



Expanding Horizons

CITY OF CONVERSE
CITY ADMINISTRATION

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**MINUTES
CITY OF CONVERSE
CITY COUNCIL MEETING
FEBRUARY 5, 2013 - 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, February 5, 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

Mr. Quintanilla led the invocation.

3. PLEDGE OF ALLEGIANCE.

Mayor Suarez led the pledge of allegiance to the U.S. Flag and the Texas Flag.

4. ROLL CALL, ESTABLISHMENT OF QUORUM & RECOGNITION OF VISITORS

Mayor Al Suarez	City Manager Shawna Burkhart
Councilwoman Kathy Richel, Place 1	Assistant City Manager John Quintanilla
Councilwoman Renee Paschall, Place 2	City Secretary Jackie Gaines
Councilwoman Laura Beehler, Place 3	Ray Ortiz, City Attorney
Councilman Andy Selko, Place 5	Mr. Steve Horvath, City Engineer
Councilman Steve Brown, Place 6	Chief Rick Jamison
Chief Richard Wendt	Jon Smith, Assistant Director of Utilities

Mayor Pro Tem Randy Pannell excused from the meeting.

5. CONSENT AGENDA.

- A. Approve Minutes of City Council Meeting on January 15, 2013.**
- B. Accept Planning & Zoning Commission minutes for November 19, 2012 meeting.**
- C. Accept Planning & Zoning Commission minutes for December 17, 2012 meeting.**

Councilwoman Beehler asked to pull item 5A.

Councilwoman Paschall made a motion to approve items 5B and 5C. Councilman Brown seconded the motion. The motion passed unanimously.

Councilwoman Beehler asked for typo corrections throughout the minutes. Councilwoman Richel made a motion to approve the minutes of January 15, 2013 with the corrections. Councilwoman Beehler seconded the motion. The motion passed unanimously.

6. SPECIAL CONSIDERATION ITEMS:

- A. Recognition of Fire Fighter of the Quarter for the City of Converse, Justin Dalton. (Councilman Brown) (John Woolery)**
- B. Recognition of Richard Weers for His Volunteer Service for the City of Converse Fire Department. (Councilman Brown) (John Woolery)**

Fire Fighter Justin Dalton and Mr. Richard Weers were not able to attend the meeting and will be placed on the agenda at a future date.

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.

There were no citizens signed up to speak.

8. PUBLIC HEARINGS

- A. Public Hearing on the Proposed Amendments to Ordinance 612, an Ordinance of the city of Converse Established for regulating platting procedures for property within the city of Converse, providing guidelines and development management for the purpose of promoting the health, safety, moral, and general welfare of the community, namely section 40-565.**

Mayor Suarez opened the public hearing at 7:10 PM.

Celeste Morris, Arabian King-spoke regarding the platting of Cimarron Landing, the water run-off and the building of the curbs in the subdivision.

Mayor Suarez closed the public hearing at 7:11 PM.

9. OLD BUSINESS.

- A. Discussion and Appropriate Action to Amend Ordinance #612, an ordinance of the city of Converse Established for regulating platting procedures for property within the city of Converse, providing guidelines and development management for the purpose of promoting the health, safety, moral, and general welfare of the community, namely section 40-565. (Second Reading) (City Engineer) (City Manager)**

Ms. Burkhart stated the City Council requested quotes from the City of San Antonio during the workshop held January 31, 2013.

Mr. Horvath said the new rates from the City of San Antonio (CoSA) are more than triple from the rates they have been using.

Councilwoman Beehler thanked Mr. Horvath for the information he presented during the January 31, 2013 workshop.

Councilman Brown asked about the fees in lieu of (FILO fees). Mr. Horvath replied that the fees are a one-time charge.

Councilwoman Beehler made a motion to approve Ordinance #612 with for the regional storm water management program (RSWMP). Councilman Selko seconded the motion. The motion passed unanimously.

B. Discussion and Appropriate Action on a Request to Approve a Budget Amendment #108A-2013. (City Manager) (Second Reading).

Ms. Burkhart handed out a quote from Daktronics and discussed the display system and the responsibilities of Daktronics and the City. The mid-year budget amendment is an addition/transfer reflecting the use of CPS CIED funds for the purpose of a digital marquee for City Hall. The increase expenditure is \$49,649.00.

Councilwoman Paschall asked for a correction to the amount for approval. Ms. Burkhart asked to get the amount corrected during the meeting and bring back to the Council for approval as a deferred agenda item.

Mayor Suarez deferred budget amendment until Ms. Burkhart receives the correct budget amendment amount.

10. NEW BUSINESS

A. Briefing by the Building & Standards Commission Chairman LuAnn Holden. (Mayor Suarez)

Ms. Holden had resigned from the Commission and no report was given.

B. Briefing by the Planning & Zoning Commission Chairman Robert Browning. (Mayor Suarez)

Mr. Browning gave a report of year 2012 that included the following statistics:

- Worked with City Council on eight ordinance revisions
- Reviewed eight special use permits; supported six and disapproved two
- Before the moratorium, reviewed six rezoning requests and supported three
- Reviewed five preliminary plats
- Reviewed four final plats
- Reviewed building setback requirements

Mr. Browning said the Planning and Zoning Commission members are very open-minded and thanked the City Council for having faith in the Commission.

Mayor Suarez shared the Council's gratitude for the time and effort the members put into the projects.

C. Briefing by the Beautification & Environmental Commission Chairman Roger Dennes. (Mayor Suarez)

Mayor Suarez reported Chairman Dennes required additional time to present his report. Mayor Suarez deferred the item.

D. Briefing by the Parks & Recreation Commission Chairman Leon Stubbs. (Mayor Suarez)

Mr. Stubbs gave a report for the accomplishments over the past year and thanked the present and past commission members, staff and Council Liaisons.

North Park: Rocks and borders placed along the edge of the road around the pavilion and electricity for the pavilion and restrooms are complete. A grant was received to construct a walking trail and St. Monica's would like to build a dugout facility.

City Park: An air conditioner was placed in the snack bar and lockers were installed in the swimming pool area for patrons. Three movie-in-the-park events were hosted. Repairs to the swimming pool are planned to be completed in time for opening day this summer.

East Park: Updates on the development will be presented at the next quarterly report.

E. Discussion of a Presentation by Employee Benefits Services (EBS) on the City of Converse Employee Health Plan. (City Manager)

Mr. Pete Villemain gave a benefit plan review from June 1, 2012 through December 31, 2012. The City was self funded from June, 2002 through May, 2012 and the costs steadily increased. The solution was to provide a plan that had 100% coverage for preventive care, low minimum exposure per insured, low cost care for most urgent needs, encourages insured's to be better consumers and retain the same dental benefits. The current Blue Cross Blue Shield deductible is \$5,000 for individual and \$10,000 for family with an employee exposure of \$1,500 for individual and \$3,000 for family. Employees are requesting lower deductible and a prescription drug program. The results of the new plan have a 40% average monthly decrease of cost to the City.

Ms. Burkhart added that if the City decreases the deductibles from \$1,500 to \$1,200 (individual) the City would have to increase the budget next year by \$40,000. Currently the City has unmet budget needs for engineering and a possible mid-year compensation adjustment for employees.

F. Discussion and Appropriate Action on Ordinance #218, An Ordinance Levying an Assessment Against Benefitted Property and Its Owner for Reimbursement of the Cost of the Improvements to the City Sewer System; And Superseding City of Converse Ordinance #218 Dated July 15, 2008. (City Attorney) (City Manager) (First Reading)

Ms. Burkhart reported that Bridgehaven was platted by Bart Palm for the properties off FM 1516. A lift station was to be built for the needs of the Placid Park Subdivision, Converse Elementary and the City. The revised ordinance has the cost adjustment to the living unit equivalent (LUE) that divided the cost between the City and the developer.

Mr. Ortiz stated the total cost to the sewer improvements was \$988,000 and at the time the ordinance was presented in 2008, the city had an understanding, but not confirmed, that a developer was going to develop 465 residential units and pay the city \$535,000; dividing the LUE to \$865. The city has never collected the \$535,000 and service has not been provided to the 465 units as of yet due to no development. The proposed ordinance revision is to make an adjustment to the cost. The developer did not acquire the back tract of land that he originally platted.

Councilwoman Paschall made a motion to approve Ordinance 218. Councilwoman Beehler seconded the motion. The motion passed unanimously.

9B. Discussion and Appropriate Action on a Request to Approve a Budget Amendment #108A-2013. (City Manager) (Second Reading).

Mayor Suarez asked to bring forward Item 9B.

Ms. Burkhart asked for Ordinance #108A-2013 to reflect \$19,414,580.

Councilwoman Richel made a motion to approve Ordinance #108A-2013 with the corrections. Councilwoman Beehler seconded the motion. The motion passed unanimously.

G. Discussion and Appropriate Action on a Request to Approve an Agreement with St. Monica's School to reserve Fields #1 & Field # 2 from February 6, 2013- May 31, 2013, from 3:30-6PM). (Assistant City Manager)

Mr. Quintanilla reported that the Parks and Recreation Commission approved the contract. JYSF Board Member has received the agreement and did not see any conflict. Staff recommends approval.

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Ms. Joanne Mylacraine, Athletic Director of St. Monica's Catholic School, stated there were no conflicts with the City Park ball fields #1 and #2.

Councilwoman Beehler asked if the additional time requested had been verified with the JYSF schedule. Mr. Quintanilla said he did request a schedule from JYSF and have not received a reply.

Councilwoman Paschall made a motion to approve the agreement with St. Monica's School to reserve fields #1 and #2. Councilman Brown seconded the motion. The motion passed unanimously.

H. Discussion and Appropriate Action on a Request to Approve an Agreement with St. Monica's Catholic Youth Organization (CYO) to reserve 4 Baseball Fields at North Park for practices and tryouts (Monday-Friday from 4PM- 8PM) term from February 18, 2013 ending June 30, 2013. (Assistant City Manager)

Mr. Quintanilla said the Parks and Recreation Commission has reviewed the proposed agreement and recommends approval.

Mr. Garcia added that this agreement is the same as last years and thanked the Council for their support. The CYO has been working with the Parks and Recreation Commission to make improvements to North Park.

Councilman Selko made a motion to approve the agreement with St. Monica's Catholic Youth Organization. Councilwoman Beehler seconded the motion. The motion passed unanimously.

I. Discussion and Appropriate Action to Approve Resolution #682, a Resolution Approving the Submittal of an Application to the Bexar County Community Development Department for 2014 Community Development Block Grant Program, Fair Meadows Phase II. (City Manager)

Ms. Burns reported that this year's rehabilitation project is for Ash Drive (from Oak Drive to Willow Street) in the Fair Meadow's Subdivision. The application last year was for Elm Street. We were over funded in that application, so we have \$40,000 we are currently using on smaller projects within the Fair Meadow's Subdivision for drainage issues. This year's application is \$240,000 and the City's match being \$40,000; we will be requesting \$200,000 in CDBG funds.

Ms. Burkhart said the project will begin in the spring and funding will be in the next year's budget.

Councilman Selko made a motion to approve Resolution #682 supporting the submittal of an application of the Bexar County Community Development Department for 2014 Community Development Block Grant Program for Fair Meadows Phase II. Councilwoman Richel seconded the motion. The motion passed unanimously.

J. Discussion and Appropriate Action to Amend Chapter 44, Adding a New Article, Article VII-Removal of Vehicles within the City of Converse, the City of Converse Codification that Regulates Vehicle Towing and Provides Minimum Requirements. (First Reading) (City Attorney) (City Manager)

Ms. Burkhart said this request is the outcome of an individual coming to City Council complaining of the cost of towing at Town Square Apartments.

Mr. Ortiz drafted the ordinance from multiple cities. Towing is heavily regulated by the state. Some cities regulate towing and others allow the state to regulate the towing.

Chief Jamison said there are eleven towing companies servicing businesses in Converse and all of the companies are outside of the City of Converse. Regulating towing with an ordinance will be cumbersome and the City does not have the man-power. Chief Jamison recommended no ordinance and to allow the State to govern the towing. Ms. Burkhart concurred.

Mr. Ortiz and the Council agreed to have a copy of the State Statute available for residents.

Councilwoman Paschall made a motion to deny a towing ordinance. Councilwoman Paschall withdrew her motion. The motion to regulate towing within the City of Converse died for lack of motion.

K. Discussion and Appropriate Action to a Request to Award a Construction Contract to provide for the removal of existing fencing and installation of new fencing at 9239 Converse Business Lane, Converse Texas. (Assistant City Manager)

Mr. Quintanilla said staff recommends awarding the construction contract bid for the fence project to Mark De La Garza for the amount of \$14,494.92.

Councilwoman Paschall made a motion to approve the bid to Mark De La Garza in the amount of \$14,494.92. Councilman Brown seconded the motion. The motion passed unanimously.

L. Discussion and Appropriate Action to a Request to Execute a Task Order to VICKREY & ASSOCIATES in the Amount of Twenty-five Thousand Dollars (\$25,000) to Research and Present Viable Water Options for the City of Converse. (City Manager)

Ms. Burkhart discussed current water resources and future water options to consider. Ms. Burkhart suggested spending \$25,000 to research options to acquire water. The request is not budgeted and will come out of the Utility Fund. The proposed utility ending fund balance for this fiscal year will be \$1,843,569, which will allow funding an engineering firm to do the research.

Councilwoman Beehler made a motion to approve \$25,000 to research and present viable water options. Councilman Selko seconded the motion. The motion passed unanimously.

10. 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 asked Mr. Ortiz to discuss charter amendments and the process for making the election effective.

Mr. Ortiz said the election process is in order. There is confusion because there are two different sections as to what happens after an election. One says it is effective upon Council entering an order, which is basically the canvassing of the election results. The other indicates filing with the Secretary of State. There is no indication of ramification if you do not do this. Ms. Gaines has filed with the Secretary of State and they are in receipt of the documents. Canvassing the election and the submission to the Secretary of State completes both sections.

B. Councilmember's Reports/Items of Interest.

Councilman Brown asked to have a Municode discussion at the next Council meeting.

C. City Commission Liaison Reports.

Councilwoman Richel reported the Beautification and Environmental Commission appointed a Vice-Chairman. Need to recruit members for the commission.

There were no other Commission Liaison reports given.

D. Economic Development Corporation Executive Director's Report.

Ms. Silvas gave the following EDC report:

- KB Homes ribbon cutting February 12th
- requesting an EDC and City Council Joint workshop
- Construction for Dollar General is on schedule
- EDC voted to transfer approximately \$7,000 to the city as incentive to facilitate drainage related to Big Lott on FM 78
- Co-sponsored a Go Green event held December 15th and is planning a similar event in March.
- EDC is looking into hiring a marketing director
- US Build Green event at City Hall
- met with UTSA and Vickrey and Associates on the Loop 1604 Corridor Study
- one vacancy on the EDC Board.

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

Ms. Burkhart gave the following report:

- Met with the Alamo Black Chamber of Commerce and Carol Booker with Avesta to discuss option to better diversify the applicant pool by electronic newsletters
- Requested bereavement leave February 8-9, 2013
- CVLGC will meet February 28, 2013 in the City of Converse
- Will attend the NEP legislative trip to Austin February 25, 2013

F. City Staff Reports:

1. Report and Discussion of Significant Police Events.

Chief Jamison gave a briefing on the 2012 Police activity that included the types of calls, arrests, traffic stops, tickets and warnings. Cases filed with the District Attorney were broken down with the types of cases. The narcotic statistics did not include the DEA report. The Crime Disruption Unit has issued 57 citations, 56 warnings, 102 calls and 23 arrests.

2. Report and Discussion of Significant Public Utilities Events.

Mr. Smith said the department conducted a city-wide meter audit that included recording the serial numbers and size of meters. Ensured all the information is transferring into INCODE data system properly. The monthly report included the following:

- 7 main breaks, 3 service calls, 14 leaks at the meter and repaired 1 sewer tap due to root intrusion
- Conducted cleanup and decontamination at the Bridgehaven subdivision due to vandalism
- 2 pumps are down and are continuing to work on the repairs
- fire hydrant was hit and knocked over on Business Lane. The owner of the car did pay for the damage to the fire hydrant and the utility department will be replacing the hydrant

3. Report and Discussion of Significant Public Works Events.

-No report given.

4. Report and Discussion of Significant Fire and EMS Events.

- Chief Wendt reported 3,185 runs for year 2012; and will present the year-end report at the next Council meeting
- Christmas Day, the A-Shift had a grassfire on Old Binz Engleman Road and FM 1516 that burned 600 acres
- protocal changes requiring testing to certification level is in process

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- the department took wild-land fire classes
- looking forward to seeing the digital marquee sign at City Hall

Councilwoman Paschall asked to go back to the City Council Items of Interest and asked for another report for the consent agenda for personnel reports that include all departments hiring, firing and promotions. Mr. Ortiz replied that the report cannot have the names of the terminated employees. Mayor Suarez suggested a monthly report from the HR Director on the statistics.

11. EXECUTIVE SESSION:

- A. Executive Session In Accordance With Section 551.072, Texas Open Meetings Act DELIBERATION REGARDING REAL PROPERTY; Closed Meeting. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, the City of Converse Annexation Plan. (City Attorney)**

Mayor Suarez called for a recess to meet in executive session at 9:19 P.M.

Executive session opened at 9:30 P.M.

Executive session adjourned at 10:30 P.M.

12. RECONVENE TO OPEN SESSION:

- A. Discussion and Appropriate Action in Accordance with Texas Open Meetings Act Section 551.072 regarding annexation issues for the City of Converse. (City Attorney)**

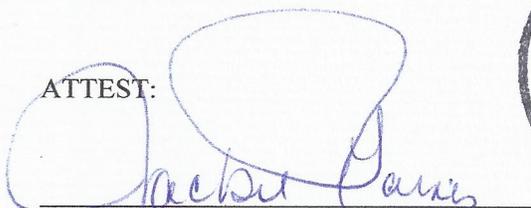
Mayor Suarez reconvened the regular session at 10:32 PM

Councilman Brown made a motion to approve as discussed in Executive Session. Councilwoman Paschall seconded the motion. The motion passed with five in favor (Brown, Paschall, Beehler, Selko and Richel) and one opposition from Mayor Suarez.

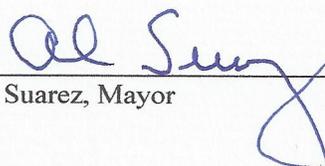
13. ADJOURNMENT.

Mayor Suarez adjourned the regular meeting at 10:33 P.M.

PASSED AND APPROVED THIS 19TH DAY OF FEBRUARY, 2013.

ATTEST:

Jackie Gaines, City Secretary




Al Suarez, Mayor