

MINUTES OF REGULAR  
CITY COUNCIL MEETING HELD  
DECEMBER 17, 2009

The City of Olmos Park City Council held a regular meeting on December 17, 2009 at 6:30 p.m. in the Council Chambers at City Hall. Mayor Ronald Tefteller presided and members present were Joseph Izbrand, Susan Gragg, Ernest Locker, Jeffrey Judson, and Patricia Semmes. Administrative Staff present were Amy Buckert, City Manager; Celia DeLeon, City Secretary; Mark Medbury, Fire Chief; and Fred Solis, Police Chief. Also present were Marc Schnall, City Attorney; David Givler, City Engineer; Ron Herrmann, Olmos Park Foundation; A.A. "Gus" Altgelt, 341 E. Melrose Drive; Jack Spector, 227 Devine Road; Gene Allen, 204 East Wildwood; Kenneth Kirlin, 414 Thelma; Victoria Piwonka, 210 Stanford; William Sturrack; Chris Orem, Pape Dawson Engineers; Deborah Fraser, Armstrong Vaughan and Associates; Ryland Howard, 144 Park Hill; Charles Fulton, Fulton & Associates; Michelle Grant, 226 Parkhill Drive; Michael Hennessey, 113 West Mandalay; Sandra Tremblay, 716 East El Prado; Tim Blonkvist, 427 Devine Road.

Mayor Ronald Tefteller called the meeting to order and announced a quorum was present at 6:30 p.m.

Citizens to be heard

Michael Hennessey, 113 West Mandalay, stated he spoke with Councilman Izbrand about the possibility of hosting a charity running race through Olmos Park on February 13, 2010. He stated he has a non-profit foundation called Ironman for Kids. Mr. Hennessey stated he had spoken with Chief Solis as to a possible route and had provided Chief Solis with a map showing the possible route. Councilwoman Semmes requested that Mr. Hennessey provide Council with information about his foundation. Chief Solis stated that he provided Mr. Hennessey with a copy of the City Ordinance pertaining to the insurance requirements necessary for this type of endeavor.

A. A. "Gus" Altgelt, 341 East Melrose Drive, stated concerns about the height of the rose bushes at the intersection of East Melrose and McCullough. Chief Solis provided an update and reported that the bushes are not currently blocking a clear line of sight and the City does not have a specific ordinance to deal with this issue. He stated that there is a problem with vehicles being parked too close to McCullough and that they often block a clear line of sight, but that he is consistently checking up on the issue.

Michelle Grant, 226 East Parkhill Drive, stated that after the last meeting, an article was written that prompted a number of residents to contact her voicing their support of her in the ongoing flooding issue and provided her with their signatures of support even though they could not attend the Council meeting. Ms. Grant provided Council with the signatures.

Ron Herrmann, head of the Olmos Park Foundation, named the members of the Olmos Park Foundation and urged citizen-involvement. Mr. Herrmann stated the Foundation is currently working on a project for the two window facades on the South end of City Hall. He stated that the Foundation has approached several artists to provide an artistic rendering from which the Foundation will choose a design. Mr. Herrmann provided Council with the only sample received as of the meeting and stated he will come back to Council when the Foundation has a suggestion and will propose it for Council's approval.

City Manager Amy Buckert provided Council with written comments given to her by Dorothy Jo Weiss.

Consent Items

Mayor Tefteller stated that the four consent items on the agenda were, by recommendation of City Manager Amy Buckert, not in need of discussion. Councilman Izbrand made a motion to approve all four items. Councilwoman Gragg seconded the motion and the vote in favor was:

AYES: Izbrand, Gragg, Judson, Locker, Semmes  
NAYES: None  
ABSTAIN: None

The vote in favor was unanimous

Appoint Economic Development Corporation Board members to serve from January 1, 2010 to December 31, 2011; take possible action

Mayor Tefteller stated that Council had three nominees to consider for the Economic Development Corporation. Councilwoman Semmes made a motion to re-appoint Sandra Tremblay, Scott Barr, and Jack Spector to the Economic Development Corporation. Councilman Izbrand seconded the motion and the vote in favor was:

AYES: Izbrand, Gragg, Judson, Locker, Semmes  
NAYES: None  
ABSTAIN: None

The vote in favor was unanimous

Receive and discuss the Request for Qualifications as presented by the Economic Development Corporation; take possible action

Jack Spector, President of the Economic Development Corporation, stated a quorum was present and called the Economic Development Corporation meeting to order. Mr. Spector stated the Corporation's goal of developing a master plan for the business district of Olmos Park. He said the EDC had developed a Request for Qualifications and had distributed a draft to Council and various Committees and received significant support. Mr. Spector expressed the desire of the EDC to approve the RFQ and distribute it by mid-February. He stated the rough timeline of the RFQ process and stated that it will likely take the majority of 2010 to complete the master plan process. Councilman Izbrand made a motion that City Council communicate to the Economic Development Corporation the Council's support in pursuing a master plan for the business district and seeking Requests for Qualifications in order to do so. Councilwoman Semmes seconded the motion and the vote in favor was:

AYES: Izbrand, Gragg, Judson, Locker, Semmes  
NAYES: None  
ABSTAIN: None

The vote in favor was unanimous

Mr. Spector declared the meeting of the Economic Development Corporation adjourned.

Discussion regarding design, schedule, costs, and other matters relating to new City Hall, including possible change orders; take possible action

Mayor Tefteller stated that he, Ms. Buckert and Gerald Dubinski received the financial information from various contractors and met with internal auditors and though, still

under discussion, results were favorable. Mayor Tefteller stated that some changes to exterior lights were still under discussion.

Discussion regarding design, schedule, costs, and other matters relating to new Fire Department Building Project, including possible change orders; take possible action

City Manager Amy Buckert stated Council had received information on increasing the contract to upgrade the HVAC system at a cost of \$1,340 in order to make it more environmentally friendly and therefore eligible for various rebate programs through CPS, etc. Ms. Buckert stated the recommendation of an increase in the contract in the amount of \$15,116 for an 8" water main due to a lack of options caused by an inaccurate map provided by SAWS. Councilwoman Gragg made the motion to approve the two change orders. The motion was seconded by Councilman Locker and the vote in favor was:

AYES: Izbrand, Gragg, Judson, Locker, Semmes  
NAYES: None  
ABSTAIN: None

The vote in favor was unanimous

Discussion of drainage issues on Parkhill Drive; take possible action. Possible Executive Session pursuant to Texas Government Code Section §551.071, Consultation with Attorney

Mayor Tefteller stated that there had been a series of constructive meetings between the City, City Attorney, City Engineer, Ms. Grant and her attorney, representatives from Sunshine Cottage, and engineers from Pape-Dawson, who serve as the engineers for Sunshine Cottage.

Mayor Tefteller called to order an Executive Session at 7:12 p.m. pursuant to Texas Government Code Section §551.071, Consultation with Attorney

Executive Session ended 7:44 p.m. and the open meeting resumed. The Mayor Tefteller announced no action was taken.

Report from Givler Engineering, City Engineer

David Givler, City Engineer, stated the recent weather conditions were interfering with the street maintenance work. He stated all additional costs thus far were covered in the contingency fund. Mr. Givler stated that the French drain and patching work on Westside would begin in January. Mr. Givler stated the importance of resident cooperation; City Manager Amy Buckert stated she had sent multiple letters to the residents affected by the current street maintenance work.

Mr. Givler discussed the change orders to consider: 1. Sidewalk ramp at 105 W. El Prado in front of Dr. Carnahan's office; 2. Parking repair at 100 W. El Prado; 3. Westside Drive irrigation project; and 4. McCullough drainage at Mandalay.

Mayor Tefteller raised concerns about setting a precedent by providing a ramp in front of Dr. Carnahan's office. Councilman Izbrand raised similar concerns. City Manager Amy Buckert stated that Dr. Carnahan had visited her office and stated that there used to be an improvised ramp but that it was taken out during street work. Mr. Givler stated that the proposed location was logical because the sidewalk was wide enough there that the entire ramp would be located in the right-of-way and there would still be a traditional sidewalk.

Councilman Izbrand asked specifics about the drainage at the intersection of McCullough and Mandalay. Mr. Givler and Ms. Buckert discussed drainage there and several other places in the City and the plausibility of improving drainage specifically when other work is being done on the roads.

Mayor Tefteller requested that Ms. Buckert draft a letter to the owner of the condominiums to begin discussion of the sharing of costs of repairing the parking lot, as the lot is located on both public and private property.

Councilwoman Gragg expressed her desire to withdraw the request of looking into the possibility of the third change order due to the costs associated.

Mr. Givler stated he would continue researching and gathering information on the possible change orders.

Councilman Locker made the motion to approve the first change order at a cost of \$5,650 to install a ramp at 105 West El Prado. Councilwoman Gragg seconded the motion and the vote in favor was:

AYES: Izbrand, Gragg, Judson, Locker, Semmes  
NAYES: None  
ABSTAIN: None

The vote in favor was unanimous

Councilwoman Gragg made the motion to approve the second change order for parking repair at 100 West El Prado up to 72% (\$13,151) of the \$18,265 the total cost of repair as the Condominium owners own 28% of the lot. Councilman Judson seconded the motion and the vote in favor was:

AYES: Izbrand, Gragg, Judson, Locker, Semmes  
NAYES: None  
ABSTAIN: None

The vote in favor was unanimous

Council decided to table the other two change orders.

Mr. Givler discussed the City's progress in adoption of an MS4 stormwater plan for small- and medium-sized cities. Councilman Izbrand made a motion to approve the MS4 Stormwater Permit and Illicit Discharge Ordinance. Councilwoman Semmes seconded the motion and the vote in favor was:

AYES: Izbrand, Gragg, Judson, Locker, Semmes  
NAYES: None  
ABSTAIN: None

The vote in favor was unanimous

Mr. Givler stated that Bexar County was in the process of updating the floodmaps throughout the County. He stated that each local floodplain ordinance needed to be updated to reflect the changes in the floodmaps and the adoption of a new ordinance needs to happen by September 17, 2010.

Appoint Planning and Zoning members to serve from January 1, 2010 to December 31, 2011; take possible action

Councilwoman Gragg made a motion to appoint Andrew Douglas to the Planning and Zoning Commission. Councilman Locker seconded the motion and the vote in favor was:

AYES: Izbrand, Gragg, Judson, Locker, Semmes  
NAYES: None  
ABSTAIN: None

The vote in favor was unanimous

Councilman Izbrand made the motion to reappoint Tim Blonkvist and John Whitsett to Planning and Zoning. Councilwoman Gragg seconded the motion and the vote in favor was:

AYES: Izbrand, Gragg, Judson, Locker, Semmes  
NAYES: None  
ABSTAIN: None

The vote in favor was unanimous

Councilman Judson requested a briefing at the next meeting as to what a Planning Unit Development entails. Councilwoman Gragg suggested that Planning & Zoning have a hand in the new entrance signs because of its involvement with reworking the sign ordinance. City Manager stated that Planning & Zoning is reviewing the sign ordinance as it pertains to businesses in the business district.

Receive and discuss fiscal year 2009 audit report; take possible action

Debbie Fraser presented the FY-09 audit report to Council and reported the favorable financial state of the City. Ms. Fraser stated that there were no significant deficiencies in the City's financial statements. Mayor Tefeller stated that he felt that more than three months' operating costs in reserve were excessive for a City like Olmos Park. Ms. Fraser stated that it was a good idea to have that reserve in case of a natural or other disaster. Councilwoman Gragg made the motion to accept the audit report for the fiscal year 2009. Councilman Locker seconded the motion and the vote in favor was:

AYES: Izbrand, Gragg, Judson, Locker, Semmes  
NAYES: None  
ABSTAIN: None

The vote in favor was unanimous

Consider reduction of compensatory time balances for city personnel; take possible action

Mayor Tefeller expressed concern that the compensatory time accrued by city personnel were unfunded liabilities and suggested that the unfunded liabilities be reduced by "buying back" compensatory time at each individual's current rate of pay to bring each city employee to no more than 40 hours compensatory time. Mayor Tefeller suggested using the unrestricted reserves to buy back the comp. time. Councilman Izbrand expressed concern about the expenditure at this time. The City Manager stated that the City Accountant Susan Wooton suggested strongly that Council wait until after the costs associated with changing the roof design of the new Fire Station are developed and paid. Councilman Locker made the motion to buy back half of the compensatory time at a cost not to exceed \$\$11,155 at this time and wait to buy back the rest after the Fire Station project is completed. Councilwoman Gragg seconded the motion and the vote in favor was:

AYES: Izbrand, Gragg, Judson, Locker, Semmes  
NAYES: None

ABSTAIN: None

The vote in favor was unanimous

Report from Mayor on item of community interest

Mayor Tefteller recalled the improvements and developments in Olmos Park since his election and stated he would not seek re-election in 2010.

Discuss and consider holding a joint election through Bexar County Elections Department for May 2010 General Election and Special Election; take possible action

Councilwoman Semmes made the motion to hold a joint election through Bexar County Elections for the May 2010 General Election and Special Election. Councilwoman Gragg seconded the motion and the vote in favor was:

AYES: Izbrand, Gragg, Judson, Locker, Semmes

NAYES: None

ABSTAIN: None

The vote in favor was unanimous

Hear report from search committee and adopt Ordinance 2009-10 appointing an attorney to assist the City from January 1, 2010 through December 31, 2010 as required by Chapter 2, Sec.2.1101 of the City Code; take possible action

Councilman Locker presented to Council the findings of the search committee and made the motion that Marc Schnall of Langley & Banack continue as City Attorney. Councilwoman Semmes seconded and the vote in favor was:

AYES: Izbrand, Judson, Locker, Semmes

NAYES: None

ABSTAIN: Gragg

The vote in favor was unanimous

Hear report from exploratory committee and discussion regarding temporary assistance to cover city manager duties during current City Manager's maternity leave; take possible action. Possible Executive Session pursuant to Texas Government Code Section §551.074, Personnel Matters

Councilwoman Gragg presented to Council the findings of the exploratory committee and recommended a team approach to covering city manager duties consisting of participation by Chief Medbury, Chief Solis, and City Secretary Celia DeLeon.

Mayor Tefteller called to order an Executive Session at 9:20 p.m. pursuant to Texas Government Code Section §551.074, Personnel Matters.

Executive Session ended 9:50 p.m. and the open meeting resumed. Mayor Tefteller announced no action was taken.

Councilman Judson made a motion to compensate an additional \$1000/month to Chief Medbury, Chief Solis, and City Secretary DeLeon for their additional duties during the City Manager's absence. Councilman Locker seconded his motion and the vote in favor was:

AYES: Izbrand, Judson, Locker, Semmes, Gragg

NAYES: None

ABSTAIN: None

The vote in favor was unanimous

Discussion concerning application for grant from State Energy Conservation Office (SECO); take possible action

Councilwoman Gragg made a motion to approve application for the SECO grant. Councilwoman Semmes seconded the motion and the vote in favor was:

AYES: Izbrand, Judson, Locker, Semmes, Gragg  
NAYES: None  
ABSTAIN: None

The vote in favor was unanimous

Departmental Reports

Police Chief Fred Solis and Fire Chief Mark Medbury provided Council with departmental updates.

Councilwoman Gragg made a motion to approve financial disbursements. Councilman Locker seconded the motion and the vote in favor was:

AYES: Izbrand, Judson, Locker, Semmes, Gragg  
NAYES: None  
ABSTAIN: None

The vote in favor was unanimous

Discuss City Manager's end-of-year report: take possible action

City Manager Buckert suggested the City look into staff restructuring and using the City's resources more efficiently. She indicated a need for assistance with the substantial increase in the number of meetings and in the areas of expertise that would benefit the residents. She also stated the importance of a comprehensive re-write of City ordinances; City Attorney Schnall concurred. The City Manager also suggested a sales tax audit to ensure that all the businesses within the Olmos Park City limits are paying sales tax to Olmos Park rather than the City of San Antonio.

There was no further business and the meeting adjourned at 10:35 p.m.

Ronald G. Tefteller  
Mayor

ATTEST:

Celia M. DeLeon  
City Secretary