



*Expanding Horizons*

CITY OF CONVERSE  
CITY ADMINISTRATION

403 S. Seguin  
Converse, Texas 78109  
(210) 658-5356  
Fax: 659-0964  
www.conversetx.net

**MINUTES  
CITY OF CONVERSE  
CITY COUNCIL MEETING  
October 16, 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, October 16, 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 7:00 PM.

**2. INVOCATION**

Ms. Silvas gave the invocation.

**3. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the U.S. Flag and the Texas Flag was led 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

Director of Utilities, Lupe Perez

Assistant City Manager John Quintanilla

City Secretary Jackie Gaines

Police Chief Richard Jamison

Finance Director Le Ann Piatt

Director of Facilities, Karl Hoppes

Mayor Suarez recognized Mr. Daniel Kershner, Judson ISD Operations Superintendent.

**5. CONSENT AGENDA**

**A. Approve Minutes of City Council Meeting on September 18, 2012.**

**B. Receive Minutes for the Economic Development Corporation Meeting on August 14, 2012.**

**C. Receive Minutes for the Building & Standards Commission Meeting on May 30, 2012.**

**D. Receive Minutes for the Planning & Zoning Commission Meeting on September 17, 2012.**

**E. Receive Minutes for the Parks & Recreation Commission Meeting on July 09, 2012.**

**F. Re-Appointment of Shawna L. Dowell, City of Converse City Manager as a Board Member of the Cibolo Valley Local Government Corporation (CVLGC) for a Two (2) Year Term Ending November 30, 2014.**

**G. Re-Appointment of Lillian LuAnn Holden as a Member of the Building & Standards Commission for a Two (2) Year Term Ending September 30, 2014.**

**H. Re-Appointment of Sydney Storment as a Member of the Building & Standards Commission for a Two (2) Year Term Ending September 30, 2014.**

- I. **Re-Appointment of James Lacarde as a Member of the Building & Standards Commission for a Two (2) Year Term Ending September 30, 2014.**
- J. **Re-Appointment of Robert Browning as a Member of the Planning & Zoning Commission for a Two (2) Year Term Ending November 30, 2014.**
- K. **Re-Appointment of Richard Fink as a Member of the Planning & Zoning Commission for a Two (2) Year Term Ending November 30, 2014.**
- L. **Re-Appointment of Joseph Guastella as a Member of the Planning & Zoning Commission for a Two (2) Year Term Ending November 30, 2014.**
- M. **Approve June 2012 Financial Statements.**
- N. **Approve June 2012 Investment Report.**
- O. **Approve July 2012 Financial Statements.**
- P. **Approve July 2012 Investment Report.**
- Q. **Approve August 2012 Financial Report**
- R. **Approve August 2012 Investment Report.**

Councilwoman Richel made a motion to approve the Consent Agenda. Councilman Pannell seconded the motion. The motion passed unanimously.

## 6. SPECIAL CONSIDERATION ITEMS

- A. **Recognition of Jonathan Smith, Assistant Director of Utilities, Utilities Department, for his Twenty (20) Years of Service to the City of Converse. (Mayor Suarez)**

Mr. Jonathan Smith was recognized for his twenty years of service to the Utility department by the City Council and City Staff. Mr. Smith received a certificate of appreciation and will receive 2 days off with pay and a City coin. Mr. Smith thanked the Council and Staff for the recognition.

- B. **Recognition of Robert Kneupper, for his service to the City of Converse Planning Commission. (Mayor Suarez)**

Mr. Kneupper was recognized for his ten years of service to the Planning Commission. Mr. Kneupper said he enjoyed watching and helping with the growth of the City while he served on the Planning Commission for ten years and eleven years serving on the Parks and Recreation Commission.

- C. **Recognition of Former Councilman Grant Lopez for his service to the City of Converse City Council. (Mayor Suarez)**

Former Councilman Grant Lopez was recognized with a plaque for his service as Councilman from May of 2012 to August 2012 and Mayor Pro Tem from May 2012 through August 2012. Mr. Lopez thanked the Council and citizens for their support and said that being able to serve in this capacity was fulfilling.

- D. **Recognition of Randolph Air Force Base 12<sup>th</sup> FTW Vice Wing Commander Colonel Christopher Richardson for his outstanding support to the City of Converse. (Mayor Suarez)**

Colonel Richardson has a conflicting schedule and will arrive a little later in the meeting. Mayor Suarez postponed the item until Colonel Richardson arrives.

## 7. CITIZENS TO BE HEARD

## City Council Minutes of Meeting October 16, 2012

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.

-Luciano Taylor, Meadow Burst- received a citation for her garbage cans being placed in front of her garage and feels that the Code Compliance Officer should have greater concerns. Every summer she has called Code Compliance on neighbor's high grass growing above the fence line every year drawing snakes, scorpions and dog feces with strong order. Why the garbage cans are an issue and not the overall appearance of the neighborhood.

-Margaret Lavelle, Mission Creek-was harassed about four ago regarding maintaining the front and back yard and the green belt and received a citation for the high grass. Since then, the area has gone downhill with the high grass in neighbor's yards, trash cans being left out and broken down vehicles.

-Becky Johnson, presented a letter from James Converse dated 1881 and asked if the City could display the letter along with the history of Converse in the Library. Mayor Suarez thanked Ms. Johnson for her dedication with the research on the history of Converse and for the donation of the letter from James Converse, said he would make sure the Library receives the letter. Ms. Gloria Weers and Mr. Leon Stubbs deserve credit for their work on the history of Converse as well.

-Kevin Keller, owner of property on the corner of FM 78 and Kneupper Street-stated he was unaware of the zoning change years ago and has since listed the property. His realtor is unable to sell the property under current rezoning and is asking for consideration to rezone to B4.

-Blanca Hernandez, owner of Blanca's Café, FM 78-Has owned her business since 1992 and asked to have the property rezoned to B4.

### 8. PUBLIC HEARINGS

#### **A. Public Hearing on a Request for a Rezoning on a Parcel of Land located at 9260 FM 78 (CB 5053 P-102B, ABS 745, Property ID # 307012), approximately 1.2870 Acres of Land from B-2-Retail Business/B-3-Commercial to B-4 Special Commercial. No specific purpose for the rezoning request was provided.**

Mayor Suarez opened the Public Hearing at 7:24 PM.

-Ms. Hernandez asked for a B-4 zoning to allow her tenants to acquire a liquor license.

-Kate Marquis, tenants of Blanca's Café-stated that Mr. Quintanilla told her that P&Z did not approve the request due to the reason was not clearly stated on the letter for the rezoning request. Being deceiving was not her intent; she thought everyone know that they want to have a liquor license. Mayor Suarez replied that more discussion will follow when the addenda item comes before the Council.

-Irene S, former employee and sister of Kate Marquis-praised the work ethics of Kate Marquis and Jim Keienburg while they ran the Road House Saloon.

-Jim Keienburg, tenant of Blanca's Café- will continue with the day-in and day-out operations of the restaurant. The main request for the rezoning request is to be able to apply for a certification and become eligible for a grant through UTSA EDC.

Mayor Suarez closed the Public Hearing at 7:35 PM.

#### **B. Public Hearing on a Request for a Property Development Moratorium in Accordance with Texas Local Government Chapter 212, Subchapter "E"-Moratorium on Property Development in Certain Circumstances. The City of Converse seeks to impose a Property Development Moratorium for all residential lots located within the Meadows of Copperfield Unit #6 "A" located in Converse Texas.**

Mayor Suarez opened the Public Hearing at 7:36 PM.

-Dennis Herring of Sivage Homes-said he was unaware of the Public Hearing tonight and that there was a Planning and Zoning meeting last night to discuss the property development moratorium until he came to City Hall today to pull a building permit. The owner of Sivage Homes has a meeting planned this Thursday with City Staff. Sivage Homes does not believe a moratorium is necessary and has tried to work with the City in good faith. He spoke with Mr. Quintanilla this afternoon before the Council meeting and Mr. Quintanilla said the reason for the moratorium is due to the failure of the water lines and sewer lines and the infrastructure was not being maintained properly. City Council approved the plat for the subdivision in 2007. The infrastructure was approved by the City Inspector and the City Engineer at the August 2, 2011 City Council meeting. Mr. Herring asked to delay the decision of the moratorium until everyone can come to an agreement.

Mayor Suarez closed the Public Hearing at 7:43 PM.

**9. OLD BUSINESS**

**A. Discussion and Appropriate Action on a Request to Approve Budget Amendment Ordinance #108H. (Second Reading) (City Manager).**

Ms. Dowell reported Ordinance # 108H Budget Amendment reflects the costs 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 General Fund increased expenditures is \$59,927.00 and the Utility Fund increased expenditures is \$7,073.00. Another budget amendment may take place in January 2013 to close out the self insurance plan.

Councilman Pannell made a motion to approve Budget Amendment Ordinance #108H. Councilwoman Beehler seconded the motion. The motion passed unanimously.

**10. NEW BUSINESS**

**A. Discussion and Appropriate Action on a Request to Approve the FY-2013 Budget for the Economic Development Corporation. (EDC Executive Director)**

Ms. Silvas gave a PowerPoint Presentation that detailed the 2013 EDC proposed budget. Items of discussion were revenues, expenditures, fund balance, use of EDC funds, proposed FY 2013 highlights, summary, use of type B EDC funds and a timeline.

<u>FY 2013 Revenue</u>		<u>FY 2013 Expenses</u>		<u>Summary</u>	
Proposed Tax Revenue	\$765,886	Personnel	\$130,641	Revenues	\$896,886
Other Revenue	\$1,000	Supplies	\$10,700	Expenses	\$743,519
Prior Year Funds	<u>\$130,000</u>	Maintenance	\$6,700	Net Change	\$153,367
TOTAL	\$896,886	Contractual Services	\$238,048	Beginning Balance	\$1,087,734
		Debt Services	\$27,730	Ending Balance	\$1,241,101
		Minor Capital Outlay	\$5,000		
		Major Outlay	\$310,000		
		Transfers	<u>\$17,700</u>		
		TOTAL	\$743,519		

The budget includes a one-time transfer to utility fund for investment in Cibolo Valley Local Government Corporation (CVLGC) for securing water resources.

Councilman Selko made a motion to approve the EDC Budget as written. Councilman Brown seconded the motion. The motion passed unanimously.

**B. Discussion and Appropriate Action on a Request to Approve an Interlocal Agreement by and Between the Emergency Services District (ESD) #1 and the City of Converse for Fire Protection and Emergency Medical Services Beginning October 1, 2012 and Terminating on September 30, 2014. (Fire Chief) (City Manager)**

Chief Wendt reported this is a two-year contract beginning October 1, 2012 and ending September 30, 2014, for the purpose of providing fire protection and suppression services, emergency rescue services, and emergency medical first responder services to the Emergency Services District (ESD).

Obligations of the ESD: to the extent permitted by law, ESD agrees to pay to the City of Converse the amount collected from a levied tax rate of \$0.087 per \$100.00 assessed value of all taxable property, real, personal and fixed, situated within the boundary limits of the Bexar County ESD No. 1. Payment shall be made, upon invoice, in four equal quarterly installments.

Chief Wendt explained the location of the EDC No. 1 service contract.

Councilman Pannell made a motion to approve the two year Interlocal agreement with ESD No. 1. Councilwoman Richel seconded the motion. The motion passed unanimously.

**\*\*Mayor Suarez moved to Item 6 D**

**6 D. Recognition of Randolph Air Force Base 12<sup>th</sup> FTW Vice Wing Commander Colonel Christopher Richardson for his outstanding support to the City of Converse. (Mayor Suarez)**

Mayor Suarez and the City Council presented Vice-Wing Commander Colonel Christopher Richardson a plaque for his support to the City of Converse. Colonel Richardson was also named Honorary Mayor. Colonel Richardson said he is honored for the gratitude from Converse and shared his appreciation for the reciprocated support.

Commander Goodfellow was introduced and will follow Colonel Richardson as Wing Commander for the 12<sup>th</sup> Flying Training Wing at Randolph Air Force Base.

**C. Discussion and Appropriate Action on a Request by the San Antonio River Authority (SARA) to Determine Interest in Certain Real Property owned by SARA. (City Manager)**

Ms. Dowell met with San Antonio River Authority (SARA) regarding interest in real property owned by SARA. Parcel 'A' is not of interest to the staff due to the property located in a flood plain.

Claude Harding, Real Estate Manager and Brian Mast, Intergovernmental Relations Specialist gave a PowerPoint Presentation of the three parcels that are located in Converse. SARA reviewed their real estate holdings in the four-county area and found the properties are not of use to SARA. Tract 'A' is approximately 5.5 acres with an estimated cost of \$22,000. Tract 'B' is approximately 0.3167 acres for an estimated cost of \$2,000. Tract 'C' is approximately 14.44 acres at an estimated cost of \$190,000; only intent in disposing of the property will be to deed restrict the land as a city park. If the property (Parcel C) is deed restricted, the cost would be reduced. A buffer is mandatory through Texas Commission of Environmental Quality (TCEQ).

Ms. Dowell suggested purchasing Parcel B and revisit the purchase of Parcel C with SARA at a later date as funding becomes available; parcel C will expand the East Park.

Councilman Brown asked how difficult the property will be to maintain. Mr. Hoppes replied on the discussions for Property 'C' which was to have the Street department build a road to get from Rocket Lane to the East Park without

City Council Minutes of Meeting October 16, 2012

going through the Astoria subdivision. An issue would be the maintenance of keeping the grass mowed especially around the subdivisions.

Councilman Pannell made a motion to table the item and take a tour of the property with Mr. Hoppes before making a decision. Councilman Brown seconded the motion. The motion passed unanimously.

**D. Discussion and Appropriate Action on a Request to Review and Approve the FY-2013 Purchase Procedures for the City of Converse. (City Manager)**

Ms. Dowell stated the Purchase Policy for the City has to come before the City Council for approval. At this time there are no changes to the purpose, responsibilities and procedures.

Councilman Brown made a motion to approve the Purchase Policy. Councilwoman Beehler seconded the motion. The motion passed unanimously.

**E. Discussion and Appropriate Action on a Request to Approve the Naming of the Northeast Herald as the Newspaper of Record for the City of Converse. (City Manager)**

Ms. Dowell read the rates of the Herald Newspaper, the Express News and MYSA.com.

Councilman Selko made a motion to name the Northeast Herald as the Newspaper of record for the City of Converse. Councilwoman Richel seconded the motion. The motion passed unanimously.

**F. Discussion of Christmas Lighting Plan. (Laura Beehler)**

Councilwoman Beehler asked Ms. Deborah James of the Beautification and Environmental Commission to make the presentation. The idea was brought to the B&E Commission. The following suggestions were proposed:

Ms. James will ask local businesses for donations and has approximately 8 volunteers that will assist in the decorating.

Ms. Dowell replied that this project could very well consume the Commissions budget of \$2,000.

Councilwoman Richel asked if remaining funds from the Parks and Recreation Commission (P&R) go towards the decorating project. Ms. Dowell stated the remaining funds for P&R went back into the general fund.

Councilman Selko suggested moving forward with the planning of the project. The Council made a consensus to move forward with the Christmas Lighting Plan.

**G. Discussion and Appropriate Action to Approve a Rezoning Request on a Parcel of Land located at 9260 FM 78 (CB 5053 P-102B, ABS 745, Property ID # 307012), approximately 1.6225 Acres of Land from B-2-Retail Business/B-3-Commercial to B-4 Special Commercial. (Assistant City Manager)**

Mr. Quintanilla discussed the item with the Planning and Zoning Commission October 15, 2012 (P&Z). The P&Z Commission approved the rezoning unanimously. City Staff recommends denial of rezoning due to the B-4 zoning having elements that are not preferred in the beltway of Converse.

Mayor Suarez asked Ms. Blanca what the intent of the request. Ms. Blanca replied that the business will be a restaurant and a bar.

Mayor Suarez asked staff what businesses they would not like to see. Ms. Dowell replied motorcycle repair and Mr. Ortiz replied a sexually oriented business.

Councilman Pannell said he went to Blanca's Café and suggested to the owner to request the rezoning.

Mayor Suarez asked Mr. Ortiz to revise the Zoning Ordinance to not allow sexually oriented businesses in a B-4 zoning in the future.

Councilman Pannell made a motion to approve the rezoning from B-2 retail business/B-3 commercial to B-4 special commercial. Councilman Selko seconded the motion. The motion passed with five in favor and one abstention from Councilwoman Richel due to a conflict of interest.

**H. Discussion and Appropriate Action on a Request to Approve the Final Plat #132, Known as RSBR – Converse. (City Engineer) (Assistant City Manager)**

Mr. Quintanilla stated the Planning and Zoning Commission (P&Z) approved the final plat unanimously and staff recommends approval. The business is a Dollar General Store. Mr. Quintanilla said there were no concerns from the P&Z Commission.

Councilman Selko is concerned with one entrance into the site. Mr. Dye said the criteria is 36' wide and made out of reinforced concrete. Mr. Dye replied stating he has an approval with TXDOT for one driveway. The building will be completed in ninety days once approved.

Councilman Brown made a motion to approve the final plat #132. Councilwoman Richel seconded the motion. The motion passed unanimously.

**I. Discussion and Appropriate Action on a Request to Approve the Adoption of Section 403, Industrialized Housing District, a New Section of the City of Converse Codification. The Adoption of Section 403 Establishes Standards that Regulates single-family or duplex industrialized housing, under Chapter 50-Zoning, Article IV, Districts and District Regulations, Division XII-Industrialized Housing District. (First Reading) (Building Official) (Assistant City Manager)**

Mr. Durant has been contacted by a vendor and the City of Converse cannot regulate the value of industrialized housing. This ordinance sets the guidelines and protects the citizens.

Councilman Brown reported the Planning and Zoning Commission approved the new section of the Ordinance.

Councilman Pannell made a motion to approve adopting section 403, Industrialized Housing District; a new section of the City of Converse codification. Councilwoman Richel seconded the motion. The motion passed unanimously.

**J. Discussion and Appropriate Action on a Request to Appoint Joan Lindgren as a Member of the Building & Standards Commission. (Councilman Pannell)**

Mayor Suarez asked to vote on item 10 J- 10L.

**K. Discussion and Appropriate Action on a Request to Appoint Richard Caton as an Alternate to the Building & Standards Commission. (Councilman Pannell)**

**L. Discussion and Appropriate Action on a Request to Appoint Lloyd R. Litterell as an Alternate to the Building & Standards Commission. (Councilman Pannell)**

## City Council Minutes of Meeting October 16, 2012

Councilman Brown made a motion to approve items 10 J-10 L. Councilman Pannell seconded the motion. The motion passed unanimously.

Mayor Suarez called for a 10 minute recess at 9:33 PM.

Mayor Suarez reconvened the meeting to order at 9:51 PM.

Mayor Suarez moved to Item 10 R.

**R. Discussion and Appropriate Action on a Request to Approve a Moratorium on Property Development in Accordance with Texas Local Government Chapter 212, Subchapter "E"-Moratorium on Property Development in Certain Circumstances. The City of Converse seeks to impose a Property Development Moratorium for all residential lots located within the Meadows of Copperfield Unit #6 "A" located in Converse Texas. (City Engineer) (Assistant City Manager)**

Mr. Quintanilla introduced Mr. Stephen Horvath of Vickery and Associates. Mr. Quintanilla discussed the public notice of the moratorium that was published in the Express News October 11, 2012. Karl Hoppes, Lupe Perez, Mr. Horvath and Mr. Quintanilla walked the location and noticed evidence of significant failure to the infrastructure. The City of Converse did a final walkthrough around June 23, 2011 and brought to City Council approval for the preliminary acceptance. About February of 2012, the City of Converse notified Sivage Homes about a water leak on their property and about 30 days later, the leak was repaired. Mr. Quintanilla feels certain that for 30 days the water flowed under the streets and destabilized the street condition. A manhole has also dropped about 4-6".

The City met with Mike Sivage on September 7, 2012 and did not hear back from him until Mr. Quintanilla made contact with him the 9<sup>th</sup> of October, 2012 to ask what Sivage was going to do about the issue. Mr. Sivage replied that he was unable to attend to the issue last week and asked to schedule a meeting. Mr. Quintanilla set up a meeting to meet at the site on October 18, 2012 at 9:00 AM.

Mr. Horvath met with staff on October 2, 2012 to discuss the conditions of the streets. Mr. Horvath discussed results of the site visit that were detailed in a letter dating October 3, 2012 of observations and recommendations regarding the current condition and corrective improvements required on Copper Meadow Street, from Copper Rise to Copper Gate, as constructed in the Copperfield Subdivision Unit 6A that was presented to the City Council. Either poor construction or the water leak has influenced the street to deteriorate underneath and water was able to flow under the sewer trench and recommended testing.

Mr. Quintanilla reiterated that the reason for the moratorium is due to the fact that Sivage took one month to rectify the leak and we do not know who many millions of gallons at the cities expense we lost. The City has to remain insistent on getting the issue of the failed infrastructure resolved.

Mr. Ortiz stated that a temporary moratorium is automatically set in place after the 5<sup>th</sup> business day after the published notice; the temporary moratorium is currently in effect.

Mr. Dennis Herring, Sivage Homes, said the lack of communication was a misunderstanding. Sivage was waiting on a call from the City. Once Mr. Sivage received the call from the City, he contacted the engineers, developers and construction managers to try to bring this issue to a resolution. Mr. Herring said in all respect to the City Engineers, a visual inspection cannot determine if a sewer is failing or a water line is down by walking down the street. Sivage contacted Yantis, which is the developer contracted to build the lots, and told them they need to repair the water leak. Yantis stated it was not their error, and then Yantis later told Sivage they were responsible after all and would repair the leak. Mr. Herring said he does not know if the water leak was the fault of Yantis or not. Once the City and Sivage made contact, a meeting was set for October 18, 2012. Sivage did not receive a phone call or an email stating a moratorium is taking place. A moratorium is not a good solution due to stopping revenue for the City and for Sivage. A moratorium will not fix the water or sewer issue if there is a problem. A moratorium will terminate jobs for contractors for whatever the time period will be until a resolution is met. If you let a frame sit too long, it can

weather and then you will have to tear the frame down. A slab sitting too long will curl. We are stopping revenues, closings and sales. Savage Homes is set a meeting work with the City and two days before the meeting, the City has put up a moratorium.

Mr. Ortiz stated that the City Council's purpose is to comply with the charges under the City Charter and that is to oversee the proper construction. The City would be losing a lot more if the City accepts the infrastructure the way it is now. The moratorium will only be in place for a minimum amount of time necessary to right the wrong.

Councilman Pannell made a motion to impose a ninety day property development moratorium to be placed on all residential lots located within the Meadows of Copperfield Unit #6 "A" and the moratorium lifted earlier if the problem is corrected. Councilwoman Beehler seconded the motion. The motion passed with four in favor, (Suarez, Pannell, Brown, and Beehler) and two against, (Richel and Selko).

**M. Discussion and Appropriate Action on a Request to Amend a Section of the City of Converse Code of Ordinance, namely Chapter 8-Buildings and Building Regulations, Article III-Building Code, Division II-Permits, Section 8-103-Schedule of Permit Fees. This City of Converse Ordinance Regulates Building Permit Fees. (First Reading) (Building Official) (Assistant City Manager)**

Mr. Durant discussed schedules of permit fees that included fees from the International Code Council, Texas A&M Real Estate Center, San Antonio Board of Realtors, San Antonio Development Center and the City of Schertz. Mr. Durant showed a PowerPoint Presentation that detailed the Texas Industrialized Housing and Building Laws and Rules.

Mr. Quintanilla said this will be a truer value of the homes that are being construction and provides a level of uniformity.

Councilman Pannell made a motion to approve a request to amend a section of Chapter 8-Buildings and Building Regulations, Article III-Building Code, Division II-Permits, Section 8-103-Schedule of Permit Fees. Councilman Brown seconded the motion. The motion passed with five in favor and one against (Richel).

**N. Discussion and Appropriate Action on a Request to Amend a Section of the City of Converse Code of Ordinance, namely Chapter 18-Environment, Article V-Property Maintenance, Section 18-132 (f)-Trash Cans Bags and Other Receptacles. This City of Converse Ordinance Regulates Property Maintenance. (First Reading) (Councilman Pannell) (City Manager)**

Councilman Pannell requested the Council to revise the Ordinance to read that residents can have their trash receptacles on the side of the homes.

Ms. Dowell added that most of the complaints from the residents that do not have a place to keep out of site other than their garage and some residents do not have garages.

Councilman Pannell made a motion to approve the amended Ordinance; Chapter 18- Environment, Article V-Property Maintenance, Section 18-132 (f)-Trash Cans Bags and Other Receptacles with the changes to remove the wording "bags and other receptacles" from the ordinance. Councilman Richel seconded the motion. The motion passed unanimously.

**O. Discussion and Appropriate Action on a Request to Amend a Section of the City of Converse Code of Ordinance, namely Chapter 18-Environment, Article II-Nuisances Section 18-44-Enforcement of Parcels of Undeveloped Properties. This City of Converse Ordinance Regulates Property Maintenance. (First Reading) (Councilman Pannell) (City Manager)**

Mr. Quintanilla discussed the proposed changes in the event of city abatement: under item 6-b, adding \$25.00 per hour per person for labor spent on requires corrective actions; the cost of other professional or legal fees. Item 6-c

changes are to add \$100 per hour for equipment spent on required corrective actions. The burden will be put in the property owner and not the tax payers.

Councilwoman Beehler made a motion to approve the amended section of the Ordinance, Chapter 18. Councilman Selko seconded the motion. The motion passed unanimously.

**P. Discussion and Appropriate Action on a Request to Amend a Section of the City of Converse Code of Ordinance, namely Chapter 18-Environment, Article II-Nuisances Section 18-43-Weeds or Other Vegetation. This City of Converse Ordinance Regulates Property Maintenance. (First Reading) (Councilman Pannell) (City Manager)**

Mr. Quintanilla said currently there is not regulation for residential lost and for the sake of uniformity, this will allow staff to send out the same letter to both large acre tracts and small tracts.

Councilman Brown made a motion to amend a section of the City of Converse Code of Ordinance, namely Chapter 18-Environment, Article II-Nuisances Section 18-43-Weeds or Other Vegetation. Councilwoman Beehler seconded the motion. The motion passed unanimously.

**Q. Discussion and Appropriate Action on a Request to Approve a Request for a Moratorium on Rezoning Requests. (EDC Executive Director) (City Manager)**

Ms. Silvas said this request is for a temporary moratorium placed on rezoning requests on locations in close proximity of the Loop 1604 until the Loop 1604 Commercial Corridor Study is concluded. EDC is asking for a 12-18 months moratorium.

Councilwoman Beehler made a motion to approve a temporary moratorium to be placed on either side of FM 1604 for 500 feet for a period of 18 months. Councilman Selko seconded the motion. The motion passed unanimously.

**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 to report.

**B. Councilmember's Reports/Items of Interest.**  
The Council members had nothing to report.

**C. Economic Development Corporation Executive Director's Report.**  
Ms. Silvas reported on the activities of the last month that included ribbon cuttings, conferences, working on several projects, and update of the 1604 Corridor Study.

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

Ms. Dowell reported the Police Department has increased activity due to the holiday season, early voting starting son, North Cimarron tank is down, the city has to licenses all equipment by State Law, looking at the warrenty deed with DuWest due to crumbling on the City Hall building, November 14-15 is a scheduled city-wide cleanup, asking the Lions Club to give an update to the Council for the NIOC, auction and meet the candidates is scheduled October 18, 2012.

**E. City Staff Reports:**

**1. Report and Discussion of Significant Public Utilities Events.**

Mr. Perez briefed the Council on the events of the Utility department which included deposits, reconnects, sewer breaks and backups. The cost to the North Cimarron flow system is estimated to be \$2,500.

**2. Report and Discussion of Significant Public Works Events.**

Mr. Hoppes reported on chip seal projects, National Night Out, the snack bar at the park was vandalized, high activity of 4-wheelers in North Park, getting quotes for pool repairs and installing a fence around the kiddy pool.

**3. Report and Discussion of Significant Fire and EMS Events.**

Chief Wendt is holding training on the new pumper truck and has completed the radio install.

**4. Report and Discussion of Significant Police Events.**

Chief Jamison thanked the Council for the 3% raise and the approval for the equipment the department will be able to purchase. NIOC did not have any significant incidents.

**12. EXECUTIVE SESSION**

- A. Executive Session in Accordance with Texas Open Meetings Act Section 551.074, PERSONNEL MATTERS; CLOSED MEETING. Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. (Mayor Suarez)**

Mayor Suarez called the Regular meeting to recess at 11:52 PM to reconvene in Executive Session.

**13. RECONVENE TO OPEN SESSION**

- A. Discussion and Appropriate Action in Accordance with Deliberations regarding deliberation on Personnel Matters on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. (Mayor Suarez)**

Mayor Suarez reconvened the Regular meeting at 12:50 AM.

Councilman Pannell made a motion to approve as discussed in Executive Session. Councilman Selko seconded the motion. The motion passed unanimously.

**14. ADJOURNMENT**

Mayor Suarez adjourned the meeting at 12:52 A.M.

**PASSED AND APPROVED** this 20<sup>th</sup> day of November, 2012



*Al Suarez*  
\_\_\_\_\_  
Mayor Al Suarez

ATTEST:

*Jackie Gaines*  
\_\_\_\_\_  
Jackie Gaines  
City Secretary