

**THE MINUTES OF THE SHAVANO PARK CITY COUNCIL
MEETINGS OF 2012**

- Regular meetings
- Special meetings

MONDAY, JANUARY 23, 2012 – 6:30 P.M.

MONDAY, FEBRUARY 27, 2012 – 1:30 P.M.

MONDAY, FEBRUARY 27, 2012 – 6:30 P.M.

MONDAY, MARCH 26, 2012 – 6:30 P.M.

MONDAY, APRIL 23, 2012 – 6:30 P.M.

MONDAY, MAY 21, 2012 – 6:00 P.M.

MONDAY, JUNE 11, 2012 – 9:00 A.M.

MONDAY, JUNE 25, 2012 – 6:30 P.M.

THURSDAY, JULY 12, 2012 – 6:00 P.M.

MONDAY, JULY 23, 2012 – 6:30 P.M.

THURSDAY, AUGUST 02, 2012 – 6:00 P.M.

TUESDAY, AUGUST 07, 2012 – 6:00 P.M.

MONDAY, AUGUST 13, 2012 – 6:00 P.M.

MONDAY, AUGUST 27, 2012 – 6:00 P.M.

TUESDAY, SEPTEMBER 04, 2012 – 6:00 P.M.

MONDAY, SEPTEMBER 17, 2012 – 6:00 P.M.

MONDAY, SEPTEMBER 24, 2012 – 6:30 P.M.

FRIDAY, SEPTEMBER 28, 2012 – 3:00 P.M.

MONDAY, OCTOBER 22, 2012 – 6:30 P.M.

MONDAY, NOVEMBER 26, 2012 – 6:30 P.M.

**CITY OF SHAVANO PARK
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
JANUARY 23, 2012
6:30 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present
Alderman Ken McClure – present
Alderwoman Etta Fanning – present

Alderman Bruce Baumann – present
Alderwoman Mary Werner – present
Alderwoman Michele Bunting Ross – present

Call to order

Mayor Marne called the Regular City Council meeting to order at 6:30 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Alderwoman Etta Fanning led the Pledge of Allegiance and Alderman Ken McClure the invocation.

Citizens to be heard

- Robert H. Cathey, M.D. – 203 Bobcat Bend – Spoke of his disappointment that item 6 of tonight’s agenda and said that he felt that it was worthwhile to a look at item 20 of this agenda.
- Mike Colemere – 111 Painted Post – Thanked Alderwoman Werner for her help with item 20 but then spoke of his disappointed that item 6 is on this agenda. Mr. Colemere concluded by saying that items 21 and 23 that in his opinion do not appear to read at the informative level to pass open meetings requirements for proper notice of topic.
- Vicky Maisel – 111 Painted Post – Spoke in support of agenda item 5.
- Dagne Florine – 111 Post Oak Way – Spoke against item 6 and supports item 20 as long as the citizens have the primary say and not the Council. Mrs. Florine also supports item 5 and lastly, Mrs. Florine spoke about smart meters and is waiting for the “illegal meter” on her home to be removed.
- Charles Brame – 103 Box Oak – Spoke against item 6 and supports item 20 but asked that the survey be unbiased and without any leading questions written and coordinated by a non partisan citizens committee; other than authorizing the survey and selecting the committee members, the City Council should not direct the process or be a part of this committee. Lastly,

Mr. Brame asked that any ordinance or change to an ordinance be given a 60 – 90 day period between its proposal and any vote taken on the matter.

Mayor & City Council Comments

- Alderman Ken McClure announced that he would not be running for City Council in May.
- Alderwoman Mary Werner thanked Carlota Dwyer, Margaret Kautz and Pat Wood and all the other volunteers that did the N.W. Military Hwy clean up this past Saturday.
- Alderman Bruce Baumann thanked everyone that showed up this evening and added that he too would also not be running for City Council in May.
- Alderwoman Etta Fanning thanked everyone that came to tonight's meeting. Alderwoman Fanning stated that she would be running for re-election in May.
- Mayor Marne announced that the City received notice from Texas Commission on Environmental Quality (TCEQ) that the Shavano Park Water System is "superior" again which is the highest level attainable. Mayor Marne thanked the Water Department staff for doing everything that needs to be done in a timely manor.

Discuss and consider approval of the consent agenda as presented or amended.

a) Approval of the City Council Minutes from:

December 19 2011 Regular Meeting

b) Acceptance of the Planning & Zoning Commission Minutes from:

December 07, 2011 Meeting

c) Acceptance of the Building Permit Activity Report

d) Acceptance of the Code Compliance Activity Report

e) Acceptance of the Fire Department Activity Report

f) Acceptance of the Municipal Court Activity Report

g) Acceptance of the Police Department Activity Report

h) Acceptance of the Public Works Department Activity Report

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Bruce Baumann, the City Council voted none (0) for and five (5) opposed to accept the consent agenda as presented. The motion failed.

Upon a motion made by Alderwoman Mary Werner and a second by Alderman Bruce Baumann, the City Council voted five (5) for and none (0) opposed to accept the consent agenda as presented with the exception of the December 19, 2011 City Council minutes. The motion carried.

Alderwoman Etta Fanning voiced her concerns regarding page four (4) of the December 19, 2011 City Council minutes. This was followed by a discussion.

Upon a motion made by Alderman Bruce Baumann and a second by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept the minutes of the December 19, 2011 City Council minutes as presented. The motion carried.

Discuss and consider Ordinance No. 300-02-12, an ordinance amending Chapter 2 of the City of Shavano Park Code of Ordinances providing that ordinances shall be considered twice prior to adoption except in cases of emergencies; providing a cumulative clause; providing for severability, providing for proper notice and meeting; and providing for an effective date.

There was a consensus among the City Council to place this item on the next City Council agenda as amended for the first reading.

Discuss and consider action on Ordinance No. 200-01-12, an ordinance providing for an amendment to Chapter 20, providing for an Article III of the Code of Ordinances of the City of Shavano Park, Texas concerning the use and discharge of firearms within the Shavano Park City limits, including possible action to include a survey to all owners/tenants in Shavano Park.

Upon a motion made by Alderman Ken McClure and a second by Alderwoman Michele Bunting Ross, the City Council voted four (4) for and one (1) opposed with Alderwoman Etta Fanning casting the negative vote to merge item 6 and item 20 into one discussion. The motion carried.

Discuss and consider action to establish an Ad Hoc Committee for the limited purpose of designing a survey to determine the desire of the citizens of Shavano Park concerning the use of firearms and safety pertaining to same within the City limits.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Mary Werner, the City Council voted three (3) for and two (2) opposed with Alderwoman Etta Fanning and Alderman Ken McClure casting the negative vote to create an ad-hoc committee and conduct a survey. The motion carried.

Mayor Marne then moved to item 7 of the agenda.

Alderwoman Mary Werner called a point of order to go back to item 6 which Mayor Marne did.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to have each Council member to include the Mayor, appoint one person each to form the ad-hoc committee of six (6) who will coordinate with the City Manager who will attempt to get the committee in touch with a group or

school for guidance in the survey creation. The committee's duty will be to formulate a survey and that survey will be in regards to the possibility for the need of an ordinance restricting the use of firearms within the jurisdiction of Shavano Park. The appointments will be made at the next regularly scheduled City Council meeting. The motion carried.

Mayor Marne then moved to item 8.

Presentation by Marcia Stipek, President Shavano Park Women's Club of the "New Resident Welcome Packet".

Women's Club President Marcia Stipek informed the City Council and guests that the Women's Club is restarting a program to welcome new residents when they move into Shavano Park. Mrs. Stipek presented the Welcome Packet that would be given to new residents that contains information about the community and a variety of ways that residents can get involved; an overview of the City departments; important contact information such as department phone numbers; encourages use of the City's website; a form to be included in the City directory; discounts or welcome gifts from local business. The packet also includes a welcome letter from the Mayor and City Manager; a Roadrunner newsletter and a phone directory.

Presentation, discussion and possible action on City Hall landscape as presented by Glenda Bibb and Betty Boazman of the Shavano Park Women's Club.

Mrs. Betty Boazman presented this item first by saying that the landscape in front of City Hall had been donated by volunteers, installed by volunteers and maintained by volunteers but that now they have no volunteers and that the Garden Club no longer exists. Mrs. Boazman said it was time to hand all of the landscaping over to the City. Mrs. Boazman and Mrs. Bibb meet with interested landscape companies and what they are looking at is about \$4200.00 to clean up all of the dead and dying plants, refresh the mulch, granite, fix the edging and simply clean it. Mrs. Boazman then asked that the Council consider adding an additional \$4000.00 for re-landscaping in front of the building. After the review of the three companies that submitted bids, their recommendation is to go with the bid from Artistic Trees.

There was a consensus to use the building maintenance fund to proceed as recommended.

Discuss and consider action to authorize the expenditure of up to \$35,000 of Trinity Well Project Funds to authorize URS Engineering to hire BESST, Inc. as an independent contractor to perform down-well tests on the Trinity Well.

Dan Wolff, Vice President of URS Corporation presented an update on the Trinity Well Project. Mr. Wolff said the City staff, URS, BESST and himself did a down well testing of the Trinity which is the

passage of an instrument down into the well with the goal of understanding the groundwater quality from each of the intervals within the aquifer and also to understand the water quantity that would be coming into the well from each of those intervals. URS is recommending that the next step would be to have BESST, Inc. perform a test which would specialize in groundwater sampling. The test would take about four (4) weeks with a beginning date of February 15th with results available around March 14th with a cost of \$35,000.00. Mr. Wolff added that if the City approves of this testing, the City can extend the existing contract with URS, Corp. in order to allocate \$35,000.00 to cover BESST services. URS would issue a purchase order to BESST for the testing which would insure that the testing could get started on February 15th.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to authorize the expenditure of up to \$35,000.00 of Trinity Well Project Funds to authorize URS Engineering to hire BESST, Inc. as an independent contractor to perform down-well tests on the Trinity Well. The motion passed.

Presentation of Fiscal Year 2011-2012 1st Quarter Financial Report and acceptance of Finance Activity Report.

Finance Director Dorrance "Doug" Roderick presented the Fiscal Year 2011-2012 1st Quarter Financial Report. Alderwoman Michele Bunting Ross questioned the payment of \$3701.00 to Denton, Navarro Rocha & Bernal from the Water Department for the Cram case saying that she felt this should come out of the General Fund and not the Water Fund. Alderwoman Bunting Ross is requesting that those charges be reversed and credited back to the Water Fund. Alderwoman Bunting Ross also noted that the Water Analysis fees are very high adding that the Trinity Water Analysis has been mixed with the regular system analysis. She has requested that the City Manager make this a separate line item for this to which he agreed. Lastly, Alderwoman Bunting Ross said that the health insurance premiums were over budget but added that this appears to be due to the City's contribution and asked that those line items be split as well. Aldermen Ken McClure commented on the Cram case being paid from the General Fund asking the City Attorney if we did not have our own water supply and relied solely on SAWS would we have this. The City Attorney replied that the City has this "no drilling of wells" policy to protect the City's water source. Alderwoman Bunting Ross said she plans to place this on the February agenda for further discussion. Mr. Roderick said he would look into reclassifying the expenditure. Mr. Roderick continued with the report saying that the General Fund revenues are up due to the sales tax and ad valorem.

Upon a motion made by Aldermen Ken McClure and a second by Aldermen Bruce Baumann, the City Council voted five (5) for and none (0) opposed to accept the Fiscal Year 2011-2012 1st Quarter Financial Report as presented. The motion carried.

Presentation, discuss and possible action on the authorization to purchase 800 MHz radios as budgeted in the Fiscal Year 2011-2012 budget.

Fire Chief Michael Naughton presented the item requesting that Council authorize the expenditure of the budgeted money to purchase these radios. Chief Naughton added that this purchase will come in under budget and it will take ninety days to implement.

Upon a motion made by Aldermen Bruce Baumann and a second by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to authorize the purchase of the 800 MHz radios as budgeted in the Fiscal Year 2011-2012 budget. The motion carried.

Discuss and consider action to authorize the replacement of the current 1984 FMC Fire Truck with a 2012 Class A pumper.

Fire Chief Michael Naughton presented the item also requesting that the Council authorize the expenditure of a 2012 Class A pumper which is in the current budget as a capital replacement item. Chief Naughton added that the current pumper is twenty-eight years old and is worn out. The new truck would have almost twice the pump capacity, will help with the City's ISO scoring that affects our grade and will meet today's needs. A citizens group which consisted of Al Walea, Lee Powers and Jay Gorman to review what was being asked for from the vendors to make sure that what the department wanted was on track with what the citizens thought. Al Walea also spoke of the recommendation of the citizens committee to purchase the 2012 Class A pumper.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to authorize the purchase of a 2012 Class A pumper to replace the current 1984 FMC Fire Truck. The motion carried.

Discuss and consider action to establish policies and procedures regarding the use of City facilities for public events.

City Manager Kyle McCain asked that this item be skipped until a future meeting.

Discuss and consider action on Resolution No. 12-01, a resolution of the City Council of the City of Shavano Park, Texas amending the authorized representatives to TexPool Investments.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept Resolution No. 12-01 as presented. The motion carried.

Discuss and consider action on Resolution No. 12-02, a resolution of the City Council of the City of Shavano Park, Texas authorizing the City Manager to establish accounts or memberships at banks or State or Federal credit unions as authorized in the City of Shavano Park Investment Policy for the sole purpose of purchasing certificates of deposit.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept Resolution No. 12-02 as presented. The motion carried.

Discuss and consider Ordinance No. 500-01-12, an ordinance approving the budget adjustment for Fiscal Year 2011-2012 of the City of Shavano Park General Fund Budget.

Alderwoman Mary Werner asked for a correction to the ordinance number on Exhibit A and Alderwoman Michele Bunting Ross asked for a correction to the number of Police Department staff on Exhibit B.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept Ordinance No. 500-01-12 as amended. The motion carried.

Discuss and consider action regarding the Trinity Well project to include a presentation by staff regarding the following: update from the Trinity Committee, the plan to move forward on water use, and well site landscaping and screening.

City Manager Kyle McCain presented this item by saying that work is being done at the Well site and therefore any landscaping has been put on hold until the current work is complete.

Discuss and consider action to establish a panel to interview, and recommend a candidate for the permanent position of Chief of Police.

City Manager Kyle McCain gave the City Council a list of three names that he has selected to form a panel to review and interview the candidates to fill the permanent position of Chief of Police. This panel will forward their recommendation to the City Manager who will make the final decision.

Upon a motion made by Alderwoman Mary Werner and a second by Aldermen Ken McClure, the City Council voted five (5) for and none (0) opposed to accept the City Manager's recommendation to form a panel of Chief Paul Lilly, Chief David Ott and Chief John Cochran to interview candidates for the position of Chief of Police. The motion carried.

Discuss and consider action on Ordinance No. 300-01-12, an ordinance of the City of Shavano Park Code of Ordinances providing that a person related to members of the City Council within the first degree of consanguinity or affinity are ineligible to serve as a member of a City board, committee or commission; providing a cumulative clause; providing for a severability, savings and proper notice and meeting; and providing for an effective date.

There was a lengthy discussion among the City Council members. However, the proposed Ordinance No. 300-01-12 failed due to the lack of a motion.

Discuss and consider possible action on procedures for Council meetings.

Alderwoman Michele Bunting Ross presented this item for discussion. Items to be discussed are agenda item submissions which Alderwoman Bunting Ross suggested moving back to Monday instead of Wednesday and have packets go out on Wednesdays; add the complete packet to the website along with proposed ordinances; having a digital drive and having the packet put on a thumb drive; possibly videotaping the meetings and placing that on the website; Alderwoman Etta Fanning suggested having an 11:00 p.m. meeting cut off time; etc.

There was a consensus among the City Council members to have a workshop to discuss this further. Staff was directed to send out possible dates and times for such a workshop.

Discuss and consider action regarding Article VII. Ethics, Sec. 2-205 through 2-214 regarding Members of the City Council and Appointed Boards, Commissions and Committees.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Aldermen Bruce Baumann, the City Council voted five (5) for and none (0) opposed to post pone this item to February. The motion carried.

Discuss and consider action on authority and role of Planning & Zoning Commission.

Alderwoman Etta Fanning presented this item and asked Chief Naughton to give a brief explanation of the building codes and how they affect the ISO rating. Chief Naughton said that there are two different sides to the ISO rating system. The one that is familiar to most people is the fire side and that is how insurance companies choose to score our fire department based on how well we can put out a fire. The other side is the side most people don't really hear about and it the building code side of ISO. This is re-graded every five years. They basically want to know how you adopt your building codes, which ones you have adopted, what date they were implemented, how well your building inspectors are trained and what procedure your use to review plans. Shavano Park currently holds a

grade 3 on the fire side and a grade 5 on the building codes side. The City Attorney stopped the conversation to bring it back to the item itself. Alderwoman Fanning continued to add that she did not feel that the review or amending of the building codes should go through the Planning & Zoning Commission. This was followed by a brief discussion.

Alderman Bruce Baumann recommended this item be added to the workshop for further discussion.

Discuss and consider action to establish a Citizens' Committee for the purpose of working with the City Manager to establish Shavano Park as a satellite training facility for the purposes of on-site training of Officers and interested parties in Texas Commission on Law Enforcement Officer Standards and Education (T.C.L.E.O.S.E.) required classes

Upon a motion made by Alderwoman Etta Fanning and a second by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to move this item to next month's agenda. The motion carried.

City Manager's Report

- a) Employee Update**
- b) City of San Antonio**
 - a. Land Swap**
 - b. Rezoning HEB tract**
- c) Drainage**
- d) RFP for Compensation Study**

City Manager McCain updated the Council with the following: a) there is only one position open which is for the Police Department Deputy Chief position which will remain on hold until a permanent Chief of Police has been hired and the last position open in the Fire Department was for a paramedic which has been filed by Adam Tedrow; b) the City of San Antonio removed the land swap from their agenda the HEB tract has been rezoned to a C2 which allows for apartments; c) the Public Works department has been working on Cliffside and poured an apron to save the edge of the street. They also cleared the drainage way behind the homes on Ripple Creek; and d) this information should be available at the February meeting.

Adjournment

Upon a motion made by Alderman Bruce Baumann and a second by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to adjourn the Regular City Council meeting at 11:35 p.m. on Monday, January 23, 2012. The motion carried.

These minutes approved on the 26th of March, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
SPECIAL CITY COUNCIL WORKSHOP
PAESANOS RESTORANTE
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
FEBRUARY 27, 2012
1:30 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present
Alderman Ken McClure – present
Alderwoman Etta Fanning – present

Alderman Bruce Baumann – absent
Alderwoman Mary Werner – present
Alderwoman Michele Bunting Ross – present

Others present: Mike Simpson; City Manager, Kyle McCain; City Attorney, Charles Zech; and City Clerk, Sandra Passailaigue

Call to order

Mayor Marne called the Special City Council Workshop to order at 1:43 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code).

Discussion and direction to City Staff regarding the role of the Planning & Zoning Commission.

Upon a motion made by Alderman Ken McClure and a second by Alderwoman Etta Fanning, the City Council voted four (4) for and none (0) opposed that the City Council authorize the Planning & Zoning Commission specifically for planning and zoning duties, and to take on things outside of their duties only if directed by Council and with the intent of making a recommendation to City Council. The motion carried.

Review, discussion and direction to City Staff regarding the City's Ethic's ordinance.

Upon a motion made by Alderman Ken McClure and a second by Alderwoman Mary Werner, the City Council voted four (4) for and none (0) opposed to appoint two Aldermen to do a review of the City's Ethics ordinance (Ordinance No. 300-145-07) with appointment being made at the March Regular City Council meeting. The motion carried.

Discussion and direction to City Staff regarding the direction, composition and existence of the Communications Committee.

Upon a motion made by Aldermen Ken McClure and a second by Alderwoman Mary Werner, the City Council voted four (4) for and none (0) opposed to give direction to the City Manager to draft a communication policy and bring back to City Council for review. The motion carried.

Discussion and direction to City Staff regarding the process for committee appointments.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Michele Bunting Ross, the City Council voted four (4) for and none (0) opposed to have Aldermen Ken McClure and Alderwoman Mary Werner review the City of Cibolo's procedure for board appointments and bring back recommendations to City Council for review. The motion carried.

Discussion and direction on procedures for Council meetings.

Upon a motion made by Alderwoman Mary Werner and a second by Aldermen Ken McClure, the City Council voted four (4) for and none (0) opposed to have all Council minutes written with action only. The motion carried.

Other changes such as changing agenda item submission dates and minute's completion dates were discussed. The City Attorney will present a draft ordinance with these changes to be reviewed by the Council in March.

Adjournment

The Special City Council Workshop was adjourned at 5:28 p.m. on Monday, February 27, 2012.

These minutes approved on the 26th of March, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
FEBRUARY 27, 2012
6:30 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present
Alderman Ken McClure – present
Alderwoman Etta Fanning – present

Alderman Bruce Baumann – absent
Alderwoman Mary Werner – present
Alderwoman Michele Bunting Ross – present

Call to order

Mayor Marne called the Regular City Council meeting to order at 6:35 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Mayor Marne led the Pledge of Allegiance and Alderman Ken McClure the invocation.

Citizens to be heard

- Mr. Norton Schectman – 1500 NW Military Highway – spoke about the NW Military Highway Project.

Mayor & City Council Comments

- Alderwoman Etta Fanning – thanked the Fire Department for a 2.71 response time and expressed how proud everyone is of them.

Discuss and consider approval of the consent agenda as presented or amended.

a) Approval of the City Council Minutes from:

January 23, 2012 Regular Meeting

b) Acceptance of the Planning & Zoning Commission Minutes from:

January 04, 2012 Meeting

c) Acceptance of the Water Advisory Committee Minutes from:

August 09, 2011 Meeting

August 16, 2011 Meeting

d) Acceptance of the Building Permit Activity Report

e) Acceptance of the Code Compliance Activity Report

f) Acceptance of the Finance Department Activity Report

g) Acceptance of the Fire Department Activity Report

h) Acceptance of the Municipal Court Activity Report

- i) Acceptance of the Police Department Activity Report**
- j) Acceptance of the Police Department Annual Racial Profiling Report**
- k) Acceptance of the Public Works Department Activity Report**

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Etta Fanning, the City Council voted four (4) for and none (0) opposed to accept the consent agenda as presented with the exception of the January 23, 2012 Regular City Council Minutes. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Ken McClure, the City Council voted four (4) for and none (0) opposed to have the City Clerk re-write the January 23, 2012 Regular City Council minutes per the instructions given during the February 27, 2012 City Council Workshop and bring back the re-write for approval at the Regular City Council meeting in March, 2012. The motion carried.

Discuss and consider possible action appointing Mr. Fred Hobbs to the Board of Adjustment as a Member and appointing Mr. Don Wallace to the Board of Adjustment Alternate position.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Mary Werner, the City Council voted four (4) for and none (0) opposed to appoint Mr. Fred Hobbs to the Board of Adjustment as a Member and appointing Mr. Don Wallace to the Board of Adjustment Alternate position. The motion carried.

Discuss and consider possible action on Resolution No. 12-03, a resolution by the City Council of the City of Shavano Park, Texas ordering and establishing procedures for a General Election in the City of Shavano Park, Texas to elect three aldermen.

Discutir y considerar Resolución No. 12,03, e Resolución por el consejo municipal de la ciudad de Shavano Park, ordenando y estableciendo procedimientos para las Elecciones Generales en la ciudad de Shavano Park, Texas para elegir tres concejales.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Michele Bunting Ross, the City Council voted four (4) for and none (0) opposed to accept Resolution No. 12-03 as presented. The motion carried.

Discuss and consider possible action to renew the Animal Care Service Agreement between the City of Shavano Park, acting by and through the City Manager, between the City of Shavano Park and DeZavala-Shavano Veterinary Clinic located at 4458 Lockhill Selma Road, for the purpose of continuing animal care services per agreement.

Upon a motion made by Alderman Ken McClure and a second by Alderwoman Mary Werner, the City Council voted four (4) for and none (0) opposed to table this item as presented with an extension of thirty (30) days to the current Animal Care Service Agreement between the City of Shavano Park and DeZavala-Shavano Veterinary Clinic. The motion carried.

Discuss and consider possible action on Resolution No. 12-04, a resolution by the City Council of the City of Shavano Park, Texas declaring Saturday, April 14, 2012 as the designated day for the annual City-Wide Garage Sale.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Etta Fanning, the City Council voted four (4) for and none (0) opposed to accept Resolution No. 12-04 as presented. The motion carried.

Discuss and consider possible action on Resolution No. 12-05, a resolution by the City Council of the City of Shavano Park, Texas appointing members to the Firearm Survey Committee.

The following appointments were made:

- Mayor Marne appointed Jonah Marne
- Alderman Bruce Baumann (via e-mail) appointed Al Walea
- Alderwoman Mary Werner appointed Bill Stipek
- Alderman Ken McClure appointed Robert Cathey
- Alderwoman Etta Fanning appointed Charles Brame
- Alderwoman Michele Bunting Ross appointed Betty Boazman

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Michele Bunting Ross, the City Council voted two (2) for and three (3) opposed with Alderman Ken McClure, Alderwoman Etta Fanning and due to a tie vote, Mayor Marne casting the negative vote to adopt Resolution No. 12-05 to appoint members to the Firearm Survey Committee. The motion failed.

Discuss and consider action to ratify the contract with URS expanding the scope of work to authorize URS Engineering to hire BESST, Inc. as an independent contractor to perform down-well tests on the Trinity Well at no additional engineering costs to the City of Shavano Park.

Upon a motion made by Alderman Ken McClure and a second by Alderwoman Mary Werner, the City Council voted four (4) for and none (0) opposed to table this item to the end of tonight's meeting until the Exhibit A and B can be provided. The motion carried.

Discuss and consider action on Ordinance No. 100-01-12, an ordinance amending the City of Shavano park Code of Ordinances to allow for certain minor plats and administrative approval of certain amending plats as authorized by the Texas Local

Government Code; providing for an effective date; providing for severability and providing for a savings clause.

Upon a motion made by Alderman Ken McClure and a second by Alderwoman Michele Bunting Ross, the City Council voted four (4) for and none (0) opposed to accept Ordinance No. 100-01-12 as presented. The motion carried.

Discuss and consider possible action on Ordinance No. 300-02-12, an ordinance amending Chapter 2 of the City of Shavano Park Code of Ordinances providing that ordinances shall be considered twice prior to adoption except in cases of emergencies; providing a cumulative clause; providing for severability, providing for proper notice and meeting; and providing for an effective date.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Etta Fanning, the City Council voted four (4) for and none (0) opposed to accept Ordinance No. 300-02-12 as presented. The motion carried.

Discuss and consider possible action on a Water Department Bill Adjustment Policy as recommended by the Water Advisory Committee.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Ken McClure, the City Council voted four (4) for and none (0) opposed to accept the Water Department Bill Adjustment Policy as recommended by the Water Advisory Committee. The motion carried.

Discuss and consider action to approve a Water Lease Agreement with David M. Player, M.D. for 37.96 acre feet of Edwards Aquifer Water Rights for the 2012 calendar year.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Ken McClure, the City Council voted (4) for and none (0) opposed to approve of the lease to David M. Player, M.D. as presented. The motion carried.

Discuss and consider possible action to accept a response from the Request for Proposals for the Total Compensation Study.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Ken McClure, the City Council voted four (4) for and none (0) opposed to use Public Sector to conduct the Compensation Study. The motion carried.

Discuss and consider possible action to establish a Citizen's Committee for the purpose of working with the City Manager to present a proposal to City Council for Shavano Park as a satellite training facility for: (1) Police Officer training under the Texas Commission on Law Enforcement Officer Standards and Education (T.C.L.E.O.S.E.); and (2) Citizen information for interested residents who want to stay up to date on gun laws and how

they work in our City, review responsibility, use, and safety of firearms, and other firearms topics of interest to citizens.

Upon a motion made by Alderman Ken McClure and a second by Alderwoman Etta Fanning, the City Council voted (4) for and none (0) opposed to establish a committee made up of one (1) citizen to work with the City Manager and Chief of Police to bring back a recommendation to Council. The motion carried.

City Manager's Report

- a) Employee Update**
- b) Trinity Well Progress**
- c) Drainage**
- d) CPS Energy CIED Fund**
- e) 800 MHz purchase**
- f) SAWS water rates**

City Manager McCain reported that there are two positions open in the Police Department and the panel is currently reviewing the resumes for the position of Police Chief; the public works crew is working on clearing an area near DeZavala Estates and will be working on Bikeway and Elm Springs next; CPS CIED Fund will be on a future agenda as a presentation from CPS; plan to meet with the salesperson later this week to discuss the 800 MHz radios; and the SAWS water rates that should be inside city limits rates and are actually being charged at the outside city limit rates. SAWS and the City is looking into this to correct the accounts of those residents who may be being overcharged.

Adjournment

Upon a motion made by Alderwoman Mary Werner and a second by Aldermen Ken McClure, the City Council voted four (4) for and none (0) opposed to adjourn the Regular City Council meeting at 8:32 p.m. on Monday, February 27, 2012. The motion carried.

These minutes approved on the 26th of March, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
MARCH 26, 2012
6:30 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present
Alderman Ken McClure – present
Alderwoman Etta Fanning – present

Alderman Bruce Baumann – present
Alderwoman Mary Werner – present
Alderwoman Michele Bunting Ross – present

Call to order

Mayor Marne called the Regular City Council meeting to order at 6:31 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Alderwoman Mary Werner led the Pledge of Allegiance and Alderman Bruce Baumann the invocation.

Citizens to be heard

- Major General, Susan Pamerleau – Candidate for Bexar County Sheriff – spoke to citizens asking for their vote and support.
- Michael Janssen – 430 Bentley Manor - deferred his comments to item 6.
- Colleen Dietz – 112 Tuscany Way - thanked the City Manager, Mayor Marne and City Council for allowing the Winston School to hold their fundraiser run in Shavano Park.
- Gina Gallegos – 101 Fawn Drive - spoke of TxDOT's future plans.
- Dagne Florine – 111 Post Oak Way – spoke about the NW Military Highway Project.
- Diane Smilgin – 124 Long Bow - spoke about the NW Military Highway Project.
- David Jauer – 103 Ponca Bend – Deferred his comments to Item 6.
- Colleen Dietz – 112 Tuscany Way – Deferred her comments to Item 5.

Mayor & City Council Comments

- Alderwoman Etta Fanning – thanked Shavano Park citizens Betty Boazman and Glenda Bibb as well as Sandra Passailaigue, City Clerk for all their hard work on the beautification project at City Hall.
- Alderwoman Mary Werner – thanked the Women's Club for putting on the annual Employee Appreciation Luncheon.
- Mayor Marne – read a portion of a letter submitted by Josh Donat of TxDOT regarding TxDOT's future and current projects.

Discuss and consider approval of the consent agenda as presented or amended.

a) Approval of the City Council Minutes from:

January 23, 2012 Regular Meeting

February 27, 2012 Special Workshop

February 27, 2012 Regular Meeting

- b) Acceptance of the Planning & Zoning Commission Minutes from:
February 01, 2012 Meeting**
- c) Acceptance of the Board of Adjustment Minutes from:
November 21, 2011 Meeting**
- d) Acceptance of the Building Permit Activity Report**
- e) Acceptance of the Code Compliance Activity Report**
- f) Acceptance of the Finance Department Activity Report**
- g) Acceptance of the Fire Department Activity Report**
- h) Acceptance of the Municipal Court Activity Report**
- i) Acceptance of the Police Department Activity Report**
- j) Acceptance of the Public Works Department Activity Report**

Upon a motion made by Alderwoman Mary Werner and a second by Alderman Bruce Baumann, the City Council voted five (5) for and none (0) opposed to accept the consent agenda as presented. The motion carried.

Discuss and consider possible action to approve an Animal Care Services Agreement between the City of Shavano Park, acting by and through the City Manager, between the City of Shavano Park and DeZavala-Shavano Veterinary Clinic located at 4458 Lockhill Selma Road, for the purpose of continuing animal care.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to extend the current contract an additional thirty (30) days and direct the City Manager to meet with Dr. Harrison to negotiate the contract and have a legal review of said contract before it comes back to City Council for approval. The motion carried.

Discuss and consider action on a resolution adopting the NW Military Highway Project as recommended by vote of the Planning & Zoning Commission.

- Michael Janssen - Planning & Zoning Commissioner – gave a brief back ground on the NW Military Highway Project.
- Diane Smilgin – asked why the Council would “shelf a plan that the citizens do not want”.
- David Jauer – Planning & Zoning Commissioner – spoke against the proposed plan.

Upon a motion made by Alderwoman Etta Fanning and a second by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to receive the information and put it on the shelf. The motion carried.

Alderman Bruce Baumann made a motion to also receive Mr. David Jauer's plan as a "Plan B" and Alderwoman Mary Werner seconded that motion. Before this motion went to a vote Alderman Baumann withdrew his motion and Alderwoman Werner withdrew her second to that motion.

Discuss and consider action on a recommendation from the City manager to hire a Chief of Police to replace the Interim Chief of Police who has been serving since October 3, 2011.

Alderwoman Etta Fanning motioned to table this item to the April City Council meeting in order to give the Council time to review the candidate packets. The motion failed due to a lack of a second.

City Manager Kyle McCain informed the City Council that the panel met and interviewed three candidates and their recommendation for Police Chief is David W. Creed.

Upon a motion made by Alderman Ken McClure and a second by Alderman Bruce Baumann, the City Council voted five (5) for and none (0) opposed to accept the City Manager's recommendation to hire David W. Creed as the permanent Police Chief of the City of Shavano Park. The motion carried.

Discuss and consider an ordinance amending Chapter 2 of the City of Shavano Park Code of Ordinances, revising the process for submission and processing of the agenda and agenda items.

Upon a motion made by Alderman Bruce Baumann and a second by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to postpone this item for thirty (30) days to allow the city attorney to review and bring back to Council for review and discussion. The motion carried.

Discuss and consider an ordinance amending Chapter 28 of the City of Shavano Park Code of Ordinances amending Section 28-51 regarding the creation of duties of the Planning & Zoning Commission.

Upon a motion made by Alderman Ken McClure and a second by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to postpone this item for thirty (30) days to allow the city attorney to review and bring back to Council for review and discussion. The motion carried.

Discuss and consider an ordinance amending Chapter 2 of the City of Shavano Park Code of Ordinances providing that the minutes for City Council meetings and Boards and Commissions meetings of the City are to be action minutes.

Upon a motion made by Alderwoman Mary Werner and a second by Alderman Ken McClure, the City Council voted five (5) for and none (0) opposed to accept the ordinance amending Chapter 2, Section 2-29 (a) as presented. The motion carried.

Discuss and consider action on a resolution of the City Council of the City of Shavano Park, Texas designating the Fire Chief as the ISO Coordinator; responsible for review of

all changes to codes that may affect ISO rating; establishing a review procedure that includes signing-off on all changes.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Bruce Baumann, the City Council voted five (5) for and none (0) opposed to accept the resolution designating the Fire Chief as the ISO Coordinator as amended. The motion carried.

Discuss and consider an ordinance approving the budget adjustment for Fiscal Year 2011-2012 of the City of Shavano Park General Fund Budget.

Upon a motion made by Alderman Ken McClure and a second by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept the bid from MJ Central Texas Septic, LLC in the amount of \$10,500.00 as recommended by the City Manager but ask that he look into a possible cost reduction if the City staff were to dig the hole. The motion carried.

Discuss and consider action on Policies and Procedures for events on City property.

Upon a motion made by Alderwoman Mary Werner and a second by Alderman Bruce Baumann, the City Council voted five (5) for and none (0) opposed to postpone this item until the next regularly scheduled Council meeting. The motion carried.

Discuss and consider a resolution of the City of Shavano Park Authorizing the filing of a grant application with the Alamo Area Council of Governments (AACOG) for a regional solid waste grants program grant.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept the resolution authorizing the filing of a grant application with the Alamo Area Council of Governments (AACOG) for a regional solid waste grants program grant as amended. The motion carried.

Discuss and consider an ordinance amending Article III, Section 6-64 revising the registration fees for plumbers and septic installers; and amending the fee schedule.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to postpone this item until the next regularly scheduled Council meeting. The motion carried.

City Manager's Report

- a) Employee Update**
- b) Evaluations**
- c) Compensation Study**
- d) EAA Fees**
- e) Trinity Well Progress**
- f) Trinity Well Landscaping**
- g) Drainage**

- h) CPS Energy CIED Fund**
- i) 800 MHz purchase**
- j) MDT – Police Computer Access**
- k) SAWS water rates**

City Manager McCain reported that there has been no turnover in staffing; Mr. McCain went on to announce that there will be a “surprise” picnic at Eisenhower Park on Sunday, April 1st at 1:00 p.m. for Officer Ramos and all are invited; we are in the process of evaluations and are trying to complete them by the end of March; we are also in the process of sending out an RFP for the compensation study and then plan to complete the process within ninety days; the Edwards Aquifer Authority fees will increase in 2013; This past Friday the Trinity Project Workgroup will met to discuss the results of the water sample test results which indicated that the best water we have is at the top. Mr. McCain added that we are looking at approximately 160 gallons per minute instead of 200. The Trinity Well landscaping is still waiting to find out what will be done at the well; The Planning & Zoning Workgroup is reviewing the 1993 Vickery Study and the drainage plan we have in order to bring any recommendations to City Council. Mr. McCain said the he has added the 2003 FEMA plan to be included in that review; the 800 MHz radios are expected to be in sometime next month; the MDT’s have been cut off by the City of San Antonio and Bexar County is gearing up to provide that service to us at a cost of somewhere around \$1220.00 and may double in the next year. The County also wants to provide dispatch services which are being discussed; lastly, the SAWS water rate overcharges are being addressed.

Adjournment

Upon a motion made by Alderwoman Mary Werner and a second by Alderman Bruce Baumann, the City Council vote five (5) for and none (0) opposed to adjourn the Regular City Council meeting at 9:23 p.m. on Monday, March 26, 2012. The motion carried.

These minutes approved on the 23rd of April, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
APRIL 23, 2012
6:30 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present
Alderman Ken McClure – present
Alderwoman Etta Fanning – present

Alderman Bruce Baumann – present
Alderwoman Mary Werner – present
Alderwoman Michele Bunting Ross – present

Call to order

Mayor Marne called the Regular City Council meeting to order at 6:33 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Alderwoman Mary Werner introduced Troop 66 from St. Francis of Assisi who led the Pledge of Allegiance and Alderwoman Etta Fanning the invocation.

Citizens to be heard

- Mike Simpson – 100 Ripple Creek – discussed concerns regarding the posting of the City Council agendas; and of Council members writing ordinances.
- Ralph Diaz - Candidate for Bexar County Sheriff – spoke to citizens asking for their vote and support.

Mayor & Council Comments

- Alderwoman Etta Fanning – Thanked the Women’s Club for hosting the Meet Your Candidate Event as well as the facilitator for doing such a good job.
- Alderman Bruce Baumann – Thanked the Women’s Club also for the Employee Appreciation Luncheon. Alderman Baumann also added that the Women’s Club is celebrating their 60th year; Alderman Baumann then implored the Mayor and the new Council to have some sort of celebration to honor the Women’s Club.
- Alderwoman Mary Werner – Thanked the Women’s Club.
- Mayor Marne – Spoke about the success of the Meet Your Candidate Event; Congratulated Eagle Scout Chris Lira for the success of the Earth Day Event held at City Hall on Saturday, April 21, 2012. Mayor Marne then read a Proclamation declaring the week of June 18th through June 24, 2012 as Amateur Radio Week.

Discuss and consider approval of the consent agenda as presented or amended.

- a) Approval of the City Council Minutes from:
March 26, 2012 Regular Meeting**
- b) Acceptance of the Planning & Zoning Commission Minutes from:
March 07, 2012 Meeting**
- c) Acceptance of the Building Permit Activity Report**
- d) Acceptance of the Code Compliance Activity Report**
- e) Acceptance of the Fire Department Activity Report**
- f) Acceptance of the Municipal Court Activity Report**
- g) Acceptance of the Police Department Activity Report**
- h) Acceptance of the Public Works Department Activity Report**
- i) Acceptance of the City Manager's approval of Unit 18B, PH II Amending Plat**
- j) Acceptance of the Finance Department Activity Report**

Alderwoman Michele Bunting Ross requested to pull items "a" and "j" of the consent agenda; Alderman Ken McClure requested item "j" of the consent agenda also be pulled; and Alderwoman Mary Werner requested that item "h" be pulled from the consent agenda.

Upon a motion made by Alderwoman Mary Werner and a second by Alderman Bruce Baumann, the City Council voted five (5) for and none (0) opposed to accept the consent agenda as presented with the exception of items "a", "j" and "h". The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Bruce Baumann to amend the motion for Item 6 of the March 26, 2012 City Council minutes to read "receive the information."

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Bruce Baumann, the City Council voted four (4) for and one (1) opposed with Alderwoman Etta Fanning casting the negative vote, to amend the previous motion for Item 6 of the March 26, 2012 City Council minutes to read "receive the information and put it on the shelf." The motion carried.

Upon a motion made by Alderwoman Mary Werner and a second by Alderman Ken McClure, the City Council voted five (5) for and none (0) opposed to accept the Public Works Department Activity Report as presented. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Ken McClure, the City Council voted five (5) for and none (0) opposed to reclassify the professional legal services fees relating to the Cram vs. Shavano Park case from the Water System to the General Fund in the amount of \$13,000 and some change. The motion carried.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to accepting the Finance Department Activity Report as amended. The motion carried.

Report and discussion by Lee Powers on the Citizens' Committee for developing Shavano Park as a satellite training facility for the purposes of on-site training of Police Officers and citizens interested in police operations.

Upon a motion made by Alderwoman Etta Fanning and a second by Alderman Ken McClure, the City Council voted five (5) for and none (0) opposed to table this item until the next regularly scheduled City Council meeting. The motion carried.

Presentation of Fiscal Year 2011-2012 2nd Quarter Financial Report and acceptance of Finance Activity Report.

Upon a motion made by Alderwoman Mary Werner and a second by Alderman Ken McClure, the City Council voted five (5) for and none (0) opposed to table this item until the next regularly scheduled City Council meeting. The motion carried.

Discuss and consider possible action to approve an Animal Care Services Agreement between the City of Shavano Park, acting by and through the City Manager, between the City of Shavano Park and DeZavala-Shavano Veterinary Clinic located at 4458 Lockhill Selma Road, for the purpose of continuing animal care.

Upon a motion made by Alderwoman Mary Werner and a second by Alderman Ken McClure, the City Council voted five (5) for and none (0) opposed to extend the current contract until the end of May and table this item until the next regularly scheduled City Council meeting. The motion carried.

Presentation, discussion and possible action on the Trinity Project Workgroup's recommendation on the Trinity Water Well.

Dan Warth, Vice President of URS Corporation presented an update on the Trinity Well Project.

Upon a motion made by Alderman Bruce Baumann and a second by Alderman Ken McClure, the City Council voted five (5) for and none (0) opposed to give direction to City staff to extend the current contract with URS Corporation to include the period through receiving potable water at a cost not to exceed \$40,000 and to start with the bid packages; then meet with the Trinity Project Workgroup on the recommendation on using a packer to isolate the high iron water vs. grouting in the Well below the top screen making a permanent closing of the bottom of the Well. The motion carried.

Discuss and consider action concerning overcharges by the San Antonio Water System and the reimbursement process being by SAWS and the potential to affect the City of Shavano Park's franchise receipts.

City Manager McCain presented an update to City Council saying that the San Antonio Water System (SAWS) has completed their research into who had been overcharged. SAWS reported 104 current customers whose bills were calculated using the outside city limits rate. These 104 residents will be notified by SAWS with the amount they were overcharged along with an explanation of how they will be reimbursed.

Discuss and consider an ordinance amending Chapter 2 of the City of Shavano Park Code of Ordinances, revising the process for submission and processing of the agenda and agenda items.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept an ordinance amending Chapter 2 of the City of Shavano Park Ordinances, revising the process for submission and processing of the agenda and agenda items as presented. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Ken McClure, the City Council voted five (5) for and none (0) opposed to amend the previous motion to accept an ordinance amending Chapter 2 of the City of Shavano Park Ordinances, revising the process for submission and processing of the agenda and agenda with the removal of Section 2-25 (a). The motion carried.

Discuss and consider an ordinance amending Chapter 28 of the City of Shavano Park Code of Ordinances Section 28-51 regarding the creation of duties of the Planning & Zoning Commission.

Upon a motion made by Alderman Ken McClure and a second by Alderwoman Etta Fanning, the City Council voted two (2) for and three (3) opposed (with Alderwoman Mary Werner, Alderman Bruce Baumann and Alderwoman Michele Bunting Ross casting the negative votes) to accept an ordinance amending Chapter 28 of the City of Shavano Park Ordinances Section 28-51 regarding the creation of duties of the Planning & Zoning Commission as presented. The motion failed.

Discuss and consider action on policies and procedures for events on City property.

City Manager Kyle McCain provided sample contracts and informed the Council that he would bring this item back next month with a better application that suits the needs of Shavano Park.

Discuss and consider an ordinance amending Article III, Section 6-64 revising the registration fees for plumbers; and amending Appendix A – City of Shavano Park Fee Schedule of the Code of Ordinances.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept an ordinance amending Article III, Section 6-64 revising the registration fees for plumbers; and amending Appendix A – City of Shavano Park Fee Schedule of the Code of Ordinances as presented. The motion carried.

Report and possible action on the organizational performance review to determine merit pay for City employees as approved in the Fiscal Year 2011-2012 Budget with discussion and action to follow.

City Manager Kyle McCain presented the results of the March 2012 Employee Evaluations. Mr. McCain said of the 47 employees evaluations had been completed with the following outcome: 7 received

were eligible for a 2% merit pay increase; 31 received a 1% merit increase; and 9 were ineligible to receive a merit pay increase.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Bruce Baumann, the City Council voted five (5) for and none (0) opposed to give all eligible employees a 1% one-time performance bonus. The motion carried.

Discuss and consider possible action to amend Appendix A – City of Shavano Park Fee Schedule, of the Code of Ordinances to reduce the Shavano Park Water System Edwards Aquifer Authority (EAA) Water Management Fee as recommended by the Water Advisory Committee.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to amend Appendix A – City of Shavano Park Fee Schedule, of the Code of Ordinances to reduce the Shavano Park Water System Edwards Aquifer Authority (EAA) Water Management Fee as presented. The motion carried.

Discuss and consider the appointment of two (2) Council members to do a review of the City's Ethics Ordinance No. 300-145-07 and bring back recommendations to City Council for review.

Upon a motion made by Alderwoman Etta Fanning and a second by Alderman Ken McClure, the City Council voted two (2) for and three (3) opposed (with Alderman Bruce Baumann, Alderwoman Mary Werner and Alderwoman Michele Bunting Ross casting the negative votes) to appoint Alderman Ken McClure, Alderman Bruce Baumann and Shavano Park citizen Mike Simpson to the Ethics Review Committee. The motion failed.

Upon a motion made by Alderman Ken McClure and a second by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to table this item until after the election with the new Council members. The motion carried.

Discuss and consider action in regards to the scheduling of the May 28, 2012 Regular City Council meeting date as it relates to a City holiday.

Upon a motion made by Alderman Bruce Baumann and a second by Alderman Ken McClure, the City Council voted five (5) for and none (0) opposed to move the May Regular City Council meeting from 6:30 p.m. May 28th to May 21st immediately following the 6:00 p.m. Special City Council meeting. The motion carried.

City Manager's Report

- a) Employee Update**
- b) Compensation Study**
- c) Trinity Well Landscaping**
- d) City-Wide Garage Sale Report**

- e) **800 MHz purchase**
- f) **Police Vehicle Video Equipment**
- g) **MDT – Police Computer Access**
- h) **Solar, Water Conservation, and cistern presentations at Workshops prior to P&Z meetings over the next several months.**

City Manager Kyle McCain reported the following:

- a. Employee Update: 47 employees, no current openings, but we are about to start looking to fill the open Investigator position in the Police Department.
- b. Compensation Study: Every employee has returned the questionnaires provided by Public Service Consulting. We are shipping them via FedEx to their office in AZ and they have begun gathering information from cities which they intend to compare with. They will evaluate data, make recommendations on job descriptions (if any), and provide a new salary guide based on market data.
- c. Trinity Well Landscaping: The landscaping is still on hold until the completion of the well in case there is any work to be done at the well site.
- d. City-Wide Garage Sale Report: After-action report is included with your packet. There were approximately 41 homes that participated.
- e. 800 MHz purchase: Some of the radios have been shipped and are going directly to the servicer for programming. The PD hand-helds have been shipped, and 3 of the mobile radios, but none of the Fire Department radios. The ones which have been shipped will be available in about two weeks.
- f. Police Vehicle Video Equipment: we are still looking at what to do with current DP video system, and are having more problems more often. We have some numbers for the cost, but not complete enough to compare between vendors. We have money to replace two of the video cams, and money to add two video cams to the two new vehicles, and repair money that is currently unused in the budget. Rather than throw this away by staying with the problem system this year and look at replacing next year, we are trying to get definitive numbers to see what we can afford to do this year so we will not waste any money.
- g. MDT - Police Computer Access: Available through Bexar County, at a small cost. Helotes is looking at providing this service also, but no final decision has been made available. Helotes is looking at going to CopSync and if they do, and we do for video, this will give us connectivity and "Silent Dispatch" (computerized).
- h. Solar, Water Conservation, and Cistern presentations at Workshops prior to P&Z Meetings over the next several months.
- i. May - Public workshop at 6:30 with presentation by Circular Energy concerning solar electricity planning for residential and commercial property owners.

- ii. June – Public workshop at 6:30 with presentation by SAWS concerning water use planning for residential and commercial property owners.
- iii. July – Public workshop at 6:30 with presentation by Circular Energy concerning solar electricity planning for residential and commercial property owners.
- iv. August - Public workshop at 6:30 with presentation by Kyle McCain and others concerning use of cisterns for residential and commercial property owners.
- v. September – Public workshop at 6:30 with presentation by Circular Energy concerning solar electricity planning for residential and commercial property owners.

Adjournment

Upon a motion made by Alderman Bruce Baumann and a second by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to adjourn the Regular City Council meeting at 10:28 p.m. on Monday, April 23, 2012. The motion carried.

These minutes approved on the 21st of May, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
SPECIAL CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
MAY 21, 2012
6:00 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present
Alderman Ken McClure – present
Alderswoman Etta Fanning – present
present

Alderman Bruce Baumann – present
Alderswoman Mary Werner – absent
Alderswoman Michele Bunting Ross –

Call to order

Mayor Marne called the Special City Council meeting to order at 6:11 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Nikolas Papanikolaou of Troop 346 of St. George led the Pledge of Allegiance and Alderman Ken McClure the invocation.

The City Council shall meet in Executive Session under Texas Government Code § 551.074 *Personnel Matters* to discuss the following:

- a) Annual evaluation of the City Manager as required in employment agreement.**

The City Council went into Executive Session at 6:13 p.m.

Reconvene into Regular Session and take action on issues discussed in Executive Session if necessary.

The City Council reconvened into the Special Council Meeting at 7:28 p.m. Mayor Marne said that the City Manager received evaluating remarks.

Discuss and consider approval of the consent agenda as presented or amended.

- a) Approval of the City Council Minutes from:
April 23, 2012 Regular Meeting**

Upon a motion made by Alderswoman Michele Bunting Ross and a second by Alderman Bruce Baumann, the City Council voted four (4) for and none (0) opposed to approve the April 23, 2012 Regular City Council Minutes as presented. The motion carried.

Discuss and consider City Council's ratification of a Proclamation in honor of Donald John Wallace and giving "Saddletree Court" the honorary designation of "Wallace Circle".

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Bruce Baumann, the City Council voted four (4) for and none (0) opposed to ratify the proclamation to Donald John Wallace as presented. The motion carried.

Discuss and consider action on Resolution No. 12-09, a resolution canvassing election returns and declaring official results of the City of Shavano Park, Texas May 12, 2012 General Election to elect three Aldermen.

Resolución y orden de escrutinio y declaración de los resultados oficiales de la Elección General de la ciudad de Shavano Park, Texas, celebrada el 12 de mayo de 2012 para elegir a tres concejales.

Upon a motion made by Alderman Bruce Baumann and a second by Alderman Ken McClure, the City Council voted four (4) for and none (0) opposed to accept Resolution No. 12-09 as presented. The motion carried.

Al efectuarse una moción presentada por el Concejál Bruce Baumann y secundada por el Concejál Ken McClure, el Consejo Municipal votó para aceptar la Resolución 12-09 tal como fue enmendada, habiendo cuatro (4) votos a favor y cero (0) en contra. La moción fue aprobada.

Presentation to Alderman Ken McClure and Alderman Bruce Baumann in appreciation for their years of service to the City of Shavano Park.

Mayor Marne presented a plaque to Alderman Ken McClure and Alderman Bruce Baumann as a token of appreciation for both of their six (6) years of service to the City of Shavano Park as Aldermen.

Alderman Baumann and Alderman McClure both thanked the citizens of Shavano Park for the experience.

Administer the Oath of Office to newly elected City Officials.

Mayor Marne administered the Oath of Office to Alderwoman Etta Fanning, Alderwoman Vicky Maisel and Alderman Charles Brame.

Discuss and consider action to appoint a Mayor Pro Tem.

Upon a motion made by Alderman Charles Brame and a second by Alderwoman Vicky Maisel, the City Council voted four (4) for and none (0) opposed to nominate Dr. Etta Fanning as Mayor Pro Tem. The motion carried.

Adjournment.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Etta Fanning, the City Council voted four (4) for and none (0) opposed to adjourn the May 21, 2012 Special City Council Meeting at 7:39 p.m. The motion carried.

These minutes approved on the 25th of June, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
MAY 21, 2012
IMMEDIATELY FOLLOWING THE SPECIAL CITY COUNCIL MEETING**

MINUTES

Roll Call

Honorable, A. David Marne – present
Aldерwoman Mary Werner – absent
Aldерwoman Vicky Maisel – present

Aldерwoman Etta Fanning – present
Aldерwoman Michele Bunting Ross – present
Alderman Charles Brame - present

Call to order

Mayor Marne called the Regular City Council meeting to order at 7:39 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code).

Citizens to be heard

- Diane Smilgin – 124 Long Bow – requested that the City consider and move forward with lowering the NW Military Highway speed limit to 35mph.

Mayor and City Council Comments

- Alderman Charles Brame thanked the citizens for coming out tonight. Alderman Brame then requested that two items be placed on the next City Council agenda: 1) to discuss moving the regular City Council meetings to the second Thursday of each month; and 2) to discuss the timing of the City Council agenda, establishment of the City Council agenda, and City Council book policy.
- Aldерwoman Vicky Maisel thanked the citizens for intrusting her with the City and stated that she hoped to earn that trust every day. Aldерwoman Maisel also requested that an item be placed on the next City Council agenda: to discuss the possibility of whom we are going to have authorized to contact the city attorney and city engineer.
- Aldерwoman Etta Fanning welcomed all citizens present. Aldерwoman Fanning requested that before the next City Council meeting that the Council has a workshop to bring the Council together, set guidelines and set goals.
- Mayor Marne also thanked everyone for coming this evening and then proceeded to present a Certificate of Appreciation to Chris Lira, Troop 496 Hornaday Candidate BSA for a job well done on the City's first Earth Day event.

Discuss and consider approval of the consent agenda as presented or amended.

- a) Acceptance of the Planning & Zoning Commission Minutes from;
April 04, 2012 Meeting**
- b) Acceptance of the Board of Adjustment Minutes from:
March 12, 2012**
- c) Acceptance of the Building Permit Activity Report**
- d) Acceptance of the Code Compliance Activity Report**
- e) Acceptance of the Finance Department Activity Report**
- f) Acceptance of the Fire Department Activity Report**
- g) Acceptance of the Municipal Court Activity Report**
- h) Acceptance of the Police Department Activity Report**
- i) Acceptance of the Public Works Department Activity Report**

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Etta Fanning, the City Council voted four (4) for and none (0) opposed to approving the consent agenda as presented. The motion carried.

Report and discussion by Lee Powers on the Citizens' Committee for developing Shavano Park as a satellite training facility for the purposes of on-site training of Police Officers and Citizens interested in Police Operations.

Mr. Lee Powers reported on behalf of the Citizens' Committee which included Mr. Powers, City Manager Kyle McCain and Police Chief David Creed. Mr. Power's reported that "Chief Creed is working to have training accomplished in-house, and on site, to establish this City as a training point for area law enforcement."

Discuss and consider possible action to approve an Animal Care Services Agreement between the City of Shavano Park, acting by and through the City Manager, between the City of Shavano Park and DeZavala-Shavano Veterinary Clinic located at 4458 Lockhill Selma Road, for the purpose of continuing animal care.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Etta Fanning, the City Council voted four (4) for and none (0) opposed to approve the Animal Care Service Agreement between the City of Shavano Park and DeZavala-Shavano Veterinary Clinic as presented. The motion carried.

Presentation, discussion and possible action on health insurance benefits for City staff beginning July 01, 2012 as presented by Wortham Group and recommended by the City Council Benefits Committee.

Upon a motion made by Alderman Charlie Brame and a second by Alderwoman Etta Fanning, the City Council voted four (4) for and none (0) opposed to accept the health insurance benefits for City staff beginning July 01, 2012 as presented. The motion carried.

Discuss and consider possible action to authorize the City Manager to execute an amended contract with URS, Corporation for work and completion of Trinity Water Well.

Upon a motion made by Alderwoman Michele Bunting Ross and as second by Alderman Charles Brame, the City Council voted four (4) and none (0) opposed to accept the amended contract with URS, Corporation as presented. The motion carried.

Presentation, discussion and possible action on the Trinity Project Workgroup's recommendation for completion of the Trinity Water Well by grouting the Well and alternatives for filtering.

City Manager Kyle McCain presented this item making two recommendations: 1) grouting the Well inside the casing to permanently seal off the lower screens, and a consideration for grouting around the casing of the Well to block the flow of water from the bottom of the Well up through the "gravel-pack" which surrounds the casing. This could save the City \$90,000, but based on water quality, could potentially require the City to go back in the future to do this work at a higher cost. 2) add sand filters at the tower site where the treatment occurs or to reconfigure and add to the current paper filters in order to improve the water quality. The sand filters are potentially a higher initial cost, but the operation and maintenance would be at a significantly lower cost long term.

City Manager McCain concluded by saying that the City will be given the recommendation to advertise for bids for the grouting to ensure competitive pricing and will move forward with an alternate bid for grouting the gravel-pack. The estimated schedule to complete these steps indicates the Well will be in operation within eighteen (18) weeks, depending on the work to be done and the availability of scheduling qualified contractors.

Discuss and consider action on an ordinance amending Chapter 24 of the City of Shavano Park Code of Ordinances allowing for awning signs in certain situations; providing a cumulative clause; providing for severability; providing for proper notice and meeting; and providing for an effective date.

The City Council held the first reading of this proposed ordinance. This item will be on the June Regular City Council agenda for the second reading and a vote. This proposed ordinance will be posted on the City's website until the second reading.

Presentation, discussion and possible action on a forty-eight foot (48') pylon sign on Loop 1604 at NW Military Highway for the purpose of Denton Communities developing that corner for Starbucks as the initial development of the commercial area along Loop 1604.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Etta Fanning, the City Council voted four (4) for and none (0) opposed to approve a forty-eight foot

(48') pylon sign on Loop 1604 at NW Military Highway for Starbucks as presented. The motion carried.

Discuss and consider possible action to approve the replacement of all Shavano park public street name signs with new signs that have reflective white lettering on a black background.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Etta Fanning, the City Council voted four (4) for and none (0) opposed to table this item until the June Regular City Council meeting at which time more options should be presented. The motion carried.

Discuss and consider action on Ordinance No. 500-03-12, an ordinance approving the budget adjustment for the purchase of street signs for Fiscal Year 2011-2012 of the City of Shavano Park General Fund Budget.

No action.

Presentation of Fiscal Year 2011-2012 2nd Quarter Financial Report.

Finance Director Dorrance "Doug" Roderick presented the Fiscal Year 2011-2012 2nd Quarter Financial Report which is an overview of the financial condition of the City as of the end of the 1st quarter of this calendar year or 2nd quarter of this fiscal year. The General Fund is at 58.33%; the Water Fund is at almost 22%; the General Fund expenditures are at 39.77% of what was budget; the Trinity Well Capital Project has almost \$400,000 left over as of October 1st and we have paid \$27,000 out which leaves \$370,000; the General Fund has paid \$158,140 in principal interest with the Water Fund paying \$95,977 towards the Debt Service Fund; the Crime Control Fund revenue is \$175,000 and only budget for \$90,000 which is the result in an increase in sales tax receipts; the Capital Replacement Fund had a transfer of \$857,000 from the General Fund to cover drainage, streets, dispatching services and only \$480,290 on a new fire pumper which leaves \$670,000 that has not been spent but has been appropriated and is being held.

Discuss and consider possible action regarding the 60th Anniversary of the Shavano Park Women's Club.

Upon a motion made by Alderwoman Etta Fanning and a second by Alderwoman Vicky Maisel, the City Council voted four (4) for and none (0) opposed to direct staff to bring back a plan. The motion carried.

Discuss and consider possible action to direct staff to draft, for future consideration by the City Council, an amendment to the City Code of Ordinances that would regulate the placement of tents or tent-like structures within the City's jurisdiction.

Upon a motion made by Alderwoman Etta Fanning and a second by Alderwoman Michele Bunting Ross, the City Council voted four (4) for and none (0) opposed to direct staff to come up with a recommendation on the regulation of tents or tent-like structures within the City's jurisdiction.

City Manager's Report

- a) Employee Update**
- b) SAWS Overcharges**
- c) CPS**
 - i. CIED Fund**
 - ii. Franchise Fee**
- d) Compensation Study**
- e) Trinity Well Landscaping**
- f) Police Vehicle Video Equipment**
- g) MDT – Police Computer Access**
- h) Solar, Water Conservation, and cistern presentations at Workshops prior to P&Z meetings over the next several months.**

City Manager Kyle McCain reported the following: A) One police officer has left Shavano Park to go to the San Antonio Airport Police Department and one other police officer will be joining the San Antonio Park Police. Two police officers, Officer Gomez and Officer Ramos were nominated by Alamo Area Council of Governments (AACOG) for Officer of the Year. We also have several firefighters on the list as candidates for San Antonio Fire Department as well as New Braunfels Fire Department; B) San Antonio Water System (SAWS) has agreed to reimburse all customers including those that are no longer current customers and the City will receive \$3800 at the end of the year when SAWS pays the City the annual franchise fees; C-i) The CIED money will come back to the City over four payments in the next year and a half beginning in August of this year; C-ii) the franchise agreement between CPS and the City of Shavano Park expired over a year ago but there are meetings going on this week and CPS will be bringing in their proposal soon; D) The contractor has looked at all of the job descriptions and they have a few suggestions to make on job titles. They have received responses from about half of the cities they surveyed for comparisons. They believe they are on schedule to present something to the City Council in June before final decisions are made for next year's budget. E) The Trinity Well Project is still on hold to see what is going to happen with the sand-grouting and filters. F) The police video equipment needs to be replaced as only three are working at this time. G) There are discussion being held on dispatch services but no decision has been made at this time. The City of Shavano Park certainly has options out there; and H) The Planning & Zoning Commission will continue to hold workshops over the next few months on energy conservation, smart water usage, cisterns and solar energy.

Adjournment

Alderwoman Etta Fanning motioned to adjourn the Regular City Council meeting at 10:11 p.m. on Monday, May 21, 2012. The motion carried.

These minutes approved on the 25th of June, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
SPECIAL CITY COUNCIL ORIENTATION
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
JUNE 11, 2012
9:00 A.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present
Alderswoman Mary Werner – present
Alderswoman Vicky Maisel – present

Alderswoman Etta Fanning – present
Alderswoman Michele Bunting Ross – absent
Alderman Charles Brame - present

Call to order

Mayor Marne called the Special City Council meeting to order at 9:04 a.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Mayor Marne led the Pledge of Allegiance.

The City Council proceeded with an orientation that included the following items:

- The City of Shavano Park Overview;
- A presentation by City Attorney, Habib Erkan, Jr. - Overview of Ethics Ordinance, Open Records and Open Meetings;
- City Budget Review;
- City Council Meetings, Agenda Item Submission and City Council Meeting Process;
- A presentation by Mike Simpson - Resolving Everyday Conflict; and
- Tour of Fire Station and Police Station.

Adjournment

Alderswoman Vicky Maisel motioned to adjourn the Regular City Council meeting at 5:34 p.m. on Monday, June 11, 2012. The motion carried.

These minutes approved on the 25th of June, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
JUNE 25, 2012
6:30 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present
Aldерwoman Mary Werner – present
Aldерwoman Vicky Maisel – present

Aldерwoman Etta Fanning – present
Aldерwoman Michele Bunting Ross – present
Alderman Charles Brame - present

Call to order

Mayor Marne called the Regular City Council meeting to order at 6:39 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Alderman Charles Brame led the Pledge of Allegiance and Aldерwoman Mary Werner the invocation.

Recognition of Ray Ashinhurst by the Shavano Park City Council of Twenty Years of Service.

Mayor Marne and the City Council presented Ray Ashinhurst with a clock as a token of appreciation for the twenty (20) years of service to the City of Shavano Park.

Citizens to be heard

- Diane Smilgin – 124 Long Bow - Spoke once again regarding the lowering of the speed limit from 45mph to 35mph on NW Military Highway.
- Kennie Kahn – 206 Cliffside – Spoke on behalf of John Cole and Dagne Florine who support a Conflict of Interest Policy.
- Michael Janssen – 430 Bentley Manor – Spoke against Item 15 on this evening's agenda.
- Bill Hartman – 4403 Essex Place – Advised the Council of his willingness to serve as a Board of Adjustment Member to fill the position that Charles Brame resigned.
- Randi Wayland – 103 Hunters Branch – Spoke against Item 15 and also asked that the Council meeting day not be changed as proposed in Item 19.

Mayor and City Council Comments

- Alderman Charles Brame asked that Mayor Marne consider switching the order of Item 18 and 19 on tonight's agenda. There was a consensus to oblige his request.
- Aldерwoman Vicky Maisel thanked those who were in attendance this evening.

- Alderwoman Mary Werner extended condolences to the Wallace Family and to the Cooke Family for their recent loss of loved ones.
- Alderwoman Etta Fanning thanked the City's EMS for their efforts in the recent needs of the citizens.

Discuss and consider approval of the consent agenda as presented or amended.

- a) **Acceptance of the City Council Minutes from:**
 - a. **May 21, 2012 Special Meeting**
 - b. **May 21, 2012 Regular Meeting**
 - c. **June 11, 2012 Special Meeting**
- b) **Acceptance of the Planning & Zoning Commission Minutes from:**
 - a. **May 02, 2012 Meeting**
- c) **Acceptance of the Building Permit Activity Report**
- d) **Acceptance of the Code Compliance Activity Report**
- e) **Acceptance of the Finance Department Activity Report**
- f) **Acceptance of the Fire Department Activity Report**
- g) **Acceptance of the Municipal Court Activity Report**
- h) **Acceptance of the Police Department Activity Report**
- i) **Acceptance of the Public Works Department Activity Report**
- j) **Acceptance of the City Manager's approval of Unit 18B, PH II Amending Plat**
- k) **Approval of Resolution No. 12-09, a resolution of the City Council of the City of Shavano Park, Texas designating authorized signers of all accounts for the City of Shavano Park, Texas with Frost National Bank.**
- l) **Approval of Resolution No. 12-10, a resolution of the City Council of the City of Shavano Park, Texas authorizing the City Manager to establish accounts or memberships at banks or State or federal credit unions as authorized in the City of Shavano Park Investment Policy for the sole purpose of purchasing certificates of deposit.**
- m) **Approval of Ordinance No. 500-04-12, an ordinance approving a budget adjustment for Fiscal Year 2011-2012 of the City of Shavano Park General Fund Budget.**

Upon a motion made by Alderwoman Mary Werner and a second made by Alderman Charles Brame, the City Council voted five (5) for and none (0) opposed to accept the consent agenda as presented with the exception of Items 5 (e) (k) (l) (m) as presented. The motion carried.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to accept the consent agenda of Items 5 (e) as presented. The motion carried.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept the consent agenda of Items 5 (l) Resolution No. 12-10 as amended. The motion carried.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept the consent agenda of Items 5 (l) Resolution No. 12-10 striking the second WHEREAS. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept the consent agenda of Items 5 (m) as amended. The motion carried.

Discuss and consider action on preliminary approval for the Subdivision Plat – Unit 19C, Phase II – 64.34 -acre tract of land out of an 86.94-acre tract and a 289.9 acre tract located in Unit 18/19. *(Preliminary approval granted by Planning & Zoning Commission May 2012)*

Alderwoman Vicky Maisel made a suggestion that the City Manager include with all plats, a note saying that the plat has or has not meet the three requirements as stated in the City of Shavano Park Code of Ordinances, Section 28-44 (5). City Manager McCain said that this plat did meet those requirements.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Charles Brame, the City Council voted five (5) for and none (0) opposed to grant preliminary approval for the Subdivision Plat – Unit 19C, Phase II as presented. The motion carried.

Discuss and consider action on final approval for the plat for Shavano Park Unit 18-B, PH III - 9.90-acre tract of land out of a 55.99-acre tract located in Unit 18/19. *(Preliminary approval was granted September 2011 by Planning & Zoning Commission and City Council and final approval granted by Planning & Zoning Commission June 6, 2012)*

Alderwoman Mary Werner asked that Dan Kossel of Denton Communities and the Fire Chief be certain that we are following the City of Shavano Park's Code of Ordinances and should state so in the *Fire Flow Note* on plats.

Alderwoman Vicky Maisel again suggested that the City Manager include with all plats, a note saying that the plat has or has not meet the three requirements as stated in the City of Shavano Park Code of Ordinances, Section 28-44 (5). City Manager McCain said that this plat did meet those requirements.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to grant final approval for the Shavano Park Unit 18B, Phase III as presented. The motion carried.

Discuss and consider action on the Trinity Project Workgroup’s recommendation for completion of the Trinity Water Well by proceeding with the grouting of the casing of the well, and directing the City Manager to advertise for bids to grout the gravel-pack outside the casing, and advertise for bids for sand filters and other necessary modifications to the Trinity Water Well.

Al Walea, Trinity Project Workgroup member and City Manager Kyle McCain gave their recommendation to move forward and gravel the interior of the casing now and Alsay Water can begin this on the 2nd of July. The next step would be to reset the pump and pump the Well and do some testing on it at that point.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept the recommendation as presented. The motion carried.

Discuss and consider action to authorize City Manager Kyle McCain to enter into an Agreement with CPS to Acknowledge the Termination of the Community Infrastructure and Economic Development Fund (“CIED Fund”) by the CPS Energy Board of Trustees and the Transfer of funds collected through the CIED Fund to the City of Shavano Park.

Jim McAden with City Public Service (CPS) External Relations presented this item to ask the City Council to approve of the City Manager entering into an agreement whereby they would acknowledge that the Community Infrastructure and Economic Development Fund (CIED Fund) has been terminated. There will be a payoff of \$302,060.32 will be distributed in four (4) quarterly payments beginning as early as August of this year. Mr. McAden concluded by saying that the City of Shavano Park will have no limit on what the money may be used for.

Upon a motion made by Alderwoman Etta Fanning and a second by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to authorize the City Manager to enter into an agreement with City Public Service to acknowledge the termination of the CIED Fund by the CPS Energy Board of Trustees and the transfer of funds collected through the CIED Fund to the City of Shavano Park. The motion carried.

Discuss and consider action to approve an Ordinance Granting an Electric and Gas Franchise to City Public Service (“CPS”) Energy including the Payment of a Street Rental charge of 3% of the Gross Receipts from the sale of gas and electricity within the City.

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept the ordinance as presented. The motion carried.

Discuss and consider action on the proposed Interlocal Agreement for Police, Fire, and EMS Dispatch Services with the City of Helotes, or as an alternative, Dispatch Services to be provided by Bexar County.

Police Chief David Creed and Fire Chief Michael Naughton both gave their recommendation to go with Bexar County for dispatch services with Chief Naughton adding that there would be an additional cost for technological cost in order to use the system but that it would be considerably lower than the difference between both agreements.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to authorize the City Manager to negotiate a contract for dispatch services from Bexar County. The motion carried.

Discuss and consider action on an ordinance amending Chapter 24 of the City of Shavano Park Code of Ordinances allowing for awning signs in certain situations; providing a cumulative clause; providing for severability; providing for proper notice and meeting; and providing for an effective date. – 2nd Reading.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted four (4) for and one (1) opposed with Alderwoman Vicky Maisel casting the negative vote to approve and adopt Ordinance No. 100-03-12 as presented. The motion carried.

Discuss and consider action on an amendment to the City Code of Ordinances that would regulate the placement of tents or tent-like structures within the City's jurisdiction. – 1st Reading. As requested by Alderwoman Michele Bunting Ross.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted two (2) for and three (3) opposed with Alderwoman Michele Bunting Ross, Alderwoman Mary Werner and Alderman Charles Brame casting the negative votes to change from ten days opposed to four. The motion failed.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted four (4) for and one (1) opposed with Alderwoman Vicky Maisel casting the negative vote to accept as presented and bring back in July for the second reading. The motion carried.

Discuss and consider action to approve the replacement of all Shavano Park public street name signs with new signs that have reflective white lettering on a black background.

Upon a motion made by Alderwoman Vicky Maisel and a second by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to proceed with the project next fiscal year and that this become part of the budget process in order to do so. The motion carried.

There was a consensus among the City Council to not use block numbers or the City logo.

Discuss and consider action on Ordinance No. 300-01-12, an ordinance of the City of Shavano Park Code of Ordinances providing that a person related to members of the City Council within the first degree of consanguinity or affinity are ineligible to serve as a member of a City board, committee or commission; providing a cumulative clause; providing for severability, savings and proper notice and meeting; and providing for an effective date. *As requested by Alderwoman Vicky Maisel.*

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderman Charles Brame, the City Council voted five (5) for and none (0) to accept the first reading the substituted ordinance that the Council was handed at tonight's meeting. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to amend the accepted document to include the second degree of affinity and the third degree of consanguinity as well. The motion carried.

Discuss and consider action naming an Alderman to replace Alderman Ken McClure on the Shavano Park Investment Committee as required in the Investment Policy.

Upon a motion made by Alderwoman Etta Fanning and as second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to postpone this discussion and direct the City Manager to bring back to the next Council meeting an amendment to allow a five (5) member investment team to include the one Alderman, City Manager, Finance Director and two citizens. The motion carried.

Discuss and consider action to direct the City Manager to contact TxDOT to request a traffic study for the purpose of reducing the speed limit on NW. Military to 35 MPH.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted none (0) for and five (5) opposed to direct the City Manager to contact TxDOT to request a traffic study for the purpose of reducing the speed limit on NW Military to 35 mph. The motion failed.

Discuss and consider action to move the Regular City Council meeting date to the second Thursday of each month. *As requested by Alderman Charles Brame.*

Upon a motion made by Alderman Charles Brame and a second made by Alderwoman Etta Fanning, the City Council voted none (0) for and five (5) for moving the Regular City Council meeting date to Thursday from Monday. The motion failed.

Discuss and consider action concerning the timing of the City Council agenda, and establishment of City Council agenda and City Council book policies. *As requested by Alderman Charles Brame.*

Upon a motion made by Alderman Charles Brame and as second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to change the agenda item submission deadline to two weeks prior to Regular City Council meetings and the Council binder delivery date set for one week prior to the Regular City Council meeting. The motion carried.

Discuss and consider action to appoint a replacement of Member Charles Brame to the Board of Adjustment. *As requested by Alderman Charles Brame.*

Mayor Marne appointed Mr. William Hartman, II as a Member to the Board of Adjustment to complete the unexpired term of Member Charles Brame.

Upon a motion made by Alderman Charles Brame and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept the Mayor's appointment of Mr. William Hartman, II to complete the unexpired term of Charles Brame as a MEMBER (as opposed to an ALTERNATE MEMBER) of the Board of Adjustment. The motion carried.

Discuss and consider action to limit who may contact or task the city attorney to perform work for the City. *As requested by Alderwoman Vicky Maisel.*

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted none (0) for and five (5) opposed to enforce Resolution No. 03-07 as it is written. The motion failed.

Resolution was overturned and a direction was given to City Staff to bring this item forward for consideration based on this evening's discussion.

Discuss and consider action to establish follow-up procedures for code violations. *As requested by Alderwoman Vicky Maisel*

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to merge items 22 and 23 on this agenda. The motion carried.

Discuss and consider action to establish an Ad Hoc committee of two Council Members, appointed by the Mayor, for the limited purpose to review the Environmental Ordinances with the Code Compliance Director to address some of the citizens' concerns about the Ordinances, compliance, and enforcement. *As requested by Alderwoman Etta Fanning*

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderman Charlie Brame, the City Council voted two (2) for and three (3) opposed with Alderwoman Mary

Werner, Alderwoman Michele Bunting Ross and Alderwoman Vicky Maisel casting the negative vote to request that the Mayor appoint Alderwoman Vicky Maisel and Alderwoman Etta Fanning to review the environmental ordinances with the Code Compliance Director to address some of the citizens' concerns about the ordinances, compliance and enforcement and bring this back to the Council. The motion failed.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to request that the Mayor appoint Alderwoman Mary Werner and Alderwoman Etta Fanning to review the environmental ordinances with the Code Compliance Director to address some of the citizens' concerns about the ordinances, compliance and enforcement and bring this back to the Council. The motion carried.

Presentation, discussion and action on the budget calendar for Fiscal Year 2012-2013.

Upon a motion made by Alderwoman Vicky Maisel and a second by Alderman Charles Brame, the City Council voted five (5) for and none (0) opposed to accept the budget calendar with the budget workshops beginning at 6:00 p.m. as presented. The motion carried.

Discuss and consider tasking the City Manager to review provisions of the Local Government Code 22.073 (Powers and Duties of the City Secretary), and the City Ordinances and Practices to determine if City Ordinances and practices comport with the Local Government Code, and to recommend changes to ordinances and practices to comply with statutory requirements, and present this at the July Council meeting. *As requested by Alderwoman Etta Fanning*

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Vicky Maisel, the City Council voted three (3) for and two (2) opposed with Alderwoman Michele Bunting Ross and Alderwoman Mary Werner casting the negative vote to task the City Manager to review provisions of the Local Government Code 22.073 for the powers and duties of the Secretary and to align this with our City Ordinances and practices and recommend changes to comply with statutory requirements LGC 22.073 and FSLA statutes, and present this at the July Council Meeting. The motion carried.

Discuss and consider action for the Fire Inspector to prepare and present a proposal to include cost based on code compliance of City Hall and bring this back to Council at the July meeting. *As requested by Alderwoman Etta Fanning*

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderman Charles Brame, the City Council voted three (3) for and two (2) opposed with Alderwoman Michele Bunting Ross and Alderwoman Mary Werner casting the negative vote to task the City Manager to task our City Engineer to put together a bid package to bring City Hall into fire code compliance for when the building was built, and bring something back to us at the July Council meeting. The motion carried.

Discuss and consider action on the Ordinance to amend Chapters 28 and 36 of the City of Shavano Park Code of Ordinances regarding the creation and duties of the Planning & Zoning Commission. *As requested by Alderwoman Etta Fanning.*

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Vicky Maisel, the City Council voted three (3) for and two (2) opposed with Alderwoman Mary Werner and Alderwoman Michele Bunting Ross casting the negative vote to accept the first reading of Ordinance No. 100-04-12 amending Chapters 28 and 36 of the City of Shavano Park Code of Ordinances regarding the creation and duties of the Planning & Zoning Commission. The motion carried.

Discuss and consider action to have the City Manager and City Clerk present a plan to the City Council regarding the Boards and Commissions appointment process by the July Council meeting. *As requested by Alderwoman Etta Fanning*

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Vicky Maisel, the City Council voted four (4) for and one (1) opposed with Alderwoman Mary Werner casting the negative vote to task the City Manager and City Clerk to present a plan to the Council regarding the Boards and Commissions appointment process, interviews, web site posting, application and resume review, and present at the July meeting. The motion carried.

Discuss and consider action on Policies and Procedures for events on City property. *As requested by Alderwoman Michele Bunting Ross*

There was general direction given to the City Manager to bring back at the July meeting.

Discussion regarding the use of City property for a Farmer's Market and/or other future event. *As requested by Alderwoman Michele Bunting Ross*

There was a consensus to for Alderwoman Michele Bunting Ross to bring back more information on this item at the July meeting. City Manager McCain asked that City Council allow him to work with Alderwoman Mary Werner and Alderwoman Vicky Maisel on this item.

City Manager's Report

- a) Employee Update**
- b) Status of New COSP Fire Engine**
- c) Solar, Water Conservation, and Cistern presentations at Workshops prior to P&Z Meetings over the next several months**

City Manager Kyle McCain presented updates on the following: a) three police officers have resigned. One of the three withdrew his resignation. One new officer was hired today and a few others going through the background checks, etc. b) Chief Naughton updated the Council on the new fire truck presenting Council with a final approved drawing of what the truck will look like. Delivery of the truck is expected in September or October; c) City Manager McCain

continued by saying that there will be a workshop on July 11th on solar energy and then another workshop in August on rainwater harvesting (cisterns).

Adjournment

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to adjourn the Regular City Council meeting at 11:46 p.m. on Monday, June 25, 2012. The motion carried.

These minutes approved on the 23rd of July, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
SPECIAL CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
JULY 12, 2012
6:00 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present	Aldерwoman Etta Fanning – present
Aldерwoman Mary Werner – present	Aldерwoman Michele Bunting Ross – present
Aldерwoman Vicky Maisel – present	Alderman Charles Brame - present

Call to order

Mayor Marne called the Special City Council meeting to order at 6:01 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Aldерwoman Michele Bunting Ross led the Pledge of Allegiance and Aldерwoman Etta Fanning the invocation.

Citizens to be heard

None

Minor Fund Budget Workshop – Crime Control District, Court Restricted Fund, Capital Improvement Fund, Capital Replacement Fund, Pet Documentation & Rescue Fund, Equipment Replacement.

City Manager Kyle McCain opened the Minor Fund Budget Workshop with Finance Director Dorrance Roderick who presented the Crime Control District, Court Restricted Fund, Capital Improvement Fund, Capital Replacement Fund, Pet Documentation & Rescue Fund, and the Equipment Replacement Fund.

Adjournment

Upon a motion made by Aldерwoman Vicky Maisel and a second made by Aldерwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to adjourn the Special City Council meeting at 7:09 p.m. on Thursday, July 12, 2012. The motion carried.

These minutes approved on the 23rd of July, 2012.

A P P R O V E D

**A. DAVID MARNE
MAYOR**

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
JULY 23, 2012
6:30 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present
Alderwoman Mary Werner – present
Alderwoman Vicky Maisel – present

Alderwoman Etta Fanning – present
Alderwoman Michele Bunting Ross – present
Alderman Charles Brame - present

Call to order

Mayor Marne called the Regular City Council meeting to order at 6:30 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Mayor A. David Marne led the Pledge of Allegiance and Alderwoman Vicky Maisel the invocation.

Citizens to be heard

- Jay Gorman – 424 Cliffside Drive – Encouraged the City Council to consider developing the Town Plan to include a recreational area on the municipal tract.
- Bryant Markette – 207 Hunters Branch South – Also encouraged the City Council to consider a community gathering spot to include a swimming pool.
- Anne Marie Markette – 207 Hunters Branch South - Also encouraged the City Council to consider a community gathering spot to include a swimming pool.
- Tera Allan – 206 Fawn Drive - Also encouraged the City Council to consider a community gathering spot to include a swimming pool. Mrs. Allan then asked that the City Council please consider this as part of the budget and that one of the Council members sponsor this discussion on the next Council agenda for further discussion.
- Amy Oeffinger – 410 Cliffside Drive - Also encouraged the City Council to consider a community gathering spot to include a swimming pool and park. Mrs. Oeffinger then offered her expertise.
- John Oeffinger – 410 Cliffside Drive - Also encouraged the City Council to consider a community gathering spot to include a swimming pool and park.
- Susan Rehm – 121 Mossy Cup West – Spoke about the revenue coming in from Chesapeake and reminded Council that that would not always be there and they should keep that in mind.
- Will Allan – 206 Fawn Drive – Also encouraged the City Council to consider a community gathering spot to include a swimming pool and park and added that it might help sell some of the homes in the area if there was a community center.
- Dagne Florine – 111 Post Oak Way – Spoke about the City's bond payments and asked that the City Manager put on the website a summary page that details what bonds have been

issued along with details on the bond. Mrs. Florine also spoke on the current employee pension plan.

- Rob Heintzelman – 115 Saddletree Road – Council needs to be financially responsible but does in favor of the community center/swimming pool on the municipal tract.
- Konrad Kuykendall – 128 Cliffside Drive - Also encouraged the City Council to consider a community gathering spot to include a swimming pool and park.
- Tricia Cantwell – 121 Cliffside Drive - Also encouraged the City Council to consider a community gathering spot to include a swimming pool and park.

Mayor and City Council Comments

- Alderwoman Etta Fanning welcomed everyone and thanked them for coming.
- Alderman Charlie Brame also welcomed everyone.
- Mayor Marne thanked those who came to speak this evening.

Discuss and consider approval of the consent agenda as presented or amended.

A. Approval of the City Council Minutes from:

- a. **June 25, 2012 Regular Meeting**
- b. **July 12, 2012 Special Meeting**

B. Acceptance of the Planning & Zoning Commission Minutes from:

- a. **June 06, 2012 Meeting**

C. Acceptance of the Water Advisory Committee Minutes from:

- a. **February 10, 2012 Meeting**

D. Acceptance of the Board of Adjustment Minutes from:

- a. **May 07, 2012 Meeting**

E. Acceptance of the Building Permit Activity Report

F. Acceptance of the Code Compliance Activity Report

G. Acceptance of the Fire Department Activity Report

H. Acceptance of the Municipal Court Activity Report

I. Acceptance of the Police Department Activity Report

J. Acceptance of the Public Works Department Activity Report

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept the consent agenda as presented. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to move item 23 of tonight's agenda up to this point in the meeting. The motion carried.

Discuss and consider action on an ordinance amending Chapter 28 Article IV of the City of Shavano Park Code of Ordinances revising the subdivision rules and regulations regarding streets and sidewalks; providing for severability; providing for proper notice and meeting; and providing for an effective date, as recommended by the Planning & Zoning Commission.

Planning & Zoning Commission representative Michael Janssen gave a brief recommendation of the above item.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderman Charles Brame, the City Council voted three (3) for and two (2) opposed with Alderwoman Michele Bunting Ross and Alderwoman Mary Werner casting the negative votes to accept an ordinance amending Chapter 28 Article IV of the City of Shavano Park Code of Ordinances revising the subdivision rules and regulations streets and sidewalks as amended. The motion carried.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Vicky Maisel, the City Council voted three (3) for and two (2) opposed with Alderwoman Michele Bunting Ross and Alderwoman Mary Werner casting the negative votes to amend the motion to accept with following amendment: Sec. 28-138 (g) that the word PROHIBITED but changed to DISCOURAGED. The motion carried.

Discuss and consider action on a report by the City Engineer concerning developing a bid package to bring City Hall into fire code compliance.

City Engineer, Leonard Young of Young Professionals made a recommendation to the City Council that he provide the City Council with a probable cost estimate to bring the City Hall building up to the 2006 International Fire Code.

Upon a motion made by Alderwoman Etta Fanning and a second by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to authorize the City Engineer to come back with a probable cost estimate/feasibility study for a fee not to exceed \$3000.00. The motion carried.

Presentation, discussion and action on an ordinance amending the Drought Management Ordinance as recommended by the Water Advisory Committee.

Water Advisory Committee Chairman David Ross presented the Committee's recommendations to amend the Drought Management Ordinance.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept the changes as presented and bring back at the next Regular City Council meeting. The motion carried.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to amend the proposed changes to Section 34-117 to read as the Mayor having the authority and that in Section 34-121 (f)(3)c and (g)(3)c be amended to read that restaurants may give out water upon request. The motion carried.

Presentation by Matt Weatherly of Public Sector Personnel Consultants, discussion, and possible action concerning the Personnel Classification and Compensation Survey.

Matt Weatherly of Public Sector Personnel Consultants gave a presentation on the Personnel Classification and Compensation Survey.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to have a committee of two Council members, the City Manager and Mr. Weatherly of Public Sector to discuss the survey in more depth and report to the City Council. The motion carried.

Mayor Marne appointed Alderwoman Vicky Maisel and Alderwoman Michele Bunting Ross to be the two Council members to be on the committee.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to ratify the Mayor's appointment of Alderwoman Vicky Maisel and Alderwoman Michele Bunting Ross to join the City Manager and Mr. Weatherly of Public Sector to review the Personnel Classification and Compensation Committee and report back to the City Council. The motion carried.

Presentation of Fiscal Year 2011-2012 3rd Quarter Financial Report and acceptance of Finance Activity Report.

Finance Director Dorrance "Doug" Roderick presented the Fiscal Year 2011-2012 3rd Quarter Financial Report.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to approve the Fiscal Year 2011-2012 3rd Quarter Financial Report as presented. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to approve the Finance Activity Report as presented. The motion carried.

Discuss and consider action on Ordinance No. 200-01-12, an ordinance of the City of Shavano Park, Texas, amending Chapter 22 of the City's Code of Ordinances by adding an exception to Section 2403.5 of the 2006 International Fire Code restricting the use of tents and similar structures to no more than four (4) days in any calendar year; providing for a cumulative and conflicts clause; providing for a severability clause; and providing for an effective date.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted four (4) for and one (1) opposed with Alderwoman Vicky Maisel casting the negative vote to adopt Ordinance No. 200-01-12 as presented. The motion carried.

Discuss and consider action on Ordinance No. 300-01-12, an ordinance amending Chapter 2 of the City of Shavano Park Code of Ordinances providing that a person related to members of the City Council within the third degree of consanguinity or second degree of affinity are ineligible to serve as a member of a City Board, Committee or Commission; providing a cumulative clause; providing for severability, savings and proper notice and meeting; and providing for an effective date.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderman Charlie Brame, the City Council voted three (3) for and two (2) opposed with Alderwoman Mary Werner and Alderwoman Michele Bunting Ross casting the negative vote to adopt Ordinance No. 300-01-12 as presented. The motion carried.

Discuss and consider action on Resolution No. 12-11, a resolution repealing Resolution No. 03-07 and establishing working relationships and procedures between the City Council (Mayor and Aldermen) and the City Manager, City Staff, Department Heads, Employees, City Attorney, City Accountant, Contractors and all others that have or may have business with the City.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Charlie Brame, the City Council voted five (5) for and none (0) opposed to accept Resolution No. 12-11 as amended. The motion carried.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderman Charles Brame, the City Council voted one (1) for and four (4) opposed with Alderwoman Mary Werner, Alderwoman Vicky Maisel, Alderwoman Michele Bunting Ross and Alderman Charles Brame casting the negative votes to amend the original motion to delete the last two sentences in Section 4 and to add the words "Boards/Commissions, agencies, committee heads or anyone else along into contacting directly the city attorney without going through the city manager". The motion failed.

Upon a motion made by Alderwoman Mary Werner and a second by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to amend the amendment to not bring back the last two sentences but to include in both last sentences and the body of Section 4, "Individual requests by members of City Council *or members of boards, commissions and committees* for legal opinions reviews shall not be authorized unless directed by the City Council as a governmental body, except that the City Manager may request such opinions and reviews, without City Council approval/direction, as he/she may deem necessary in the conduct of their administrative and supervisory responsibilities." And to also add "This Section does not prohibit an individual City Council Member *or chairman of a board or commission* from contacting the City Attorney's office for legal information and direction necessary to the performance of their specific official duties and responsibilities" so this is applicable to all. The motion carried.

Mayor Marne called for a five minute recess at 9:46 p.m.

The City Council reconvened into Regular Session at 9:57 p.m.

Discuss and consider action on Ordinance No. 100-04-12, an ordinance amending Chapters 28 and 36 of the City of Shavano Park Code of Ordinances regarding the creation and duties of the Planning & Zoning Commission; providing a cumulative Clause; providing for severability; providing for proper notice and meeting; and providing for an effective date.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to adopt Ordinance No. 100-04-12 as presented. The motion carried.

Discuss and consider action on Resolution No. 12-09, a resolution of the City Council of the City of Shavano Park, Texas designating authorized signers of all accounts for the City of Shavano Park, Texas with Frost National Bank.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderman Charles Brame, the City Council voted four (4) and one (1) opposed with Alderwoman Mary Werner casting the negative vote to adopt Resolution No. 12-09 as presented. The motion carried.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted two (2) for and three (3) opposed with Alderwoman Etta Fanning, Alderwoman Vicky Maisel and Alderman Charles Brame casting the negative votes to amend Resolution No. 12-09 with the removal of the City Clerk as an authorized signer. The motion failed.

Discuss and consider action on Resolution No. 12-10, a resolution of the City Council of the City of Shavano Park, Texas authorizing the City Manager to establish accounts or memberships at banks or State or Federal credit unions as authorized by the City of Shavano Park Investment Policy for the sole purpose of purchasing certificates of deposit.

Alderwoman Mary Werner made a motion to remove the City Clerk since this position is one that is hired and fired by the City Manager but later withdrew her motion since the members of Council came to the following agreement.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to adopt Resolution No. 12-10 indicated the following as authorized signers: A. David Marne, Mayor, Etta Fanning, Mayor Pro Tem, Kyle H. McCain, City Manager, and D. D. Roderick, III, Finance Director (for communication purposes only). The motion carried.

Discuss and consider action to have the City Manager and City Clerk present a plan to the Council regarding the Boards and Commissions appointment process, interviews, website posting, application and resume review, and present at the July meeting.

No discussion or action was taken on this item.

Discuss and consider action on Resolution No. 12-12, a resolution amending the City of Shavano Park Policy revising the make-up of the Investment Committee, and appointing members to fill the vacancies on the Investment Committee.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderman Charles Brame, the City Council voted five (5) for and none (0) opposed to adopting Resolution No. 12-12 with the

amendment to the third WHEREAS to have the committee consist of five individuals. The motion carried.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to nominate Alderman Charles Brame to the Investment Committee.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderman Charles Brame, the City Council voted five (5) for and none (0) opposed to nominate Kenneth McClure to the Investment Committee. The motion carried.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to amend the previous motion to add that it be for a two year and two month term for Kenneth McClure expiring September 31, 2014. The motion carried.

The City Manager and City Attorney will bring this item back in August to include the two year staggered term limits.

Presentation by the City Manager on provisions of the Local Government Code 22.073 (Powers and Duties of the City Secretary), and the City Ordinances and Practices to determine if City Ordinances and practices comport with the Local Government Code, and to recommend changes to ordinances and practices to comply with statutory requirements.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Vicky Maisel, the City Council voted three (3) for and two (2) opposed with Alderwoman Michele Bunting Ross and Alderwoman Mary Werner casting the negative votes to postpone this item until the August Council meeting. The motion carried.

Discuss and consider action on adopting Policies and Procedures for events on City property.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to postpone this item. The motion carried.

Discussion regarding the use of City property for a Farmer's Market and/or other future event.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to postpone this item. The motion carried.

Discuss and consider action on a report by the City Manager on a conference with TxDOT concerning how to effectively request reduction of the speed limit on N.W. Military to 35 MPH.

There was a consensus among the Council to bring back on a future agenda.

Discuss and consider action amending Chapter 2 of the City of Shavano Park Code of Ordinances, revising the process for submission and processing of the agenda and agenda items as discussed and agreed to at the June Council meeting, and also to consider the posting of the agenda packet, redacting anything required by law, received by Council online for complete transparency to our citizens.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to amend Chapter 2 of the City Code of Ordinances to change the date for agenda item submission from City Council members from 5:00 p.m. one week prior to 5:00 p.m. two weeks prior to a special or regular Council meeting and that the Monday prior to both special and regular, the packets are delivered to Council members. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted two (2) for and three (3) opposed with Alderwoman Vicky Maisel, Alderwoman Etta Fanning and Alderman Charles Brame casting the negative votes to post the agenda packet on the City's website. The motion failed.

Presentation by staff, discussion, and action on how the City of Shavano Park can honor the 60th Anniversary of the Shavano Park Women's Club.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to have a first class bronze plaque placed somewhere in front of City Hall to be presented at an event of some sort with a budget not to exceed \$2500.00. The motion carried.

City Manager's Report:

- A. Employee Status**
- B. Status on Alamo Area Council of Governments (AACOG) regional solid waste grant application.**
- C. Trinity Well Update.**

City Manager McCain updated Council on the following: Firefighter King's last day was yesterday and two more are expected to leave to go to New Braunfels. Advertising for position of paramedics will begin shortly; there are three new hires in the police department with the investigator position still open; we are receiving a grant for the purchase of a smaller brush chipper through the AACOG Regional Solid Waste Grant; the pump has been pulled from the Trinity Water Well as of today and they should be running the video of the well tomorrow to determine what is in the bottom of the well; the police and fire dispatch contract is in negotiation.

Adjournment

Aldерwoman Mary Werner to adjourn the Regular City Council meeting at 11:16 p.m. on Monday, July 23, 2012. The motion carried.

These minutes approved on the 24th of September, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
SPECIAL CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
AUGUST 02, 2012
6:00 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present	Aldерwoman Etta Fanning – present
Aldерwoman Mary Werner – present	Aldерwoman Michele Bunting Ross – present
Aldерwoman Vicky Maisel – present	Alderman Charles Brame - present

Call to order

Mayor A. David Marne called the Special City Council meeting to order at 6:00 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Boy Scout Joshua Snyder of Troop 346 led the Pledge of Allegiance and Aldерwoman Etta Fanning the invocation.

Citizens to be heard

None

Presentation, discussion and possible action affirming the City Manager's selection of Mr. Terry Barber, RS, DR, CESSWI as the City of Shavano Park's Health and Sanitation Inspector.

City Manager Kyle McCain presented this item with the introduction of Mr. Terry Barber, RS, DR, CESSWI. Mr. McCain is recommending that the Council appoint Mr. Barber as the Health and Sanitation Inspector.

Upon a motion made by Aldерwoman Mary Werner and a second made by Aldерwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to approve the appointment of Mr. Terry Barber as the City of Shavano Park Health and Sanitation Inspector. The motion carried.

Budget Workshop – General Fund

City Manager Kyle McCain and Finance Director Dorrance "Doug" Roderick presented a print out of the current budget and projected budget; the property tax schedule with the certified tax roll; a summation of all salaries in the City with an individual

department breakdown and a draft template of an equipment replacement schedule. This was followed with a lengthy discussion.

Adjournment

Mayor Marne adjourned the Special City Council meeting at 12:04 p.m. on Thursday, August 02, 2012. The motion carried.

These minutes approved on the 27th of August, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
SPECIAL CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
AUGUST 07, 2012
6:00 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present	Alderwoman Etta Fanning – present
Alderwoman Mary Werner – present	Alderwoman Michele Bunting Ross – present
Alderwoman Vicky Maisel – present	Alderman Charles Brame - present

Call to order

Mayor A. David Marne called the Special City Council meeting to order at 6:00 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). William and Bode Allan led the Pledge of Allegiance and the Texas Pledge and Mayor Marne the invocation.

Citizens to be heard

- Tera Allan – 206 Fawn Drive – Spoke in favor of the development of the Municipal Tract for a pool/park.
- Anne Marie Markette – 207 Hunters Branch South – Also spoke in favor of the development of the Municipal Tract for a pool/park/recreation area for the citizens of Shavano Park. Mrs. Markette asked once again that \$100,000 be set aside in the budget for this development.

Budget Work Session:

A. Discussion of the General Fund for Fiscal Year 2012-2013 as adjusted at the August 02, 2012 Budget Work Session.

City Manager Kyle McCain and Finance Director Dorrance “Doug” Roderick presented an amended print out of the current budget and projected budget. This was followed with a lengthy discussion.

B. Discussion of the Compensation Study provided by Public Sector, Inc.

City Manager Kyle McCain and Finance Director Dorrance “Doug” Roderick presented the Position Classification and Proposed Fiscal Year 2013 Salary Plan as prepared by Public Sector Personnel Consultants. This was followed by a brief discussion.

Adjournment

Mayor Marne adjourned the Special City Council meeting at 9:03 p.m. on Tuesday, August 07, 2012. The motion carried.

These minutes approved on the 27th of August, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
SPECIAL CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
AUGUST 13, 2012
6:00 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present	Aldерwoman Etta Fanning – present
Aldерwoman Mary Werner – present	Aldерwoman Michele Bunting Ross – present
Aldерwoman Vicky Maisel – present	Alderman Charles Brame - absent

Call to order

Mayor A. David Marne called the Special City Council meeting to order at 6:00 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Mayor Marne led the Pledge of Allegiance and Aldерwoman Mary Werner the invocation.

Citizens to be heard

None

Budget Workshop – Utility Fund

City Manager Kyle McCain and Finance Director Dorrance “Doug” Roderick presented amended proposed Utility Fund Budget. Mr. McCain informed the Council that the Water Advisory Committee had not seen the amended version yet and that a meeting is being scheduled for their review. This was followed with a discussion.

Submission to the Governing Body of the effective and roll-back tax rates, statement and schedules. If the proposed tax rate will exceed the roll-back rate or the effective tax rate (whichever is lower), a record vote must be taken and public hearings and adoption date schedule.

There was a discussion regarding the tax rate with a consensus to keep it at .0032 per \$100 of taxable value. Mayor Marne then announced that there would be two public hearings. The first hearing would be on September 4, 2012 at 6:00 p.m. and the second reading to be held on September 24th at 6:30 p.m.

Adjournment

Mayor Marne adjourned the Special City Council meeting at 9:03 p.m. on Tuesday, August 07, 2012. The motion carried.

These minutes approved on the 27th of August, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Clerk

**CITY OF SHAVANO PARK
SPECIAL CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
AUGUST 27, 2012
6:00 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present	Alderwoman Etta Fanning – present
Alderwoman Mary Werner – present	Alderwoman Michele Bunting Ross – present
Alderwoman Vicky Maisel – present	Alderman Charles Brame - present

Call to order

Mayor A. David Marne called the Special City Council meeting to order at 6:01 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Alderman Charles Brame led the Pledge of Allegiance and the Texas Pledge and Alderwoman Vicky Maisel the invocation.

Citizens to be heard

None

Budget Work Session – Presentation and discussion of the General Fund & Water Utility Fund for Fiscal Year 2012-2013.

Finance Director Dorrance “Doug” Roderick presented the General Fund and the Water Utility Fund for Fiscal Year 2012-2013. This was followed by a discussion.

Adjournment

Mayor Marne adjourned the Special City Council meeting at 6:45 p.m. on Thursday, August 23, 2012. The motion carried.

These minutes approved on the 24th of September, 2012.

A P P R O V E D

A. DAVID MARNE, MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC, City Clerk

**CITY OF SHAVANO PARK
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
AUGUST 27, 2012
IMMEDIATELY FOLLOWING THE SPECIAL MEETING**

MINUTES

Roll Call

Honorable, A. David Marne – present	Aldерwoman Etta Fanning – present
Aldерwoman Mary Werner – present	Aldерwoman Michele Bunting Ross – present
Aldерwoman Vicky Maisel – present	Alderman Charles Brame - present

Call to order

Mayor A. David Marne called the Special City Council meeting to order at 6:45 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code).

Mayor and City Council Comments

- Aldерwoman Etta Fanning welcomed everyone that came to the meeting.
- Mayor Marne spoke about the AACOG meeting he attended for a briefing from San Antonio Water System (SAWS).

Citizens to be heard

- Margaret “Maggi” Kautz – 122 Mossy Cup West – requested an explanation of Item 14 on tonight’s agenda.
- Dagne Florine – 111 Post Oak Way – spoke in opposition of continuing the Communication Committee (Item 15). Mrs. Florine also asked that Item 7 of tonight’s agenda be pulled as she said she feels she can work with the Finance Director on placing this information on the City’s website after the budget has been adopted and he has more time to work with her on it.
- Ken McClure – 219 Branch Oak Way – spoke in opposition of Item 4 of tonight’s agenda.
- Marcia Stipek – 622 Bentley Manor – spoke in favor of continuing the Communication Committee (Item 15).
- Hannah Kohl – thanked the Fire Department staff for her rescue five years ago.
- Tim Fandel – 102 Cliffside Drive – asked that Mayor Marne form a citizen’s committee to oversee “this kind of stuff” (referencing Item 14).

Presentation: Formula-1 Racing. Circuit of the Americas, Texas

Mayor Marne introduced Joe Navarro and Chase Buford from Circuit of the Americas who gave a brief presentation on the Formula-1 Racing coming to Austin, Texas in November 2012.

Discuss and consider approval of the consent agenda as presented or amended.

- A. Approval of the City Council Minutes from:
July 23, 2012 Regular Meeting
August 02, 2012 Special Meeting
August 07, 2012 Special Meeting
August 13, 2012 Special Meeting**
- B. Acceptance of the Planning & Zoning Commission Minutes from:
July 11, 2012 Meeting**
- C. Acceptance of the Building Permit Activity Report**
- D. Acceptance of the Code Compliance Activity Report**
- E. Acceptance of the Finance Activity Report**
- F. Acceptance of the Fire Department Activity Report**
- G. Acceptance of the Municipal Court Activity Report**
- H. Acceptance of the Police Department Activity Report**
- I. Acceptance of the Public Works Department Activity Report**
- J. Final approval for the Subdivision Plat – Unit 19B, Phase II – 64.34 acre tract of land out of an 86.94 acre tract and a 289.9 acre tract located in Units 18 and 19. *(Final approval granted by Planning & Zoning Commission on August 01, 2012)***

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept the consent agenda as presented with the exception of the July 23, 2012 City Council Minutes (A), the Finance Activity Report (E), the Municipal Court Activity Report (G), the Subdivision Plat (J) and the Public Works Activity Report (I). The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to table the July 23, 2012 City Council minutes to the September 24, 2012 Council agenda after review by the City Clerk. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to table the July Finance Activity Report to the September 24, 2012 Council agenda. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to accept the July Police Department Activity Report as presented. The motion carried.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept the July Public Works Department Activity Report as presented. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderman Charles Brame, the City Council voted five (5) for and none (0) opposed to grant final approval to the subdivision plat for Unit 19B, Phase II – 64.34 acre tract of land out of an 86.94 acre tract and a 289.9 acre tract located in Units 18 and 19 as amended. The motion carried.

Mayor Marne added that in the future, before any plat is placed on the consent agenda that it should have a letter from the Planning & Zoning or the City Manager stating that the three criteria have been met.

Presentation by Rick Castaneda of TxDOT on the method to request the lowering of the Speed Limit on TX 1535, NW Military Highway, with Discussion and Possible Action to Follow.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to have the City Manager bring this item back on a future agenda. The motion carried.

Discuss and consider action on a report by the City Engineer concerning developing a bid package to bring City Hall into compliance with the Codes that were in effect when the building was built. Original Agenda Item requested by Alderwoman Etta Fanning.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to pull this item from this agenda and re-write it to read “the current 2006 code” and that we have the city engineer present to present the items requested. The motion carried.

Discuss and consider action to place a summary page on the Shavano Park website describing Shavano Park’s long term indebtedness. As requested by Citizen Dagne Florine as sponsored by Kyle McCain, City Manager.

Upon a request by Citizen Dagne Florine, this item was pulled from the agenda.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to pull this item from the agenda as requested by Dagne Florine. The motion carried.

Discuss and consider action on Ordinance No. 500-06-12, an ordinance amending Chapter 34, Article III – Drought Management regulations; providing for

severability; providing for proper notice and meeting; and providing for an effective date. (Second Reading – First reading was held on July 23, 2012)

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderman Charles Brame, the City Council voted five (5) for and none (0) opposed to adopt Ordinance No. 500-06-12 as captioned and presented. The motion carried.

A. Public Hearing: Proposed amendment to Chapter 28 Article IV of the City of Shavano Park Code of Ordinances revising the Subdivision Rules and Regulations Regarding Streets and Sidewalks; providing for severability; providing for proper notice and meeting; and providing for an effective date, as recommended by the Planning & Zoning Commission.

Mayor Marne opened the public hearing at 8:04 p.m. There being no comments from the public, Mayor Marne closed the public hearing at 8:08 p.m.

B. Discuss and consider action on Ordinance No. 100-06-12, an ordinance amending Chapter 28 Article IV Of The City of Shavano Park Code of Ordinances revising the Subdivision Rules and Regulations Regarding Streets and Sidewalks; providing for severability; providing for proper notice and meeting; and providing for an effective date, as recommended by the Planning & Zoning Commission. As requested by Alderwoman Michele Bunting Ross. (Second Reading – First reading was held on July 23, 2012)

Upon a motion made by Alderman Charles Brame and a second made by Alderwoman Etta Fanning, the City Council voted three (3) for and two (2) opposed with Alderwoman Michele Bunting Ross and Alderwoman Mary Werner casting the negative vote to adopt Ordinance No. 100-06-12 as captioned and presented. The motion carried.

Discuss and consider action on Ordinance No. 100-05-12, an ordinance amending Chapter 24 of the City of Shavano Park Code of Ordinances revising the Sign Regulations; providing for proper notice and meeting; and providing for an effective date. (First Reading)

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Michele Bunting Ross, the City Council voted one (1) for and four (4) opposed with Alderwoman Etta Fanning, Alderwoman Michele Bunting Ross, Alderwoman Mary Werner and Alderman Charles Brame casting the negative votes to remove Section 24-1, *Electric signs* - item 2 and 3 as proposed. The motion failed.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Michele Bunting Ross, the City Council voted two (2) for and three (3) opposed with Alderwoman Michele Bunting Ross, Alderwoman Mary Werner and Alderman Charles Brame casting the

negative votes to remove the words "to windows" from Section 24-1, *Portable sign* – item 5 as proposed. The motion Failed.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to amend the wording in the last sentence of Section 24-4 *Non-nuisance signs* Item (2) to read "In addition, up to six (6) open house signs that conform to the limitations as set forth in this paragraph are permitted forty-eight hours (48) prior to the open house." The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to amend the wording in the fourth sentence of Section 24-4 *Non-nuisance signs* Item (3) to read "12:01 a.m." instead of "6:00 a.m." as proposed. The motion carried.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to amend the ordinance to "treat multi-tenant and single-tenant the same" and that they be allowed to have an awning and a wall sign with an aggregate not to exceed 50 square feet of sign area per business." The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to accept Ordinance No. 100-05-12 as amended and to move the proposed ordinance forward to a second reading. The motion carried.

Discuss and consider action on an Ordinance amending Chapter 18 of the City of Shavano Park Code of Ordinances revising the flood plain regulations; providing for severability; providing for proper notice and meeting; and providing for an effective date. (*First Reading*)

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to accept the proposed ordinance as presented and move it forward to a second reading. The motion carried.

The City Council also directed staff to place a link showing the current flood plain map with the Proposed Ordinance on the City's website and to present it with next month's packet as well.

Mayor Marne called for a recess at 9:30 p.m. The City Council reconvened into Regular Session at 9:42 p.m.

Discuss and consider action on an ordinance amending Chapter 28, Subdivisions, Article V – creating a section entitled Utilities (*First Reading*)

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept the proposed ordinance as presented and move it forward to a second reading. The motion carried.

Discuss and consider action on Resolution No. 12-13, a resolution amending the City of Shavano Park Investment Policy revising the make-up of the Investment Committee.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to adopt Resolution No. 12-13 as captioned and presented. The motion carried.

Discuss and consider action on an ordinance adding Section 2-65 to the City of Shavano Park Code of Ordinances delineating the duties of the City Secretary and establishing the Office of the City Secretary; amending previous ordinances and all references to the "City Clerk" to read "City Secretary" throughout the City of Shavano Park Code of Ordinances; providing a cumulative clause; providing for severability, providing for proper notice and meeting; and providing for an effective date. As requested by Alderwoman Etta Fanning.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Vicky Maisel, the City Council voted three (3) for and two (2) opposed with Alderwoman Mary Werner and Alderwoman Michele Bunting Ross casting the negative votes to accept the proposed ordinance as presented and move it forward to a second reading. The motion carried.

Discuss and consider action on whether the Communication Committee should continue in existence and to designate their duties and responsibilities. As requested by Alderwoman Vicky Maisel.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted three (3) for and two (2) opposed with Alderwoman Mary Werner and Alderwoman Michele Bunting Ross casting the negative votes to dissolve the Communication Committee. The motion carried.

Discuss and consider action on an Interlocal Agreement with Guadalupe County to contract with the City of Shavano Park to house prisoners.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to direct the City Manager and the Police Chief to bring this item back to a future Council meeting with some analysis based on the amount of money we could get from this, how much would it cost

in staffing and other incidentals and put together the program that this would require so that Council would have a better idea on what they are approving. The motion carried.

Mayor Marne and the rest of the Council extended an invitation to Judge Takas to attend the meeting as well.

Discuss and deliberate the sale or lease of real property of a portion of municipal owned property located at 900 Saddletree Court, Shavano Park, Texas.

City Manager McCain briefed the Council on the possibility of the sale or lease of a portion of municipal owned property at 900 Saddletree Court. Mr. McCain has invited representatives of Bexar Metro 9-1-1 to the September 10, 2012 Special Council Meeting to explain what they would like to achieve.

City Manager's Report:

- A. Employee Status**
- B. Trinity Well Update**
- C. Code Enforcement Issue - Pools**
- D. Police Computer Purchase**
- E. Police Procedure for Witness Identification**
- F. Summer Street Program**
- G. Women's Club 60th Anniversary**
- H. Planning & Zoning Issues Under Consideration for Council Action**

City Manager McCain updated the Council on the items listed above.

Adjournment

Aldерwoman Vicky Maisel moved to adjourn the Special City Council meeting at 11:57 p.m. on Monday, August 27, 2012. The motion carried.

These minutes approved on the 24th of September, 2012.

A P P R O V E D

A. DAVID MARNE, MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC, City Clerk

**CITY OF SHAVANO PARK
SPECIAL CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
SEPTEMBER 04, 2012
6:00 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present
Alderwoman Mary Werner – present
Alderwoman Vicky Maisel – present

Alderwoman Etta Fanning – present
Alderwoman Michele Bunting Ross – present
Alderman Charles Brame - present

Call to order

Mayor A. David Marne called the Special City Council meeting to order at 6:00 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Alderwoman Michele Bunting Ross led the Pledge of Allegiance and Alderwoman Etta Fanning the invocation.

Citizens to be heard

- David Ross – 99 Bent Oak – Mr. Ross deferred his comments to the public hearing.

Budget Workshop – Discussion of Minor Funds including Debt Service Fund, Crime Control District Fund, Court Restricted Fund, Oak Wilt Fund, Pet Documentation and Rescue Fund, Equipment Replacement Fund, (Capital Replacement). Review of the General Fund and Water Utility Fund.

City Manager Kyle McCain and Finance Director Dorrance “Doug” Roderick presented the Minor Funds that included the Debt Service Fund, Crime Control District fund, Court Restricted Fund, Oak Wilt Fund, Pet Documentation and Rescue Fund, Equipment Replacement Fund and Capital Replacement. There was also a review of the General Fund and the Water Utility Fund. This was followed by a lengthy discussion.

Mayor Marne requested that a list of all “cash on hand” be presented at the next meeting.

First Public Hearing: Proposed tax rate for Fiscal Year 2012-2013 of \$.3200 per \$100 valuation and on the Proposed Annual Operating and Capital Budget.

Mayor Marne opened the public hearing at 7:48 p.m.

- David Ross - 99 Bent Oak – informed the Council that the budget needs to show the beginning balances; he urged the Council to increase the funds for significant repair projects, street

reconstruction and drainage projects as the city goes forward in the years; the budget should show outstanding obligations, the debts and the bonds; it should also show the ending General Fund balance of this fiscal year; Mr. Ross also urged the Council to consider using part or all of the non-departmental transfers to Capital Replacement for tax relief; and Mr. Ross suggested using a lease/purchase agreement to save the money you have to take from citizens to fund the purchase of equipment.

Mayor Marne closed the public hearing at 7:55 p.m.

Discuss and consider action on setting September 24, 2012 as the date for the second public hearing of the City Council for the proposed tax rate and Fiscal Year 2012-2013 Proposed Budget.

Mayor Marne announced that the second public hearing would be held on September 24, 2012 for the proposed tax rate and Fiscal Year 2012-2013 Proposed Budget.

Adjournment

Alderwoman Vicky Maisel adjourned the Special City Council meeting at 8:02 p.m. on Tuesday, September 04, 2012. The motion carried.

These minutes approved on the 22nd of October, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Secretary

**CITY OF SHAVANO PARK
SPECIAL CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
SEPTEMBER 17, 2012
6:00 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present	Alderwoman Etta Fanning – present
Alderwoman Mary Werner – present	Alderwoman Michele Bunting Ross – present
Alderwoman Vicky Maisel – present	Alderman Charles Brame - present

Call to order

Mayor A. David Marne called the Special City Council meeting to order at 6:00 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Alderwoman Mary Werner led the Pledge of Allegiance and the Texas Pledge and Alderman Charles Brame the invocation.

Citizens to be heard

- David Ross – 99 Bent Oak – asked that the City Council table items 3, 4 and 10 of tonight's agenda.
- Verna Harris – 102 Elm Spring Lane – spoke against Item 4 of tonight's agenda.

Discuss and consider the Bexar Metro 9-1-1 Fiscal Year 2013 Budget.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderman Charles Brame, the City Council voted five (5) for and none (0) opposed to receive the Bexar Metro 9-1-1 Fiscal Year 2013 Budget with no action being taken. The motion carried.

Discuss and deliberate the sale of real property or grant of an access easement of a portion of municipal owned property located at 900 Saddletree Court, Shavano Park, Texas.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to table this item until the October Regular City Council meeting. The motion carried.

First Reading – Proposed Fiscal Year 2012-2013.

City Manager Kyle McCain and Finance Director Dorrance "Doug" Roderick presented the Proposed Fiscal Year 2012-2013 Budget. This was followed by a discussion.

Aldерwoman Etta Fanning moved to reduce the 2012-2013 City Holiday Schedule to thirteen (13) days. Aldерwoman Fanning then withdrew her motion.

There was a consensus among the City Council to reduce the 2012-2013 City Holiday Schedule to thirteen (13) days by removing the day after Christmas holiday.

Aldерwoman Etta Fanning moved to change the Fire Chief's car allowance to \$375 and that we allocate how that is used for the future in the future. Aldерwoman Mary Werner added a time frame of two months so that there be a report back to Council as to what type of lease vehicle \$375 could get or is it more feasible to just leave a car allowance of \$375. There was a consensus of the Council to have this presented at the December 2012 Council meeting.

Second Public Hearing: Proposed tax rate for Fiscal Year 2012-2013 of \$.3200 per \$100 valuation and on the Proposed Annual Operating and Capital Budget.

Mayor Marne opened the public hearing at 8:24 p.m.

- David Ross – 99 Bent Oak – Mr. Ross thanked the Council for their service and for the opportunity to speak on the proposed budget. Mr. Ross spoke about the meeting notice requirements. Mr. Ross then recommended that the City follow the previous practice to keep rate payers in the Utility Fund. Mr. Ross then suggested the Council keep the \$73,000 that has been transferred into the General Fund along with the proposed \$14,000 reoccurring money in the Water Utility Fund with reserve funds they already have. Mr. Ross also asked that the account balances be shown for all funds; show the reserves that were budgeted for each fund.

Mayor Marne closed the public hearing at 8:30 p.m.

Mayor Marne said he would entertain a motion that the information garnered during tonight's public hearing be adopted into the next iteration of what the Council is presented. The monies that are taken from the rate payer's Water Fund be not comingled with the General Fund; that it is shown in the Water Fund. There was a consensus of the Council to do just that.

Discuss and consider action on setting September 24, 2012 as the date for the final vote of the City Council for the proposed tax rate for the Fiscal Year 2012-2013 Proposed Budget.

Upon a motion made by Aldерwoman Mary Werner and a second made by Alderman Charles Brame, the City Council voted five (5) for and none (0) opposed to set September 24, 2012 as the date for the final vote of the City Council for the proposed tax rate for the Fiscal Year 2012-2013 Proposed Budget. The motion carried.

Discuss and consider action on setting September 24, 2012 as the date for the final vote of the City Council for the adoption of the Fiscal Year 2012-2013 Proposed Budget.

Upon a motion made by Aldерwoman Mary Werner and a second made by Alderman Charles Brame, the City Council voted five (5) for and none (0) opposed to set September 24, 2012 as the date for

the final vote of the City Council for the adoption for the Fiscal Year 2012-2013 Proposed Budget. The motion carried.

Discuss and consider action on amending Appendix A of the City Code of Ordinances – Fee Schedule of the City of Shavano Park.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to amend Appendix A of the City of Shavano Park Code of Ordinances to reflect that there is a fee of \$.0 for contractor's registration fee. The motion carried.

Alderwoman Mary Werner, Alderwoman Vicky Maisel and the City Manager will meet to go over the entire Appendix A of the City of Shavano Park Code of Ordinances for a review of all of the fees.

Discuss and consider action concerning the use of City Hall, posting requirements, and the Open Meeting Act pertaining to Town Hall Meetings.

Direction was given to staff to post the Town Hall Meetings on the City's website as soon as possible.

Adjournment

Alderwoman Mary Werner adjourned the Special City Council meeting at 9:38 p.m. on Monday, September 17, 2012. The motion carried.

These minutes approved on the 22nd of October, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Secretary

**CITY OF SHAVANO PARK
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
SEPTEMBER 24, 2012
6:30 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present
Aldерwoman Mary Werner – present
Aldерwoman Vicky Maisel – present

Aldерwoman Etta Fanning – present
Aldерwoman Michele Bunting Ross – present
Alderman Charles Brame - present

Call to order

Mayor A. David Marne called the Regular City Council meeting to order at 6:30 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Mayor Marne led the Pledge of Allegiance and Aldерwoman Vicky Maisel the invocation.

Citizens to be heard

- Mike Simpson – 100 Ripple Creek – Spoke in favor of Item 13 of tonight's agenda. Mr. Simpson also spoke of his concerns with the absence of the expense item in the Municipal Court budget.
- Leon Nelson – 126 Broken Bough Lane – Spoke in favor of Item 13 of tonight's agenda and recommended the Council expand this to any of the key members of our government especially to the Finance Director. Mr. Nelson also spoke on Item 18 and suggested that staff go to Chesapeake Energy and find out what their long term plans are in Shavano Park.
 - ❖ Mayor Marne responded to Mr. Nelson that City staff has in fact visited with Chesapeake Energy.
- David Ross – 99 Bent Oak – Spoke against Item 13 of tonight's agenda.
- Dagne Florine – 111 Post Oak Way – Request that the City Council members use their microphones and speak into them loudly.

Mayor & City Council Comments

- Aldерwoman Michele Bunting Ross requested a point of privilege to postpone Items 5, 7, 9, 12, 15, 16, 17 and 22 on tonight's agenda to the October Regular Council meeting.

Aldерwoman Mary Werner amended the motion and asked that Item 7 not be moved to October but to be moved at a date as determined after the Trinity Project Workgroup has met and a Special City Council meeting can be scheduled.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to Alderwoman Bunting Ross' request of a point of privilege to postpone Items 5, 9, 12, and 22 on tonight's agenda and move them to the October meeting and Items 7, 15, 16 and 17 be moved to a Special City Council meeting on Friday, September 28, 2012. The motion carried.

- Alderwoman Vicky Maisel thanked the "very talented" citizens of Shavano Park that applied for a position on the boards/commissions/committees.
- Alderman Charles Brame seconded Alderwoman Maisel's comment and was appreciative of the many applicants.
- Mayor Marne presented the Chief of Police with a certificate of appreciation from Howard Payne University.

Discuss and consider approval of the consent agenda as presented or amended.

- Approval of the City Council Minutes from:
July 23, 2012 Regular Meeting
August 27, 2012 Special Meeting
August 27, 2012 Regular Meeting**
- Acceptance of the Planning & Zoning Commission Minutes from:
August 01, 2012 Meeting**
- Acceptance of the Water Advisory Committee Minutes from:
July 05, 2012 Meeting**
- Acceptance of the Building Permit Activity Report**
- Acceptance of the Code Compliance Activity Report**
- Acceptance of the Finance Department Activity Report (July)**
- Acceptance of the Finance Department Activity Report (August)**
- Acceptance of the Fire Department Activity Report**
- Acceptance of the Municipal Court Activity Report**
- Acceptance of the Police Department Activity Report**
- Acceptance of the Public Works Activity Report**

Alderwoman Michele Bunting Ross requested that consent agenda Items f. July Finance Department Activity Report; g. August Finance Department Activity Report; i. Municipal Court Activity Report; and k. Public Works Activity Report be pulled from the agenda.

Alderman Charles Brame requested that Item a. July 23, 2012 Regular Council minutes also be pulled.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to accept all but the pulled Items a. July 23, 2012 Regular Council minutes; f. July Finance Department Activity Report; g. August Finance Department Activity Report; i. Municipal Court Activity Report; and k. Public Works Activity Report. The motion carried.

Upon a motion made by Alderman Charles Brame and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to approve the July 23, 2012 Regular City Council minutes as presented. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept consent agenda Items f. and g. as corrected. The motion carried.

Alderwoman Bunting Ross commended staff for including the breakdown of the revenue for the City and the revenue sent to the State on the Municipal Court Activity Report.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept Item i. as presented. The motion carried.

Alderwoman Bunting Ross commended the Water and Public Works Department staff on keeping a low percentage of water loss.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept Item k. as presented. The motion carried.

Discuss and consider action on future development of the Municipal Tract.

This item was postponed to the October Regular City Council meeting.

Discuss and consider action on Resolution No. 12-14, a resolution of the City of Shavano Park City Council appointing the Board of Adjustment, Planning & Zoning Commission, Water Advisory Committee and the Construction Board of Appeals with terms beginning October 1, 2012.

Mayor A. David Marne nominated James McLendon and Richard Miller to the position of Member on the Board of Adjustment and Anthony Era, Arleen Garza and Ray Boazman to the position of Alternate Member of the Board of Adjustment.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted three (3) for and two (2) opposed with Alderwoman Mary Werner and Alderwoman Michele Bunting Ross casting the negative votes to approve of and accept the Mayor's nominations to the Board of Adjustment. The motion carried.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to appoint Scott Reynolds, Kathy Fandel and Albert Aleman to the Planning & Zoning Commission. The motion carried.

Alderwoman Mary Werner appointed Tommy Peyton to the Water Advisory Committee.

Alderwoman Etta Fanning appointed Greg Gibson to the Water Advisory Committee.

Mayor A. David Marne appointed Phil Jackson to the position of Chairman of the Water Advisory Committee.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to appoint Robert Jalnos, Robert Burns, Alicia Trevino and Dale Schaffer to the Construction Board of Appeals with the remainder of the appointments being made at the next regularly scheduled Council meeting. The motion carried.

Discuss and consider action on a resolution selecting a contractor for the construction of a sand filtration system for a water supply well, and authorizing the City Manager to enter into a contractual agreement with the selected contractor.

This item was postponed to the September 28, 2012 Special City Council meeting.

Discuss and consider action by the Shavano Park City Council to vote for the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool.

There was a consensus among the Council members to nominate Bill Agan For Place 11, Pete Gonzalez for Place 12, Gary Kent for Place 13 and Cynthia Kirk for Place 14 to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees.

Discuss and consider action on an Interlocal Agreement with Guadalupe County to contract with the City of Shavano Park to house prisoners.

This item was postponed to the October Regular City Council meeting.

Discuss and consider action on Ordinance No. 100-05-12, an ordinance amending Chapter 24 of the City of Shavano Park Code of Ordinances revising the sign regulations; providing for severability; providing for proper notice and meeting; and providing for an effective date.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council five (5) for and none (0) opposed to adopt Ordinance No. 100-05-12 as captioned and amended. The motion carried.

Discuss and consider action on Ordinance No. 100-11-12, an ordinance amending Chapter 18 of the City of Shavano Park Code of Ordinances revising the flood plain regulations; providing for severability; providing for proper notice and meeting; and providing for an effective date.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to adopt Ordinance No. 100-11-12 as captioned and presented. The motion carried.

Discuss and consider action on Ordinance No. 100-07-12, an ordinance amending the City of Shavano Park Code of Ordinances Chapter 28, Article V – Subdivisions to provide

for regulations regarding certain utility infrastructure; providing for proper notice and meeting; and providing for an effective date.

This item was postponed to the October Regular City Council meeting.

Discuss and consider action on Ordinance No. 300-07-12, an ordinance adding Section 2-65 to the City of Shavano Park Code of Ordinances delineating the duties of the City Secretary and establishing the Office of the City Secretary; amending previous ordinances and all references to the "City Clerk" to read "City Secretary" throughout the City of Shavano Park Code of Ordinances; providing a cumulative clause; providing for severability; providing for proper notice and meeting; and providing for an effective date.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted three (3) for and two (2) opposed with Alderwoman Michele Bunting Ross and Alderwoman Mary Werner casting the negative votes to adopt Ordinance No. 300-07-12 as captioned and presented. The motion carried.

Discuss and consider action on a proposed rezoning of Unit 19B, Phase I Commercial Subdivision Plat, Lot 1926 & 1927, Block 23 located generally at Paesanos Parkway and Huntington Place from B-2 to Planned Unit Development P-1 (PUD O-1) with announcement of public hearing on October 22, 2012.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Michele Bunting Ross, the City Council voted four (4) for and none (0) opposed with Alderwoman Mary Werner not being present to approve the proposed rezoning of Unit 19B, Phase I Commercial Subdivision Plat, Lot 1926 & 1927, Block 23 as presented and to move forward to a public hearing on October 22, 2012. The motion carried.

Discuss and consider action on Ordinance No. 100-08-12, an ordinance amending Chapter 36, Article VI – Tables of the City of Shavano Park Code of Ordinances as to certain setback requirements; providing for severability; providing for proper notice and meeting; and providing for an effective date with announcement of public hearing on October 22, 2012.

This item was postponed to the September 28, 2012 Special City Council meeting.

Discuss and consider action on Ordinance No. 100-09-12, an ordinance amending Chapter 36 of the City of Shavano Park Code of Ordinances to allow for Manufactured Home Parks in certain districts and providing regulations for their placement with announcement of public hearing on October 22, 2012.

This item was postponed to the September 28, 2012 Special City Council meeting.

Discuss and consider action on Ordinance No. 100-10-12, an ordinance amending Chapter 36, of the City of Shavano Park Code of Ordinances providing for regulations of residential portable construction buildings; providing for severability; providing for

proper notice and meeting; and providing for an effective date with announcement of public hearing on October 22, 2012.

This item was postponed to the September 28, 2012 Special City Council meeting.

Mayor Marne called for a brief recess at 8:45 p.m.

The City Council reconvened into Regular Session at 8:58 p.m.

Discuss and consider action on Ordinance No. 400-01-12, an ordinance approving the annual budget of the City of Shavano Park, Texas for the Fiscal Year beginning October 01, 2012 and ending September 30, 2013, to include the following funds: General Fund, Debt Service Fund, Court Restricted Funds (Court Security, Court Technology and Court Efficiency), Capital Replacement Fund (Equipment Replacement Fund), Oak Wilt Fund, Pet Documentation & Rescue Fund; approving the authorized organizational chart; personnel schedule, employee compensation package; pay plan; special allowance schedule and employee holiday schedule.

Finance Director Doug Roderick pointed the following corrections to the proposed ordinance: the General Fund total budgeted revenues should read \$3,970,473; the expenditures should also read \$3,970,473; the Debt Service Fund total budget revenues should read \$351,037; the Court Security Fund with projected reserves should read \$43,609; the Court Technology Fund with projected reserves should read \$24,110; Court Efficiency Fund with projected reserves should read \$1,292; and the Capital Replacement Fund with projected reserves should read \$513,532 which is the projected reserves, that does not include the money that is in the Equipment Replacement Fund. Mr. Roderick proposed that since the Equipment Replacement Fund is another item that we have broken out so that you can definitely see what is going on with the money that is being retained for future vehicles and future capital items that we are going to do, the actual total fund reserve projected in this Capital Fund will read \$1,059,640 which is listed in the Proposed Budget Document. Mr. Roderick's recommendation to City Council was to show the total amount in the Capital Replacement Fund with a sub-line with the amount going into the Equipment Replacement Fund that way it is clearly delineated and everybody can see it by adding a line that says "the Capital Replacement Fund is comprised of Capital Replacement and Equipment Replacement." Mr. Roderick concluded by saying that the Capital Replacement Fund revenue should read \$265,308.

This was followed by a lengthy review and discussion over the Proposed Budget.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted four (4) and one (1) opposed with Alderwoman Etta Fanning casting the negative vote to remove A and B from the certifications under Waterworks Operator Licenses. The motion carried.

Alderwoman Etta Fanning moved to amend Alderwoman Bunting Ross' motion to replace that with keeping A, B, C and D and follow the Mayor's suggestion and look at the \$50, \$100, \$150 and \$200 and keep the incentive there. The motion failed due to a lack of a second.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted three (3) for and two (2) opposed with Alderwoman Mary Werner and Alderwoman Michele Bunting Ross casting the negative votes, to adopt Ordinance No. 400-01-12 as captioned and amended. The motion carried.

Discuss and consider action on Ordinance No. 400-02-12, an ordinance of the City of Shavano Park, Texas levying ad valorem taxes for use and support of the municipal government of the City for the fiscal year beginning October 1, 2012 and ending September 30, 2013; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Michele Bunting Ross, the City Council voted three (3) for and two (2) opposed with Alderwoman Mary Werner and Alderwoman Michele Bunting Ross casting the negative votes, to adopt Ordinance No. 400-02-12 as captioned and amended. The motion carried.

Consideration and action on a resolution of the City Council of the City of Shavano Park, Texas, ratifying the property tax revenue increase reflected in the Fiscal Year 2012-2013 Budget, in accordance with Section 102.007(c) of the Texas Local Government Code.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Etta Fanning, the City Council voted three (3) for and two (2) opposed with Alderwoman Mary Werner and Alderwoman Michele Bunting Ross casting the negative vote, to adopt Resolution No. 12-16 as presented. The motion carried.

Discuss and consider action on Ordinance No. 500-07-12, an ordinance approving the Water Utility Fund Budget of the City of Shavano Park for the fiscal year beginning October 1, 2012 and ending September 30, 2012 and establishing a rate structure to be effective with the consumption for the month of October 2012.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to adopt Ordinance No. 500-07-12 as captioned as amended. The motion carried.

Discuss and consider action on Ordinance No. 300-07-12, an ordinance amending the City of Shavano Park Code of Ordinances Appendix A "Fee Schedule"; to include Shavano Park Water System current water rates; and establishing an effective date.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to adopt Ordinance No. 300-07-12 as captioned and presented. The motion carried.

Discuss and consider action on upcoming Regular City Council meeting dates.

This item was postponed to the October Regular City Council meeting.

City Manager's Report:

- A. Employee Status**
- B. Police & Fire Dispatch Transfer**
- C. Summer Street Program**
- D. Events at City Hall & the Municipal Tract**
- E. Planning & Zoning Issues Under Consideration for Council Action**

City Manager Kyle McCain informed the City Council that the police and fire dispatch service was switched over to Bexar County Dispatch Services today. The remaining City Manager Report items will be moved to the September 28, 2012 Special City Council meeting.

Adjournment

Upon a motion made by Alderwoman Vicky Maisel and a second by Alderman Charles Brame, the City Council vote five (5) for and none (0) opposed to adjourn the Regular City Council meeting at 11:58 p.m. on Monday, September 24, 2012. The motion carried.

These minutes approved on the 22nd of October, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Secretary

**CITY OF SHAVANO PARK
SPECIAL CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
SEPTEMBER 28, 2012
3:00 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present	Alderwoman Etta Fanning – present
Alderwoman Mary Werner – present	Alderwoman Michele Bunting Ross – present
Alderwoman Vicky Maisel – present	Alderman Charles Brame - present

Call to order

Mayor A. David Marne called the Special City Council meeting to order at 3:02 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Alderwoman Michele Bunting Ross led the Pledge of Allegiance and the Texas Pledge and Alderwoman Etta Fanning the invocation.

Citizens to be heard

- Anne Marie Markette – 207 Hunters Branch South – Mrs. Markette handed out a newspaper clipping on municipal parks.

Mayor & City Council Comments

- Alderwoman Michele Bunting Ross made a point of privilege to move Items 7, 8 and 9 up on the agenda to position of item 4 in order to accommodate guests present to speak on those items and to move item 5 to the October agenda.
- Alderwoman Etta Fanning welcomed everyone who is in attendance this evening.
- Mayor Marne presented a restored and frame original plat of Shavano Park from Dr. Hugo F. Elmendorf, Jr., M.D.
- Mayor Marne then announced that the City Council would be going directly to Item 7, 8 and 9.

Discuss and consider action on Ordinance No. 100-08-12, an ordinance amending Chapter 36, Article VI – Tables of the City of Shavano Park Code of Ordinances as to certain setback requirements; providing for severability; providing for proper notice and meeting; and providing for an effective date with announcement of public hearing on October 22, 2012.

Planning & Zoning Commissioner Michael Janssen presented this and the next two items at this time.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted four (4) for and none (0) opposed to accept Ordinance No. 100-08-12 as presented and to move the proposed ordinance forward to the public hearing and second reading. The motion carried.

Discuss and consider action on Ordinance No. 100-09-12, an ordinance amending Chapter 36 of the City of Shavano Park Code of Ordinances to allow for Manufactured Home Parks in certain districts and providing regulations for their placement with announcement of public hearing on October 22, 2012.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted four (4) for and none (0) opposed to accept Ordinance No. 100-09-12 as presented and to move the proposed ordinance forward to the public hearing and second reading. The motion carried.

Discuss and consider action on Ordinance No. 100-10-12, an ordinance amending Chapter 36 of the City of Shavano Park Code of Ordinances providing for regulations of residential portable construction buildings; providing for severability; providing for proper notice and meeting; and providing for an effective date with announcement of public hearing on October 22, 2012.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept Ordinance No. 100-10-12 as presented and to move the proposed ordinance forward to the public hearing and second reading. The motion carried.

Discuss and consider action on a resolution selecting a contractor for the construction of a sand filtration system for a water supply well, and authorizing the City Manager to enter into a contractual agreement with the selected contractor.

City Manager McCain updated the City Council on the selection of a contractor for the construction of a sand filtration system for the Trinity Well. Mr. McCain added that the Trinity Project Workgroup would meet soon but before the October 22nd Council meeting in order to give their recommendation to City Council.

Discuss and consider action on an Interlocal Agreement with Guadalupe County to contract with the City of Shavano Park to house prisoners.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Vicky Maisel, the City Council voted four (4) for and none (0) opposed to postpone this item until the October Regular Council meeting. The motion carried.

Discuss and consider action on Ordinance No. 100-07-12, an ordinance amending the City of Shavano Park Code of Ordinances Chapter 28, Article V – Subdivisions to provide for regulations regarding certain utility infrastructure; providing for proper notice and meeting; and providing for an effective date.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Michele Bunting Ross, the City Council voted four (4) for and none (0) opposed to adopt Ordinance No. 100-07-12 as captioned and presented. The motion carried.

Discuss and consider action on the affirmation of Ordinance No. 300-145-07, an ordinance of the City of Shavano Park, Texas establishing a code of ethics and conduct for elected officials and members of appointed Boards, Commissions and Committees.

Mayor Marne presented Ordinance No. 300-145-07 for all the City Council members and the City Manager on behalf of the staff to sign in an effort to move forward to the benefit of all the citizens.

Discuss and consider action on Resolution No. 12-07, a resolution of the City of Shavano Park, Texas declaring certain City equipment obsolete and surplus property and authorizing the liquidation of said obsolete and surplus equipment.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to approve Resolution No. 12-07 as amended with the words "and obsolete" on it. The motion carried.

City Manager's Report:

- A. Employee Status**
- B. Summer Street Program**
- C. Events at City Hall & the Municipal Tract**
- D. Planning & Zoning Issues Under Consideration for Council Action**

City Manager McCain updated the Council on the items listed above.

Adjournment

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to adjourn the Special City Council meeting at 4:37 p.m. on Friday, September 28, 2012. The motion carried.

These minutes approved on the 22nd of October, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Secretary

**CITY OF SHAVANO PARK
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
OCTOBER 22, 2012
6:30 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present	Alderwoman Etta Fanning – present
Alderwoman Mary Werner – present	Alderwoman Michele Bunting Ross – present
Alderwoman Vicky Maisel – present	Alderman Charles Brame - present

Call to order

Mayor A. David Marne called the Regular City Council meeting to order at 6:30 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Alderman Charles Brame led the Pledge of Allegiance and Alderwoman Mary Werner the invocation.

Citizens to be heard

- Abraham Rodriguez – 606 Blackjack Oak - Spoke about his three concerns: 1) Home Owner Association accountability; Shavano Creek landscaping; and the inability to contact the Home Owners Association Board of Directors.
 - ❖ Mayor Marne asked Mr. Rodriguez to come to City Hall and someone would help him.
- Richard Bibb – 137 Long Bow – Spoke against the removal of the speed bumps on Broken Bough.
- Al Walea – 104 Bikeway – Mr. Walea deferred his comments to Item 5.
- Melissa O'Connor – 117 Broken Bough Ln. - Spoke against the removal of the speed bumps on Broken Bough.
- Pat Wood – 204 Hunters Branch S. – Spoke of being consistent in the speed limits approaching speed bumps throughout the City.
- Rickey Psencik – 119 Broken Bough Ln. - Spoke against the removal of the speed bumps on Broken Bough.
- Todd & Michael Braulick – 111 Broken Bough Ln. – Spoke in favor of the development of the Municipal Tract.
 - ❖ Mayor Marne also mentioned that he and the City Council members received an email from Randy & Nancy Hambright, Patti Psencik, and Melissa & Peter O'Connor all speaking against the removal of the speed bumps on Broken Bough Lane.

Mayor & City Council Comments

- **Mayor's presentation of a proclamation declaring the week of November 12-18, 2012 as Storm Water Awareness week.**
- Alderman Charles Brame thanked everyone in attendance and asked that everyone encourage their friends and neighbors to attend these meetings so their input could be used to help the Council do their jobs. Alderman Brame also asked to speak on Item 28 of tonight's agenda saying that it is a personnel action and should not be done in public. Mayor Marne asked that Alderman Brame wait to speak on the item until the item was up for discussion.
- Alderwoman Vicky Maisel also welcomed and thanked all in attendance.
- Alderwoman Mary Werner also welcomed and thanked all in attendance.
- Alderwoman Etta Fanning also welcomed and thanked all in attendance.
- Alderwoman Michele Bunting Ross also welcomed and thanked all in attendance.
- Mayor Marne presented a proclamation declaring the week of November 12-18, 2012 as Storm Water Awareness Week.

Discuss and consider approval of the consent agenda as presented or amended.

- Approval of the City Council Minutes from:
September 04, 2012 Special Meeting
September 17, 2012 Special Meeting
September 24, 2012 Regular Meeting
September 28, 2012 Special Meeting**
- Acceptance of the Planning & Zoning Commission Minutes from:
September 05, 2012 Meeting**
- Acceptance of the Building Permit Activity Report**
- Acceptance of the Code Compliance Activity Report**
- Acceptance of the Fire Department Activity Report**
- Acceptance of the Municipal Court Activity Report**
- Acceptance of the Police Department Activity Report**
- Acceptance of the Public Works Activity Report**

Alderwoman Michele Bunting Ross requested that consent agenda Item a. September 24th and September 17th be pulled from the consent agenda for discussion.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to accept the consent agenda with the exception of Item a. September 17, 2012 and September 24, 2012 City Council minutes. The motion carried.

Alderwoman Vicky Maisel made a motion that from this point on that when an item is pulled from the consent agenda that we make a consent agenda an actual literal consent agenda so that anyone who has a question has a month from now to ask

members of staff to answer the question(s) and come back the next month so all Council may consent to the consent agenda. There being no second, the motion died.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to approve the September 17, 2012 Special City Council minutes as presented. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to approve the September 24, 2012 Regular City Council minutes as amended. The motion carried.

Discuss and consider action on future development of the Municipal Tract; and discuss and consider action to appoint a task force to oversee potential development of the Municipal Tract and hike and bike trails.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to combine agenda items 5 & 6 of tonight's agenda.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to have Council form a task force with a broad range of citizen perspectives, the committee should not be formed by a singular person. I don't have a preference as to how many people should be on the committee or how they should be selected although the #1 criteria should be interest (pro and con) and desire to participate fully; The task force should be made up of P&Z members and citizens with more citizens than P&Z members; The chair or co-chairs should be members of P&Z; The chair does not vote; A timeline needs to be established; Council will give direction that ALL citizens should be involved to participate in planning/brainstorming sessions FROM THE BEGINNING and not AFTER decisions of what should be done are already established. Just as we did with the Town Plan process. The task force should not meet and decide what options should be considered for development without getting citizen input through planning/brainstorming sessions & surveys with citizens first; As it would be a task force and not a committee, there will not be terms; The task force should have regularly established and maybe properly posted (open meetings act) meetings held at City Hall; Minutes should be taken at each meeting, provided to City Council and posted on the website; Regular updates should be provided by Chair or Co-Chairs to Council; and Regular updates and meeting notices should be placed in the Roadrunner and on our website. The motion carried.

Update on the creation of a Shavano Park Farmer's Market.

Alderwoman Michele Bunting Ross reported that she had received over four-hundred (400) responses in favor of a Farmer's Market with the majority wanting to see it on a

regular basis. Alderwoman Bunting Ross is looking into a few more things but hopes to get it started in the spring. More information will be presented at an upcoming Council meeting.

Discuss and consider action on the Women's Club plan to provide benches for the approach to City Hall and to coordinate the bench placement with the reception honoring the Women's Club for 60 years of service to Shavano Park.

Women's Club President Marcia Stipek presented the item by giving the Council a brief description of the benches. Mrs. Stipek estimates that the entire project would cost about \$4000.00 which the Women's Club would cover six benches and is asking the City to cover the shipping cost and the bronze plaques for each bench would cost about \$200 per plaque.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderman Charles Brame, the City Council voted four (4) and none (0) opposed with Alderwoman Mary Werner abstaining, to accept the Women's Club plan. The motion carried.

Discuss and take action regarding policies and application for parking lot usage for events at City Hall; and to discuss and consider possible action on adopting policies and procedures for events on City property.

Items 9 & 10 were combined for discussion.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept the policy and application with the addition of an indemnification form and more information referring to animals. The motion carried.

Discuss and consider action on the removal of speed bumps on Broken Bough.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to remove the item from the agenda. The motion carried.

Discuss and consider action on Resolution No. 12-18, a resolution of the City of Shavano Park City Council appointing members to the Construction Board of Appeals with terms ending September 30, 2017.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to

continue this item until such time as applicants are received and presented to Council for review. The motion carried.

Presentation of Fiscal Year 2011-2012 4th Quarter Financial Report; and acceptance of the September Finance Department Activity Report.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to accept the Fiscal Year 2011-2012 4th Quarter Financial Report and the September Finance Department Activity Report as presented. The motion carried.

Public Hearing: Proposed rezoning of Unit 19B, Phase I Commercial Subdivision Plat, Lot 1926 & 1927, Block 23 located generally at Paesanos Parkway and Huntington Place from B-2 to Planned Unit Development O-1 (PUD O-1).

Dan Kossl of Denton Communities presented the proposed plat.

Mayor Marne opened the public hearing at 7:55 p.m.

There being no comments from the public, the public hearing was closed at 7:56 p.m.

Discuss and consider action on Ordinance No. 100-12-12, an ordinance rezoning of Unit 19B, Phase I Commercial Subdivision Plat, Lot 1926 & 1927, Block 23 located generally at Paesanos Parkway and Huntington Place from B-2 to Planned Unit Development O-1 (PUS O-1).

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Vicky Maisel, the City Council voted four (4) and none (0) opposed to adopt Ordinance No. 100-12-12 as captioned and presented. The motion carried. (Alderwoman Mary Werner was not present for the vote)

Public Hearing: Proposed amendment to Chapter 36, Article VI – Tables of the City of Shavano Park Code of Ordinances as to certain setback requirements.

Dan Kossl of Denton Communities presented the proposed item.

Mayor Marne opened the public hearing at 7:58 p.m.

There being no comments from the public, the public hearing was closed at 7:59 p.m.

Discuss and consider action on Ordinance No. 100-08-12, an ordinance amending Chapter 36, Article VI – Tables of the City of Shavano Park Code of

Ordinances as to certain setback requirements; providing for severability; providing for proper notice and meeting; and providing for an effective date.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to adopt Ordinance No. 100-08-12 as captioned and presented. The motion carried.

Public Hearing: Proposed amendment to Chapter 36 of the City of Shavano Park Code of Ordinances to allow for Manufactured Home Parks in certain districts and providing regulations for their placement.

Planning & Zoning Commissioner Michael Janssen presented the proposed item.

Mayor Marne opened the public hearing at 8:01 p.m.

There being no comments from the public, the public hearing was closed at 8:02 p.m.

Discuss and consider action on Ordinance No. 100-09-12, an ordinance amending Chapter 36 of the City of Shavano Park Code of Ordinances to allow for Manufactured Home Parks in certain districts and providing regulations for their placement.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to adopt Ordinance No. 100-09-12 as captioned and presented. The motion carried.

Public Hearing: Proposed amendment to Chapter 36, of the City of Shavano Park Code of Ordinances providing for regulations of residential portable construction buildings.

Planning & Zoning Commissioner Michael Janssen presented the proposed item.

Mayor Marne opened the public hearing at 8:03 p.m.

There being no comments from the public, the public hearing was closed at 8:04 p.m.

Discuss and consider action on Ordinance No. 100-10-12, an ordinance amending Chapter 36, of the City of Shavano Park Code of Ordinances providing for regulations of residential portable construction buildings; providing for severability; providing for proper notice and meeting; and providing for an effective date.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to adopt Ordinance No. 100-10-12 as captioned and presented. The motion carried.

Presentation from the Council Subcommittee on employee compensation; followed by discussion and possible action on the report and recommendations.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to continue this item to the next regularly scheduled City Council meeting. The motion carried.

Discuss and consider possible action on the purchase of two Police Department patrol vehicles and the necessary equipment and preparation to make the vehicles street ready.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to authorize the purchase of two Police Department vehicles and the necessary equipment to make them street ready as budgeted. The motion carried.

Discuss and consider possible action on the purchase of two twelve-lead heart monitors for the Emergency Medical Service.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to purchase two twelve-lead heart monitors for the Emergency Medical Services as budgeted. The motion carried.

Discuss and consider action on Trinity Project Workgroup's recommendations on the acceptance or rejection of the bid proposed by Associated Construction Partners for the installation of sand filters for the Trinity Well at the Water Tower site, and the construction of the necessary appurtenances for those filters.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to authorize the City Manager to extend the bid for another thirty (30) days. The motion carried.

Mayor Marne called for a recess at 8:18 p.m.

The City Council reconvened into Regular Session at 8:29 p.m.

Discussion considering the interpretation of the ordinance establishing the Office of the City Secretary for clarification of where the position falls in the

organization of the City employees and the relationship to other employees and the City Council.

There was a lengthy discussion followed by a consensus among the City Council to bring back the proposed organization charts #1 and #3 to be discussed at the next Regular City Council meeting.

There was a consensus among the City Council that the City Manager is the supervisor of the City Secretary (which included discussion regarding counseling and disciplinary action) who the Council may task and is an officer of the City as established by Ordinance No. 300-07-12 and who is hired and fired by the City Council.

Discuss and take action for determining qualifications, criteria and posting requirements to generate qualified candidates for the City Secretary position as required by City policies.

No action was taken.

Discuss and take action on alleged violations of City policies and procedures by the City Secretary.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderman Charles Brame, the City Council voted five (5) for and none (0) opposed to pull item #28 from the agenda. The motion carried.

Discuss and consider action on an Interlocal Agreement with Guadalupe County to contract with the City of Shavano Park to house prisoners.

Upon a motion made by Alderwoman Michele Bunting Ross with a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to continue this item to the next City Council with specific questions being emailed by Alderwoman Bunting Ross to the City Manager in preparation for presentation. The motion carried.

Discuss and consider action to approve various water lease agreements for Edwards Aquifer Water Rights for the 2012 calendar year and the 2013 calendar year.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Michele Bunting Ross, the City Council voted (5) for and none (0) opposed to direct the City Manager to negotiate with Mr. Bill Hinds and bring back the other subleases for discussion at the November Regular City Council meeting. The motion carried.

Report, discussion, and presentation by the City Manager on plans for evaluation of City employees with a timeline with potential action by Council.

Alderwoman Etta Fanning, Alderwoman Mary Werner and City Manager, Kyle McCain will work together to come up with a workable evaluation process and form to bring back for City Council review.

Discuss and consider action regarding Council following Sec. 2-25 (c) (2) whether the total number or agenda items submitted exceeds the ability of the City Council to properly address them in the timeframe normally allocated to City Council meetings (approximately two to 2 ½ hours).

No action was taken.

Discuss and consider action regarding a proposal by the City Attorney's office to adjust the flat fee structure for attorney services at City Council meetings to take into consideration the length of the meetings by adding an hourly fee for time longer than three hours per meeting.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to agree to pay more if the meeting goes over three (3) hours for a standard regular meeting. The motion carried.

Discuss and consider action on upcoming Regular City Council meeting dates.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to move the December 24, 2012 to December 17, 2012. The motion carried.

City Manager's Report:

- A. Employee Status**
- B. Police Video Monitoring System Status**
- C. New Fire Truck Status**
- D. Summer Street Program**
- E. Upcoming Events at City Hall & the Municipal Tract**
- F. Request by citizens for recycle bins for use with Allied Waste Solid Waste Service**

City Manager Kyle McCain informed the City Council that there are three positions open at this time; the investigator will begin on November 5th and a patrol officer should be hired sometime in November and a paramedic should be hired soon; the police video system is on order; the final inspection of the fire truck is in November; Ripple Creek should be finished this week and Wagon Trail and a portion of Shavano Drive will be

done next week with some crack sealing to be done on Windmill as well; as far as upcoming events, there are six upcoming run/walks scheduled over the next six months; and citizens have requested a wheeled recycle bin so Mr. McCain will be discussing this with Allied Waste.

Adjournment

Upon a motion made by Alderwoman Michele Bunting Ross and a second by Alderwoman Vicky Maisel, the City Council vote five (5) for and none (0) opposed to adjourn the Regular City Council meeting at 10:20 p.m. on Monday, October 22, 2012. The motion carried.

These minutes approved on the 26th of November, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Secretary

**CITY OF SHAVANO PARK
REGULAR CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
NOVEMBER 26, 2012
6:30 P.M.**

MINUTES

Roll Call

Honorable, A. David Marne – present	Alderwoman Etta Fanning – present
Alderwoman Mary Werner – present	Alderwoman Michele Bunting Ross – present
Alderwoman Vicky Maisel – present	Alderman Charles Brame - present

Call to order

Mayor A. David Marne called the Regular City Council meeting to order at 6:30 p.m. Notice was posted as required by the Texas Open Meetings Act (Chapter 551, Texas Government Code). Mayor Marne led the Pledge of Allegiance and Alderwoman Vicky Maisel the invocation.

Citizens to be heard

- Jorge Cantu – 110 Ottawa Run – Owner of C6 Disposal Service re-introduced himself to the City Council and informed that that his company is still interested in providing services to the citizens of Shavano Park.
- Bill Martin - 113 Cobblestone - Deferred his comments to Item 6 of tonight's agenda.
- Mike Simpson – 100 Ripple Creek - Deferred his comments to Item 17 of tonight's agenda.
- Allan Berrier – 126 Calais Way – spoke on Items 15 and 16 of tonight's agenda.

Mayor & City Council Comments

- Alderman Charles Brame welcomed everyone present tonight and thanked them for coming.
- Alderwoman Vicky Maisel welcomed everyone present tonight and thanked them for coming.
- Alderwoman Etta Fanning also welcomed everyone present tonight and thanked them for coming.
- Mayor Marne welcomed everyone present tonight.

Discuss and consider approval of the consent agenda as presented or amended.

- a. **Approval of the City Council Minutes from:
October 22, 2012 Regular Meeting**
- b. **Acceptance of the Planning & Zoning Commission Minutes from:
October 03, 2012 Meeting**
- c. **Acceptance of the Water Advisory Committee Minutes from:
August 23, 2012**
- d. **Acceptance of the Building Permit Activity Report**
- e. **Acceptance of the Code Compliance Activity Report**
- f. **Acceptance of the Finance Department Activity Report**

- g. Acceptance of the Fire Department Activity Report**
- h. Acceptance of the Municipal Court Activity Report**
- i. Acceptance of the Police Department Activity Report**
- j. Acceptance of the Public Works Activity Report**
- k. Adoption of Ordinance No. 100-14-12 ratifying the portion of Ordinance No. 100-08-12 that approved the notes included on Table No. 6 of Chapter 36, Article VI of the City of Shavano Park Code of Ordinances and repealing those portions of Ordinance No. 100-08-12 that contradict the approval of the notes.**
- l. Acceptance of Resolution No. 12-19 designation of City's official newspaper**
- m. Acceptance of Resolution No. 12-20 designation of Health Authority**
- n. Preliminary approval of Amending Plat – Commercial – Lots 1813A and 1813B located at the corner of Huebner Road and Lockhill Selma**
- o. Preliminary approval for the Subdivision Plat – a 0.970 acre tract of land out of an 86.94 acre tract of land located in Unit 19, located at the corner of N.W. Military Hwy and Loop 1604.**
- p. Preliminary approval for Subdivision Plat – a 3.117 acre tract of land out of a 46.94 acre tract of land, Lot 2187, Block 26, located near Biltmore and Pond Hill.**

Alderwoman Michele Bunting Ross requested that consent agenda items a, l, n, o and p be pulled from the consent agenda for discussion.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to accept the consent agenda with the exception of items a, l, n, o and p as presented. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Mary Werner, the City Council voted five (5) for and none (0) opposed to approve Item 4a, the October 22, 2012 Regular City Council with direction being given to staff that all amended City Council minutes in the future come back red lined to show the amendment(s) that were made. The motion carried.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted four (4) for and one (1) opposed to accept Item 4(l) Resolution No. 12-19 as presented. Alderwoman Michele Bunting Ross cast the negative vote. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to accept Items n, o and p as presented. The motion carried.

Presentation from the Council subcommittee on employee compensation followed by discussion and possible action on the report and recommendations.

Alderwoman Michele Bunting Ross suggested that a future workshop be held to discuss this item.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to separate the compensation and the sick leave buy back. The motion carried.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Etta Fanning, the City Council voted four (4) for and one (1) opposed with Alderwoman Mary Werner casting the negative vote to continue the sick leave buy back program for the City of Shavano Park. The motion carried.

Alderwoman Etta Fanning motioned to consider looking into the Texas Municipal League (TML) Compensation Study as a comparison for populations that compare to Shavano Park. The motion failed due to a lack of second.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to hold a Compensation Workshop. The motion carried.

Presentation and possible direction regarding Electronic telecommunications services sales tax.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderman Charles Brame, the City Council voted five (5) for and none (0) opposed to direct staff to look into the electronic telecommunications service sales tax and report back with more details. The motion carried.

Presentation and possible direction regarding the process of repealing VIA sales tax and issues associated therewith.

Mr. Bill Martin of Via Transit Board of Directors and Mr. Jeff Art, Interim CEO of Via Transit presented.

No action was taken, however, the City Council directed the city attorney to bring back more information on this sales tax and any pertinent ballot requirements. Alderwoman Bunting Ross also asked that staff provide the Council with a presentation on Fair Oaks and any other cities that have recently gone through this.

Discuss and consider possible action on Ordinance No. 100-13-12, an ordinance amending Chapter 36, Section 36-39 of the City of Shavano Park Code of Ordinances providing for regulations of portable construction buildings for commercial properties; providing for severability; providing for proper notice and meeting; and providing for an effective date.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to approve the first reading of Ordinance No. 100-13-12 as captioned and presented and move forward to the second reading and public hearing. The motion carried.

Discuss and consider action on a resolution selecting a contractor for the construction of a sand filtration system for a water supply well, and authorizing the City Manager to enter into a contractual agreement with the selected contractor.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted three (3) for and two (2) opposed with Alderwoman Vicky Maisel and Alderwoman Etta Fanning casting the negative votes to accept the Associated Construction Partners, Inc. new proposed bid of \$249,950. The motion carried.

Discuss and consider action to appoint a committee to research and develop recommendations for the City Council to establish a new Fee Schedule for Building Permits within the City for Commercial and Residential construction and repairs.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to have each City Council member come back next month with a name of a citizen to appoint to a committee to review the fee schedule for building permits. The motion carried.

The City Council took a recess at 8:23 p.m. The City Council reconvened at 8:34 p.m.

Discuss and consider action to approve a five-year lease from the Regional Water Resource Development Group for 100 acre-feet of Edwards Aquifer Water.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to approve the five-year lease from R.W.R.D.G. (Regional Water Resource Development Group). The motion carried.

Discuss and consider action to approve various water lease agreements for Edwards Aquifer Water Rights for the 2013 calendar year.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderwoman Michele Bunting Ross, the City Council voted five (5) for and none (0) opposed to approve the various water lease agreements for the Edwards Aquifer Water Rights for the 2013 calendar year to include that the payer is responsible for the EAA fee and the habitat fee. The motion carried.

Discuss and consider action on an Interlocal Agreement with Guadalupe County to contract with the City of Shavano Park to house prisoners.

Upon a motion made by Alderwoman Vicky Maisel and a second made by Alderman Charles Brame, the City Council voted four (4) for and one (1) opposed with Alderwoman Michele Bunting Ross casting the negative vote to accept the Interlocal Agreement with Guadalupe County. The motion carried.

Upon a motion made by Alderwoman Michele Bunting Ross and a second made by Alderwoman Vicky Maisel, the City Council voted five (5) for and none (0) opposed to move Item 14 to Item 15. The motion carried.

Discuss and consider action on an ordinance amending the City of Shavano Park's Personnel Manual to reflect supervisory authority over the City Secretary.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderman Charles Brame, the City Council voted three (3) for and two (2) opposed with Alderwoman Mary Werner and Alderwoman Michele Bunting Ross casting the negative votes to adopt Ordinance No. 300-09-12 as captioned and presented. The motion carried.

Presentation, discussion and possible action on the City of Shavano Park's organizational chart.

Upon a motion made by Alderwoman Etta Fanning and a second made by Alderman Charles Brame, the City Council voted three (3) for and two (2) opposed with Alderwoman Mary Werner and Alderwoman Michele Bunting Ross casting the negative votes to accept Organization Chart which has been numbered 4a. The motion carried.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Michele Bunting Ross, the City Council voted one (1) for and four (4) opposed with Alderwoman Michele Bunting Ross, Alderwoman Etta Fanning, Alderwoman Vicky Maisel and Alderman Charles Brame casting the negative votes to amend the previous motion to reflect that the City Secretary is only responsible for the City Council minutes and that maybe the agendas be taken off because according to the ordinance the City Secretary is only responsible for the City Council meeting agendas and minutes and attendance of those meetings; and that another bracket be added to the Organizational Chart to reflect that the other agendas and minutes be tasked to the City Manager. The motion failed.

Consider and take action for the limited purpose to Ordinance No. 300-07-12 for language addition to reflect the previous council meeting consensus regarding the City Secretary falling under the City Manager for the purpose of time off requests, discipline and other administrative nature.

Upon a motion made by Alderwoman Mary Werner and a second made by Alderwoman Etta Fanning, the City Council voted five (5) for and none (0) opposed to withdraw this item from the agenda. The motion carried.

Discuss and take action on alleged violations of City policies and procedures and misconduct demonstrated by Sandra Passailaigue relating to the use of information obtained from tapings of private conversations between a member of Council and the City Manager by written reprimand and disciplinary probation actions.

- Mr. Mike Simpson – 100 Ripple Creek – Mr. Simpson expressed his concerns with the way this item was being addressed by the City Council.

Alderwoman Mary Werner suggested that the City Council go into Executive Session but at the request of Sandra Passailaigue, City Secretary, the item was discussed in Open Session.

Aldерwoman Mary Werner proceeded to read aloud a letter of reprimand and disciplinary probation that she had prepared.

Upon a motion made by Aldерwoman Mary Werner and a second made by Aldерwoman Michele Bunting Ross, the City Council voted one (1) for and four (4) opposed with Aldерwoman Michele Bunting Ross, Aldерwoman Etta Fanning, Aldерwoman Vicky Maisel and Aldерman Charles Brame casting the negative votes to include Aldерwoman Mary Werner's written reprimand of Saundra Passailaigue, City Secretary; the City Manager's response; the Texas Municipal Clerks Certification Program (TMCCP) Code of Ethics and the log of who all requested copies (Etta Fanning, Vicky Maisel, Dagne Florine and Kennie Kahn) of the recordings along with memorandums of what they requested be entered into Saundra Passailaigue's personnel file; Also that discussion of any City business with another under any circumstances is a failure on Saundra Passailaigue's part to perform her expected professionalism and role. Aldерwoman Werner continued to include that Saundra Passailaigue be reminded of the critical importance of safe guarding confidential information that she may acquire through her position and that she exercise dependable good judgment as an employee entrusted with such information requires and that because of her position, further diligence in carrying out her responsibility is required in the future. Aldерwoman Werner concluded her motion by asking that Saundra Passailaigue be placed on probation. This may include some type of training to learn better on the effect of her actions. The motion failed.

Upon a motion made by Aldерwoman Etta Fanning and a second made by Aldерman Charles Brame, the City Council voted three (3) for and two (2) opposed with Aldерwoman Mary Werner and Aldерwoman Michele Bunting Ross casting the negative vote that the City Council finds no misconduct on the part of the City Secretary because she did comply with Sections 2.142; 2.144; and 2.146 of the City of Shavano Park Code of Ordinances which direct the City Secretary on how to handle record documents. The motion carried.

Aldерman Charles Brame motioned that this issue never come back to the City Council. The motion failed due to lack of second.

Mayor Marne gave direction to the City Manager and City Attorney to come up with a procedure on how disciplinary action should be conducted for City officials in the future and to bring back a recommendation to a future agenda.

Presentation, discussion and possible action on the City of Shavano Park

City Manager's Report:

- A. Employee Status**
- B. Police Video Monitoring System Status**
- C. New Fire Truck Status**
- D. Transparency in Government**
- E. Non-Emergency After-Hours Telephone Number**

City Manager McCain updated Council on the following: a) there is one position still open in the Fire Department; one new Police Officer; a second new Police Officer will start tomorrow morning; Sgt. DeLeon has been promoted to Investigator; Cpl. Gomez has been promoted to the sergeant position

leaving a corporal position open at this time; b) the Police video monitoring system is in the cars and is working; c) the new fire truck is still in Florida and Chief Naughton will try to get a delivery date on that to report back; d) referred to the Texas Transparency website showing Shavano Park as an award recipient; and e) we are looking into options for a non-emergency, after hours telephone number.

Adjournment

Upon a motion made by Alderwoman Vicky Maisel and a second by Alderwoman Michele Bunting Ross, the City Council vote five (5) for and none (0) opposed to adjourn the Regular City Council meeting at 11:52 p.m. on Monday, November 26, 2012. The motion carried.

These minutes approved on the 17th of December, 2012.

A P P R O V E D

A. DAVID MARNE
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Secretary