 2010 Intra-Budgetary Transfers as included under tab XVI. Motion carried 5-0.

**B. Discussion regarding the proposed budget for 2012**

The mayor said that we will see the proposed 2012 budget in July or August and it should come in somewhere in the neighborhood of 4.5M for maintenance and operations. It is a decrease of 7% from the current year amended budget.

**XVII. POLICE COMMISSIONER'S REPORT**

**A. Police Department Activities**

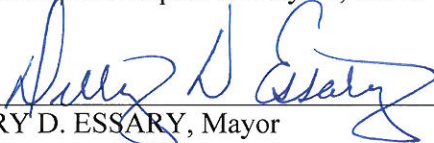
Councilman Ellis said the Police Commission just started on the budget process and they are determined to deliver another flat budget.

Chief Brye reported no robberies or burglaries in the villages for May. He did report that we have been approved for a \$717,000 grant to be shared with the Hedwig Village Police Department, City of Spring Valley Police Department, Village Fire Department, and Memorial Villages Police Department. The grant is for the outfitting of police radios and dispatch centers. Chief Brye said the funding is expected to be delivered this fall.

**XVIII. ADJOURN**

Motion was made by Councilman Brown and seconded by Councilman Smyre to adjourn the meeting at 6:45 p.m. Motion carried 5-0.

Approved and accepted on July 19, 2011.

  
DERRY D. ESSARY, Mayor

ATTEST:

  
Kelly Johnson, City Secretary