

CITY OF CONVERSE
CITY COUNCIL MEETING
April 20, 2010
7:00 PM

The City Council of the City of Converse met in a regular meeting at the Converse Municipal Complex on Tuesday, April 20, 2010 at 7:00 PM to discuss various items on the agenda. The following were present:

Mayor Al Suarez	Mayor Pro Tem Carlton Degenhardt, Place 4
Councilwoman Renee Paschall, Place 1	Councilman Bruce Cannon, Place 2
Councilman John Shadron, Place 3	Councilman Jon Lindgren, Place 5
Councilwoman Mary Riley, Place 6	Mr. Sam Hughes, City Manager
Mr. John Quintanilla, Assistant City Manager	Mr. John Law, City Attorney
Various Members of the Fire/EMS Dept.	Ms. Penny Hieronymus, City Secretary

1. CALL TO ORDER

At approximately 7:00 PM, Mayor Suarez called the meeting to order.

2. INVOCATION – Pastor Donnie West, Church on the Rise

Minister Bruce Cannon of Maranatha Bible Church gave the invocation.

3. PLEDGE OF ALLEGIANCE: To the U.S. Flag led by Mayor Suarez
To the Texas Flag led by Mayor Pro Tem Degenhardt

Mayor Suarez led all those present in the Pledge of Allegiance to the U.S. Flag.

MPT Degenhardt led all those present in the Pledge of Allegiance to the Texas Flag.

4. ROLL CALL AND RECOGNITION OF VISITORS

Mayor Suarez stated all Council members are present.

Mayor Suarez recognized Ms. Joan Ohnheiser-Vice President of JISD Board and Mr. Daniel Kershner -Operations Superintendent of JISD.

5. CONSENT AGENDA. All Of The Following Items May Be Acted Upon By One Motion. No Separate Discussion Or Action On Any Of The Items Is Necessary Unless Desired By A Council Member.

A. Approval of City Council Minutes Conducted on April 6, 2010

- B. Receive Park and Recreation Commission Minutes for Meeting Conducted on February 8, 2010
- C. Receive Park and Recreation Commission Minutes for Meeting Conducted March 4, 2010
- D. Receive Planning Commission Minutes for Meeting Conducted on February 23, 2010
- E. Receive Economic Development Corporation Minutes for Meeting Conducted on March 9, 2010

MPT Degenhardt & Councilwoman Paschall asked to pull item #5 A.

MPT Degenhardt made a motion to approve agenda items #5 B – E. Councilwoman Riley seconded the motion. It passed unanimously.

MPT Degenhardt had a correction on agenda item #5 A, the CC minutes on Page 7, Item 11 A:

It reads: “MPT Degenhardt stated **they could** post this on the EDC web site.”

Should read: “MPT Degenhardt stated **this is posted** on the EDC web site.”

Councilwoman Paschall spoke on agenda item #5 A, Item 11 A, under her Council Call, she has not received any rosters from any of the CC members & asked if she could get the rosters between now & the end of July, she would like to have them for the August mtg. She had no corrections, but wanted to bring this back up on the Council Call.

MPT Degenhardt made a motion to approve agenda item #5 A as amended. Councilman Lindgren seconded the motion. It passed unanimously.

6. **SPECIAL CONSIDERATION ITEMS**

- A. Recognition of Mr. Craig Ramon, Fire Captain, for More Than 5 Years Service to the City of Converse (Mayor Suarez)

Mayor Suarez, CC & staff presented Mr. Ramon with a City lapel pin & Certificate of Appreciation.

Captain Ramon stated he came to work for the COC in Sept. 2001 & worked overseas for a year & came back for employment. He extended an appreciation to everyone responsible for allowing him the opportunity to serve the COC with employment here.

- 7. **CITIZENS TO BE HEARD.** This time is provided for Citizens to address City Council on any issues and concerns. No City Council discussion or action can be taken if the item is not on the Agenda. Please limit your remarks to three (3) minutes and state your name and address for the record. No personal attacks shall be allowed.

Mr. Daniel Kershner of JISD gave an update on Judson:

- June 7 – Judson Education Foundation Golf Tournament at new TPC at the JW Marriott
- June 5 & 6 – Football Camp eligible for any student that is going to be middle or high school student next year
- He is getting ready to start working with all of the schools in our area on a 10-year plan/long range facility plan, he would like input from the community as far as the facilities & schools to find out what they feel they need for their specific campuses – this leads into their planning for Nov. 2010 Bond Election
- He thanked Mayor Suarez, Mr. Hughes, Mr. Quintanilla & the City for providing the sidewalks along Schaefer Road, Miramar & all of the way to Loop 1604

8. PUBLIC HEARINGS

A. None

Mayor Suarez stated there were no Public Hearings.

9. OLD BUSINESS

A. Discussion and Appropriate Action on a Request to Rezone a Portion of a Parcel of Land Located at 9175 FM 78 (CB 5063 P-74C, ABS 431, (Property ID 310492), for a Total of Approximately 0.5700 Acres of Land from B-2, Retail District to B-3, Commercial District (Mr. Michael Berlanga)

Mr. Hughes showed the proposed use of the site for which the change in zoning from B-2 to B-3 as requested. The problem is the site that Mr. Berlanga owns & the property line; this site proposes to use a strip of land for parking, which is not part of his property. Clearly, Mr. Ellis says no, no one has contacted him & so he is not interested. Mr. Hughes does not think it is in our best interest to make the change. Our understanding is that it would be a restaurant & a gas station.

Mr. Berlanga stated one of the designs exceeds the ½ acre. He is also aware of the promotion & development of the property will probably enable them to work with Mr. Ellis to consider platting out the 1st phase of the Town Sq. He is concerned that currently the marketing of the Town Sq. has been lacking in a revised plan from what they originally envisioned several years ago. He has plans to utilize the EPA & perhaps getting a grant to clean up the site. He is a stakeholder, asks for CC's support & good faith from his history.

MPT Degenhardt made a motion to disapprove agenda item #9 A. Councilwoman Riley seconded the motion. The motion to disapprove passed unanimously.

B. Discussion and Appropriate Action on a Request to Approve Ordinance #339; an Ordinance Establishing Water Rates for Residential Customers; Establishing Water Rates for Commercial Customers; Establishing Fees Charged for Water Service and Impact Fees; Providing Penalties for Violations; and Superseding Previous Ordinances Regulating the Above Issues (Second Reading) (City Manager)

Mr. Hughes recommends approval.

MPT Degenhardt made a motion to approve agenda item #9 B. Councilman Lindgren seconded the motion. It passed unanimously.

10. NEW BUSINESS

- A. Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #112; an Ordinance Adopting and Enacting a New Code for the City of Converse, Texas; Providing for the Repeal of Certain Ordinances Not Included Therein; Providing a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code and this Ordinance Shall Become Effective (First Reading) (City Manager)

Mr. Hughes stated this is an Ord. required to actually implement the large book that he passed out at the last mtg. He believes the book accurately reflects all of the Ords. from the 100 series to the 900 series & collapsed them down to subject matter & by alphabetical order. Recommends approval.

MPT Degenhardt complimented Mr. Hughes on all of his hard work.

MPT Degenhardt made a motion to approve agenda item #10 A. Councilwoman Riley seconded the motion. It passed unanimously.

- B. Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #212; an Ordinance Authorizing and Approving the Creation of the City of Converse Economic Development Corporation to Act on Behalf of the City of Converse, Texas; Levying an Additional Sales and Use Tax as Provided in the Development Corporation Act of 1979, as Amended (Articles of Incorporation and By Laws) (First Reading) (MPT Degenhardt and City Attorney)

MPT Degenhardt explained the requirement for submission of new Arts. of Inc. & Sec. of St., which requires an Ord. by the CC. He pointed out some typographical/housekeeping errors on Ord. 212, Section 4, Page 2.

MPT Degenhardt made a motion to approve agenda item #10 B. Councilman Shadron seconded the motion. It passed unanimously.

- C Discussion of Master Plan Objectives (City Manager)

Mr. Hughes went over the list of the Master Plan Objectives, which are listed by priority. He received feedback from 5 of the 7 CC members:

-#1 Priority – every item received a near term vote from all 5 CC members; Mr. Hughes went over the top priorities with updates (plan for acquiring alternative water rights – on-going, in conversation with Schertz, Water Dept. putting together details of a plan for manpower &

equipment for dedicating a crew for non-potable line, we are getting items ready to put the park survey out, Mr. Hughes & Mr. Luft have been working on a grant program from the Dept. of Energy to put solar power lights in Parks, etc.)

-#2 Priority – every member voted/support it (near term, mid term & long term)

-#3 Priority – 3 or more members voted near term & 1 was opposed

-#4 Priority – 2 or less members listing it as a high priority, 2 or more members listing it as long term priority & only 1 opposed

-#5 Priority – 2 of the 5 members opposed & a variety of rankings from the other members

-No Priority – those item that had 3 or more of the 5 members opposed to pursuing that program

Mr. Hughes recommended:

-Priority 1 - staff take & pursue this, he will need some clarification, possibly a workshop; priority list

-Priority 2 – hand to the Planning Commission & quarterly the Chair can brief the CC quarterly

-Explained the Reverse 911 Communication System & will have to put together a cost proposal

Mayor Suarez clarified that each item as it comes up will have to go through the budget process, will have to get voted on & this is just for planning purposes.

Mr. Hughes stated the obligation of the staff is to serve the will of the majority of the Council. He is trying to get something that is manageable & this information is extremely useful.

D. Briefing by Ms. Miranda Muzina on the Program in the National Children Study – Bexar County, Division of Endocrinology & Diabetes (Ms. Muzina)

Mayor Suarez stated item #10 D would be deferred to the June mtg., due to technical difficulties.

11. REPORTS

A. Councilmember's Report/Items of Interest

Councilwoman Paschall reported:

-Council Call - She would like to be able to make an assessment by Aug., so if she could have the rosters & make an evaluation

Councilwoman Riley stated she does not keep a roster to fill out & likes to keep it confidential.

Councilwoman Riley reported:

-Thanked the Fire/EMS Dept., they were kept busy on Ave D on Fri. & Sat.

B. Mayor's Report/Items of Interest

Mayor Suarez reported:

-Received a nice letter & read it from a citizen on Norris Drive West regarding the water non-potable water lines – good & positive feedback; he asked for a round of applause for Ms. Hieronymus, Mr. Perez & Mr. Hughes. The employees are a reflection of Mr. Hughes & the

employees are under good leadership. Mayor Suarez stated on behalf of himself & the Council thanked him, nice result.

C. Boards/Commission Reports

(1) Report and Discussion of Economic Development Corporation

MPT Degenhardt reported:

- Marathon mtg., accomplished a lot
- City will be seeing the next phase of the Buy Converse Program (door hangers, advertising brochure delivered to homeowners) – will be targeting the entire “78109” area with their information
- Will need 2 items on the next agenda for some EDC business & CC mtg.

(2) Report and Discussion of Park and Recreation Commission

Councilman Shadron reported:

- Last mtg. April 12
- Welcomed Ms. Becky Johnson as a new Commission member
- Discussed a proposal from T.F. Harper & Assoc. for upgrading the playground equipment at City & North Park
- Approved re-location of the football field at North Park
- May 1 – Have a swimming pool clean up day
- Recommended that signs be posted at the entrance of the playing fields advising pet owners to keep their pets off of the fields
- April 28 – Have a budget workshop

D. City Manager/Secretary Report

(1) Report and Discussion of Future Agenda Items

Ms. Hieronymus reported:

- Public Hearing – Special Use Permit – Lotts Landing for an automated Ice Vending Machine along with an action item on this
- Ord. 112 – 2nd Reading adopting New Code for our Ords.
- Ord. 212 – 2nd Reading approving COC EDC Arts. of Inc. & By Laws
- Approve FEMA Flood Map, 1st Reading
- Request from EDC to approve Cert. of Obligation for 5 yrs. for \$800,000 to acquire ROW for Toepperwein Rd. Realignment Project
- Possibly have action for RFQ for auditing firm
- Approval of a bid to perform duties for Placid Park Sub. Phase III
- May/May not have the quarterly briefings from Chairpersons of the Planning & Building & Standards Commissions
- Executive Session on 308 Toepperwein Rd. for Realignment Project
- Resolution 634 – acquire property rights (308 Toepperwein Rd.) for Toepperwein Rd. Realignment Project

- Staff reports, which are the 2nd mtg. of the month
- Thurs., April 22 – Meet the Candidates at 6:30 PM

(1) Report and Discussion of Items of Interest

Mr. Hughes reported:

- Agenda item – Person has 34 rabbits, we said no; he will request a SUP for agricultural to raise rabbits, this will go to Zoning then Council
- Miramar 8 A & 8 B area built on the side of a hill, on the upper limits of those 2 units is a retaining wall, the plats were approved, walls were built with the base of the wall on the rear property line of the lots involved; after the walls were built the engineers discovered this wall is outside of the residential lot & on an undeveloped/unplatted portion, which the specific is the drainage ROW but adjacent to that is commercial; so, who owns & maintains the wall? The solution is to re-plat & extend the property line of the residential lot some 2.37'. One of these walls is on the boundary between 8 A & 8 B, so we are modifying the 8 B lot line to extend that & shortening the 8 A & the other is on the boundary between 8 A & the commercial. The walls are in good shape, we are cleaning up any future maintenance issues so we can clearly establish who is responsible & owns it. We expect this to be on the Planning agenda for April 27 & to CC on May 4.

Mayor Suarez announced JYSF is hosting a baseball tournament this weekend & expecting 20 teams, alert Police Dept. we may have 200-300 people at the City Park.

12. ADJOURNMENT

At approximately 8:10 PM, Mayor Suarez adjourned the meeting.

PASSED AND APPROVED THIS 4th DAY OF MAY, 2010.

Al Suarez, Mayor

ATTEST:

Adriana I. Hieronymus, City Secretary