

**MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS  
April 21, 2020 at 5:30 P.M.**

**I. CALL TO ORDER**

Mayor Robert Lord called the meeting to order 5:31 p.m. in the Council Chambers of City Hall, 11977 Memorial Drive, Houston, Texas.

*Those Present:*

Mayor Robert Lord at City Council Chambers  
Councilmember Eric Thode via Zoom  
Councilmember Susan Schwartz via Zoom  
Councilmember Jay Smyre via Zoom  
Councilmember Keith Brown via Zoom  
Councilmember Laurie Rosenbaum via Zoom

*Also in Attendance:*

Karen Glynn, City Administrator at City Council Chambers  
Steve Smith, Dir. of Public Works/Bldg. Official at City Council Chambers  
Loren Smith, City Attorney at City Council Chambers  
Jennifer Namie, Assistant to the City Secretary via Zoom  
Ray Schultz, Memorial Villages Police Department, Chief of Police via Zoom

**II. PLEDGE OF ALLEGIANCE**

Mayor Lord led the Pledge of Allegiance.

**III. CITIZENS' COMMENTS**

There were no citizen comments.

**IV. FIRE COMMISSION LIAISON REPORT**

**A. Update on Activities**

Fire Commission Liaison, Keith Brown presented this item.

- The Monthly Report (Strategic Plan Report) is in the Agenda Packet.
- Reconstruction of the Fire Station is currently under discussion. The Commission is trying to decide whether to move forward with construction or postpone. The Village Mayors want to move forward.
- The next Commission Meeting will be April 22, 2020 at which time the current Chairperson will step down and Allen Carpenter with Spring Valley Village will become Chair in accordance with the rotation per the agreement.

**B. Financial Report/Proposed 2021 Budget Process**

Fire Commission Liaison Brown gave a brief synopsis of the Village Fire Department's Proposed 2021 Budget.

**V. POLICE COMMISSIONER REPORT**

**A. Update on Activities**

Police Commissioner, Jay Smyre gave an update on activities:

- MVPD is aware of several homeless camps in the area as well as a few vacant houses. MVPD is being proactive in dealing with a potential increase in crime. There are additional officers patrolling specific areas between the hours of 5:00 p.m. and 1:00 a.m.
- MVPD has also implemented random foot and bike patrol.
- MVPD continues to work with the City of Houston regarding ALPR locations proposed in the City of Houston Rights-of-Way. Eight additional ALPRs are being proposed to be funded in the 2021 budget.

**Coronavirus update**

Police Chief Ray Schultz gave an update on measures being taken by MVPD to remain safe during this crisis. The building is being cleaned every night. Several residents donated filters resulting in a surplus. MVPD has been able to donate the surplus to surrounding agencies. Employees are having their temperatures taken before and at the end of every shift.

**B. Financial Report/Proposed 2021 Budget Process**

Police Commissioner Smyre gave a synopsis of the proposed 2021 Budget. A workshop was held for the 2021 Budget and the Final Budget should be presented to the City Council at the May meeting.

**VI. MAYOR'S REPORT**

**A. Report on Activities and Upcoming Events**

The focus in the Mayor's many meetings regarding COVID-19 has shifted from isolation and control of the virus toward getting cities back to normal. All of the Mayors want to reopen safely but are taking an aggressive stance regarding getting back to normal as soon as possible. The conference calls have also addressed FEMA funds and Small Business Association funds. At this time, the City is not applying for funds. Action regarding reopening the City will be delayed until the Governor's next executive order which will be issued on April 27<sup>th</sup>.

One restaurant in Hedwig Village intends to open for dine-in on April 24, 2020.

There was discussion about whether to hold the Village Independence Festival and Parade. The Village Mayors all want the event to be held but in a limited capacity. Council feedback was against the idea as that could be when the second wave of the virus hits and then all of the money and planning that went into the event would have been wasted. Additionally, there were concerns to maintain social distancing precautions for such an event. The Mayor asked Susan Schwartz to discuss further with her committee and he will share the feedback with the other Mayors. There were no committee reports this month as committee meetings were cancelled.

**VII. CITY ADMINISTRATOR'S REPORT**

**A. Report on Activities and Upcoming Events**

- The City will continue to be open to the public in the mornings from 8:00 a.m. to 12:00 noon Monday through Thursday. Staff takes phone calls from 12:00 noon to 4:00 p.m. City Hall is closed on Fridays. This will continue through the Phase 1 Plan at least. City staff is looking at ways to safely reopen Court because of the number of visitors that attend.
- Staff is able to have meetings remotely via the Zoom platform.
- Water bills will be sent out along with a newsletter. Bunker Hill Elementary students have contributed to the newsletter.
- The audit process is wrapping up and City staff plans to present the audit at the May City Council Meeting.

**B. Report on Planning and Zoning Commission Meeting**

The Committee met via Zoom on April 15, 2020. There were three main topics:

- The Encroachment Agreement
- The Specific Use Permit for Paratus School
- The Conditional Zoning Permit Process

**C. Public Works Director - Report on Capital Projects**

Building Official, Steve Smith presented this item.

- Warrenton, Kilts, and Valley Star Construction Project is almost complete. The contractors intend to have the construction crews out by the end of the week. There are a few items on the punch list that need to be completed.
- Winshire Circle & Chappell Belle water lines have been installed and are in service and sterilized. The old lines are out of service.
- Construction continues on the Memorial Drive overlay.
- Water Well No. 3 is back in service.
- Staff is working with the Contractor on the dais in Council Chambers and hopes to begin soon.

**VIII. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NUMBER 20-523, AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS EXTENDING A PUBLIC HEALTH EMERGENCY AND EXTENDING A STATE OF DISASTER DUE TO THE OUTBREAK OF COVID-19; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE– Mayor Robert P. Lord**

Mayor Robert Lord presented this item.

The Mayor, Public Safety Officials and City Administrator have been working with various agencies in monitoring the impact of the COVID-19 Virus and the impact to the City of Bunker Hill Village. An Ordinance Declaring an Emergency was approved by the City Council on March 24, 2020 for a 30 day period. The ordinance ensured that any additional support needed from other agencies would be available to the City.

The March 24, 2020 Ordinance included a 30 day period. It is recommended that this Declaration of Emergency be extended another 30 days.

A motion was made by Councilmember Thode and seconded by Councilmember Smyre to adopt Ordinance Number 20-523 to extend the Public Health Emergency and State of Disaster due to the outbreak of COVID-19.

The motion carried 5– 0.

- IX. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NUMBER 20-524, AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, DECLARING THE UNOPPOSED CANDIDATES FOR COUNCILMEMBERS, POSITIONS 1, 2, AND 3 ELECTED; PROVIDING THAT THE NOVEMBER 3, 2020 GENERAL MUNICIPAL OFFICERS ELECTION SHALL NOT BE HELD; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH - *Karen Glynn, City Administrator***  
City Administrator Karen Glynn presented this item.

The City holds its election for Mayor and City Council in May of each year. The election for the Positions of Councilmembers 1, 2, and 3 are held in even numbered years and this year was initially called for May 2, 2020. All incumbents filed for their positions and Position 1 had an additional applicant resulting in a May Election.

As a result of the COVID-19 Pandemic, the City Council voted in March to postpone the May 2, 2020 Election to the November Election Date in accordance with the Governor's Proclamation.

Following the action to postpone, one of the candidates for Position 1 withdrew his application. As a result, the November Election can be cancelled as no additional candidates can be added to the ballot.

With the withdrawal, there is no opposition. Therefore Ordinance Number 20-524 has been drafted for approval to cancel the November 2020 Election.

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Brown to adopt Ordinance Number 20-524 to cancel the November 2020 Election.

The motion carried 5– 0.

- X. CONSIDERATION, DIRECTION, AND POSSIBLE ACTION ON A PROPOSED INTERLOCAL AGREEMENT WITH THE CITY OF HEDWIG VILLAGE, TEXAS FOR A JOINT PROJECT FOR THE INSTALLATION OF A CROSSWALK ON TAYLORCREST – *Steve Smith, Director of Public Works/Building Official***

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

City Staff previously worked with the City of Piney Point to improve pedestrian safety for both Cities with the installation of a Pedestrian Crosswalk across Blalock Road at the Pedestrian Bridge. This project has been very well received by residents in Bunker Hill and in Piney Point. The Council had approved an interlocal agreement which outlined the partnership between the Cities. The cost of the project was budgeted at \$10,000 for each City. The actual cost was \$8,555.00.

The City of Hedwig Village has been working with Bunker Hill Staff to install a similar Pedestrian Crosswalk for Taylorcrest Road at Magdalen Street. This crosswalk is entirely within the City of Bunker Hill but also serves residents in Hedwig Village. Hedwig proposed the crosswalk to include pavement lighting for this location. The cost of the installation would be \$36,000.00. The design of the pavement lighting would avoid placement of any lights in the wheel path of vehicles to reduce tire noise at the location.

Staff has drafted an interlocal agreement using the Piney Point Agreement as a model. The Piney Point Agreement stated that Piney Point would accept total maintenance of the signs. The City Administrator recommends sharing the cost for maintenance with Hedwig Village because of the embedded lighting system.

Staff requested Council direction to proceed with an interlocal agreement and to allocate funds for the Taylorcrest Crosswalk project. Funding is available in the General Fund Capital Projects Budget since the two projects (Memorial Landscaping and Blalock Crosswalk) with Piney Point have been paid and were both under budget.

Councilmembers shared concerns about the necessity for a crosswalk at this location. In addition, there were objections to the amount of money for which Bunker Hill would be responsible as the agreement is currently written.

It was the consensus of Council to proceed with discussions with Hedwig indicating that Bunker Hill would be willing to fund the same amount as was budgeted for the Blalock Crosswalk. Hedwig would be responsible for the remaining costs. In addition, Hedwig should participate in a pro-rata share of the maintenance costs.

Steve Smith will speak to the City Administrator of Hedwig Village to discuss these issues and come back to Council with more information.

No action was taken on this item.

- XI. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 04-21-2020 A 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 C OF SURREY LANE PLACE OUT OF LOT 4 ALBERT BEINHORN SUBDIVISION, AN UNRECORDED SUBDIVISION IN THE JOHN D. TAYLOR SURVEY, A-72, AS RECORDED IN VOLUME 243, PAGE 70, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, ALSO KNOWN AS 12019 SURREY LANE; AND**

**PROVIDING OTHER MATTERS RELATED TO THE SUBJECT - *Steve Smith, Director of Public Works/ Building Official***

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

The property at 12019 Surrey Lane was going through the process to be sold. During the process, the surveying company pointed out that the home encroaches on the front building line. The home was built in 1954. The documents in reference to this encroachment include the original filing from 1954 defining the building line setback and the survey.

It is the City's understanding that the property has been sold several times previously but apparently all transactions have been in cash with no title company involved. This lot may have been in existence prior to the City adopting its zoning ordinances which means that the lot is a previously existing non-conforming lot.

The current owner requested that the City proceed with the encroachment process to document the City's acknowledgment of the encroachment.

The City has reviewed the information and recommends an Encroachment Agreement, 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 matter to the City's Planning and Zoning Commission at their April 15, 2020 Meeting. The Planning and Zoning Commission voted unanimously to approve a recommendation to the City Council for approval of the Resolution and Encroachment Agreement.

A motion was made by Councilmember Thode and seconded by Councilmember Brown to approve Resolution No. 04-21-2020 A, with a correction for the setback.

The motion carried 5– 0.

**XII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 04-21-2020 B OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, DESIGNATING THE CITY'S TRAIL SYSTEM AS THE CITY'S DEDICATION AREA FOR THE DONATION OF TREES AND BENCHES AND NAMING THIS AREA AS THE "ARBOR TRIBUTE WALK" - *Steve Smith, Director of Public Works/ Building Official***

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

The City received a donation for additional trees to be planted in the City's right-of-way as a part of the City's dedication program. In addition, the Beautification Committee recommends planting additional trees.

As a result, Staff and Beautification Committee Chair, Laurie Rosenbaum recommends that the City extend the Arbor Tribute Walk to all trails along the City’s major roadways. In addition, Councilmember Rosenbaum recommended a change to the designation language to include easement areas as well.

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Schwartz to approve Resolution No. 04-21-2020 B and include City easements.

The motion carried 5– 0

**XIII. CONSIDERATION AND POSSIBLE ACTION TO INCREASE THE CONTRACT AMOUNT BETWEEN THE CITY OF BUNKER HILL VILLAGE AND RPS INFRASTRUCTURE BY \$25,150 TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE WARRENTON, KILTS AND VALLEY STAR RECONSTRUCTION PROJECT, ADDITIONAL CHANGE ORDERS AND MATERIALS TESTING - *Steve Smith, Director of Public Works/ Building Official***

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

At the February 2020 City Council Meeting, the Council approved Change Order No. 4 to the Warrenton Kilts, Valley Star Reconstruction Project. Change Order No. 4 included the repair of pavement on Valley Star Drive and Plantation Road in an amount not to exceed \$100,000. In addition, an extension of time was included to complete this work.

At the February Meeting, the Council also approved additional funds to cover the expenses for Construction Manager, Lloyd Smitha & Associates; however, staff failed to bring forward the additional services requested by RPS.

RPS provided a proposal which includes funding for the construction management and materials testing services under RPS’s responsibility.

Funding is available in the project contingency.

A motion was made by Councilmember Smyre and seconded by Councilmember Brown to increase the contract amount between the City of Bunker Hill Village and RPS Infrastructure by \$25,150.00 for the Warrenton, Kilts, Valley Star Reconstruction Project.

The motion carried 5– 0

**XIV. 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 March 24, 2020 Special City Council Meeting.
- B. January 2020 Financials

- C. February 2020 Financials
- D. AAA Asphalt Paving, Inc., Pay Request No. 9 in the amount of \$239,576.05 through February 29, 2020 for Construction of Street, Drainage, and Water Line Improvements for Warrenton Drive, Kilts Drive, and Valley Star Drive
- E. AAA Asphalt Paving, Inc., Invoice No. 1514-5 in the amount of \$25,000.00 dated February 28, 2020 for Ditch Cleaning throughout the City of Bunker Hill Village
- F. AAA Asphalt Paving, Inc., Invoice No. 1514-6 in the amount of \$19,838.00 dated March 31, 2020 for Stoney Ridge Drainage Repair
- G. RPS, Invoice No. 220043 in the amount of \$8,302.25 for professional services rendered from February 1, 2020 to February 28, 2020 under on-call services for Construction Management Services for Street, Drainage, and Water Line Improvements for Warrenton Drive, Kilts Drive and Valley Star Drive
- H. RPS, Invoice No. 1119069 in the amount of \$730.40 for professional services rendered from November 2, 2019 to November 29, 2019 under on-call services for Site Development Review
- I. RPS, Invoice No. 220047 in the amount of \$746.40 for professional services rendered from February 1, 2020 to February 28, 2020 under on-call services for Site Development Review
- J. RPS, Invoice No. 220046 in the amount of \$7,190.29 for professional services rendered from February 1, 2020 to February 28, 2020 under on-call services for Model Updates, Drainage Committee Support, and Meetings
- K. Lloyd, Smitha & Associates, LLC Invoice No. CMBH1705-07 for professional services rendered from February 1, 2020 to February 29, 2020 in the amount of \$14,239.00 for Street, Drainage, and Water Line Improvements for Warrenton Drive, Kilts Drive, and Valley Star Drive
- L. T Construction, LLC, Invoice No. 2020-004-02 in the amount of \$13,235.00 dated March 24, 2020 for Liberty Bell Sanitary Sewer Repair
- M. Probstfeld & Associates, Invoice No. 60883 in the amount of \$455.00 for professional services rendered in February 2020, for engineering services for drainage site development review
- N. Probstfeld & Associates, Invoice No. 60884 in the amount of \$305.00 for professional services rendered in February 2020, for engineering services for drainage site development review
- O. Probstfeld & Associates, Invoice No. 60882 in the amount of \$460.00 for professional services rendered in February 2020, for engineering services for drainage site development review
- P. Probstfeld & Associates, Invoice No. 60881 in the amount of \$300.00 for professional services rendered in February 2020, for engineering services for drainage site development review
- Q. Probstfeld & Associates, Invoice No. 60880 in the amount of \$300.00 for professional services rendered in February 2020, for engineering services for drainage site development review
- R. Probstfeld & Associates, Invoice No. 60924 in the amount of \$230.00 for professional services rendered in February 2020, for engineering services for drainage site development review
- S. Probstfeld & Associates, Invoice No. 60923 in the amount of \$230.00 for professional services rendered in February 2020, for engineering services for drainage site development review



- T. Probstfeld & Associates, Invoice No. 60994 in the amount of \$150.00 for professional services rendered in February 2020, for engineering services for drainage site development review
- U. Layne Christensen Company, Invoice No. 1769462 dated March 30, 2020 in the amount of \$113,840.00 for the Installation of Submersible Pumping Equipment at Water Well No. 3
- V. City of Piney Point Village, Texas, Payment Request made April 2020, in the amount of \$25,234.61 for the Memorial Drive Landscaping Improvements in accordance with the Interlocal Agreement
- W. City of Piney Point Village, Texas, Payment Request made April 2020, in the amount of \$8,555.00 for the Blalock Crosswalk Improvements in accordance with the Interlocal Agreement
- X. Servtech Electric Co, Invoice No. INV-6692 dated March 30, 2020 in the amount of \$3,600.00 for the Installation of a Temporary Fueling Station at City Hall
- Y. Harris Galveston Subsidence District Water Conservation Program, Fee No. HG-316813 in the amount of \$50,788.78 for participation in the regional watershed protection education program (Water Wise Program) for the 2019-2020 school year

A motion was made by Councilmember Brown and seconded by Councilmember Thode to approve the consent agenda.

The motion carried 5 – 0

**XV. ADJOURN**

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Smyre to adjourn the meeting at 7:50 p.m.

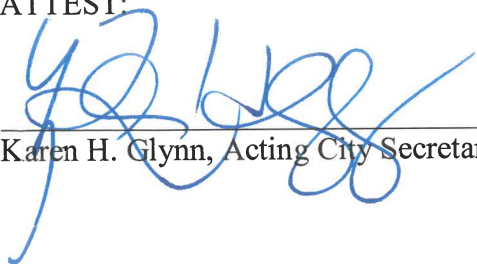
The motion carried 5 - 0

Approved and accepted on May 19, 2020.



Robert P. Lord, Mayor

ATTEST:



Karen H. Glynn, Acting City Secretary/City Administrator