

CITY OF CASTLE HILLS
REGULAR CITY COUNCIL MEETING
MINUTES OF JULY 12, 2011

The City Council of the City of Castle Hills convened at 6:30 p.m. on the 12th day of July, 2011, in the Council Chambers at 209 Lemonwood Drive, Castle Hills, Texas.

The attendance roster included Bill Martin, Lesley Wenger, Jim Poage, Pamala Farris, William Beuhler, Jr., Vera Howard, L. David Givler, William Schluter, Sandie Martin, and Ardell Weber.

Staff present was City Manager Michael Steele, Assistant City Manager Rita Hoyl, City Secretary Linda Gill, City Attorney Michael Brenan, Police Chief Donny Davis, Fire Chief Jerry Riedel, and Public Works Director Rick Harada.

I. OPENING

A. QUORUM

Present and composing a quorum of the council were Bruce Smiley-Kaliff, Tom Davis, Douglas Gregory, Steve McGuire, Marcella Huff, and Tim Howell.

B. INVOCATION

The invocation was led by Bill Martin.

C. PLEDGE OF ALLEGIANCE

Brother William Dooling led the Pledge of Allegiance.

II. ANNOUNCEMENTS & PRESENTATIONS

A. BEXARMET WATER DISTRICT UPDATE-LESLEY WENGER

Lesley Wenger, who is on the board of directors of BexarMet, District 6, gave an update on BexarMet legislation. She said a lawsuit has been filed to stop the legislation, which includes over \$3,000,000 in costs, and asks that ratepayers first be allowed to decide whether they want BexarMet to continue to provide their water.

III. OLD BUSINESS

A. CONSIDER AND ACT UPON SELLING SURPLUS EQUIPMENT

Mr. Steele asked the council for direction in handling the disposal of the historical fountain the city offered for sale. He said no response to a request for bids was received from the newspaper ad or the website posting. The general consensus of the council was to contact the individual who was originally interested in the fountain; and if he is no longer interested, to have the city manager decide how to dispose of the fountain. Councilman Howell asked the city manager to contact him, if the person is no longer interested. No action was taken.

IV. NEW BUSINESS

A. CONSENT AGENDA

1. Consideration of the minutes of the City Council meeting held June 14, 2011.
2. Consideration of the minutes of the Special City Council meeting held June 21, 2011.
3. Consideration of the Treasurer's Report for the month of June, 2011.

4. Consider and act upon an amending plat establishing Lot 29, Block 10, CHCB 207.
5. Consider and act upon entering into an agreement with Givler Engineering, Inc. for engineering services, for a period of one year.
6. Direct the city manager to prepare for the August council meeting a description of the duties of the city treasurer to be voted on at the August council meeting.
7. Consider and act upon a Fraud Policy.
8. Consider and act upon amending Section 13.9 Sick Leave of the Employee Personnel Policy.

Motion: A motion made by council member Huff to accept the Consent agenda, with the exception of items 3, 7, and 8, was seconded by Councilman Gregory. The motion passed unanimously. (Items 3,7, and 8 at end of New Business.)

V. EXECUTIVE SESSION

A. CONSULTATION WITH THE CITY ATTORNEY CONCERNING PENDING LITIGATION – CASTLE HILLS V. BATCHELDER.

City Council retired to Executive Session at 6:58 p.m. and reconvened into open session at 7:30 p.m.

VI. RECONVENE INTO OPEN SESSION

A. CONSIDERATION OF A SETTLEMENT OF PENDING LITIGATION – CASTLE HILLS V. BATCHELDER.

Motion: Councilman McGuire moved to accept the settlement that was outlined in Executive Session. Councilman Davis seconded the motion. Until the agreement is signed, Councilman McGuire said that specifics of the agreement cannot be discussed. In brief, he said that ordinances should be obeyed, whether they are city, county, state, or federal. He said when a violation occurs and is ongoing, there should be an ongoing penalty until compliance is reached; and Mr. Batchelder will pay an ongoing penalty until his property is in compliance with city, county, state, and federal ordinances. The motion passed unanimously.

NEW BUSINESS (continued)

B. CONSIDER REFERRING TO ZONING COMMISSION AN AMENDMENT TO ZONING CODE SECTION 31.404(2) FOR CONSIDERATION BY THE CITY COUNCIL AT A FUTURE CITY COUNCIL MEETING.

Item B was removed from the agenda at the request of Councilman Gregory.

C. CONSIDER AN ORDINANCE APPOINTING THE MUNICIPAL COURT JUDGE AND ALTERNATE MUNICIPAL COURT JUDGES.

Motion: Councilman Davis moved to appoint William Dooling as Municipal Court Judge and to appoint Al Briseno, Douglas Dilley, and Kevin Berry as Alternate Municipal Court Judges. Council member Howell seconded the motion. The motion passed unanimously.

D. DISCUSS MAKING VARIOUS ITEMS WITH THE CITY'S LOGO AVAILABLE FOR SALE VIA THE CITY'S WEBSITE.

Council member Huff suggested exploring this activity, proposing that the proceeds

be used for The Commons or the Animal Shelter or maintenance on whatever the council decides to do with the generous donation from the Perry Burnhams. She said she had in mind an icon that people could click on the city website that would take them to an online store to purchase items displaying the city's logo. Councilman Howell agreed and said that he has experience with this type of thing; and he will contact companies that provide this type of service. Councilman McGuire stressed that he wanted "zero" time spent by city staff. The mayor said that he is thinking about appointing a Civic Participation Committee in the near future, and he thought of asking council member Huff to head that committee. He said this is something the committee could investigate and make recommendations to the council. Discussion ended and, no action was taken.

A. CONSENT AGENDA (Omissions)

3. Consideration of the Treasurer's Report for June, 2011.

Motion: Councilman Gregory moved to approve the June, 2011, Treasurer's Report. Council member Huff seconded the motion. The motion carried unanimously.

7. Consider and act upon a Fraud Policy.

Motion: After Mr. Steele gave a brief outline, council member Huff moved to approve the Fraud Policy. Councilman McGuire seconded the motion. The motion passed unanimously.

8. Consider and act upon amending Section 13.9 Sick Leave of the Employee Personnel Policy.

Motion: Mr. Steele explained the change to the Employee Sick Leave policy, which will establish a sick leave bank under the policy that employees can choose to contribute to or to draw from upon written request to and approval by the city manager. Councilman McGuire moved to approve the amendment to Section 13.9 Sick Leave of the Employee personnel policy. Seconded by council member Huff, the motion passed unanimously.

VII. CITIZENS TO BE HEARD

David Givler of 107 Sheffield said that, over four years ago, he discovered that his bookkeeper was a con-artist and absconded with hundreds of thousands of dollars from his company, destroying his quality of life for an extended period of time. He said the issue was resolved yesterday when a judge sentenced the person to seven years incarceration. He said the ordeal has been a great challenge for him, and just the fact that he is standing here tonight, is a testimony to others. He said he wants to acknowledge the Secret Service, San Antonio Interagency Task Force on White Collar Crime, and most importantly, the Castle Hills Police Department. He said the experience was very grueling for him, and he needed the support of his family, his church, and the Castle Hills Police Department to get through it. He said he is deeply grateful to all who helped him, and he looks forward to forging ahead with his life.

VIII. ADJOURNMENT

Motion: Councilman Gregory moved to adjourn. Council member Huff seconded the motion. The motion passed unanimously.

The meeting was adjourned at 7:55 p.m.

These minutes were approved on the 9th day of August, 2011.

APPROVED: _____
Bruce Smiley-Kaliff, Mayor

ATTEST: _____
Linda Gill, City Secretary