

CITY OF CASTLE HILLS
REGULAR CITY COUNCIL MEETING
MINUTES OF NOVEMBER 10, 2009

The City Council of the City of Castle Hills convened at 6:00 p.m. on the 10th day of November, 2009, in the Council Chambers of the City of Castle Hills, 209 Lemonwood Drive, Castle Hills, Texas.

The attendance roster included L. David Givler, LaVerne Japhet, Frank Paul, Pamala Farris, Walt and Cecile Graham, Joni Simon, Pat Butler, Karen Sexton, Dacoda Sexton, Don Harris, Patricia Cruz, Dan O'Brien, Bill Martin, Susan Kilgore, Joan Buerschinger, Helen Schluter, Kurt May, and Gilbert Cruz.

I. OPENING

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

Staff present was Interim City Manager Rita Hoyl, 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.

- B. INVOCATION – Bill Martin

- C. PLEDGE OF ALLEGIANCE – LaVerne Japhet

- D. CONSIDERATION OF THE MINUTES OF THE CITY COUNCIL MEETING HELD OCTOBER 13, 2009.

Motion: Council member Huff moved to approve the minutes of the city council meeting held October 13, 2009. Councilman McGuire seconded the motion. The motion passed unanimously.

- E. CONSIDERATION OF THE TREASURER'S REPORT FOR THE MONTH OF OCTOBER, 2009.

Councilman McGuire commented on the status of the 2009 budget and how it will affect the 2010 projected budget. Chief Davis responded to Councilman Gregory's questions regarding Jail Booking Fees.

Motion: Councilman Smiley-Kaliff moved to approve the Treasurer's Report for the month of October, 2009. Seconded by Councilman McGuire, the motion carried unanimously.

II. ANNOUNCEMENTS

Mayor Harper announced that former Castle Hills Mayor Perry Burnham, who is also an artist, is looking for a photograph of the old city hall. She said Mr. Burnham wants to do a rendering of the old city hall; and if anyone has a picture of it, please let Ms. Hoyle know.

III. CITIZENS TO BE HEARD

No citizens responded to the Mayor's invitation to speak.

IV. REPORTS

- Interim City Manager Rita Hoyle gave the October Investment Report, the October Building and Health Inspections Report, and the October Code Enforcement Activity Report. Ms. Hoyle followed up with information regarding graffiti on Jackson Keller, traffic at the Oak Royal and Wickford Way intersection, clean-up of the lot behind the Public Works building, and the water flow from San Antonio at Carolwood and Lockhill Selma, all reported by residents at the October council meeting during Citizens to be Heard.

Councilman Gregory suggested renewing the security notes that come due in January for three years. He asked if the Building Security Fund could be used to pave the parking lot around the City Hall building. Mr. Brennan said that he would check the list of authorized uses of the fund.

- Police Chief Donny Davis reported on the October, 2009, Police Activity and STEP program.

Mayor Harper recommended that Councilman McGuire speak with Captain Davis concerning a trespassing incident that he thought was handled inappropriately by the Police Department.

- Fire Chief Jerry Riedel presented the October, 2009, Fire Incident and Activity Report. The chief reported briefly on the status of billing residents for calls.
- Public Works Director Harada gave the October Activity Report for Public Works. Mr. Harada reported on recent dog bites that occurred and spoke about the importance of residents keeping their dogs secured.
- Court Administrator Wendy Reyes presented the Municipal Court Activity Report for October, 2009.

V. OLD BUSINESS - None

VI. NEW BUSINESS

- A. CONSIDER AND ACT UPON AUTHORIZING GIVLER ENGINEERING TO CONTINUE WITH STUDY FOR NORTH MANTON DRAINAGE IMPROVEMENTS AND PROVIDE DESIGN SPECIFICATIONS TO INTERIM CITY MANAGER FOR BID REQUIREMENTS.

David Givler gave a Power Point presentation illustrating the issues faced with the current drainage problems on North Manton. He illustrated options and their associated costs to correct the problems. Mr. Givler requested the council's direction to proceed.

Motion: A motion was made by Councilman Smiley-Kaliff to authorize Givler Engineering to continue with the study for North Manton drainage improvements, report to City Council, and provide design specifications to Interim City Manager Hoyl for bid requirements. The motion was seconded by council member Huff. The motion carried unanimously.

- B. CONSIDER AND ACT UPON THE 2010 FISCAL YEAR ANNUAL BUDGET ADOPTED BY THE BOARD OF DIRECTORS OF THE CITY OF CASTLE HILLS CRIME CONTROL AND PREVENTION DISTRICT.

Council member McGuire questioned SWAT training in the Crime Control and Prevention District's budget. Councilman Smiley-Kaliff clarified that the council did not disband the SWAT team, but just did not approve the SWAT training in the city budget. Councilman Gregory said that the Crime Control and Prevention District is a separate entity from the city; and therefore, can include SWAT training in its budget.

Motion: Council member Gregory moved to approve the 2010 fiscal year annual budget adopted by the Board of Directors of the City of Castle Hills Crime Control and Prevention District. Councilman Davis seconded the motion. The motion passed unanimously.

- C. CONSIDER AND ACT UPON A RESOLUTION TO PURSUE THE ENERGY EFFICIENCY CONSERVATION BLOCK GRANT FUNDING MADE AVAILABLE THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT TO BE USED TO ASSIST IN IMPROVING ENERGY EFFICIENCY.

Ms. Hoyl referred council members to a letter from the State Comptroller stating that the city may be eligible for a \$20,000 grant to improve energy efficiency in the city's facilities. Ms. Hoyl indicated that she had submitted a non-binding Notice of Intent to accept the grant, and the council must pass a resolution to support the improvement of energy efficiency.

Motion: Council member Gregory moved to adopt a resolution to pursue the Energy Efficiency Conservation Block Grant funding made available through the American Recovery and Reinvestment Act. Councilman Smiley-Kaliff seconded the motion. The motion passed unanimously. The resolution as passed and approved is captioned as follows:

RESOLUTION NO. 0911-01

A RESOLUTION OF THE CITY OF CASTLE HILLS
TO IMPROVE ENERGY EFFICIENCY.

(A copy of Resolution No. 0911-01 is attached and made a part of the minutes)

- D. CONSIDER AND ACT UPON ADDING AN ITEM TO THE REPORTS SECTION OF THE MONTHLY COUNCIL AGENDA CONCERNING DEPARTMENT BUDGETS.

Ms. Hoyl explained that this item on the agenda resulted from a request by council member Huff that department budget reports be included in the Reports section of the agenda for discussion each month. Ms. Hoyl directed council members to a report she designed using the monthly Treasurer's Report that will indicate percentages and reasons for overages or shortages in a particular department each month. She said the report would be included in the council packets.

Council member Huff explained her reasons for requesting the agenda item, but agreed that it was best to let the interim city manager decide how to handle the reporting. She stated that the report designed by Ms. Hoyl fit her requirements. Councilman Davis voiced his approval of the report.

Motion: Councilman Smiley-Kaliff moved to accept the addition of the interim city manager's report to the Reports section of the monthly council agenda concerning department budgets. Council member Huff seconded the motion. The motion passed unanimously.

- E. CONSIDER AND ACT UPON REVISIONS TO THE CITY'S EMERGENCY MANAGEMENT PLAN.

Fire Chief Riedel explained that the update of the city's Emergency Management Plan, established by Ordinance No. 927 in 2003, is necessary to comply with current standards. He said that the mayor is, by default, the city's Emergency Management Director; and he is the Emergency Management Coordinator.

Motion: Council member Huff moved to approve the revisions to the city's Emergency Management Plan. Councilman Smiley-Kaliff seconded the motion. The motion passed unanimously.

- F. CONSIDER AND ACT UPON INSTRUCTING THE CITY ATTORNEY TO PREPARE AN ORDINANCE THAT: (1) AMENDS THE SEWER CONNECTION REGULATIONS OF THE CITY TO FOLLOW SAWS SEWER CONNECTION RULES; AND (2) REQUIRES THE CITY TO MONITOR SEPTIC SYSTEM FAILURES.

Mayor Harper withdrew this item from the agenda.

- G. CONSIDER AND ACT UPON REAPPOINTMENT OF A CITY TREASURER.

Councilman Gregory said that Wells Fargo Bank took over his firm, Wachovia Securities. He explained that they will allow him to be treasurer of the city, but he cannot sign checks. He said that he can still oversee expenses, and another council member can sign checks; or the council can appoint a different member to be treasurer.

Councilman Smiley-Kaliff remarked that he was extremely comfortable with Councilman Gregory being City Treasurer, and he was extremely comfortable with council member Huff having signatory power on the city's bank accounts.

Motion: Council member Smiley-Kaliff moved to retain Councilman Douglas Gregory as the City Treasurer, and to give Mayor Pro-Tem Huff signatory power on the city's bank accounts. Councilman Davis seconded the motion. The motion passed unanimously.

- H. CONSIDER AND ACT UPON AN ORDINANCE MANIFESTING A CONTRACT WITH ACADIAN AMBULANCE SERVICE.

Ms. Hoyl indicated that the city's agreement with Acadian Ambulance Service, Inc. requires the city to pass an ordinance within 90 days of the agreement, which was effective October 1, 2009, manifesting an exclusive contract stating that Acadian will be the city's sole provider for emergency and non-emergency medical services.

Motion: Council member Gregory moved to pass an ordinance manifesting a contract with Acadian Ambulance Service, Inc. Seconded by council member Smiley-Kaliff, the ordinance was adopted with a unanimous vote. The ordinance as passed and approved is captioned as follows:

ORDINANCE NO. 1035

AN ORDINANCE MANIFESTING AN EXCLUSIVE CONTRACT WITH ACADIAN AMBULANCE SERVICE AS THE SOLE PROVIDER FOR EMERGENCY AND NON-EMERGENCY MEDICAL

SERVICES FOR THE CITY OF CASTLE HILLS;
PROVIDING AN EFFECTIVE DATE.

(A copy of Ordinance No. 1035 is attached and made a part of the Minutes)

I. CONSIDER AND ACT UPON AN ORDINANCE AMENDING CHAPTER 13, GARBAGE & REFUSE, ADDRESSING SOLID WASTE CONTAINERS AND REGULATIONS.

Ms. Hoyl said that she and Public Works Director Rick Harada have been talking about this section of the Code for some time. She said that they, basically, have tried to clean it up and have revised several sections. She referred council members to the red-lined sections in their packet. She mentioned that changes include the type and weight of containers used and the time-line for setting them out to be emptied and moving them to be stored after they have been emptied.

Requiring garbage to be placed in a container, even when plastic bags are used, was discussed by council members. Councilman Smiley-Kaliff said that the weight limit of 40 pounds per container was lucrative regarding the standpoint of the city's workers' compensation. He said that he would like to see more work on the ordinance before acting on it. Other council members expressed agreement.

Motion: Council member Smiley-Kaliff moved to postpone acting on an ordinance to amend Chapter 13, Garbage & Refuse until the December council meeting. Councilman Gregory seconded the motion. The motion passed unanimously.

J. DISCUSSION ON PROVIDING A WRITE-UP AND PHOTOGRAPHS OF THE CITY TO BE POSTED ON www.SAinfoocus.com (METRO SAN ANTONIO IN FOCUS) INTERACTIVE WEBSITE.

Ms. Hoyl said she was contacted by Metro San Antonio InFocus and asked to consider submitting information about the city for posting on their interactive website. She said that the city will have a tab that people can click on to see photos and read about Castle Hills.

After brief discussion, the consensus of the council was to have Ms. Hoyl pursue the submission of information to the SA InFocus website.

VII. ADJOURNMENT

There being no other business, Mayor Harper adjourned the meeting at 7:45 p.m.

These minutes were approved on the 8th day of December, 2009.

APPROVED:

Marcy Harper, Mayor

ATTEST:

Linda Gill, City Secretary