



Expanding Horizons

CITY OF CONVERSE
CITY ADMINISTRATION

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MINUTES
CITY OF CONVERSE
CITY COUNCIL MEETING
APRIL 1, 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, April 1, 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 Assistant City Manager, Mr. John Quintanilla

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 Renee Paschall, Place 2
Councilman Rick Davis, Place 5
Mr. Felix Arambula, City Attorney
Ms. Shawna Burkhart, City Manager
Ms. Holly Nagy, City Secretary

Councilwoman Kathy Richel, Place 1
Councilwoman Deborah James, Place 3
Councilman Jon Lindgren, Place 4
Councilman Steve Brown, Place 6
Mr. John Quintanilla, Assistant City Manager

5. **CONSENT AGENDA:**

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

Councilwoman James pulled Item 5A.

Councilman Brown made a Motion to approve items 5 B,C, and D.
Councilwoman James seconded the Motion to approve the items.

Councilwoman James: Volunteered for Parks and Recreation and is already a member of Beautification and Environmental.

Councilman Brown: Page 5 of 9 Councilman Brown stated for the record that he suggested that the City Manager make a presentation to the EDC Board regarding the MPO project.

Councilwoman Paschall made a motion to approve the March 18, 2014 minutes as amended; councilwoman Richel seconded the motion. Motion was unanimous.

6. 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.

-Mr. Joan Lindgren

- City Council should be aware of misuse of city money.
- Mayor concerned about misuse of funds for postings to the NE Herald.
- Building and Standards listings were posted in the paper but canceled meeting.

-Mr. Jay Morris

- Civil Servants Breakfast
- Police, Fire and Civil Servants invited.

-Ms. Celeste Morris

- Thankful for Ms. Burkhart
- Helpful and patient
- Made a donation to Fire Department and Police Department.

- Mr. Earl Batel

- Applied to Ethics Review Board
- Concerned about lack of ordinance for an Ethics Review Board
- Why would people apply for something there is no guidance for.
- Concerned about repairs to streets.
- Why does it take so much to get streets repaired.
- Spraying weeds will not prevent them from growing out of streets.

7. CITY STAFF MONTHLY REPORTS:

A. Report by Police Chief.

- Chief Rick Jamison
 - Statue ordered.
 - Making efforts to assign officers to various districts for code compliance.
 - Lots of emails about traffic control, more officers are being devoted to traffic compliance.
 - 12 to 15 districts.

B. Report by Executive Director Converse Economic Development Corporation.

- Ms. Kate Silvas

- Converse goes green event- over 200 people attended.
- Plans are already underway for the next Converse goes green event.
- CPS graciously donated trees for event.
- Converse in Rednews
- Recon Convention
- Accepting applications for the remaining 2 board vacancies.

C. Report by Public Utilities Director.

- Lupe Perez
 - 6 main breaks
 - 12 service leaks
 - Replaced 1 fire hydrant
 - 254 turnoffs
 - Installed 4 water meters
 - clean up after prior main breaks- 14 areas remain.

D. Report by Public Works Director.

- Karl Hoppes

Streets:

1. Crack sealing (Kittyhawk Rd x 39 box , Toepperwein Rd x 7 , City Park Parking lot , 12
2. Installed 6 car stops @ City Hall pressure wash columns (w/ non potable water)
3. Installed delineator poles Gibbs Sprawl , Kneupper Rd, Rocket Lane
4. Poured sidewalk @ 10003 Nugget Creek , 9811 Balanced Rock (5 yd)
5. Asphalt level ups Kingsman, Canterbury, Schumann,
6. Sent two employees for herbicide training next step (test)
7. Secondary back fill inspections @ Meadows of Copperfield unit 6-B (Copper Cove Street)
8. 5 year strategic plan meeting.

Grounds:

1. Chipped brush in zone 3 – 57 cubic yards / Out of Cycle pickups x 6
2. Areas weedeated x19
3. Areas mowed in the right of way x 11
4. Areas cleaned up x 13
5. Picked up 5 bags of trash various locations

Parks:

1. Routine maintenance both parks
2. Mow & Trim well sites
3. Mow & trim City Hall, Justice Center, Library
4. Ball field maintenance

Fleet Maintenance: # Request for repairs by department

1. Street x 24
2. Police x 32
3. Water Billing x1 Building x 1 City Hall x 1
4. Grounds x 6
5. Animal Control x 4

- 6. Parks x 2
- 7. Fleet x 22
- 8. Storm Water x1
- 9. Fire Department x 22

D. Report by Fire Chief.

- Chief Wendt
- Breathing apparatuses are getting closer to approval; Companies getting NIOC certification.
- 3 separate incidents involving in 18 wheelers.
- Crew staying busy, trying to keep up with calls.

E. Report by Human Resources Director.

- Library interviews beginning April 2.
- Still working on Personnel Policy.
- City Manager Job Opening.

F. Report by Library Director.

- Deferred.

8. NEW BUSINESS:

- A. Discussion and Appropriate Action on Chapter 2, Article III, Division 3. Paragraph 2-130 (2) “ No person related within the second degree of affinity, or within the third degree of consanguinity, to a member of this commission or city council may be appointed to this commission.” of the Code of Ordinances, City of Converse, Texas is hereby repealed and deleted from the Code of Ordinances. (Councilman Lindgren)**
- B. Discussion and Appropriate Action on Chapter 2, Article III, Division 3. Paragraph 2-156 (B) “ No person related within the second degree of affinity, or within the third degree of consanguinity, to a member of this commission or city council may be appointed to this commission.” of the Code of Ordinances, City of Converse, Texas is hereby repealed and deleted from the Code of Ordinances. (Councilman Lindgren)**
- C. Discussion and Appropriate Action on Chapter 2, Article III, Division 3. Paragraph 2-186 (B) “ No person related within the second degree of affinity, or within the third degree of consanguinity, to a member of this commission or city council may be appointed to this commission.” of the Code of Ordinances, City of Converse, Texas is hereby repealed and deleted from the Code of Ordinances. (Councilman Lindgren)**
- D. Discussion and Appropriate Action on Chapter 30, Article II, Division 2. Paragraph 30-40 (3) “ No person related within the second degree of affinity, or within the third degree of consanguinity, to a member of this commission or city council may be appointed to this commission.” of the Code of Ordinances, City of Converse, Texas is hereby repealed and deleted from the Code of Ordinances. (Councilman Lindgren)**

-Councilman Lindgren

- Takes away from Citizens of community if families are not allowed to volunteer on commissions if someone in the family already serves on a commission.
- Felix Arambula read from the state stature and charter.
- Discussion ensued regarding wording of the Charter and Ordinances.
- Discussion ensued regarding nepotism laws.
- **Councilman Brown**
 - Understands Councilman Lindgren's point of view- it seems repetitive.
- **Felix Arambula**
 - If sat on Council would leave this item the same. It's already covered in the Ordinance.
- **Mr. Jeff Beehler**
 - Confusing, denied position on Commission because wife was previously on City Council.
 - Feels as though this is a conflict of interest and has caused problems in the past.
- **Councilwoman Paschall**
 - Has a concern about votes on two different sides of the street about one item.
- **Councilwoman James**
 - Brother serves on a different commission.
 - He doesn't speak with Councilwoman James about his position and vice versa.

Councilman Brown made a motion to table the items A, B, C and D- until further review can be done. Seconded by Councilwoman Richel. Mayor Suarez against, motion carried. (6:1)

E. FY 2013/2014 Financial Update.

- Ms. Burkhart gave a presentation on the FY 2013/2014 Financial Update.
- Different restrictions in fund balances.
- Presentation ensued regarding various fund increases and decreases.
- Water is a pressing issue for the city. Contract with SSLGC ends in December 2015.
- Issues relating to SARA and sewer line repairs.
- Annexation.
- MPO project funding.
- Kitty Hawk Reimbursement will take up General Fund- Fund balance. CEID balance received in the past year.
- Mayor Suarez
- Some projects will have to be cut due to the previous actions of Council.
- Discussion ensued regarding fund balance credit card fees and fees generated.

F. Discussion and Appropriate Action on the 2014 Certificate of Obligation for FM 1516/S. Seguin.

- Ms. Burkhart
- Presentation ensued regarding various scenarios for the 2014 CO for FM 1516/S. Seguin.
- Widen S. Seguin Road- CO includes MPO project only.
- August 2014 deadline, with anticipated start date of January 2016.
- Discussion ensued regarding possible contribution assistance from the EDC.
- EDC has 30 days to consider participating in the debt issuance.
- City contribution = \$3.2 Mil. Possible EDC contribution = \$1.2 Mil.
- Mark McKliney- Southwest Securities
- City is competing with other Metrocom cities
- Discussion ensued regarding Bond Ratings and reserves.

G. 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.

Mayor Suarez stated that this is unavoidable and must be paid in its entirety.

Councilman Lindgren made a motion to approve the reimbursement to TxDOT for the remaining balance of the City's share of Kitty Hawk Road Improvements. Councilwoman Richel seconded the motion. Motion carried.

H. Discussion and Appropriate Action to Approve Resolution # 700 regarding AACOG Hazard Mitigation.

- Lt. Allen James & Asst. Fire Chief Ray Christiansen
- Presented back in 2012.
- City never adopted.
- Allows city to apply for FEMA Grants.

Councilwoman James made a motion to approve Resolution #700; Councilman Lindgren seconded the motion, the motion carried.

I. Discussion and Appropriate Action to Approve the Preliminary Acceptance of Infrastructure of HANOVER COVE, UNIT #3, Phase III.

- Assistant City Manager, John Quintanilla
- Considered at the March 17, 2014 Planning & Zoning.
- Stipulations
- Two remaining items on list of opinion of staff and city engineer minor impact and recommend approval.
- No C&O's will be issued until stipulations are taken care of.

Councilwoman Paschall made a motion to approve preliminary acceptance of infrastructure of Hanover Cove, Unit #3, Phase III. Mayor Suarez seconded the motion. Councilman Brown was against. Motion passed (6:1)

J. Discussion and Appropriate Action on a Request to Approve Budget Amendment Resolution #690 E 2014.

- Ms. Burkhart
- Kitty Hawk Reimbursement
- Plan Review costs budgeted at \$7,500 and have used \$7,000. 10 new home plans a week. Increase another \$7,500.
- PT Salaries for Building Department, use of fund balance of \$5000 and increase of expenditures.
- Utility Fund reflects lease of 500 acre feet Alamo Concrete and EAA associated fees. – Budget Amendment needs to be reversed out, already accounted for in budget.
- Councilwoman James
- Last year this was requested and it was granted, now asking for again.

- Ms. Burkhart
- Workload has increased- need more help.

Councilwoman Paschall made a motion to approve budget amendment resolution #690 E 2014. Councilman Brown seconded the motion. Councilwoman James against. Motion carried. (6:1)

9. 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.
 - None
- B. City Manager's Report & Discussion of Future Agenda Items/Items of Interest.
 - Delight working with the City of Converse.
 - On vacation from now to April 11, 2014- last day of employment.
- C. Councilmember's Reports/Items of Interest.
 - **Councilwoman James**
 - Would like a copy of the citizens to be heard list to follow-up with residents.
 - **Councilwoman Paschall**
 - Thank you Ms. Burkhart for her service.
- D. Mayor's Report/Items of Interest.
 - Thanks EDC for Converse Goes Green Day.
 - Successful event, citizens very receptive.
 - Thank you Ms. Burkhart for service to the City of Converse.

10. EXECUTIVE SESSION: (Entered 9:20 PM)

- A. **Executive Session in Accordance with the Texas Open Meetings Act § 551.071. CONSULTATION WITH CITY ATTORNEY; CLOSED MEETING. Consultation with the legal counsel to discuss Viable Water Resource Options.**
- B. **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. – Interim City Manager.**

11. RECONVENE TO OPEN SESSION: (Reconvene 11:00 PM)

- A. **Discussion and Appropriate Action on Discussion during Executive Session in Accordance with the Texas Open Meetings Act § 551.071. CONSULTATION WITH CITY ATTORNEY; CLOSED MEETING. Consultation with the legal counsel to discuss Viable Water Resource Options.**

Councilman Brown made a motion to do as discussed in Executive Session, Councilwoman James seconded the motion. Motion carried.

- B. **Discussion and Appropriate Action on 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. – Interim City Manager

Mayor Suarez made a motion to appoint Police Chief Rick Jamison to be Interim City Manager.

Roll Call Vote: Council members- Lindgren, Richel, Brown, Davis for.
Council members- James and Paschall against.

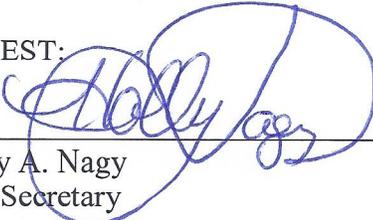
Motion carried (5:2)

12. ADJOURNMENT.

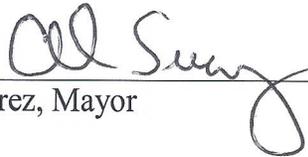
Mayor Suarez adjourned the meeting at 11:04 PM.

PASSED AND APPROVED THIS 6th DAY OF MAY, 2014.

ATTEST:



Holly A. Nagy
City Secretary



Al Suarez, Mayor