

MINUTES OF REGULAR
CITY COUNCIL MEETING HELD
AUGUST 15, 2019

The City Council of Olmos Park, Texas held a regular meeting on August 18, 2019 commencing at 6:00 p.m. in the Council Chambers at City Hall. Mayor Ronald Hornberger presided and Council members present were Juliana Dusek, Erin Harrison, Kenyon McDonald, Sharon Plant and Deanna Rickabaugh. Staff present was City Manager, Celia DeLeon; City Secretary, Diane Gonzales; Fire Chief, Michael Goodreau; Police Chief, Rene Valenciano and Public Works Director, Gilbert DeLeon. Also present was City Attorney, Austin Beck and Pat Meier, 140 Stanford.

Mayor Ronald Hornberger called the meeting to order at 6:01 p.m. and determined a quorum was present.

Citizens to be heard: This time is provided for citizens to address the Council on issues and concerns. No action can or will be taken on issues raised under this portion of the meeting. Please state your name and address for the record and limit your remarks to a period not to exceed three minutes.

Pat Meier of 140 Stanford stated she spoke last month about ordinances concerning recovering the right-of-ways in the business district and adherence to the parking regulations and want to encourage the City to enforce those ordinances. Planning & Zoning sent an article Site Development Standards Chapter 40 for the purpose of creating Design and Development Regulations in the apartment district. There were three items and two of those were discussed by Council and the third involved screening on the apartment side and was not discussed and Councilwoman Plant made the motion because of the ambiguity of the first two ordinances came that were sent back to Planning & Zoning. City Attorney Richard Lindner stated Council had requested that the apartment district be taken out and she did not find that in the minutes. The third ordinance was never sent back to Council. She has a very involved chronology and copies of the minutes because it is an ordinance that still needs to come to Council to be reviewed and it was never followed through by Planning & Zoning and she sat on the Planning & Zoning Board and worked on it and is a valid ordinance to come to Council.

Discussion and take possible action on an ordinance amending Chapter Eight (8) of the City's Code Of Ordinances, entitled Building And Building Codes section 8-61, section 8-94, Permits, Inspections and Fees and section 8-128 Permit Fees; incorporating recitals; providing repealing, savings, and severability clauses; providing for publication; and setting an effective date.

City Manager DeLeon stated this is an ordinance that was brought to Council last month with regards to changing the building fees. Our Building Official went and took an average of 10 permits changed the fees to better address what we need with regard to revenue.

Councilwoman Plant stated she is looking at the Building Official's permit reports from the consent items and on bathroom renovation it shows \$1,150.00 fee that was charged and comparing that to the proposed ordinance for new residence remodels shows \$250.00 under electrical fee permits.

City Manager DeLeon stated when a homeowner does a re-model there is several building permits that are done.

Fire Chief Goodreau stated there will be number of different schedules that will take place depending on what the scope of work is and a fee is tied to each permit.

Councilwoman Plant asked is this effective September 1st and when do we have to enact this ordinance?

City Manager DeLeon stated this ordinance will be effective immediately when we can no longer issue a building permit on valuation; we have to issue on what we determine the fee is.

Mayor Hornberger asked how would this proposed change that is in this ordinance change the revenue when looking at this permit report?

City Manager DeLeon stated we won't know, the Building Official took some permits and averaged them out to try to get the closest as he can to what he is getting now based on valuation. We can come back and review it again or Council can change the fees in the ordinance now.

Councilwoman Plant asked have we looked at Alamo Heights permit structures or any other cities?

Councilman McDonald asked can we change fees anytime during the year?

City Manager stated yes anytime.

Austin Beck stated the Building Official did look at the area and neighboring communities to see what was adopted before he gave his recommendation. One option would be to adopt this ordinance as it is and then re-visit it.

Mayor Hornberger asked the permit report totals \$35,472.09 in permit fees, was this report done under the proposed fee schedule?

City Manager DeLeon stated we will bring back a spreadsheet on what other cities are doing and have the Building Official attend the next meeting.

Councilwoman Plant asked what is the grace period?

Austin Beck stated there isn't any, the legislative ordered municipalities to adopt as soon as possible. Currently we have not been charging or putting permit fees on hold pending the adoption.

City Manager DeLeon stated we have been charging permit fees based on valuation.

Councilwoman Plant stated for a City our size this is critical and this is basically our only source of revenue as the ad valorem goes to salaries and benefits.

Austin Beck stated the current ordinance is not in line with the state law.

Councilwoman Harrison stated if we pass this today as it is recommended and when we receive the updated report at the next meeting then we can say this did not work at all and we are changing everything, then at least we are in line with the law.

Mayor Hornberger stated there is nothing from preventing us from passing the ordinance right now but we would rather have the information we are requesting.

Austin Beck stated there is no grace period when the law was passed and it took effect immediately.

Mayor Hornberger stated which means we have to make an immediate change in our ordinance.

Austin Beck stated and we still have an ordinance that relies on valuation and is not forceable. Any of the permits that the Building Official has issued was based on valuation.

Mayor Hornberger stated the legislature has backed us in to a corner to pass this ordinance tonight and separately Council is requesting that the City Manager go back to the Building Official with the request that he take this July permit and put another column for each project and if it is separate fees that is fine as long as Council knows what the totals for each address under the new fee schedule then we can compare.

Councilwoman Plant moved to pass ordinance 2019-07 amending Chapter Eight (8) of the City's Code Of Ordinances, entitled Building And Building Codes section 8-61, section 8-94, Permits, Inspections and Fees and section 8-128 Permit Fees. With a request to have this placed on the September agenda.

Councilman McDonald seconded the motion.

The vote in favor of the motion was unanimous.

Consent Items:

- a. Approve Cash Disbursements July 2019;
- b. Approve City Council minutes of July 18, 2019
- c. Excuse Mayor Hornberger from attending the July 18, 2019 City Council meeting.

Councilwoman Rickabaugh had one revision on page eight on the minutes for July 18, 2019.

Councilman McDonald moved to accept consent items A through C with the correction.

Councilwoman Plant seconded the motion.

The vote in favor of the motion was unanimous.

Councilwoman Dusek stated she may need to be excused for the September meeting.

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.
- 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 July 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).

Councilwoman Plant moved to accept the Departmental Reports as submitted.
Councilwoman Dusek seconded the motion.
The vote in favor of the motion was unanimous.

Discussion on FY2020 Budget and 2019 Tax Rate and set Public Hearing dates on the proposed Tax Rate and Public Hearing date for Municipal Fiscal Year 2020 Budget; take possible action

City Manager DeLeon stated she placed this item on the agenda in case we did not finish the discussions from the special budget meeting and now they are not necessary to discuss.

Discussion and approval of the following FY2019 Budget amendments:

City Manager DeLeon stated she placed this item on the agenda in case we did not finish the discussions from the special budget meeting and now they are not necessary to discuss.

- Increase expense Reserve Building Repair # 10-500-583 from \$0 to \$50,000.
- Increase revenue Transfer In Admin General Expenses #20-300-500 from \$233,822 to \$283,822.
- Increase expense Reserve PD Vehicles & Equipment # 10-700-556 from \$0 to \$30,000.
- Increase revenue Transfer In Police Reserve # 20-300-520 from \$22,902 to \$52,902.
- Increase expense Reserve Fire Mandates # 10-800-570 from \$0 to \$10,000
- Increase Transfer In Reserve Fire Mandates #20-300-530 from \$52,802 to \$62,802.
- Increase expense Reserve Fire Vehicle Truck #10-800-565 from \$0 to \$50,000
- Increase Transfer In Reserve Fire Truck #20-300-530 from \$422,095 to \$472,095.
- Increase expense Reserve Admin Tech #10-500-582 from \$0 to \$15,000.
- Increase Transfer in Reserve Admin Tech #20-300-500 from \$7,661 to \$22,661.
- Increase expense in Patrol Vehicle #10-700-551 from \$0 to \$49,000.
- Increase expense in PW Vehicles #10-900-551 from \$0 to \$35,000.
- Increase expense in Criminal Investigation #10-700-520 from \$3,000 to \$12,500.
- Increase expense in Uniforms #10-700-518 from \$5,000 to \$20,000.
- Increase expense in Building and Grounds #10-400-524 from \$12,500 to \$23,400.
- Increase expense in Police Computer #10-700-521 from \$0 to \$3,065.
- Increase expense in Police Misc. Equipment #10-700-519 from \$6,340 to \$8,275.

There was no further business and the meeting was adjourned at 6:27 p.m.

Ronald Hornberger
Mayor

ATTEST:

Diane Gonzales
City Secretary