



Expanding Horizons

CITY OF CONVERSE
CITY ADMINISTRATION

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MINUTES
CITY OF CONVERSE
CITY COUNCIL MEETING
April 02, 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, April 02, 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

Mayor Suarez gave the invocation.

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
Councilman Steve Brown, Place 6
Mr. Ray Ortiz, City Attorney

Councilwoman Kathy Richel, Place 1
Councilman Andy Selko, Place 3
Ms. Shawna D. Burkhart, City Manager
Mr. John Quintanilla, Assistant City Manager
Ms. Jackie Gaines, City Secretary

Councilman Selko was out of town and not able to attend the meeting.

Mayor Suarez established a quorum.

5. CONSENT AGENDA.

- A. Approve Minutes of City Council Meeting on March 19, 2013.**
- B. Accept Parks & Recreation Commission Minutes for February 11, 2013 meeting.**
- C. Accept Planning & Zoning Commission Minutes for February 25, 2013 meeting.**
- D. Approve Beautification & Environmental Commission Minutes for February 25, 2013.**

Mayor Pro Tem Pannell made a motion to approve the consent agenda of item 5A – 5D. Councilman Brown seconded the motion. The vote was unanimous. The motion carried.

6. SPECIAL CONSIDERATION ITEMS

**A. Recognition of Former Place 5 Councilwoman Ms. Laura Beehler for her Years of Service on City Council and Beautification & Environmental Commission.
(Mayor Suarez)**

Ms. Beehler was unable to attend the meeting. Mayor Suarez deferred the item until the next City Council meeting.

7. CITIZENS TO BE HEARD

-Michael Potter, Apache Bend- discussed the cost associated with the irrigation meters and asked the Council to eliminate or reduce the cost with the two meter systems.

-Jennifer Francis, Shawnee Bluff-asked if the City could remove the separate irrigation meter in lieu of paying a plumber the fee.

-Celeste Morris, Arabian King-announced the open house event with New Hope Methodist Church and asked if the curfew ordinance time could be changed from 11:00 PM to 9:00 PM.

-Tom Duffy, Rock Cove Lane-asked the Council to consider placing warning signs before the stop signs are erected. Also stated that he has an underground sprinkler system and asked to meet with the street crew to identify the location of the system before the placement of the stop sign.

8. PUBLIC HEARINGS

A. NONE.

9. OLD BUSINESS

A. Discussion and Appropriate Action on a Request to Amend City of Converse Ordinance #401 dated June 15, 2010 that Regulates Vehicular Speed Limits. This Section of the City of Converse Code of Ordinance, namely Chapter 44-Traffic & Motor Vehicles, Article III-Specific Street Regulation, Section 44-155-Stop Intersection. This City of Converse Ordinance Regulates Traffic and Motor Vehicles. (Second Reading) (City Manager) (Chief of Police)

Chief Jamison presented a map with locations of current and proposed stop signs and posted and proposed speed limit signs. Recommendations were to place a stop sign on Lone Shadow at Rock Cove Lane and one on Lone Shadow at Plumas.

Chief Jamison proposed adding nine speed limit signs along Lone Shadow and Shawnee Bluff.

Councilman Brown made a motion to approve Ordinance 401 that will add two stop signs on Lone Shadow at Rock Cove Lane and on Lone Shadow at Plumas. Mayor Pro Tem Pannell seconded the motion. The vote was unanimous. The motion carried.

B. Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #209-2013, Tax Abatements for use by the Executive Director of the Converse Economic Development Corporation for the Purpose of Economic Development. (Second Reading) (EDC Executive Director) (City Manager)

Ms. Silvas presented the Council with information regarding adopting new guidelines and criteria for tax abatements.

Councilman Brown asked what the City has in place to inform the builders of the tax abatements. Ms. Silvas replied that the EDC works very closely with the Building Department and the developers are informed when they come into the city to request building permits.

Mayor Pro Tem Pannell made a motion to approve Ordinance 209-2013. Councilwoman Paschall seconded the motion. The vote was unanimous. The motion carried.

10. NEW BUSINESS

A. Discussion and Appropriate Action on a Request to Approve the City of Converse Fiscal 2012 (FY 2012) Audit Report as Presented by ARMSTRONG, VAUGHN & ASSOCIATES, PC. (Audit Consultant) (City Manager)

Ms. Deborah Fraser reported that the audit went well and discussed the audit for the year ending September 30, 2012. The City's total combined net assets were \$52,027,370 at September 30, 2012. Of this amount, 93.3% represents amounts invested in capital assets net of long term debt, 5.8% is restricted for use, and the remaining 0.9% or \$422,358 is available to meet the City's ongoing obligations.

The City's debt increased \$1.86 million from a new capital lease for a fire truck and two new tax note issuances for capital projects.

The governmental activities expenses were 1.2 million less than the \$10.4 million generated in general and program revenues and transfers. The revenues governmental activities increased 11.7% and expenses decreased 6.4% from the prior year.

The business-type activities expenses and transfers were \$262,704 more than the \$6.3 million generated in general and program revenues. In total, revenues increased by 9.7% and expenses increased 16.9% from the prior year.

The general fund reported a total fund balance this year of \$2.0 million, an increase of \$1.8 million from the prior year. \$1.5 million of this fund balance is restricted for municipal court, capital projects and other activities. Unassigned fund balance is \$538,103.

Ms. Burkhart discussed the fund balance from budget years ending 2010, 2011 and 2012, detailing the unassigned general fund balance for year ending September 30, 2012, that included \$213,777 of CPS CIED revenues. Leaving a total of \$324,326 of actual savings achieved through mid-year budget cuts and changes in the City's health insurance coverage.

Councilwoman Paschall made a motion to approve the fiscal 2012 audit report. Councilwoman Richel seconded the motion. The vote was unanimous. The motion carried.

B. Discussion and Appropriate Action on a Request to Approve the City of Converse Economic Development Corporation (EDC) Fiscal 2012 (FY 2012) Audit Report as Presented by ARMSTRONG, VAUGHN & ASSOCIATES, PC. (Audit Consultant) (City Manager)

Ms. Fraser discussed the City of Converse Economic Development Corporation audit report for fiscal year 2012. The Corporation's net assets were \$3,874,973 at September 30, 2012. The

Corporation's total revenues for fiscal 2012 were \$871,419 while total expenses were \$243,309. The Corporation (through the City) issued 2011 Tax Notes for \$190,000 to fund the 1604 Corridor Study.

Councilwoman Paschall made a motion to approve the Converse Economic Development Corporation Fiscal 2012 audit report. Mayor Pro Tem Pannell seconded the motion. The vote was unanimous. The motion carried.

C. Discussion and Appropriate Action to Approve a Request for Appropriate Action on a Request to Amend City of Converse Ordinance #303-2013, an Ordinance that Establishes and Regulates the Parks & Recreation Commission. This Section of the City of Converse Code of Ordinance, namely Chapter 30-Parks & Recreation, Article II-Administration, Division II-Parks & Recreation Commission, Section 30-40 Establishment; Membership; Terms. (First Reading) (City Manager)

Ms. Burkhart reported on the two changes to Ordinance 303-2013. The first change is to establish the commission members to a two year term limit. The current term limit of four years was due to continuity with working on the Night In Ole Converse festival. The second change is to have the City Council responsible to execute the responsibilities of Night In Ole Converse each year (NIOC).

A request was made to amend section 1, B to read: 'The term of office shall be for two (2) years or until their successors are appointed.' (Removing "and qualified" from the sentence.)

Councilman Brown made a motion to approve the amended Ordinance 303-2013. Mayor Pro Tem Pannell seconded the motion. The vote was unanimous. The motion carried.

D. Discussion and Appropriate Action on a Request to Amend City of Converse Ordinance #303-2013, an Ordinance that Establishes and Regulates the Parks & Recreation Commission. This Section of the City of Converse Code of Ordinance, namely Chapter 30-Parks & Recreation, Article II-Administration, Division II-Parks & Recreation Commission, Section 30-43 Responsibilities. (First Reading) (City Manager)

The action for item D was approved under item C. Mayor Suarez asked to delete item D.

E. Discussion and Appropriate Action on a Request to Approve a Budget Amendment #108C-2013. (City Manager) (First Reading).

Ms. Burkhart briefed the Council on the four budget amendments. The sale of scrap metal is increased revenue and the Street Department is asking to use the revenue for office supplies in the amount of \$584.00. The second budget amendment reflects the contribution by Meritage Homes for stop signs, street signs and poles in the amount of \$1,650.00. The third amendment is to establish engineering expenses for 2013 General Fund projects in the amount of \$90,000.00. The final amendment reflects the increase to Capital Outlay to repair the swimming pool water supply and the return lines in the amount of \$42,700.00.

Ms. Burkhart gave an update on the work status with Vickrey and Associates, Inc.

Mayor Pro Tem Pannell made a motion to approve Budget Amendment Ordinance 108C-2013. Councilman Brown seconded the motion. The vote was unanimous. The motion carried.

F. Discussion and Appropriate Action to Approve the Appointment of a Director to the Cibolo Valley Local Government Corporation (CVLGC) in Accordance with the Amendment of the Articles of Incorporation and Bylaws to Reflect an Increase in the Number of Directors of the CVLGC and the Terms Thereof. (City Manager)

Ms. Burkhart made a recommendation for Robert Browning to serve as an additional Director for the Cibolo Valley Local Government Corporation. Mr. Browning currently serves on the Planning and Zoning Commission and has an engineering background.

Councilman Brown made a motion to approve Mr. Robert Browning to serve as a Director for the Cibolo Valley Local Government Corporation. Councilwoman Richel seconded the motion. The vote was unanimous. The motion carried.

G. 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. Quintanilla said the current fees were not transferred correctly from the codified versions of the ordinance. This ordinance reflects the fees that City Council previously approved.

Mayor Pro Tem Pannell made a motion to approve Ordinance 620. Councilman Brown seconded the motion. The vote was unanimous. The motion carried.

H. 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(l)- Building & Sewer Connections (NEW). This City of Converse Ordinance Regulates Sewage Disposal. (First Reading) (City Manager) (Director of Utilities)

Mr. Quintanilla reported that the only change to Ordinance 313 is a typo that if not corrected, changes the meaning. The word 'from' is to be removed in Section II-D in the first sentence.

Councilwoman Richel made a motion to approve the amendment of Ordinance 313-2013A. Councilwoman Paschall seconded the motion. The vote was unanimous. The motion carried.

I. Discussion and Appropriate Action on a Request to Appoint a Chairperson for the Building & Standards Commission. (Assistant City Manager)

Mr. Quintanilla reported on the appointment of a Chairperson for the Building and Standards Commission. The only member to show interest in the position is Vice-Chair Jim Lacarde. Mr. Lacarde is an excellent choice due to his experience of Vice-Chair and Acting-Chair in the absence of Ms. Holden.

Councilman Brown made a motion to appoint Mr. Jim Lacarde as Chairman of the Building and Standards Commission. Mayor Pro Tem Pannell 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 reported the Alamo Area Council of Governments (AACOG) is working on increasing the franchise fees from 3% to 5%
- The City has received four nominations for City Council Place 5. The four residents that submitted a letter of interest are Joseph Guastella, John Shadron, Jorge Topete and Deborah E James. Council will vote April 16, 2013 for the placement of City Council Place 5.

B. Councilmember's Reports/Items of Interest.

- Councilman Brown made a request to present Meritage Homes with a Resolution for the in-kind and generous work they have done in the community.
- Councilwoman Paschall asked Ms. Burkhart if an EEO report can be given annually. Ms. Burkhart replied that the City does not have a mandate to collect EEO data.

C. City Commission Liaison Reports.

- Planning and Zoning Commission-Mayor Pro Tem Pannell reported the next meeting is April 15th.
- Building and Standards Commission-Councilman Brown reported that the Commission has not met.
- Parks and Recreation Commission-Mayor Pro Tem Pannell reported the Commission met last week and voted to have two movies in the park, scheduled May 18th and July 20th at 8:30 PM. Popcorn and sodas will be for sale. Should have two new members for the commission's acceptance and for the Council's approval soon.
- CVLGC-Ms. Burkhart reported that audit review went well. The Corporation is discussing Region L water data from the 2010 census; the Region L water data increased growth population and the pumping demand level.

D. Economic Development Corporation Executive Director's Report.

Ms. Silvas reported the Dollar General on FM 1976 will be opening Saturday, April 6th and a ribbon cutting ceremony will be planned soon. MDN Architects has the lead on the Loop 1604 Corridor Study. Converse is co-sponsoring with Build San Antonio Green for the Converse Goes Green event that is scheduled May 4, 2013 from noon to 4pm. Human Resource department is working on a job description for the Marketing Manager. Ms. Silvas stated she will attend an IEDC training for two days in San Antonio on business attraction and marketing.

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

a. Items of Interest

Ms. Burkhart reported the pump was installed for the purple pipe pumping station. Officer Ray Moehrig is retiring April 10, 2013. Employee benefit sign-up will begin in May. Ms. Burkhart announced she will be out of the office April 4th for a work related issue. Mr. Quintanilla will be out of town April 10th -11th for the Texas Regional Water Conference.

F. City Staff Reports

1. Report and Discussion of Significant Police Events.

Chief Jamison reported the department has been staying busy and the new Tahoes are on the road as of today. Due to Sergeant Shook usually the first to respond to an incident on a motorcycle, an AR-15 has been purchased and a locked cage was mounted on the motorcycle today.

2. Report and Discussion of Significant Public Utilities Events.

Mr. Perez reported the department had 20 water leaks and one was an 18" main, also had 4 sewer backups and performed sewer line maintenance in the Schertz subdivision. Had 359 turn-offs for non-payment, installed 25 meters, calibrated 15 meters, completed the construction of the map room for G.I.S. manager and had 2 days of shop and yard clean up. Pump #1 was installed at the pumping station on Monday and the electrician will be out Thursday or Friday to complete the installation.

3. Report and Discussion of Significant Public Works Events.

Mr. Hoppes reported the streets department worked on crack sealing Hanover Cove and Miramar subdivisions and replaced stop signs and speed limit signs throughout the city. The infrastructure in Rolling Creek Unit 4 is complete. Miramar subdivision is working on the punch list for Unit 9. The streets and sewer lines in Hanover Cove Final Unit have not started. The grounds department mowed and cleaned debris, chipped the brush in zone 3, transported 97 cubic yards of mulch to Gardnerville. The City of Live Oak has allowed the use of their brush chipper while the repairs are being made to the city's; the repair cost for the chipper is \$3,043.78. The Parks department has replaced the park hour signs at both parks to reflect the new park hours. The swimming pool contractor has removed the concrete deck on two sides, installed skimmers and old trenches have been dug to support the new piping and the fiberglass liner. Mr. Hoppes is currently working with Vanessa and Mr. Quintanilla on park planning. The fleet department is performing routine maintenance on vehicles and equipment.

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

Chief Wendt reported an increase in grass fires and asked everyone to be mindful of not starting fires when barbecuing. The department is in the process of re-certifying the ambulance by May of 2013.

12. EXECUTIVE SESSION

- A. Executive Session in Accordance with Texas Open Meetings Act Section 551.071. CONSULTATION WITH CITY ATTORNEY; CLOSED MEETING. Consultation with City Attorney regarding potential litigation related to Toepperwein Road Reconstruction Project. (Mayor Suarez) (City Attorney)**
- B. Executive Session in Accordance with Texas Open Meetings Act Section 551.071. CONSULTATION WITH CITY ATTORNEY; CLOSED MEETING. Consultation with City Attorney regarding potential litigation related to final acceptance of Meadows Copperfield, Unit 6A. (Mayor Suarez) (City Attorney)**

- C. 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 regarding Department-wide Employment Report. (City Manager)**

Mayor Suarez adjourned the regular session at 9:02 PM to convene into Executive Session.

13. RECONVENE TO OPEN SESSION.

Mayor Suarez reconvened the regular session at 9:57 PM.

- A. Discussion and Appropriate Action in Accordance with Texas Open Meetings Act Section 551.071 regarding potential litigation related to Toepperwein Road Reconstruction Project. (Mayor Suarez)**

Mayor Pro Tem Pannell made a motion to approve as discussed in executive session. Councilwoman Paschall seconded the motion. The vote was unanimous. The motion carried.

- B. Discussion and Appropriate Action in Accordance with Texas Open Meetings Act Section 551.071 regarding potential litigation related to final acceptance of Meadows Copperfield, Unit 6A. (Mayor Suarez)**

Councilman Brown made a motion to approve as discussed in executive session. Councilwoman Paschall seconded the motion. The vote was unanimous. The motion carried

- C. 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 regarding the Department-wide Employment Report. (City Manager)**

No action taken on item 13C.

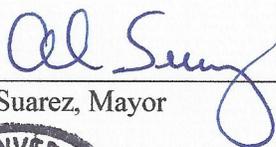
14. ADJOURNMENT

Mayor Suarez adjourned the City Council meeting at 9:59 PM.

PASSED AND APPROVED THIS 16TH DAY OF APRIL, 2013.

ATTEST:


Jackie Gaines, City Secretary


Al Suarez, Mayor

