

The City of Balcones Heights  
Regular City Council Meeting  
3300 Hillcrest Drive  
Balcones Heights, Texas 78201

**MINUTES**

DATE: November 10, 2008

TIME: 6:00 p.m.

Members Present:     Suzanne de Leon     Miguel Valverde     Linda Pohl  
                          Charles Matthies     Lamar Gillian     Bill Johnson

Members Absent:     None

*SIGN IN SHEET:*     Henry Hannasch     Mercy Meyers     Beryl Jones  
                          Bennie F. Cass     Otto Moellering

**CALL TO ORDER AND RECORDING OF QUORUM**

Quorum present.

**INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U. S. A. AND TEXAS  
FLAGS**

Councilman Matthies gave the invocation and led pledges.

**CITIZENS TO BE HEARD:**

There were no citizens signed up to be heard.

**1. PRESENTATIONS and REPORTS:**

Convention & Visitors Bureau Report, including Norris Conference Center updates.  
(Nastasi)

Lorenzo Nastasi went over the highlights of the report.

**2. CONSENT AGENDA ITEMS:**

- a. Approval of minutes for Regular Meeting of October 13, 2008.
- b. Approval of the October 2008 Check Register.
- c. Approval of Financial Report for month of October 2008.
- d. Investment Inventory Report, 3<sup>rd</sup> Qtr. 2008.

MOTION: I make a motion to approve consent agendas item in whole.

Motion by: Lamar Gillian     Second: Charles Matthies     5/0/0     PASSED

Councilman Gillian asked that in regard to expenditures staff brief council on contracting procedures next month.

**BOARD AND COMMISSION APPOINTMENTS:**

3. Consideration and **ACTION** to appoint Citizens Street Repair Advisory Committee members in vacant positions.

Mayor made recommendation that Bennie Cass be appointed to Place 4 and that Michelle Thompson be appointed to Place 6.

MOTION: I make a motion that these two individuals be accepted to the Street Advisory Committee.

Motion by: Lamar Gillian    Second: Miguel Valverde    5/0/0    PASSED

4. Consideration and **ACTION** to appoint Planning and Zoning Commission member.

Mayor made recommendation to appoint Hank Cortez to the alternate position on the Planning and Zoning Commission.

MOTION: I make a motion that we put Hank Cortez as the alternate.

Motion by: Charles Matthies                      Second: Miguel Valverde    5/0/0    PASSED

**PUBLIC HEARINGS:**

**ACTION ITEMS:**

5. Consideration and **POSSIBLE ACTION** regarding revisions to the Terra Design Group Concept Design Plan, Fredericksburg Road Corridor Project, Phase 2. (Nastasi)

Mayor gave an update on the design plan and stated she had appointed an adhoc steering committee that will be called the Balcones Heights Redevelopment Task Force (BRTF). Members of committee are the following: Mayor de Leon, Sean Pate, Pamela Hodges, Madeline Slay, Ron Meyers, and Lorenzo Nastasi as Chairman. She also stated the purpose of the committee and mentioned others will be appointed in the future.

Lorenzo Nastasi came up to inform council the Phase 2, Fredericksburg Road Corridor Project needed to be revised.

Walter Heard also came up to give council update on revisions.

MOTION: I make a motion to approve the new revisions.

Motion by: Linda Pohl                      Second: Bill Johnson                      5/0/0                      PASSED

6. Consideration and **ACTION** regarding Metropolitan Planning Organization (MPO) project. (Simmons)

Sherita Simmons came up and presented the MPO project call put out by the Bexar County Metropolitan Planning Organization. She recommended the council approve 20% contribution of funds to alleviate the cost of the construction project. Federal grant will pay 80% and city would pay the remaining 20%. Ms. Simmons also answered questions asked by council. City Administrator stated funding from City Public Service and VIA may also go toward fulfilling the city's 20% contribution.

Council wants to make sure that this commitment for the 20% is revocable or that there is an opt out clause should the city not be able to fund.

MOTION: To approve to submit application along with letter regarding 20% commitment contingent upon verifying with MPO and TXDOT that there is a revocable opt out clause in case the economy gets extremely bad.

Motion by: Bill Johnson      Second: Charles Matthies      5/0/0      PASSED

7. Consideration and **ACTION** to adopt an ordinance authorizing municipal court to hear additional cases in regards to the Strategic Nuisance Abatement Program (SNAP). (Stannard)

Police Chief Bill Stannard presented the ordinance which will authorize city to hear specific cases dealing with SNAP program in Balcones Heights Municipal Court.

MOTION: Mayor I would like to make a motion that we authorize you to sign this ordinance.

Motion by: Lamar Gillian      Second: Miguel Valverde      5/0/0      PASSED

8. Consideration and **ACTION** regarding Fire Station Committee's recommendation. (Matthies)

City Administrator gave a report of the committee's meeting and committee's recommendation to hire a structural engineer to give a foundation report to see what condition the fire station is in.

No Action.

9. Consideration and **ACTION** to fund a street maintenance employee.

City Administrator stated a suggestion was made to fund a maintenance employee from the street fund.

MOTION: I make a motion to do it (to hire a maintenance man).

Motion by: Charles Matthies      Second: Lamar Gillian      4/1/0      PASSED

10. Consideration and **ACTION** to approve the 2009 holiday schedule.

MOTION: So move.

Motion by: Lamar Gillian    Second: Bill Johnson    5/0/0    PASSED

11. Discussion and **POSSIBLE ACTION** to adopt an ordinance for design criteria regarding driveways.

Two ordinances were drafted, one by City Attorney, and the other by Development Services Coordinator. City Administrator stated his concerns on having a lengthy detailed ordinance.

MOTION: I would like to table this until next meeting when I have a chance to read.

Motion by: Bill Johnson    Second: Lamar Gillian    5/0/0    PASSED

**DISCUSSION:**

12. Discussion and follow-up on Code Ordinance Enforcement. (Valverde)

Councilman Valverde stated concerns regarding code enforcement and the updating of the Code Book of Ordinances.

13. Discussion regarding Waste Management brush pick-up.

Recommendation for dates of the semi-annual brush pick will be in April and October.

**EXECUTIVE SESSION:**

Council went into closed door executive session at 7:41 p.m.

14. Discussion pursuant to Government Code Ann. Sec. 551.071(1) Consultation with Attorney - Pending litigation Arthur and David Lefton v. City of Balcones Heights.

RE-CONVENE IN OPEN SESSION: 8:21 p.m.

15. Discussion on proposed compromise and settlement agreement regarding pending litigation with Arthur and David Lefton v. City of Balcones Heights.

The Attorney Bernard Fishman came up to speak on behalf of Arthur and David Lefton.

No Action.

**ADJOURNMENT:**

Meeting adjourned at 8:52 p.m.

City of Balcones Heights, Texas

By: \_\_\_\_\_  
Delia Flores  
City Secretary, TRMC

Approved by City Council – December 8, 2008