

CITY OF CONVERSE  
CITY COUNCIL MEETING  
MINUTES OF JULY 6, 2010  
7:00 PM

The City Council of the City of Converse met in a regular meeting at the Converse Municipal Complex on Tuesday, July 6, 2010 at 7:00 PM to discuss various items on the agenda. The following were present:

Mayor Al Suarez	MPT John Shadron, Place 3
Council Member Renee Paschall, Place 1	Council Member Grant Lopez, Place 2
Council Member Randy Pannell, Place 4	Council Member Robin Benbrook, Place 5
Council Member Steve Brown, Place 6	Mr. Sam Hughes, City Manager
Mr. John Quintanilla, Assist. City Manager	Mr. Rick Jamison, Chief of Police
Mr. Richard Wendt, Chief of Fire/EMS	Mr. Jerry Wilson, Finance Director
Mr. Mark Luft, EDC Executive Director	Mr. Karl Hoppes, Director of Facilities
Mr. Jon Smith, Assistant Director of Utilities	Mr. Ray Ortiz, City Attorney
Ms. Penny Hieronymus, City Secretary	

1. Call to Order

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

2. Invocation

Mayor Suarez 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 Shadron

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

MPT Shadron 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 introduced & recognized Council, City staff, JISD Board member Mr. Arnold Salinas & Mr. Daniel Kershner –JISD Superintendent.

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. Action to Approve City Council Minutes for Meeting Conducted on June 15, 2010
  - B. Action to Approve City Council Minutes for Workshop Conducted on May 15, 2010
  - C. Receive Park and Recreation Commission Minutes for Meeting Conducted on May 10, 2010
  - D. Receive Zoning Commission Minutes for Meeting Conducted on May 17, 2010
  - E. Receive Planning Commission Minutes for Meeting Conducted on May 25, 2010
  - F. Action to Approve City of Converse Ordinance #623; a Flood Damage Prevention Ordinance (Second Reading) (City Manager)

Council member Paschall made a motion to approve agenda items #5 A - F. MPT Shadron seconded the motion. It passed unanimously.

6. Special Consideration Items
  - A. None

Mayor Suarez stated there were no Special Consideration Items.

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.

-Ms. Celeste Morris of 9014 Arabian King thanked everyone for their hard work, thanked us for the future stop light that is coming to FM 1976 & Old Cimarron Trail. She is interested in learning about the beautification of our homes & areas – with concerns to sidewalks & other issues that have been on going. She had concerns about the building/zoning not allowing ownership for condos or home parks, but will have apts. & assisted living.

-Ms. Gloria Weers of 104 Norris Drive West shared her concerns about the numerous animal problems. Perhaps 1 Animal Control Officer (ACO) seems like enough, however, she is here to plead the case for more than 1 ACO. We have a new Council with fresh ideas & she hopes they will consider having more than 1 ACO.

-Ms. Kathy Selko of 7327 Trance Lane was present on behalf of the American Legion Post 593 & Mr. Kenneth Eckerd who was in charge of their 1<sup>st</sup> Annual Parade. She presented certificates on their behalf to Mayor Suarez, Chief Jamison - Police Dept., Chief Wendt - Fire/EMS Dept. & Converse Fire Alumni Assoc. – Councilman Brown.

Mayor Suarez thanked the American Legion for their pro-active service in the community.

-Ms. Sarah Salazar of 115 School Street & 9235 Converse Business Lane thanked us for the “Buy Converse” information she received; she looks forward to seeing the magazine.

8. Public Hearings
  - A. None

Mayor Suarez stated there were no Public Hearings.

9. Old Business

- A. None

Mayor Suarez stated there was no Old Business.

10. New Business

- A. Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #630; An Ordinance to Establish and Regulate the Planning and Zoning Commission for the City Of Converse; And Superseding City Of Converse Ordinance #630 Dated February 3, 2009 and City of Converse Ordinance #631 Dated February 3, 2009 (First Reading) (Mayor Suarez, Councilwoman Paschall and Councilman Brown)

Mayor Suarez stated this Ord. is being put forth in an attempt to combine the Planning Commission & Zoning Commission. He believes this is a positive move in the right direction & hopes Council will support this move. He thanked Council members Paschall & Brown for their active participation in making this happen.

Council member Brown stated he has to give credit where credit is due & most of the work was done by City Manager, Mr. Hughes. Council member Brown had some general housekeeping:

\*Page 2, Section II - Responsibilities, "A", add: "The Planning and Zoning Commission ...relating to the administration of **planning** and zoning activities..."

\*Page 3, Paragraph "H", add: "The **Planning** & Zoning Commission shall be ...."

\*Page 5, Section IV – "A", the application fee was raised to \$150

Discussion included:

\*Page 1, Section 1 – "B", "The term of office shall be for **four** years, etc."

\*Page 1, Section 1 – "B", Commission members shall reside in the boundaries of Converse while serving on a Commission as in the Charter

\*Page 1, Section 1 – "B", All Commission members should be a registered voter as in the Charter

\*The old B&E Commission had a "relationship clause" – have the clause put in all of the Commissions (Ords.)

\*On Commissions possibly extend to business owners; EDC does extend applications to business owners

MPT Shadron made an amendment to change Section 1 – "B", "The term of office shall be for **two** years ...." Council member Benbrook seconded the motion. It passed unanimously.

MPT Shadron made a motion to amend Section 1 – to add an additional paragraph: "No person related within the second degree of affinity, or within the third degree of consanguinity, to a member of this Commission or City Council may be appointed to this Commission". Council member Lopez seconded the motion. It passed unanimously.

MPT Shadron made a motion to amend & add to Section 1 – "B" at the beginning of the paragraph: "All Commission members should reside within the City boundaries while serving on the Commission & be registered voters. The term of office shall be 2 years or until their successors are appointed and qualified". Council member Benbrook seconded the motion. It passed unanimously.

Mayor Suarez asked for a motion with the amendments to agenda item #10 A.

Council member Paschall made a motion to approve agenda item #10 A, Ord. #630 as amended. Council member Pannell seconded the motion. It passed unanimously.

- B. Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #632; An Ordinance to Establish a Beautification and Environmental Commission for the City of Converse to Promote Community Pride and Deter Property Depreciation; Conserve The Value Of Buildings And Land; And Preserve Natural Resources (First Reading) (Mayor Suarez and Councilman Lopez)

Mayor Suarez stated this is an Ord. that is being re-enacted by popular demand of the citizens, which was established in 2007 & repealed in 2009 to promote beautification & environmental issues.

Discussion included:

- \*Page 1, Section 1 – “B” - Terms – 2 years & keep standardized
- \*Adding to the Ord. - “relationship clause”
- \*Members must be registered voters
- \*Residency – we don’t need in this Ord. – any help is greatly appreciated
- \* Page 3, Section 11 – Responsibilities “F” 2 – Reserves – meaning place holder
- \*Page 2, paragraphs “G & “I” – very similar
- \*Registered voters – not necessary

Council member Benbrook made a motion to amend Section 1 – “B”, “The term of office shall be for two years ...”. Council member Brown seconded the motion. It passed unanimously.

Mr. Hughes stated we could delete paragraph “I”, on page 2 (members & attendance).

Council member Pannell made a motion to amend & add the “relationship clause” as CC did on the P&Z Commission. Council member Benbrook seconded the motion. It passed unanimously.

Council member Lopez made a motion to approve agenda item #10 B, Ord. #632 with the above amendments. MPT Shadron seconded the motion. It passed unanimously.

- C. Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #602; An Ordinance to Establish and Regulate the Building and Standards Commission for the City Of Converse; Establishing Authority and Procedures; and Superseding City Of Converse Ordinance #602 Dated April 15, 2003 (First Reading) (Councilman Pannell)

Discussion included:

- \*Most of our Ords. have an attendance clause; this Ord. does not have it (Page 2, Section 1 “F”
- \*Page 1, Section 1 “A” – consist of five members & four alternates ... SHOULD BE: “consist of five members and two alternates
- \*Page 1, Section 1 “B” – discussed issue on four or two year terms, nepotism clause, residency & registered voters’ requirements for this Ord.

Council member Pannell made an amendment to Ord. 602 to include on Page 1, Section 1 “A”: change the four year term to two year term, add the “relationship clause” & “residency clause”. Council member Paschall seconded the motion. It passed unanimously.

Council member Pannell made an amendment to Page 1, Section 1 “A” change to include: “consist of five members and two alternates who...”. Council member Benbrook seconded the motion. It passed unanimously.

Mr. Hughes stated this Commission deals with fact, guilt & assessing civil penalties. He addressed Robert’s Rules of Order, this is a statutory Commission.

MPT Shadron made a motion to approve agenda item #10 C with the amendments. Council member Benbrook seconded the motion. It passed unanimously.

D. Discussion and Appropriate Action on a Request to Approve Final Acceptance of the Infrastructure in Rolling Creek Subdivision, Unit #3 (City Manager)

Mr. Hughes stated Rolling Creek Unit 3 was inspected & accepted for preliminary acceptance in 2006; when it came up a year later for final acceptance of the infrastructure, Standard Pacific went bankrupt. We now have D.R. Horton purchasing the remaining lots of Unit 3 & now we are ready to build out the rest of that. Recommends approval.

Council member Paschall made a motion to approve agenda item #10 D. Council member Pannell seconded the motion. It passed unanimously.

E. Discussion and Appropriate Action on a Request to Submit Names of Qualified Persons to be Considered for the Position of Trustee of the Texas Municipal League Intergovernmental Risk Pool (City Manager)

Mr. Hughes stated CC is invited to make nominations for persons to represent this City & others on the TML IRP, this is our insurance provider.

Council member Benbrook asked if anyone would like to serve in one of these positions? She asked Mayor Suarez.

Mayor Suarez passed on this. He nominated Council member Paschall.

Council member Paschall declined.

Mayor Suarez stated we, the CC, would decline & not act on item agenda #10 E.

F. Discussion of Request for Qualifications (RFQ) for Website Development (Mayor Suarez)

Mayor Suarez stated if you look at our website, it needs a little work. He spoke with Mr. Hughes to put a certain amount in the budget as a proposal. He appointed a committee with Council member Lopez, MPT Shadron & Mr. Richard Weers-former Web Master to work with the City to come up with at least 5 proposals & to present to CC. Mayor Suarez thanked Mr. Weers for volunteering.

Council member Lopez agreed & stated the website is an investment.

11. REPORTS: In consideration of Texas Attorney General Opinion AG-0668, information provided on subjects not on the agenda shall be limited to statements of specific factual information; or recitation of existing policy. Any deliberation of or decision about a subject not on the agenda shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

A. Mayor's Report/Items of Interest

Mayor Suarez reported:

- Thanked the City staff for their hard work with the Amateur Athletics Union (AAU) competition (Jackie & Tracy-outstanding hospitality)
- Thanked Judson for allowing us to partner up
- Mayor & EDC Director met with St. Rep. Joe Farias regarding the FM 1604, FM 78 exit on & off ramps in trying to re-establish funding; there will be a 2<sup>nd</sup> mtg. with TXDOT forthcoming
- NEP mtg. this Thurs. at 11:30 AM at Olympia Park

B. Councilmember's Report/Items of Interest

Council member Pannell reported:

- July 10 – 3<sup>rd</sup> Annual fund raiser for the Fischer House at Fort Sam Houston (program for soldiers); Mr. Harold Bellamy, owner of Tripp's in UC & the Randolph Field Realty are teaming up to sell BBQ plate for \$7; our City, citizens & business owners have come to the rescue on this for the auction – all are welcome

Council member Lopez reported:

- Publically apologized for not receiving or replying to e-mails; he did some investigation & the issue has been remedied
- Thanked Jackie & Tracy for their great job on the AAU this past Sat.

Council member Paschall reported:

- Thanked Chief Wendt for the tour of the possibilities of annexation

Council member Benbrook reported:

- We need to recognize the upcoming City's 50<sup>th</sup> Anniversary (Proclamation, solicit Chair person for the Committee, etc.)

MPT Shadron reported:

- Thanked & complimented the Water Dept., there was a leak on June 26 on Meadow Branch around 10 PM the Water Dept. was very professional (Jon & crew)

C. Boards/Commission Reports

(1) Report and Discussion of Zoning Commission Meeting

Council member Brown reported:

- Discussed the upcoming merger of the Planning & Zoning Commissions
- He asked all members of the Zoning Commission to re-apply for spots; they have not picked a liaison – very favorable – 1 member opposed

(2) Report and Discussion of Planning Commission Meeting

Council member Paschall reported:

- Discussed the upcoming merger of the Planning & Zoning Commission – no feedback
- Planning Chair Clauss arranged for a mtg. with the Commission & the students at UTSA – we would get back to them on the Master Plan

D. City Manager

(1) Report and Discussion of Future Agenda Items

Mr. Hughes reported:

- Everyone received the budget – we are about to begin the budget process for 2010 & 2011
- Recommended the budget workshop be across the street at 6:30 PM – will discuss General Fund, Utility Fund & Stormwater, his cover letter is based on preliminary estimates of the tax base, we will not receive a certified roll until July 26
- There are 2 major projects facing the City that are not in this budget (Toepperwein Rd. project & Utility side the acquisition of an alternate water source to the Edwards) – Will not see words or resources in this budget dedicated to these projects – doesn't mean we aren't doing anything – we are working these projects
- We have tried to cover the major characteristics of what is in the budget for all 3 Funds in his letter
- Wed., July 14 at 6:30 PM – Budget Workshop

(2) Report and Discussion of Items of Interest

Mr. Hughes reported:

- Next CC mtg. - 2<sup>nd</sup> Readings of the 3 Ords. with amendments for approval
- 2<sup>nd</sup> Workshop on annexation
- Update on expansion of Toepperwein Rd. at the 30% design phase & when complete we will package it & go out for bids – there are several options we have in terms of construction phase in & financing

E. City Staff Reports

(1) Report and Discussion of Significant Fire and EMS Events

Chief Wendt reported:

- Received a report from the St. Fire Marshall's office detailing of the fire laws
- Had a fire at Wal-Mart in the Men's Dept., Police & Fire/EMS responded – Police caught the guy
- Had a fatality traffic (motorcycle) accident on Toepperwein Rd.
- Ran 72 calls last week – staying busy
- Thank CC for their support
- Contact Fire/EMS Chief if interested in annexation tour

(2) Report and Discussion of Significant Police Events

Chief Jamison reported:

- Chief Wendt covered some of the Police events
- July 4<sup>th</sup> – A lot of traffic on 1604, wrote a few citations for discharging fireworks in the City limits
- Staying busy

(3) Report and Discussion of Significant Public Works Events

Director of Facilities Mr. Hoppes reported:

- 100% Finished on Norris Drive East & Norris Drive West
- Ralston Street – all work is completed
- Chip Seal Program – Getting underway, starting in the Cimarron South Subdivision tomorrow
- Schaefer Rd. Project – Contractor has had a few delays with the driveways that need special attention – should be further along by the end of this month
- Placid Park Phase 3 – Slumber Lane about 90% complete, next will be Tranquil St. – contractor wants to be out of there within 3 weeks
- North Park football field – Parks Dept. has installed goals; fence building contractor is due to start tomorrow
- We will be looking into moving the existing concession stand from City Park to North Park this week
- Grounds Dept. super busy with brush pick up
- Will work on Cimarron Trail cul-de-sacs in a couple of weeks –weather permitted
- Weeds on Kitty Hawk Road between the sidewalk cracks – Ms. Campos has the Pesticide Applicators License to spray for the weeds

Director of Utilities Mr. Jon Smith reported:

- Repaired 6 water service leaks for the month of June
- Cleared 2 sewer back ups
- Televised 4 sewer laterals for customer problems
- Replaced a section of main on the 300 block of Ave. E
- Did intensive sewer maintenance throughout the City
- Did maintenance & repairs at 2 of the lift stations
- Working on completing the State mandated lead & copper samples for 2010
- Today assisted at 10218 Outlaw Bend with assistance of the Building Inspector & Code Compliance – Problem are roots on the homeowner’s side of the lateral

Mayor Suarez received an e-mail from a resident on Dream Ave. regarding the sidewalk repairs – said Facility Dept. did an outstanding job & they were very appreciative.

12. Adjournment

At approximately 8:27 PM, Mayor Suarez adjourned the meeting.

PASSED AND APPROVED THIS 20<sup>th</sup> DAY OF JULY, 2010.

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Al Suarez, Mayor

ATTEST:

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Adriana I. Hieronymus, City Secretary

