

CITY OF CASTLE HILLS  
REGULAR CITY COUNCIL MEETING  
MINUTES OF FEBRUARY 12, 2008

The City Council of the City of Castle Hills convened at 6:00 p.m. on the 12<sup>th</sup> day of February, 2008, at the City of Castle Hills, 209 Lemonwood Drive, Castle Hills, Texas.

The attendance roster included Bill Henley, Pamala Farris, John Dawson, Bill Martin, John G. Mack, LaVerne Japhet, Kevin H. Berry, Norton Scrimshire, Carolyn Scrimshire, Doug and Jurene Steadman, Cruz and Connie Mendoza, Judith Boeckner, Brad Boeckner, Stephen McGuire, L. David Givler, R. Buffkin, Robbie Casey, Trey Batchelder, William Buehler, Cynthia Bustamonte, Susan Kilgore, Joe Berry, Don Harris, Brother William Dooling, Joan Buerschinger, Evangeline O’Sullivan, Monica Simpson, Ramiro Estrada, and Susana Rios.

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, City Secretary Linda Gill, City Attorney Michael S. Brennan, 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 JANUARY 8, 2008.

**Motion:** Councilman Howell moved to approve the minutes of the regular city council meeting held on January 8, 2008. Councilman Gregory seconded the motion. The motion passed unanimously.

- E. CONSIDER AND ACT UPON THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD ON JANUARY 29, 2008.

Council member Howell moved to approve the minutes of the special city council meeting held on January 29, 2008. Councilman Davis seconded the motion. The motion passed unanimously.

- F. CONSIDER AND ACT UPON THE TREASURER’S REPORT FOR THE MONTH OF JANUARY, 2008.

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

## II. ANNOUNCEMENTS

Council member Davis said he had received several phone calls about Code enforcement. He indicated that residents were getting very frustrated that council passes ordinances, but there seems to be no way to enforce them. Councilman Davis said he believed that is something that the council may need to put on a future agenda.

Mayor Harper wished everyone a happy Valentine's Day.

## III. CITIZENS TO BE HEARD

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

- Robbie Casey of 144 Cas Hills expressed a need for a street light on Lou-Jon where it connects with Cas Hills. She said there is no street light for 900 feet on Cas Hills, and it is very dark.
- Hilda Draeger of 203 Northcrest appealed to the council to resolve the problems with traffic on her street. She mentioned that crime is increasing; and the residents are still putting up with speeding cars, graffiti, and even an abandoned car. She asked for a resolution, whether it is a one-way stop sign or a gate.

## IV. REPORTS

- City Manager Mike Rietz gave the January, 2008, Investment Report and reported that a new treasury note was purchased in the amount of \$350,000.00 on the 22<sup>nd</sup> of January. The funds came out of the Texas Class, MBIA Investment account.
- Assistant City Manager Rita Hoyl was absent, and the city manager read her Activity Report on permits, building inspections, health inspections, and Code enforcement in January, 2008. The mayor read the Food Safety Report.
- Chief Donny Davis gave the January, 2008, Police Activity and STEP reports. Council member Huff asked the chief to include the number of CID cases that were closed and the number that went to the district attorney.
- Chief Jerry Riedel gave the Fire Incident and Activity Report for the month of January, 2008. He added that the new fire truck was ordered and the delivery date is set for July 9, 2008.

- Public Works Director Rick Harada gave the January, 2008, Activity Report for his department.
- Court Administrator Wendy Reyes reported on the January, 2008, ticket counts and court cases handled in Municipal Court.

V. OLD BUSINESS

A. CONSIDER AND ACT UPON APPROVING A RIGHT-IN RIGHT-OUT DRIVE TO LOT 7 ON THE WEDGEWOOD RETAIL SUBDIVISION LOCATED WEST OF BLANCO ROAD NEAR THE WEDGEWOOD APARTMENTS.

Matt Johnson of Pape-Dawson Engineers indicated that he was representing the owner of Lot 7 and the Wedgewood Apartments. He said he is also the civil engineer for Park North Development, located across Blanco Road from Lot 7. He explained that a new driveway for Park North will be aligned with the driveway going into the Wedgewood Apartments, and a traffic light will be installed there. He said that, although the owner has no immediate plans for development of the property, he would like to construct a right-in/right-out driveway on Lot 7. Mr. Johnson said the details of the driveway would have to be worked out through the building permit process; but at present, the owner is only asking for City Council's approval.

Councilman Gregory recalled the council's action several years ago to approve construction of a grocery store or strip center on Lot 7. Council member Howell asked Mr. Brenan how that would be affected by approval of the driveway. Mr. Brenan said that, if it went through the ARC process, it is either expired or it is still a possibility. Mr. Rietz said that approval of the driveway would not affect the development plans for the property. Council member Huff remembered the matter being on the agenda of the Board of Adjustment because they discussed in detail the parking. She noted that, looking at the schematic of the driveway, it would have an impact on parking. Mr. Rietz said that the size of the building could be reduced if needed when the building permit is applied for. Mr. Brenan commented to Mr. Johnson that the driveway is hypothetical because the exact location has not been determined. Mr. Johnson said that the owner knows it will be very close to where it is shown on the schematic. Council member Huff remarked that the request for the driveway seemed a little premature to her.

The mayor recognized Brother William Dooling of 201 Gladiola Lane who said he was on the Board of Adjustment when the meeting was held that council member Huff referred to. He asked the council to table the item until the file can be reviewed because he remembered that the variance was contingent on certain things.

**Motion:** Councilman Gregory moved to table the agenda item for a future date. Council member Huff seconded the motion. The motion passed unanimously.

D. CONSIDER AND ACT UPON A JOINT ELECTION AGREEMENT WITH BEXAR COUNTY FOR THE MAY 10, 2008, GENERAL ELECTION.

City Secretary Linda Gill clarified for council members that Bexar County had agreed that the Castle Hills council chambers would be the polling place for both early voting and Election Day voting for the May 10, 2008 General Election. She explained that she would still be involved in the election as the City Secretary and that the joint election agreement with Bexar County would apply only to the May 10<sup>th</sup> election and that the council would have to vote on a joint election with Bexar County for any future elections held by the city. She added that other suburban cities, such as Alamo Heights, Shavano Park, and Hollywood Park that held joint elections last year were very pleased and saved a substantial amount of money. She confirmed that, if the city did not have any election, there would be no cost; but citizens of Castle Hills could still vote at the Council Chambers for any county or school district items.

**Motion:** Councilman Howell moved to approve the joint election agreement with Bexar County for the May 10, 2008 General Election. Seconded by council member Huff, the motion passed with a unanimous vote.

V. NEW BUSINESS

A. PRESENTATION FROM SAN ANTONIO WATER SYSTEM OF THEIR LOCAL BENEFIT AREA SEWER EXTENSION PROGRAM AND DISCUSSION OF REQUIREMENTS FOR SEWER CONNECTION.

Dwayne Rathburn, manager of Program Planning for San Antonio Water System (SAWS), gave a Power Point presentation of sewer service options available to Castle Hills homeowners, who are on a septic tank system. He described the triggers that require a change from septic to sewer service, explained what the customer is responsible for and what SAWS is responsible for, and discussed options to implement the change from septic to sewer.

Susana Rios of 118 Dogwood asked if there is a grant or some kind of funding to help residents defray the cost of hooking up to the sewer system from a septic tank. Mr. Rathburn said he did not know of any.

Kevin Berry of 119 Dogwood raised the question of a conflict between the city's and SAWS' requirements for hooking up to the sewer because SAWS requirements would allow the sale of his father's house without

connecting to the sewer system. The mayor responded that there is no conflict with SAWS, that the county sets the regulations. She stressed that the city's ordinance overrides the county's requirements.

Cruz Mendoza of 107 South Winston said he is on a septic tank, and most of the area around him is on septic tanks. He asked how they can tie into the sewer if there is no sewer around. Mr. Rathburn explained that Mr. Cruz would be responsible for the cost of the infrastructure necessary to tie into the nearest SAWS sewer main.

Trey Batchelder of 245 Fox Hall Lane questioned what would happen if a property has to hook up to the sewer, but has no natural gravity flow to the nearest SAWS sewer. As far as the county goes, Mr. Rathburn said any questions would have to be directed to them; but they would look at the situation very closely. He said that they have shown some flexibility in the past. Mayor Harper said that the city ordinances are the city ordinances, and the county will not override them.

William Beuhler of 124 Cas Hills said he thought the shared cost among property owners to hook up to the sewer should be according to the linear feet of the lot and not the number of lots to make it more equitable. Mr. Rathburn said that the number of lots is the way the policy is written, and SAWS has to follow the policy until it is changed.

The mayor thanked Mr. Rathburn for coming and asked him to leave extra cards in case people wanted to call him. No action was taken.

The mayor announced a 10 minute break at 7:50 p.m. The council reconvened at 8:09 p.m.

## B. REVIEW AND DISCUSSION OF DRAFT STORM WATER MANAGEMENT.

David Givler of Givler Engineering presented an overview of the Storm Water Management Plan and Implementation Program that he submitted to the Texas Commission on Environmental Quality (TCEQ). He briefly explained legislation regarding the Clean Water Act and said that, effective August 13, 2012, the City of Castle Hills has to adopt a Storm Water Management Plan. He discussed the 7 minimum control measures that have to be addressed and said that he put together a proposal that the city can implement. He said that he submitted the plan to TCEQ on February 11, 2008 in order to meet minimum compliance. Mr. Givler said he tried to include required control measures that would minimize the impact on the city. He said the program has to be implemented within the next 4 1/2 years. He added that, even though the program has been submitted to TCEQ, the council can still make changes during that time. Discussion followed among council members, and Mr. Givler answered questions regarding how the plan can be phased in. No action was taken.

- C. CONSIDER AND ACT UPON AN ORDINANCE CALLING AN ELECTION TO BE HELD ON MAY 10, 2008 TO ELECT THREE ALDERMEN AND ADDRESSING MATTERS RELATED TO THE ELECTION.

**Motion:** Council member Huff moved to adopt an ordinance calling an election to be held on May 10, 2008 to elect three aldermen and addressing matters pertaining to the election. Councilman Howell seconded the motion. The motion passed unanimously. The ordinance as approved and passed is captioned as follows:

ORDINANCE NO. 993  
NOTICE OF ELECTION

CALLING AN ELECTION FOR THE CITY OF CASTLE HILLS, TEXAS TO ELECT THREE ALDERMEN; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION, RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; AND PROVIDING AN EFFECTIVE DATE.

*(A copy of Ordinance No. 993 is attached and made a part of the Minutes)*

- D. CONSIDER AND ACT UPON AN INTERLOCAL AGREEMENT FOR DETENTION SERVICES WITH THE CITY OF SAN ANTONIO.

City Manager Rietz explained that the City of San Antonio will bill the city for detention services for Castle Hills prisoners who are held in their detention facility. He said that he and the police chief looked at other options, but none of the alternatives were cost effective. Mr. Rietz said that there is \$15,000 in the budget for detention services; and according to our past use of the San Antonio facility, the cost is estimated to be \$11,000.

**Motion:** Councilman Davis moved to enter into an interlocal agreement with the City of San Antonio for detention services. Seconded by council member Huff, the motion passed unanimously.

- 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.

Mayor Harper pulled this item from the agenda and no action was taken.

F. CONSIDER AND ACT UPON APPOINTMENTS TO THE BOARD OF ADJUSTMENT.

**Motion:** Council member Huff moved to appoint Kathryn Safford as a member of the Board of Adjustment and appoint Pamala Farris and Evangeline O'Sullivan as alternate members of the Board of Adjustment. Councilman Davis seconded the motion. The motion passed unanimously.

G. CONSIDER AND ACT UPON PURCHASING CHRISTMAS DECORATIONS; 30% DISCOUNT IN FEBRUARY.

The city manager said the electrical cost of installing 20 poles would be \$3,000. He said that would include the equipment to plug into, a photo cell, labor, and the first month's electrical cost. He said that CPS Energy owns the poles, so they will install them.

Referring to a catalog of Christmas decorations, the council discussed which decorations to buy.

**Motion:** A general consensus of the council led to a motion by council member Huff. to purchase 17 of Item P-332-C, which is a 4 1/2' candled wreath with 2 vinyl bows. Councilman Howell seconded the motion. The motion passed unanimously.

H. CONSIDER AND ACT UPON CASTING A VOTE IN SUPPORT OF HANK BRUMMETT, CURRENT REPRESENTATIVE ON THE VIA BOARD OF TRUSTEES, FOR A TWO-YEAR TERM FOR THE PERIOD OF JANUARY 1, 2008 THROUGH DECEMBER 31, 2009.

**Motion:** Councilman Gregory moved to cast a vote in support of Hank Brummett for a two-year term on the VIA Board of Trustees beginning January 1, 2008 and ending December 31, 2009. Council member Howell seconded the motion. The motion passed unanimously.

I. SCHEDULING WORKSHOP WITH FINANCIAL ADVISOR.

After a brief conference, the council chose either Tuesday, February 19 or Tuesday, March 4 to schedule a workshop with the financial advisor. Mr. Rietz said he would contact Anne Entriken from First Southwest to confirm one of those dates.

VII. ADJOURNMENT

Mayor Harper adjourned the meeting at 9:25 p.m.

These minutes were approved on the 11<sup>th</sup> day of March, 2008.

APPROVED:

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Marcy Harper, Mayor

ATTEST:

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Linda Gill, City Secretary

APPROVED AS TO FORM:

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Michael S. Brennan, City Attorney