

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

The City Council of the City of Converse met in a regular meeting at the Converse Municipal Complex on Tuesday, December 7, 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. John Quintanilla, Interim City Manager
Mr. Rick Jamison, Chief of Police	Mr. Richard Wendt, Chief of Fire/EMS
Mr. Karl Hoppes, Director of Facilities	Mr. Lupe Perez, Director of Utilities
Mr. Jerry Wilson, Finance Director	Ms. Michelle Burns, EDC Executive Secretary
Mr. Jeff Shook, Police Sergeant	Mr. Jayme Tavernier, Police Evidence Technician
Ms. Kim Molder, Crime Prevention Officer	Mr. Ray Ortiz, City Attorney
Various Members from the Fire/EMS Department	Various Members from the Police Department
Ms. Penny Hieronymus, City Secretary	

1. Call to Order

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

2. Invocation

Interim City Manager 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 CC members are present.

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 November 2, 2010

Council members Brown & Paschall had corrections on item #5 A.

Council member Paschall had a correction on Page 8, #B, Council member Lopez reported:

Should be: “contact Aura’s Boutique & **talk** to the owner, Sandy”

Council member Brown had a correction on Page 3, #6 E:

Should be: “Mayor Suarez stated **Mr.** Karre, a former Council member, has done so much for the COC.....”

Council member Paschall had another correction on Page 7, Paragraph 3:

Should be: “Council member Pannell stated he is **a firm** believer in communication”

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

6. Special Consideration Items

A. Recognition of Jeff Shook, Sergeant, Traffic Division, for More Than 15 Years Service to the City of Converse Police Department (Mayor Suarez)

Mayor Suarez, CC & City staff presented Sgt. Shook with a Certificate of Appreciation & City coin.

Sgt. Shook had his 2 sons with him, wife was working; he said it has been great & loves working with the City.

B. Recognition of Jayme Tavernier, Evidence Technician, for More Than 5 Years Service to the City of Converse Police Department (Mayor Suarez)

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

Officer Tavernier stated he worked with the City in 1986, left & returned with the City.

C. Recognition of Community Partnership – A TO Z Rents, WALMART, & Converse Fire/EMS Department for Their Support of the BLUE SANTA PROGRAM (Chief of Police Jamison)

Chief Jamison & Officer Kim Molder presented Fire/EMS Chief Wendt, Mr. Hoffman of A to Z Rents & Ms. Angela & Ms. Veronica of Wal-Mart with Certificates of Appreciation for their outstanding assistance with the Police Blue Santa Program – they had 25 families & 106 kids registered – should be a nice Christmas for them all.

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 Drive West reminded those present that the Annual Breakfast with Santa is the 1st Sat. in Dec. 2011. This past Breakfast with Santa was their 4th year & they had a wonderful & fun time.

-Ms. Kathy Selko of 7327 Trance Lane stated for the Breakfast with Santa & on behalf of the Converse Citizens Fire/EMS Academy Alumni Assoc. – hats off to Mr. Pannell, they could not have done it without him – wouldn't have been the same. Also, this coming Sat. is the 2nd Sat. of the month & will be Christmas in Converse Street Fair from 10 AM to 5 PM; Santa will be there from 11 AM to 1 PM at the corner of Aura's Boutique – all are invited

8. Public Hearings

A. None

Mayor Suarez stated there were no Public Hearings

9. Old Business

A. Discussion and Appropriate Action on Ordinance #620, an Ordinance Regulating and Restricting the Construction of Buildings and Other Structures; Adopting the Latest Editions of the International Codes as Published by the International Code Council and the National Fire Protection Association; Requiring a Surety Bond for All Persons Contracted to Perform Home Improvements, Sign Installation, Fence Installation and Electrical Business; Establishing Appropriate Fees for the Required Permits and Inspections; and Superseding Other Ordinances in Conflict (Second Reading) (Interim City Manager)

Mr. Quintanilla stated we are raising fees that we feel are in line with market & have surveyed the other cities. Staff recommends approval.

MPT Shadron made a motion to approve agenda item #9 A. Council member Paschall seconded the motion. It passed unanimously.

B. Discussion and Appropriate Action on Ordinance #619, an Ordinance of the City of Converse Established for Regulating Maintenance and the Appearance of the City in Accordance with Recognized Standards of Property and Building Upkeep for the Purpose of Promoting the General Welfare of the City of Converse, Texas and Superseding Other Ordinances in Conflict (Second Reading) (Interim City Manager)

Mr. Quintanilla stated at the 1st reading, we were requested to revise several items (out of cycle pickup fee reduced to \$50 & increasing the fee to \$2 & will be providing quarterly service). We are attempting to provide brush pick up in a manageable fashion for our staff; this may not be our final attempt. We were asked to look at another variation to continue to provide monthly service & we again feel this quarterly approach is the best approach for the COC at this time. The waiving of the fees for ages 65 & older are included on Page 3, Item #3 – these citizens need to let us know & we will remove that fee from their water bill - we can do notifications on the water bills. The approach that we have does not work & there is evidence all over town. Staff recommends approval.

Mr. Hoppes gave a briefing on how we currently pick up the brush list, which is produced from City Hall & go through the entire City until it is done. The new system will allow the Grounds Dept. to utilize their time with cutting grass, mowers & weed eaters – to manicure the City better. By going to the new plan, we will still do everybody's home 3 times a year. We can get through another budget year before having to get used/new equipment, at some time we will have to bite the bullet & raise the rates. We could put signs around the zones we would be working in.

Discussion included: citizens will not have to call City Hall anymore, the old program was started in 1999, we now have aging equipment, we will notify the citizens on the web page, water bill & Herald, we will also have maps at City Hall & at the Library; we are asking people to pay more & get less – examine other ideas; going from \$0.86 to \$2 a monthly fee; we did an analysis of what it is going to cost us to replace aging equipment we have over the next couple of years, a used chip truck is about \$50,000 & to buy another chipper is about \$60,000, begin Jan. 1, 2011, there will be some hurdles & will work out issues.

Mayor Suarez asked if we could leave it the same, try out the new plan/approach & leave the prices the same at \$0.86.

Mr. Quintanilla stated we would continue the \$0.86 cents per residence, implement on Jan. 1, 2011 & come back to CC in March or April to assess how we are doing.

MPT Shadron would like to see on Page 2, Item "e", would like to see another sentence stating variances denied may be appealed to the City Council.

Council member Pannell made the motion to approve agenda item #9 B, with the above amendments noted. Council member Paschall seconded the motion. It passed unanimously.

10. New Business

- A. Discussion and Appropriate Action Authorizing the Interim City Manager to Execute a Contract for Auditing Services with the Firm of Armstrong, Vaughn & Associates, P.C., Certified Public Accountants, to Provide Auditing Services for the City of Converse (Interim City Manager)

Mr. Ortiz stated we need to bring this contract back to CC on Dec. 21, we have some suggested revisions to the contract.

Council member Lopez made a motion to postpone agenda item #10 A until Dec. 21. Council member Pannell seconded the motion. It passed unanimously.

- B. Discussion of Newsletter for the Purpose of Disseminating City News and Information to the Citizens of Converse (Mayor Suarez & Interim City Manager)

Mayor Suarez stated they just discussed a way to notify the citizens on changes of Ords., etc. This will make this government & CC more transparent, it compliments the new web site & City marquee, which are on order & possibly assist with bringing back the videotaping of the CC mtgs. to put on the cable channel on TV, allows the citizens & general public to get detailed information on what this CC & City government are up to, changing & what is new, newsletter would help combat propaganda, the Herald is doing a good job-but they have 6 cities to contend to, this will set the record straight & gives the citizens the opportunity to pick up the phone, go to the web site & get the facts 1st hand; start out small, cheap, black & white-time for the City to act.

Mr. Quintanilla stated in terms of cost, the 6 page Annual Water Quality Report-cost \$1,491.74 to distribute to 5,500 households in Converse & the postage was \$685 = \$2,176.74, so a 1 page would cost less. He provided CC with a few samples. Mr. Quintanilla is hoping to get each Dept. to put in a 1 or 2 sentences/paragraphs blurb as to what is going on for the quarter.

Discussion included: Whether we did this quarterly or bi-annually, it should be electronic & in a PDF format & available to citizens if they want it & if they want a hard copy they can go by City Hall & pick it up, make it available online; with the year we are in now-we don't necessarily have to be spending the money, possibly a Mayor, City Manager, etc. column, do quarterly to keep information updated, elders & not having computers can get hard copies at City Hall, get it out to businesses.

- C. Briefing by Mr. Steve Bissell and Discussion of a Proposal to Videotape City Council Meetings for Viewing on Public Access Cable Television and on the City Website (Mayor Suarez & Interim City Manager)

Mayor Suarez stated Mr. Bissell was not able to make it today & will be at the next meeting. The Mayor gave a brief overview by on what Mr. Bissell did by borrowing equipment from Time Warner Cable; he had a certain time twice a week on the Public Access Cable channel. Mr. Bissell wants to make a proposal to CC & possibly do the same thing. The Mayor will talk to Mr. Quintanilla & Mr. Bissell & make a proposal/come up with a package & bring back to CC either the next mtg. or the 1st mtg. in Jan. We will have the capability to put the CC mtg. on the web site.

- D. Discussion and Appropriate Action to Appoint a Director to the Cibolo Valley Local Government Corporation (CVLGC) Board of Directors (Interim City Manager)

Mr. Quintanilla stated in accordance with the documents that were approved for the CVLGC, we have to assign a voting Director to this Corp. The Director will be very busy & have a vested interest in making sure this Corp is successful.

Mr. Ortiz stated there would be 6 voting for the Corp. & we get to fill 1 seat; person has to have the time, interest & background information to do this. He thought CC envisioned for the liaison to be a Council member. The person named can be adjusted & is not set in stone.

Mayor Suarez made a motion to appoint Mr. Lupe Perez, Director of Utilities for agenda item #10 D. Council member Pannell seconded the motion. It passed unanimously.

- E. Discussion and Appropriate Action to Appoint (3) Organizers for the Cibolo Valley Local Government Corporation (CVLGC) Board of Directors (Interim City Manager)

Mr. Quintanilla stated to start up the CVLGC; the City has to appoint 3 organizers. The primary criteria is they have to be a resident of the City of Converse & 18 years of age or older.

Mr. Ortiz stated we have to have citizens to form the Corp. & every City will have 3 of them; once the Corp. is formed there is nothing else for them to do.

Mayor Suarez deferred agenda item #10 E to Dec. 21.

F. Discussion and Appropriate Action to Appoint a Liaison to the Cibolo Valley Local Government Corporation (CVLGC) Board of Directors (Interim City Manager)

Mr. Ortiz stated it is good to have the Council's presence at these meetings; the liaison will attend the meeting & bring the information back to CC.

Council member Pannell volunteered.

Council member Paschall made a motion to approve Council member Pannell as liaison on agenda item #10 F. Council member Lopez 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:

- Thank JISD for their Annual Thanksgiving Community Feast – went very well; thanked the COC & other surrounding cities for their participation
- Thanked the Converse Police Chief & Police Dept. for their lead in the 4th Annual Blue Santa Program
- Thanked the City staff, Utility Dept., Park Dept., Ms. Polly Martinez of the Sweet Spot Cupcake Bakery & Ms. Gaines for their participation in the Christmas Tree Light Up in front of the Police Dept.
- Thanked the Fire/EMS Alumni for the Breakfast with Santa, a lot of kids & families showed up; thanked Council members Brown & Pannell – outstanding job
- Thanked Post 593 American Legion Riders for their outstanding support of the Blue Santa Program – they showed up Sat. with a bunch of toys
- Had a NEP mtg. for economic development last month; they received a briefing from St. Rep Joe Farias & the TML attorney regarding the upcoming session & Bills that have already been filed for next year's legislation; NEP will be taking a trip in Feb. 2011 to Austin, CC members can attend
- Strategic Planning process will be coming soon (possibly in Jan.)
- COC EDC is going very well & has an outstanding Board & wants to get involved with the Strategic Planning process
- Ms. Lindgren filed an ethics complaint against the Mayor in Nov. & it was dismissed
- He received a lot of calls & complaints from citizens about signs that are showing up that appears to be Ms. Riley as placing in several residents-most of the citizens want him to tell CC to keep up the good work

B. Councilmember's Report/Items of Interest

Council member Brown reported:

- Thanked & specifically mentioned many names that were involved with Breakfast with Santa-in a matter of 3 hrs. they raised almost \$1,500; they raised \$200 for Boysville, this weekend they are having another fundraiser at Walmart for GRASP & it's called Fill the Fire Truck from 12 noon - 3 PM or until filled
- Liked Chief Wendt's presentation of all of the vehicles & equipment, he thinks it would be a good idea to have an inventory for the new City Manager of all of the equipment & vehicles; he asked what the possibility would be to have the Utility Dept. do the same sort of report for the 2nd mtg. in Jan., Facility Dept. 1st mtg. in Feb. & Police Dept. 2nd mtg. in Feb.

Council member Lopez reported:

-Thanked the staff & Ms. Gaines, Mr. Sagan & Ms. Burns for putting all of the City Manager applications together, appreciated the organization

Council member Benbrook reported:

-Had the closing date of Nov. 15 for the RFP's for the employment practices, job descriptions, evaluation of employees & the compensation survey – will be having a workshop next Wed. at 6:30 PM at City Hall Conference Room to look at the 6 submissions

C. City Manager Report

- (1) Report and Discussion of Future Agenda Items
- (2) Report and Discussion of Items of Interest

Mr. Quintanilla reported:

-Dec. 21 mtg. - Auditing contract
-Proposal for the videotaping of the CC mtgs.
-CC to appoint 3 Organizers for the Cibolo Valley Local Government Corp.
-1 Zoning request has been submitted
-Reminded CC about the City Christmas Party this Fri. at 6 PM

D. City Staff Reports

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

Fire/EMS Chief Wendt reported:

-This past weekend had Breakfast with Santa – ran smooth & successful event, his thanks to everyone involved
-Found a used chassis to replace our brush truck that required significant repairs, are in the process of building the necessary things to convert it into a brush truck to serve their needs
-Overall activities have been down a little bit
-Briefed on the structure fire in the County, 2-story multiple ignition point – crews got on scene & it was pretty much a bad deal from the word go
-Briefed on the fire at Placid Park, a small fire in a trailer, possible electrical short – crews knocked it out pretty quick
-This afternoon, assisted Camelot with a fire in a single-story, crews arrived & got it knocked out pretty quick
-If anyone would like to see their new brush truck in progress, give him a call

- (2) Report and Discussion of Significant Police Events

Police Chief Jamison reported:

-Wished good luck to CC tonight while they are going through the applications for the City Manager's position – he looks forward to CC's selection & wished Mr. Quintanilla good luck
-Thanksgiving was good, not a lot of major issues; had 5 officers at Walmart on Thurs. night 11 PM to 7-8 AM Fri. morning-a lot of people
-Regarding accident reports - have not had a lot of rain & accidents have picked up – a lot is driver in-attention
-Blue Santa Program – they have 25 families with 106 kids, this Sun. the families will get their gifts & can have photos taken with Blue Santa from 1-2:30 PM at the City Hall Conference Room

- We were made aware of a family that does not live in our City - the 17 yr. old son, 7 yr. old sister/daughter, the lady has cancer & her husband died last yr. – the Dept. adopted the family & have collected money from the employees pocket to help them out
- Right after the CC mtg. last month – we had a fatality accident on Sun. morning Nov. 7, a 51 yr. old gentleman that lives in Cibolo was traveling on 1976 & headed toward Universal City & hit a group of trees & was killed instantly
- Wished everyone a happy holiday & a good year
- Will see everyone Fri. night at the Christmas Party

Mr. Quintanilla stated Mr. Dale Koehler, Manager for Walmart, asked him to thank the Police Dept. for their presence & the CC – they had a record day

(3) Report and Discussion of Significant Public Works Events

Facility Director Mr. Hoppes reported:

- Crack seal program is underway (MacArthur Park is done & Thornton Lane needs a little more)
- Replaced asphalt on Meadow Branch & an intersection on Hilltop & Third St.
- Ramming Paving came out to Placid Park on Phase 3
- Removed some graffiti in Copper Field
- MacArthur Park Sub. 3 A – streets & drainage have been rough cut, they are starting to work on the sewer line & the underground utilities
- Grounds Dept. – Normal brush chipping has been going on, along with weed eating; had a break down on the truck & should be back tomorrow
- Parks Dept. – Busy with the tree lighting & routine maintenance in the 2 Parks; the contractor Middleman Const. Co. is working the North Park & we are working to get electricity out there
- Fleet Maintenance Dept. – They do all of the preventive maintenance & all of the major maintenance on all of the equipment that we have in the City – always busy
- They stay busy & appreciate all of the support they get
- Briefed on Wells Fargo Street - chip seal & fog seal
- One of the biggest problems with the chip seal is the cul-de-sac
- We have a cul-de-sac on Indian Mound off of Pioneer Oak that we will try the fog seal, could be the answer to solve the loose gravel in cul-de-sacs
- Fog seal does not give us the wear surface that the chip seal gives us
- He explained the seal coat, discussed the application process – basically, timing is everything on streets

Utility Director Mr. Lupe Perez reported:

- Still working on the sewer main & the re-location on 1604, about 90% done with this project, scheduled to do the final tie-in by the end of next week (weather permitting)
- Had a crew winterize the piping & water meters at all well sites & winterized some fittings at the pumping station for the purple pipe
- Ms. Campos, Mr. Smith & Mr. Perez are working on getting the easements along Salitrillo Creek, so we can get ready to start the purple pipe project & are hoping to have this done by the end of Jan. to the beginning of Feb. – by this time, we should have the equipment & employees on board
- Water Tech's for the month of Nov. – had 57 leaks called in (24 ours-were repaired; 27 customer leaks & 6 no leaks); 163 turn-off's for non-payment & 122 paid turn-on's; set 36 meters (12-new construction & 24-replacements)

Mr. Perez will check 9826 North Meadow for a possible water leak.

At approximately 8:45 PM, Mayor Suarez called for a recess.

At approximately 8:56 PM, Mayor Suarez opened the Executive Session.

10. H. Executive Session in Accordance with Section 551.071, Texas Open Meetings Act, to Consult with the City Attorney and Discuss Potential Litigation Against R.L. Jones, LLP (City Attorney) (City Manager)

Present: Mayor Suarez, MPT Shadron, Council members: Benbrook, Brown, Lopez, Pannell, Paschall, Mr. Ortiz & Ms. Hieronymus.

At approximately 9:11 PM, Mayor Suarez closed the Executive Session.

At approximately 9:14 PM, Mayor Suarez opened the Executive Session

- G. Executive Session in Accordance with 551.074, Texas Open Meetings Act to Deliberate the Selection of a New City Manager (Mayor Suarez)

Present: Mayor Suarez, MPT Shadron, Council members: Benbrook, Brown, Lopez, Pannell, Paschall, Mr. Ortiz, Ms. Burns & Ms. Hieronymus.

At approximately 9:50 PM, Mayor Suarez closed the Executive Session.

At approximately 9:57 PM, Mayor Suarez called the mtg. back to order.

- I. Discussion and Appropriate Action in Accordance with Consultation with City Attorney Regarding the Selection of a New City Manager (Mayor Suarez)

Mayor Suarez stated there was no action taken.

- J. Discussion and Appropriate Action in Accordance with Consultation with the City Attorney Regarding the Potential Litigation Against R.L. Jones, LLP (Mayor Suarez)

Mayor Suarez stated there was no action taken.

12. Adjournment

At approximately 9:58 PM, Mayor Suarez adjourned the meeting.

PASSED AND APPROVED THIS 4th DAY of January, 2011.

Al Suarez, Mayor

ATTEST:

Adriana I. Hieronymus, City Secretary