

CITY OF CONVERSE  
CITY COUNCIL MEETING  
MINUTES OF AUGUST 17, 2010  
7:00 PM

The City Council of the City of Converse met in a regular meeting at the Converse Municipal Complex on Tuesday, August 17, 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
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. Kie Sagan, Instruction Technician	Mr. Raymond Christian, Assistant Fire/EMS Chief
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

Pastor Donnie West, Church on the Rise gave the invocation.

Mayor Suarez recognized a moment of silence in memory of Mr. Herman Olds, who passed away last week.

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, with the exception of Council member Brown who is seeking medical attention & has a medical excuse; we wish him the best.

Mayor Suarez recognized JISD Board member, Mr. Johnny Harris, Mr. Arnold Salinas, Superintendent Dr. Willis Mackey, Executive Director of Operations Mr. Daniel Kershner & JHS Principal Ms. Kristy Vidaurri.

Mayor Suarez introduced Council & staff members.

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 August 3, 2010
  - B. Receive Park and Recreation Commission Minutes for Meeting Conducted on July 12, 2010
  - C. Receive Economic Development Corporation Minutes for Meeting Conducted on July 22, 2010
  - D. Action to Approve Financial Statements for June 2010
  - E. Action to Approve the Investment Report as of June 30, 2010
  - F. Action to Appoint Mr. Tito Escobedo, Jr. 10323 Coyote Hill, Mr. Donnie West, 301 Avenue D, and Mr. Marcelo M. Buckley, 9918 Meadow Lark, as Members of the Planning and Zoning Commission

Member Pannell pulled agenda item #5 A.

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

Agenda item #5 A:

Member Pannell stated on Page 7, he would like to change one word:

It states: "Council member Pannell commented to all of the Dept. Heads, they are not here to make our lives miserable, but some CC works etc....."

Should state: "Council member Pannell commented to all of the Dept. Heads, they are not here to make your lives miserable, but some CC works etc....."

Council member Paschall made a motion to approve agenda item #5 A, with the above amendment. Council member Benbrook seconded the motion. It passed unanimously.

6. Special Consideration Items
- A. Recognition of Assistant Fire Chief Raymond Christian, for More Than 10 Years Service to the City of City of Converse Fire and EMS Department (Mayor Suarez)

CC & staff presented Assistant Fire/EMS Chief Christian with a Certificate of Appreciation & a City coin.

Assistant Fire/EMS Chief Christian thanked the City for the opportunity, loves working here & would like to retire from the City.

- B. Appointment of the City Council Liaison to the Planning and Zoning Commission (Mayor Suarez)

Mayor Suarez appointed Council member Paschall as liaison to the P&Z Commission.

C. Appointment of the City Council Liaison to the Beautification and Environmental Commission (Mayor Suarez)

Mayor Suarez appointed Council member Lopez as liaison to the B&E Commission.

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. Gloria Weers of 104 Norris Dr. West stated over the weekend a Dalmatian mix was thrown out of a car in their neighborhood limping up & down the street, costing them \$180. She didn't know if it would have mattered in having another Animal Control Officer, but she would have loved to have tried, instead of having to do all of this herself.

-Mr. Roger Dennis of 10222 Plumas Drive stated the land behind his property & the next lot are overgrown. The Homeowner's Association (HOA) owns it & has not cleared it. He has cleared the land behind his property, but he just can't do it himself – it is just too much of a project. He thought it was going to be on the CC agenda tonight.

-Mr. Darrell Harris of 9835 Autumn Arbor stated in 2009 he took over the Converse Cardinals. The City & Cardinals came to an agreement & the City has done way more than its fair share. They are very grateful; the Parks Dept. crew has been great; the City has done a good job in investing in the children. Mr. Harris stated he has the financial report. The Board can't thank the City enough for what they have done.

Mayor Suarez stated we would put the Cardinal financial report for a future agenda item.

-Ms. Ora Blake of 9819 Wagon Train stated her concerns:

- She lives in a smaller home that backs up to North Park, with a Zero Lot Line; this weekend the Police had to be called because neighbors wanting to lay stuff against the neighbor's home
- Dogs – She generally walks when it is cooler & is chased up & down the streets; dogs owner threatens her owners because she takes a stick with her & pepper spray
- She has a Single Family Housing & there is absolutely no place for the cars to park, she has to be extremely cautious when she backs out
- Street sweeper – The cars pay no attention to the notices put out & she ends up cleaning the streets
- She wants her neighborhood to be clean
- She loves living in Converse & proud of the work being done by the City
- Dog walkers – When they walk their animals they let their animals go wherever they are & don't carry the pooper-scoopers with them
- Animal Control Officer will bring the cages out & she catches the animals, people that are out early will let the animals out or steal the cages

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

- C. Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #621; an Emergency Ordinance of the City of Converse, Texas Establishing Requirements for the Issuance of a Temporary Certificate of Occupancy Prior to Final Acceptance of Site Infrastructure Improvements to Property; Providing for an Administrative Fee for the Issuance of a Temporary Certificate of Occupancy; Providing for an Expiration and Extension of a Temporary Certificate of Occupancy; Providing for a Penalty for the Violation of this Ordinance; Providing for Repealing, Savings Severability Clauses; Providing for an Effective Date of this Ordinance (City Manager)

Mayor Suarez stated this item was put on the agenda on Friday as an emergency & we had to amend the agenda due to the fact that the issues with JISD & not having enough class rooms available; the question came up on issuing a Temporary Certificate. We confirmed with City Attorney Mr. Ortiz, who stated the City did not have the authority to issue a Temporary Certificate without an Ord. to dictate. The Mayor stated this emergency Ord. requires 2/3 approval & takes effect immediately.

Mr. Hughes stated the City Charter makes provisions for normal readings of Ords. The situation we have is critical; JHS has approximately 3,300 students that are enrolled & scheduled to begin class on Aug. 23. The Red Campus is available & is in satisfactory condition to hold classes, but has insufficient capacity to support these students. In the meantime, Judson has made some decisions based on assurances by their architect & contractor that the new school would be finished; the Gray Campus has been converted from HS facility to Middle School facility & is not available. The new bldg. is not finished, but there are portions of the bldg. (Wings P, G & H), which are classrooms & not ready; there is a high confidence level that with support of the Judson staff, architect & contractor – all of the deficiencies could be worked out on the inside of the bldg. to meet the International Bldg. Code of Standards & we could allow students in there. We developed & gave a list of stipulations that were presented to the Judson staff with a suspense date of close of business tomorrow to make it safe for the students; if completed, we believe we will have a reasonable safe environment where the education is separated from construction.

\*Stipulations:

- In the hallway, there will be a temporary wall built
- Cleaning up all of the hazards, dirt piles & misc. construction debris on outside sidewalks
- Fence to be constructed to separate the new HS campus into 2 zones (education zone & construction zone)
- Evacuation plans needs to be in the Letter of Stipulations

Mr. Hughes & staff are scheduled to meet at 9 AM on Thurs. & start verifying that the stipulations have been accomplished. Recommends approval.

Dr. Mackey thanked the CC, Mr. Hughes & staff for all of the assistance & support given to JISD. JISD has to do what it takes to get the kids in the bldg., safety is a big issue & their entire staff is ready to assist.

Council member Paschall made a motion to approve agenda item #10 C with the above stipulations. Council member Pannell seconded the motion. It passed unanimously.

- A. Discussion and Appropriate Action on a Request to Approve the Operating Budget for Fiscal Year 2010-2011 for the City of Converse Economic Development Corporation (Gerald Wilson, Treasurer and Mark Luft, Executive Director)

Mr. Luft & Mr. Wilson presented the EDC budget. Mr. Luft discussed:

- At last Tuesday's EDC mtg. – EDC Board accepted & approved the budget unanimously
- Numbers are conservative based on current facts for \$780,145 (75% is hard projects)
- General Projects - 12% of budget
- Capital Improvement Projects – 63% of budget (\$30,000-EDC portion of marquee, Toepperwein Road Project \$400,000, \$30,000 Future Capital Projects & \$60,000-North Park {\$20,000-shade awning over Playscape, \$10,000-road base for new parking lot & \$30,000 road base material for new parking lot & road for lake fishing area})

PROJECTS:

- Business Appreciation Breakfast usually held 4 times a year
- “Buy Converse” campaign & publication magazine, which we have all rights - this is our product
- Capital Investment Grant Program for businesses
- Regional marketing initiative with NE Partnership
- Support for 2<sup>nd</sup> Sat. festival, discussed banner versus signs – signs will be display the week before
- Economic Feasibility Study for Civic Ctr.
- Discussed the revenue, which they have increased by 177% & right now are at an 8% increase over last yr. over revenue

Mr. Wilson stated he used the same formulas he used for the City's budget.

MPT Shadron shared his concerns on the salaries; these are hard times - recommends no 4% pay raise but a 3% cost of living increase. He was concerned with Ms. Horan's computer & some of the problems she has been having (her computer is about 4 yrs. old). He questioned the vehicle allowance.

Mr. Luft replied on the vehicle allowance, he does have to pay income tax on it because it is considered income. He does not ask for reimbursement for mtgs., parking, etc. He is a City employee & the City Manager & his Board are his boss. He wears many hats & has increased the revenue for the City. We all have respect for each other & he is grateful. He would like to get the budget approved tonight, start the process & contribute to the purpose & mission of the organization. He believes there is tangible proof of what the EDC has done with his staff & Boards. He believes the percentage should be based on performance & should be fair for everyone. He will talk to the President tomorrow. The organization is not in debt & has no debts, they have assets & they are strong.

Discussion included: Salaries & maximum should be 3%, car allowance, break down of salaries (Mark, Patty, Jerry & Kie) & will still get a longevity bonus \$10 a month for every month being here.

Mr. Hughes objected, we compare ourselves to other cities & he is still the lowest paid City Manager in the region & the Fire Chief is paid lower than Universal City & Live Oak. If you cap then you are necessarily suppressing & not catching up. He also objects to a flat cost of living versus the merit. The 1% is about \$50,000 on the total City budget, so we take \$50,000 out of what we pay people & we're going to buy the things...he does not think that is right. The degradation & moral is going to be far greater than any benefit CC would get from buying an extra piece of equipment or having a fancy web site.

Mayor Suarez stated if you looked at the historical data, CC has given 4% almost every yr., about 20% over the last 4 yrs. We haven't done a pay study, but he has checked with other cities. He feels more comfortable with the

times we are having & our economic dev. down & the surrounding cities are having the same issues. We need to bear the tough times together. Mayor Suarez stated the salary would be a 3% merit & to take that to the EDC Board.

MPT Shadron stated he would love to have Mr. Hughes as his boss, because he stands up for his employees.

MPT Shadron made a motion that the proposed cost of merit increase is 3% with the approval of the EDC Board & the rest of the budget remains the same. Member Benbrook seconded the motion. It passed unanimously.

- B. Discussion and Appropriate Action on a Request to Select an Information Technology Consultant for Development of the City of Converse Website (Mayor Pro Tem Shadron and Councilman Lopez)

Councilman Lopez stated the Web Site Committee put a list of questions that were sent to both remaining companies (Civic Plus & Vision Internet).

Mr. Sagan showed a power point presentation & gave a briefing, statistics & responses between the 2 companies (Civic Plus & Vision Internet). He gave a brief history beginning with the domain name of “conversetx.net” registered in 2002 by the 1<sup>st</sup> web masters who were volunteers. He thanked Mr. Weers for his volunteering, help & assistance. Mr. Sagan took the position over 4 yrs. ago & overall both companies are identical in their offerings.

Mr. Weers & Mr. Sagan recommends “Civic Plus”.

Discussion included: Both very competitive & cost with both companies, who owns & leases what – we would want to own, on-line bill pay, payment plan for the consultant(s), checked references, look at other City web sites, we don’t want to make too fancy that people can’t use the web site, hits that we have had on the web page, site maps, maintenance & support plan, special features & upgrades, hosting, training & amount of time on training, contracts & domains, will still need to have someone monitor this at a company level, etc. We still have more space on the server for yrs. to come & is about a 5-6 month process. CC stated the presentation was excellent & thanked the committee. CC consensus was “Civic Plus”. There was a lot of information, we want to move slow, get a quality product & spend our money wisely.

Mayor Suarez made a motion to table agenda item #10 B until the second mtg. in Sept. for more time to coordinate with the company. MPT Shadron seconded the motion. It passed unanimously.

- 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:

-Commended City staff regarding the support for JISD

-There was an item on the P&R agenda that concerned him – action by CC at the July 20 CC mtg. regarding removal of the slide & seesaw – he had some mixed reviews & it kind of offended CC – when they take recommendations, deliberate & consider the Commissions feedback & comments but, at the end of the day, when they make an unanimous decision CC would like the courtesy of being supported by the members they

appoint, disturbs him when there may be members that might want to use the Commission for their own personal gain; he asked the liaisons to monitor & talk to their Commissions so we can work together

B. Councilmember's Report/Items of Interest

There were no reports.

C. Boards/Commission Reports

1. Report and Discussion of the Park and Recreation Commission Meeting

MPT Shadron reported:

-Met Aug. 9

-Will start using community service workers in conjunction & coordinated through Mr. Karre on park projects

-Tabled the issue of a Haunted House due to time restraints & funding

-Began the 1<sup>st</sup> process of a Master Plan – next mtg. will discuss the amenities the Parks have to offer, will include public input (survey), existing Parks, future Parks, policy recommendations, underserved areas, needs & funding

-Sept. 11 at 8:30 AM – 911 memorial service – sponsored by the Parks & coordinated with the Fire/EMS Academy

D. City Manager

(1) Report and Discussion of Future Agenda Items

(2) Report and Discussion of Items of Interest

Mr. Hughes reported:

-Tues., Aug. 24 – Special mtg. for the purpose of a 1<sup>st</sup> Public Hearing

-Tues., Aug. 31 – Special mtg. for the purpose of a 2<sup>nd</sup> Public Hearing & 1<sup>st</sup> reading of the Budget Ord.

-Sept. 7 CC mtg. – Mtg. to vote on what CC wants tax rate to be

-We are working 2 water contracts:

\*1<sup>st</sup> near term/short term – 500 acre ft. to go into affect within a yr. & last for 5 yrs. buying water from the Schertz-Seguin Local Government Corp. – are working details on this, had 1<sup>st</sup> reading, within 30 days should have more information

\*2<sup>nd</sup> long term issue – down to looking at 7 cities that would form a new Local Government Corp. (develop a well field in NE Wilson Co. to acquire about 8,000 acre ft. of water rights & start building a pipeline; we are putting together the organizational structure, memorandums of understanding & a contract between the new Local Government Corp. & the Schertz-Seguin Corp. – then brief to all of CC's of the 7 cities on/about Oct. 4; upfront money is around \$150,000 a City, there are several phases to get this up & going, probably at least 5 yrs. before there is any water that flows out this end of the pipeline force

D. City Staff Reports

There were no City Staff Reports.

12. City Council Workshop to Discuss Municipal Boundaries, Extra Territorial Jurisdiction, and Alternatives for Expanding the City through Annexation

Mayor Suarez stated in lieu of the fact Council member Brown was not present; we would pull this item until he returns.

13. Adjournment

At approximately 9:49 PM, Mayor Suarez adjourned the meeting.

PASSED AND APPROVED THIS 7th DAY OF SEPTEMBER, 2010.

ATTEST:

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Al Suarez, Mayor

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Adriana I. Hieronymus, City Secretary