

CITY OF CASTLE HILLS  
REGULAR CITY COUNCIL MEETING  
MINUTES OF MARCH 11, 2008

The City Council of the City of Castle Hills convened at 6:00 p.m. on the 11<sup>th</sup> day of March, 2008, at the City of Castle Hills, 209 Lemonwood Drive, Castle Hills, Texas.

The attendance roster included Bill Henley, Joey Barry, J.J. Williams, Conrad M. Gamboa IV, John G. Mack, Walter von Nimitz, L. David Givler, Charles Matthys, Joe Salvitti, Bruce Smiley, William Beuhler, Donnie Roberts, Martha Bolanos, Joan and Beverly Bihn, W. Schluter, S. Siv, Catherine Melchor, Linda Johns, Stephen McGuire, Pamala Farris, Javier Gonzalez, Luis Roberto Velarde, Dan Jacob, Joan Buerschinger, Brother William Dooling, Sherry DiBaggio, Mark Granados, Tim Turner, Alona Gonzalez, Vera Howard, LaVerne Japhet, Lesley Wenger, Bill Martin, Jeannie O'Sullivan, Allison O'Sullivan, Loren Taylor, Tony DiBaggio, Conrad M. Gamboa Jr., Rose Marie Gamboa, Martha von Nimitz, Robert Roberts, Ronnie Gamboa, and Terry Carter.

I. OPENING

- A. QUORUM - Present and composing a quorum of the City Council were Mayor Marcy Harper, Helen Glass, Douglas Gregory, Marcella Huff, Tom Davis, and Tim Howell.

Staff present was City Manager Mike Rietz, Assistant City Manager Rita Hoyl, City Secretary Linda Gill, City Attorney Michael S. Brenan, Court Administrator Wendy Reyes, Police Chief Donny Davis, Fire Chief Jerry Riedel, and Public Works Director Rick Harada.

- B. INVOCATION – Bill Martin

- C. PLEDGE OF ALLEGIANCE – LaVerne Japhet

- D. CONSIDER AND ACT UPON THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON FEBRUARY 12, 2008.

**Motion:** Councilman Howell moved to approve the minutes of the regular city council meeting held on February 12, 2008. Councilman Davis seconded the motion. The motion passed unanimously.

- E. CONSIDER AND ACT UPON THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD ON MARCH 5, 2008.

Councilman Gregory moved to approve the minutes of the special city council meeting held on March 5, 2008. Councilman Davis seconded the motion. The motion carried with a vote of 4 in favor and none opposed. Council member Glass did not attend the meeting and abstained from voting.

F. CONSIDER AND ACT UPON THE TREASURER'S REPORT FOR THE MONTH OF FEBRUARY, 2008.

**Motion:** Councilman Gregory made a motion to approve the Treasurer's Report for the month of February, 2008. Seconded by council member Huff, the motion passed unanimously.

II. ANNOUNCEMENTS

Councilman Davis mentioned that there are several new businesses and restaurants in Castle Hills and encouraged residents to support them.

Mayor Harper announced the sad news that Suzette Strong's nine-year-old daughter was killed in a car accident on the 7<sup>th</sup> of March and that Ms. Strong suffered a broken back. Ms. Strong's parents and sister live in Castle Hills.

III. CITIZENS TO BE HEARD

Mayor Harper invited citizens wishing to speak to the council to come forward.

- Terry Carter of 125 South Winston Lane commented that City Council should show consistency in enforcing the zoning ordinance. She said that Castle Hills Baptist Church has a sports complex, a concession stand, and numerous cars parked along residential streets on a weekly basis. Ms. Carter said that, if that church is permitted to do those things, the dormitory on Honeysuckle should not be restricted.
- Allison O'Sullivan of 115 Castle Lane, who recently returned from the Peace Corp in Ghana, South Africa, expressed her appreciation to the council for the proclamations from the city that she received regarding her work in Ghana.
- Joey Barry of 211 Glentower proposed improvements to The Commons as an Eagle Scout project. He discussed adding concrete tables and benches, trash cans, and refinishing of the benches that are there presently. Councilman Howell asked Mr. Rietz to get the proposal in writing, since it was not on the agenda and the council could not discuss it.

IV. REPORTS

- Lesley Wenger gave an update on the Bexar Metropolitan Water District. Reporting that BexarMet will vote on April 1 to increase the water rates 14-40% above San Antonio Water System, she encouraged everyone to get in touch with her or State Representative Frank Corte with complaint letters from cities opposing the increase. She said an oversight committee continues to investigate the management of BexarMet.

- City Manager Mike Rietz presented the February, 2008 Investment Report.
- Assistant City Manager Rita Hoyl reported on Building and Health Inspections and Code Enforcement activities in February, 2008.
- Chief Donny Davis gave the February, 2008, Police Activity and STEP reports.
- Chief Jerry Riedel gave the Fire Incident and Activity Report for the month of February, 2008.
- Public Works Director Rick Harada gave the February, 2008, Activity Report for his department.
- Court Administrator Wendy Reyes reported on the February, 2008, Municipal Court activity.

#### V. OLD BUSINESS – None

#### VI. NEW BUSINESS

##### A. CASTLE HILLS WOMAN’S CLUB – PROPOSED DESIGN FOR THE COMMONS.

Martha von Nimitz of 214 Lundblade said she was standing in for Sandra Burton, who is Chairman of the Woman’s Club. She gave a Power Point presentation indicating that the Woman’s Club wants to provide a Master Plan prepared by a professional landscape architect for the development of The Commons. She said the club is willing to spend up to \$5,000.00 to pay for the architect and will also help investigate other funding, such as grants. Ms. von Nimitz asked for the council’s recommendation regarding the production of a Master Plan.

Council member Huff saluted the Woman’s Club for all the support they have given to the city. She thought that The Commons should be casual, not formal; and it should be a place for people to enjoy. Mayor Harper briefly explained what has recently been done to The Commons and what she would like. Councilman Howell suggested that a committee be formed to coordinate with the Woman’s Club and determine what the council wants. Councilman Gregory remarked that a Master Plan should be done in stages. Council member Huff commented that it would not be fair to the club to provide a plan without input from other civic organizations. Councilman Gregory said a rendering could be set up at City Hall for people to come by and give their ideas. Ms. von Nimitz said she was not sure what that would cost. Council member Glass said that a Master Plan would be great, and she thanked the Woman’s Club. No action was taken.

*The mayor announced a short break at 7:40 p.m. She recognized State Representative Frank Corte, who was in the audience. The council reconvened at 7:54 p.m.*

- B. CONSIDER AND ACT UPON ACCEPTING THE ANNUAL AUDIT OF FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED DECEMBER 31, 2007.

**Motion:** C.P.A. Virgil Crawford discussed the financial highlights and gave an overview of the financial statements for the last fiscal year. Councilman Gregory then made a motion to accept the annual audit of financial statements for the year ended December 31, 2007. Councilman Howell seconded the motion. The motion passed unanimously.

- C. CONSIDER AND ACT UPON THE RECOMMENDATIONS OF THE ZONING COMMISSION ON A REQUEST FROM RONNIE GAMBOA AND ROBERT ROBERTS, JR. FOR A SPECIAL USE PERMIT TO OPERATE A SPORTS BAR AT 6901 BLANCO ROAD, BLANCO JUNCTION SHOPPING CENTER.

Javier Gonzalez, Director of Marketing and Public Relations for G3R, LLC, introduced his partners, Ronnie Gamboa and Robert Roberts. Each man gave a brief biography of himself. Mr. Gonzalez then discussed the venture that he was seeking a Special Use Permit for. He described the sports bar as a high-end establishment, appealing to adults 35-55 years old. He stressed that it would be a non-smoking, social setting where adult drinks would be served to patrons while they enjoyed a sports event. He indicated that measures would be taken to ensure the values of Castle Hills. He said no food would be served.

**Motion:** Council member Gregory moved to approve the Special Use Permit. Councilman Howell seconded the motion. The motion passed unanimously.

**Motion:** Councilman Howell then moved to amend the previous motion to say that the Special Use Permit would expire when G3R, LLC, is no longer the tenant. Council member Huff seconded the motion. The motion passed unanimously.

- D. CONSIDER AND ACT UPON APPROVAL OF SUBDIVISION PLAT OF HPI CASTLE HILLS COMMERCIAL DEVELOPMENT, BEING AN 11.865 ACRE TRACT OF LAND OUT OF THE J.W. SMITH SURVEY NO. 6, ABSTRACT 706, COUNTY BLOCK 5006.

Mark Granados, representing HPI and their engineers with Pape-Dawson informed the council that he had contracted to buy the subject property. He described his plans to develop the property into an office park and to provide the city with a one-year maintenance agreement for

improvement and maintenance of the channel on the east side of the property. Considering the drainage issues on the property, Mr. Granados explained that he wanted to install a rock gabion wall in the channel on the residential side of the channel. Councilman Gregory asked for a 10-year warranty. Mr. Granados said he can give one year, and in that one year; they would know if the gabion wall would work.

City Attorney Brenan said the plat they want approval on is a preliminary plat. He said City Council can approve the plat, contingent on certain things. He added that if the conditions asked for are not met, the council can reject it at the next meeting on April 8<sup>th</sup>.

Councilman Gregory moved to table the item until the April 8, 2008 council meeting. The motion failed for lack of a second.

Councilman Howell moved to approve the plat with a five year warranty. The motion failed for lack of a second.

**Motion:** Council member Huff moved to approve the preliminary plat as presented with an extended two year warranty, allowing for a sanitary sewer easement and the closing of Bluet, a Wastewater Letter of Certification from San Antonio Water System (SAWS), incorporation of any SAWS requirements into the plat, and a corrected deed issued by the state. She added that the maintenance agreement must be submitted to the City of Castle Hills in acceptable form and must be acceptable to the staff. Council member Glass seconded the motion. The motion carried with a vote of 4 to 1. Councilman Howell opposed the motion.

- E. CONSIDER AND ACT UPON APPOINTING A CITY RESIDENT TO THE CASTLE HILLS CRIME CONTROL & PREVENTION DISTRICT TO FILL A VACANCY FOR AN UNEXPIRED TERM ENDING SEPTEMBER 1, 2009.

**Motion:** Councilman Gregory moved to nominate Frank Paul to fill a vacancy on the Castle Hills Crime Control and Prevention District for an unexpired term ending September 1, 2009. Councilman Howell seconded the motion. The motion carried unanimously.

- F. DISCUSSION ON AMENDING FENCE REQUIREMENTS.

Discussion began with the mayor explaining that wood is an acceptable fence material, but wood needs to be defined. In answer to a question from council member Howell, Mr. Brenan said that he has not seen a similar need to define wood in other cities.

Brother Dooling of 201 Gladiola commented that city ordinance cannot define every single material used for fences. He said the city manager should know what the city wants and have the right to say no to

unacceptable materials. He said it is a management problem, not an ordinance problem.

Council member Huff asked to hear from the city manager. Mr. Rietz responded that city ordinance does not give him the discretion to decide what kind of wood is acceptable. He said that plywood is a type of wood, and he approved it on that basis. Mayor Harper suggested appointing a small fence committee.

Mr. Brennan responded that the code says wood, not what kind of wood; and it does not give the city manager the authority to say no if the material is acceptable.

Linda Johns of 117 Fox Hall Lane clarified that her fence is not complete. She said the outside of her fence is cedar, and her neighbors are jumping the gun and complaining when they don't have the facts.

Vera Howard of 14 West Oaks Court said that when the permit was issued it was incomplete. She added that the fence was supposed to be completed within 30 days and is still not finished.

James Poage of 117 Fox Hall Lane said that he plans to have a stucco finish on the fence, and stucco requires a solid backing. He said that was why he used plywood for the fence. He mentioned that there are several similar fences in Hollywood Park. He stressed that he was intent on building a fence that will look very nice, but it is under construction.

Council member Huff suggested implementing a 48 hour waiting period to review permits before they are issued. Mr. Brennan added that there needs to be an appeal process. Councilman Gregory remarked that the city manager does have discretion to decide what material is acceptable. No action was taken.

#### G. REVIEW OF THE FIRST DRAFT OF THE HOMEPAGE FOR THE WEBSITE. .

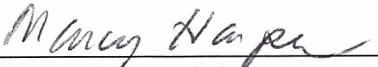
The city manager projected a draft of the homepage for the city's website on the wall for the council to review. He encouraged the council to comment, stressing that they were looking at a first draft. He estimated that the website could be up and running in a couple of weeks, but he hesitated to go forward without the council's input. Council members offered their comments and briefly discussed proposed changes. No action was taken.

#### VII. ADJOURNMENT

Mayor Harper adjourned the meeting at 10:20 p.m.

These minutes were approved on the 8<sup>th</sup> day of April, 2008.

APPROVED:

  
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Marcy Harper, Mayor

ATTEST:

  
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Linda Gill, City Secretary