

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

**MINUTES**

**DATE: June 22, 2015**

**TIME: 6:00 p.m.**

Members Present:     Suzanne de Leon (Mayor)                     Jack Burton (Mayor Pro Tem)  
                              Lamar Gillian                                     Charles White  
                              Linda Pohl   Madeline Slay

Members Absent:

Sign in Sheet:         Rich Orr                     Dora Orr                     Henry Hannasch  
                              Roger Lawhead             Daphne Morales

**CALL TO ORDER AND RECORDING OF QUORUM**

Meeting was called to order and quorum was present.

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

Councilmember Gillian gave the invocation and led pledges.

**PUBLIC COMMENT PERIOD**

No one signed up to speak.

**1. PRESENTATIONS and REPORTS:**

- a. Balcones Lofts Update: retail leasing (Exquisite Properties)
- b. Balcones Lofts Update: apartment leasing (Dan Markson, NRP)

Jason Archieaga from NRP came up to speak on behalf of Exquisite Properties and NRP on both 1a and 1b of the presentation.

He gave an update on retail, leasing, construction, pre-leasing, and answered any questions regarding those issues.

- c. Update from Consultant Walter Serna. (Serna)

Walter Serna gave the update after Consent Agenda Items on the following:

- Met with VIA to go over the structure proposed
  - Meeting June 24, 2015 with developer and mall partners to discuss terms
- d. Community Initiatives Department Report – May 2015 (Nastasi)

Mr. Nastasi came up and gave highlights of the report. He also informed council on the following:

- Jazz Festival flyer
- Lorenzo Nastasi and Chrissie Kolb attended a Public Information Officer conference.
- NRP will have a booth at the Jazz Fest and will be giving promotional items to prospective tenants.
- Annual Trash Bash will be held on July 18<sup>th</sup>.

e. Police Department Report – May 2015 (Volz)

Chief Volz came up and gave highlights of the report. He informed council on the following:

- Officer Reine Scheer has retired after 25 years of service.
- Lt. Pena was guest speaker at Incarnate Word.
- Three Officers were sent to SAPD for training in Mobile Field Force.
- Recognized Officer Mata for his dedication to the safety of the citizens of Balcones Heights.
- He announced an activity will be held for all the residents at Rogiers Park on June 23, 2015.

f. Pinning ceremony – Lt. John Jahanara

Mayor de Leon gave an introduction and recognized Lt. Jahanara on his promotion. Lt. Jahanara was pinned by his wife Yvette Jahanara.

g. Fire Department Report – May 2015 (Ward)

Chief Ward came up and gave highlights of his report.

h. Community Development Report and Code Compliance Update – May 2015 (Hoyl)

Ms. Hoyl came up and gave highlights of the report. She also mentioned some streets were able to be stripped however the rain prevented the progress expected.

**2. CONSENT AGENDA ITEMS:**

- a. Approval of minutes for Regular Meeting of May 18, 2015
- b. Approval of Financial Report for month of May 2015

MOTION: I make a motion we approve in its entirety.

Motion by: Councilmember Pohl      Second: Councilmember White      4/0/0      PASSED

Councilmember Slay stepped out and was not present for the vote.

Walter Serna was now present and gave update on agenda item 1c.

**BOARD AND COMMISSION APPOINTMENTS**

Consideration and **ACTION** to appoint or re-appoint members to the Planning and Zoning Commission. (Mayor)

Recommendation made was for the following appointments:

PZ Appointment #2 – Jimmy L. Hernandez

PZ Appointment #3 – George Monsive

PZ Appointment #5 – Stephen Lara

MOTION: Motion to approve the Mayor's recommendations.

Motion by: Councilmember Gillian Second: Councilmember Pohl 4/0/0 PASSED

### **PUBLIC HEARINGS:**

Councilmember Slay returned to meeting.

3. City Council will hold a **Public Hearing** on proposed requirement of a Special Use Permit for Bar-Indoor (Tavern) use in M-2 Zoning.

Public Hearing opened at 6:39 p.m.

Mayor de Leon read background provided by Director Rita Hoyl.

Public Hearing closed at 6:42 p.m.

### **BUSINESS ITEMS:**

4. Consideration and **ACTION** to approve the Mayor Pro Tem appointment. (Mayor)

Mayor de Leon gave the council the option to make a motion to appoint any member they choose.

MOTION: I would like to nominate Jack Burton.

Motion by: Councilmember Gillian Second: Councilmember Slay 3/2/0 PASSED

NAY Vote: Councilmember Pohl Second: Councilmember White

5. Consideration and **ACTION** to adopt an ordinance amending Code of Ordinances Chapter 30:6 City Council Relations Policy and Code of Ethics. (White/Harris/Garza)

MOTION: Motion to table.

Motion by: Councilmember White Second: Councilmember Gillian 5/0/0 PASSED

6. Consideration and **ACTION** to adopt a resolution to approve the Regional Mutual Aid Agreement between local government entities and local organizations within the geographic areas covered by the Alamo Area Council of Governments. (Volz)

MOTION: I make a motion to approve.

Motion by: Councilmember White    Second: Councilmember Pohl    5/0/0    PASSED

7. Consideration and **ACTION** to adopt an ordinance providing for the creation of the Balcones Heights Infrastructure and Economic Development Fund. (Harris)

City Administrator gave background on the CPS upgrade on the franchise amount from 3% to 4.5% and the CIED they phased out and recommended the 1.5% extra be dedicated towards infrastructure and economic development for future projects.

MOTION: I make a motion to approve.

Motion by: Councilmember White    Second: Councilmember Slay    5/0/0    PASSED

8. Consideration and **ACTION** to approve engineering services with Slay Engineering for the CDBG Leisure Project, Phase I and II. (Hoyl/Harris)

Councilmember Slay left the room at 6:56 p.m. during the discussion and vote of this item.

Director Hoyl came up and gave background on this item and recommended approval of agreement with Slay engineering for the Leisure Street Project, Phase I & II with expenses to be made from street fund.

MOTION: So moved. (to approve engineering services with Slay Engineering for Leisure Street Phase I & II.)

Motion by: Councilmember Gillian    Second: Councilmember Burton    4/0/0    PASSED

Councilmember Slay not present for vote.

9. Consideration and **ACTION** to approve audit services for the city and crime control district FY 2014/15 audit. (Messick/Harris)

City Administrator Harris informed council that staff is looking to engage Armstrong, Vaughan, and Associates for the annual audit and will be getting only one report instead of the separate City Council/Crime Control reports which will save the city some money.

MOTION: I make a motion that we approve.

Motion by: Councilmember Pohl    Second: Councilmember White    5/0/0    PASSED

10. Consideration and **ACTION** to adopt an ordinance maintaining the 2009 International Energy Conservation Code, adopting the 2015 International Code Series and the 2014 National Electrical Code. (Hoyl)

Director Hoyl recommended approval of maintaining the 2009 International Energy Conservation Code, and adopting the 2015 Edition of the International Codes by reference and the 2014 National Electrical Code, N.F.P.A. #70, and stated that the latest revision was outlined in Exhibit A.

MOTION: Motion to approve.

Motion by: Councilmember Burton Second: Councilmember Slay 5/0/0 PASSED

11. Consideration and **ACTION** to adopt an ordinance requiring a Special Use Permit for Bar-Indoor (Tavern) use in M-2 Zoning. (Hoyl)

Public Hearing for this item was heard under Agenda Item #4.

MOTION: I make a motion to approve.

Motion by: Councilmember Pohl Second: Councilmember Gillian 5/0/0 PASSED

12. Discussion regarding an incentive package for new developers. (Mayor)

Mayor de Leon brought this before council as a good idea that will benefit economic development. City Administrator explained what some of those benefits will be.

13. Discussion regarding letter received from the Office of the Tax Assessor – Collector. (Mayor)

The letter was for informational purposes.

**ANNOUNCEMENTS AND REQUESTS:**

14. Announcements by City Administrator

- a. Citizen Kudos
- b. Recognition of City employee actions
- c. New Departmental Initiatives
  - Meeting with owners of Santa Fe Apartments
  - Meeting with VIA and Wonderland of Americas
  - Meeting with SAWS on sewer systems
  - Website Committee meeting
  - Meeting of Mayors – Mayor and City Administrator
  - Strategic Planning Meetings – July 1 and July 9, 2015

15. Requests by Mayor and Council Members for items to be placed on a future City Council agenda.

None

16. Announcements by Mayor and Council Members

- a. City and community events attended and to be attended
  - Mayor will be walking once a month connecting with the residents and invited other council members if they wish to join but not more than 2 at a time.

- b. City Council Committee and Liaison Assignments
  - Finance committee minutes submitted by Councilmember Gillian
- c. Continuing education events attended and to be attended  
None
- d. Recognition of actions by City employees  
None
- e. Recognition of actions by community volunteers  
None

**EXECUTIVE SESSION:** 7:29 p.m.

17. Discussion pursuant to 551.071 (Consultation with Attorney), of the Texas Government Code, regarding pending or contemplated litigation regarding Watson v. City of Allen, et al.

18. Discussion pursuant to Section 551.074 (Personnel Matters), of the Texas Government Code, to consider employee evaluation for City Administrator David Harris.

**RE-CONVENE IN OPEN SESSION:** 7:41 p.m.

No Action taken.

**ADJOURNMENT:**

Meeting adjourned at 7:42 p.m.

Submitted by:

**DELIA FLORES, TRMC**  
**City Secretary**

**Minutes approved by City Council on July 27, 2015.**