

CITY OF CASTLE HILLS
REGULAR CITY COUNCIL MEETING
MINUTES OF APRIL 8, 2008

The City Council of the City of Castle Hills convened at 6:00 p.m. on the 8th day of April, 2008, at the City of Castle Hills, 209 Lemonwood Drive, Castle Hills, Texas.

The attendance roster included Vera Howard, Bill Martin, Don King, Bruce Smiley, Roxanne Henkin, Monica Simpson, Hilda Draeger, Nina Espinoza, Bill Schluter, Charles Barbera, John G. Mack, William Beuhler, Mark Pardaen, Suzanne Riley, Lesley Wenger, Paul Gowen, LaVerne Japhet, Mary Lou Daugherty, Jennifer Carrera, Henry W. Carrera, Randall and Carol Land, Denise Fuchs, Bret Wosnig, Susan Kilgore, Susana Rios, Brother William Dooling, Stephen McGuire, Al Medina, Robert D. Riley, Richard Wolf, and Ken Graham.

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. Brennan, 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 SPECIAL CITY COUNCIL MEETING HELD ON MARCH 11, 2008.

Motion: Councilman Davis moved to approve the minutes of the special city council meeting held on March 11, 2008. Council member Glass seconded the motion. The motion passed unanimously.

- E. CONSIDER AND ACT UPON THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON MARCH 11, 2008.

Council member Huff moved to approve the minutes of the regular city council meeting held on March 11, 2008. Councilman Davis seconded the motion. The motion carried with a unanimous vote.

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

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

II. ANNOUNCEMENTS

Mayor Harper presented a plaque and a watch to Lieutenant Gabriel Morales who retired March 31, 2008 after 28 1/2 years of service with the City of Castle Hills.

III. CITIZENS TO BE HEARD

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

- Don King of 209 Northcrest said that the heavy traffic on his street has caused fissures and cracks in the pavement, which makes it unsafe to walk at night; and during the day, the traffic is too heavy to walk. He commented that he is embarrassed for visitors to see the condition of Northcrest, and he requested that the street be made one-way to cut down on the volume of traffic. He asked that all traffic laws, ordinances, and rules be enforced so that Castle Hills will once again be a city of beautiful homes.
- Paul Gowen of 103 Northcrest said that he poured the foundation for his home 46 years ago. He asked council members if they believed that Northcrest residents deserve a quiet residential street. He said that, unfortunately, TxDot made Northcrest into a westbound freeway entrance; but he believed, between TxDot and the city council, they could correct that and make it a quiet residential street again.
- David Draeger of 203 Northcrest said he lives at the corner of Northcrest and Banyan. He stated that the stop sign that the city installed at that corner is not working. He showed council members a photograph of the traffic backed up on his street. He said he wanted to see something done, preferably by June 1st. He admitted that he did not know what the answers are. He agreed that closing the street probably would not work. He asked the council to make the street one-way or consider a way to allow only residents access to the street.
- Denise Fuchs of 200 Northcrest said that people are running through the stop sign and flying through Northcrest. She stressed that the police need to patrol the street and issue tickets to violators, which would maybe slow drivers down.
- Joyce Buie of 222 Carolwood suggested that the city needed to stripe the street around the stop sign to draw more attention to it. She asked the council to look into that. She also thanked Lieutenant Morales for being a friend and doing such a good job for the city for so many years.

- Randall Land of 106 Peg Sue said that there is a drainage ditch behind his house that never goes dry. He asked that the council approve mosquito control again this year.

IV. REPORTS

- Lesley Wenger reported that BexarMet had not voted on the proposed rate increase. She said Frank Corte, chairman of the Legislative Oversight Committee called a meeting for April 21st at Concordia Gym at Huebner and Loop 1604. She urged everyone who opposes the rate increase to attend the meeting.
- City Manager Mike Rietz presented the March, 2008 Investment Report.
- Assistant City Manager Rita Hoyl reported on Building and Health Inspections and Code Enforcement activities in March, 2008.
- Chief Donny Davis gave the March, 2008, Police Activity and STEP reports. He cautioned about mail theft that is going on and warned residents to avoid using their mailbox with the flag up. Brief discussion regarding the traffic situation on Northcrest ended when the mayor said it could be put on the May agenda.
- Chief Jerry Riedel gave the Fire Incident and Activity Report for the month of March, 2008.
- Public Works Director Rick Harada gave the March, 2008, Activity Report for his department.
- Court Administrator Wendy Reyes reported on the March, 2008, Municipal Court activity. Councilman Howell thanked Ms. Reyes for the 20% increase in court collections.

V. OLD BUSINESS – None

VI. NEW BUSINESS

- A. CONSIDER AND ACT UPON A RESOLUTION COMMENDING POLICE LIEUTENANT GABRIEL MORALES UPON HIS RETIREMENT FOR 28 1/2 YEARS OF SERVICE WITH THE CITY OF CASTLE HILLS.

Motion: Councilman Howell moved to pass the resolution commending Police Lieutenant Gabriel Morales, upon his retirement, for 28 1/2 years of service with the City of Castle Hills. Councilman Gregory seconded the motion. The motion passed unanimously. The resolution as passed and approved is captioned as follows:

RESOLUTION NO. 0804-01

A RESOLUTION COMMENDING GABRIEL MORALES ON 28-1/2 YEARS OF LOYAL EMPLOYMENT AS POLICE OFFICER OF THE CASTLE HILLS POLICE DEPARTMENT AND HONORING GABRIEL MORALES FOR 28-1/2 YEARS OF FAITHFUL AND DEDICATED SERVICE TO THE RESIDENTS OF THE CITY OF CASTLE HILLS.

(A copy of Resolution No. 0804-01 is attached and made a part of the Minutes)

- B. CONSIDER AND ACT UPON APPROVAL OF A REPLAT OF A PORTION OF WEST OAKS OF CASTLE HILLS PLANNED UNIT DEVELOPMENT SUBDIVISION, COMBINING LOTS 28 AND 29, AND CREATING LOT 43, BLOCK 10 C.H.C.B. 213.

Sam Bledsoe of MBC Engineers explained that two lots were replatted into one, and the owner Richard Wolf plans to build one house on the new Lot 43.

Motion: Councilman Howell moved to approve the replat of Lots 28 and 29, and creating Lot 43, Block 10 C.H.C.B. 213 contingent on adding a note indicating the point of beginning on the plat and the receipt of all letters of certification from the various utilities. Seconded by council member Gregory, the motion carried with a unanimous vote.

- C. CONSIDER AND ACT UPON THE RECOMMENDATION OF THE ZONING COMMISSION FOR AN APPLICATION TO CONDUCT AUTO SALES AT AUTO-ONE CONCEPTS LOCATED AT 7121 BLANCO ROAD.

Mark Peak, owner of Auto-One Concepts, explained that he has owned the business 10 years and has operated an auto detail shop. He said that his largest client recently decided to do his entire auto detailing in-house. He indicated that he hoped to offset the lost revenue by selling cars over the internet and was requesting a Special Use Permit. Mr. Peak responded to questions from council members concerning security, lighting, and signs advertising the cars. He said the signs placed on the windshields of the cars would be 2' X 2' and would indicate prices.

Motion: Council member Huff moved to approve granting the Special Use Permit as recommended by the Zoning Commission to conduct auto sales at Auto-One Concepts located at 7121 Blanco Road with the following conditions: the permit will expire when the business ceases to be operated by the current owner, no more than seven cars will be stored on the property at one time, and the signs displayed on the cars will be

no larger than 2' X 2.' Councilman Howell seconded the motion. The motion passed unanimously. An ordinance approved and passed is captioned as follows:

ORDINANCE NO. 994

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO MARK PEAK D/B/A AUTO-ONE CONCEPTS FOR THE SALE OF AUTOMOBILES AT 7121 BLANCO ROAD.

(A copy of Ordinance No. 994 is attached and made a part of the Minutes)

D. CONSIDER AND ACT UPON APPROVAL OF LAUNCHING THE REBUILT CITY WEB SITE.

City Manager Rietz displayed the web site home page on the council chambers wall. Discussion ensued regarding the photographs on the masthead of the home page. Councilman Davis pointed out that the web site is a work in progress and can be changed and tweaked over time. Council members voiced their opinions, and there was basic disagreement among them regarding what the subject of pictures should be. Council member Huff stated that they needed to decide whether they want pictures of an office building in Castle Hills, or pictures of a city building.

Council member Howell said he liked what was there now.

Susana Rios of 118 Dogwood suggested to Council that citizens be asked to hand in pictures that the council could pick from.

The mayor suggests tabling the item until May.

Bill Martin of 113 Cobblestone suggested a picture of the “castle on the hill” that gave the city its name. He clarified that he was referring to the lodge on Lockhill-Selma.

Councilman Gregory remarked that waiting one more month would not harm anything.

Brother William Dooling of 201 Gladiola Lane commented that he did not find the masthead attractive. He indicated the most distinctive building in Castle Hills would be a residence, but which one would be difficult to choose.

Changes and maintenance of the website was discussed by the council. Ms. Hoyle recalled that Councilman Gregory had decided that Mr.

Honigblum would maintain it the first year, and then staff would take over. The mayor said to do whatever is in the minutes.

Motion: Council member Howell moved to accept and launch the website as presented and designate the city manager as the main contact with the webmaster regarding maintenance of the site. Council member Huff seconded the motion. The motion carried with a vote of 3 to 2. Council members Howell, Glass, and Huff voted in favor of the motion. Council members Davis and Gregory voted against the motion.

VII. E. CONSIDER AND ACT UPON AN ORDINANCE REVISING SECTION 20.101 OF THE MUNICIPAL CODE.

The city manager said that the city cannot issue a building permit to a resident who is within 200 feet of a city sewer, but not connected to the sewer. That means a resident cannot get a building permit to fix his roof unless he hooks up to the sewer first. Mr. Rietz said Section 20.101 is too restrictive, and he recommends removing the words “building permit.”. He said it is also inconsistent with Section 5.304 which forces hooking up to the sewer if the property is sold. Mr. Brennan said he agreed with the city manager’s recommendation. Council members discussed the impact of making the change.

Brother Dooling of 201 Gladiola Lane suggested cross referencing the two sections by language that tells when connecting to the sewer applies and when it doesn’t.

Councilman Gregory suggested that the building permit was put in there deliberately. The ordinance was adopted in 1961 when most houses were probably still on septic tanks. He said maybe the city was trying to prevent people from adding on to houses, making them larger and allowing more people to live there.

Mayor Harper said that the words can be removed, as long as it doesn’t change the city’s position of requiring a hook-up to the sewer when a house is sold that is within 200 feet of the public sewer line.

Motion: Council member Huff moved to approve an ordinance revising Section 20.101 of the Municipal Code by removing the words, “building permit.” Councilman Davis seconded the motion. The motion carried 4 to 1. Councilman Gregory opposed the motion. The ordinance as approved and passed is captioned as follows:

ORDINANCE NO. 995

AN ORDINANCE AMENDING CHAPTER 20, SEWER SERVICE , SECTION 20.101 OF THE CODE OF ORDINANCES BY REMOVING THE WORDS “BUILDING PERMIT”

(A copy of Ordinance No. 995 is attached and made a part of the Minutes)

F. CONSIDER AND ACT UPON DETERMINING WHETHER MOSQUITO CONTROL WILL BE PROVIDED BY THE CITY OF CASTLE HILLS.

The mayor said this item was a budget item, and the council decided last year to provide mosquito control; although, she opposed it because of the chemicals.

Councilman Gregory remembered that last year there was a lot of rain, and they didn't decide to spray until later in the summer. This year has seen little rain. He indicated that it was very premature to decide now.

Mayor Harper commented that there are certain times of the year that you spray, and you spray 2-3 times. She recalled that the city sent out postcards ahead of time to inform residents when the spraying would be done.

Council member Huff said she was pleased with the spraying, and especially pleased that postcards were sent out to warn people.

Councilman Davis said that Texas A & M recommends a regular program of spraying when there is a large age spread in the population.

Steve McGuire of 103 Zornia said that his position was the same as last year. He said that mosquitos did decrease around his house after the spraying. He reiterated that there needs to be a regular program of spraying every year.

Susana Rios of 118 Dogwood said that she never really saw a difference last year and never saw the spray come down her street. She also expressed her concern that they spray the chemicals that they say they are going to spray.

Jennifer Herrera of 120 Atwater spoke against spraying and said that she did not think it was worth it.

Motion: Councilman Howell moved to approve that mosquito control be provided by the City of Castle Hills and that postcards be sent out to residents in advance to warn them of the times. Council member Huff seconded the motion. The motion passed unanimously.

VII. EXECUTIVE SESSION

A. THE CITY COUNCIL WILL CONVENE IN CLOSED SESSION AS AUTHORIZED BY SEC. 551.071 OF THE TEXAS GOVERNMENT

CODE FOR CONSULTATION WITH THE CITY ATTORNEY TO
DISCUSS CONTEMPLATED LITIGATION REGARDING 143
HONEYSUCKLE.

The city council retired to Executive Session at 8:00 p.m.

VIII. ADJOURNMENT

The city council reconvened in Open Session at 8:40 p.m. There was no
action taken, and Mayor Harper adjourned the meeting.

These minutes were approved on the 13th day of May, 2008.

APPROVED:

Marcy Harper, Mayor

ATTEST:

Linda Gill, City Secretary