



Expanding Horizons

CITY OF CONVERSE
CITY ADMINISTRATION

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**MINUTES
CITY OF CONVERSE
CITY COUNCIL MEETING
May 21, 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, May 21, 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 City Council meeting of May 21, 2013 to order at 7:00 PM.

2. INVOCATION.

Donnie West of the Church on the Rise led the invocation.

3. PLEDGE OF ALLEGIANCE.

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

3. 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. John Quintanilla, Assistant City Manager
Ms. Jackie Gaines, City Secretary

Councilwoman Kathy Richel, Place 1
Councilman Andy Selko, Place 3
Councilman Joe Guastella, Place 5
Ms. Shawna D. Burkhart, City Manager
Mr. Ray Ortiz, City Attorney

5. CONSENT AGENDA.

- A. Approve Minutes of City Council Meeting on May 07, 2013.**
- B. Accept Economic Development Corporation Minutes for April 18, 2013 Meeting.**
- C. Accept Parks & Recreation Commission Minutes for April 08, 2013 Meeting.**
- D. Accept Parks & Recreation Commission Minutes for April 23, 2013 Meeting.**
- E. Action to appoint Mark Papich, as Member of the Board of Directors for the Economic Development Corporation for a Two-year Term Ending May 31, 2015.**
- F. Action to appoint Robert Ayala, as Member of the Board of Directors for the Economic Development Corporation for an Unexpired Term ending May 31, 2014.**

Councilwoman Paschall asked to pull items 5E and 5F to vote on the items separately. Mayor Suarez stated the two items will be moved to New Business.

Councilman Guastella made a motion to approve items 5A-5D. Councilwoman Paschall seconded the motion. The vote was unanimous. The motion carried.

6. SPECIAL CONSIDERATION ITEMS.

A. Recognition of Police Officer Alejandro Reyes for his Five Years (5) of Service to the City of Converse. (Mayor Suarez)

Officer Reyes was unable to attend the City Council meeting.

B. Recognition of Police Officer Mark Alvarado for his Nomination for Officer of the Year, Small Agency, San Antonio Area Chapter of ASI International. (Mayor Suarez)

Mayor Suarez and the City Council recognized Officer Alvarado for his nomination for Officer of the Year for a small agency, San Antonio Area Chapter of ASI International.

C. Recognition of Converse Citizens for their Outstanding Assistance & Support to a Community Project. (Mayor Suarez)

The City Council recognized the volunteers for the work they provided to clean and secure an unoccupied home. The citizens recognized were Bob Altemus, Debbie Snow, Courtney Altemus, Kayla Altemus, Caleb Snow, Robbie Altemus, Jonah Snow, Susie West, Donnie West, Alma Alexander, Brennan Bullard, Christian Branum, Alec Cantu, Angela Branum, Wes Shoemaker and Jennifer Shoemaker.

D. Presentation of Proclamation # 278 Designating the Month of May 2013 as Motorcycle Safety Awareness Month in the City of Converse.

A Proclamation was read to the Combat Marine Outdoors designating the month of May 2013 as Motorcycle Safety and Awareness Month in the City of Converse, Texas.

E. Presentation of Proclamation # 279 Designating the Week of June 3rd to June 7th, 2013 as BELLA VISTA Appreciation Week in the City of Converse. (Mayor Suarez)

Mayor Suarez read Proclamation # 279 that honored Bella Vista for building in the City of Converse and designating the week of June 3rd to June 7, 2013 as Bella Vista Homes Appreciation Week.

F. Presentation of Proclamation # 280 Designating the Week of June 3rd to June 7th, 2013 as CENTEX HOMES Appreciation Week in the City of Converse. (Mayor Suarez)

Mayor Suarez read Proclamation # 280 that honored Centex Homes for building in the City of Converse and designating the week of June 3rd to June 7, 2013 as Centex Homes Appreciation Week.

G. Presentation of Proclamation # 281 Designating the Week of June 3rd to June 7th, 2013 as D.R. HORTON HOMES Appreciation Week in the City of Converse. (Mayor Suarez)

Mayor Suarez read Proclamation # 281 that honored D. R. Horton Homes for building in the City of Converse and designating the week of June 3rd to June 7, 2013 as D. R. Horton Homes Appreciation Week.

H. Presentation of Proclamation # 282 Designating the Week of June 3rd to June 7th, 2013 as J & J DEVELOPMENT Appreciation Week in the City of Converse. (Mayor Suarez)

Mayor Suarez read Proclamation # 282 that honored J & J Development for building in the City of Converse and designating the week of June 3rd to June 7, 2013 as J & J Development Appreciation Week.

- I. Presentation of Proclamation # 283 Designating the Week of June 3rd to June 7th, 2013 as K.B. HOMES Appreciation Week in the City of Converse and for its Residential Development Meeting Green Standards as Advocated and Certified by Build San Antonio Green in the Meadows of Copperfield Subdivision. (Mayor Suarez)**

Mayor Suarez read Proclamation # 283 that honored K. B. Homes for building in the City of Converse and designating the week of June 3rd to June 7, 2013 as K. B. Homes Appreciation Week.

- J. Presentation of Proclamation # 284 Designating the Week of June 3rd to June 7th, 2013 as MERITAGE HOMES Appreciation Week in the City of Converse. (Mayor Suarez)**

Mayor Suarez read Proclamation # 284 that honored Meritage Homes for building in the City of Converse and designating the week of June 3rd to June 7, 2013 as Meritage Homes Appreciation Week.

- K. Presentation of Proclamation # 285 Designating the Week of June 3rd to June 7th, 2013 as NEW LEAF HOMES Appreciation Week in the City of Converse. (Mayor Suarez)**

Mayor Suarez read Proclamation # 285 that honored New Leaf Homes for building in the City of Converse and designating the week of June 3rd to June 7, 2013 as New Leaf Homes Appreciation Week.

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 a Rezoning Request on a parcel of land located at 8788 FM 1976, Converse Texas (CB 5053 P- 43G (PID# 306923)). The property owner is requesting a change in zoning from the current B-3-Commercial District to I-1, Light Industrial. The purpose of the rezoning request is to support the operations of light manufacturing.**

Mayor Suarez opened the Public Hearing 8A at 7:29 PM.

Mr. Clarence Scheel of Scheel Revocable Trust, spoke on the 7.95 acre parcel of land located 8788 FM 1976. The property is adjacent to the land owned by Melet Plastics Inc. which has the I-1 Zoning. Mr. Scheel asked to have his property zoned I-1 Light Industrial. Mr. Scheel has buyers for the property pending the request for the zoning change.

Laurie and Joseph Balusik of Balusik Revocable Trust are the buyers of record for the property of 8788 FM 1976. The Balusik's will build a 15,000 SF warehouse and a 6,000 SF. Office facility. The business is contracting floor covering and kitchen/bath installation. Working out of the office and warehouse will be 25-30 employees plus 25-30 subcontract crews. The property fits the needs of the business, but will need the zoning changed.

Mayor Suarez closed the Public Hearing 8A at 7:32PM.

- B. Public Hearing on a Request for a Special Use Permit (SUP) on a parcel of land located at 9227 Converse Business Lane, Converse Texas (CB 5063H BLK 2 LOT 8 (PID# 311400)). The property owner is requesting an SUP for the operation of a gymnastics studio.**

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Mayor Suarez opened the Public Hearing 8B at 7:33 PM.

Marie Cunningham, will become the owner of River City Gymnastics. Ms. Cunningham asked for a Special Use Permit on a parcel of land located at 9227 Converse Business Lane for the use of a gymnastic studio.

Mayor Suarez closed the Public Hearing 8B at 7:36 PM.

9. OLD BUSINESS.

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

Ms. Burkhart stated this budget amendment reflects the increase to the General Fund Budget. The Lions Club donation to the Library for expenditures related to the Colibri Book Covering System, the 2013 Summer Reading Program, Literacy through the Library posters and Children's Story Time craft supplies, etc.

Increased revenues (Lions Club donation)	\$2,700
Increased expenditures (support material)	\$1,000
Increased expenditures (summer reading supplies)	\$1,200
Increased expenditures (office supplies)	\$500.00

Mayor Pro Tem Pannell made a motion to approve budget amendment #108-D-2013. Councilman Brown seconded the motion. The vote was unanimous. The motion carried.

10. NEW BUSINESS.

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

Ms. Burkhart reported the budget amendment reflects increased revenues related to the SARA Sewer Processing refund for CY2012 of \$48,225.00. These funds will be used to upgrade the Judson Valley Lift Station.

Increased revenues (prior year funds)	\$48,225.00
Increased expenditures (capital projects-lift station upgrades)	\$48,225.00

Ms. Burkhart continued with the second addition/transfer to the budget of \$41,939.04 which is related to the Edwards Aquifer Rebate Program. These funds will be used to add SCADA system to water wells and towers. These funds will fund only portions of the project.

Increased revenues (prior year funds)	\$41,939.04
Increased expenditures (capital outlay)	\$41,939.04

Councilwoman Paschall made a motion to approve the budget amendment #108-E-2013. Councilman Brown seconded the motion. The vote was unanimous. The motion carried.

B. Discussion and Appropriate Action on a Request to Approve a Contract between the City of Converse and the Converse Cardinals for the 2013-2014 Football Season. (City Manager)

Ms. Burkhart stated the contract allows the Converse Cardinals to reserve the football fields and baseball fields #1 and #4 at North Park for all practices and warm-ups and provide a schedule of pre-season and season activities to the City no later than June 1st or 30 days before the first game, whichever is sooner. Mr. Ortiz has reviewed the contract.

Councilman Selko made a motion to approve the 2013 Converse Cardinal Agreement. Councilwoman Richel seconded the motion. The vote was unanimous. The motion carried.

C. Discussion and Appropriate Action to Approve the Preliminary Infrastructure Acceptance of Rolling Creek Unit #4. (City Engineer) (Assistant City Manager)

Mr. Quintanilla reported the Planning and Zoning Commission discussed the item and approved the preliminary infrastructure unanimously. Mr. Horvath conducted a final walk through May 16, 2013 and everything on the punch list had been completed.

Ms. Burkhart questioned the approval letter from Vickrey and Associates, Inc. referencing the project as Final Acceptance and the wording on the Agenda stating Preliminary Acceptance. Mr. Ortiz recommended the Council to table the item due to inconsistent descriptions of the project.

Councilman Selko made a motion to table the item due to the inconsistencies on the Agenda and the recommendation letter from the City Engineer. Councilman Brown seconded the motion. The vote was unanimous. The motion carried.

D. Discussion and Appropriate Action to Approve the Final Infrastructure Acceptance of MIRAMAR UNIT #8 "C". (City Engineer) (Assistant City Manager)

Mr. Quintanilla reported the project was inspected Monday, May 20, 2013. Only one out of the twelve items had been corrected. Mr. Quintanilla asked to table the item until the remaining items have been corrected.

Mayor Pro Tem Pannell made a motion to table the item until the items have been corrected. Councilman Guastella seconded the motion. The vote was unanimous. The motion carried.

E. Discussion and Appropriate Action on a Rezoning Request on a parcel of land located at 8788 FM 1976, Converse Texas (CB 5053 P- 43G (PID# 306923)). The property owner is requesting a change in zoning from the current B-3-Commercial District to I-1, Light Industrial. The purpose of the rezoning request is to support the operations of light manufacturing. (Assistant City Manager)

Mr. Quintanilla reported this request was brought before the Planning and Zoning Commission and received unanimous approval. Ms. Burkhart agreed and stated this type of business is agreeable to our adjacent Community.

Councilwoman Paschall made a motion to approve the rezoning for the property located at 8788 FM 1976 from B-3 Commercial to I-1 Light Industrial. Councilman Brown seconded the motion. The vote was unanimous. The motion carried.

F. Discussion and Appropriate Action on a Request for a Special Use Permit (SUP) on a parcel of land located at 9227 Converse Business Lane, Converse Texas (CB 5063H BLK 2 LOT 8 (PID# 311400)). The property owner is requesting an SUP for the operation of a gymnastics studio. (Assistant City Manager)

Mr. Quintanilla reported the Planning and Zoning Commission and staff have concerns with parking spaces for the occupancy level. The Planning and Zoning Commission asked to have a stipulation of the occupancy load not to exceed 52. This is based on the current 13 parking spaces available.

Mr. Ortiz said that the Council can approve this Special Use Permit for an occupancy load of 52. The owner can only increase her occupancy load if she secures a lease contract for the additional paved area across the street from her property.

Councilman Selko made a motion to approve the Special Use Permit with an occupancy load of 52. Councilwoman Paschall seconded the motion. The vote was unanimous. The motion carried.

G. Discussion and Appropriate Action on a Request to Approve a One Time Employee Bonus. (Mayor Suarez) (City Manager)

Mayor Suarez stated that the item is on the agenda regarding a commitment to the employees to review the budget mid-year to determine if an increase in salary was viable.

Ms. Burkhart presented the Council with options to give a one-time bonus. The Council reviewed the \$250 one-time bonus to all full time employees employed prior to January 1, 2013 and a one-time bonus to part-time employees of \$125 that were employed prior to January 1, 2013.

Mayor Suarez stated the Council would like to have the budget amended at the June 4, 2013 Council meeting and present the one-time bonus to the employees June 7, 2013.

Councilman Selko made a motion to approve \$250 after taxes one-time bonus to all full time employees employed prior to January 1, 2013 and a one-time bonus to part-time employees of \$125 that were employed prior to January 1, 2013 once the budget amendment is approved on June 4, 2013. Councilman Guastella seconded the motion. The vote was unanimous. The motion carried.

H. Discussion and Appropriate Action to Approve the Final Plat known as the TOPPERWEIN MARKET, Plat #133. (City Engineer) (Assistant City Manager)

Mr. Quintanilla reported the Planning and Zoning Commission discussed this item. The Council approved this plat with lot #9, but at the request of the client, lot #9 was removed. The item is being brought before the Council again for approval with lot #9. Ms. Horne stated the public sanitary sewer plans are being address with two options of compliance of either a wider easement to allow a greater distance between the water and sewer mains or have the waterline two feet above the sewer line. Both options will comply with the TCEQ guidelines.

Councilman Brown made a motion to approve the Final Plat known as the Toepperwein Market Plat #133. Councilwoman Richel seconded the motion. The vote was unanimous. The motion carried.

I. Discussion and Appropriate Action Approving An Agreement Between the LIONS CLUB and the City of Converse to Allow the LIONS CLUB to Operate Night In Ole Converse (NIOC) For One Year, October 2013. (City Manager)

Ms. Burkhart presented a revised contract. Number 7 stating the Lions Club shall pay the City of Converse Police Officers and the Parks Department Employees directly. Number 19 has been modified to accepting the liability insurance on or before September 15, 2013. A change to the name "Converse Lions Club" on the contract will also be made.

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Mayor Pro Tem Pannell made a motion to approve the agreement between the Converse Lions Club and the City of Converse to operate Night In Ole Converse for one year (2013). Councilman Brown seconded the motion. The vote was unanimous. The motion carried.

Mayor Suarez asked to move back to items 5E and 5F.

5. E. Action to appoint Mark Papich, as Member of the Board of Directors for the Economic Development Corporation for a Two-year Term Ending May 31, 2015.

EDC Board Member, Roy Schaufefe spoke on behalf of Mr. Papich and asked the City Council to consider the appointment to the EDC Board of Directors.

Councilwoman Richel approved Mark Papich as a member of the Board of Directors for a two year term ending May 31, 2015. Mayor Pro Tem Pannell seconded the motion. The vote was unanimous. The motion carried.

5. F. Action to appoint Robert Ayala, as Member of the Board of Directors for the Economic Development Corporation for an Unexpired Term ending May 31, 2014.

EDC Board Member, Roy Schaufefe spoke on behalf of Mr. Ayala and asked the City Council to consider the appointment to the EDC Board of Directors.

Councilwoman Richel approved Robert Ayala as a member of the Board of Directors for a two year term ending May 31, 2015. 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 had nothing to report.

B. Councilmember's Reports/Items of Interest.

Councilman Selko informed the City Council that due to personal issues, this will be his last City Council meeting and announced his resignation.

Councilwoman Richel received an email from a resident regarding on on-going issue with a neighbor running over a water line. Ms. Burkhart was asked to follow up with the complaint.

Councilman Guastella will present a Name Reading at the Fort Sam Cemetery of the veterans that have passed away this year.

C. City Commission Liaison Reports.

The Building and Standards Commission will meet May 29, 2013.

CVLGC will meet May 23, 2013 for a workshop in the Converse City Hall Conference Room at 9:00 AM.

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

Ms. Burkhart gave a swimming pool update: A crack in the main drain line did not allow the pool to pressurize the lines. The first contractor quoted a repair of \$25,000. A second contractor quoted a repair to spray-line the drain with an epoxy and potentially complete the job for a lesser amount. That contractor found the drain to be warped and could not create a seal. The scheduled opening of the Swimming pool may moved to a later date.

Ms. Burkhart presented a report from the Human Resource Director that included new hires, separations and vacancies.

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)

Mayor Suarez reported that on behalf of the City Attorney, there is no information to bring forward regarding Executive Session 12A and therefore City Council did not meet in Executive Session.

14. ADJOURNMENT

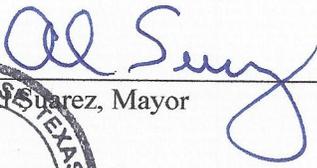
Mayor Suarez adjourned the meeting at 8:59 PM.

PASSED AND APPROVED THIS 4TH DAY OF JUNE, 2013.

ATTEST:



Jackie Gaines, City Secretary



Al Suarez, Mayor

