

CITY OF CASTLE HILLS  
REGULAR CITY COUNCIL MEETING  
MINUTES OF JUNE 8, 2010

The City Council of the City of Castle Hills convened at 6:30 p.m. on the 8<sup>th</sup> day of June, 2010, in the Council Chambers of the City of Castle Hills, 209 Lemonwood Drive, Castle Hills, Texas.

The attendance roster included Ann Pantuso, LaVerne Japhet, Pam Grunwald, Doris Cannon, Bill Martin, Richard Szecsy, Pat Butler, Richard Huizar, Marianne Huizar, Joni Simon, Linda Johns, Brother William Dooling, Rene Mulholland, William Beuhler, Susan Kilgore, Wayne Carter, Terry Warth, Jim Poage, Pamala Farris, Patricia Cruz, Anna Lockridge, Lorene Juarez, and David Parent.

I. OPENING

A. QUORUM

Present and composing a quorum of the City Council were Mayor Marcy Harper, Douglas Gregory, Tom Davis, Marcella Huff, and Bruce Smiley-Kaliff. Steve McGuire was absent.

Staff present was Interim City Manager Rita Hoyl, City Secretary Linda Gill, City Attorney Michael S. Brenan, 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. CONSIDERATION OF THE MINUTES OF THE CITY COUNCIL MEETING HELD MAY 11, 2010.

**Motion:** Councilman Smiley-Kaliff moved to approve the minutes of the city council meeting held May 11, 2010. Council member Huff seconded the motion. The motion passed unanimously.

E. CONSIDER AND ACT ON THE TREASURER'S REPORT FOR THE MONTH OF MAY, 2010.

**Motion:** Councilman Gregory moved to approve the May, 2010, Treasurer's Report. Councilman Davis seconded the motion. The motion passed unanimously.

## II. ANNOUNCEMENTS

- A. Mayor Harper and the entire council presented Richard and Marianne Huizar a plaque in appreciation of their initiation and planning of the first annual Fiesta Castle Hills on April 17, 2010.

A plaque was also presented to Rene Mulholland, owner of Rene's of Castle Hills, for her promotion of Fiesta Castle Hills in the business community.

- B. Council member Huff reported that the City Manager Search Committee has come up with 12 to 13 individuals to interview. She indicated that she is in the process of arranging those interviews.

Mayor Harper said that the Castle Hills Lodge restaurant was mentioned in the San Antonio Express-News Readers' Choice Awards as a Critic's Choice.

The mayor thanked Rita Hoyl and Rick Harada for their recent handling of the emergency brush pick-up after a storm

Mayor Harper announced that the post office on Cresthaven will not be closing after all.

## III. CITIZENS TO BE HEARD

Wayne Carter of 125 South Winston Lane thanked Rita Hoyl and Rick Harada for the emergency brush pick-up.

LaVerne Japhet of 12 Shady Cove reported that businesses are being run in the residential area of Castle Hills Terrace. She suggested the city should have closer Code recognition in the area of Jackson-Keller, Travertine, Gladiola, and the Loop 410 access road.

Ann Pantuso of 105 Dandelion said that she has lived in Castle Hills for 40 years and runs Carriage Flowers. She related that she was at the meeting to see if she could turn the business into a wire business due to the health of her husband. The mayor explained that the council could not respond to citizens' comments, according to Robert's Rules of Order, and suggested she contact the interim city manager, Rita Hoyl, for answers to her questions.

Joyce Buie of 222 Carolwood thanked Rita Hoyl and Rick Harada for the brush pick-up and the cleaning up of the city after the storm. She added that she appreciated Rita working with San Antonio to get a bridge repaired.

Richard Huizar of 109 Twin Leaf thanked Castle Hills Police, Fire, City Council, and everyone who helped with Fiesta Castle Hills. He announced that the next Fiesta Castle Hills will be April 16, 2011.

#### IV. REPORTS

- Councilman Douglas Gregory gave an update of the Building Code Review Committee. He said Castle Hills permits do not deviate from the International Building Code. He expressed the committee's need for guidance. Council members Huff, Davis, and Smiley-Kaliff offered comments. Mayor Harper recommended they discuss matters in the committee meeting and bring the information back to the council.
- Interim City Manager Rita Hoyl gave the May, 2010, Investment Report, Building and Health inspections, Code enforcement activities, Municipal Court Activity Report, and a department budget review. Responding to questions from Councilman Smiley-Kaliff at the May meeting, Ms. Hoyl explained that warrants are being cleared in a timely manner, and the warrant officer is able to clear them from his desk.
- Police Chief Davis presented the May, 2010, Police Activity Report and STEP Report.
- Fire Chief Riedel gave the May, 2010, Fire Incident and Activity Report.
- Public Works Director Harada gave the May, 2010, Activity Report for his department.

#### V. OLD BUSINESS -None

#### VI. NEW BUSINESS

##### A. CONSIDER AND ACT UPON EXTENDING THE CITY MANAGER SEARCH FOR 60 MORE DAYS

**Motion:** Councilman Smiley-Kaliff moved to extend the search for a city manager for 60 more days. Council member Davis seconded the motion. The motion passed unanimously.

##### B. CONSIDER AND ACT UPON ENGAGING THE SERVICES OF REBECCA WALDMAN TO EVALUATE THE DUTIES OF THE ADMINISTRATIVE DEPARTMENT

**Motion:** Council member Gregory moved to engage the services of Rebecca Waldman to evaluate the duties of the city's administrative department.

Council member Huff seconded the motion. The motion passed unanimously.

C. CONSIDER AND ACT UPON A RESOLUTION ENTERING INTO AN INTERLOCAL AGREEMENT WITH BUYBOARD AND AUTHORIZING THE INTERIM CITY MANAGER TO SIGN THE BUYBOARD INTERLOCAL AGREEMENT

Ms. Hoyl explained that entering into the interlocal agreement with BuyBoard will allow the city to join a purchasing cooperative to be able to buy cost effective products and services from qualified vendors. Council member Huff pointed out that the agreement will automatically renew every year. Mr. Brenan confirmed that, but said the city can withdraw from the agreement.

**Motion:** Councilman Smiley-Kaliff moved to approve a resolution to enter into an interlocal agreement with BuyBoard and to authorize the interim city manager to sign the agreement. Seconded by Councilman Gregory, the motion passed unanimously. A copy of the resolution as passed and approved is attached and made a part of these minutes.

D. CONSIDER AND ACT UPON APPROVING EXPENDITURES IN LINE ITEM #08-8005 FOR AN IRRIGATION TIMER AND WATER SENSOR FOR THE JACKSON KELLER/TRAVERTINE MONUMENT SIGN.

**Motion:** Councilman Gregory made a motion to approve an expenditure of \$200.00 in Line Item #08-8005 for the purchase of an irrigation timer and water sensor for the Jackson-Keller/Travertine monument sign. Councilman Davis seconded the motion. The motion passed unanimously.

E. CONSIDER AND ACT UPON APPROVING EXTENSION OF GIVLER ENGINEERING INC. AGREEMENT

Council members discussed renewing or going month to month with City Engineer Givler's contract. Mayor Harper recommended renewing the contract due to the proposed bond election. She stated that the council has too much on its plate at present. Councilman Gregory indicated that he wanted the whole council present for the vote.

**Motion:** Councilman Davis moved to renew the agreement with Givler Engineering Inc. for one year. Councilman Smiley-Kaliff seconded the motion. The motion carried 3 to 0, with Councilman Gregory abstaining from the vote.

F. DISCUSSION ON CONTRACTING WITH SUSAN WOOTTON, CPA, TO CONDUCT MONTHLY REVIEWS OF THE CITY'S FINANCIALS.

Ms. Hoyl explained that the auditor recommended that the city hire a professional accountant or CPA to review the city's financial statements monthly, but she proposed to Council that it be considered after the administrative department's evaluation. Council member Huff expressed her agreement. There was no further discussion.

G. DISCUSSION ON REQUESTING THE ZONING COMMISSION TO MAKE RECOMMENDATIONS TO COUNCIL ON REMOVING THE 75% MASONRY REQUIREMENT FOR SINGLE AND MULTIPLE FAMILY DWELLINGS AND ACCESSORY STRUCTURES

Councilman Smiley-Kaliff said he requested that this item be put on the agenda. He indicated that there have been issues arising out of how masonry is defined in the city's ordinance, which requires a structure to be 75% masonry. He referred to a discussion at a recent Board of Adjustment meeting concerning the use of Hardie Board, which is a cement based fiber material that is not allowed as a masonry product. However, he noted that stucco is not masonry, but is allowed as a masonry product. He said masonry needs to be clearly defined in the city's ordinance.

Responding to a question from council member Huff, Councilman Smiley-Kaliff said that he attended a Board of Adjustment meeting in which an exception was granted for the use of Hardie Board. He related that a permit was issued for it, although it shouldn't have been.

Brother William Dooling of 201 Gladiola came forward and read the definition of masonry from the dictionary. He said it is brickwork or stonework and allowing Hardie Board is wrong.

Council member Huff commented that they needed to find out how the permit was issued and suggested they consider an architectural review board for residential properties.

Councilman Davis stressed a need for a residential review board to ensure permits are not issued in error. Discussion concluded with the mayor proposing they continue discussion next month.

H. DISCUSSION ON REQUESTING THE ZONING COMMISSION TO MAKE RECOMMENDATIONS TO COUNCIL ON ALLOWING FIXED WIRE AS AN APPROVED MATERIAL FOR FENCES AND ALLOWING 6' HIGH FENCES IN THE FRONT YARD IN ZONE 1.

Councilman Smiley-Kaliff explained where Zone 1 is located and said that there have been an unbelievable number of variances in that area requesting 6' fences in the front yard and seeking approval of fence materials such as fixed wire and pig wire. He said that each time a resident requests a variance, they have to pay \$400.00 to be heard by the Board of Adjustment.. He suggested that the council request changes to the ordinance to allow 6' fences in the front yard in Zone 1. Council member Huff said she approved of the Board of Adjustment hearings on a case by case basis. Mayor Harper remarked that a tasteful 6' fence may look attractive; but she thinks wire fencing looks too much like cyclone. She added that, if the ordinance is changed, it should be changed across the board, not just in Zone 1.

Brother Dooling said he thinks that no fences in front yards maintain the open feel of Castle Hills. He indicated that he understands that the Fox Hall area is different and suggested looking at what will maintain the ambiance of an area.

Lorene Juarez of 108 Castle Hills Drive spoke in favor of permitting a combination, maybe 6' fences on the side yards, but not in the front yards.

Pam Grunwald of 105 Moss Drive said that she hoped 6' fences will be allowed so that she can landscape her yard and not have her plants ruined by deer rubbing against them. Councilman Davis stressed that the deer problem needs to be addressed.

Jim Poage of 117 Fox Hall said that his house is 327 feet from the street, and he was turned down for a front yard fence because it was somebody else's back yard. He commented that lots in Castle Hills are different, and trying to make one rule for everybody is not good for the city.

Council member Huff explained that there would be no action because this item is for discussion only. Councilman Smiley-Kaliff thanked the council for allowing the discussion items to be placed on the agenda and said that he appreciated the public's participation in the discussion. No action was taken.

I. DISCUSSION OF EXTENDING THE COMMONS AREA ONTO THE PERSIMMON LOT FOR DEVELOPMENT OF A NEIGHBORHOOD PLAYGROUND AND PUBLIC GARDEN

The mayor postponed this item until next month.

J. SET A TIME, DATE, AND PLACE FOR A SPECIAL MEETING FOR A WORKSHOP TO DISCUSS THE CASTLE HILLS FY 2010 AND FY 2011 GENERAL AND SPECIAL FUNDS BUDGETS

Council members agreed to set July 8<sup>th</sup> and July 15<sup>th</sup> at 6:00 p.m. to meet for workshops to discuss the FY 2010 and FY 2011 general and special funds budgets.

VII. ADJOURNMENT

Mayor Harper adjourned the meeting at 8:45 p.m.

These minutes were approved on the 13<sup>th</sup> day of July, 2010.

APPROVED:

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Marcy Harper, Mayor

ATTEST:

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Linda Gill, City Secretary