



Expanding Horizons

CITY OF CONVERSE
CITY ADMINISTRATION

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**MINUTES
CITY OF CONVERSE
CITY COUNCIL MEETING
September 18, 2012 - 7:00 PM**

Be it known that the City Council of the City of Converse met for a Regular Meeting at the City Council Chambers at 402 South Seguin Street on Tuesday, September 18, 2012 at 7:00 PM. A quorum of the following commissions may be present: Beautification & Environmental, Building & Standards, Economic Development Corporation, Park & Recreation and Planning & Zoning.

1. CALL TO ORDER

Mayor Suarez called the meeting to order at 7:06 PM.

2. INVOCATION

The invocation was given by Mr. Quintanilla.

3. PLEDGE OF ALLEGIANCE

The pledge of allegiance to the US Flag and the Texas Flag was given by Mayor Suarez.

4. ROLL CALL AND RECOGNITION OF VISITORS

Mayor Al Suarez
Councilwoman Kathy Richel, Place 1
Councilman Randy Pannell, Place 4

Councilman Andy Selko, Place 3
Councilwoman Laura Beehler, Place 5
Councilman Steve Brown, Place 6

All City Council Members were present and a quorum was established.

Staff present:
City Manager Shawna Dowell
City Attorney Ray Ortiz
EDC Executive Director Kate Silvas

Assistant City Manager John Quintanilla
City Secretary Jackie Gaines
Administrative Assistant Tracy Campos
Finance Director Le Ann Piatt

5. CONSENT AGENDA

- A. Approve Minutes of City Council Meeting on August 28, 2012.**
- B. Approve Minutes of City Council Meeting on September 04, 2012.**
- C. Approve Minutes of City Council Meeting on September 11, 2012.**
- D. Receive Minutes for the Planning & Zoning Commission Meeting on August 20, 2012.**

Councilwoman Richel made a motion to approve items 5A through 5B. Councilman Pannell seconded the motion. The motion passed unanimously.

6. SPECIAL CONSIDERATION ITEMS

- A. Recognition of Tracy Campos, Utilities Administrative Assistant, Utilities Department, for her Service to the City Manager's Office During the Budget Preparation. (Mayor Suarez)**

The City Council recognized Ms. Campos for her dedication assisting the City Manager with the budget process. Ms. Campos committed evening and weekend hours to ensure the budget was completed within the mandatory time frame. Ms. Campos said she learned a great deal about the budget process and thanked the Council and Ms. Dowell for the opportunity.

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.

-Mike Corrigan and Grant Lopez will speak under the Public Hearings.

-Mike Wright-Copper Stream, Addressed public access for disabled vets between Autumn Run and Copper Field subdivision for Segways and wheelchairs. Specifics were lack of access to the main part of town, schools and parks.

8. PUBLIC HEARINGS

- A. Public Hearing on a Request for a Special Use Permit (SUP) on a Parcel of Land located at 8603 FM 78 (CB 5071E, LOT 3, PID # 313120), approximately 0.5970 Acres of Land to allow for a screen printing operation.**

Mayor Suarez opened the Public Hearing at 7:15 PM.

-Mr. Hank Alves, owner of KD Logo and 8603 FM 78. Has additional property behind his office building located at 8603 FM 78 and requested a Special Use Permit for the property behind his office to build a screen printing operation.

Mayor Suarez closed the Public Hearing at 7:19 PM.

- B. Public Hearing on a Request for a Rezoning Request on a Parcel of Land located at 9210 FM 78 (CB 5053 P-102 ABS 745, Property ID # 1064076), approximately 1.6225 Acres of Land from B-2-Retail Business/B-3-Commercial to B-4 Special Commercial.**

Mayor Suarez opened the Public Hearing at 7:19 PM.

-Mr. Michael Corrigan, Shalimar Drive, SA, Mr. George Richel, owner of Sportsman's is ready to sign a lease if Council approves the rezoning.

-Mr. Grant Lopez, Jackson Keller, SA. Spoke in favor of rezoning property to B4. Asked the Council to be pro-business and encouraged the EDC to be pro-business and help businesses that want to and need to expand in order to be successful.

-Mr. George Richel, Meadow Hill, Said his business needs to expand and asked the Council to listen to Mr. Corrigan because they are also trying to help the City by relocating and expanding their business.

Mayor Suarez closed the Public Hearing at 7:29 PM.

- C. Public Hearing on a Request for a Setback Variance on a parcel of land located at 108 Meadow Drive, Converse Texas (CB 5063D, Lot 18, Block 2 (PID# 311049). This parcel of land is located within the Meadow Hill/Cimarron Valley subdivision. The property owner is requesting a variance for the side and rear yard setback for the purpose of the constructing a 10' X 10' patio.**

Mayor Suarez opened the Public Hearing at 7:30 PM.

Ms. Dowell stated that in 2012, the Council passed an Ordinance granting the City Manager authority to approve variance requests and will proceed with that process.

Mayor Suarez closed the Public Hearing at 7:31 PM.

- D. Public Hearing on a Request for a Setback Variance on a parcel of land located at 8247 Pioneer Oak, Converse Texas (CB 5052D, Lot 21, Block 86 (PID# 1010096). This parcel of land is located within the Loma Alta Estates subdivision. The property owner is requesting a variance for the side and rear yard setback for the purpose of the constructing an addition to an existing deck.**

Mayor Suarez opened the Public Hearing at 7:31 PM.

No one spoke on the request for a setback variance for 8247 Pioneer Oak.

Mayor Suarez closed the Public Hearing at 7:32 PM.

- E. Public Hearing on a Request to Rezone a parcel of land located at 10085 East Loop 1604 (aka 10085 Tuttle Street), Converse Texas (CB 5726, Lot 13, Block 38 (PID# 350003). This parcel of land is located at the intersection of Kneupper Road Loop 1604. The property owner is requesting a change in zoning from the current B-3-Commercial to B-4-Special Commercial for the purpose of repairing and selling vehicles.**

Mayor Suarez opened the Public Hearing at 7:32 PM.

-Mr. Michael Corrigan, Shalimar Drive, SA, asked for a rezoning of the property to open a power sports dealership to sell and repair motorcycles.

Mayor Suarez closed the Public Hearing at 7:37 PM.

9. OLD BUSINESS:

- A. Discussion and Appropriate Action on a Request To Approve City of Converse Ordinance #108; An Ordinance Providing Funds for the Fiscal Year Beginning October 1, 2012 and Ending September 30, 2013, by Approving and Setting Aside the Necessary Funds Out of the General Fund and Other Revenues of the City of Converse for Fiscal Year 2012-2013 for the Maintenance and Operations of the Various Departments, Capital Projects, Payments to Debt Service and for Various Activities and Improvements to the City. (Second Reading) (City Manager)**

Ms. Dowell provided a power point presentation and reported that the resources and revenues available are appropriated and set aside for the maintenance, operations, capital projects and debt service requirements of the various departments of the City. The projected beginning fund balance total including all funds is \$4,059,256; revenues \$20,261,817; expenditures \$(20,616,893); revenues over (under) expenditures \$(335,077); other financing sources \$634,700; net change \$279,623 and ending fund balance \$4,338,879. The presentation will be posted on the website.

The EDC budget will be brought to the Council for approval.

Councilman Pannell made a motion to approve Ordinance #108. Councilman Selko seconded the motion. The motion passes unanimously.

- B. Discussion and Appropriate Action on a Request to Approve a Tax Rate for FY 2012-2013 of \$0.606675 per \$100 of taxable value that will result in a 6.18 Percent Tax Increase. (Second Reading) (City Manager)**

Ms. Dowell detailed the proposed 2012-2013 tax rate and the preliminary tax rate analysis. The proposed rate of \$0.606675 per \$100 of taxable value will result in a 6.18 percent tax increase.

Councilman Pannell made a motion that the property tax rate be increased by the adoption of a tax rate of .606675, which is effectively a 6.18 percent increase in the tax rate. Councilman Selko seconded the motion. The motion passed unanimously.

C. Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #201-2012; An Ordinance of the City of Converse Levying the Ad Valorem Taxes for the 2012-2013 Fiscal Year at a Rate of \$0.520781 Per \$100 Assessed Valuation on All Taxable Property Within the Corporate Limits of the City of Converse as of January 1, 2013, to Provide Revenue for the Maintenance and Operations Needs for the 2012-2013 Fiscal Year. (Second Reading) (City Manager)

Ms. Dowell reported on levying the Ad Valorem Taxes for the 2012-2013 fiscal year at a rate of \$0.520781 per \$100 assessed valuation on all taxable property as of January 1, 2013. This will provide revenue for the maintenance and operations needs for the fiscal year.

Councilman Selko made a motion to approve Ordinance 201-2012 with a rate of \$0.520781 per \$100 assessed valuation. Councilwoman Beehler seconded the motion. The motion passed unanimously.

D. Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #201A-2012; An Ordinance of the City of Converse Levying the Ad Valorem Taxes for the 2012-2013 Fiscal Year at a Rate of \$0.085894 Per \$100 Assessed Valuation on All Taxable Property Within the Corporate Limits of the City of Converse as of January 1, 2013, to Provide Revenue for the Debt Service Needs for the 2012-2013 Fiscal Year. (Second Reading) (City Manager)

Ms. Dowell said Ordinance 201A-2013 sets the Ad Valorem Taxes for the 2012-2013 fiscal year at a rate of \$0.085894 per \$100 assessed valuation on all taxable property within the corporate limits of the City as of January 1, 2013, to provide revenue for the debt service needs.

Councilwoman Richel made a motion to approve Ordinance 201A-2013 setting the rate of \$0.085894 per \$100 assessed valuation on all taxable property. Councilwoman Beehler seconded the motion. The motion passed unanimously.

10. NEW BUSINESS:

A. Discussion and Appropriate Action to Approve Budget Amendment Ordinance #108H. (First Reading) (City Manager)

Ms. Dowell said the addition to the General Fund Budget for increased expenditures of \$59,927.00, reflects the cost associated with health insurance claims for services rendered under the City's old self-insurance program, but paid in the months of June 2012 through September 2012. The additional increased expenditures of \$7,073.00 reflect the costs associated with the health insurance claims for the Water/Sewer Utility Fund.

Councilwoman Richel made a motion to approve Ordinance 108H. Councilman Brown seconded the motion. The motion passed unanimously.

B. 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." (City Secretary)

Two nominees were presented for the appointment of a moderator for the Meet the Candidates event.

Councilman Selko made a motion to approve Ms. Arlis Olsen, Chairperson of the Voter Service of the League of Women Voters and set the event to take place October 18, 2012 in the Council Chambers at 7PM. Councilwoman Beehler seconded the motion. The motion passed unanimously.

C. Discussion of the CASA VERDE Free Home Weatherization Assistance Program. (Roland Hinojosa, City Public Energy) (City Manager)

Mr. Roland Hinojosa of CPS Energy gave a presentation of CASA Verde; a fee home weatherization assistance program. The program helps CPS Energy customers reduce their monthly utility bills. Eligible homeowners and renters may receive free weatherization upgrades designed to increase the energy efficiency of their homes. Customers must meet specific program eligibility requirements to qualify.

Ms. Dowell will meet with Mr. Hinojosa to set-up a public event for the citizens of Converse.

D. Discussion and Appropriate Action Regarding the Election of the Texas Municipal League Intergovernmental Risk Pool Board of Trustees. (City Manager)

The Texas Municipal League Intergovernmental Risk Pool is holding an election of the Board of Trustees. The official ballot for the elections covers Places 11-14.

Councilman Pannell made a motion to vote for; Bill Agan, Larry Gilley, Byron Black and Cynthia Kirk. Councilwoman Richel seconded the motion. The motion died due to a tie vote. (Pannell, Richel and Suarez for; and Brown, Beehler and Selko against).

Councilman Selko made a motion to vote on the incumbents on Place 11-14; Greg Ingham, Larry Gilley, Byron Black and Pat Norris. Councilwoman Beehler seconded the motion. The motion passed unanimously.

E. Discussion and Appropriate Action to Approve a Request for a Special Use Permit (SUP) on a Parcel of Land located at 8603 FM 78 (CB 5071E, LOT 3, PID # 313120), approximately 0.5970 Acres of Land to allow for a screen printing operation. (Assistant City Manager)

Mr. Quintanilla said the Planning and Zoning Commission approved the request for a Special Use Permit on a parcel of land located at 8603 FM 78. Mr. Alves, owner of KD Logo, is asking to put up a second building on his property for a screen printing operation and relocate the business from its current location.

Councilwoman Richel made a motion to approve a Special Use Permit at 8603 FM 78 to allow for a screen printing operation. Councilwoman Beehler seconded the motion. The motion passed unanimously.

F. Discussion and Appropriate Action to Approve the a Rezoning Request on a Parcel of Land located at 9210 FM 78 (CB 5053 P-102 ABS 745, Property ID # 1064076), approximately 1.6225 Acres of Land from B-2-Retail Business/B-3-Commercial to B-4 Special Commercial. (Assistant City Manager)

Mr. Quintanilla brought the item to the Council and gave a briefing of the Planning and Zonings decision. Ms. Dowell said the City is spending \$190,000 for a Master Plan. The Master Plan was postponed due to the budget etc., until after October 1, 2012. Ms. Silvas said the position of the EDC is not to discourage business development, but to keep in mind that the development of the 1604 Corridor Study has not been completed and should be considered.

Councilman Selko said allowing the expansion of the Sportsman Bar is in the best interest of the City and we should allow Mr. Corrigan to have the rezoning of his property.

Mr. Ortiz said we need a recorded deed that is signed. Before this goes into effect, we need to know the ownership with Mr. Richel for the Sportsman' Bar.

Mr. Corrigan agreed to a Special Use Permit. Mr. Richel said he is not able to agree to a Special Use Permit. Discussions continued and the Council asked Mr. Richel again if he would consider a Special Use Permit. Mr. Richel said he will accept the SUP, but the City Council has done an injustice to him.

Mayor Suarez called for a recess at 10:00 PM and reconvened the meeting at 10:15 PM.

Mr. Ortiz checked the City Code and said sexual orientated businesses can go into a B-4 zoning.

Councilman Brown made a motion to approve a rezoning from a B-2 Retail Business/B-3 Commercial to a B-4 Special Commercial to go into effect once all requested documents have been received.

Councilman Selko seconded the motion.

Councilman Brown-Yes

Councilwoman Beehler-Yes

Councilman Selko-Yes

Councilman Pannell-Yes

Mayor Suarez-Yes

Councilwoman Richel abstained due to conflict of interest.

The motion to approve rezoning to B-4 Special Commercial use passed unanimously.

G. Discussion and Appropriate Action to Approve a Request for a Setback Variance on a parcel of land located at 108 Meadow Drive, Converse Texas (CB 5063D, Lot 18, Block 2 (PID# 311049). This parcel of land is located within the Meadow Hill/Cimarron Valley subdivision. The property owner is requesting a variance for the side and rear yard setback for the purpose of the constructing a 10' X 10' patio. (Assistant City Manager)

Mr. Quintanilla said the Planning and Zoning Commission approved this variance unanimously and that staff recommends approval. The owner, Mr. Gerald Powell, is requesting the variance for the purpose of constructing a 10'X10' patio.

Councilman Selko made a motion to approve the setback variance at 108 Meadow Drive. Councilman Pannell seconded the motion. The motion passed unanimously.

Mayor Suarez added that the City Manager has authority to approve setbacks without the approval of the Planning and Zoning Commission and City Council.

H. Discussion and Appropriate Action to Approve a Request for a Setback Variance on a parcel of land located at 8247 Pioneer Oak, Converse Texas (CB 5052D, Lot 21, Block 86 (PID# 1010096). This parcel of land is located within the Loma Alta Estates subdivision. The property owner is requesting a variance for the side and rear yard setback for the purpose of the constructing an addition to an existing deck. (Assistant City Manager)

Mr. Quintanilla said the request is for a setback variance at 8247 Pioneer Oak.

Councilman Pannell made a motion to approve the side and rear setback variance at 8247 Pioneer Oak. Councilman Brown seconded the motion. The motion passed unanimously.

- I. Discussion and Appropriate Action to Approve a Request to Rezone a parcel of land located at 10085 East Loop 1604 (aka 10085 Tuttle Street), Converse Texas (CB 5726, Lot 13, Block 38 (PID# 350003). This parcel of land is located at the intersection of Kneupper Road Loop 1604. The property owner is requesting a change in zoning from the current B-3-Commercial to B-4-Special Commercial for the purpose of repairing and selling vehicles. (Assistant City Manager)**

Mr. Quintanilla said the Planning and Zoning Commission approved the setback variance unanimously. Staff has concerns with development of the 1604 area prior to conducting the 1604 Corridor Study. Ms. Silvas said this location is on 1604 and allowing the rezoning may have an impact on the plans. Ms. Silvas added that she does not want to deny the growth of Mr. Corrigan's business either.

Ms. Dowell said the City Council gives EDC and the City goals, but each time the Council grants a spot-zoning; this hampers the process and causes a challenge.

Councilman Pannell made a motion to accept the rezoning at 10085 East Loop 1604. Councilman Brown seconded the motion. A roll-call vote was made and the motion passed.

Councilman Brown-Yes

Councilwoman Beehler-No

Councilwoman Richel-Abstained due to conflict of interest

Councilman Pannell-Yes

Councilman Selko-Yes

Mayor Suarez-Yes

- J. Discussion and Appropriate Action to Approve a Preliminary Plat #132, Known as BRSR – Converse. (City Engineer) (Assistant City Manager)**

Mr. Quintanilla said the Planning and Zoning Commission approved the preliminary plat with stipulations that all six terms brought forward from Vickrey and Associates were corrected and to use the City's septic system.

Councilman Brown made a motion to approve preliminary plat # 132. Councilman Pannell seconded the motion. The motion passed unanimously with five in favor (Brown, Pannell, Suarez, Richel and Beehler and one opposition made by Selko)

- K. Discussion and Appropriate Action to Approve a Resolution #678 that Establishes the City of Converse Tax Note Series 2012 Bank Account. (City Manager)**

Ms. Dowell said Resolution # 678 authorizes the establishment of a bank account at TexStar National Bank for the City of Converse Tax Note, series 2012 and authorizes account signatories. The proceeds of the tax note will be maintained in a separate bank account.

Councilman Pannell made a motion to approve Resolution # 678. Councilwoman Beehler seconded the motion. The motion passed unanimously to approve.

- 11. CITY COUNCIL AND STAFF 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 had nothing new to report.

City Council Minutes of Meeting September 18, 2012

B. Councilmember's Reports/Items of Interest.

Councilman Pannell complimented Marcus Gandara for assisting an elderly citizen.
Councilman Brown thanked the department heads for working with the City Manager on the budget.

C. City Commission Liaison Reports.

Councilwoman Richel said the Parks and Recreation Commission did not have a quorum and will meet next month. Three Movies in the Park and Breakfast with Santa are in the planning stages.

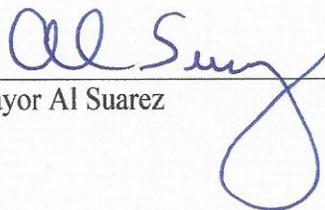
D. City Manager's Report & Discussion of Future Agenda Items/Items of Interest.

Ms. Dowell reported on the progress of who will own the Guadalupe Project. We have been waiting for four months for a Sister City to make a decision on a commitment to be a member.

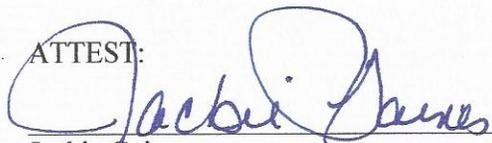
12. ADJOURNMENT.

Mayor Suarez adjourned the meeting at 10:55 P.M.

PASSED AND APPROVED this 16th day of October, 2012



Mayor Al Suarez

ATTEST:


Jackie Gaines
City Secretary