



CITY OF HILL COUNTRY VILLAGE
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**MINUTES
CITY COUNCIL MEETING
116 ASPEN LANE
CITY OF HILL COUNTRY VILLAGE, TEXAS
THURSDAY, NOVEMBER 17, 2011
5:00 P.M.**

The City Council for the City of Hill Country Village met for a Regular Council Meeting Thursday, November 17, 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 meetings law of the State of Texas.

Members Present:

Mayor Kirk W. Francis
Councilwoman Elizabeth Worley
Councilman Carl A. Register
Councilman Gabriel Durand-Hollis
Councilman George "Rick" Evans

Members Absent

Councilman James Allen

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 led us in the Pledge of Allegiance.

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items will immediately be withdrawn for individual consideration in their normal sequence after the items not requiring separate discussion have been acted upon.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.

3. Discussion/action on approval of the minutes of the Regular Council Meeting of September 15, 2011.

4. Discussion/action on approval of the minutes of the City Council Work Session and Special Meeting of October 20, 2011.

5. Discussion/action on authorizing the City Administrator to advertise the sealed bid auction of the old City Hall chairs.

6. Discussion/action on authorizing the City Administrator to advertise on the Texas Municipal League (TML) website the sale of city property (patrol cars).

Councilman Register moved to approve the consent agenda, seconded by Councilwoman Worley. Motion passed unanimously.

INDIVIDUAL ITEMS FOR CONSIDERATION:

7. 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.

Ms. Jennifer Murray, 216 Village Circle signed up to speak and related she would like to speak about the brush and the San Antonio Fire Department.

Mayor Francis asked if it would be okay with her to speak about the brush when that agenda item came up and she complied.

Ms. Murray informed the council that the San Antonio Fire Department had come out to her home to conduct an inspection and she was very impressed with the service she had received.

8. Discussion/action on approving an ordinance amending Chapter 50 of the Code of Ordinances of the City of Hill Country Village to add new definitions and to revise the permit and regulate electronic signs.

Dr. Buddy Swift, chairman of the Business District Construction Review Board spoke about the electronic signs. He also related the BDCRB has been working on this amendment since the beginning of the year.

Councilman Register asked Dr. Swift if it would be in the cities best interest if we grandfathered all existing signs.

The council asked Morales what the status was on the LED signs that were currently in existence.

Morales related there are currently four Led signs in the city. There was no paperwork on one of the signs had been approved by the BDCRB, the third sign was disapproved by the BDCRB and when it went before the city council they approved it. And the fourth sign has not worked for several years and there is no paperwork for it.

Councilman Durand-Hollis asked Dr. Swift if it was the BDCRB's recommendation that the City council approve the ordinance presented to the council.

Dr. Swift related that it was their recommendation to approve it.

Councilman Durand-Hollis moved to approve an ordinance amending Chapter 50 of the Code of Ordinances of the City of Hill Country Village to add new definitions and to revise to permit and regulate electronic signs, seconded by Councilwoman Evans. Motion passed unanimously.

9. Discussion/action on reappointing four existing members on the Board of Adjustment and appointing one member to fill the vacancy to the board.

Mayor Francis requested not to take any action on this item.

10. Discussion/action on reappointing one existing member to the Zoning Commission and appointing two members to fill the vacancies to the board.

Mayor Francis requested not to take any action on this item.

11. Discussion/action on appointing a regular member and an alternate member to the Business District Construction Review Board (BDCRB) to fill the vacancies to the board.

Mayor Francis requested not to take any action on this item.

12. Discussion/action on the Veley Property at 301 Tomahawk Trail.

Councilwoman Worley asked Morales if the property was in violation of any ordinances.

Morales informed the council they were still in violation, but have fixed some things since the letters were sent out. He also related he spoke to Mrs. Veley and she related her husband was out of the country and when he returned they would remove the tree that had fallen and clean the area.

No action taken on this item at this time.

13. Discussion/action approving a first amendment to the Municipal Solid Waste Collection and Transportation Contract with Waste Management of Texas, Inc.

Ms. Jennifer Murray, 216 Village Circle spoke about the brush issue. She asked if the shredder at City Hall was available to use for mulch.

Mayor Francis related the chipper at city hall was city owned property and the city attorney was against the city lending city owned property to the residents.

Councilman Evans said that no one was really going to be happy about the brush issue decision. Furthermore he related that it was obvious that Waste Management wanted out of the brush business. He then informed the council that the quarterly service was the worst deal, 90% less pick up and 16% rate increase. Councilman Evans related he would vote to eliminate the brush pick up.

Councilman Register related he would vote for quarterly service. He said if we vote to take the brush service away, we are hurting the people that want to have something.

Councilwomen Worley said that quarterly service was the worst choice.

Councilman Durand-Hollis said he would vote for the \$39.00 service and would work on an ordinance to enforce the brush abusers.

Mayor Francis related just because citizens want the service doesn't mean the government should provide it. He further related the citizens can have whatever kind of brush pick they want at anytime as long as they pay for it.

Mayor Francis also related some of the feedback he had received was the residents who didn't use it didn't want it. He also informed the council if they voted for brush pickup, we would have to have an ordinance in place.

Councilman Durand-Hollis moved to approve a first amendment to the Municipal Solid Waste Collection and Transportation Contract with Waste Management of Texas, Inc., with the \$39.00 monthly rate option, motion died for lack of second.

Councilman Register moved to approve a first amendment to the Municipal Solid Waste Collection and Transportation Contract with Waste Management of Texas, Inc., with the \$29.00 quarterly rate option, seconded by Councilman Durand-Hollis. No action taken.

Councilman Evans moved to approve a first amendment to the Municipal Solid Waste Collection and Transportation Contract with Waste Management of Texas, Inc., with the \$17.89 rate with no brush service option, seconded by Councilwomen Worley.

Ayes – Councilman Register and Councilman Durand-Hollis

Nays – Councilman Evans and Councilwoman Worley, and Mayor Francis

Tie broken by Mayor Francis

14. Discussion/action regarding the September 30, 2011 and October 31, 2011 financial statements.

Councilman Register said it was too early to comment, but that the city did look like it was in good financial condition.

Councilman Register made a motion to accept the September 30, 2011 and the October 31, 2011 financial statements, seconded by Councilman Durand-Hollis. Motion passed unanimously

15. A public hearing on adoption of an ordinance to tax tangible personal property in transit which would otherwise be exempt pursuant to Section 11.253 of the Texas Tax Code.

Mayor Francis closed the open session at 5:43 p.m. and opened the public hearing at 5:43 p.m.

Mayor Francis closed the public hearing at 5:45 and opened the open session at 5:45 p.m.

16. Discussion/possible action on an ordinance to tax tangible personal property in transit which would otherwise be exempt pursuant to Section 11.253 of the Texas Tax Code.

Councilman Durand-Hollis moved to accept an ordinance to tax tangible personal property in transit which would otherwise be exempt pursuant to Section 11.253 of the Texas Tax Code, seconded by Councilman Evans. Motion passed unanimously.

Executive Session Item:

Possible Executive Session pursuant to Texas Government Code Section 551.074, Personnel Matters. No action will be taken in Executive Session. Any action will be taken in open session.

17. Deliberation/action regarding the annual evaluation and compensation of City Administrator Frank Morales.

Mayor Francis asked that this item be taken last.

18. Discussion/action regarding appointing Frank Morales as Emergency Management Coordinator (EMC) for the City of Hill Country Village.

Morales informed the council that he had received the Emergency Management Plan from the Hollywood Park Fire Department. He said he had looked it over and that it had been updated in 2011. He related he would take on the role as the EMC and would contact AACOG for any classes they may have to better handle the duties.

Councilman Register made a motion to appoint Frank Morales or his designee as Emergency Management Coordinator (EMC) for the City of Hill Country Village, seconded by Councilman Evans. Motion passed unanimously.

19. Discussion on Cavalry Trail.

Mayor Francis told council that if we don't do something now there is a possibility that we could lose control over the trail. He further related he felt that if the trail were cleaned up people would use it.

Councilman Durand-Hollis asked if anyone knew if we had already lost control over the trail.

Councilman Register asked if anyone currently uses the trail. He also said that it may be a good idea to have a Town Hall meeting over this issue.

Councilman Evans related if it were to be opened up could we enforce certain hours that it would be open.

Councilwoman Worley related has heard from some residents that they are concerned about kids hanging out on the trail.

Mayor Francis and Councilman Durand-Hollis agreed that this issue was a Zoning Commission because it is city property.

20. Discussion on Bexar Met Water District.

Mayor Francis briefed the council that he talked with representatives with Bexar Met approximately ten minutes before the council meeting. He also related we had sent a demand letter and have gotten no response.

Executive Session Item:

Possible Executive Session pursuant to Texas Government Code Section 551.074, Personnel Matters. No action will be taken in Executive Session. Any action will be taken in open session.

Mayor Francis closed the open session at 6:08 p.m for the purpose of going into Executive Session regarding the annual evaluation and compensation of City Administrator Frank Morales.

Mayor Francis convened the open session at 7:40 p.m.

17. Deliberation/action regarding the annual evaluation and compensation of City Administrator Frank Morales.

Councilman Evans made a motion to increase Morales' salary by 4%, seconded by Councilman Register. Motion passed unanimously.

21. Mayor's Report to Council.

None.

22. Communication with the City Administrator/Chief of Police.

None.

23. Adjourn

There being no further business to come before the City Council, the meeting was adjourned at 7:41 p.m.

Approved this 19th day of January 2012.

Kirk W. Francis
Mayor

ATTEST:

Frank Morales
City Administrator
Acting City Secretary