



Expanding Horizons

CITY OF CONVERSE
CITY ADMINISTRATION

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MINUTES
CITY OF CONVERSE
CITY COUNCIL MEETING
March 05, 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, March 5, 2013 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.

The invocation was given by Ms. Burkhart.

3. PLEDGE OF ALLEGIANCE.

Mayor Suarez led the pledge of allegiance to the United States Flag and the Texas Flag.

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

Mayor Al Suarez
Councilwoman Renee Paschall, Place 2
Mayor Pro Tem Randy Pannell, Place 4
Ms. Shawna D. Burkhart, City Manager
Ms. Jackie Gaines, City Secretary

Councilwoman Kathy Richel, Place 1
Councilman Andy Selko, Place 3
Councilman Steve Brown, Place 6
Mr. Ray Ortiz, City Attorney
Mr. John Quintanilla, Assistant City Manager

Councilwoman Laura Beehler was not present.

Ms. Burkhart introduced Mr. John Rudd as the Human Resource Director.

Councilwoman Paschall arrived at 7:05 PM.

5. CONSENT AGENDA.

- A. Approve Minutes of City Council Meeting on February 19, 2013.**
- B. Accept Parks & Recreation Commission minutes for January 14, 2013 meeting.**
- C. Accept Planning & Zoning Commission minutes for January 14, 2013 meeting.**
- D. Accept Building & Standards Commission minutes for October 30, 2012 meeting.**

Councilman Selko asked to pull item 5A.

Mayor Pro Tem Pannell made a motion to approve items 5B – 5D. Councilwoman Richel seconded the motion. The vote was unanimous. The motion carried.

Councilman Selko asked to have item 5A, Minutes of City Council Meeting, February 19, 2013, reflect his apology to MPT Pannell just before adjourning the meeting. Mayor Suarez said this request would have to go to a vote and asked Mr. Ortiz what information was necessary for an action item. Mr. Ortiz replied, just the subject matter and the vote. Councilman Selko pulled his request.

Discussions of typos were addressed. Councilman Brown made a motion to approve item 5A as corrected. MPT Pannell seconded the motion. The vote was unanimous to approve the minutes with the corrections. The motion passed.

6. SPECIAL CONSIDERATION ITEMS.

A. Recognition of Gina Marsh, Lieutenant, Fire Department, for her Five (5) Years of with the City of Converse. (Mayor Suarez).

Lieutenant Marsh was unable to attend due to illness.

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.

-Celeste Morris, Arabian King presented information for a March 12th public summit to be held in Austin.

-Jon Lindgren, Liberty View informed the Council and City Manager that he had received a total of nine duplicate water bills.

8. PUBLIC HEARINGS.

A. Public Hearing on a Request for a Special Use Permit Request on a parcel of land located at 8487 Brucks Lane, Converse Texas (CB 5071B TR 8 “CITY OF CONVERSE ANNEXATION” (PID# 312942)). The property owner is requesting an SUP for the purpose of delivering and installing a modular home. This modular home will be a “mother-in-law” addition.

Mayor Suarez opened the public hearing at 7:19 PM.

Greg Elmandorf spoke in favor of the special use permit for a modular home to be delivered and installed for use of lodging a health care provider.

Mayor Suarez closed the public hearing at 7:21 PM.

9. OLD BUSINESS.

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

Ms. Burkhart stated the mid-year budget amendment reflects the increase of expenditures related to the contract for replacing the city's pool fiberglass liner and repairing concrete decking around the pool per Texas Municipal League Intergovernmental Risk Pool insurance requirements. The increased expenditure is \$12,000.00 to the general fund.

The budget amendment also reflects the use of fund balance for a water system analysis identifying water supply options for the City of Converse. The increased expenditure is \$25,000 to the water/sewer fund.

Councilwoman Paschall made a motion to approve the budget amendment request. Mayor Pro Tem Pannell seconded the motion. The vote was unanimous. The motion carried.

10. NEW BUSINESS.

A. Discussion and Appropriate Action to Approve Request for a Special Use Permit Request on a parcel of land located at 8487 Brucks Lane, Converse Texas (CB 5071B TR 8 "CITY OF CONVERSE ANNEXATION" (PID# 312942)). The property owner is requesting an SUP for the purpose of delivering and installing a modular home. This modular home will be a "mother-in-law" addition. (Assistant City Manager)

Mr. Quintanilla reported that this item was brought before the City Council in February. The Planning and Zoning Commission approved the request unanimously. Staff posted the required public hearings to which no one came forward.

Councilwoman Paschall made a motion to approve the special use permit to allow the delivery and installation of a modular home. Councilwoman Richel seconded the motion. The vote was unanimous. The motion carried.

B. Discussion and Appropriate Action to Approve a Grant Application to the State Energy Conservation Office (SECO) for Funding Under the Emerging Clean Technologies Demonstration Grant Program. (City Manager)

Ms. Burkhart stated that with the SECO grant, the City can apply for solar energy for city offices or the parks. The city will have a 20% match. CPS Energy will pay 50% of the cost up to \$100,000. Ms. Silvas added that the grant is for this fiscal year and the deadline for submitting the grant is March 15, 2013.

Concerns from the Council were accessibility to vandalism, aesthetically unpleasant and this will be the third grant to fund this year. Mayor Suarez asked if EDC can contribute to the cost. Councilman Selko asked for more time and more information. Mayor Suarez

proposed moving forward with the grant application with the stipulation that the city can decline the grant application at anytime if the funding is not favorable.

Councilman Selko made a motion to move forward with the grant application as long as the grant is not binding. Councilman Brown seconded the motion. The vote was unanimous. The motion carried.

C. Discussion and Appropriate Action on a Report and Presentation by Judson Youth Sports Foundation (JYSF). (JYSF Director)

Chris Davis presented the 2011 and 2012 annual financial report that included cash flow, profit/loss and the balance report. The schedule begins in March 2013. Ms. Burkhart stated the payment to the city for lighting is not in the cash flow and asked JYSF to verify they have paid for the use of electricity. Councilman Brown asked to have a renewed certificate of liability in June when the current insurance expires. Mr. Ortiz asked to have JYSF insure their baseball and basketball teams as well.

Ms. Burkhart said this is an annual report Council requires and no action is necessary for this item.

D. Discussion and Appropriate Action on a Request Associated with the Operations of Night In Ole Converse (NIOC) by the Converse Lions Club. (City Manager)

Mr. Weeks and Mr. Perez stated that the Lions Club did very well last year with Night In Ole Converse and would like to have a similar agreement as last year. The Lions Club would like to include payment to the Parks employees during NIOC. A parade will be planned. The tentative date is the first weekend in October.

Council thanked the Lions Club for the work done to continue the tradition of NIOC.

Councilman Brown made a motion to approve the Lions Club to operate Night In Ole Converse for 2013. MPT Pannell seconded the motion. The vote was unanimous. The motion carried.

E. Discussion and Appropriate Action on a Request to Approve the Layout of the Proposed Walking Trail at North Park. (City Manager) (Director of Facilities)

Mr. Hoppes reported that the fence line of the walking trail has been modified to accommodate the residents. Ms. Burkhart said staff is pleased with the layout and have addressed the citizen's needs that are close to the walking trail. Councilman Brown asked if the park sign can include the words "walking trail".

Councilman Brown made a motion to approve the layout of the proposed walking trail at North Park. Councilwoman Richel seconded the motion. The vote was unanimous. The motion carried.

F. Discussion and Appropriate Action on a Request to Amend City of Converse Ordinance #701 dated March 16, 2010 that Establishes a Curfew. This Section of the

City of Converse Code of Ordinance, namely Chapter 24-Miscellaneous Offenses, Article III-Curfew for Minors, Section 24-110-Periodic Review. This City of Converse Ordinance Regulates Miscellaneous Offences. (First Reading) (City Manager) (Chief of Police)

Chief Jamison reported that the curfew ordinance shall be reviewed per the Texas Local Government Code. A public hearing on this ordinance will take place March 19, 2013.

Councilwoman Paschall made a motion to approve Ordinance # 701 as written. MPT Pannell seconded the motion. The vote was unanimous. The motion carried.

G. Discussion and Appropriate Action on a Request to Amend City of Converse Ordinance #305 dated December 20, 2011. This Section of the City of Converse Code of Ordinance, namely Chapter 46-Utilities, Article IV-Water, Division II-Regulations, Section 46-110-Tampering & Damaging Prohibited. This City of Converse Ordinance Regulates Utilities. (First Reading) (City Manager) (Director of Utilities)

Ms. Burkhart stated that tampering with water meters occurs on a regular basis. Mr. Perez proposed the fees to include labor for the repairs and material. Section 6 Violations, will include the term "except as provided in Section 4D. A typo correction was made in Section 6.

Councilman Selko made a motion to approve as amended. Councilwoman Paschal seconded the motion. The vote was unanimous. The motion carried.

Ms. Burkhart asked to move to item I.

I. Discussion and Appropriate Action on a Request to Amend City of Converse Ordinance #313 dated August 7, 2012. This Section of the City of Converse Code of Ordinance, namely Chapter 46-Utilities, Article II-Sewage Disposal, Section 46-22(I)-Building & Sewer Connections (NEW). This City of Converse Ordinance Regulates Sewage Disposal. (First Reading) (City Manager) (Director of Utilities)

Mr. Quintanilla stated that the city is not clear as to defining the financial responsibility by the homeowner of sewer laterals. Section II, Item D is new proposed language that states all cost and expensed incident to the installation and connection of the building sewer lateral shall be borne by the owner.

Mayor Pro Tem Pannell made a motion to approve ordinance 313 with the corrections. Councilman Selko seconded the motion. The vote was unanimous. The motion carried.

H. Discussion and Appropriate Action on a Request to Amend City of Converse Ordinance #620 dated September 4, 2012. This Section of the City of Converse Code of Ordinance, namely Chapter 8-Buildings & Building Regulations, Article III-Building Code, Division II-Permits, Section 8-103-Schedule of Permit Fees. This

City of Converse Ordinance Regulates Building Construction. (First Reading) (City Manager) (Director of Utilities)

Mr. Sabol gave a presentation that demonstrated the cost to the city of each installation. The cost of the assembly had ranged from \$16.00 to \$120.00. Due to new EPA guidelines, the cost has increased 30-40 %. The ordinance revision is to remove the responsibility of the city for installing a separate irrigation meter.

Councilman Selko made a motion to approve Ordinance 620 as amended. Councilwoman Paschal seconded the motion. The vote was unanimous. The motion carried.

J. Discussion and Appropriate Action on a Request from Judson Independent School District (JISD) to Approve the Costs Associated with the Installation of a Cross Walk Light Fixture to be located at the Intersection of Thornton and Rocket Lane. (City Manager)

Ms. Burkhart stated that Mr. Kershner approached the city for assistance with the installation of a cross walk light fixture to be located at the intersection of Thornton and Rocket Lane. Drivers do not pay attention to the signs and parents have expressed concerns to install flashing lights. Per the energy manager for JISD, the cost is \$7,000 for two lights. JISD will keep ownership and maintenance of the lights. The support from the city will be to facilitate the pouring of two concrete bases and mounting the flashing lights. JISD will pay for the two lights.

Mayor Pro Tem Pannell made a motion to approve assisting JISD with the pouring of two concrete bases and mounting the flashing lights. Councilman Selko seconded the motion. The vote was unanimous. The motion carried.

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 thanked Chief and the police department for the response with an incident that took place in Converse that involved several jurisdictions.

Mr. Ortiz gave an update on the request to hold an election regarding charter amendments. The Texas Constitution states that no city charter shall be amended oftener than every two years. Since the city had an election in November 2012, the earliest date to amend the charter will be November 2014. This means that we will have to have another special council meeting to comply with the time requirement with the election code to canvas the election results.

B. Councilmember's Reports/Items of Interest.

Councilwoman Paschall asked to have an executive session on every City Council Agenda and that specifically personnel will always be a part of the executive session. Mr. Ortiz replied that he can get the wording for the an executive session provision that will state any item on the agenda can go into executive session.

Councilman Brown addressed the special election for charter amendments and suggested researching item for facts before they are placed on the agenda to avoid using council, staff and city attorney's time and to be more fiscally responsible.

MPT Pannell asked Ms. Burkhart and Mr. Quintanilla to look into the duplicate water billing issues.

Ms. Burkhart gave a marquee update that included the sign is in the manufacturing stage and the project is on schedule. The sign will be installed in June of this year.

MPT Pannell asked to have City Council review the ordinance for a stop sign to be erected on Lone Shadow. MPT Pannell will get the exact location to staff and asked to have this item on the next Council agenda.

C. City Commission Liaison Reports.

Planning and Zoning Commission-Mayor Pro Tem Pannell reported that the commission members are dedicated and that the next meeting is set for March 18, 2013.

Building and Standards Commission-Councilman Brown reported that the commission tabled one items due to advice of the attorney and took no action on the other item. There is no scheduled meeting at this time.

Parks and Recreation Commission-MPT Pannell reported that he will attend the March 18th meeting.

CVLGC-Ms. Burkhart reported the corporation voted to approve resolutions for City Council's approval. The revisions are to the articles of incorporation to allow six board members on the corporation.

Building and Standards Commission-Councilwoman Richel reported that Chairman Dennes and member Tempkin resigned, leaving only two members on the commission. Mayor Suarez added that the commission is on hold until we have enough members for a quorum.

D. Economic Development Corporation Executive Director's Report.

Ms. Silvas reported that they are working with Vickrey and Associates to select a firm for the land use study. Attended the Northeast Partnership legislative trip to Austin, the Texas Economic Council Conference and the Bexar County meeting on the Loop 1604 expansion. EDC will co-sponsor the next Converse Goes Green event May 4, 2013 from

12-4PM. EDC board approved a marketing manager position.

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

a. Introduction of Human Resources Director

Ms. Burkhart reported that the priority of the Human Resource Director is the personnel policy and then to ensure the job descriptions are up to date.

F. City Staff Reports.

1. Report and Discussion of Significant Police Events.

Chief Jamison discussed two incidents within the City. Walmart, county wide, has hired off duty officers to provide security. TJ Niemietz and Lt. Pam Hunt are graduates of the Law Enforcement Institute of the Texas Leadership Command College. A blood drive, sponsored by South Texas Blood and Tissue, is scheduled for March 6, 2013 in the parking lot of the Justice Center

2. Report and Discussion of Significant Public Utilities Events.

Mr. Perez gave a report on water leaks and main breaks, customer turnoffs and installation of irrigation meters. The non-potable water station is back online and the customers have been notified. LCR, contractor, has rehabbed nine man holes and has five more to review.

3. Report and Discussion of Significant Public Works Events.

Mr. Hoppes gave a report for January and February that included completing the sidewalk on Toepperwein from Esplanade Gardens to Bill Millers Restaurant. The street sweeper and crew leader positions open. Texas Parks and Wildlife has released fish into the lake at North Park.

Councilwoman Paschall inquired about notifications to the residents about the free mulch. Councilwoman Paschall asked when Janice Street will be repaired. Mr. Hoppes replied that he would try to get to Janice Street in a couple of weeks after the street department completes current projects. Councilwoman Paschall asked if the city uses the Texas Workforce Commission as a source to publicize job openings.

4. Report and Discussion of Significant Fire and EMS Events

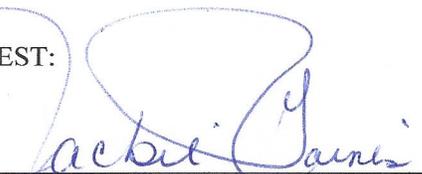
Chief Wendt reported that during the months of January and February, the department had 580 runs. The new pumper truck is working great. Mr. Carroll is busy with inspections and special projects. The department has received new computers and is incorporating the new time clock system and the INCODE system.

12. ADJOURNMENT.

Mayor Suarez adjourned the City Council meeting at 10:03 PM.

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


Al Suarez, Mayor

ATTEST:

Jackie Gaines, City Secretary

