

CITY OF CONVERSE  
CITY COUNCIL MEETING  
MINUTES OF OCTOBER 2, 2007  
7:00 PM

The City Council of the City Of Converse met in a regular meeting at the Converse Municipal Complex on Tuesday, October 2, 2007 at 7:00 PM to discuss various items on the agenda. The following were present:

Mayor Al Suarez  
Councilwoman Nancy Bazany, Place 1  
Councilman Billy Schindler, Place 3  
Councilwoman Gloria Weers, Place 6  
Ms. Laura Arens, Assistant City Manager  
Mr. Richard Wendt, Fire/EMS Chief  
Mr. Mark Luft, COC EDC Exe. Director  
Ms. Penny Hieronymus, City Secretary

Mayor Pro Tem Scott Jauregui, Place 4  
Councilwoman Robin Benbrook, Place 2  
Councilman Jim Uballe, Place 5  
Mr. Sam Hughes, City Manager  
Mr. Rick Jamison, Police Chief  
Mr. Jerry Wilson, Finance Director  
Mr. Ray Ortiz, City Attorney

{Tape 1, Side A}

1. Call City Council Meeting to Order

At approximately 7:00 PM, Mayor Suarez called the meeting to order.

2. Invocation by Pastor Bill Sanders, Converse First Baptist Church

Pastor Jesse Aguilar, Converse Hispanic Baptist Church gave the invocation.

Mayor Suarez asked the audience to remain standing for a moment of silence for our late Judge, Ed Minarich.

3. Pledge of Allegiance

Mayor Suarez led all those present in the Pledge of Allegiance.

4. Roll Call and Recognition of Visitors

Mayor Suarez asked the record to reflect that all Council members are present.

Mayor Suarez recognized Mr. Richard Lafoyo-Judson ISD Board of Trustees; Mr. Reginal Harris-EDC Chairman; Mr. John Mendoza-EDC Vice Chair; Dr. Jerry Riley-EDC Member; Ms. Joella Schindler-P&R Chairwoman & Ms. Dorian Jauregui-Fire/EMS Chairperson.

5. Consent Agenda. All of the following Items May Be Acted Upon By One Motion. No Separate Discussion or Action on Any of the Items Is Necessary Unless Desired By A Council Member

- A. Approval of City Council Minutes – City Council Meeting September 18, 2007
- B. Receive Park & Recreation Commission Minutes for Meeting Conducted on July 9, 2007
- C. Receive Planning Commission Minutes for Meeting Conducted on August 28, 2007
- D. Action to Approve Investment Report as of August 31, 2007
- E. Action to Approve Financial Statements for August 2007

Councilwoman Benbrook asked for agenda item #5 A, be voted on separately.

Councilwoman Weers made a motion to approve agenda items # 5 B-E. Councilwoman Bazany seconded the motion.

It passed unanimously to approve agenda items #5 B-E.

## City Council Minutes – 10/2/07

Councilwoman Benbrook made a correction to her Beautification & Environment report on the CC Sept. 18, 2007 minutes on page 8; she inadvertently stated that the “-Selected Treasurer – Janie Olds” and should be “-Selected Treasurer Deborah James”.

Councilwoman Benbrook made a motion to approve agenda item #5 A with the above correction. Councilman Schindler seconded the motion.

It passed unanimously to approve agenda item #5 A with the above correction.

6. Citizens To Be Heard. This time is provided for citizens to address City Council on any issues and concerns. No City Council discussion or action can be taken if the item is not on the Agenda. Please limit your remarks to three (3) minutes and state your name and address for the record.

-Mr. Reginal Harris of 7819 Copper Hollow wanted to give CC, Mr. Hughes & Mr. Luft, praise & a pat on the back for their rapid response to concerns of the citizens to get them a red light at Rocket Lane & 1604. He is very grateful.

7. Special Consideration Items

A. None

Mayor Suarez stated there were no “Special Consideration Items”.

8. Public Hearings

A. None

Mayor Suarez stated there were no “Public Hearings”.

9. Old Business

A. None

Mayor Suarez stated there was no “Old Business”.

10. New Business

A. Discussion and Appropriate Action on a Request to Approve Final Plat for Melet Plastics (City Manager)

Mr. Hughes stated the City Engineer, Planning Commission & staff, have reviewed this plat. Recommend approval.

Councilman Uballe made a motion to approve agenda item #10 A. Councilman Schindler seconded the motion.

It passed unanimously to approve item #10 A.

B. Discussion of Permit Requirements for Small Municipal Separate Storm Sewer Systems (MS4) (City Manager)

Mr. Hughes stated we have an unfunded mandate from the State of Texas to draw a storm water release permit not later than Feb. 11, 2008. This entails making an application, submitting \$100 fee & with the application presenting a storm water mgmt. plan. This storm water mgmt. plan must have a minimum of 6 sub policies.

-Public Education & Outreach: Distribute educational materials to the community (newsletters, flyers, a couple of pages on the web site, etc.). The Beautification & Environment (B&E) Commission has agreed to take this on & put together the key points for an Ord. that would cover this element.

-Public Involvement/Participation: We set up a system of town meetings/public hearings that we can take input from citizens & answer questions. We must have a policy that discusses how we intend to do this. The B&E has agreed to take this on. We are looking for drafts from the Commission to be ready on or about Dec. 1.

-Illicit Discharge Detection & Elimination: This could be used motor oil, herbicides, pesticides, things that people would dump in places that the storm water would then pick up & could be carried into Texas streams. We see this being managed by taking water samples during a rain period & send them in for testing. If they prove to be clean, then we are in compliance. If we have evidence of unlawful discharges then we would work back upstream until we find the source of the pollutants & proceed to eliminate them. This process would be described in an Ord. & the Ord. would include penalties for those who

## City Council Minutes – 10/2/07

violate this unlawful or illicit discharge. We have an Ord. in effect prohibiting discharge of liquids/pollutants into the streets & sewer system, which we will update to meet the current standards & adding in a section that talks about how we intend to test the water & improve or have on record at whatever discharge & go from there. Staff is working this part of the policy & we expect to have that ready by about Dec. 1.

-Prevention of siltation/erosion: Any time you have a disturbance of more than 1 acre of soil for construction; you need a policy that talks about how you are going to keep storm water from moving elements of soil & carrying it downstream into the Texas & U.S. streams (silk fence, filtration, barriers). We expect this part of the policy to be ready about the 1<sup>st</sup> of Dec.

-Preventing erosion after construction & this is a matter of setting some provisions in the regulations so that the developer simply does not walk away-there is some follow up for 3-6 months after inspections by the developer & the City staff to ensure that we are not violating our storm water mgmt. plan

-Managing our own operations: We as the City create waste, that if allowed to get into the storm water drainage system would pollute the streams. We have to have a written policy that says what we do with this & how we dispose of them in a safe manner so that they are not allowed to get in there. We expect to work with the B&E Committee & staff & complete these during the month of Dec. We are trying to get on target to be 30 days ahead of the schedule, submit our plan to TCEQ in early Jan. for consideration.

-Finally, we need an implementation plan & Councilman Schindler provided Mr. Hughes a draft to be able to implement the timelines, so we need to look at that & refine it. After all of this is done (water testing, distributing information through the mail, making flyers, etc.) it has a cost & we don't know what that cost is. If we find that the cost is to unaffordable then you start adjusting the operations to what you can afford. Probably the easiest way of implementing some source of revenue to pay this cost would be to put a storm water mgt. fee on the bills per account per month & the best estimate is probably around .50 cents per month. Every one of us that lives here has a responsibility (both residential & commercial). After a year, we can see what the actual cost was versus predicted cost & make adjustments accordingly. If we do not submit the application, we will be found in violation & be given a letter & given 30 days to come into compliance & if we still fail to do that then we go into formal non-compliance & the City would be subject to fines up to \$10,000 per day. This is not an option & is not something we can avoid, we have been handed the mandate.

Mayor Suarez thanked the B&E Commission for stepping up so quickly & helping the City with the very serious issue that we have affecting us all.

### 11. Reports

#### A. City Council Reports

##### (1) Report and Discussion of the Fire and EMS Commission Meeting

Councilwoman Weers reported:

-Most of the discussion was on the hamburger booth for NIOC & what they needed for that

-A slight discussion on coming events

##### (2) Report and Discussion of the Planning Commission Meeting

Councilman Uballe reported:

-1 Item that was the Melet Plastics final plat approved by the Planning Commission

##### (3) Report and Discussion of the Park and Recreation Commission Meeting

Councilwoman Bazany reported:

-Had 2 meetings since the last CC meeting because of NIOC coming up

-Fox News will have a spot on their morning show about NIOC

-Press releases have been sent to other media

-Parade line up will start at 8:30 AM on Sat. Oct. 6, parade is scheduled to start at 10:30 AM, have at least 50 entries in the parade

-Bleachers will be set up the day before & decorated

-Grand Marshal will be the Coyote

-Tejano singer, Patsy Torres, has agreed to be the judge for the Talent Show on Sun.

-Commission member, Jim Neeley has done a great job on soliciting sponsorship & donated items for the live auction

##### (4) Report and Discussion of the Environmental and Beautification Commission Meeting

Councilwoman Benbrook reported:

-Had 2<sup>nd</sup> meeting last night

## City Council Minutes – 10/2/07

- They have already planted some crepe myrtle trees here on this property & others that will be planted on the other side of the Justice Center
  - Found a template to start working on the tree Ord.
  - Found a lot of information on putting up their new signs plus refurbishing the old signs (Welcome Signs) into Converse
  - Presentation by Mr. Hughes last night & they have a fairly good idea on the way they want to start the 2 things they have been charged with as far as public information to meet the requirements for the storm water mgt. program
  - Called a special meeting on Oct. 18 to begin work on the storm water mgt. program
- Mayor Suarez thanked Mr. Luft for the work on the EXPO

### (5) Report and Discussion of Items of Interest to City Council Members

Mr. Hughes reported:

- We put an ad in the Express News, printed Sun. advertising for the position of Municipal Judge & are asking for resumes to be addressed to the Mayor & submitted not later than Oct. 28, which is a Sat.; this would give us a week before the Nov. 6 meeting to be able to put them in a package & have for CC's consideration to review the papers & determine what candidates the CC would like to interview, then notify those candidates
- We will need a special meeting to canvass the votes of the Nov. election & conduct that business & then follow that up with a 2<sup>nd</sup> executive session which would allow the CC with the newly elected member to begin interviews of those individuals selected for consideration (possibly Mon., Nov. 12)

Mayor Suarez stated we would need Mr. Ortiz's assistance on helping us find another Judge

Ms. Hieronymus reported:

- Early voting starts Oct. 22 through Nov. 2
- Election day is Nov. 6 at the City Hall conference room

### B. Staff Reports

#### (1) Report and Discussion of Significant Fire and EMS Events

Chief Wendt reported:

- Last couple of weeks have been very busy
- Guys are catching up on hydrant maintenance & inspections
- Getting ready for NIOC

#### (2) Report and Discussion of Significant Police Events

Chief Jamison reported:

- Staying busy
- Ready for NIOC this weekend

#### (3) Report and Discussion of Significant Economic Development Activity

Mr. Luft reported:

- Wendy's Corp. thinks their project will be complete within 3-4 wks.
- Bush's Fried Chicken project is underway
- Grady's Bar-B-Q has acquired the old Bar-B-Q Station & plans to have that business open within 60 days
- Melet Plastics, because of CC's actions tonight, is going to allow for their permitting process to commence & have their plans at City Hall; anticipate Melet being operational by Mar. 2008

#### (4) Report and Discussion of Future Agenda Items

Mr. Hughes reported:

- Mr. Mark Sideman is Associate Judge & we have coordinated with him our schedule/his schedule. He is able to cover the 1<sup>st</sup> two court appearances in Oct., but is unable to attend Oct. 24. We have done a search & Judge Phillips who is the Municipal Judge at Live Oak has agreed to serve as Judge. However, we need to make an appointment of Judge Phillips as Associate Judge for Converse in order to meet all the legal requirements to conduct that. We anticipate this to be a 3-6 month temporary appointment as Associate Judge so that we can continue to adjudicate our Class C misdemeanors until we get a permanent Judge.
- Need to recognize Sgt. Jeff Lowder for 10-year service
- Report of NIOC revenue & expenses
- Zoning issues that will have been considered by the Zoning Commission the night before

## City Council Minutes – 10/2/07

-Discussion on Tier Two Street Program by Mr. Karl Hoppes presenting what he believes to be the best approach for spending the funds that we have allocated for the 07-08 FY

### 12. Adjournment

Mayor Suarez thanked the audience for attending the meeting.

At approximately 7:36 PM, Mayor Suarez adjourned the meeting.

PASSED AND APPROVED THIS 16<sup>th</sup> DAY OF OCTOBER, 2007.

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Al Suarez, Mayor

ATTEST:

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Adriana I. Hieronymus, City Secretary