

CITY OF CASTLE HILLS
REGULAR CITY COUNCIL MEETING
MINUTES OF APRIL 14, 2009

The City Council of the City of Castle Hills convened at 6:00 p.m. on the 14th day of April, 2009, in the Council Chambers of the City of Castle Hills, 209 Lemonwood Drive, Castle Hills, Texas.

The attendance roster included Susan Kilgore, William and Helen Schluter, Jim Poage, Betty Chandler, Brother William Dooling, Evangeline O'Sullivan, LaVerne Japhet, Bill Martin, Xavier Flores, Robbie Casey, Mr. & Mrs. Chris Leone, John Coyle, Frank Paul, April Lazri, Don Elliott, Vera Howard, Joe Rodriguez, Edwina Cantu, Dan O'Brien, Joan Buerschinger, William Beuhler, Linda Johns, Steve McGuire, Pamala Farris, Bob Earl, Roberto Gonzalez, Dennis Skruhak, Richard Szecsy, Marty Steelman, George Soo, May Soo, Cruz and Connie Mendoza, Nadine Timlin, and Terry Carter.

I. OPENING

- A. QUORUM - Present and composing a quorum of the City Council were Mayor Marcy Harper, Tim Howell, Douglas Gregory, Marcella Huff, Tom Davis, and Bruce Smiley.
- B. Staff present was City Manager Mike Rietz, 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.
- C. INVOCATION – Bill Martin
- D. PLEDGE OF ALLEGIANCE – William Beuhler
- E. CONSIDERATION OF THE MINUTES OF THE CITY COUNCIL MEETING HELD ON MARCH 10, 2009.

Motion: Council member Huff moved to approve the minutes of the council meeting held on March 10, 2009. Councilman Smiley seconded the motion. The motion passed unanimously.

- F. CONSIDER AND ACT UPON THE TREASURER'S REPORT FOR THE MONTH OF MARCH, 2009.

Motion: Councilman Gregory moved to approve the March, 2009 Treasurer's Report. Council member Howell seconded the motion. The motion passed unanimously.

II. CITIZENS TO BE HEARD

Joe Rodriguez of 110 South Gardenview requested information on the status of the Batchelder lawsuit.

Joyce Buie of 222 Carolwood reported on the success of the Easter egg hunt held on the Commons the Saturday before Easter and announced that the first *Movie Night* would be held on May 16 on the Commons at 7:00 p.m.

III. REPORTS

- City Manager Mike Rietz presented the March, 2009 Investment Report.
- In the absence of Assistant City Manager Rita Hoyl, Mr. Rietz presented the March, 2009 Building and Health Inspections; Code Enforcement Activities.
- Police Chief Donny Davis gave the March, 2009 Police Activity and STEP Report. Council member Smiley requested that Chief Davis include Year to Date totals on his monthly report. Mayor Harper read a letter from residents at 207 Honeysuckle commending and thanking the police department for their handling of a burglary at their house.
- Fire Chief Jerry Riedel presented the March, 2009 Fire Incident and Activity Report.
- Public Works Director Rick Harada gave the March, 2009 Activity Report for his department. He held up the metal identification letters for the Carolwood monument sign. The metal work was donated by Carlton Catalani of 212 Carolwood.
- Court Administrator Wendy Reyes presented the Municipal Court Activity Report for March, 2009.

IV. OLD BUSINESS

A. CONSIDER THE RECOMMENDATIONS OF THE ZONING COMMISSION ON AN APPLICATION FROM THE BOY SCOUTS OF AMERICA FOR A SPECIAL USE PERMIT FOR THE USE OF THE MCGIMSEY SCOUT PARK FACILITY.

John Coyle, Agency Director of the Alamo Area Council of Boy Scouts, said that he had looked over the proposed ordinance giving McGimsey Park a Special Use Permit (SUP). He said that it seemed too limited with regard to the park's use by all groups other than the Boy Scouts. He mentioned that the park had been used occasionally by disabled veterans, the Antonian High School Cross Country Team, a YMCA group and church groups. Mr. Brennan read the deed for clarification and explained that the same wording was used in the SUP. He said that

language was also included to require that building projects on the property would be subject to ARC review and recommendation.

Bill Martin of 113 Cobblestone related that the McGimsey will was very specific that the property was to be used for Boy Scouts only, or it becomes the property of the City of Castle Hills as a park only.

Although Mr. Coyle stated that the Boy Scouts had no plans for field lighting, that most activities are conducted during daylight hours; council members discussed wording to limit any additional lighting which may infringe on surrounding properties.

Motion: Further discussion among council members led to a motion from Councilman Smiley to approve the Special Use permit, deleting the words *or used* under restriction number three (3) and changing the word *field* to *stadium* in front of the word lighting, under restriction number five (5), for the Alamo Area Council of Boy Scouts for the use of the McGimsey Scout Park facility. Councilman Davis seconded the motion. The motion carried 3-2 with council members Davis, Smiley, and Howell voting in favor of the motion and council members Gregory and Huff voting against the motion. The ordinance as passed and approved is captioned as follows:

ORDINANCE NO. 1018

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO THE ALAMO AREA COUNCIL OF THE BOY SCOUTS OF AMERICA FOR OPERATION OF A BOY SCOUT CAMP AT THE MCGIMSEY SCOUT PARK.

(A copy of Ordinance No. 1018 is attached and made a part of the Minutes)

B. CONSIDER AN ORDINANCE AMENDING THE AUTHORIZED HOURS FOR LANDSCAPING RELATED ACTIVITY ON THE WEEKENDS.

City Manager Rietz referred to discussion at the previous council meeting and explained that the proposed ordinance would restrict the weekend hours that commercial landscaping activity could be done, allowing an exemption for properties that are not within 75 feet of residential properties.

Motion: Councilman Davis moved to approve the amendment to authorized hours for landscaping related activity on the weekends. Council member Gregory seconded the motion. The motion passed unanimously. The ordinance as passed and approved is captioned as follows:

ORDINANCE NO. 1019

AN ORDINANCE AMENDING CHAPTER 5, BUILDING AND BUILDING CODE, BY AMENDING SECTION 5.206, AUTHORIZED HOURS OF CONSTRUCTION.

(A copy of Ordinance No. 1019 is attached and made a part of the Minutes)

- A. CONSIDER ERECTING CPS LIGHT POLES IN RESIDENTIAL AREAS AND POSTPONE NORTHWEST MILITARY HIGHWAY LOCATIONS.

Roland Hinojosa from CPS Energy plugged in a sample street light and displayed it on the council dais. He said that it was a 16' pendant light used in residential areas mainly at corners and mid-block. Mr. Rietz explained that the city could have 59 pendant street lights at \$12,000 per light installed with the current CEID funds.

Mr. Hinojosa answered the council's questions. Council member Huff stressed the need to be careful and work at getting the most for the money.

Terry Carter of 125 South Winston Lane discussed the potential increase in the city's electric bills. She read a letter and a five page report by Steve Ackley regarding the ramifications of expense and light pollution generated by the installation of the lights.

Motion: Council member Huff moved to approve erecting the CPS light poles in residential areas and postpone Northwest Military Highway locations. Councilman Gregory seconded the motion. The motion passed unanimously.

V. NEW BUSINESS

- A. PUBLIC HEARING ON THE REQUEST FOR A RE-PLAT OF BLOCK 1, LOTS 4,5,6 & 19 OF CASTLE HILLS ADDITION SUBMITTED BY GERRY SOLCHER AND THE CASTLE HILLS FIRST BAPTIST CHURCH AND CONSIDERATION BY THE CITY COUNCIL OF THE REQUEST AFTER THE PUBLIC HEARING. **THIS MATTER WAS POSTPONED TO THE MAY 12, 2009 CITY COUNCIL MEETING.**
- B. DISCUSSION OF TURN-AROUND TRAFFIC AFFECTING SOUTH GARDENVIEW.

Mr. Rietz indicated that he had talked to TxDOT about what could be done to alleviate the problem of the turn-around traffic on Gardenview. He said that their suggestion was to take down the *No U-Turn* signs on Northwest Military or eliminate left turns onto Gardenview from Northwest Military. Councilman Smiley confirmed that a *No U-Turn* sign could be enforced there and suggested surveying the residents on Gardenview. Mayor Harper indicated that a letter should be sent to residents for suggestions. Council member Huff agreed that they needed to find out what citizens who live on Gardenview think.

Joe Rodriguez of 110 South Gardenview discussed whether all options were being utilized and suggested that the council should consider that.

Dennis Skruhak of 112 South Gardenview said that, due to confusing signs on Loop 410, people were missing the San Pedro exit. He suggested that better signage might help solve the problem.

April Lazri of 102 South Gardenview said that she was affected the most. Her driveway had been destroyed by cars and big trucks turning into her driveway.

Marty Steelman of 103 South Gardenview said that residents have dealt with the problem for years, and they would appreciate anything City Council can do.

Councilman Davis recommended that the city manager get with the residents on Gardenview and decide what to do.

Councilman Smiley said that the only thing City Council can do is have the city manager meet with TxDOT.

The general consensus of the council was to authorize the city manager to conduct a full block survey of the residents and consider a solution and what the resulting impact would be. No action was taken.

C. AUTHORIZATION TO PAY RECYCLING CHARGES.

Councilman Gregory asked the city attorney what could be done or what kind of contract was needed to protect the city from being billed for recyclable items picked up from residents. Mr. Brenan said that the city has committed to recycling and should continue to do it. He added that there is no contract, and the cost is a little cheaper than the landfill. He advised paying the bills, or the company will stop picking up the materials.

Motion: Councilman Gregory moved to authorize payment of recycling charges on the previous bill, the current bill, and one future bill. Council member Howell seconded the motion. The motion passed unanimously.

VI. ADJOURNMENT

Mayor Harper adjourned the meeting at 7:55 p.m.

These minutes were approved on the 12th day of May, 2009.

APPROVED:

Marcy Harper, Mayor

ATTEST:

Linda Gill, City Secretary