

CITY OF BUNKER HILL VILLAGE

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS MARCH 19, 2013 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

Councilman Jay Williams

Also in Attendance:

Kelly Johnson, City Secretary/Dir of Finance

Steve Smith, Dir of Public Wrks/Bldg Official

Tom Ramsey, City Engineer

Donna Johnson, 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.

No comments

IV. MAYOR'S REPORT

A. Summary of the February 17, 2013 meeting with members of the Memorial Forest Club

Mayor Essary said the Memorial Forest Club was not in total agreement on when was the best time to start the turn lane construction work on Plantation. The school district was prepared to start immediately in order to be done by May 1st. Mayor Essary said we agreed with the school district and the work started.

Mayor Essary said he did offer the Memorial Forest Club a temporary driveway off of Memorial Drive into Memorial Forest Club parking lot which would include taking out a section of their brick wall. He said that was rejected by the Memorial Forest Club Board.

The mayor said while the contractor was doing work on Plantation they discovered a crushed storm sewer pipe. He said the city replaced the pipe today.

B. Summary of the February 27, 2013 Annual Tealwood Homeowners Association Meeting

The mayor said the homeowners had concerns about the construction of Frostwood Elementary, the intersection of Plantation, Strey Lane Drainage Project, and the burglaries in the villages.

C. On-site meeting scheduled for March 25, 2013 with TxDOT regarding bridge replacement on Memorial Drive at W151

The mayor invited all of city council to attend.

V. POLICE COMMISSIONER'S REPORT

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

Councilman Williams asked if the agreement in front of them had the changes that Councilman Brown requested from the last council meeting. Ms. Johnson, the City Secretary/Dir of Finance, stated what was in front of council for approval had the changes that were requested.

Councilman Brown said he wanted to table the agreement again. He said the agreement is not clear on the voting rights of each city and what would happen in a tie vote situation. He also said it was not clear if a senior and junior member of the same city disagreed what would happen.

There was discussion among city council about the proposed amendment that included enlarging the voting commissioners from 3 voting commissioners to 6 voting commissioners. This would include the 3 alternate commissioners as voting members.

Mayor Essary asked Councilman Brown to get with the City Attorney and make what changes need to be made.

Motion was made by Councilman Brown and seconded by Councilwoman Schwartz to table the item. Motion carried 5-0.

B. Update on accounting issues

Ms. Johnson, the City Secretary/Dir of Finance, said that Mrs. Moses has been hired as the contract Finance Manager for the Memorial Villages Police Department. Ms. Johnson said Mrs. Moses along with having an accounting background, was a trainer in QuickBooks. The Memorial Village Police Departments accounting software is QuickBooks.

Ms. Johnson said the Police Commission has asked along with Mayor Essary, on a contract basis, that she act as the Finance Director for the Memorial Villages Police Department. Ms. Johnson said that Mayor Essary has directed her and Ms. Moses to get the books closed for

12/31/2012 and ready for audit and then bring forward and close monthly to reflect actual vs. budget.

Mayor Essary said the Memorial Villages Police Department hired a consultant to come in to help the former police chief get control of the administrative functions. What the consultant did was effectively wrap tentacles around every aspect of the accounting functions so that when it came time to break away it virtually was impossible. He said Ms. Moses and Ms. Johnson have been very deliberate in breaking those tentacles and handling damage control so the police department can operate separately and independently. Mayor Essary said it has been a very difficult and time consuming process. The mayor said he has confidence in both that they will get the job done, the books closed, and move forward.

VI. FIRE COMMISSIONER'S REPORT

Commissioner Smyre said year to date the fire department budget is 1% below budget. He said in February they transported 58 patients for revenue of \$36,000. He said we are averaging about \$630 per transport. In February there were 126 emergency incidents with about 50% fire and 50% EMS. Commissioner Smyre said in Bunker Hill Village there were 24 incidents in February, 6 were fire and 18 were EMS.

Commissioner Smyre said that Chief Foster has installed a new policy that even the current fireman have to pass an agility test twice a year.

Commissioner Smyre said they have drafted the 2014 budget and the first workshop is on Thursday

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

Mr. Smitha reported that on Strey Lane the black base and sub grade are in, and the north bound lane is a drivable surface. He said that 99% of the storm sewers were in with some inlets still needing to be installed. He said we have made good progress and that is to be contributed to good weather and the contractor having three crews working.

Mr. Smitha said his best guess for completion was the middle of May. He said then a few weeks after that to get all the sod down and clean up complete.

Mayor Essary asked about the elevation on Strey Lane. The mayor said in some places Strey Lane is three inches higher than pre-construction Strey Lane. Mr. Smitha said the side street approaches to Strey Lane are not in yet but it will be handled when they put those in. Mr. Conger, with Klotz Associates, said the elevation is as the approved plans show. Mr. Smitha reassured Mayor Essary that when they finish the approaches it will be a smooth transition onto the side streets.

The mayor asked about raising the elevation of Strey Lane three inches and if it would impact our drainage. Mr. Ramsey, with Klotz Assoc., said he did not think the additional three inches on Strey Lane would have an impact but he would check with Mr. Struzick.

Mr. Smith, the Dir of Public Wrks/Bldg Official, said within the scope of the Strey Lane Drainage Project there were some private streets that additional drainage was to be put in. Mr. Smith said during the initial process we assured residents on those private streets that if any damage to their streets occurred, the city would take care of it. Mr. Smith said he and Mr. Smitha walked those streets today and said there is some damage to two of the streets. He said

Edgewood needs some patching and Lazee Trail needs an overlay. He estimated a cost of less than \$10,000.

VIII. UPDATE ON EAST SIDE DRAINAGE PROJECT - KLOTZ ASSOCIATES

Mr. Ramsey, with Klotz Engineering, said they had met in the early part of March to discuss the proposed schedule. He said there were three elements to it. First, televising of W146 storm sewer from Carolane Trail down to Greenbay over and ending at Memorial Drive. Second, the improvements/maintenance on the Blalock ditch. He said we discussed bidding that separately from the Flintdale Project. Third, was the Flintdale Project.

Mr. Ramsey said the order of events to go forward are to go ahead and bid the Blalock Ditch Project in mid April and start the project the first of June. The plan is to have the Strey Lane Drainage Project wrapped up when the Blalock Ditch Project starts.

Mr. Ramsey said by mid June we should have the following: a cost of the Blalock Ditch Project, the total costs of the Strey Lane Drainage Project, and the televising of W146 storm sewers and an idea of the repair costs. So at that point we can see what funds are available and make a final decision on the Flintdale Project.

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 February 19, 2013 Regular Council Meeting
- B. February 2013 Financials
- C. AAA Asphalt Paving Inc., Application No. 12 in the amount of \$428,572.98 for Strey Lane Storm Sewer Improvements
- D. Klotz Associates, Invoice No. 213025 dated February 22, 2013 in the amount of \$3,430.00 for professional services rendered from January 16, 2013 to February 15, 2013 in connection with East Side Drainage Improvements along Flintdale and Greenbay
- E. Klotz Associates, Invoice No. 213049 dated February 22, 2013 in the amount of \$385.00 for professional services rendered from January 16, 2013 to February 15, 2013 in connection with Strey Lane Drainage Improvements Design Bid and Construction Phase Services
- F. Klotz Associates, Invoice No. 213050 dated February 22, 2013 in the amount of \$1,552.89 for professional services rendered from January 16, 2013 to February 15, 2013 in connection with Blalock Road West Ditch Maintenance Design and Bid Services
- G. Texascal Enterprises, LLC, invoice for the month of February 2013 in the amount of \$3,100 for professional services related to Strey Lane Storm Sewer Improvements
- H. Personal Services Contract Between the City of Bunker Hill Village, Texas and Ruthie Sager
- I. Spring Branch Independent School District Invoice for Property Tax Collection Services for Tax Year 2012 in the amount of \$8,000

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

X. FINANCIAL/CITY SECRETARY REPORT

A. May 11, 2013 Election Update

Ms. Johnson, City Secretary/Dir of Finance, reported who had filed in the following positions:

Mayor – Susan Schwartz and Jay Williams

Councilmember Position 4 – Jay Janecek

Councilmember Position 5 – Michele Belco and Laurie Rosenbaum

Ms. Johnson said there was a application filed by Bill Going for Councilmember Position 4, but he withdrew his application. She reported early voting starts on April 29th and runs through May 7th. Both Mondays during that period are have extended hours from 7:00 a.m. until 7:00 p.m. Election Day is May 11, 2013.

B. MVPD Finance Officer and Financial Update

Cover under agenda item V. B.

C. Update of the 12/31/2012 Audit

Ms. Johnson reported the auditor has been out and completed the field work. She said we already have the auditors adjusting entries and anticipates to having the final audit by next council meeting in April.

D. Financial Update

Ms. Johnson referred to a Cash Balance Report which summarized each fund and gave a collective fund total. She reported a collective cash balance for all funds as of 02/28/2013 of \$14,801,639. She explained of that total almost two million dollars was designated for reserves. She said the projected cash balance through the end of the calendar year with reserves, Valley Star, the Metro Project taken out and before any capital projects approximately \$7,000,000.

Ms. Johnson went briefly through the capital projects and stated after all the projects the estimated cash balance would be \$3,500,000 at the end of December 2013.

Ms. Johnson went through in detail the 2011 Bond Fund. She went through all the expenses that had been approved and the estimate for the construction phase for the east side projects. She ended with the available balance of the 2011 Bond Fund of \$85,868.

XI. EXECUTIVE SESSION

**THE CITY COUNCIL WILL CONVENE INTO CLOSED EXECUTIVE MEETING PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO CONSULT WITH THE CITY ATTORNEY REGARDING A MATTER IN WHICH THE DUTY OF THE ATTORNEY REQUIRES TO BE DISCUSSED IN CLOSED SESSION;
AND**

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 6:07 p.m.

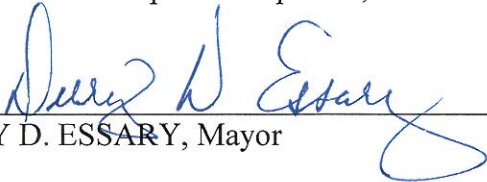
XII. RECONVENE AND TAKE ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION

Mayor Essary reconvened the meeting at 6:29 p.m.

XIII. ADJOURN

Motion was made by Councilman Glover and seconded by Councilwoman Schwartz to adjourn the meeting at 6:31 p.m. Motion carried 5-0.

Approved and accepted on April 16, 2013.



DERRY D. ESSARY, Mayor

ATTEST:



Kelly Johnson, City Secretary