

CITY OF CASTLE HILLS  
REGULAR CITY COUNCIL MEETING  
MINUTES OF JULY 13, 2010

The City Council of the City of Castle Hills convened at 6:30 p.m. on the 13<sup>th</sup> day of July, 2010, in the Council Chambers of the City of Castle Hills, 209 Lemonwood Drive, Castle Hills, Texas.

The attendance roster included Jeanne Geiger, Bill Schluter, Helen Schluter, Tim Turner, William Beuhler, Pamala Farris, Patricia Cruz, Terry Carter, Jackie Ackley, Donald Harris, Sichan and Martha Siv, Brother William Dooling, Christina Davis, Dennis Skruhak, Cindy Skruhak, Delia Arellano, Grace Delgado, K London, A.D. Shaw, Ann Shaw, Bill Martin, Lesley Wenger, Tom Gleason, Helen Glass, Marianne Huizar, Suzanne Riley, Wendy Reyes, Eva Cox, LaVerne Japhet, Linda Johns, Jim Poage, Joan Buerschinger, Lloyd and Marty Steelman, and Robert D. Riley.

I. OPENING

A. QUORUM

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

Staff present was Interim City Manager Rita Hoyl, 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. CONSIDERATION OF THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD JUNE 8, 2010.

***Motion:*** Councilman Smiley-Kaliff moved to approve the minutes of the special city council meeting held June 8, 2010. Council member Gregory seconded the motion. The motion passed unanimously.

E. CONSIDERATION OF THE MINUTES OF THE CITY COUNCIL MEETING HELD JUNE 8, 2010.

**Motion:** Council member Davis moved to approve the minutes of the council meeting held June 8, 2010. Councilman Smiley-Kaliff seconded the motion. The motion carried 4-0. Council member McGuire abstained.

F. CONSIDERATION OF THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD JUNE 30, 2010.

Council member Huff moved to approve the minutes of the special city council meeting held June 30, 2010. Councilman Davis seconded the motion. The motion carried 4 to 0. Councilman McGuire abstained.

G. CONSIDER AND ACT ON THE TREASURER'S REPORT FOR THE MONTH OF JUNE, 2010.

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

## II. ANNOUNCEMENTS

- A. Council member Huff gave an update on the search for City Manager, reporting that she was in the process of scheduling interviews. She said that William Schluter will do job descriptions for the city, since the search for an intern was unsuccessful.

Councilman Davis announced the Fun Run to be held on July 24<sup>th</sup> and said that he would sponsor and pay the fees for any city employee who participates.

Council member Huff invited citizens to attend the upcoming budget workshops in August and contribute their thoughts and ideas concerning next year's budget.

## III. CITIZENS TO BE HEARD

Jim Poage of 117 Fox Hall Lane announced that the legislature will be convening at the first of the year. He advised everyone to look at the legislative agenda, which contains items that will affect the city.

Tim Turner of 124 Herwick spoke of his complaint against a neighbor, which has been reported to the city. He described the property and its poor condition and asked the city council to help remediate the problem.

Arthur Shaw of 126 Danube Drive said that he spoke on behalf of all residents on Danube Drive, and they would like something done about speeding cars on their street. He said that it is being used as a cut-through street. He referred to a

petition of 14 people on the street that want either a stop sign at Riviera and Danube or speed bumps to slow traffic.

Tom Gleason of 209 Carolwood commented that he has lived in Castle Hills for two years, and his street is like a speedway. He urged passage of the *25 miles per hour* speed limit.

Terry Carter of 125 South Winston Lane said that her street also has a speeding problem, and she supports the *25 miles per hour* speed limit.

#### IV. REPORTS

- Lesley Wenger gave an update on BexarMet, discussing rates and how they were set, reducing the system improvement fee or incorporating it in the water rate, and equalizing the commercial rate to the residential rate. She said a public hearing was held concerning a proposed 9% rate increase. Bill Martin of 113 Cobblestone Court said that he attended the hearing. He indicated that he is not opposed to a rate increase, but is opposed to an escalation in the rate based on water usage. He said that it should be an increase for everyone. Ms. Wenger said the Board is due to vote on July 30<sup>th</sup>.
- City Attorney Michael Brenan reported that Attorney Fred Jones is working on the Castle Hills vs. Batchleder case. He indicated that a petition has been prepared, and the case is moving forward.
- Interim City Manager Rita Hoyl presented the June Investment Report, Building and Health Inspections, Code Enforcement Activities, and Municipal Court Activity Report for June, 2010.
- Police Chief Davis gave the June, 2010, Police Activity Report, STEP Report. Captain Wayne Davis introduced new police officers Jim Cheatham and Bobby Garza.
- Fire Chief Riedel gave the June, 2010, Fire Incident and Activity Report.
- Public Works Director Harada gave the June, 2010, Activity Report for his department.

#### V. OLD BUSINESS

- A. CONSIDER AND ACT UPON 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 FRONT YARDS IN ZONE 1.

Councilman McGuire commented that it looks like the city council is dictating to the Zoning Commission with this agenda item. Council member Smiley-Kaliff explained that he suggested this item because of the problems in Zone 1, and also, at the direct request of residents. Councilman McGuire responded that the Zoning Commission should initiate it. Council member Huff remarked that the item was worded incorrectly and should be worded to say the *Zoning Commission to review*, not *to recommend*.

In answer to questions from council members, Mr. Brennan confirmed that the wording in the zoning code says that the property owner can ask for a zoning change. Fees for zoning applications were discussed as a possible problem. Council member Huff commented that she felt it is a Board of Adjustment issue and should be dealt with on a case by case basis.

LaVerne Japhet of 12 Shady Cove said that she was not sure that the city has zones within the zoning code.

Bill Schluter stated that Zone 1 does not lend itself to 6' fences in the front yard. He said a variance is a request to be considered. He spoke against the issue.

Linda Johns of 117 Fox Hall Lane said that, as a citizen, she can ask City Council to make a recommendation to the Zoning Commission, and she said that it needs to be looked at.

Katherine London of 156 Trillium asked City Council to be all inclusive of the request, to recommend for the whole city.

Martha Siv of 119 Fox Hall Lane asked that past decisions of the Board of Adjustment be considered.

Discussion ended with a motion from council member Smiley-Kaliff to ask the Zoning Commission to review the current ordinance and make a recommendation concerning fencing height and fencing materials for front yard fences and the fees charged for a Board of Adjustment hearing. The motion died for lack of a second.

*Mayor Harper announced a break at 8:00 p.m. The council reconvened at 8:10 p.m.*

## VI. NEW BUSINESS

- A. CONSIDER AND ACT UPON APPOINTING NEW MEMBERS TO THE STREET LIGHT COMMITTEE.

Mayor Harper recommended Gail Richmond of 303 Caladium.

**Motion:** Councilman Smiley-Kaliff moved to approve the appointment of Gail Richmond to the Street Lighting Committee. Councilman Davis seconded the motion. The motion passed unanimously.

B. CONSIDER AND ACT UPON APPOINTING A NEW MEMBER TO THE BUILDING CODE REVIEW COMMITTEE.

Councilman Gregory explained that Ms. Pfeil resigned, and he would like to recommend Frank Paul. Council member Smiley-Kaliff recommended Juan F. Solis.

**Motion:** Council member Gregory moved to appoint Frank Paul and Juan Solis as new members of the Building Code Review Committee. Councilman Davis seconded the motion. The motion passed unanimously.

C. CONSIDER AND ACT UPON APPOINTING MEMBERS TO THE FIESTA COMMITTEE.

**Motion:** Upon the mayor's recommendation, Councilman Smiley-Kaliff moved to appoint Rick and Marianne Huizar to the Fiesta Committee and appoint Tom Davis as council liaison. Council member Huff seconded the motion. The motion passed unanimously.

D. MRS. WALDMAN'S EVALUATION OF THE ADMINISTRATIVE DEPARTMENT.

The mayor introduced Rebecca Waldman, former city manager at Alamo Heights, who was asked by the council to evaluate the city's administrative department. Ms. Waldman explained that her report includes what all cities need, no matter how small. She said her evaluation resulted from interviews with staff and review of job descriptions, city council packets, minutes, the website, newsletters, and other materials. Ms. Waldman said that she observed the workflow, customer service interactions, and workspace configurations.

Ms. Waldman's recommendations included filling the city manager position as soon as possible with someone who has experience and knowledge in municipal finance, human resources, capital project management, community planning, economic development, and policy development and analysis. She explained the need for hiring a permanent full time fiscal officer, allowing the city secretary to function as a city secretary, training the Assistant City Manager or City Secretary in Human Resources, reducing temporary part-time Administrative Assistants from 3 to 2 and consider transitioning them to permanent full

time employees, and implementing a new organizational structure. Other recommendations were to contract for financial consulting services, to evaluate the Asyst financial software and to consider moving to Incode's core financial modules, to contract for records management consulting services, and to address workspace issues.

Ms. Waldman said that she was aware of the city's budget constraints and indicated her recommendations are not actions to be taken this year, but to implement over the next few years.

E. CONSIDER AND ACT UPON AN AMENDMENT TO THE FY 2010 CRIME CONTROL & PREVENTION DISTRICT BUDGET.

Ms. Hoyl explained that the budget amendment is needed to purchase a new STEP vehicle to replace the current 2006 Ford Crown Victoria. She said that the Crime Control board voted unanimously to purchase a Chevrolet Tahoe for a price not to exceed \$26,751.75.

***Motion:*** Council member Huff moved to approve the amendment to the FY 2010 Crime Control & Prevention District budget. Councilman Smiley-Kaliff seconded the motion. The motion passed unanimously.

F. CONSIDER AND ACT UPON AMENDING THE FY 2010 CITY BUDGET IN THE AMOUNT OF \$1,606 FOR PAYMENT OF AUDIT SERVICES.

Ms. Hoyl explained that, due to unforeseen items that added to the time spent completing the audit, an amendment to the \$12,000 budgeted is needed. The general consensus of the council was that the auditor should have requested a change order when it was apparent that the audit was going to exceed the quote.

***Motion:*** Council member Smiley-Kaliff moved to deny amending the budget for audit services. Councilman Gregory seconded the motion. The motion passed unanimously.

G. CONSIDER AND ACT UPON ENTERING INTO A PROFESSIONAL SERVICES AGREEMENT WITH WARRANT OFFICER FOR COLLECTION OF MUNICIPAL COURT WARRANTS.

Ms. Hoyl explained that the warrant officer has been working for the city collecting warrants since August of 2009 without an agreement. She said that, currently, the warrant officer is collecting his fee when he processes a warrant, whether he collects the warrant amount in full or collects a partial bond. Ms. Hoyl said that she recommends an agreement

that the warrant officer will be paid upon conviction of the defendant or upon collection of the fine in full when it is served.

Brother William Dooling of 201 Gladiola Lane said that there were some problems with the language in the proposed agreement. He explained that the state is the real collector of fines, and the bonds collected have nothing to do with the city. He said that the city can be as creative as desired in paying the warrant officer. He suggested a tiered payment agreement.

Mayor Harper recommended that Brother Dooling and Ms. Hoyl and Mr. Brenan get together to review the agreement and bring it back to the council in September.

***Motion:*** Council member Smiley-Kaliff moved to postpone action on the agreement until the September regular council meeting. Council member Huff seconded the motion. The motion passed unanimously.

#### H. DISCUSSION ON THE CITY'S PERMITTING PROCESS.

Upon the suggestion of council member Huff, Mayor Harper postponed the discussion of the city's permitting process until the August meeting.

#### I. DISCUSSION ON IMPLEMENTING AN ARCHITECTURAL REVIEW BOARD TO ADDRESS RESIDENTIAL CONSTRUCTION.

***Motion:*** Council member Smiley-Kaliff moved to postpone discussion on the Architectural Review Board for residential construction until the August regular council meeting. Council member Huff seconded the motion. The motion passed unanimously.

#### J. DISCUSSION ON REDUCING THE SPEED LIMIT TO 25 MPH ON THE CITY'S RESIDENTIAL STREETS.

Mayor Harper opened discussion by relating that all areas of the city have a problem at one time or other with speeding on city streets. She recommended that the speed limit throughout Castle Hills be 25 on all city streets. Mr. Brenan said that Joe Stroud in Alamo Heights just pushed through a new state law that allows cities to post and enforce a 25 mph speed limit on two-lane, residential streets. He confirmed for the council that it is okay to erect signs on only the streets that are entrances to the city to avoid having to replace all the current speed limit signs. He said that is what Olmos Park did. Mayor Harper said that they need to do something for the residents; and this would be something that they would not have to spend a lot of money on, which is wonderful.

Councilman Davis asked that it be put on next month's agenda as an action item.

**K. DISCUSSION ON ACCESS RESTRICTION OPTIONS ON SOUTH GARDENVIEW.**

The mayor said that she had witnessed, in 15 or 20 minutes time, about 15 cars turn on Gardenview and do a u-turn in the middle of the street, or turn around in a driveway, to gain access to westbound Loop 410. She said it has been a problem for a long time and there is now a report on it, and it's open for discussion. Council member Smiley-Kaliff said that he attended the meeting, and he related several options to consider. Tuff Curb and delineators were two options discussed. He suggested that whatever they decide on, they should pass an ordinance to enforce it.

Mr. Brennan clarified that all residents on the street would not have to be notified because the street isn't being closed. Mayor Harper expressed concern that, if the street access is restricted, some residents who are unaffected by the problem may be upset.

Grace Delgado of 106 South Gardenview said that people living near the school do not have a problem, and she doesn't think they will agree to it. She said that TxDot should do something.

Cindy Scruhak of 112 South Gardenview said that TxDot did put up a sign, but it was a sign for people going eastbound, not westbound. If the sign had been put on the westbound and eastbound lanes, it would have worked.

Lloyd Steelman of 103 South Gardenview recommended a concrete island.

Delia Arellano said that she has a circular driveway, and people use it to turn around when her kids are playing in the driveway.

Mayor Harper indicated that the matter would be put on the agenda for action in August, or September at the latest.

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

Councilman Smiley-Kaliff asked to postpone this item until the November meeting.

VII. ADJOURNMENT

Mayor Harper adjourned the meeting at 9:50 p.m.

These minutes were approved on the 10<sup>th</sup> day of August, 2010.

APPROVED:

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Marcy Harper, Mayor

ATTEST:

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Linda Gill, City Secretary