

MINUTES OF REGULAR
CITY COUNCIL MEETING HELD
MARCH 21, 2013

The City Council of Olmos Park, Texas held a regular meeting on March 21, 2013 commencing at 6:00 p.m. in the Council Chambers at City Hall. Mayor Kenneth Farrimond presided and Council members present were Enzo Pellegrino, Ernest Locker, Pat Semmes, Gayle Girdley and Sharon Plant. Staff present was City Manager Michael W. Simpson; City Secretary, Celia M. DeLeon; Fire Chief John Surber; Assistant Fire Chief James Ladewig; Public Works Director Gilbert DeLeon and Police Chief Fritz Bohne. Also present were Frank Garza, City Attorney; Carol McMorris, 116 Paseo Encinal; Clint Plant, 131 East Mandalay; Steve Browne, 134 East Wildwood Drive; Susan Stone, 135 East Mandalay; Susan Porr, 106 Stanford Drive; Margaret Cluck, 116 Paseo Encinal; Dr. Jack Williamson, 303 Park Hill Drive; Deb Prost, 130 Stanford Drive; Dorothy Jo Weiss, 701 West El Prado Drive; Katherine White, 225 Belvidere; Ronald Hornberger, 215 Belvidere and Christopher Allison, ME Allison.

Mayor Farrimond called the meeting to order at 6:04 p.m. and determined a quorum was present.

Fire Chief Surber introduced his new firemen, Curtis William and Jacob Esquivel.
Police Chief Bohne introduced his new patrolman Jeffrey Wahl.

Citizens to be heard:

Steve Brown invited the City Council to the 5th Annual San Antonio Vision Walk on March 23, 2013.

Susan Porr, 106 Stanford introduced herself as a candidate for appointment to the Economic Development Corporation.

Margaret Cluck, 300 Mandalay asked for the oversight on extending building permits to be stringent.

Deb Prost, 130 Stanford Drive requested the City provide more detailed information on agenda items so that the audience can follow and have a better understanding of the meeting. She also requested the City Council be cautious on the how they proceed on the proposed Home Based Occupations restrictions. She also stated she supports Susan Porr to be appointed to the EDC.

Dorothy Jo Weiss, 701 West El Prado Drive stated the City has a persisting traffic problem at the roundabout, where drivers don't yield right of way. She also stated the City must have more control on the workers and contractors throughout the City, and that their vehicles should have permits provided by the City; and the weekend construction work hours should be enforced; and that the City should capture the feral cats located in her neighbor's yard.

Consideration and approval of a resolution by the Board of Regents of Texas Lutheran University pertaining to the issuance of, not to exceed \$12,500,000 in obligations to be issued over a period not to exceed one year; authorizing certain University officials and staff to execute any and all documents pertaining to the issuance of the Bonds and the security therefor; authorizing certain University officials and staff to file an application for financial participation with a non-profit educational facilities corporation, as necessary; approving the manner of sale of the bonds; and other matters in connection therewith. (Jeff Kuhn, City Bond Counsel)

Councilwoman Girdley moved to approve the request from Texas Lutheran University and ask the Olmos Park Higher Education Facilities Corporation to provide us a recommendation. Councilman Pellegrino seconded her motion. The vote in favor of the motion was unanimous.

Receive and discuss an update from the EDC concerning the City Public Service utility pole replacement project along McCullough Avenue; take possible action. (EDC)
Deb Prost provided an update on CPS utility pole replacement program.

Councilwoman Girdley moved the City Council proceed with using the EDC's engineering firm Bain Medina Bain to immediately proceed with their plan of placement of CPS poles for an amount not to exceed \$10,000, contingent on the EDC approving the reimbursement of funds to City Council. Councilman Pellegrino seconded the motion. The vote in favor of the motion was unanimous

Councilwoman Girdley moved the City Staff in conjunction with EDC members and their database work with the businesses along McCullough regarding the placement of their poles on the right of way in front of their business. Councilman Pellegrino seconded the motion. The vote in favor was unanimous.

Discuss entering into a contract for election services with Bexar County Elections to conduct the May 11, 2013, General Election; take possible action (City Secretary)
Councilwoman Girdley moved to enter into a contract for election services with Bexar County Elections. Councilwoman Semmes seconded her motion. The vote in favor was unanimous.

Discussion of preparation of City Council minutes and adoption of a resolution for requesting and approving verbatim minutes; take possible action. (Semmes, Girdley)
Councilwoman Girdley moved to adopt the resolution requiring a second, debate and a majority vote of the City Council before verbatim minutes are approved. Councilman Locker seconded the motion. The vote in favor of the motion was:

AYES: Girdley, Locker, Semmes

NAYES: Plant, Pellegrino

The motion passed.

Discuss requesting bids for servicing the City's webpage and e-mails; take possible action. (Plant)(tabled from February 2013)
Councilwoman Plant moved to task the City Secretary to obtain bids for the servicing the City's website and emails. Councilman Pellegrino seconded the motion. The vote in favor of the motion was:

AYES: Plant, Pellegrino

NAYES: Girdley, Semmes, Locker

The motion failed.

Receive and discuss a proposal from the Roundabout Committee to engage Horton Horticulture to add 13 plants to the roundabout make necessary modifications to the ground layout and watering system at a cost not to exceed \$1,400.00 to improve the vegetation cover of the roundabout; take possible action.
Sandra Ryan presented a bid to for additional landscaping at the roundabout.

Councilwoman Semmes moved to approve the request for additions to the roundabout landscape, authorize the City Manager to sign contract with Horton Horticulture to accomplish the work at a cost not to exceed \$1400. Councilwoman Girdley seconded the motion.

Councilman Pellegrino moved to amend the motion and ask the City Manager to fill out an Economic Development Corporation grant application for possible reimbursement. Councilwoman Girdley seconded the motion to amend. The vote in favor of the amendment was unanimous.

The vote in favor of the motion as amended was unanimous.

Receive and discuss an Ordinance amending the City of Olmos Park, Texas Municipal Code of Ordinances Chapter 24, Article VI Trespass and Miscellaneous Crimes; Repealing Section 24-212, and adopting a new Section 24-212 and 24-213 regarding the establishment of a violation of causing health and safety nuisance and providing for an offense; providing for severability; incorporating recitals; providing a cumulative remedy; providing a repealer; declaring compliance with open meetings laws and public hearing requirements; requiring publication and providing an effective date of the ordinance; take possible action. (Municipal Court Prosecutor)

Councilwoman Girdley moved that the City Council amend the Code of Ordinance to establish a violation of causing health and safety nuisance and provide for an offense, the fine for a violation of which shall not exceed \$2000 per occurrence. Councilman Locker seconded the motion. The vote in favor of the motion was unanimous.

Review and discuss the City of Olmos Park Personnel Policies & Procedures Manual; take possible action. (tabled from January 2013)

Councilman Pellegrino moved that the City Council form a working committee to develop our employee manual, the committee consisting of Councilwoman Plant, City Secretary Celia DeLeon, City Manager Michael Simpson and Susan Stone in order to take the two policies that have been presented and suggest one condensed recommended version to the City Council for review at the April meeting. Councilwoman Plant seconded the motion. The vote in favor of the motion was:

AYES: Plant, Pellegrino, Locker, Girdley

NAYES: Semmes

The motion passed.

Discuss City Manager's recommended Compensatory and Overtime Policy; take possible action. (tabled from December 2012)

Councilwoman Semmes moved to that the City Council adopt the City Manager's recommended draft Compensatory Time/Overtime policy as presented in appendix A of the proposed Personnel Policies and Procedures Manual. Councilman Locker seconded the motion. The vote in favor was:

AYES: Semmes, Locker, Girdley, Pellegrino

NAYES: Plant

The motion passed.

Discuss retaining voice recordings of meetings of the City Council, Planning and Zoning Commission, Economic Development Corporation (EDC) and Board of Adjustment for more than 90 days; take possible action. (Plant)

Councilwoman Girdley moved the City Council continue to do City Council, Planning and Zoning, Board of Adjustment and Economic Development Corporation summary minutes and establish a permanent archive of the meeting recordings. Councilman Locker seconded the motion. The vote in favor of the motion was unanimous.

Discuss a salary increase for the City Secretary for Human Relations Manager duties and responsibilities; take possible action.

Councilwoman Plant moved to increase the City Secretary's annual salary for her duties and responsibilities as the Human Relations Manager by \$10,000, including benefits, effective April 1, 2013. Councilman Pellegrino seconded the motion. The vote in favor was unanimous.

Receive and discuss amendments to Job Performance Review Policy, take possible action. (Plant)(tabled from February 2013)

Councilwoman Girdley moved to use the current Job Performance Review Policy. Councilwoman Semmes seconded the motion. The vote in favor of the motion was:

AYES: Girdley, Semmes, Locker

NAYES: Plant, Pellegrino

The motion passed.

Appoint a member to the Economic Development Corporation to fill an unexpired term ending December 31, 2014. (EDC)

Councilwoman Plant moved to appoint Susan Porr to fill an unexpired term on the Economic Development Corporation with a term ending December 31, 2014. Councilwoman Girdley seconded the motion. The vote in favor was unanimous.

CONSENT ITEMS:

- a) Approve minutes for special meeting held February 13, 2013 and regular meeting held February 21, 2013.
- b) Accept Disbursements for February 2013.

Councilwoman Semmes requested to pull item a.) from the consent items for individual consideration.

Councilwoman Girdley moved to approve item b.) on the consent items as presented. Councilman Pellegrino seconded the motion. The vote in favor was unanimous.

Councilwoman Semmes moved to rewrite minutes for meetings held February 13, 2013 and February 21, 2013 non-verbatim. Councilman Locker seconded the motion. The vote in favor of the motion was:

AYES: Semmes, Locker, Girdley

NAYES: Plant, Pellegrino

The motion passed.

Departmental Reports:

City Council received the reports.

Councilwoman Plant moved to collect the number of miles driven by each police officer, per shift, per week. There was no second to the motion. The motion failed.

There was no further business and meeting was adjourned at 9:18 p.m.

Kenneth Farrimond
Mayor

ATTEST:

Celia M. DeLeon
City Secretary