

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

MINUTES

DATE: April 27, 2015

TIME: 6:00 p.m.

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

Members Absent: Jack Burton (Mayor Pro Tem)

Sign in Sheet: Bennie F. Cass Angelica Garza Bill Johnson
Jim Gardon Otto G. Moellering III

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

Council Member Madeline Slay gave the invocation and led pledges.

PUBLIC COMMENT PERIOD

Bennie Cass – Resident of Balcones Heights

- Concerned about dog situation – Vicious/Dangerous loose dogs
- Praise Report for Officer Mata – Made a stop to inquire about Mr. Cass' work truck

1. PRESENTATIONS and REPORTS:

- a. Proclamation – Lupus Awareness Month (Mayor)

Angelica Garza came up to receive proclamation from Mayor Suzanne de Leon to proclaim May 15, 2015, "Put on Purple Day".

- b. Proclamation - National Foster Care Awareness Month (Mayor)

Rebekah McKay Ramirez, National Foster Care Board Member, came up to receive the proclamation.

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

Walter Serna was not present at this meeting.

- d. Community Initiatives Department Report – March 2015 (Nastasi)

Director of Community Initiatives Lorenzo Nastasi came up to give highlights of the report.

- e. Police Department Report – March 2015 (Pena/Volz)

Chief Volz came up and gave highlights of the report. Officer Pineda came up to speak on a program that gives 50% of the purchase price back on bullet proof vest.

- f. Fire Department Report – March 2015 (Ward)

Chief Ward came up and gave highlights of the report.

- g. Community Development Report and Code Compliance Update – March 2015 (Hoyl)

Director of Community Development Rita Hoyl came up to give highlights of the report. Gave an update on Hannasch project.

- h. Finance Director Report – (Messick)

Finance Director Floyd Messick came up and gave an update on finances.

2. CONSENT AGENDA ITEMS:

- a. Approval of minutes for Regular Meeting of March 23, 2015
- b. Approval of Financial Report for month of March 2015
- c. Quarterly Investment Report ending March 31, 2015

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

Motion by: Council Member Pohl Second: Council Member White 4/0/0 PASSED

BOARD AND COMMISSION APPOINTMENTS

- 3. Consideration and **ACTION** to make appointments to the Board of Adjustments and Appeals. (Mayor)

Mayor de Leon stated appointments are being made to the Board of Adjustments to be able to turn it back over to the citizens. Recommendation was made to appoint Bill Johnson and Bennie Cass as Alternates.

MOTION: Motion to approve.

Motion by: Council Member White Second: Council Member Pohl 4/0/0 PASSED

PUBLIC HEARINGS:

- 4. City Council will hold a **Public Hearing** on proposed requirement of a Special Use Permit for Bar-Indoor (Tavern) use in C-2, MXD and M-1 Zoning.

Public Hearing opened at 6:25 p.m.

City Administrator stated that the city does not have M-1 Zoning and that Public Hearing will be for C-2 and MXD zoning.

Director of Community Development stated that a special use permit would be required so that any bars coming into the city would have to come before Planning and Zoning and City Council.

Public Hearing closed at 6:28 p.m.

BUSINESS ITEMS:

5. Consideration and **ACTION** to approve/disapprove recommendation from the Planning and Zoning Commission on site plan application for Dunkin Donuts. (Hoyl)

Item 6 was addressed before Item 5.

Director of Community Development gave an update on this item. Denise Bush from Wonderland of the Americas came up to answer questions on this item.

MOTION: Motion to approve.

Motion by: Council Member White Second: Council Member Pohl 4/0/0 PASSED

6. Consideration and **ACTION** to adopt an ordinance requiring a Special Use Permit for Bar-Indoor (Tavern) use in C-2, MXD and M-1 Zoning. (Hoyl)

MOTION: I will make a motion to approve staff's recommendation to modify the use matrix table 3.5.-1 for Special Use Permit for Bar-Indoor (Tavern) use in C-2 and MXD zoning.

Motion by: Council Member Slay Second: Council Member Gillian 4/0/0 PASSED

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

Council Member White and City Administrator spoke on this item. Mayor de Leon recommended to form a committee and bring back a clean copy to be approved at the next meeting.

MOTION: Motion to table.

Motion by: Council Member White Second: Council Member Pohl 4/0/0 PASSED

8. Consideration and **ACTION** to adopt a resolution authorizing an agreement with UBER approving their services in the City of Balcones Heights. (Mayor/Slay)

Council Member Slay and City Attorney explained the purpose for this agreement.

MOTION: I make a motion we authorize the agreement.

Motion by: Council Member Slay Second: Council Member White 4/0/0 PASSED

9. Consideration and **ACTION** to adopt a resolution approving a Mutual Aid Agreement to provide for fire rescue assistance. (Ward)

Fire Chief Ward stated this agreement comes in line with state requirements and other cities are also included in agreement.

MOTION: I make a motion to approve.

Motion by: Council Member White Second: Council Member Pohl 4/0/0 PASSED

10. Discussion regarding a proposed ordinance amending Chapter 93: Health and Sanitation of the Code Book of Ordinances – No Smoking. (Mayor)

Discussion was to move forward and make the no smoking in public places policy throughout the city as in San Antonio.

Recommendation was made to bring back for approval at next month's meeting.

11. Consideration and **ACTION** to adopt an ordinance approving revisions made to the Code Book of Ordinances by American Legal Publishing.

MOTION: I make a motion to approve current and future revisions to the Code Book.

Motion by: Council Member White Second: Council Member Pohl 4/0/0 PASSED

12. Consideration and **ACTION** to approve a contract with Warrant Officer and budget transfer for future expenses. (Pena)

Lt. Pena presented this item and informed council of the warrant program.

Council Member Pohl and Gillian had questions on the source of funds for expenses. Recommendation was made to have a meeting with the finance committee.

MOTION: Motion to approve contingent to attorney reviewing the agreement.

Motion by: Council Member Gillian Second: Council Member Pohl 4/0/0 PASSED

13. Discussion and possible **ACTION** to approve a Lieutenant position in the Police Department. (Volz)

Chief Volz recommended the Assistant Chief position be eliminated and that a second Lieutenant position be added to be over dispatch and patrol.

Council Member Gillian requested additional information before his vote to approve.

MOTION: Motion to approve.

Motion by: Council Member Gillian Second: Council Member Pohl 3/1/0 PASSED

Nay vote: Council Member Gillian

14. Consideration and **ACTION** to adopt an ordinance for the FY 2014/2015 mid-year budget review adjustments. (Messick)

Finance Director gave update on mid-year finances.

MOTION: So moved. (to approve)

Motion by: Council Member Gillian Second: Council Member Pohl 4/0/0 PASSED

15. Discussion regarding amendments to Chapter 90: Animal Control Code of the Code Book of Ordinances. (Mayor/Harris/Volz)

City Administrator stated that the Department Heads are reviewing the animal code and will bring back to a future meeting.

Recommendation was made for stricter enforcement of registration and vaccination.

16. Discussion regarding resident complaints having to do with stray cats. (Mayor)

Mayor de Leon stated she had been contacted by a resident having a real issue with stray cats and made recommendation to look into a program that would help with this problem.

James Gardon a resident of Balcones Heights came up and informed council of a Trap, Neuter, and Release program.

Direction was made for staff to bring back to the next meeting.

ANNOUNCEMENTS AND REQUESTS:

17. Announcements by City Administrator

- a. Citizen Kudos
 - b. Recognition of City employee actions
 - c. *New Departmental Initiatives*
- Chief Volz and Sgt. Jahanara on job well done on taking care of the Pit Bull attack situation.

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

None

19. Announcements by Mayor and Council Members

- a. City and community events attended and to be attended
- b. City Council Committee and Liaison Assignments
- c. Continuing education events attended and to be attended
- d. Recognition of actions by City employees
- e. Recognition of actions by community volunteers

- Recognition by Council Member Pohl on Mall calendar distribution
- VIA Transit Advisory Council information – Mayor de Leon

EXECUTIVE SESSION: 7:31 p.m.

20. Discussion pursuant to §551.086 of the Texas Government Code (Economic Development) regarding update from consultant Walter Serna on economic development projects.
21. Discussion pursuant to §551.071 of the Texas Government Code (Consultation with Attorney) regarding departmental reports given to council and request for information.

RE-CONVENE IN OPEN SESSION:

22. Council may take **ACTION** in open session on Items discussed in Executive Session.

Meeting reconvened at 7:49 p.m. and no action was taken.

ADJOURNMENT:

Meeting adjourned at 7:49 p.m.

Submitted by:

DELIA FLORES, TRMC
City Secretary

The minutes were approved at the City Council meeting held on May 18, 2015.