

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

MINUTES

DATE: September 11, 2006

TIME: 6:00 p.m.

Members Present: Jim Craven Bennie Cass Suzanne de Leon
(Cass 6:03 p.m. – 8:45 p.m.)
Steve Walker Lamar Gillian Bill Johnson

Members Absent: none

Staff Present: Lanny S. Lambert Delia Flores Frank Garza
Ben Hoeffner

Others Present: Harry Lansberg Carol Walker R. G. Weil
Otto Moellering Angela Riggs Bob Christy
H.J. Hannasch Travis Brown Elisa & Arnold
Ron & Serena Miranda George Moellering
Beryl Jones J. P. Sanchez Mary A. Espinoza
Freddy Jones Damon Mason Francisco Castrol
Gloria Cantu Ismail Vohra Rafael & Jane
Cathy Craven Nick Flores

CALL TO ORDER AND RECORDING OF QUORUM

Quorum present.

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

Mayor Jim Craven gave the invocation and led pledges.

PUBLIC COMMENT PERIOD

Frank Castro from the Thomas Jefferson JROTC came with some of his cadets to thank the city council for the use of the Norris Conference Center. Cynthia Test also came up at this time to inform council of an invitation from SAISD for them to attend to be recognized for their support of the JROTC.

Serena Miranda, small business owner of SA Event Planners, came to inform city council of a Small Business EXPO on September 30, 2006 at Crossroads Mall. She also invited city council to a ribbon cutting at 9:30 a.m. the day of the EXPO.

Asslan Khaligh, an ex-resident of the City of Balcones Heights and Election Judge for ten (10) years during his time living in this city, came to say good-bye and offered to help in any area dealing with city government if needed.

1. PRESENTATIONS and REPORTS:

- a. Convention & Visitors Bureau Report, including Norris Conference Centers updates. (Nastasi)

Lorenzo Nastasi, Director of Tourism, came up to go over the highlights of the report previously handed out to council.

- b. Presentation by Bob Barnard of American Traffic Solutions on findings regarding the red light camera study.

This item was addressed after Item 4 and before Public Hearing in Item 5.

Bob Barnard, Bob Williams, and Gary Marrow were present to give the presentation that included an explanation of the red light cameras, a slide show and a question and answer period.

- c. Rosa Maria Mall's presentation of dance class students. (Walker)

Rosa M. Mall was not present at this meeting.

2. CONSENT AGENDA ITEMS:

- a. Approval of minutes for the Regular Meeting of August 14, 2006.
- b. Approval of minutes for the Special Meeting of August 21, 2006.
- c. Approval of the August 2006 Check Register.
- d. Approval of Financial Report for month of August 2006.
- e. Special Financial Report (Combined Court Revenue Increase and PD O/T Reduction)

Corrections noted will be made to the minutes of August 14 and August 21, 2006.

MOTION: I make a make a motion we approve all five items.

Motion by: Bennie Cass Second: Suzanne de Leon 5/0/0 PASSED

BOARD AND COMMISSION APPOINTMENTS:

3. Consideration and **ACTION** to appoint CVB Board Member's, appointed by Mayor, and Council Member, Place 3. (Nastasi, Mayor, Walker)

Mayor Jim Craven nominated Jack Nicholson.

MOTION: I make a motion we approve.

Motion by: Steve Walker Second: Lamar Gillian 5/0/0 PASSED

Councilman Steve Walker, Place 3 nominated Michelle Krier.

MOTION: I nominate Michelle Krier.

Motion by: Steve Walker Second: Bennie Cass 5/0/0 PASSED

PUBLIC HEARINGS:

4. Council will conduct a **PUBLIC HEARING** on the Proposed Annual Operating Budget for Fiscal Year 2006-07.

Public Hearing opened at 6:20 p.m. and closed at 6:21 p.m. No one came up to speak on this issue.

5. Council will conduct a **PUBLIC HEARING** regarding the red light camera system. (Walker)

Public Hearing opened at 7:17 p.m. and closed at 7:22 p.m. The following people spoke regarding this issue:

Freddy Jones – He had questions on the purchasing process.

Henry Hannasch – Had concerns about implementing the red light cameras for money and the effect it would make on tourism.

George Moellering – In support of the red light cameras for saving lives.

City Attorney, Frank Garza, addressed Freddy Jones concerns regarding the purchasing process.

ACTION ITEMS:

6. a. Consideration and **ACTION** to approve/disapprove an ordinance establishing a photographic traffic enforcement system (Red Light Camera System). (Garza)

MOTION: Mr. Mayor I make a motion that we approve the ordinance to install traffic enforcement red light camera system.

Motion by: Lamar Gillian Second: Bennie Cass 3/2/0 PASSED

Nay vote: Steve Walker and Bill Johnson

MOTION: I make a motion Mayor that we amend Section VI. Penalty; Enforcement modify subparagraph B. to read the civil penalty for which the owner or when applicable to operators liable is according to the schedule of fines published by Balcones Heights, Texas.

Motion by: Lamar Gillian Second: Suzanne de Leon 4/1/0 PASSED

Nay vote – Steve Walker

MOTION: I make a motion that we adopt a 30 day grace period instead of a 60 day grace period.

Motion by: Lamar Gillian Second: Bennie Cass 3/2/0 PASSED

Nay vote: Steve Walker and Suzanne de Leon.

Councilwoman de Leon noted some typos in ordinance. 1. Page 2 last whereas change issues to issued. 2. Page 3 C comma after Balcones Heights.

b. Consideration and **ACTION** to approve/disapprove a contract with American Traffic Solutions to provide traffic enforcement system at four intersections located in Balcones Heights. (Garza)

MOTION: Mr. Mayor I make a motion we approve the contract.

Motion by: Lamar Gillian Second: Bennie Cass 3/2/0 PASSED

Nay vote: Steve Walker and Bill Johnson

MOTION: I make a motion that we include the Schedule 1 Program and Service Fees the portion that is optional the 30% of fine up to \$25.00 per collection. It's the delinquent collections services what we want to include in the contract. So my motion is to include the Delinquent Collections Services in the contract.

Motion by: Lamar Gillian Second: Bennie Cass 3/2/0 PASSED

Nay vote: Steve Walker and Bill Johnson

Recessed 7:36 p.m.

Reconvened at 7:48 p.m.

7. Consideration and **ACTION** to approve/disapprove a resolution to award bid for Medical/Health Insurance Coverage. (Lambert)

City Administrator, Lanny S. Lambert, informed council of Humana's initial proposal that would save the city money but stated that after Humana reviewed employee's medical questionnaires their premium was more expensive than our present coverage. Based on those numbers city administrator recommended the city stay with Community First until February 1, 2006 and ask Community First to consider proposals for council's consideration with higher deductibles.

Councilman Walker asked if Council could consider changing the Agent of Record.

No Action was necessary.

Item 10 was addressed before Item 8.

8. Consideration and **ACTION** to approve/disapprove request for \$2000.00 to help fund the annual Halloween Fun Fest. (Lambert)

City Administrator, Lanny S. Lambert, reminded council of previous funds given from the Child Safety fund in support of the Halloween Fun Fest.

Councilman Cass suggested closing off Glenarm up to Gentleman for the safety of the children.

MOTION: I make a motion we approve the \$2,000.00.

Motion by: Steve Walker Second: Bennie Cass 5/0/0 PASSED

9. Consideration and **ACTION** to review suburban city analysis summary for Balcones Heights and to award bid for EMS services. (Gillian)

City Administrator, Lanny S. Lambert, advised council he received no bids but had received 3 proposals after bid date. Proposals were from San Antonio for \$244,751.00, American Medical Response for \$306,000.00, and from Medix for \$120,000.00.

Representative from Medix came up to answer questions for council.

EMS committee recommended to accept the Medix proposal.

MOTION: I make a motion that we accept his (Medix) one year proposal.

Motion by: Steve Walker Second: Bennie Cass 5/0/0 PASSED

Item 11, 18 and 21 were grouped together and taken in that order.

10. Consideration and **ACTION** to approve/disapprove Judge Richard Weil's request to increase funds in Municipal Court. (Weil)

Municipal Judge, Richard Weil, informed council of the increase of activity during court. He stated his salary and that of the prosecutor had not been increased since 1994 and he proposed it be set at \$250.00 a week. He also proposed a fund of \$3,000.00 or less be set for the prosecutor to handle appeals at \$100.00 each time he needed to go to court. He also mentioned changes needed to be made to the courtroom to make room for more people.

MOTION: I would like to recommend that you (Municipal Judge) get \$250.00 a week and the prosecutor get \$225.00 a week including when there are five weeks in a month.

Motion by: Bennie Cass Second: Suzanne de Leon 5/0/0 PASSED

MOTION: I would like to make a motion that we follow the judges suggestion to have a fund to handle appeals in a separate fund up to \$3,000.00 annually.

Motion by: Suzanne de Leon Second: Lamar Gillian 5/0/0 PASSED

11. Consideration and **ACTION** to submit Invitation for Bid (IFB) to local newspaper and/or direct invitations to contractors for re-roofing proposals for the firehouse. (Gillian)

Councilman Lamar Gillian mentioned survey done on roof at fire station by Cram Roofing free of charge that recommended the roof at firehouse be redone.

MOTION: I make a motion that we go to the local newspaper (Express News) with a IFB (Invitation for Bid) for re-roofing.

MOTION: Lamar Gillian Second: Steve Walker 5/0/0 PASSED

12. Consideration and **ACTION** regarding Rosa Mall's request to waive fee for the rental of the Civic Center for dance class. (Walker)

NO ACTION. Rosa Mall was not present to make her presentation.

13. Consideration and **ACTION** to adopt an ordinance regarding the 2006-07 Annual Operating Budget for the period of 10-1-06 through 9-30-07. (Miller)

MOTION: I make a motion that we adopt the ordinance for the budget.

Motion by: Steve Walker Second: Suzanne de Leon 5/0/0 PASSED

14. Consideration and **ACTION** to "Vote On Tax Rate" for the 2006 Tax Year. (Miller)
{Truth In Taxation Step 7}

City Administrator, Lanny S. Lambert, advised council of the proposed tax rate of .532404 a 2 ½ % decrease from last years tax rate.

MOTION: So move.

Motion by: Lamar Gillian Second: Steve Walker 5/0/0 PASSED

15. Consideration and **ACTION** to adopt an ordinance to increase "No Parking Zone" on Leisure Dr. (Cass)

No Action.

Direction was given to Fire Chief, Ben Hoeffner, to go out and get measurements and bring back at the next council meeting to be specific as to how much of the curb to paint red.

16. Consideration and **ACTION** to cast votes for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election. (Lambert)

MOTION: I make a motion that we take the recommendation of Lanny Lambert and fill those names to include Lamar Gillian.

Motion by: Steve Walker Second: Bill Johnson 5/0/0 PASSED

Councilman Lamar Gillian mentioned he wanted the official ballot to specify he was a "retired" Certified Public Accountant.

17. Consideration and **ACTION** to adopt a resolution authorizing the filing of a grant application with the Alamo Area Council of Governments (AACOG) for a regional solid waste grants program. (Lambert)

MOTION: I make a motion we adopt the resolution.

Motion by: Steve Walker Second: Bill Johnson 4/0/0 PASSED

Councilman Bennie Cass left the meeting at 8:45 p.m.

Councilman Gillian asked if it included a trailer and the answer was no.

18. Consideration and **ACTION** for financing of new fire truck. (Hoeffner)

NO ACTION.

Direction was given to City Administrator to enter into negotiations to sell old fire truck to use funds to finance new truck.

19. Consideration and **ACTION** to amend budget dated September 19, 2005 for Fiscal Year 2005-06. (Miller)

MOTION: So move.

Motion by: Lamar Gillian Second: Bill Johnson 4/0/0 PASSED

Councilman Lamar Gillian noted correction to be made on revision to change error in spelling of undersigned.

WORKSHOP:

DISCUSSION ITEMS:

20. Discussion on Texas Attorney General Opinion GA-0446, relating to House Bill 914 on conflicts disclosure statement. (Garza)

City Attorney, Frank Garza, passed out information and gave council an explanation of House Bill 914 regarding the conflicts disclosure statement.

21. Discussion and review of firehouse foundation settling and cracks. (Gillian)

Councilwoman de Leon asked Fire Chief to come up and inform council of the other problems at the fire station. Fire Chief also showed pictures he had taken of cracks in building.

EXECUTIVE SESSION:

ADJOURNMENT:

Meeting adjourned at 9:00 p.m.

City of Balcones Heights, Texas

By: _____
DELIA FLORES – City Secretary, TRMC

Approved by City Council on October 9, 2006.