

MINUTES OF REGULAR
CITY COUNCIL MEETING HELD
JULY 30, 2015

The City Council of Olmos Park, Texas held a regular meeting on July 30, 2015 commencing at 6:00 p.m. in the Council Chambers at City Hall. Mayor Kenneth Farrimond presided and Council members present were Casey Fry, Kenyon McDonald, Deb Prost and Ronald Hornberger. Council members not present were Juliana Decamps. 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; Scott Wayman, 8001 Shin Oak; Jarred Corbell, PSW; Jacob Odor, Maverick Land Survey Co.; Lisa Soler, 5933 Broadway; Dr. Kenneth Kirlin, 414 Thelma; Gene Allen, 204 Wildwood; Dorothy Jo Weiss, 701 E. El Prado; Dr. Robert A. Weiss, 701 E. El Prado; David Evans, 200 Ira Ave.; Victoria Piwonka, 210 Stanford; Pat Meier, 140 Stanford; Sharon Plant, 131 E. Mandalay and Rachel Holcomb, 5300 McCullough.

Mayor Farrimond called the meeting to order at 6:00 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.

Lisa Soler with Soler Sports stated they will hold their annual Damn 09 Triathlon on August 22, 2015 and is requesting permission to run through the City.

Dorothy Jo Weiss of 701 E. El Prado stated I am pleading for some assistance for the City to reeducate our children on street safety with their skateboards and get their parents interested in their child's safety. There is also some people watching our homes again and don't belong here and they are looking into our garages. Our police department does a great job and all of our departments are wonderful.

David Evans with The San Antonio Bar Foundation stated they will hold their Fun Run on November 21, 2015. There were a number of people from the community that participated in the run last year so we are requesting your consideration to have the Fun Run again this year.

Presentation by Live Oak City Manager Scott Wayman describing their experience with an MPO Grant.

City Manager Scott Wayman from the City of Live Oak gave a presentation on his experience with the MPO Grant process. Lookout Road is on the out skirts of the City of Live Oak which is not in good shape right now. We have applied several times for the MPO Grants and we were turned down 2 or 3 times. In 2012 we were finally granted the grant.

Councilwoman Prost asked was it just a road project?

Scott Wayman stated in order for our City to get more points for the grant process we had to include sidewalks and bike lanes so it was an expansion project. We did not have a lot of luck with the MPO Project and I don't think we really understood the regulations of the Federal Highway Department because of all the requirements on TXDOT. Our City is doing the project on our own with some bonds and the cost is \$500,040 and we already had \$400,000 saved and our EDC is going to pay for a portion of it.

Councilman Fry asked what was the biggest cost difference?

Scott Wayman stated there were two reasons on the cost difference, one was making us include the sidewalks that we would have passed on to the developer which was \$200,000 and second was the pavement design for the roadway was going to be 26 inches above ground or we excavate down. We have improved that road twice and the most recent time we did a mill overlay.

Receive and take possible action on re-plat application by PSW Real Estate. The properties to be re-plated are zoned multi-family and identified as C.B. 5717 Block 1 (comprised of 464, 470 and 476 East Olmos Drive), West 55 feet of Lot 4, all of Lot 5, Lot 6, Lot 7, and the remaining Eastern portion of Lot 8.

Mayor Farrimond stated PSW has applied for Phase One and now PSW just closed on the Phase Two and it's time to re-plat. This has already gone through Planning & Zoning which was unanimously approved and meets all the requirements of the Special Use Permit.

Jarred Corbell stated we just closed on the property a week and half ago and we now have issued notices to vacate the premises for 60 days. As units vacant then we have to do an asbestos abatements and surveys.

City Manager asked are you planning to re-zone those properties from multi-family to single family?

Jarred Corbell stated I was under the understanding that the entitlements of the plat carried with that to a single family. For Phase One I don't believe we had to submit any paperwork.

Mayor Farrimond asked is PSW required to re-zone or is it the City's responsibly?

Councilman Fry stated it would be better if PSW re-zoned and went through the process and it does not make sense to re-plat at this point since you have started construction. So with the first plat you can approach us now to re-zone and when you start construction on Phase Two then you can approach us then.

Councilman Hornberger moved to approve the re-plat request for the properties to be re-plated are zoned multi-family and identified as C.B. 5717 Block 1 (comprised of 464, 470 and 476 East Olmos Drive), West 55 feet of Lot 4, all of Lot 5, Lot 6, Lot 7, and the remaining Eastern portion of Lot 8.

Councilman McDonald seconded the motion.

The vote in favor of the motion was unanimous.

Discussion on Dr. Kirlin's request to change the City's boarding fee of \$10 per day to \$20 per day to board stray animals; take possible action.

Chief Valenciano stated we were tasked with researching different cities information as to what they are doing with their animals and one of the biggest things that I saw was a lot of the other cities have an animal control officer assigned specifically to animal control. You need take in consideration their salary and a vehicle for animal control versus in Olmos Park where our police officers handle the animal control issues. Castle Hills built an animal care facility and uses their public works department for that and they have a line item budgeted for overtime. Alamo Heights currently uses Alamo Heights Kennel Club which has no veterinary on staff to provide any kind of medical attention versus we use Dr. Kirlin, Eagle Veterinary. My recommendation is to pay the \$20.00 for boarding per day that Dr. Kirlin is asking for and he

always has a veterinary on staff and is accessible. You will not find an on-call veterinary in any other City.

City Manager stated currently our veterinary line item budget is over budgeted.

Rachel Holcomb Manager of "The Yard" stated we are working with Eagle Veterinary and doing pet adoptions on Sundays at the Farmers Market.

Councilman Fry moved to pay the City's boarding fee from \$10.00 a day to \$20.00 a day to board stray animals.

Councilman McDonald seconded the motion.

The vote in favor of the motion was unanimous.

Public Hearing to receive public comment regarding possible amending the Code of Ordinances Chapter 40 zoning, article iv. local retail district 40-109 (2), (3) yard and lot areas, 40-110 (2), (3) off street parking regulations; adding new sections 40-111 landscaping and 40-112 sidewalks, curbs, curb cuts, driveway entrances; article v. mixed retail commercial district section 40-137 (2), (3) yard and lot areas; section 40-138 (2), (3) off street parking; adding new sections 40-139 landscaping, 40-140 sidewalks, curbs, curb cuts, driveway entrances.

Mayor Farrimond stated this proposed ordinance has already been passed by the Planning & Zoning Commission.

Mayor Farrimond opened the Public Hearing at 6:42 p.m.

Mayor Farrimond closed the Public Hearing at 6:43 p.m.

Discuss and take possible action on amending the Code of Ordinances Chapter 40 zoning, article iv. local retail district 40-109 (2), (3) yard and lot areas, 40-110 (2), (3) off street parking regulations; adding new sections 40-111 landscaping and 40-112 sidewalks, curbs, curb cuts, driveway entrances; article v. mixed retail commercial district section 40-137 (2), (3) yard and lot areas; section 40-138 (2), (3) off street parking; adding new sections 40-139 landscaping, 40-140 sidewalks, curbs, curb cuts, driveway entrances.

Councilwoman Prost stated I spoke to Tom Robey about this and the item in section 40-109 #3 regarding the 10 foot setback to the front of the property line of the building and from the front property is felt that that it should be a zero setback because we would be possibly making it difficult for someone to develop their property that wanted to put their parking in the back. Perhaps we need to talk to some of our other resident architects and get a panel of architects to look at this to ensure we make a difference to what McCullough looks like.

Councilman Fry stated my understanding is I think the idea is that if you are assembling several parcels where you wanted that had a zero setback then that would change the landscaping in view of the particular stretch of McCullough and this could be something that the developer can come get a variance for that specific instance. But if you are doing it with the smaller parcels that we have and we have one building that is all the way out front it throws everything off.

Councilwoman Prost stated I agree with you as long as we would be flexible that if somebody did want to do that it made sense. If it were zero and put it at a 5 foot setback and still have room for some landscaping and courtyards and will make a difference on the vision of McCullough.

Councilman Hornberger stated I would rather have it at a 10 foot setback than to be asked to make an exception for a particular project and if we change it to zero then its zero for everybody.

Pat Meier stated if somebody did buy a large parcel that would be an instance where they could come forward for a Special Use Permit.

Councilwoman Prost stated I would ask that Planning & Zoning consider on the off-street vehicle parking space dimensions graph of the ordinance consider putting in a half module column on the matrix graph since some of the properties are not wide enough for a full module.

Pat Meier stated we can review that and review our challenging blocks.

Councilwoman Prost stated on section 40-112 #1 regarding the property owners shall be responsible for the installation, maintenance, and repair of sidewalks, curbs, curb cuts, and driveway entrances adjoining and abutting the front, side and rear property lines which is unclear what you are referring to. Are the owners supposed to build on the public side and the private side and what is it supposed to look like, is it supposed to tie into the most recent set of plans or what is there guideline?

Pat Meier stated Mr. Pena was our Attorney at the time and this is verbiage that came from Alamo Heights. I addressed this with the new Attorney Richard Linder and he stated legally we would not require a property owner to develop their property which simply applies to sidewalks, curbs, etc. on City property.

Ashley White stated what Steve Pena explained to me with these types of existing properties, the ownership of the sidewalks, curbs, curb cuts does not necessary belong to the City it could belong to the adjacent property unless the City has an easement on that property then that is when the City takes responsibility in doing any type of improvements. Mr. Pena stated the only concern is in the event of a new construction that would be where you would make these requirements. In another one of our City's, Helotes does not have any type of distinguishing language in their ordinances for zoning for City property and public property so they could submit an application for a variance.

Pat Meier stated we will discuss with the Building Official Jim Raby, we will look at the International Building Codes which have standards within those codes.

Councilman Hornberger stated the property owners need to be sure they are ADA compliant and be a certain width with ramping at curbs and have a lot of building requirements just to be ADA compliance.

Pat Meier stated that is in Chapter 32 not Chapter 40 Zoning which is what is being proposed but we can reference that to meet the ADA requirements.

Mayor Farrimond stated we can approve and accept the document tonight and once we have an accepted plan then we come back and reference it in the ordinance.

Councilman Fry stated in the interim if somebody buys the property and constructs the sidewalks, curbs and curb cuts and driveway entrances to their standard it does not tie into what we are trying to accomplish along McCullough. Mayor Farrimond was suggesting that after we have the final set of plans we than insert language and design specifications into the ordinance.

I met with Tom Rodey and Andres Andujar and they both agree of a minimum of 6 foot sidewalks. We can approve this today and then we can go back and explore the zero foot setbacks versus the 10 foot setbacks.

Mayor Farrimond stated when we do have a design plan that will become an ordinance also.

Pat Meier stated our debate is between 5 and 6 foot sidewalks. We can prioritize that section and expand that application in that section. We are looking at sidewalks in terms of the survey and the plans show entrance and egress over sidewalks. Everybody on the EDC has said that is not a good safety practice. I met with Carl Bain and we looked at those problems and the survey says we can have parking between the curbed sidewalk and the building and may have to be flexible with sidewalks and landscaping but that will be a trade-off for safety. The P&Z Board agreed people should not be driving over sidewalks or backing over sidewalks. I asked Carl Bain if this was possible with the amount of land we have and he sees it as doable with the curb cuts and you can enter and you could do diagonal parking so we are going to explore that plus the width of the sidewalk.

Councilman Fry stated did you reference the Master Plan Vision for Olmos Park?

Pat Meier stated we were looking at the McCullough Corridor Project so I did a spreadsheet and showed the Master Plan and showed the McCullough Corridor, what are their commonalities and there were not a lot of suggestions from P&Z on the Master Plan.

Councilman Fry moved to approve amending as submitted the Code of Ordinances Chapter 40 zoning, article iv. local retail district 40-109 (2), (3) yard and lot areas, 40-110 (2), (3) off street parking regulations; adding new sections 40-111 landscaping and 40-112 sidewalks, curbs, curb cuts, driveway entrances; article v. mixed retail commercial district section 40-137 (2), (3) yard and lot areas; section 40-138 (2), (3) off street parking; adding new sections 40-139 landscaping, 40-140 sidewalks, curbs, curb cuts, driveway entrances.

Councilman McDonald seconded the motion.

The vote in favor of the motion was unanimous.

Public Hearing to receive public comment regarding possible amending the Code of Ordinances Chapter 26 signs, section 26-2 -definitions and sec. 26-4.2. - limitations of signs for business or office premises.

Mayor Farrimond opened the Public Hearing at 7:11 p.m.

Dorothy Jo Weiss of 701 E. El Prado asked what is in our sign ordinance? I heard someone say that the signs all be identical along McCullough?

Pat Meier stated everybody right now is pretty much grandfathered on their signage. If somebody puts up a new business their signage will have to go by this sign ordinance. We have parameters in height and width but we can't say they have to be identical. We have amended the ordinance and inserted on how you can mark your parking spaces.

Mayor Farrimond closed the Public Hearing at 7:20 p.m.

Discuss and take possible action amending the Code of Ordinances Chapter 26 signs, section 26-2 - definitions and sec. 26-4.2. - limitations of signs for business or office premises.

Councilman McDonald moved to approve amending the Code of Ordinances Chapter 26 signs, section 26-2 as stated and section 26-4.2 as submitted.

Councilwoman Prost seconded the motion.

The vote in favor of the motion was unanimous.

Appoint residents and/or 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 the steering committee is now in existence and I have appointed from City Council, Deb Prost and Kenyon McDonald and from Planning & Zoning, Pat Meier and from the EDC, Dennis Martinez. Jordana Decamps who is the Deputy Director of the Bexar County Economic Development Corporation has also been appointed. We need one other EDC board member to serve and we will appoint that member at the August 11th EDC meeting.

Councilman Fry stated I think we should work on the technical design of this project. I would like to recommend Andres Andujar since he basically re-designed and engineered the PSW project pro bono and his expertise on the McCullough Project.

Councilwoman Prost stated the EDC tried to explore and needed to look at all types of financing opportunities. We met with the City bond gentlemen; we met with Bexar County and Broadway Bank to get loans. The City of Kirby had a positive experience with TIP grants; they have a \$200,000 project as well as a \$500,000 Biz Engelmann Project and the City of Helotes experience is so far good.

Mayor Farrimond stated he would like to see the City and the EDC each set up a reserve fund and start funding that reserve fund this year and to focus on technical plans and what are our best options and the most efficient way to do this project.

Appoint members to fill two un-expired terms on the Economic Development Corporation Board of Directors, with one term expiring December 31, 2015 and the other term expiring December 31, 2016.

Mayor Farrimond stated we have seven candidates and one of them, Jordana Decamps has withdrawn her application.

Councilman Hornberger stated I have reviewed and have considered all the resumes.

Councilman Hornberger moved to appoint Andres Andujar and Sharon Plant to fill the two vacancies on the EDC.

Councilman McDonald seconded the motion.

AYES: Hornberger, Fry, McDonald

NAYS: Prost

The motion passes.

Review and discuss draft staffing analysis report and payment for services rendered on the draft staffing analysis report; take possible action.

Councilman Hornberger stated when I met with Ms. Brechtel after she finished one of her drafts, one of the things I asked her to do was create a top 10 recommendations list and she has done that and I appreciate that. I know that everybody that lives in Olmos Park appreciates the services we get and our City tax bill is right in line with a lot of bills that people who live in the San Antonio gated city limits. I would pay over \$300,000 more if I lived there rather than Olmos Park and not get as many services as I do here.

Councilwoman Prost stated I asked Ms. Brechtel to do an analysis with some comparable cities and some comparable high end subdivisions in Austin. I think the challenge for us in the City is going to be difficult to achieve greater efficiency's through the economy of scale because of our size. To keep our ISO rating and our shifts the way they are in rotation and we are at the bare minimum of where we need to be in terms of staffing. For us to achieve more economy of scale it will be very difficult because of our size and continuing services for our citizens to the degree that they are custom to. I reviewed the contract and the ten recommendations that were given and I was not on the early discussion since I came in late, but I think this met the City's needs.

City Manager stated there were some concerns about the executive summary, on each of the recommendations there are some that state "we should". Maybe the recommendation should read "to continue to", etc.

Terry Brechtel stated I would like to compliment the staff because many of the discussions we had along where taken to heart.

Councilman Hornberger moved to accept and fund the staffing analysis report and that Terry Brechtel complete the draft with the recommendations and the suggestions and submit a final copy.

Councilwoman Prost seconded the motion.

The vote in favor of the motion was unanimous.

Consent Items:

- a. Approve Cash Disbursements for June 2015;
- b. Approve City Council minutes for June 18, 2015
- c. Approve Roger Soler's request to hold Dam 09 Triathlon through Olmos Park on August 22, 2015
- d. Approve San Antonio Bar Foundation to hold fun run through Olmos Park on November 21, 2015

Councilwoman Prost stated she would like to pull the June 18th minutes and make some changes on page 5 (changed identified are italicized and underlined).

● *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.

● Parking *requirements* based on type of business and needs and what other cities have done.

● *Building Structure Setbacks.*

Councilwoman Prost moved to approve consent items and make the necessary changes on the minutes.

Councilman Fry 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.
- 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 June 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 as submitted.
Councilman Hornberger seconded the motion.
The vote in favor of the motion was unanimous.

There was no further business and the meeting was adjourned at 7:30 p.m.

Kenneth Farrimond
Mayor

ATTEST:

Diane Gonzales
City Secretary