

MINUTES OF REGULAR
CITY COUNCIL MEETING HELD
MARCH 21, 2019

The City Council of Olmos Park, Texas held a regular meeting on March 21, 2019 commencing at 6:00 p.m. in the Council Chambers at City Hall. Mayor Ronald Hornberger presided and Council members present were Kenyon McDonald, Sharon Plant and Deanna Rickabaugh. Council members not present and excused from attending were Juliana Dusek and Enzo Pellegrino. Staff present was City Manager, Celia DeLeon; City Secretary, Diane Gonzales; Fire Chief, Michael Goodreau; Police Chief, Rene Valenciano, Public Works Director, Gilbert DeLeon and Building Official, Ricardo Cavazos. Also present was City Attorney, Richard Lindner

Mayor Ronald Hornberger called the meeting to order at 6:00 p.m. and determined a quorum was present.

Mayor Hornberger stated he received a thank you note from the Olmos Park Youth Commission that we met with prior to last month's City Council meeting.

Receive comments on structure demolitions in Olmos Park and discussion of structure demolition policies, procedures, methods and ordinances currently in place, including with respect to partial or total demolition or for remodeling purposes.

Mayor Hornberger asked the Building Official what ordinance do we have now that governs demolitions of structures?

Ric Cavazos stated currently there are none; however there is a reference to demolition in the International Building Code in chapter three but it is more for the commercial properties.

Mayor Hornberger stated we should have some requirement for bond or procedures and policies in place to be part of our building code so if anybody wants to do any demolition they would have some standards to follow and a bond that the entity doing the demolition would have to post to protect the neighbors and infrastructure in the process. He stated an ordinance that would adopt those procedures for a demolition permit that we can include in our code and also require a bond.

Ric Cavazos stated currently we do require a \$5,000 contractor bond.

Councilwoman Rickabaugh asked does a general liability bond indemnify specifically the City of Olmos Park and the neighboring properties?

Ric Cavazos stated the bond indemnify's the City.

Mayor Hornberger asked by what authority do we require that?

Ric Cavazos stated that is under our City Ordinance for pulling a permit for any General Contractors.

Councilwoman Rickabaugh stated she had heard from some of the neighbors that the demolition techniques were rough and aggressive and some of the neighboring properties were damaged but thinks the neighbors have worked it out. She wants to be sure our sewer system and infrastructure aren't at risk when we have demolitions.

Mayor Hornberger stated we need an ordinance with options for commercial buildings or homes and whether it is a full demolition or a partial demolition and provides some means of responsibility for the person undertaking the demolition for Council to consider protecting the neighbors and the City's infrastructure.

Councilwoman Plant stated there are empty lots in the neighborhood and people are tearing down houses for additional side and back yards. If people continue to tear down houses then that is going to affect our tax base and we already have a tax freeze on people older than 65 years and we need to have some kind of requirement that at the sale of the property a replacement is built. She stated we need to have public comment on this.

Mayor Hornberger stated when an owner performs a full demolition of a structure then a replacement building of some kind has to commence within a reasonable time frame.

Richard Lindner stated he will look into that to see if that is something we can pursue.

Councilwoman Rickabaugh stated that would be for a property that was previous occupied by a residential structure that is now not part of a yard so it is sitting there as a vacant lot.

Mayor Hornberger stated a review of our Building Codes could be strengthened similar to the PSW Special Use Permit where we require certain building materials to be used.

Councilwoman Plant stated Andres Andujar and Jack Spector helped work on that Special Use Permit for PSW and we want to try to keep the integrity of the City.

Richard Lindner stated for the integrity and the structural standards that would be your building code but for regulating building materials that would go through your Planning & Zoning Commission.

Ric Cavazos stated there were a total of twenty one demolitions since 2015 and eight properties just within two years have remained empty and we have had forty-two to forty-four new homes built.

Councilwoman Plant stated we are looking at this as a hardship to the City but also how these impact other property values and we want to make sure the homes are being built with the same quality.

Mayor Hornberger stated we need requirements for external building materials. He would like to appoint a study committee to come back with suggestions on what Planning & Zoning should take a look at.

Richard Lindner stated he will accomplish this whether it is through the building code or Planning & Zoning and see if we can raise those standards to something higher and he will work with the staff and bring some options back to Council.

Councilwoman Plant questioned what is the impact of all of this demolition and run off going to do to our storm drains and our streets.

Richard Lindner stated Planning & Zoning only handles chapter 40 which is the Zoning Codes and building codes are not in chapter 40 so that does not need to go to Planning & Zoning if you are regulating building codes.

Mayor Hornberger recommended having the demolition portion of the proposed ordinance ready for the next meeting and Council could consider that piece and then the City Attorney can recommend options on the other issues. We still have a lot of clay pipe in our sewer system and that is much more susceptible to damage on the issues that we are discussing.

Ric Cavazos stated under the International Building Code it does stipulate for any demolition that the plumbing be scoped, so we can add it to the code that a camera be run through the sewer before the demolition and then ran again after the demolition.

Councilwoman Plant asked that the City Attorney bring a chart of a breakdown of what would go to the Building Code and what would go to the Planning & Zoning at the next meeting.

Receive update on City and Fire Station repairs.

Richard Lindner stated he doesn't have any new updates and will have something at the next meeting.

Public Hearing regarding: An Ordinance amending Article II to the Code of Ordinances City of Olmos Park, Texas Chapter 40 Zoning; single-family residence districts, section 40-40 Building and Land Use restrictions; for the purpose of regulating windows on accessory buildings; declaring a public purpose; incorporating recitals; providing a repealer and savings clause; providing for a penalty; providing for severability and setting an effective date.

Mayor Hornberger opened the public hearing at 6:35 p.m.

Mayor Hornberger closed the public hearing at 6:36 p.m.

Discuss and take possible action on Ordinance 2019-02 amending Article II to the Code of Ordinances City of Olmos Park, Texas Chapter 40 Zoning; single-family residence districts, section 40-40 Building and Land Use restrictions; for the purpose of regulating windows on accessory buildings; declaring a public purpose; incorporating recitals; providing a repealer and savings clause; providing for a penalty; providing for severability and setting an effective date.

Councilman McDonald moved to table the agenda item and wait to discuss the ordinance until there is a full Council at the next meeting.

Councilwoman Plant seconded the motion.

The vote in favor of the motion was unanimous.

Consent Items:

- a. Approve Cash Disbursements February 2019;
- b. Approve City Council minutes of February 21, 2019
- c. Approve Soler Sports request to hold Dam 09 Triathlon through Olmos Park on August 24, 2019

Councilwoman Plant moved to accept consent items A through C.

Councilman McDonald seconded the motion.

The vote in favor of the motion was unanimous.

Departmental Reports: (Written reports submitted to City Council, no further discussion required, unless requested by City Council.)

a) Police:

- (1.) Incidents, arrests and activity during the prior and current months.

- (2.) 2018 Annual Racial Profiling Report.
- b) Fire:
 - (1.) Fire and other service calls, activity and training activities during the prior and current months.
- c) Streets and Sanitation:
 - (1.) Monthly Report
- d) Administration:
 - (1.) Financial reports for February 2019;
 - (2.) Monthly overtime, CT, vacation, sick leave report;
 - (3.) Building Department Report;
 - (4.) Municipal Court Report;
- e) Manager's report:
 - (1.) Discussion of written reports (if needed).
 - (2.) Update on the City's Broadway Bank contract/agreement

City Manager DeLeon stated the Broadway Bank contract/agreement is due to expire in June 2019 and by law we have to go out for RFP's and the deadline to submit those RFP's is April 17, 2019 and we will consider it at the May City Council meeting.

Councilman McDonald moved to accept Departmental Reports.
Councilwoman Rickabaugh seconded the motion.
The vote in favor of the motion was unanimous.

There was no further business and the meeting was adjourned at 6:40 p.m.

Ronald Hornberger
Mayor

ATTEST:

Diane Gonzales
City Secretary