

MINUTES OF REGULAR
CITY COUNCIL MEETING HELD
APRIL 15, 2010

The City of Olmos Park City Council held a regular meeting on April 15, 2010 at 6:30 p.m. in the Council Chambers at City Hall. Mayor Ronald Tefteller presided and members present were Susan Gragg, Joseph Izbrand, Jeffrey Judson and Patricia Semmes. Ernest Locker was unable to attend. Administrative staff present were Celia DeLeon, City Secretary; Mark Medbury, Fire Chief; and Seth M. Scurlock, Police Lieutenant. Also present were David Givler, City Engineer; Marc Schnall, City Attorney; A. T. Brainerd, 201 East Mandalay; Melissa Phillips, 130 East Mariposa; Gerald Dubinski, 608 West El Prado; Thom Robey and Alan Neff, Robey Architecture; Catherine Shults, 125 Luther Drive; Mary Sauer, 264 Primera Drive; Jack Spector, 227 Devine Road; Dr. Sandra Tremblay, 716 East El Prado Drive; Daniel Easley, 424 Park Drive; Linda and Geoff Mayes; Dr. Kenneth Kirlin, 414 Thelma Drive; Mary Labatt, Scott Day, Urban Planning Development and Jackie Raney, 118 Primera Drive.

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

Citizens to be heard

Catherine Shults, 125 Luther reported her nine-year old niece was viciously attacked by the neighbor's dog, which was already on quarantine for attacking another neighbor. She also reported her son was attacked while trying to save her from the initial attack. She said she would like to propose three changes to the current City Ordinances:

1. Olmos Park failed in the quarantine methods by failing to notify Olmos Park residents of the dangerous animal. The City must post proper signage warning the neighborhood of the dangers of any animal.
2. The City of Olmos Park fails in not having a policy for euthanizing a pet after an incident of a bite or scratch from a pet. All the surrounding communities have acknowledged these threats and have policies in their ordinances.
3. The City of Olmos Park does not have a leash law. She said not having a leash law raises the same problems and the same lasting effects. Therefore, the potential exists for unprovoked attacks on our citizens.

She said the City cannot allow another person to be injured or killed by not adding or revising these ordinances. She said the current ordinances involving the handling of animals in the neighborhood are inadequate and need to be amended immediately to protect the children and citizens of Olmos Park.

Daniel Easley, 424 Park Drive suggested that Olmos Park participate in a joint venture with Alamo Heights to provide adequate animal control services.

Mary Kesler Sauer, 264 Primera stated her child was attacked while riding his bike to his friend's house seven days prior to the Shults incident. She said in reviewing the Olmos Park city ordinances, it appears the City has little or no authority to require the owner of the animal to take any action to insure this does not happen again, by relocating or euthanizing the animal. She asked the City Council of Olmos Park conduct a study to review the current ordinances regarding animals.

Dr. Kirlin, Eagle Veterinary Hospital stated the dog in question has been sent to a shelter in Houston today after a ten day rabies observation period. He said the dog will undergo

behavioral modification. The dog does not complete the program successfully it will then be euthanized.

Consent Items

Councilwoman Semmes made a motion to approve the minutes for the regular meeting held March 25, 2010. Councilwoman Gragg seconded the motion and the vote in favor was:

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

The motion in favor passed.

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

Gerald Dubinski reported there are three items to discuss:

1. Gerald Dubinski stated they would like to propose building a stair stepping rock wall approximately 6-8 feet high between the back of the fire station and the neighbors, Mr. & Mrs. Rainey 118 Primera Drive. The cost to build the rock wall is \$2,321. This cost does not include the fee to install a small gate to enclose the space in between the fire station fence and the rock wall.

Councilman Izbrand made a motion to authorize an expenditure not to exceed \$2,500 to install the rock wall and small gate to enclose the space between the fire station fence and the rock wall. Councilwoman Gragg seconded his motion and the vote in favor was:

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

The motion in favor passed.

2. Gerald Dubinski reported the quote from HTS Voice and Data Systems to provide phone, data lines, including full installation, toning, testing and a one-year warranty at a cost of \$6,575.

He also recommended the City purchase a small generator to operate the phone system in case of a power failure, at a cost of \$300.

Councilman Judson made a motion to authorize an expenditure of \$6,875 for phone system, data lines and a generator. Councilman Izbrand seconded his motion and the vote in favor was:

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

The motion in favor passed.

3. Alan Neff presented a design of a proposed two-sided monument marquis sign at a cost of \$12,306. He provided two possible locations for this marquis: a.) at the southern end of the corner of Olmos Lane and El Prado, or b.) at the corner of Primera and El Prado.

City Council asked Mr. Neff to provide a mock-up marquis at both of the recommended locations to get a better visual of the sites suggested.

No action taken on this item.

Receive report and presentation from Olmos Park Economic Development Corporation on conceptual master plan project

Jack Spector, President of the Economic Development Corporation (EDC) stated they have a quorum of the EDC members and called the meeting to order at 7:15 p.m.

Mr. Spector provided a timeline and process for the conceptual master plan project. He reported the EDC Board unanimously Approved Resolution 2010-01 which requests that the Olmos Park City Council Adopt a Resolution Authorizing the EDC to Undertake a Project to Have a Conceptual Master Plan Prepared to Guide the Revitalization of the Commercial District of Olmos Park. Mr. Spector stated the master plan project's anticipated cost is approximately \$100,000-\$125,000.

Mr. Spector adjourned the EDC meeting at 7:39 p.m.

First reading and discussion of request by Olmos Park Economic Development Corporation for City Council authorization for Olmos Park Economic Development Corporation to undertake a project to have a conceptual master plan prepared to guide the revitalization of the commercial district

Mayor Tefteller read the first reading of the Economic Development Corporation's request, "The Board of Directors of the Olmos Park Economic Development Corporation of the Olmos Park Economic Development Corporation requests that the City Council of the City of Olmos Park adopt a resolution authorizing the Olmos Park Economic Development Corporation to undertake a project to have a conceptual master plan prepared to guide the revitalization of the commercial district of the City of Olmos Park."

Discussion regarding resident request to construct a fence encroaching into City right of way at 219 Annie; take possible action

Linda Mayes, 219 Annie requested permission from City Council to erect a wrought iron fence along the drainage ditch on Annie Street, on the City's right of way. She stated she is concerned her grandson will be swept away by the current of the water that drains from the street and driveway into the unsecured drainage area.

Councilwoman Semmes made a motion to approve Mrs. Mayes request to erect a wrought iron fence along the drainage ditch on Annie Street at the owner's expense and maintenance, conditioned upon the property owner providing an indemnification that is acceptable to the City Attorney and contingent on the approval of the plans by the City Engineer. Councilwoman Gragg seconded her motion and the vote in favor was:

AYES: Izbrand, Semmes, Gragg, Judson

NAYES: None

ABSTAIN: None

The motion in favor passed.

Discussion of drainage issues on Parkhill Drive; take possible action

a.) Update on street maintenance contract; take possible action

Mr. Givler provided options for receiving water run-off:

<u>Alternative</u>	<u>Description</u>	<u>Project Cost</u>
A	36-inch storm drain	\$119,000 to \$137,000
This option would allow the installation of an underground 36-inch storm drain to direct the water run-off to the storm drain on Trevitt and Olmos Drive.		
B	Pavement repair	\$ 58,000 to \$ 67,000
This option would only modify the street to accommodate the additional water run-off.		

Mr. Givler recommends Alternative A, because it keeps the water off the street.

Councilman Judson stated he favors Alternative B the less expensive option, Mayor Tefteller stated he prefers Alternative A and Councilman Izbrand said he also prefers Alternative A.

Mayor Tefteller asked how much the cost will be reduced if the City uses a 30-inch storm drain. Mr. Givler stated the cost would be reduced by about 15%. Mr. Givler stated the preliminary design would cost about \$5,000.

Councilman Izbrand made a motion to direct the City Engineer to develop a preliminary design for the project outlined as Alternative A, 36-inch storm water drain in an amount not to exceed \$5,000. Councilwoman Gragg seconded his motion and the vote in favor was:

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

The motion in favor passed.

Mr. Givler also provided an update on the status of the detention pond on Sunshine Cottage property.

Report from Givler Engineering, City Engineer

- a.) Update street maintenance contract; take possible action
 Mr. Givler reported the street maintenance project has been completed, with the exception of the re-paving of the condominium parking lot. He stated his office is currently reviewing the contractor's work and assessing an informal punchlist of items that need more attention. He will meet with the contractor and address these items to insure they are corrected before recommending the substantial completion payment.
- b.) Discussion of floodplain issue; take possible action
 Mr. Givler reported that FEMA has issued the letter regarding the new floodplain maps. He stated his office is preparing a new flood plain ordinance for City Council to review and consider for adoption before the September deadline.

Discuss implementation of storm water fees; take possible action

Mayor Tefteller stated there will be added cost to comply with the storm water requirements. He stated with budget season approaching Council needs to consider adding a storm water fee on the SAWS bill or consider paying these additional fees through ad valorem taxes.

After discussion of the pros and cons, Mayor Tefteller suggested they review the SAWS contract to see if there will be any additional fees if implemented.

No action was taken.

Departmental reports:

(a) Police

(1) Incidents, arrests and activity during the prior and current months; update on City Code Violations

Police Lt. Scurlock presented Council with the Police Department monthly report.

(b) Fire

(1) Fire and other service calls, activity, and training activities during the prior and current months.

Fire Chief Medbury presented Council with the Fire Department report.

(2) Report on paramedic training and long term plan; take possible action

Fire Chief Medbury reported the Fire Department has two Paramedics, one Intermediate EMT and twelve Intermediate Basic EMT's. He stated the Fire Department needs additional funding to train additional paramedics, at a cost of \$3,000 or more for each position.

City Council requested the Fire Chief provide them with a two-year history of drug administration in Olmos Park.

(3) Update on AFG Assistance to Firefighters Grant; take possible action

Chief Medbury stated he has provided the Grant Writer with items needed by the Fire Department, this includes bunker gear and defibrillators.

(4) Report on fountain maintenance including water flow issues, overspraying, application of additional reflectors and signage, painting curbs and medians; take possible action

Chief Medbury reported there have been some maintenance issues with the fountain and he is currently working on these problems.

(c) Administration

Councilwoman Semmes made a motion to accept disbursements for April, 2010. Councilwoman Gragg seconded the motion and the vote in favor was:

AYES: Gragg, Izbrand, Judson, Semmes

NAYES: None

ABSTAIN: None

(d) Managers report

(1) Meeting calendar review

City Council reviewed meeting calendar.

(2) Explanation of schedule for Oaths following the May 8, 2010 election

City Secretary provided a schedule for Oaths.

Discussion regarding establishing an expense line item in the Capital Expenditures Fund to purchase a new patrol vehicle; take possible action on following budget amendment: Establish Capital Expenditures expense account "#20-400-500", "Police Department Vehicles" with a budget amount of \$31,000.

Councilwoman Gragg reported the budget amendment made in April transferred money to the Capital Expenditures fund but did not set up an expense line item in the Capital

Expenditures fund to spend the money. This new budget adjustment/amendment establishes the expense line item with a budget amount to buy the patrol car.

City Secretary reported the correct amount for the budget amendment is \$28,864.

Councilwoman Gragg made a motion to establish a Capital Expenditures expense account "#20-400-500", "Police Department Vehicles" with a budget amount of \$28,864.

Councilwoman Semmes seconded her motion and the vote in favor was:

AYES: Gragg, Izbrand, Judson, Semmes

NAYES: None

ABSTAIN: None

The motion in favor passed.

Receive and discuss Communications Committee update, including review of draft policy for use of new City Logo; take possible action

Councilwoman Gragg stated the Communications Committee would like to draft a policy for use of the new City Logo. The City Logo will help residents determine "official" Olmos Park communication or City business.

The Communications Committee will return with a proposed policy.

No action taken.

Discuss speed limit on Devine Road; take possible action

Councilwoman Semmes stated the speed limit on Devine from Hildebrand in San Antonio is 30 m.p.h., then drops to 25 m.p.h. on Devine in Olmos Park, then increases to 35 m.p.h. on Devine in San Antonio toward the soccer fields. She recommended the City contact the City of San Antonio and ask them to change their portions to 30 m.p.h. for consistency.

After some discussion, the issue was referred to the Safety Committee (Councilman Judson and Councilwomen Semmes) for further research.

No action taken.

Discuss Home Depot Grant to landscape the roundabout; take possible action

Councilwoman Gragg made a motion to authorize the City to apply for the Home Depot Grant. Councilwoman Semmes seconded her motion and the vote in favor was:

AYES: Gragg, Izbrand, Judson, Semmes

NAYES: None

ABSTAIN: None

The motion in favor passed.

Set the date for the election canvass May 17, 2010 at 5:45 p.m.; take possible action

Councilwoman Gragg made a motion to set the date for the election canvass May 17, 2010 at 5:45 p.m. Councilman Izbrand seconded her motion and the vote in favor was:

AYES: Gragg, Izbrand, Judson, Semmes

NAYES: None

ABSTAIN: None

The motion in favor passed.

Announce Board of Adjustment members with terms expiring in May 31, 2010 and request nominations; take possible action

Mayor Tefteller announced that Dr. Carl Raba, Richard Specia and Kimberly Gilbert have all agreed to serve another term if re-appointed.

There was no further business and the meeting ended at 9:29 p. m.

Ronald G. Tefteller
Mayor

ATTEST:

Celia M. DeLeon
City Secretary