

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS
March 19, 2019 AT 5:00 P.M.

I. CALL TO ORDER

Mayor Williams called the meeting to order at 5:00 p.m. in the Council Chambers of City Hall, 11977 Memorial Drive, Houston, Texas

Those Present:

Mayor Jay Williams
Councilmember Robert Lord
Councilmember Jay Smyre
Councilmember Jay Janecek
Councilmember Susan Schwartz
Councilmember Laurie Rosenbaum

Also in Attendance:

Karen Glynn, City Administrator
Britique Williams, City Secretary/Dir of Finance
Steve Smith, Dir of Public Works/Bldg Official
Loren Smith, City Attorney

II. PLEDGE OF ALLEGIANCE

Mayor Williams suspended with the pledge

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.

Jennifer Finch, Branch Manager for the Spring Branch Library (Harris County Public Library) at 930 Corbindale, attended the meeting to introduce herself as the new manager.

IV. POLICE COMMISSIONER REPORT

A. Update on Activities

Commissioner Keith Brown presented this item and outlined the following on the monthly report provided to the Council:

- The 2019 Budget, year to date, is on track for the year at 14% expenditures
- In February the Department responded to 5,833 calls (Bunker Hill Village had 2105 of the calls) and 1587 house watches
- The average response time was 3:47
- Officers wrote 833 citations total from all three cities (Bunker Hill had 299 citations)
- There is one opening in patrol and dispatch.

The Police Chief is working with a vendor for possible implementation of ALPR. This will be further discussed with the Commission in April.

V. FIRE COMMISSIONER REPORT

Review and Discussion on Efforts to Improve Response Times

EXECUTIVE SESSION

THE CITY COUNCIL WILL CONVENE INTO CLOSED EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO CONSULT WITH ITS ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION OR A MATTER IN WHICH THE DUTY OF THE ATTORNEY REQUIRES TO BE DISCUSSED IN PRIVATE

Mayor Williams convened into closed executive session at 5:52 p.m.

Mayor Williams reconvened the meeting at 6:33 p.m.

CONSIDERATION AND POSSIBLE ACTION REGARDING FIRE AND EMS SERVICES FOR THE CITY OF BUNKER HILL VILLAGE:

- ##### **A. Consideration and Possible Action on Settlement Offer/Agreement with the Village Fire Commission regarding Bunker Hill Fire and EMS Services**

No action was taken on this item. Fire Commissioner Bert Rosenbaum will attend the Fire Commission Meeting and provide the City's comments and request for clarification on some specific items.

B. Update on Activities

No other activities were noted.

VI. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, PROVIDING DETAILS ON THE MAY 4, 2019 GENERAL MUNICIPAL OFFICERS ELECTION; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH - Britique Williams, City Secretary/Finance Director

Britique Williams, City Secretary/ Finance Director presented this item and answered questions and took comments.

The City of Bunker Hill Village holds its election for the Mayor and City Council on the May General Election Date for each year. The next scheduled City Election is Saturday, May 4, 2019 and accordingly, will be for the Mayor and Positions 4 and 5.

The attached Ordinance outlines some of the election information that was not included in the January Ordinance. This includes polling locations and naming the Election Officers. Officers to be named include Clara Towsley as the Presiding Judge and Tom Rigamonti as the Alternate Presiding Judge.

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Janecek to approve the Ordinance.

The motion carried 5-0.

VII. CONSIDERATION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ADOPTING AMENDMENT NOS. 1 THROUGH 4 TO THE ORIGINAL BUDGET OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, FOR FISCAL YEAR 2018; PROVIDING DETAILED LINE ITEM INCREASES OR DECREASES; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT - Britique Williams, City Secretary/Finance Director

Britique Williams, City Secretary/ Finance Director presented this item and answered questions and took comments.

Ms. Williams stated that there are four amendments needed in preparation for the annual audit. Ms. Williams stated that the City finished the year overall within budget; however, these amendments adjust line items. Karen Glynn, City Administrator noted that adjustments include line items over budget. Ms. Glynn highlighted some of the specific items which were higher that included Wages as a result of the part time employee working on FEMA (that would be reimbursed); Professional Fees for Inspectors and Engineering which is a result of the increase in building permits; Water Wells as a result of the emergency failure; and the City of Houston surface water based on usage.

A motion was made by Councilmember Janecek and seconded by Councilmember Schwartz to approve the Ordinance outlining Amendments 1 through 4.

The motion carried 5-0.

VIII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION 03-19-2019A OF THE CITY COUNCIL OF BUNKER HILL VILLAGE, TEXAS, OPPOSING LEGISLATION THAT CAPS LOCAL REVENUES AND INTERFERES WITH CITY SERVICES - *Karen Glynn, City Administrator*

Karen Glynn, City Administrator, presented this item and answered questions and took comments.

As the Council is aware, the Legislature of the State of Texas continues to propose tax caps for local city governments. The latest information, during the 2019 session, includes limiting tax increases to 2.5%. Increases higher would require a special election. There has been discussion about smaller cities. Further discussion includes the possibility to require a special election to determine if smaller cities should be excluded. It is recommended that City of Bunker Hill Village join other cities in opposing this legislation.

Mayor Williams noted that he understands the desire for tax reform and he feels the Council needs more information on this item.

Karen Glynn noted that the City Administrators are meeting with Representative Murphy's Assistant this week and would gather more information from Representative Murphy's staff.

No action was taken on this item.

IX. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION 03-19-2019B OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, GRANTING A LIMITED WAIVER OF ENCROACHMENT FOR A PERMANENT STRUCTURE LOCATED ON LOT 2 OF HALE'S SUBDIVISION ALSO KNOWN AS 719 OURLANE CIRCLE, AS RECORDED IN VOLUME 243, PAGE 70, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION - *Steve Smith, Director of Public Works/ Building Official*

Steve Smith, Director of Public Works/Building Official, presented this item and answered questions and took comments.

The property at 719 Ourlane Circle has gone through the City's process for a major remodel. During the process, the builder found that the house encroached into the front yard setback. As a result, the encroachment was eliminated as part of the remodel design. Once completed, the City requested a follow up survey be provided. When the follow up survey was submitted, the builder identified an additional encroachment on the other side that did not show during the first survey. The City worked with the builder to use an additional surveyor and both found a 6-inch encroachment. Previous surveys of the

property did not show this encroachment. In addition, the builder noted that the property owner would have ensured this was resolved as the other encroachment was resolved.

In discussion with the builder and the surveyors, the most recent surveys shows that different tie points were used. Further review found that the tie points vary approximately one foot which results in this encroachment.

Mr. Smith stated that he had reviewed the information with the City Attorney and City Administrator and an Encroachment Agreement was recommended whereby the City acknowledges the encroachment into the front yard setback. Wording in the agreement specifies that the encroachment exists; however, it is now considered as “in kind, same kind” and there shall be no expansion of the structure as detailed in the City’s development code.

Staff presented this information to the City’s Planning and Zoning Commission at their March 7, 2019, meeting. The Commission voted to approve a recommendation to the City Council for approval of the Resolution and the Encroachment Agreement.

Staff shared with City Council that taking encroachments to the Planning and Zoning Commission for recommendation to City Council, as recommended by the Council, would be the City’s process for approval.

A motion was made by Councilmember Janecek and seconded by Councilmember Schwartz to approve the Resolution granting a limited waiver of encroachment for 719 OurLane Circle.

The motion carried 5-0.

X. CONSIDERATION AND POSSIBLE ACTION TO RATIFY A WORK ORDER IN THE AMOUNT OF \$69,000 WITH T CONSTRUCTION FOR AN EMERGENCY WASTEWATER LINE REPAIR ON WINSHIRE CIRCLE UNDER THE INTERLOCAL AGREEMENT WITH THE CITY OF TEXAS CITY- *Steve Smith, Director of Public Works/ Building Official*

Steve Smith, Director of Public Works/Building Official, presented this item and answered questions and took comments.

On the weekend of February 23, 2019, the City was notified by residents on Winshire Circle that they were experiencing sewer backups. The City’s Public Works Department responded and found a problem with the existing concrete sewer line. The crew was able to clear the line and provide service to residents; however, this was a temporary fix.

Mr. Smith met with T Construction, the City’s on call utility crew under the City’s interlocal agreement with Texas City, to evaluate and determine a permanent repair. T Construction found that the concrete line had failed and needed to be replaced. T Construction recommended the repair include the burst and pull method. This included approximately 1050 linear feet. The line at the cul-de-sac had previously been replaced with the Eastside Drainage Project.

With concurrence from Mayor Williams, staff proceeded with the repair. Per contract, T Construction’s cost to complete the work was estimated at \$68,370.00.

A motion was made by Councilmember Lord and seconded by Councilmember Schwartz to ratify the Emergency Wastewater Repair with T Construction.

The motion carried 5-0.

XI. CONSIDERATION AND POSSIBLE ACTION ON APPROVING A ONE YEAR CONTRACT EXTENSION WITH YARDWORKS, INC. AND CONTINUING THE SAME RATES FOR LANDSCAPE SERVICES INCLUDING RIGHT-OF-WAY MAINTENANCE, ESPLANADES, AND CITY HALL/MEMORIAL VILLAGES POLICE DEPARTMENT FACILITIES FOR THE TIME FRAME APRIL 1, 2019 THROUGH MARCH 31, 2020 AT A BASE AMOUNT OF \$95,697.00 AND A NOT TO EXCEED AMOUNT OF \$20,000 FOR ADDITIONAL WORK/MOWINGS AS DEEMED NECESSARY - *Steve Smith, Director of Public Works/ Building Official*

Steve Smith, Director of Public Works/Building Official, presented this item and answered questions and took comments.

In 2017, The City solicited proposals for landscaping services for the contract period beginning April 1, 2017 and ending March 31, 2019. Yardworks Inc. was awarded the project and has done an excellent service for the City. The existing contract included two - one year extensions. Staff is recommending awarding the first one year extension. Discussions with Yardworks Inc. indicated that Yardworks will honor the current prices for an additional year.

Mr. Smith stated that the base bid for Yardworks, Inc. is \$ \$95,697.00. It is recommended that the not to exceed amount be increased by \$20,000 to allow for additional servicing and irrigation repairs that are often needed throughout the year.

A motion was made by Councilmember Janecek and seconded by Councilmember Schwartz to approve a one year contract extension with Yardworks, Inc. at the same rates and base amount with an additional not to exceed amount of \$20,000 for additional work/mowing throughout the year.

The motion carried 5-0.

XII. CONSIDERATION AND POSSIBLE ACTION REGARDING THE PROPOSED 2019 BEAUTIFICATION PROJECTS AND BUDGET AS RECOMMENDED BY THE BEAUTIFICATION COMMITTEE - *Laurie Rosenbaum, Committee Chair and Steve Smith, Director of Public Works/ Building Official*

Steve Smith, Director of Public Works/Building Official, presented this item and answered questions and took comments.

The Beautification Committee has met and has developed a list of priority projects to accomplish this fiscal year. There is currently \$25,000 budgeted in the 2019 Capital Budget and \$ 6,195.32 is requested to be carried over from 2018.

Councilmember Rosenbaum discussed the various projects. Councilmember Janecek commented that he does not think the Beautification Committee should be responsible for street lighting especially on the major roadways. City Administrator Karen Glynn suggested the street lighting on Memorial Drive be paid out of Metro Funds. There was a consensus on using other funding for street lighting.

The actual projects will be brought back to council as needed as actual costs and vendors are selected.

A motion was made by Councilmember Janecek and seconded by Councilmember Rosenbaum to approve the Beautification Projects for 2019, removing the street lighting from the Beautification Budget and funding from the Metro Budget.

The motion carried 5-0.

XIII. DISCUSSION AND DIRECTION ON CAPITAL PROJECTS - *Steve Smith, Director of Public Works/ Building Official*

- Street Lights on Williamsburg, Cobblestone East and West, Warrenton and Kilts
- Traffic Calming on Warrenton
- Update on Other Projects

Steve Smith, Director of Public Works/Building Official, presented this item and answered questions and took comments.

Staff has been working with residents affected by the City's Capital Improvement Projects. Residents have voiced concerns to the Staff regarding street lights, speeding and cut-through traffic.

Mr. Smith discussed staff's recommendation to work with the neighborhood/individual residents regarding the opportunity to add street lighting as streets are reconstructed. Staff believes this is a decision that needs to be determined by residents. In order to ensure this is what the residents want, staff is recommending a cost share opportunity whereby the City participates 50% and the residents pay 50%. The City would then pay for the ongoing operations of the lighting. The installation of street lighting would also be based on the project budget.

The Council concurred that this was a good approach to ensure residents agree.

Mr. Smith also shared information on the request for traffic calming on Warrenton as part of the reconstruction project. In recent discussions with residents, cut through traffic and speeding on Warrenton were brought to the City's attention. Speed humps are in place on the parallel streets, Plantation and Stoney Creek. Residents asked if there were other ideas to help Warrenton that could be included in the design and reconstruction.

The City's Traffic Engineer has recommended the City consider raised intersections at the two intersections of Kilts and Warrenton to address these concerns. Mayor Williams asked if there were locations or pictures that the Council could see as an example of the raised intersection. Mr. Smith said that staff would send more information to the Council; however, the project will be moving forward with bidding in April to take advantage of the summer months.

XIV. CONSIDERATION AND POSSIBLE ACTION ON APPROVAL OF ADDITIONAL SERVICES TO SUPPLEMENT THE CITY’S CONTRACT WITH RPS INFRASTRUCTURE IN AN AMOUNT NOT TO EXCEED \$9,500.00 FOR THE FINAL DESIGN FOR KILTS, WARRENTON, AND VALLEY STAR AREAS - Steve Smith, Director of Public Works/ Building Official

Steve Smith, Director of Public Works/Building Official, presented this item and answered questions and took comments.

As discussed with Item XIII, raised intersections would be an opportunity to provide traffic calming along Warrenton. RPS has provided a proposal to design the raised intersections with the design cost being \$9,500. This could then be bid as an alternate to the project.

Mayor Williams had asked if there were locations or pictures that the Council could see as an example of the raised intersection before moving forward with the design contract. Mr. Smith said that staff would send more information to the Council.

No action was taken on this item.

XV. CONSIDERATION AND POSSIBLE ACTION ON APPROVAL TO AUTHORIZE THE CITY ADMINISTRATOR TO PROCEED WITH REPLACEMENT OF THE CARPET AT CITY HALL IN AN AMOUNT NOT TO EXCEED \$20,000 - Steve Smith, Director of Public Works/ Building Official

Steve Smith, Director of Public Works/Building Official, presented this item and answered questions and took comments.

Bunker Hill City Hall was used as a staging site for evacuations during Hurricane Harvey and the building carpet was soiled and contaminated from the flood waters. Staff had the carpet steam cleaned following the storm; however, spotting has continued. As a result, replacement of the carpet was submitted to FEMA as a needed expense. FEMA has recently approved the replacement of the carpet and has funded \$16,908.57.

Staff is requesting the City Council approval to move forward with installing new carpet utilizing the FEMA funds and supplementing if needed from the building maintenance funds.

Proposals were solicited in 2018 for the carpet replacement and the lowest proposal was approximately \$17,600. We are expecting that there may be incidental items as part of the work and therefore have recommended a limit of \$20,000 for this work.

A motion was made by Councilmember Janecek and seconded by Councilmember Rosenbaum to authorize the City Administrator to proceed with the replacement of the carpet at City Hall in an amount not to exceed \$20,000.00.

The motion carried 5-0.

XVI. 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, 2019 Regular Council Meeting.
- B. February 2019 Financials.
- C. Lloyd, Smitha & Associates, Inc. Invoice No. CMBH1703-06 for professional services rendered from January 1, 2019 to January 31, 2019 in the amount of \$17,840.00 for Regional Drainage Project 1
- D. Lloyd, Smitha & Associates, Inc. Invoice No. CMBH1703-06 for professional services rendered from January 1, 2019 to January 31, 2019 in the amount of \$411.00 for Regional Water Rehabilitation
- E. RPS, Invoice No. 119076 in the amount of \$3,312.00 for professional services rendered from January 1, 2019 to February 1, 2019 under on-call services for Regional Water Line Rehabilitation for Blalock Road and Wendover Lane
- F. RPS, Invoice No. 119077 in the amount of \$13,025.93 for professional services rendered from January 1, 2019 to February 1, 2019 under on-call services for Regional Drainage Improvements on Taylorcrest Road, Bunker Hill Road, Williamsburg Lane, and Cobblestone Drive
- G. RPS, Invoice No. 119079 in the amount of \$41,506.00 for professional services rendered from January 1, 2019 to February 1, 2019 under on-call services for Design of Street, Drainage, and Water Line Improvements for Warrenton Drive, Kilts Drive, and Valley Star Drive
- H. RPS, Invoice No. 119068 in the amount of \$2,375.55 for professional services rendered from January 1, 2019 to February 1, 2019 under on-call services for miscellaneous services including Drainage Committee Meeting, Project Planning and LiDAR Setup
- I. RPS, Invoice No. 119070 in the amount of \$822.42 for professional services rendered from January 1, 2019 to February 1, 2019 under on-call services for Site Development Review
- J. Probstfeld & Associates, Invoice No. 58650 in the amounts of \$305.00 for professional services rendered and billed on February 5, 2019 for engineering services for drainage site development review
- K. Probstfeld & Associates, Invoice No. 58651 in the amounts of \$310.00 for professional services rendered and billed on February 12, 2019 for engineering services for drainage site development review
- L. Probstfeld & Associates, Invoice No. 58765 in the amounts of \$600.00 for professional services rendered and billed on February 27, 2019 for engineering services for drainage site development review
- M. Shane’s Fence Invoice No. 3218 dated February 7, 2019 in the amount of \$1,746.00 for the City Hall Water Treatment Plant Fencing
- N. Spring Branch ISD in the amount of \$8,000 annually for Tax Collection Services for the 2018 tax year
- O. Norvell Enterprise Invoice No. 3121 dated February 11, 2019 in the amount of \$49,900.00 for Monica Drainage Construction
- P. G & A Boring Directional, Pay No. 6 and Final in the amount of \$48,600 for work completed to date for the Water Line Rehab on Blalock Road and Wendover Lane including Change Orders for Jack and Carl Lanes and Retainage

- Q. G & A Boring Directional, Pay No. 1 and Final in the amount of \$30,800 for work completed for the Emergency Repair on Monica Lane
- R. Fused Industries, LLC Payment No. 8 in the amount of \$312,561.64 for work completed January 5, 2019 to February 8, 2019 for the Regional Drainage Project 1 – Taylorcrest, Williamsburg, Cobblestone, and Bunker Hill Road

A motion was made by Councilmember Lord and seconded by Councilmember Smyre to approve the consent agenda.

The motion carried 5-0.

XVII. PRESENTATION

STATE OF THE CITY - *Mayor Jay Williams*

*Members of the
Planning & Zoning Commission and Zoning Board of Adjustment
may be in attendance at this meeting*

Mayor Williams presented a power point presentation outlining the City's financial position and planning efforts as well as accomplishments over the past 6 years during his time as Mayor.

Mayor Pro-Tem Jay Smyre recognized Mayor Williams as the City of Bunker Hill's 2019 Public Servant of the year, thanking him for his leadership and vision during his time as Mayor.

XVIII. ADJOURN

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Smyre to adjourn the meeting at 7:43 p.m.

The motion carried 5-0.

Approved and accepted on April 16, 2019.



Jay Williams, Mayor

ATTEST:



Britique Williams, City Secretary/Dir. of Finance