

MINUTES OF REGULAR
CITY COUNCIL MEETING HELD
JUNE 18, 2015

The City Council of Olmos Park, Texas held a regular meeting on June 18, 2015 commencing at 6:00 p.m. in the Council Chambers at City Hall. Mayor Kenneth Farrimond presided and Council members present were Juliana Decamps, Casey Fry, Kenyon McDonald and Deb Prost. Council members not present and excused were Ronald Hornberger. Staff present was City Manager, Celia M DeLeon; City Secretary, Diane Gonzales; Fire Chief, John Surber; Police Chief, Rene Valenciano; and Public Works Director, Gilbert DeLeon. Also present were City Attorney, Ashley White; Carol McMorris, 116 Paseo Encinal; A.T. Brainard, 201 E. Mandalay; Kenneth Kirlin, 414 Thelma; David Gilver, Gilver Engineering; Pat Meier, 140 Stanford; Melissa Phillips, 130 E. Mariposa; Dorothy Jo Weiss, 701 W. El Prado.

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

Elect a Mayor Pro Tem

Councilman McDonald moved to nominate Ronald Hornberger as Mayor Pro Tem.

Councilwoman Prost seconded the motion.

The vote in favor of the motion was unanimous.

Select date and time of meetings

Discuss changing the date for the July City Council meeting from July 16th, 6pm to July 30th 6pm; take possible action

Councilman Fry motioned to move the month of July's City Council's regular meeting from the 3rd Thursday to the 4th Thursday (July 30th) and continue to have the regular City Council meetings on the third Thursday of the month at 6:00 p.m.

Councilman McDonald seconded the motion.

The vote in favor of the motion was unanimous.

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.

A.T. Brainard, 201 E. Mandalay stated I have made several trips on McCullough on the last few days and I wanted to suggest that whoever is going to work on the parking on McCullough take a look at what Dr. Kirlin has done, it is safe and should be the standard.

Appoint Board of Adjustment members to serve a two-year term through May 2017; take possible action

Councilman McDonald moved to re-appoint Lee Sandoloski, Sandra Hornberger, Dorothy Jo Weiss and Melissa Phillips to serve a two-year term through May 2017.

Councilman Fry seconded the motion.

The vote in favor of the motion was unanimous.

Discuss process for appointing residents and members of the City Council and/or Economic Development Corporation and/or Planning and Zoning Commission to serve on a McCullough Corridor Project Ad Hoc Committee

Mayor Farrimond stated this item has to do with the steering committee on the McCullough Project and his appointment of a few Council members, EDC members and one Planning & Zoning member and a citizen.

Councilwoman Prost stated I would be interested in serving on that committee.

Mayor Farrimond stated we need to discuss this item more with Councilman Hornberger.

Receive presentation from Dr. Kirlin, Eagle Veterinary regarding the boarding of stray animals; take possible action

Dr. Kirlin stated that last time we visited this subject was 5 years ago in 2010 and the stray animals have become much more of a burden. Since January we have had 59 animals brought in and 7 of those already in June. We have found the owners of 16 of those and 11 of those we were able to adopt out. I have 28 animals right now that are being boarded and still have to send in a full staff to take care of them on the weekends. After the two week time frame as allowed by city ordinance and money is coming out of my pocket and has become very burdensome. The agreement with the City of Olmos Park 5 years ago is the City would pay me \$10.00 a day to take care of an animal for a maximum of 14 days. I am using my own boarding spaces that I can't use for boarding purposes because it's being used for the stray animals. The City Manager has been sending a picture out on lost dogs via an email blast and that has helped some. I would recommend that the City have everybody get their animal's microchipped then we would know who these dogs belong to. I would also like to see in the email blast that goes out how many animals were picked up and if you are looking for a dog, look at Eagle Veterinary first. Right now I am getting paid \$10.00 a day and it is costing me more than that. My average boarding fee is \$26.00 per dog and what I am asking is if the City would be willing to pay me \$20.00 a day which would allow me to at least break even for the food and care.

Councilwoman Prost stated what was the total cost to Olmos Park for the last 12 months and is this a budgeted item?

City Manager DeLeon stated yes it is a budgetary item and last year we budgeted \$4,000 and paid out \$7,500.

Dr. Kirlin stated San Antonio tried to pass an ordinance about 10 years ago to regulate microchipping and it was rejected because they could not get enough compliance. They are currently attempting to pass this again. We have tried to call the Humane Society and the Animal Defense League and rescues places but usually they are always full.

City Manager, DeLeon stated are there any grants?

Dr. Kirlin stated you could talk to Petco or the San Antonio Area Foundation who has an animal care committee.

Councilman Fry stated how much does the microchipping cost.

Dr. Kirlin stated we charge around \$65.00 to chip and do the registration.

Mayor Farrimond stated I noticed in our ordinance it has fines for people losing their dog more than once.

Police Chief Valenciano stated we have not enforced this "Rule" as most of the officers know whose dog it is and we take it back and explain to the owner to keep in mind if your dog continues to get loose then there are some citations involved.

Councilman Fry stated seems like we could make the microchipping fee part of the penalty fee.

Dr. Kirilin stated there are cities that combine the penalty fee with the microchipping fee like Las Vegas.

Councilman Fry stated we have some research to do on seeing what the Las Vegas ordinance states and researching if the microchipping can be part of the fine.

Councilman Fry moved to have City Manager review ordinances and table item for the July City Council meeting and discuss the fee from \$10.00 to \$20.00 and the microchipping benefit.

Councilman McDonald seconded the motion.

The vote in favor of the motion was unanimous.

Receive status update from Givler Engineering on the Trevitt and Park Drive drainage "the cork"; take possible action

David Gilver gave presentation on "the cork" storm drain system that begins at the back of Sunshine Cottage and ends along the side of Park Drive on the North side and alongside of San Antonio City limit. The problem with the line is it's undersized for the amount of water and is not designed for pressure and it can lift pavement. The configuration that happens with the box is the water swells up 8 feet and comes out through the small openings and pours out in the basin. The solution is to extend the pipe to the basin and an extension that would go from that outfall and another 36 inch pipe would be extended and the pipe would go into San Antonio. We have met with the City twice now about their requirements in order to make a project work like this work and one of their requirements is to honor their tree ordinance and have an interlocal agreement and a understanding of the limits of the area that Olmos Park can use to construct this and be allowed in the future to maintain it. Also we would need to adhere to the City of San Antonio's environmental requirements and have a survey review. The cost would be around \$130,000. The next step if Council wants to continue this is to obtain a draft interlocal agreement from City of San Antonio and have your City Attorney review it and develop a set of plans.

Councilman Fry asked what brought this on as an issue?

David Gilver stated when we did a study about 4 years ago on a problem at Sunshine Cottage we had to analyze the storm drain system and we realized that the pressure was so high.

Councilman Fry asked what is the timeline of this project?

David Gilver stated we could probably have some type of agreement with San Antonio within 6 months and go to construction 3 months after that if we can finish the design and get it to San Antonio. The construction should last about 2 months.

Councilwoman Prost stated since you have done the study and the last 3 years have been drought and just recently we have had the rains, have you seen the road rise and did you measure the pressure in the pipe and would you leave "the cork" in place for any extra blow from the pressure?

David Gilver stated I have not been out on the roads in the last few weeks and have not measured the pressure and yes we would still flow straight.

Councilman Fry asked is this a want or a need?

David Gilver stated there is too high of a probability that you are going to have a sudden problem and could be a hazardous situation and I would take this seriously.

City Manager, DeLeon stated what is the future maintenance?

David Gilver stated future maintenance would be the responsibility of Olmos Park. You have an easement that would give Olmos Park the right to build this project on the City of San Antonio property and then maintain it. When we started working on the Sunshine Cottage to come up with a solution we had to tie into the existing storm water system and that is when we discovered the problem with capacity of the pipe.

Mayor Farrimond stated I think the next step is to start working with the City of San Antonio.

City Manager stated I will obtain a copy of City of San Antonio's interlocal agreement and send to Frank Garza, City Attorney for his review.

Direct the Economic Development Corporation to amend their Articles of Incorporation, Article Ten and their Bylaws, specifically Section 3.02 Composition and Section 3.03 Terms of Office; take possible action

Mayor Farrimond stated Councilman Hornberger felt having voting members of the City Council on the Economic Development Board is a potential conflict of interest. The question is should we request that the EDC amend their Bylaws and Articles of Incorporation which our City Attorney recommended that be done. The City Council does not have the authority to amend but we can request that from the EDC.

Councilman Fry moved that City Council direct the Economic Development Corporation to amend the Articles of Incorporation Article X (10) and their Bylaws section 3.02 Composition and 3.03 Terms of Office to reflect that a voting Council member not sit on the board.

Councilman McDonald seconded the motion.

The vote in favor of the motion was unanimous.

Councilwoman Prost stated we considered making that change when we changed the Bylaws in 2012 and on that committee was Enzo Pellegrino, Steve Pena and myself and the reason Steve Pena recommended that we didn't amend the Bylaws at the time is because Council appoints to the EDC so Council has control whoever is appointed and Council also has control to remove someone. Steve Pena also said that if the organization went "awall" that at that time Council could appoint a majority of Council people since they control the organization. My case is a unique situation where I was serving as President and now I am a Council member. I did tender my resignation yesterday, June 17th because I felt that my role has changed and I can better serve the City by not sitting on the EDC board.

Direct the Planning and Zoning Commission to review the City's parking, sidewalks and landscaping ordinances and make a recommendation to the City Council on possible revisions to these ordinances; take possible action

Pat Meier stated there have been some concerns on ordinances. The directive with the survey and the renovations that are going to occur was try to get our ordinances specifically in the areas of parking, landscaping and setbacks. We had some concerns from City Council about

new construction and there were some areas of the ordinances they wanted in place so people coming in would have to comply with those. We looked at setbacks, landscaping and who would maintain it, sidewalks, curbing, and curb cuts. The next item was off-street parking and EDC did a breakdown of the types of businesses and we need to classify our businesses and do some research on how many parking requirements for individual types of businesses. We need to look at what other cities do, look at our businesses, floor plans, and work with Jim Raby to come up with something reasonable. We need to look at the types of parking; just a lot of planning that is going to go into those ordinances. We will look at what EDC came up with on their architectural design. We are looking at under your suggestion the PSW Special Use Permit. Our feeling on the sidewalks is it's the City's and we can't tell you how wide we don't think they should be.

Pat Meier stated there is a solution for the majority of the sidewalks and Jim Raby has given us some language to look at on how to address the issue. The City may have to say we are going to extend the sidewalk and give you some more City property. As far as sidewalks we are going to deal with setbacks and parking and write some perimeters on angles. We just need some clarification and that we are all on the same page. Could Planning & Zoning send concept recommendations to City Council for your review and send out a questionnaire and start collecting data and looking at a survey of what their feelings and demographics are. We can write a proposal to City Council and give some time parameters and some examples of types of questions which is a beginning of which the direction the citizens what to go.

Councilwoman Prost stated there are five topics that need to be considered:

1. That property developers be cognizant of existing plans that the City has and they acknowledge the plans that they plan to do will integrate with the sidewalk and landscaping and the engineering plans that Jim Raby has. We want to be sure that they don't build or park on City property and be cognizant that there are existing plans.
2. Parking requirements based on type of business and needs and what other cities have done.
3. Landscaping - define property owner's participation on the public side and private side, installation and maintenance.
4. Building Structures Setbacks.

Consent Items:

- a. Approve Cash Disbursements for April 2015 and May 2015;
- b. Approve City Council minutes for April 16, 2015 and May 13, 2015
- c. Authorize budget adjustment to increase budgeted amount in Transfers In/Out #10-300-422 from \$0 to \$10,164
- d. Authorize budget amendment to increase budgeted amount in Fountain Project #20-400-650 from \$0 to \$10,164
- e. Excuse Councilman Hornberger from attending the June 2015 regular City Council meeting
- f. Receive and approve the PSW Special Use Permitting Process update

Councilwoman Decamps stated Jimmy Rymer contacted me and he is willing to put in his own money to pay to have some pieces that were not put back together on the fountain.

Councilman Fry moved to approve consent items A through F.

Councilman McDonald seconded the motion.
The vote in favor of the motion was unanimous.
Councilwoman Prost abstained from voting on the May minutes.

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 April 2015 and May 2015;
 - (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).

Councilman McDonald moved to accept the departmental reports.
Councilman Fry seconded the motion.
The vote in favor of the motion was unanimous.

There was no further business and the meeting was adjourned at 7:40 p.m.

Kenneth Farrimond
Mayor

ATTEST:

Diane Gonzales
City Secretary