

MINUTES OF REGULAR  
CITY COUNCIL MEETING HELD  
NOVEMBER 17, 2011

The City Council of Olmos Park, Texas held a regular meeting on November 17, 2011 commencing at 6:00 p.m. in the Council Chambers at City Hall. Mayor Susan Gragg presided and Council members present were Kenneth Farrimond, Gayle Girdley, Sharon Plant and Pat Semmes. Councilman Judson was not in attendance. Staff present was City Manager Michael W. Simpson, City Secretary Celia M. DeLeon, Police Chief Fred Solis; Fire Chief John Surber and Gilbert DeLeon, Public Works Director. Also present were Marc Schnall, City Attorney; Jim Clements; Carol McMorris, 116 Paseo Encinal; Carolyn Nelson; Deb Prost, 130 Stanford; Jenny Wood, 143 Paloma and Susan Farrimond, 210 Parklane Drive.

Mayor Gragg announced a quorum was present and called the meeting to order at 6:05 p.m.

Citizens to be heard

There were no citizens to be heard.

CONSENT ITEMS:

- a) Approve minutes for regular meeting held for October 20, 2011;
- b) Accept Disbursements for October 2011;
- c) Adoption of Resolution 2011-10 approving 2011 Tax Roll pursuant to Section 26.09(e) of the Texas Tax Code; take possible action;
- d) Excuse Councilman Judson's absence from the November 17, 2011 City Council meeting.

City Council approved Consent Items, (a.); (b.); (c.) as submitted.

Councilwoman Semmes requested to pull consent item (d.) to be considered separately.

Consent Item (d.)

Councilwoman Semmes stated she is looking at the TML Handbook, which states Section 22.041 of the Local Government Code states, "if a member of the governing body is absent for three regular consecutive meetings, the member's office is considered vacated unless the member is sick or has first obtained a leave of absence at a regular meeting". She said she doesn't know what Councilman Judson's excuse is, and said if he is ill, then he should be excused, if he is not ill then this is not a request that came from a regular meeting. Councilwoman Semmes stated that she doesn't think City Council should excuse Councilman Judson's absence, because he is not ill and this request should've been at a prior meeting.

Marc Schnall agreed this excuse should've been considered prior to tonight's meeting.

No action was taken on this item.

Receive names of Planning and Zoning members with terms expiring December 31, 2011; submit and consider nominations at the December, 2011 meeting.

City Secretary announced the names of Planning and Zoning members with terms expiring December 31, 2011 were John Whitsett, Timothy Blonkvist and Andrew Douglas. She stated John Whitsett has agreed to serve another term, if re-appointed, Tim Blonkvist has declined to serve another term due to his continued work out of the country and Andrew Douglas has declined to serve another term.

Councilman Farrimond arrived at 6:15 p.m.

Approve holiday schedule for 2012; take possible action

Mike Simpson, City Manager announced he added Veterans Day to the Holiday Schedule.

After some discussion, Councilwoman Girdley made a motion to approve the Holiday Schedule for 2012. Councilman Farrimond seconded the motion and the vote in favor was:

AYES: Girdley, Farrimond, Plant, Semmes

NAYES: None

ABSENT: Judson

The motion in favor passed.

Discuss establishing a policy of scheduling a review of the job performance of all persons and firms appointed by the City Council, including in the policy a provision for requesting statements of qualification from applicants for those appointed positions; take possible action.

Councilman Farrimond moved to table this item for further research and be placed on the December City Council agenda for discussion. Councilwoman Plant seconded his motion and the vote in favor was:

AYES: Girdley, Farrimond, Plant, Semmes

NAYES: None

ABSENT: Judson

The motion in favor passed.

Discuss Requests for Qualifications for City Attorney, City Engineer and City Prosecutor; take possible action.

Councilwoman Semmes moved to Request for Qualifications (RFQ) for Municipal Court Prosecutor. Councilwoman Plant seconded the motion and the vote in favor was:

AYES: Girdley, Farrimond, Plant, Semmes

NAYES: None

ABSENT: Judson

The motion in favor passed.

Mayor Gragg appointed the City Manager, Councilman Farrimond and Councilwoman Girdley to the City Prosecutor search committee.

Councilwoman Semmes moved to adopt the RFQ proposed for the Municipal Court Prosecutor. Councilman Farrimond seconded the motion and the vote in favor was:

AYES: Girdley, Farrimond, Plant, Semmes

NAYES: None

ABSENT: Judson

The motion in favor passed.

Request for Qualifications for City Engineer and City Attorney were discussed, no action was taken.

Discuss City Manager and City Secretary bond; take possible action.

Councilwoman Plant moved to allow the City Manager to purchase a bond for himself and the City Secretary in the amount of \$5,000, with the total cost not to exceed \$2,000. Councilwoman Semmes seconded the motion and the vote in favor was:

AYES: Girdley, Farrimond, Plant, Semmes

NAYES: None

ABSENT: Judson

The motion in favor passed.

Discuss hosting a Railroad Quiet Zone reception the first week in December to thank those who contributed to its enactment; take possible action.

Councilwoman Plant moved to send Councilman Judson back to Senator Wentworth's and Speaker of the House Straus' to request availability dates for a reception to be held during the week of December 5<sup>th</sup> through December 14<sup>th</sup>, 2011. Councilman Farrimond seconded the motion and vote in favor was:

AYES: Girdley, Farrimond, Plant, Semmes

NAYES: None

ABSENT: Judson

The motion in favor passed.

Departmental Reports: (Written reports submitted to City Council, no further discussion required, unless requested by City Council.)

City Manager welcomed Gilbert DeLeon as the new Public Works Director to his first meeting.

Councilwoman Plant requested clarification on the computer expense for the Police Department. Mike Simpson said the computer was a budgeted item.

Mayor Gragg mentioned the calendar of events did not include the EDC workshop scheduled for Sunday, November 20<sup>th</sup> and the Christmas Employee Luncheon is scheduled for December 16<sup>th</sup>, 11 a.m. to 2 p.m.

Discuss FY 2012 budget amendments; take possible action.

Councilwoman Plant stated the line items that she is requesting to be amended are items that do not affect the bottom line. She said after reviewing budget drafts there are sections of the budget that she does not believe City Council voted on, she said there some changes to the budget after the fact. She said she mentioned this to the City Council prior to adopting the budget and was told these corrections can be made after the fact.

Councilwoman Plant stated if City Council approves the recommended budget fire truck amendment with the funds the City currently has, the City will be in the negative position if this amendment is approved. She asked the City Council to consider this when they review some of the overages on some of the budgeted line items.

The City Manager stated what will go into a negative is the twenty (20) account; however the City has the money in the bank now to pay for the fire truck. He said the City is starting to receive the November ad valorem split payments; reiterating the money is in the bank to pay for the fire truck. Councilwoman Plant stated she is aware we have the cash to pay for the fire truck, stating her concern is where the City will be after we pay for the fire truck. City Manager stated this amendment will use some of the undesignated general fund equity.

Councilwoman Semmes moved to accept the City's accountant recommended amendment, to approve FY 2012 budget adjustment authorizing maximum expenditure of \$315,000 combined from Capital Replacement Fund and General Fund for purchase of a new fire truck. Councilman Farrimond seconded the motion and the vote in favor was:

AYES: Girdley, Farrimond, Semmes

NAYES: Plant

ABSENT: Judson

The motion in favor passed.

Councilman Farrimond moved to form a committee to include the Mayor, two Council members and the City Manager to meet with Susan Wootton to get these budget amendment questions figured out. Councilwoman Plant seconded the motion and the vote in favor was:

AYES: Girdley, Farrimond, Semmes, Plant  
NAYES: None  
ABSENT: Judson

The motion in favor passed.

Receive and discuss agreement with Officer Ken Kalteyer for him to use his personally-owned motorcycle to conduct Olmos Park Police business at no expense to the City; take possible action.  
Mike Simpson, City Manager requested to pull this item from the agenda. City Council agreed.

Receive and discuss Communication Committee's proposed policy that E-mails and emergency notifications from the City of Olmos Park to subscribers registered for Email Updates may only be sent for official business of the City, take possible action.

Councilwoman Girdley moved to approve the Communication Committee's proposed policy that E-mails and emergency notifications from the City of Olmos Park to subscribers registered for email updates may only be sent for official business of the City. Councilwoman Semmes seconded the motion and the vote in favor was:

AYES: Girdley, Farrimond, Semmes, Plant  
NAYES: None  
ABSENT: Judson

The motion in favor passed.

There was no other business and the meeting was adjourned at 8:20 p.m.

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Susan O. Gragg  
Mayor

ATTEST:

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Celia M. DeLeon  
City Secretary