



CITY OF HILL COUNTRY VILLAGE
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**MINUTES
CITY COUNCIL MEETING
116 ASPEN LANE
CITY OF HILL COUNTRY VILLAGE, TEXAS
THURSDAY, MAY 19, 2011
5:00 P.M.**

The City Council for the City of Hill Country Village met for a Regular Council Meeting Thursday, May 19, 2011 at 5:00 p.m. at City Hall, 116 Aspen Lane, Hill Country Village, Texas. This was an open meeting subject to the open meeting law of the State of Texas.

Members Present:

Mayor Kirk W. Francis
Councilwoman Margaret Mayberry
Councilman Carl A. Register
Councilman George “Rick” Evans
Councilman Gabriel Durand-Hollis
Councilwoman Elizabeth Worley

City Staff Present:

Frank Morales, City Administrator and Police Chief
Jennifer Gonzales, Administrative Assistant

1. Call to order.

Mayor Francis called the meeting to order at 5:00 p.m.

2. Moment of Silence and Pledge of Allegiance.

Mayor Francis led those present in a moment of silence and Councilman Evans led the Pledge of Allegiance.

3. A presentation, discussion, and appropriate action regarding the following items, related to the May 14, 2011 Municipal Election which was cancelled per ordinance 1073, dated March 17, 2011.

- a. Issuing a Certificate of Election
- b. Administering Statement of Elected Officer
- c. Administering Oath of Office
- d. Appointment of Mayor Pro-Tempore.

Mayor Francis swore in Councilman Register, Councilwoman Worley and Councilman Allen.

Certificates of Election were signed by Mayor Kirk Francis and presented to the appropriate personnel.

Mayor Francis recognized Councilwomen Mayberry for her many years of service on the city council and presented her with a plaque.

Mayor Francis recessed the open meeting at 5:12 p.m. so that council members and citizens could visit with Councilwoman Mayberry and have refreshments.

Mayor Francis reconvened the open meeting at 5:30 p.m.

CONSENT AGENDA:

*The following items are of a routine or administrative nature. The City Council has been furnished with background and support material on each item, and/or it has been discussed in a previous meeting. **All items can be acted upon by one vote without being discussed separately, unless requested by a Council Member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in their normal sequence after the items not requiring separate discussion have been acted upon.** The remaining items will be adopted by one motion and vote of the City Council.*

4. Discussion/action on approval of the minutes of the Regular Council Meeting of March 17, 2011.

5. Discussion/action on approval of the minutes of the Special City Council Meeting of April 21, 2011.

Councilman Evans moved to approve the consent agenda, seconded by Councilman Durand-Hollis. Motion passed unanimously.

INDIVIDUAL ITEMS FOR CONSIDERATION:

6. Citizens to be heard.

At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to be Heard section no council action may take place and no council discussion or response is required to the speaker. A time limit of two minutes per speaker is permitted; the council may extend this time at their discretion.

Mrs. Julie Cook from Friendship Church spoke about their recent purchase of the Eagle's Nest property. She expressed the church's excitement in the Village. Mrs. Cook also mentioned the church was looking at having a July 4th celebration and asked about the possibility of having fireworks. Mayor Francis informed her we have an ordinance not allowing fireworks and informed Mrs. Cook to contact Mr. Morales if she had any other questions.

7. Discussion/action on approving a transfer of funds from city reserves to the city engineering budget line item to fund continuing Storm Water compliance items.

Mr. David Johnson, Givler Engineering, was present and gave a presentation on Storm Water Compliance items. Mr. Johnson informed the council that HCV was currently not in compliance. Mr. Johnson expressed to the council it would cost approximately \$18,000 between now and August 2011. He also said expenditures for FY 2011-12 could be approximately another \$22,000 - \$26,000. He then said that once the city was in compliance, they could apply for a waiver because the 2010 Census showed HCV to have a population of less than 1000.

Mr. Morales briefed the city council on an email he received from the San Antonio TCEQ office just prior to walking into the meeting. He related that he had been told the city was eligible to apply for the waiver now.

Mayor Francis instructed Mr. Morales to proceed and apply for the waiver.

Councilman Evans made a motion to disapprove a transfer of funds from the city reserves to the city engineering budget line item to fund continuing Storm Water compliance items, seconded by Councilman Register. Motion passed unanimously.

8. Discussion/action on a request from Drury Southwest Inc., to be reimbursed an amount determined by council not to exceed \$5,515.75 for sewer use fees charged to one of their client's accounts.

Mr. Larry Westridge and Ms. Donna Lackey, representatives of Drury Southwest Inc. were present. Mr. Westridge was asking for a reimbursement of \$5,515.75 from improperly charged sewer use fees charged to one of their client's accounts for the past several years.

Mr. Morales informed the council that SAWS had informed him that they would refund the city \$2,069.85.

Councilman Register said he felt comfortable giving the 45% of the \$5,515.75 back to Drury Southwest Inc., for their sewer use fees that were improperly charged to their client's account.

Councilman Register made a motion to reimburse Drury Southwest Inc., \$2,482.09 plus the \$2069.85 that SAWS will refund the city for sewer use fees that were charged to Drury Southwest Inc., seconded by Councilman Evans. Motion passed unanimously.

9. Discussion and update on the Fire Contract with Hollywood Park.

Mayor Francis related he was pulling Item #9 so that it could be heard in executive session.

10. Discussion/action on approving a contract with Waste Management.

Mr. Morales briefed council on the prices that Mr. Albert Perez from Waste Management gave him. The only two choices given were: \$39.00 a month with the same services or \$24.86 a month with brush being picked up twice a year.

Since some residents are abusing the amounts to be put out, Councilman Evans asked Mr. Morales if we were to pass an ordinance and keep it enforced would Waste Management keep their contract price the same.

Mr. Morales related he did not think that Waste Management would change their mind, but he would ask the question.

This item was tabled.

11. Discussion on the outstanding city bonds.

12. Discussion on the disposition of the city property located at Bitters Road between South Tower Drive and Winding Way.

Mayor Francis requested Agenda Items 11 & 12 to be heard together.

Mayor Francis opened the discussion by relating if we wanted to do anything with the land then we needed to buy back the bonds first. He also suggested work sessions with the council to set up a plan to see if this is the council's wishes.

Mr. Morales related the property is zoned for residential use.

Councilman Allen suggested the best use of this property would be for commercial use. He also said there would possibly be a lot of restrictions and a big challenge to rezone commercial.

Councilman Evans related it would be a chance for great improvements if zoned commercial.

13. Discussion on road maintenance, schedule for repair and costs associated with the repairs.

No Discussion.

14. Discussion on the Water Supply Development Plan with Lockwood, Andrews, & Newnam, Inc.

Mayor Francis related he was pulling Item #14 so that it could be heard in executive session.

15. Discussion and possible action on position description and engagement of City of Hill Country Village Chief of Staff.

Mayor Francis requested Agenda Item #15 be removed from the agenda.

16. Discussion/action on surveying residents or holding a Town Hall meeting to develop a long-range plan.

No discussion or action taken.

Mayor Francis requested to hear Agenda Items #17 & #18 together.

17. Discussion/action regarding the March 31, 2011 financial statement.

18. Discussion/action regarding the April 30, 2011 financial statement.

Councilman Register made a motion to accept the March 31, 2011 and the April 30, 2011 financial statements, seconded by Councilman Evans. Motion passed unanimously.

19. Discussion regarding the Fiscal Year 2011 – 2012 budget.

No discussion.

20. Communications with the Mayor.

No communications.

Mayor Francis recessed the open meeting at 6:57 p.m. and called an executive session at 6:58 to discuss Agenda Item #9 and #14.

Mayor Francis reconvened the open meeting at 7:56 p.m.

There was no action taken in executive session.

21. Communications with the City Administrator/Chief of Police.

City Hall will be closed Monday May 30, 2011 in observance of Memorial Day.

22. Adjourn

THE COUNCIL RESERVES THE RIGHT TO DISCUSS AND APPROPRIATELY ACT UPON ANY ITEM STATED ON THIS AGENDA IN OPEN SESSION. THE COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTIONS 551.071 (CONSULTATIONS WITH ATTORNEY), 551.072 (DELIBERATIONS

ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES) AND 551.086 (ECONOMIC DEVELOPMENT). NO ACTION MAY BE TAKEN IN EXECUTIVE SESSION.

There being no further business to come before the City Council, the meeting was adjourned at 7:58 p.m.

Approved this 28th day of July 2011.

Kirk W. Francis
Mayor

ATTEST:

Frank Morales
City Administrator
Acting City Secretary