



*Expanding Horizons*

CITY OF CONVERSE  
CITY ADMINISTRATION

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**AMENDED  
MINUTES  
CITY OF CONVERSE  
CITY COUNCIL MEETING  
MARCH 4, 2014 - 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 4, 2014 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 Regular Meeting to order at 7:00 PM.

**2. INVOCATION.**

The invocation was led by Pastor Donnie West, Christ on the Rise International

**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	Councilwoman Kathy Richel, Place 1
Councilwoman Renee Paschall, Place 2	Councilwoman Deborah James, Place 3
Councilman Rick Davis, Place 5	Mr. Felix Arambula, City Attorney
Councilman Steve Brown, Place 6	Ms. Shawna Burkhart, City Manager
Mr. John Quintanilla, Assistant City Manager	Ms. Holly Nagy, City Secretary

**5. CONSENT AGENDA:**

**A. Approve Minutes of City Council Meeting of February 18, 2014.**

**B. Accept Planning & Zoning Minutes of January 13, 2014.**

**C. Accept Building & Standards Minutes of January 15, 2014.**

**D. Accept Parks & Recreation Minutes of December 9, 2013.**

**E. Accept Economic Development Corporation Minutes of January 9, 2014.**

Councilwoman Paschall made a motion to approve Items 5 A-E, seconded by Councilman Brown.

The motion carried.

**6. SPECIAL CONSIDERATION ITEMS:**

- A. Mr. Randy Pannell was recognized and given a plaque for His 3 Years and 9 months of Service to the City of Converse City Council as Mayor Pro-Tem and as City Council member Place 4.**
- B. Presentation of Proclamation # 287 for Retirement of K-9 Castor from service with the Converse Police Department and give Castor to Sgt. Coker and his family.**

**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.**

- Ms. Joan Lindgren
  - Reappointment for the Building and Standards Committee being on the agenda is premature. Applied in April and was appointed in October.
- Ms. Celeste Morris
  - 30 year resident.
  - HOA fines for trash.
- Ms. Becky Johnson
  - Disappointed that the letter she donated to the City of Converse wasn't matted and framed as agreed upon.
  - Ms. Johnson would like her letters and photos back if they aren't going to be displayed.

**8. CITY STAFF MONTHLY REPORTS:**

**A. Report by Police Chief.**

- Chief Jamison
- K9 Boris purchased for \$10,000 from seizure money that comes back to the city.
- Warrant Round Up.
- Cops & Kids event has been rescheduled to August.

**B. Report by Executive Director Converse Economic Development Corporation.**

- Kate Silvas
- 1604 Joint Corridor Study with Air Force Base.
- Business expansion on Rocket Lane & 1604 is contingent on Randolph AFB gate.
- Applications for EDC being reviewed.
- Meetings with Real Estate Brokers to bring business into Converse.
- EDC Goes Green Day.
- Tuesday, March 11, 2014 next EDC Board Meeting.

**C. Report by Public Utilities Director.**

- Jon Smith
- February- 7 service leaks, 2 main breaks
- Well site Inspections

- 2 new pumps Judson Valley Lift Station.
- 174 Turnoffs for the month.
- Non-potable pumping station down and being repaired.

**D. Report by Public Works Director.**

-Karl Hoppes

**Streets:**

1. Crack sealing, Hanover Cove Subdivision-Rocket Lane-Thornton Lane-Kitty Hawk.  
1170 lbs
2. Patched pot holes x 26 bags
3. Removed two way traffic sign @ rear driveway entrance to Judson Elementary School.
4. Traffic Count Kittyhawk @ Mesquite Pass 10,726
5. Traffic Count Kittyhawk @ Loan Shadow 14,517
6. Sidewalks / Driveways 13 yards (Tripping Hazards & water repairs)
7. Installed trail markers @ N Park
8. Sewer trench line inspections @ Meadows of Copperfield Subdivision unit 6-B

**Grounds:**

1. Trimmed trees and scrub brush from City Owned Right of Ways
2. Chipped Brush in Zone 2

**Parks:**

1. Routine Maintenance both parks
2. Ball field maintenance to support youth groups
3. Installed new steel basket ball court nets @ N Park
4. Replaced all the ballast lights in bays of Fire Station 1
5. Replaced 6 fuses @ field # 3 & 6 at City Park

**Fleet Maintenance:** # Request for service by department

1. Water – 24
2. Street – 18
3. Parks – 6
4. Grounds – 2
5. Police – 23
6. Fire – 6
7. Animal Control – 0
8. Water Billing – 5
9. Building – 2
10. Fleet 5

**E. Report by Fire Chief.**

- Chief Wendt

- Air Packs changing
- Constantly improving designs.
- Ladder truck in shop for radiator repair.
- Breathing apparatus updates part of budget.

**F. Report by Human Resources Director.**

-John Rudd

- Still working on employee manual.
- Revising outdated policies.

**G. Report by Library Director.**

- Robert Ayala

- Final report.
- Leaving the City of Converse.
- Proud of the city and of the library.

**9. OLD BUSINESS:**

**A. Discussion and Appropriate Action to Approve Amendment to Ordinance 907, Section 2 – Payment for Street Rental, Subsection 2.2, Section 12 – Effective Date and Selection of the CPS Energy Capital Fund or Requested Franchise Fee Surcharge Options.**

-Ms. Burkhart

- 1.4 Million split between suburban cities.
- Additional 67k per year.
- Lose accrued CEID fund.
- Mayor extends sincere thanks for working with the cities.

Councilman Brown made a motion to approve the additional .5% increase (Option A).  
Councilwoman James seconded the motion, the motion was unanimous.

**10. NEW BUSINESS:**

**A. Discussion of City Code Enforcement Policies and Procedures.**

- Chief Jamison

- Discussed how code enforcement was done in the past.
- Officer Alvarado has alerted the City to 2600 violations.
- Officer Alvarado also ensures building permits are present when he finds someone working.
- Councilman Davis suggested educating the residents on the rules.

**B. Discussion and Appropriate Action to Appoint Council Place 4 to fill a Vacant Council Position.**

- Mayor Suarez read the list of applicants

- Robert Raney
- Jeffery Beehler
- Rosa Gary
- Sam Hughes
- Jon Lindgren
- Flavius Euristhe

- City Attorney, Felix Arambula explained the nomination process and welcomed the applicants to take 5 minutes to introduce themselves.

Nominations:

Councilman Brown: Jeff Beehler, Robert Raney

Councilwoman James: Jon Lindgren

Councilwoman Paschall: Rosa Gary

Councilwoman Paschall stated for the record that she must abstain from voting for Mr. Beehler as she has previously received a non-monetary gift from him and voting for Mr. Beehler would be a conflict of interest.

TOTALS:

Beehler: 3 (Councilmembers Richel, Brown and Mayor Suarez)

Raney: 0

**Lindgren: 5 (Councilmembers Davis, Paschall, Richel, James, and Brown.)**

Gary: 0

Mr. Jon Lindgren, received the majority vote.

**C. Action to Swear In City Council Place 4 by Municipal Court Judge Frank Dickson.**

Councilman Lindgren was sworn in as Council Place 4; serving the unexpired term of former Mayor Pro-Tem Randy Pannell, with a term expiring November 2014.

**D. Discussion and Appropriate Action to Appoint Mr. Jim Sherman to the EDC Board of Directors.**

Councilman Brown has asked that this item be pulled as the item is not ready for action.

**E. Action to Approve the Re-Appointment of Joan Lindgren to the Building & Standards Commission for a 2 year term ending in April 2016.**

Mr. Quintanilla requested the item be pulled and requested that the attorney research the answer and present at next meeting.

**F. Discussion on appointment process/procedure of Council Liaisons to Boards, Commissions and Committees.**

- Discussion ensued regarding responsibilities of Council Liaisons and the assignment of positions.

**G. Discussion to set up policy on phone use during city council meeting.**

- Felix Arambula stated that it's up to the council to decide on a cell phone policy.
- Other cities in the area have the cell phone policy.
- Councilwoman Richel stated that she does not support the cell phone policy.
- Councilman Brown suggested a compromise and to turn the phone off of vibrate and put on silent.

- Councilwoman James stated she is in agreement with the compromise.

**H. Discussion on local financial institutions and their available offers/incentives to employees of the City of Converse.**

- Felix Arambula stated that the purpose of this item is to review city contracts to make sure we are getting the best deal for all the services the city receives.
- Mayor Suarez stated that the email does not represent the views of the city or the council and is the opinion of one person.

**I. Discussion and Appropriate Action to Approve an Amendment to the 2014 JYSF Baseball Contract.**

Councilman Brown made a motion to approve the contract with an addendum to the contract with the appropriate dates and year. Councilwoman Paschall seconded the motion. The motion was unanimous.

**J. Discussion and Appropriate Action to Approve a Contract with Randolph High School for Park Usage for Calendar Year 2014.**

- Discussion ensued regarding letters of insurability.
- Councilman Brown and Councilwoman Paschall requested a legal reading regarding future contracts and letters of insurability.

Councilwoman Paschall made a motion to approve the contract with Randolph High School for the year 2014; Councilwoman James seconded the motion. The motion was unanimous.

**K. Discussion and Appropriate Action on a Request to Approve the Final Plat # 135 known as "FPN Corporate Subdivision".**

- Mr. Quintanilla stated that the Planning & Zoning Commission has recommended approval for this project.
- FM 1976 and Old Cimarron Trail- adjacent to tree line near train trestle.

Councilman Brown made a motion to approve Final Plat #135, Councilwoman Richel seconded the motion, the motion was unanimous.

**L. Discussion and Appropriate Action on a Request to Approve the Preliminary Plat # 136 known as "KITTY HAWK RETAIL Subdivision".**

Mr. Brady Bags from Vickery and Associates and Mr. Fernando were present for any questions.

- Mr. Quintanilla stated that the Planning & Zoning Commission has recommended approval for this project.

Councilwoman Richel made a motion to approve Final Plat #136, Councilman Brown seconded the motion. The motion was unanimous.

**M. Discussion and Appropriate Action to Approve the Final Acceptance of Cimarron Landing Phase II.**

- Mr. Quintanilla stated that the project is complete and the contractor has completed the required punch list.
- Planning & Zoning at their February 24, 2014 meeting recommended approval.

Councilwoman James made a motion to approve the final acceptance of Cimarron Landing Phase II, Councilman Brown seconded the motion. The motion was unanimous.

**N. Discussion and Appropriate Action to Reimburse Texas Department of Transportation \$168,896.52 for the Remaining Balance of the City's Share of the Kitty Hawk Road Improvement Project from Scenic Creek to Toepperwein Road (CSJ 0915-12-425) in accordance with the executed Advanced Funding Agreement dated May 1, 2007.**

Ms. Burkhart-

- Cost overruns totaling \$168,896.52
- City was denied a lower negotiated settlement amount.
- The numbers are correct, personally went to TxDOT's office to confirm the information.
- TxDOT trying to finish federal audits and must close the books.

This item has been deferred for 30 days so that legal counsel may analyze the change orders.

**O. Discussion and Appropriate Action on a Request to Approve Budget Amendment Resolution #690 D 2014.**

Ms. Burkhart-

- Includes Strategic Planning Service Payments.
- Includes the North Park donation for park improvements only.
- \$6,000 addition for City Council Members education fund.
- Reflects additional .5% CPS money. Not full \$67k, payment will be two cycles, full amount seen next year.
- Kitty Hawk Road Reimbursement.
- Alamo Contract and EAA associated fees.
- Utility Fund has barely broke even. Approved prior to October but could not be in Budget amendment until next budget year. Currently in the negative.
- Very important to address water rates soon.
- Reserves are low and the situation must be addressed.

Councilwoman Paschall made a motion to approve the budget amendment; Councilwoman Richel seconded the motion, the motion passed. (6:1) Councilman Brown against.

**P. Discussion and Appropriate Action on Charter Review Commission 8.10.**

- Councilwoman James requested this item be pulled.

**11. CITY COUNCIL & MANAGER 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. City Commission Liaison Reports.**

- Councilman Davis

- Building & Standards had a good turnout
- 8 properties on the agenda.
- 1 demolished, 1 preparing to be demolished.

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

- CVLGC moving forward with project. More details will be provided at a later date.
- Strategic Plan is moving forward.
- Departmental reviews scheduled for the month of February but conflicted with Strategic Planning meetings.
- Proposed dates of March 15 or April 5.

**C. Councilmember's Reports/Items of Interest.**

- Councilman Brown

- Status of Fire station 2 issues.

- Ms. Burkhart,

- Test wells have been dug, worked with engineers to assess plans that were drawn for facility. Engineer Mel Danish stated that Geo testing was done at corner of property not higher up. It's assumed there is groundwater over the property. Concern about cardboard forms not having aeration and leading to mold. Task Order requested from Vickery to find out where water is coming from.

**D. Mayor's Report/Items of Interest.**

- JISD is receiving complaints about kids having to walk to the new Copperfield Elementary School.
- City Manager getting estimates for sidewalks on Thorton Lane.
  
- Ms. Burkhart
- \$60 a yard, must be ADA compliant.
- Rough estimate \$100k Engineering extra \$50k.

**10. EXECUTIVE SESSION (Entered 10:12 PM)**

- A. Executive session in accordance with the Texas Open Meetings Act Section 551.074. PERSONNEL MATTERS; CLOSED MEETING. To deliberate and take appropriate action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - The City Manager (Councilman Brown) (Councilwoman Paschall)**
- B. Executive Session in Accordance with Texas Open Meetings Act Section 551.072. DELIBERATIONS ABOUT REAL PROPERTY; CLOSED MEETING. Concerning Viable Water Resource Options. (Mayor Suarez) (City Manager)**
- C. Executive Session in Accordance with Texas Open Meetings Act Section 551.071 CONSULTATIONS WITH ATTORNEY. CLOSED MEETING. Impact Fees (City Manager) (City Attorney)**

**11. RECONVENE TO OPEN SESSION (Returned 1:20 AM)**

- A. Discussion and Appropriate Action regarding an Executive session in accordance with the Texas Open Meetings Act Section 551.074. PERSONNEL MATTERS; CLOSED MEETING. To deliberate and take appropriate action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - The City Manager**

- Mayor Suarez made a statement prior to action being taken.

“As Mayor of Converse, I’d like to state for the record that I do not agree with the actions of this City Council it is my belief that employment actions are being taken by this Council without due cause and fairness to the City Manager. It is my assessment as the Mayor that the City Manager has completed all duties as required by the City Council on her last employee evaluation. This action will be very costly to the citizens of Converse. Possibly in excess in \$75,000 this action will cause a severe strain and distress to critical ongoing projects such as the Cibolo Valley Local Group Corporation, the water needs and future water needs of City of Converse, the upcoming budget process, the strategic plan, the FM 1516 expansion project and most importantly the day to day operations of the City of Converse. For these reasons I cannot and will not support this proposed action.”

Councilwoman Paschall made a motion to approve the item as discussed in Executive Session, Councilman Brown, the Motion passed.

Mayor Suarez requested a Roll Call Vote: Council members Paschall, James, Brown & Lindgren for, Council members Richel, Davis and Mayor Suarez against. The motion carried. (4:3)

- B. Discussion and Appropriate Action regarding an Executive Session in Accordance with Texas Open Meetings Act Section 551.072. DELIBERATIONS ABOUT REAL PROPERTY; CLOSED MEETING. Concerning Viable Water Resource Options.**

– No action taken at this time.

**C. Discussion and Appropriate Action regarding an Executive Session in Accordance with Texas Open Meetings Act Section 551.071 CONSULTATIONS WITH ATTORNEY. CLOSED MEETING. Impact Fees.**

Councilwoman Richel made a motion to approve the proposed actions as discussed in Executive Session; Councilwoman Paschall seconded the motion, the motion carried.

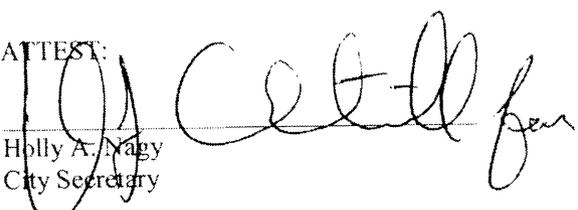
**12. ADJOURNMENT.**

Mayor Suarez adjourned the meeting at 1:42 AM.

**PASSED AND APPROVED THIS 18th DAY OF MARCH, 2014.**

ATTEST:

Holly A. Nagy  
City Secretary



Al Suarez, Mayor

