

MINUTES OF REGULAR
CITY COUNCIL MEETING HELD
JULY 15, 2010

The City of Olmos Park City Council held a regular meeting on July 15, 2010 at 6:00 p.m. in the Council Chambers at City Hall. Mayor Susan Gragg presided and members present were Jeffrey Judson, Patricia Semmes, Ernest Locker and Gene Allen. Councilwoman Gayle Girdley was out of town unable to attend and previously excused from the meeting. Administrative staff present were Amy Buckert, City Manager; Police Chief Fred Solis and Fire Chief Mark Medbury. Also present were David Johnson, Givler Engineering; Marc Schnall, City Attorney; George Wilkins, 106 Luther Drive; Dorothy Jo Weiss, 701 West El Prado Drive; Rick Thomas, 433 East Olmos Drive; Jack Williamson, 303 Park Hill Drive; Wally Strash, 233 Park Hill Drive; Dr. Carl Raba, 400 East Wildwood Drive; Bill Tichy, 127 Primera Drive; Casey Allen, 234 Parklane Drive; Patrick Shearer, 215 East Melrose Drive; Jackie Rainey, 118 Primera Drive and Lee Sandoloski, 138 Park Hill Drive.

Mayor Susan Gragg called the meeting to order and announced a quorum was present at 6:50 p. m.

Presentation of Certificates of Appreciation by the Mayor

Mayor Gragg announced that she had Certificates of Appreciation to give Dr. Tom Ayres for his service to the City in serving on the Planning and Zoning Commission; and also Patricia Temple, Jim Lowry, Sylvia Lowry and Beth Emery for serving on the July 4th Parade Committee.

Citizens to be heard

Dorothy Jo Weiss, 701 West El Prado Drive complimented the two beautiful Municipal Buildings. She also stated her concerns regarding personnel in the police department.

Bill Tichy, 127 Primera complimented Lonnie Voight with Guido Brothers Construction on his professionalism throughout the construction of the two new Municipal Buildings. He also stated he supported the four way stop on the corner of Primera and West El Prado Drive.

Dr. Carl Raba, 400 East Wildwood Drive stated he read a number of articles in the neighborhood newspaper and said some of the comments were disingenuous in quote. He said a current Councilman stated he supported transparency, accountability, openness and honesty. He said the same Councilman has made comments about someone else's opinion because it differed from his opinion. He said while he supports debate, these comments concern him.

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

Amy Buckert, City Manager announced there was no any new information to discuss.

Report from Givler Engineering, City Engineer

(a.) Discuss Ordinance 2010-05 regulating construction site storm water; take possible action

David Johnson, Givler Engineering stated they have addressed all of Councilman Judson's concerns with this ordinance and further reviewed the ordinance with City Council.

Councilwoman Semmes made a motion to approve Ordinance 2010-05 Regulating Construction Site Storm Water Run-Off. Councilman Locker seconded her motion and the vote in favor was:

AYE: Semmes, Locker, Allen, Judson
NAY: None
ABSTAIN: None

The vote in favor was unanimous.

Councilman Judson requested the City Manager to track the cost of implementing and enforcing this ordinance.

Discuss Gift Acceptance Policy; take possible action
City Council reviewed the draft Gift Acceptance Policy.

Gift/Donation Policy:

The City of Olmos Park is fortunate to have a generous community dedicated to the betterment of the City. To that end, residents occasionally wish to donate various items to enhance the overall look and feel of the community. Gifts should:

- 1) Be displayed or used in such a way that the entire community may benefit*
- 2) Gifts should not cause undue hardship on the City's annual operating budget due to maintenance or repair*
- 3) Gifts with a value greater than \$500 must be accepted by the City Council with formal action*
- 4) Gifts shall only be accepted by the City if the use/display of the gift is immediately feasible or planned.*
- 5) All gifts with restrictions or conditions must be accepted only by action of the City Council*
- 6) Council will then issue a formal acknowledgement*
- 7) Receipt of all non-cash gifts with a value greater than \$100 must be reported to the City Council*
- 8) Perishable goods are exempt from the gift policy*

City Council may wish to create a list of needs from time to time in order to assist in identifying opportunities to enhance aesthetics of the community or supplement equipment and services.

City agreed to add item 9) Gifts will become the property of the City of Olmos Park and what happens to the "gifts" of a value greater than \$500 is at the discretion of the City Council; and expand item 2) with "a fiscal note that documents all one-time and ongoing direct and indirect costs resulting from the gift shall accompany the acceptance of the gift and adopted by the City Council".

Mayor Gragg recommended possibly appointing a committee to review proposed gifts to the City.

Councilman Allen made a motion to accept the Gift/Donation Acceptance Policy as amended. Councilman Judson seconded his motion and the vote in favor was:

AYE: Semmes, Locker, Allen, Judson
NAY: None
ABSTAIN: None

The vote in favor was unanimous.

Presentation of Olmos Park Foundation's recommendation for artist renderings for City Hall niches; take possible action

Councilwoman Semmes made a motion to accept Olmos Park Foundation's gift of artist renderings for City Hall niches. Councilman Allen seconded her motion and the vote in favor was:

AYE: Semmes, Locker, Allen, Judson
NAY: None
ABSTAIN: None

The vote in favor was unanimous.

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

Amy Buckert, City Manager announced the fire department moved in last week and will hold their Open House on July 22, 2010 from 5:00 p.m. to 7:00 p.m.

Consent Items:

- (a.) Approve Allied Waste Services disposal agreement
- (b.) Transfer of \$11,244 from General Fund unencumbered balance to Special Revenue Fund to pay for storm water portion of street maintenance project
- (c.) Approve Resolution amending authorized representatives assigned to the City's TexPool account
- (d.) Approve Resolution in regard to any City accounts at First Community Bank, National Association

Councilman Judson made a motion to approve consent items. Councilman Allen seconded his motion and the vote in favor was:

AYE: Semmes, Locker, Allen, Judson
NAY: None
ABSTAIN: None

The vote in favor was unanimous.

Discuss Ordinance 2010-06 Amending Chapter 26, Traffic and Parking, of the Code of Ordinances to add Sections 26.254 and 26.255 to require full stops at the westernmost intersection of El Prado Drive and Primera Drive in the eastbound and westbound directions; take possible action

Councilwoman Semmes made a motion to approve Ordinance 2010-06 Amending Chapter 26, Traffic and Parking, of the Code of Ordinances to add Sections 26.254 and 26.255 to require full stops at the westernmost intersection of El Prado Drive and Primera Drive in the eastbound and westbound directions. Councilman Allen seconded her motion and the vote in favor was:

AYE: Semmes, Locker, Allen, Judson
NAY: None
ABSTAIN: None

The vote in favor was unanimous.

Departmental Reports

Councilman Judson made a motion to approve the disbursements for June 2010. Councilman Semmes seconded her motion and the vote in favor was:

AYE: Semmes, Judson, Locker, Allen
NAY: None
ABSTAIN: None

The vote in favor was unanimous.

Discuss vacancy on Board of Adjustment

Mayor Gragg announced there is a vacancy on the Board of Adjustment due to Gene Allen's appointment to the City Council. City Council will accept submissions to be considered and will make an appointment to the Board at the Council's regular August meeting.

Discuss vacancy on Planning and Zoning Commission with term to expire December 31, 2010

Mayor Gragg announced Dr. Tom Ayres resigned from the Planning and Zoning Commission, therefore creating a vacancy. City Council will accept submissions to be considered and will make an appointment to the Board at the Council's regular August meeting.

Discuss implementation of a storm water fee; take possible action

Amy Buckert, City Manager reported the City paid approximately \$25,000 in storm water-related fees to the City Engineer in FY2010. She reminded City Council the City's MS4 Plan has numerous requirements including publication, education and maintenance requirements. She said the State has mandated all these programs to assist in environmental control. She recommended the City establish a storm water fee and charge a fee, the revenues would be used solely for storm water items.

Marc Schnall informed City Council if the City adopts a dedicated storm drainage fee the City cannot apply it as part of the tax rate. The statute states "the governing body of a municipality may charge a lot or tract of property of benefited property for drainage service on any basis other than the value of the property, but the basis must be directly related to drainage." He also said the City cannot charge a storm water fee to a vacant lot or a lot that has been subdivided but on which no structure has been built and no certificate of occupancy has been issued.

No action was taken.

Discuss of purchase of camera and computer for Police Department including possible budget transfer of \$8,000 from unencumbered balance to Police Department budget; take possible action

Police Chief Solis stated he is currently doing an analysis and assessment on equipment for the police and public works departments. He said there is one patrol vehicle camera down. He stated the ICOP camera company and the DataLux (MDT) Company have provided demonstration units for a 45 day trial and assessment which will end July 2010. He said the camera company has offered to upgrade all of the cameras for \$2,500 each. New purchase price for these cameras is \$5,500 each. In addition, the non-MDT laptops that have been in use are barely operating and must also be replaced.

He reported the sale of the non-operational 2006 Tahoe for \$3,500. He requested that the money gained from this sale as well as an additional \$4,500 be transferred into the Police Department operating budget in order to purchase one MDT (\$5,500) and to replace the camera at an upgrade cost of \$2,500, for a total of \$8,000. He said in doing so, only two sets of cameras and MDT's will need to be replaced as part of the FY2011 Budget.

Councilman Judson made a motion to approve the allocation of funds for the purchase of a camera and the computer system. Councilwoman Semmes seconded his motion and the vote in favor was:

AYE: Semmes, Locker, Allen, Judson
NAY: None
ABSTAIN: None
The vote in favor was unanimous.

There was no further business and the meeting was adjourned at 8:17 p.m.

Susan O. Gragg
Mayor

ATTEST:

Celia M. DeLeon
City Secretary