

**MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS  
October 18, 2022 at 5:30 P.M.**

**I. CALL TO ORDER**

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

*Those Present:*

Mayor Robert Lord  
Councilmember Susan Schwartz  
Councilmember Keith Brown  
Councilmember Eric Thode  
Councilmember Laurie Rosenbaum  
Councilmember Carl Moerer

*Also in Attendance:*

Karen Glynn, City Administrator  
Steve Smith, Dir. of Public Works/Bldg. Official  
Loren Smith, City Attorney  
Jennifer Namie, Assistant to the City Secretary  
Ray Schultz, MVPD, Chief of Police  
Susan Grass, Finance Director  
Mallory Pack, Administrative Assistant to the City Administrator

**EXECUTIVE SESSION**

**THE CITY COUNCIL WILL CONVENE INTO CLOSED EXECUTIVE SESSION PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, OR DUTIES OF THE CITY ADMINISTRATOR.**

**THE CITY COUNCIL WILL MEET IN CLOSED EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO CONSULT WITH THE CITY ATTORNEY REGARDING PENDING OR THREATENED LITIGATION.**

*Mayor Lord convened into closed executive session at 5:32 p.m.*

*Mayor Lord reconvened and called the regular meeting to order at 6:00 p.m.*

**II. PLEDGE OF ALLEGIANCE**

Officer Larry Boggus led the Pledge of Allegiance.

**III. CITIZEN COMMENTS**

**There were no citizen comments.**

#### IV. MEMORIAL VILLAGES POLICE DEPARTMENT REPORT

- A. Update on Activities – Commander Eric Jones gave an update on activities including personnel, calls for service, and the 2022 Budget.
- Commander Jones reported that the Department is fully staffed and that there is even a waitlist for viable candidates.
  - The Department hosted a successful active shooter practice with the FBI.
  - The Automatic License Plate Reader (ALPR) System continues to be an effective tool to solve crimes and recover property.

#### V. VILLAGE FIRE DEPARTMENT REPORT

- A. Fire Commissioner Keith Brown provided a report on activities, staffing, calls for service, and response times.
- The ambulance that is scheduled to be replaced is out of service and being repaired.
  - The station windows and bay doors have been treated with film and will not need to be replaced. The roof of the Annex Building is being repaired to satisfy hurricane wind standards. The repairs will be at the cost of the contractor.
- B. Discussion and Direction to Establish a Contingency or Emergency Fund for the Village Fire Department.
- Fire Commissioner Brown suggested a future item to amend the current interlocal agreement which would define “inter-budget” and “intra-budget” transfers and put parameters and a specific voting scheme in place to authorize the transfers. Additionally, Commissioner Brown suggested a possible contingency fund with a cap that would require the Department to request direction and action by the cities.

#### VI. MAYOR’S REPORT

- A. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NUMBER 22-589, 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

An Ordinance Declaring an Emergency was approved by the City Council on March 24, 2020 and later extended. The proposed ordinance includes an additional extension through September 2022 and ensures that any support needed from other agencies would be available to the City.

**A motion was made by Councilmember Rosenbaum and seconded by Councilmember Moerer to adopt Ordinance No. 22-589 extending a Public Health Emergency and State of Disaster due to the outbreak of COVID-19.**

Councilmember Brown and Councilmember Thode abstained which is considered a “no” vote.

**The motion carried 3 – 2**

- B. Report on Activities and Upcoming Events
- Mayors Meeting – Mayors continue to coordinate a meeting date.
  - Upcoming City Hall “Open House” – October 19, 2022 – The event will display committees to increase public awareness, recruit new volunteers, and showcase committee accomplishments. Parking is available across the street at the Church.
  - Holiday Reception Event – *December 13, 2022*
  - Twinkle Light Parade – *The annual community event will be held on Thursday, December 15, 2022.*

## VII. CITY ADMINISTRATOR'S REPORT

Karen Glynn reported the following:

- A. Report on Activities and Upcoming Events
- Planning and Zoning Commission Meetings – The Planning and Zoning Commission met on September 27, 2022 to approve preliminary plats. The Commission will convene October 25, 2022 for further discussion and possible action to recommend the final plats to the Council. Staff expects these items to be presented to Council at the November 2022 meeting.
  - Zoning Board of Adjustments Meeting – The Board met on October 11, 2022 and approved a variance to the side yard setback for construction of a swimming pool. Members took their oath of office.
  - Update on Annual TML Conference – Karen Glynn thanked City Staff Steve Smith and Valerie Cantu, and Councilmembers Brown and Moerer for representing the City and attending the TML Conference.
  - Annual Villages Recycling Event – The event will be hosted at Hedwig City Hall on October 22, 2022.
  - Memorial Drive and Gessner Road Grant Application – The City has not received a response from H-GAC.
  - City Holiday Schedule – City Hall will be closed the following dates
    - Thanksgiving Holidays – *City Hall will be closed Wednesday, November 23 (beginning at noon) – Friday, November 25, 2022*
    - Christmas and New Year’s Holidays – *City Hall will be closed December 26 – December 30, 2022*
- B. Public Works Director - Report on Capital Projects
- Chapel Belle and Tamerlaine Reconstruction and Change Orders for Eaton Court Drainage and Memorial Sidewalk – A final project inspection was performed on Chapel Belle which illuminated items that require correction. The contractor is addressing the items. The pavement on Tamerlaine is in the process of being removed. The drainage pipe and inlet have been constructed on Eaton Court, and sidewalk replacement and roadway repair will be addressed soon. Staff is meeting this week with RPS and the contractor to establish the elevation for the new sidewalk at 11646 Memorial Drive.
  - Water Well No. 5, Sitework, Transmission Line, and Detention – The pump and motor are installed, and the piping is complete. A delayed motor control panel is expected to be installed this week if delivered on time. Permanent electric and gas service have been connected to the site. Phase I of the

transmission main is completed. Phase II includes the piping inside the Taylorcrest Water Plant - a connection fitting has been ordered and is expected to arrive soon to complete this project.

- Public Works and Emergency Operations Building – Construction on the new building has started.
- Verizon Cell Nodes – Staff is working with Verizon to relocate the tower on Williamsburg. Steve Smith met with Verizon last week and chose a new spot for the tower. The surrounding residents approved the placement of the tower and a Memorandum of Understanding will be distributed to them to sign confirming their approval of the new tower placement.
- Report on Proposal from American Tower Regarding the Cell Tower at City Hall – The City has met with the Technology Committee and has received a draft of the agreement. The City Attorney has approved the agreement.

C. Finance Director Report

- Status of Coronavirus Local Fiscal Recovery Funds – The City received the remaining approximately \$488,000 for a total of \$976,000.00. As budgeted in 2023, this money is planned for utility rehabilitation in the Utility Fund.
- Banking Contracts – The City is working to close its account at PNC Bank. As approved by the Council, the City opened an account at Independent Financial. Independent Financial will serve as the City’s secondary bank.
- CD Purchase – The City took advantage of prime interest rates for CD purchase. Independent Financial offered 3% on a three-month CD and 3.25% for a six-month. The City purchased one of each at a rate of \$250,000.00 each and is working toward more CD investments as interest rates increase.

**VIII. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO APPROVE RIGHT OF WAY USE AGREEMENTS – *Karen Glynn, City Administrator***

A. Taylorcrest Court Homeowners for Landscaping Improvements along Taylorcrest Court

The Taylorcrest Court fence and landscaping were a topic of discussion at the August and September City Council Meetings. The City of Bunker Hill Village utilized the existing right-of-way on Taylorcrest Court for the installation of drainage conveyance for the additional detention added at Bunker Hill Elementary School during the reconstruction of the school and site. As a result, the existing vegetation and several trees were removed. At the time of the removal, no irrigation system existed in the area.

At the September City Council Meeting, the Council agreed to present a Right-of-Way Use Agreement to the residents of Taylorcrest Court to outline costs, commitments and both short term and long-term responsibilities for the new fence and proposed plantings along Taylorcrest Court.

This approval would allow the Mayor to sign the agreement with a “not to exceed amount.” If any major changes were made to the agreement, it would come back before Council.

Councilmember Brown asked City Attorney, Loren Smith to change the language from “Memorandum of Understanding” to include binding language.

**A motion was made by Councilmember Thode and seconded by Councilmember Schwartz to authorize the Mayor to negotiate the final terms not to exceed the existing agreed upon terms and approve the Right-of-Way Use Agreement with Taylorcrest Court.**

**The motion carried 5 – 0**

B. Residents, The Theissen Family for a Little Free Library on Taylorcrest

The City of Bunker Hill Village was approached by Bunker Hill Resident, Taly Thiessen, to install and maintain a “Little Free Library” along Taylorcrest in front of 4 Huntington Park Court. The Theisen Family will be responsible for the installation, operation and maintenance of the Library.

**A motion was made by Councilmember Brown and seconded by Councilmember Schwartz to approve a Right-of-Way Use Agreement with the Theissen Family to allow the Theissen Family to install and maintain a Little Free Library along Taylorcrest in front of 4 Huntington Park Court.**

**The motion carried 5 – 0**

**IX. CONSIDERATION AND POSSIBLE ACTION REGARDING ORDINANCE NO. 22-586 AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, BY DELETING SECTION 16-26; (1) – (5) OF ARTICLE II OF CHAPTER 16 THEREOF AND SUBSTITUTING THEREFORE A NEW SECTION 16-26, (1) – (5); ESTABLISHING RATES TO BE CHARGED BY THE CITY FOR WATER AND SANITARY SEWER SERVICES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY – *Susan Grass, Finance Director***

Following adoption of the Fiscal Year Budget, the City Council sets the annual utility rates for Water and Wastewater Services. The 2023 Budget included a 6% rate increase for residential water and wastewater services, and an 8% rate increase for non-residential water and wastewater services. In addition, staff is proposing an irrigation rate to support and promote partnerships for landscaping and enhancements within the City.

**A motion was made by Councilmember Rosenbaum and seconded by Councilmember Thode to approve Ordinance No. 22-586, amending the Code of Ordinances for the City of Bunker Hill Village, Texas, by deleting Section 16-26; (1) – (5) of Article II of**

**Chapter 16 thereof and substituting therefore a new Section 16-26; (1) – (5); establishing rates to be charged by the City for water and sanitary sewer services; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.**

**The motion carried 5 – 0**

- X. CONSIDERATION AND POSSIBLE ACTION REGARDING ORDINANCE NO. 22-587 AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, BY DELETING SECTION 16-26 (5) OF ARTICLE II OF CHAPTER 16 THEREOF AND SUBSTITUTING THEREFORE A NEW SECTION 16-26 (5); ESTABLISHING RATES TO BE CHARGED BY THE CITY FOR SOLID WASTE AND RECYCLING SERVICES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY – *Susan Grass, Finance Director***

Following adoption of the Fiscal Year Budget, the City Council sets the annual rates for Solid Waste and Recycling Services. The 2023 Budget did not include a rate increase for solid waste and recycling services therefore, the existing rate of \$72.62 every two months will remain.

**A motion was made by Councilmember Thode and seconded by Councilmember Brown to approve Ordinance No. 22-587, amending the Code of Ordinances for the City of Bunker Hill Village, Texas, by deleting Section 16-26 (5) of Article II of Chapter 16 thereof and substituting therefore a new Section 16-26 (5); establishing rates to be charged by the City for solid waste and recycling services; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.**

**The motion carried 5 – 0**

- XI. CONSIDERATION AND POSSIBLE ACTION REGARDING ORDINANCE NO. 22-588 OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ADOPTING AMENDMENT NOS. 7 THROUGH 13 TO THE ORIGINAL BUDGET AS AMENDED OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, FOR THE FISCAL YEAR 2022; PROVIDING DETAILED LINE ITEM INCREASES OR DECREASES; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT – *Susan Grass, Finance Director***

City staff submitted for City Council consideration and approval a revised budget for Fiscal year 2022 based on year-end projections. Adopting a revised budget more accurately reflects the City's financial position at this time as well as ensures a more accurate depiction of the fund balance as used in the preparation and adoption of the Fiscal Year 2023 Budget.

Amendments 7 through 13 were presented. Amendments 7 through 13 compared the Fiscal Year 2022 Adopted Budget passed by City Council to the Fiscal Year 2022 year-end projections, including both revenues and expenditures/expenses, for all funds, in order to see the change from the budget. The adopted budget also included amendments 1 through 6 approved by City Council this year.

Amendments 7 through 13 also included recent discussions and actions on Capital Projects such as the Taylorcrest Court fence and landscaping and the Memorial/Briar Forest sidewalk planned for construction in the upcoming months.

**A motion was made by Councilmember Brown and seconded by Councilmember Rosenbaum to approve Ordinance No. 22-588, adopting Amendment Nos. 7 through 13 of the original budget of the City of Bunker Hill Village, Texas, for fiscal year 2022.**

**The motion carried 5 – 0**

**XII. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE ADDITIONAL SERVICES FOR PGAL IN AN AMOUNT NOT TO EXCEED \$10,000.00 TO DESIGN EXTERIOR IMPROVEMENTS TO CITY HALL TO BE COORDINATED AND ADDED TO THE CONSTRUCTION CONTRACT FOR THE PUBLIC WORKS AND DISASTER OPERATIONS BUILDING – *Steve Smith, Director of Public Works/ Building Official***

In September 2021, Council approved the final design contract with PGAL Architects for the City’s Public Works and Disaster Operations Building. During the 2023 Budget Process, City Council approved additional funds in Fiscal Year 2023 to evaluate and fund possible improvements to the exterior of City Hall. City Hall improvements will be coordinated with the construction of the Public Works and Disaster Operations Building.

**A motion was made by Councilmember Brown and seconded by Councilmember Thode to approve additional services for PGAL in an amount not to exceed \$10,000.00 to design exterior improvements to City Hall to be coordinated and added to the contract for the Public Works and Disaster Operations Building.**

**The motion carried 5 – 0**

**XIII. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE CHANGE ORDERS WITH UNDERGROUND CONSTRUCTION SOLUTIONS FOR CONTRACT NO. 1 AND CONTRACT NO. 2 FOR THE TAYLORCREST WATERLINE AND PLANT CONNECTION – *Steve Smith, Director of Public Works/ Building Official***

- A. Change Order No. 2 to Contract No. 1 with Underground Construction Solutions for a Time Extension to the Contract for an Additional 37 Calendar Days and a Reduction to the Contract in an Amount of \$21,450.00

Contract No. 1, which included the construction of the Transmission Main along Taylorcrest, is complete. All of the quantities have been reconciled by the project engineer and the final quantities result in a \$21,450.00 savings from the contract amount. The lines were tested and found to meet design criteria. Underground Construction Solutions requested a 37-calendar day extension as a result of delays in obtaining other contract materials.

- B. Change Order No. 2 to Contract No. 2 with Underground Construction Solutions for a Time Extension to the Contract for an Additional 60 Calendar Days

**Contract No. 2** included the connection of the Transmission Main to the Taylorcrest Water Plant inside the Plant Site. The contractor, Underground Solutions, requested a 60-calendar day-time extension due to supply chain delays.

**A motion was made by Councilmember Thode and seconded by Councilmember Brown to authorize Change Orders with Underground Construction Solutions for Contract No. 1 and Contract No. 2.**

**The motion carried 5 – 0**

**XIV. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE CHANGE ORDER NO. 3 TO THE CURRENT CONTRACT WITH ALSAY, INC. FOR A TIME EXTENSION TO THE CONTRACT FOR AN ADDITIONAL 60 CALENDAR DAYS – *Steve Smith, Director of Public Works/ Building Official***

Alsay, Inc., the contractor for the drilling and construction of Water Well No. 5, has been delayed in the completion of the water well due to supply chain issues with the Site Construction Contractor. The water well is complete and installed but electricity is unavailable to the motor as the contractor is awaiting the delivery and installation of the electrical motor control center. Alsay, Inc. requested a 60-calendar day time extension to the contract to see the project completion with the start-up of the new water well. This extension extends the contract time to January 1, 2023.

**A motion was made by Councilmember Brown and seconded by Councilmember Rosenbaum to authorize Change Order No. 3 to the current contract with Alsay, Inc. for a time extension for an additional 60 calendar days.**

**The motion carried 5 – 0**

**XV. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE CHANGE ORDER NO. 4 TO THE CONTRACT WITH MCDONALD MUNICIPAL & INDUSTRIAL FOR A TIME EXTENSION TO THE CONTRACT FOR SITE WORK FOR AN ADDITIONAL 60 CALENDAR DAYS – *Steve Smith, Director of Public Works/ Building Official***

The contractor for the construction of Water Well 5 Site Work, McDonald Municipal & Industrial, has been delayed in the completion of the Site Work as they are awaiting the delivery of an electrical motor control center. The project engineer and contractor have explored other sources for this equipment but delays in delivery appear to be industry-wide. All other components of the project have been installed and completed. This extension extends the contract time to January 1, 2023 to see the project completion with the start-up of the new water well.

**A motion was made by Councilmember Rosenbaum and seconded by Councilmember Brown to authorize Change Order No. 4 to the current contract with McDonald Municipal & Industrial for a time extension for an additional 60 days.**

**The motion carried 5 – 0**



**XVI. DISCUSSION AND DIRECTION ON PROPOSED BYLAWS FOR THE BHV, INC. A NON-PROFIT CORPORATION** – *Loren Smith, City Attorney and Karen Glynn, City Administrator*

The concept of the City creating a Non-Profit Corporation to accept donations was discussed at the May 2022 Meeting. The Mayor was approached by residents who wanted the opportunity to donate to the City to thank our Public Works Staff for their help, especially during the winter storm. A Non-Profit Corporation would be a means to allow donations for various opportunities, in particular furnishings for the new Public Works and Disaster Operations Building. This item allows for input into the bylaws for the non-profit.

***There was no action taken on this item. The Board of Directors will be responsible for approving the bylaws.***

**XVII. 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. September 2022 Financials
- B. Minutes of the September 20, 2022, City Council Meeting
- C. MetroCity, LLC, Pay Estimate No. 7 in the amount of \$86,037.02 for work completed August 2022 for the Chapel Belle Reconstruction Project.
- D. Clark Condon Associates, Inc, Invoice No. 50003 in the amount of \$1,050.00 for landscape design services for Water Well No. 5 in September 2022.
- E. The Goodman Corporation, Invoice No. 9-2022-5 in the amount of \$310.00 for professional services rendered for September 2022 for Memorial Drive and Gessner Road Grant Application – TIP Call for Projects Funding Pursuit Assistance.
- F. Gauge Engineering, LLC, Invoice No. 1934 in the amount of \$31,149.87 for professional engineering services rendered July 2022 for the Memorial and Gessner Project.
- G. Chlorinator Maintenance Construction, Inc, Invoice No. 4487 in the amount of \$17,000.00 for Taylorcrest water well equipment installed July 2022.
- H. Neil Technical Services, Invoice No. 112364 in the amount of \$1,569.10 for Taylorcrest water well repair services performed in September 2022.
- I. Neil Technical Services, Invoice No. 113249 in the amount of \$420.00 for electrical work rendered September 2022.
- J. Kimley Horn, Invoice No. 067787100-0822 for professional traffic engineering services performed August 2022 in the amount of \$9,582.50.

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

**The motion carried 5– 0**

**XVIII. ADJOURN**

**A motion was made by Councilmember Rosenbaum and seconded by Councilmember Brown to adjourn the meeting at 8:22 p.m.**

**The motion carried 5 - 0**

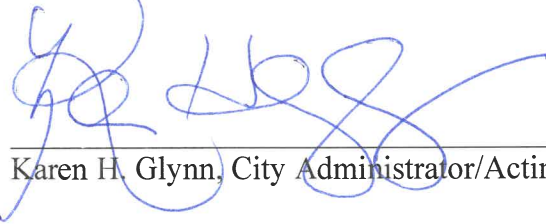
Approved and accepted on November 15, 2022.



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Robert P. Lord, Mayor

ATTEST:



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Karen H. Glynn, City Administrator/Acting City Secretary