



Expanding Horizons

CITY OF CONVERSE
CITY ADMINISTRATION

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MINUTES
CITY OF CONVERSE
CITY COUNCIL MEETING
Tuesday, July 16, 2013 – 7:00 p.m.

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, July 16, 2013 at 7:00 p.m.

1. Call Meeting to Order

At approximately 7:00 p.m. Mayor Suarez called the meeting to order.

2. Invocation

The Invocation was announced by City Manager Shawna D. Burkhart.

3. Pledge of Allegiance to the US Flag and the Texas Flag

The US Flag and the Texas Flag were led by Mayor Suarez.

4. Roll Call Establishment of Quorum and Recognition of Visitors

Council Members Present:

Mayor Al Suarez
Mayor Pro-Tem Randy Pannell
Councilwoman Kathy Richel
Councilman Steve Brown
Councilman Joe Guastella
Councilwoman Renee Paschall

Council Members Absent:

Councilman Andy Selko (excused)

City Staff and Other Members Present:

City Attorney, Jon Law
City Manager, Shawna D. Burkhart
Asst. City Manager, John Quintanilla

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

5. Consent Agenda

- A. Approve Minutes of the Special Called City Council Meeting on June 25, 2013.**
- B. Approve Minutes of City Council Meeting on July 2, 2013.**
- C. Accept Economic Development Corporation Minutes for June 11, 2013 Meeting.**
- D. Accept Economic Development Corporation Minutes for June 29, 2013 Meeting.**
- E. Accept Economic Development Corporation Financials through May 31, 2013.**
- F. Accept Parks & Recreation Commission Minutes for June 10, 2013 Meeting**

Item 5(A) was pulled for corrections by Mayor Pro-Tem Randy Pannell. Page 6 the word *Tack* change to correct spelling *Walking Trail*.

Councilwoman Paschall made a motion approve Item 5(A) with correction said; Seconded by Councilman Brown. Motion passed unanimously.

Item 5(B) was pulled by Councilwoman Paschall. Page 3, Item 10(B). Ms. Paschall asked why this item was tabled. City Manager Burkhart stated there were two options to choose from, the Cied Fund to be used or the Fund Balance to be used. She was asked to bring back with a group foundation. Councilman Brown stated the figures were not coincided with his figures.

Three corrections were addressed for item 5(B)

1st correction, Councilman Guastella did not make the motion for this item. Motioned was made by Councilman Brown.

2nd correction, Page 4, there was no power point presented by City Manager Burkhart.

3rd correction, page 4, the agenda item read “second reading” correct to “first reading”.

Mayor Pro-Tem made a motion to approve item 5(B) with corrections said; Seconded by Councilman Guastella; Motion passed with five votes, one abstain by Councilwoman Paschall and one absent Councilman Selko.

Mayor Pro-Tem made a motion to approve items 5(C) thru 5(F); Seconded by Councilman Guastella. Motion passed unanimously.

6. Special Consideration Items

A Recognition of Mr. Fernando Aranda, former EDC President from June 2011 to June 2013. (Mayor Suarez)

Mayor Suarez recognized Mr. Fernando Aranda for his two year term.

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. No Personal attacks shall be allowed.

Ms. Deborah James a resident of Converse had some concerns and addressed to the Council members of Copperfield speed limit near the area where the new school will be built. She hopes something can be done about the speed limit.

8. Public Hearings:

A. Public Hearing on a Rezoning Request on a parcel of land located at 9170 FM 78, Converse Texas (CB 5063 P-74R ABS 431) (PID# 310497). The property requesting a change in zoning from the current B-3-Commercial District to B-4-Special Commercial District. The purpose of the rezoning request is to operate an Automotive Shop.

Public Hearing opened at 7:17 p.m. Property owner Mr. Robert Mayle spoke during this time.

Public Hearing closed at 7:19 p.m.

- B. Public Hearing on a Rezoning Request on a parcel of land located at 8980 FM 78, Converse Texas (CB 5071 P-37F (PID# 312871)). The property owner is requesting a change in zoning from the current B-2-Retail Business District to B-4-Special Commercial District. The purpose of the rezoning request is to support the operations of automobile sales.**

Public Hearing opened at 7:20 p.m. Property owner spoke during this time.
Public Hearing closed at 7:21 p.m.

9. Old Business:

- A. Discussion and Appropriate Action on a Request to Amend City of Converse Ordinance #313-2013B dated April 16, 2013. The Section of the City of Converse Codification Chapter 46-Utilities, Article II-Sewage Disposal, Section 46-26-Billing Practice Rates. This City of Converse Ordinance Regulates Sewer Fees. (Second Reading) (City Manager)**

A power point was presented by City Manager, Shawna Burkhart.
Mayor Pro-Tem Pannell made a motion to approve item 9(A); Seconded by Councilwoman Paschall.
Motion passed unanimously.

- B. Discussion and Appropriate Action on a Request to Approve the Annexation Policy for the City of Converse. (City Manager) (Second Reading)**

Councilman Guastella made a motion approve item 9(B); Seconded by Mayor Pro-Tem Pannell. Motion passed with five votes and one oppose by Councilwoman Richel.

10. New Business:

- A. Discussion and Appropriate Action on a Request to Approve a Rezoning Request on a parcel of land located at 9170 FM 78, Converse Texas (CB 5063 P-74R ABS 431 (PID# 310497)). The property requesting a change in zoning from the current B-3-Commercial District to B-4-Special Commercial District. The purpose of the rezoning request is to operate an automotive shop. (Assistant City Manager)**

Planning & Zoning Commission recommends denying this item.
Item tabled for discussion in executive session at the August 20th meeting.
Councilman Guastella made a motion to table item 10(A); Seconded by Mayor Pro-Tem Pannell. Motion passed with five votes and one oppose by Councilwoman Richel.

- B. Discussion and Appropriate Action on a Request to Approve a Rezoning Request on a parcel of land located at 8980 FM 78, Converse Texas (CB 5071 P-37F (PID# 312871)). The property owner is requesting a change in zoning from the current B-2-Retail Business District to B-4-Special Commercial District. The purpose of the rezoning request is to support the operations of automobile sales. (Assistant City Manager)**

Item tabled for discussion in executive session at the August 20th meeting.
Councilman Guastella made a motion to table item 10(B); Seconded by Mayor Pro-Tem Pannell. Motion passed with five votes and one oppose by Councilwoman Richel.

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

Mayor Pro-Tem made a motion to approve item 10(C); Seconded by Councilman Brown. Motion passed unanimously.

D. Discussion and Appropriate on a Request to Approve City Financials through April 30, 2013. (Finance Director) (City Manager)

Councilwoman Paschall made a motion to approve item 10(D); Seconded by Mayor Pro-Tem Pannell. Motion passed unanimously.

E. Discussion and Appropriate Action to Approve the Final Plat known as the JISD Copperfield Elementary School, Plat #134. (City Engineer) (Assistant City Manager)

Councilwoman Paschall made a motion to approve item 10(E); Seconded by Councilman Brown. Motion passed unanimously.

F. Discussion and Appropriate Action on a Request to Approve the final acceptance of CIMARRON LANDING, PHASE II. (City Engineer) (Assistant City Manager)

Items 10(F), (G), (H) and (J) deferred at the requested by City Manager Shawna Burkhart, due to incomplete documentation.

G. Discussion and Appropriate Action on a Request to Approve the final acceptance of MIRAMAR UNIT 8”C”. (City Engineer) (Assistant City Manager)

Item 10(G) deferred.

H. Discussion and Appropriate Action on a Request to Approve the final acceptance of MIRAMAR UNIT 9. (City Engineer) (Assistant City Manager)

Item 10(H) deferred.

I. Discussion and Appropriate Action on a Request to Approve the Preliminary Plat known as COPPERFIELD UNIT 5, Plat #116. (City Engineer) (Assistant City Manager)

Mayor Pro-Tem Pannell made a motion to approve item 10(I); Seconded by Councilman Brown. Motion passed unanimously.

J. Discussion and Appropriate Action on a Request to Amend Ordinance #612, to Incorporate the Proposed Amendments to Chapter 40, Article V-Subdivision Requirements, Article IV-Standards & Regulations, Division III-Streets, Alleys, Sidewalks and Crosswalks, the Sections of the City of Converse Codification that Regulates Roadway Design. (City Manager) (First Reading)

Item 10(J) deferred.

K. Discussion of CenterPoint Energy Updating Schedule of Rate with an Effective Date of June 17, 2013, with Notice Provided to City of Converse on July 1, 2013. (City Manager)

City Manager, Shawna Burkhart briefly went over the new CenterPoint updated base rates for Residential and Businesses. No action was required on this item.

L. Discussion and Appropriate Action on a Request to Approve a Contract with HAYDEN PAVING in the Amount of \$103,071.71 for the 2012 CDBG ELM STREET Reconstruction Project. (City Manager)

Mayor Pro-Tem Pannell made a motion to approve item 10(L); Seconded by Councilwoman Paschall. Motion passed unanimously.

M. Discussion and Appropriate Action on a Request to Amend City of Converse Ordinance #305-2013 dated March 19, 2013. The Section of the City of Converse Codification Chapter 46-Utilities, Article VI-Water, Division II-Regulations, Section 46-108-Standard Procedures. This City of Converse Ordinance Regulates Service Fees. (First Reading) (City Manager)

Councilman Brown addressed some concerns he had with the wording in this agenda item due to the same ordinance 305 which was once approved back in March 19 of 2013. Section 46-110 Ordinance #305. Councilman Guastella made a motion to approve item 10(M); Seconded by Councilwoman Paschall. Motion passed with five votes and one oppose by Councilman Brown.

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.

- Resolution for SARA rates.
- Appointed by Judson ISD for 2013 Bond Oversight Committee
- Appointed by Alamo College to help locate replacement of Dr. Reno who is retiring
-

B. Councilmember's Reports/Items of Interest.

- Mayor Pro-Tem Pannell asked City Manager Burkhart to please explain the situation from the Water Billing that just recently happened. City Manager Burkhart stated that during the time of generating the monthly water bills. In-Code was also updating the server. During the process of generating water bills and updating the server there was a confliction, that an additional base rate was being added to the water bills. InCode has been asked to do a massive correction to the accounts. A credit will be issued if the bill was paid in full.
- Councilwoman Paschall thanked those that were supportive for the loss of her Mother

Report by Councilman Brown

- Grading of Toepperwein Road
- Briefing done by Department Head
- City Engineer attendance, reduce cost
- Working out and Staying fit
- Councilmember's be advised when Mayor is out of Town

C. City Commission Liaison Reports.

No report from P&Z

Parks and Recreation Commission report

- Movie in the Park
- Grand Opening of the Pool
- North Park Walking Trail

No report from EDC

No report from Building & Standards

D. Economic Development Corporation Executive Director's Report.

Kate Silvas, Director of EDC, not present.

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

a. Budget Calendar

Budget Workshop Scheduled for July 29th and 31st, 6:30 p.m.

b. Randolph JLUS Update

Participation of the Randolph JLUS

Boysville Ribbon Cutting scheduled for August 8th 9:30 a.m.

Utility Director, Lupe Perez updated the councilmember's of the Cimarron Well motor400 that was sent for repairs and that it has been replaced with a spare. He also so discussed of the Inter-Connect Water System.

Mayor Suarez called to convene Executive Session at approximately 10:08 p.m.

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 and Section 551.072. CONSULTATION WITH CITY ATTORNEY; CLOSED MEETING. Consultation with City Attorney regarding real property matters related to Municipal Boundary Adjustments and Requests for the Release of Extraterritorial Jurisdiction (ETJ). (Mayor Suarez) (City Attorney)**

Mayor Suarez called to reconvene to Open Session at approximately 10:52 p.m.

13. Reconvene to Open Session:

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

No action required for item 13(A).

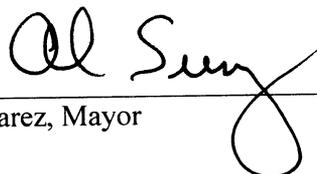
- B. Discussion and Appropriate Action in Accordance with the Texas Open Meeting Act Section 551.071 and Section 551.072 regarding real property matters related to Municipal Boundary Adjustments and Requests for the Release of Extraterritorial Jurisdiction (ETJ). (Mayor Suarez)**

Councilman Guastella made a motion to approve item 13(B); Seconded by Councilwoman Richel. Motion passed unanimously.

14. Adjournment

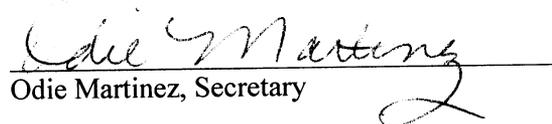
Meeting adjourned at approximately 10:54 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL ON THIS 6TH DAY OF AUGUST 2013.



Al Suarez, Mayor

ATTEST:



Odie Martinez, Secretary