

CITY OF CONVERSE
CITY COUNCIL MEETING
MINUTES OF APRIL 5, 2011
7:00 PM

The City Council of the City of Converse met in a regular meeting at the Converse Municipal Complex on Tuesday, April 5, 2011 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	Ms. Shawna Dowell, City Manager
Mr. John Quintanilla, Assistant 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. Kate Silvas, EDC Executive Director	Ms. Jackie Gaines, Human Resource
Mr. Ray Christian, Assistant Fire/EMS Chief	Mr. Robert Osio, Police Officer
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 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

City Council Minutes – April 5, 2011

- A. Action to Approve City Council Minutes for Meeting Conducted on March 1, 2011
- B. Action to Approve City Council Minutes for Meeting Conducted on March 28, 2011
- C. Receive Planning & Zoning Commission Minutes for February 26, 2011
- D. Receiver Planning & Zoning Commission Minutes for February 28, 2011
- E. Action to Approve Financial Statements for December 2010
- F. Action to Approve Investment Report as of December, 2010
- G. Action to Approve City of Converse Proclamation #267; A Proclamation Designating the Month of May as Motorcycle Safety Awareness Month (Mayor Suarez)
- H. Action to Approve City of Converse Proclamation #268; Designating April 9, 2011 as the City of Converse' Fifty Years of Being An Incorporated Municipality of the State of Texas (Mayor Suarez)

Council member Pannell made a motion to approve agenda items #5 A-G. Council member Paschall seconded the motion. Passed unanimously.

Mayor Suarez stated agenda item #5 H is amended to read:

- H. Action to Approve City of Converse Resolution #638; Designating April 9, 2011 as the City of Converse' Fifty Years of Being An Incorporated Municipality of the State of Texas (Mayor Suarez)

Council member Paschall made a motion to approve the amended item #5 H. Council woman Benbrook seconded the motion. Passed unanimously.

6. Special Consideration Items

- A. Recognition of Amadeo Flores, Shredder Operator/Grounds Maintenance, for More Than 10 Years of Service to the City of Converse (Mayor Suarez)

City Council & staff presented Mr. Flores with a "Certificate of Appreciation".

- B. Presentation of Letter of Appreciation to "Second Chance", a JISD Campus Organization for the "Locks of Love" Event Held at City of Converse Park on February 12, 2011 (Mayor Suarez)

City Council & staff presented Ms. Taylor with a Letter of Appreciation to "Second Chance".

- C. Recognition of Councilman Randy Pannell and Diana Pannell, by the Converse Citizens Fire Academy Alumni Association for Their Participation with the Converse Fire Department's Breakfast with Santa (Mayor Suarez) (Mayor Pro Tem Shadron)

Council member Brown & Mr. John Woolery made a presentation to Council member Randy Pannell & Diana Pannell for their assistance with Breakfast with Mr. & Mrs. Santa.

- D. Presentation of City of Converse Proclamation #267; A Proclamation designating the Month of May as Motorcycle Safety Awareness Month (Mayor Suarez)

City Council & staff presented Proclamation #267 to members of the Motorcycle Riders.

- E. Recognition of Scholarship Award to the 50th Celebration Royal Court (Mayor Suarez)

Council member Benbrook announced winners of the Royal Court Scholarships. City Council & staff presented the Royal Court Scholarships to: King-Xavior Houston; Queen-Ki'Anna Weddington; Prince-Epthan Newsome-Jackson; Princess-Sheila Ramos & Ladies of the Court-Chanti Miller, Breanna Wilkerson, Mickayla Johnson & Adrienne Metalf.

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. Rodger Dennis of 10222 Plumas commented on a job well done on Toepperwein Road

-Ms. DeAnna Paez of 6907 Autumn View stated she is a Senior at Judson HS & gave information about the Project Graduation at Boysville, basketball fundraiser April 13, golf tournament fundraiser at Olympia Hills on April 30 at 2 PM, some other events – come & support them

-Mr. Jay Morris of New Hope WMC extended an invitation to the servants of Converse (Fire/EMS, Police, Public Works) to an appreciation breakfast on April 16 from 7:30 AM -10 AM

-Ms. Cindy Stiggers stated she is working with the City officials to get in the Book of Genesis on “Big Heart in Converse” with 12,000 people at \$5 each to participate

8. Public Hearings

- A. Public Hearing on a Request for a Special Use Permit on a Parcel of Land Located at 8314 Seguin a.k.a. 8312 FM 78 (CB5080A, Lot 8B “City of Converse Annexation” ID# 317114), an Approximately 4.865 Acre Tract of Land, to Allow for the Operation of an Automobile Sales and Service Business as Requested by the Property Owner

Opened: 7:27 PM

Mr. Richard Ray, owner stated he would like to open up automobile sales & service business.

Closed: 7:29 PM

9. Old Business

- A. Discussion and Appropriate Action Regarding City of Converse Ordinance #209-11, Tax Abatements for the Use of the Executive Director of the Converse Economic Development Corporation for the Purpose of Economic Development (Second Reading) (EDC Executive Director) (Assistant City Manager)

Ms. Silvas described & explained the guidelines; this will be on a case-by-case basis. City Manager, EDC Board & Ms. Silvas recommend approval.

MPT Shadron made a motion to approve agenda item #9 A. Council member Lopez seconded the motion. Passed unanimously.

- B. Discussion and Appropriate Action to Amend City of Converse Code of Ordinances Chapter 46, Article IV, Section 46-108, the City of Converse Water Billing and Procedures (Second Reading) (Councilman Lopez) (Director of Utilities)

Mr. Quintanilla & Mr. Perez stated staff recommends approval.

Council member Pannell made a motion to approve agenda item #9 B. Council member Lopez seconded the motion. Passed unanimously.

10. New Business

- A. Discussion and Appropriate Action to Approve an Ordinance Authorizing the Issuance of the “City of Converse, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2011”, Providing for the Payment of Said Certificates by the Levy of an Ad Valorem Upon All Taxable Property Within the City and Further Securing Said Certificates by a Lien on and Pledge of the Pledged Revenues of the System; Providing the Terms and Conditions of Said Certificates and Resolving Other Matters Incident and Relating to the Issuance, Payment, Security, Sale, and Delivery of Said Certificates, Including the Approval and Distribution of an Official Statement, Authorizing the Execution of a Paying Agent/Registrar Agreement and a Purchase Contract; Complying with the Requirements of the Letter of Representations on File with the Depository Trust Company; and Providing an Effective Date (City Manager) (City Attorney)

Mr. Mark McLiney of Southwest Securities gave a lengthy explanation of the Certificates of Obligation, Series 2011.

Ms. Dowell thanked staff for achieving the Bond rating.

Council member Pannell made a motion to approve agenda item #10 A. Council member Brown seconded the motion. Passed unanimously.

- B. Discussion and Appropriate Action to Approve a Request for a Special Use Permit on a Parcel of Land Located at 8314 Seguin a.k.a. 8312 FM 78 (CB5080A, Lot 8B “City of Converse Annexation” ID # 317114), an Approximately 4.865 Acre Tract of Land, to Allow for the Operation of an Automobile Sales and Service Business as Requested by the Property Owner (Assistant City Manager)

Mr. Quintanilla stated P&Z approved this unanimously & staff recommends approval.

MPT Shadron made a motion to approve agenda item #10 B with stipulations that no auto repairs, mechanical work or hazardous materials be left on site. Council member Paschall seconded the motion. Passed unanimously.

- C. Discussion and Appropriate Action to Approve the Compensation Design Report for the City of Converse Submitted by Werling & Associates and Rescind the Employee Merit Pay Freeze Effective Immediately (Mayor Suarez) (Councilwoman Benbrook) (City Manager)

Discussion: There were 35 employees that were paid under the minimum scale; this is a solid document towards a comprehensive pay plan; any employee that this affected with the pay freeze – we will need to make retro-active, this is the 1st phase.

Council member Benbrook made a motion to approve agenda item #10 C. Council member Brown seconded the motion. Passed unanimously.

- D. Discussion and Appropriate Action to Approve a Request and Associated Funding to Host the “BIG HEARTS” Event that is Scheduled for May 7, 2011 at City Park (Ms. Cindy Stiggers) (Assistant City Manager)

Ms. Stiggers gave an explanation of the “Big Hearts” in Converse set for May 7, 2011 at the City Park. After discussion of parking, people, water, heat, fans, misting fans, ticket sales, sponsors, volunteers, will use the football field, use the name “Heart Day in Converse”, etc. – we are looking to move the date to Sat., June 18.

Council member Paschall made a motion to approve agenda item #10 D with the stipulation that the City of Converse be reimbursed for any funds invested for the event. MPT Shadron seconded the motion. Passed unanimously.

- E. Discussion and Appropriate Action to Approve a Contract (Concept) with CLEAR CHANNEL COMMUNICATIONS to Support the Installation of a Digital Billboard Adjacent to Loop 1604 Elevated Water Storage Facility (Assistant City Manager)

Mr. Quintanilla gave a power point presentation on the digital billboard.

Discussion: Colors, flexible, safe, several initiatives, build to our building standards, expand to local businesses, meets Federal & State levels, no advertisement of alcohol, sexually orientated businesses, tobacco, billboard has security, get building permit, revenue, we can work out many issues in the Ord., etc. The contract is sufficient to move forward.

Council member Pannell made a motion for an amendment for the concept to be in the contract to agenda item #10 E. Council member Lopez seconded the motion. Passed unanimously.

- F. Discussion and Appropriate Action to Amend City of Converse Code of Ordinances Chapter 46, Article IV, Section 46-188 Through Section 46-195, the City of Converse Water Conservation Plan (Second Reading) (Director of Utilities) (Assistant City Manager)

Mr. Perez gave a briefing on the Water Conservation Plan. We are in drought stages; will notify our residents/customers on their water bill, web page, marquee sign, will mail out flyers, will give warnings, then it goes to the Police Dept./Code Compliance Officer, etc.

Council member Paschall made a motion to approve agenda item #10 F. Council member Brown seconded the motion. Passed unanimously.

- G. Discussion and Appropriate Action on a Request to Approve the Final Plat for MIRMAR Unit #9, Plat #119 (Assistant City Manager)

Mr. Quintanilla stated P&Z & staff recommend approval.

MPT Shadron made a motion to approve agenda item #10 G. Council member Paschall seconded the motion. Passed unanimously.

- H. Discussion and Appropriate Action to Authorize the Expenditure of Approximately \$4,759.00 Plus Shipping and Handling to Update the City of Converse Code of Ordinances (Finance Director) (Assistant City Manager)

Not ready for action/pulled from the agenda

- I. Discussion and Appropriate Action Regarding the Approval of the Appointment of a Narrator, Date, Time, Forum and Order of Event for the “Meet the Candidates” as Required by City of Converse Code of Ordinances Chapter 34, Article V, Section 247 (Mayor Suarez) (City Secretary (Assistant City Manager)

Mayor Suarez recommends Dr. Mackey to narrate for the City of Converse candidates & Ms. Dowell to narrate for the Judson School Board.

Ms. Hieronymus stated she did not think there would be a problem & had a draft agenda set for April 14 at 6:30 PM & has it to run in the Herald Newspaper under the Calendar of Events. She did not agree with the process, Judson is not on our ballot, Judson is their own entity, she has heard Converse voters complain about going to 2 places to vote.

Mayor Suarez suggested April 25 at 6:30 PM.

The narrator will act as a facilitator, questions can be asked by the citizens.

Council member Lopez made a motion to approve agenda item #10 I. Council member Paschall seconded the motion. Passed unanimously.

- J. Discussion and Appropriate Action on a Request to Approve a Contract for Election Services Between the Bexar County Elections Administrator on Behalf of Bexar County and the City of Converse for the Election to be Conducted on May 14, 2010 (City Secretary)

Ms. Hieronymus recommends approval.

Council member Pannell made a motion to approve agenda item #10 J. Council member Benbrook seconded the motion. 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:

-50th Anniversary set for Sat., April 9 - Thanked CC, 50th Commission members & staff in advance for their hard work

-Thanked Mr. Quintanilla for his hard work as Interim City Manager

-Thanked CC, Mr. Hoppes & his Dept. for the work done on Toepperwein Road

- Asked Ms. Dowell to look at the technology from Boerne regarding the paperless CC packets (I-Pads)-possibly for future
- Talked to one of the managers for the marquee, looking at late April & apologized for the misunderstanding of the permit; they did provide us with a free portable marquee (\$1,400 value) & are giving us 25 additional computer graphics
- Thanked the Water Dept. for their hard work with water leaks & main breaks
- Strategic planning process moving right along, Mr. Dan Norris would like to invite the CC on April 30 in the morning, will post an agenda

B. Councilmember's Report/Items of Interest

MPT Shadron reported:

- P&R & Fire/EMS Academy will be hosting an Easter Egg Hunt on April 16 at North Park from 11 AM – 2 PM, selling hotdogs, chips & drink for \$3

Council member Pannell reported:

- He had briefed CC on the 3 homes on Toepperwein Road that they were supposed to be down by now; we have run into some issues; he requested this to be placed on the next CC agenda to give a briefing

C. City Commission & Economic Development Corporation Reports

Park and Recreation Commission – MPT Shadron reported:

- No report

Planning and Zoning Commission – Council member Paschall reported:

- No report, already discussed on this agenda

Building and Standards Commission – Council member Pannell reported:

- No report

50th Anniversary Committee – Ms. Jackie Gaines reported:

- Scheduled for Sat., April 9
- Booklets were poorly designed, all different kinds of font sizes - checking other avenues
- DVD's will be available on Sat.
- Coins are in route to Converse
- Parade – many entries
- Posters are being distributed
- Looking forward to a great event

Economic Development Corporation – Ms. Silvas reported:

- Meeting next Tuesday
- Working on aerial maps & coordinating with Ms. Dowell
- Visiting business retention; how we can help & support them better
- Working with Buxton with retail match- expect a detail report later
- Plans to attend 2 conferences later this year in SA
- Plans to attend Trade Shows, advertise & market Converse - get good exposure for Converse
- Working water resources

D. City Manager's Reports

(1) Report and Discussion of Future Agenda Items

Ms. Dowell reported:

- Acknowledges the Street Dept. for their work on Toepperwein Road, under the direction of Mr. Hoppes
- We will be going into drought restrictions & will post on the small marquee in the Water Dept., will mail the stage out to the residents & will post in the Herald
- Will be discussing the audit in the next couple of weeks in a CC mtg., they applauded Mr. Wilson for his efforts
- Working on the pay plan in the next several weeks & try to draft some possible way to fund this over the next several years
- Have had a delay in the benefit bid package & have extended the bid opening for 1 week
- Met with TXDOT regarding the crosswalk in front of City Hall, they will start a traffic study this year; we have shared with them that there is a desire for the Town Square build-out & anticipate more pedestrian & vehicle traffic
- 50th Anniversary this weekend, applauded all of the volunteers & City staff
- Next week, will be reviewing applicants for the Library Director position

(2) Report and Discussion of Items of Interest

Mr. Dowell reported:

- Had a water event this weekend with our water tower being drained, she explained the Water Dept. was flushing a line by Custom Pools, we were not notified that there was a line break on Judson property during the day by the contractor, our crews got out there for this effort; we met with the contractor, this was not a marked line but was a fire line to the old campus, the conduit was gray 8" pipe/water line, we lost 1.5 million gallons of water, we have tried to access the cost of the water = about \$2,600 of water loss & with the surcharge it goes up to \$72,000; we will be working with CC & Mr. Ortiz for some potential reimbursement from Judson, their engineers or contractor; we applaud the Water Dept. for their efforts

E. Staff Reports

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

Fire/EMS Chief Wendt reported:

- About 3 weeks ago on FM 1516 & Binz-Engleman, assisted with a rescue – last heard the guy was doing okay
- Accepting applications until April 15
- Will be working the 50th Anniversary fireworks on Sat., April 9
- Staying busy

(2) Report and Discussion of Significant Police Events

Police Chief Jamison reported:

- Staying busy, things going great
- Thanked CC for lifting the freeze on the salary survey
- Thanked Mr. Quintanilla for his work & looks forward to working with the new City Manager
- Project Graduation is April 23 at Boysville

(3) Report and Discussion of Significant Public Works Events

Facility Director Hoppes reported:

STREETS:

- Thanked Mr. Scott Staton & the his crews for the good work on Toepperwein Road
- Sealed City Hall parking lot
- Finished Gail Circle
- They are aware of some subdivisions in town that have issues & problems
- Miramar-close to getting on line

GROUNDS:

- Working Zone 3 of the brush cycle, had 9 out of cycles
- Mowing & trimming the City properties

PARKS:

- Painting some City buildings at the Park & the letters on the pavilion
- Getting ready for the swimming pool season
- Re-placed order for the Time Capsule = \$800

Utility Director Perez reported:

Report for Feb.

WATER TECHS

- 64 New deposits
- 67 Finals
- 202 Turn offs for non-payment
- 153 Turn ons
- 6 Water leaks
- 13 Customers leaks
- 14 Set new meters
- 101 Re-reads
- 6 Calibrated meters
- 4 Main breaks
- Started today on Avenue B water upgrades, have about 1 month of work, then it is turned over to Mr. Hoppes Dept.

CONSTRUCTION & MAINTENANCE CREWS:

- Repaired City leaks
- Repaired curb stops
- Repaired main break
- Did sewer line maintenance

Recess: 10:20 PM

12. Executive Session

- A. Executive Session in Accordance with Section 551.071, Texas Open Meetings Act, to Consult with City Attorney and Discuss the Letter of Intent (LOI) with HARD KNOCKS COUNTERTOP, LLC, To

Support Activities Associated with the Development of Water Resources (City Attorney) (Assistant City Manager)

Opened: 10:26 PM

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

Closed: 10:46 PM

13. Reconvene to Open Session

- A. Discussion and Appropriate Action in Accordance with Consultation with the City Attorney Regarding the Approval of the Letter of Intent with HARD KNOCKS COUNTERTOP, LLC, the Property Owner of the Interconnect Site Located in Schertz, Texas to Support Activities Associated with the Development of Water Resources (City Attorney) (Assistant City Manager)

No action was taken on agenda item #13.

14. Adjournment

At approximately 10:50 PM, Mayor Suarez adjourned the meeting.

PASSED AND APPROVED THIS 17th DAY OF MAY, 2011.

Al Suarez, Mayor

ATTEST:

Adriana I. Hieronymus, City Secretary