

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF LIVE OAK
WILL BE HELD IN CITY HALL, 8001 SHIN OAK DRIVE,
TUESDAY, JANUARY 29, 2008, AT 7:00 P.M.

1. CALL TO ORDER

Mayor Henry O. Edwards Called the Regular City Council Meeting to order at 700 p.m.

2. INVOCATION/PLEDGE OF ALLEGIANCE

A moment of silence was observed and the Pledge of Allegiance was recited.

3. ROLL CALL

Mayor Henry O. Edwards Jr.
Councilwoman Ann Mancillas, Place 5
Councilwoman Anne Jorrie, Place 4
Councilman Emilio Serrano, Place 3
Councilwoman Pat Kauts, Place 2
Councilman CJ Diegel, Place 1

4. ANNOUNCEMENT OF VIP/DV AND COMMENTS BY VIP/DV

Mayor Henry O. Edwards Jr., acknowledged two former council members Ms Baumann and Mr. Lamothe.

5. SPECIAL CONSIDERATION

A. A Presentation Of Certificates to Live Oak Police Department for Officers Of The Year and Support Person of the Year

Chief Dan Pue introduced the Live Oak Police Department Officers of the Year, Reserve Officer of the Year, two Support Personnel of the Year and Top Gun Officer of the Year. Both Chief Pue and Mayor Edwards provided certificates and plaques to the following:

- Officer of the Year – Kevin Jacobs
- Reserve Office of the Year – Jeryl Atkinson
- Support Personnel of the Year – Rick Williams, Code Enforcement and John Dalton, Dispatcher
- Top Gun Officer of the Year – Kent Iglesias

B. Introduction Of The New Animal Control Supervisor Eric Orr

Mark Wagster, Public Works Director introduced Eric Orr as the new Live Oak Animal Control Supervisor.

C. Introduction Of New Animal Control Officer Adam Barker

Eric Orr, Animal Control Supervisor introduced Adam Barker as the new Live Oak Animal Control Officer

D. Introduction Of New Public Works Employee Norman Cummings

Mark Wagster, Public Works Director introduced the newest Public Works employee Norman Cummings.

6. CITIZENS TO BE HEARD

1. Mary Jo Morale, 12900 Oak Terrace #1213, Live Oak – Ms. Morales came before City Council to speak about the parking problems that the High Key Apartments has been experiencing with the ACCD students parking on Village Oak and Oak Terrace Roads. She fears for the safety of the residents of High Key and the additional congestion it brings on both roads.
2. Susan Kirschner, 12652 King Oaks, Live Oak – Ms. Kirschner came before City Council to support Matt Smith, City Manager. Additionally, she cited the City Charter, which referenced the city managers duties to the city and personnel actions. She asked City Council to focus on city values and issues that Live Oak presently faces and to stay out of the daily issues of the city and move forward.
3. Paul Meyer, 7513 Jonquil, Live Oak – Mr. Meyer came before City Council to speak, however declined to speak after taking the podium.
4. Richard Lamothe, 7505 Red Ripple, Live Oak – Mr. Lamothe came before City Council to praise and commend Sergeant Jesse Barela, Officer Kent Iglesias and Chief Dan Pue for their timely advice, high personal integrity and personal initiative to expose a serious legal issue. Mr. Lamothe provided handouts concerning the legal issues and facts found in the Police Report concerning former Police Chief Mark S. Jackley. Additionally he cited the testimony, investigation, purchase order, and memorandum of admission that indicated that Mr. Jackley did knowingly misuse city property (City owned laptop) in violation of Federal and State Statute for his personal use.
5. Nick Davies, 7733 Leafy Hollow, Live Oak – Mr. Davies came before City Council to speak in favor of former City Attorney Mayo Galindo's letter dated September 19, 2007, to increase the efficiency of services rendered the public. Additionally Mr. Davies provided handouts of this letter to City Council, staff and the audience.
6. Margaret Zucco, 7513 Forest Edge, Live Oak – Ms. Zucco came before City Council to voice her concern about the future deer population and their encroachment in the residential areas of Live Oak. She asked that City Council make plans concerning this issue, as she did not want the city to become another Hollywood Park, where feeding or starving the deer was an issue and problem.
7. Joe Painter, 11124 Lone Shadow, Live Oak – Mr. Painter came before City Council to voice his concern about Agenda item 8A, former City Attorney, Mayo Galindo's letter dated September 19, 2007, to increase the efficiency of services rendered the public. Mr. Painter cited many issues in this letter, which have been dealt with or are currently identified and in the process of completion. He indicated that many employees work weekends and many volunteer their own time for city functions. Additionally he spoke about written goals and City Council policy decisions.

7. CONSENT AGENDA

A. Approval Of Minutes

1. January 8, 2008
2. January 18, 2008 (Special Meeting)

B. A Resolution Authorizing The City Manager To Execute A Contract With Bexar County Elections Administrator And Other Various Political Entities For Conducting The 2008 Joint, General And Special Election

Councilman Serrano made a motion to approve the Consent Agenda; seconded by Councilwoman Jorrie

Vote FOR: Councilmembers Serrano, Kauts, Diegel, Jorrie and Mancillas – Passed 5 - 0

8. OLD BUSINESS

A. Discussion And Possible Action To Implement Recommendations Of Former City Attorney Mayo Galindo To Increase The Efficiency Of Services Rendered The Public As Outlined In His Letter Of September 19, 2007

Discussion with City Council, no action taken.

9. NEW BUSINESS

A. Discussion and Possible Action Concerning The Ethics Boards Recommendations Concerning The Ethics Ordinance And Articles

Ethics Board Chairwoman Baumann made her presentation concerning clarification and recommendations of the Ethics Ordinance and its articles. This topic will be on the next City Council agenda in the form of an Ordinance for corrections and clarifications of the Ethics Ordinance.

Councilwoman Kauts asked for a consensus of City Council to make changes and bring it forward to City Council at the next scheduled City Council Meeting; seconded by Councilman Serrano.

Consensus FOR: Councilmembers Diegel, Kauts, Serrano, Jorrie and Mancillas – Passed 5- 0

B. An Resolution Authorizing The City Manager To Execute An Agreement With S.A. Development Company, L.P. And Forum Lone Star, L.P. For The Enhancement Of Public Safety Through Traffic Enforcement On The Parkway Portions Of The Forum Of Olympia Parkway In Live Oak, Bexar County, Texas

Item 9B was tabled.

C. Discussion And Possible Action Concerning The 2009 Water Order Through The Regional Water Resource Development Group (RWRDG), To Include And Update Of All RWRDG Activities

Councilman Diegel made a motion to concur with the ordering of the 2009 Water Order through the Regional Water Resource Development Group; seconded by Councilman Serrano.

Vote FOR: Councilmembers Diegel, Kauts Serrano, Jorrie and Mancillas – Passed 5 – 0.

D. Resolution Authorizing The City Manager To Execute An Agreement To Purchase The Furniture For The New Police Department

Councilman Serrano made a motion for approval for the purchasing of furniture from Furniture for Business for the new Police Department; seconded by Councilwoman Jorrie.

Vote FOR: Councilmembers Serrano, Kauts, Diegel, Jorrie and Mancillas – Passed 5 – 0.

E. Resolution Authorizing The City Manager To Execute An Agreement To Purchase Audio Visual Equipment From For The New Police Department Training Room

Councilwoman Kauts made a motion for approval for purchasing Audio Visual Equipment from Bjorn; seconded by Councilwoman Jorrie.

Vote FOR: Councilmembers Kauts, Diegel, Serrano, Jorrie and Mancillas – Passed 5 – 0.

F. Discussion And Possible Action Concerning A Revision To The Live Oak Personnel Policy – Councilman Serrano And Councilwoman Mancillas

Discussion concerning the Live Oak Personnel Policy and a consensus of City Council concerning a workshop on this matter; February and March were mentioned, however no date was decided upon.

Consensus to schedule a workshop to discuss the Personnel Policy Manual – Councilmembers Jorrie, Kauts, Serrano, Jorrie and Mancillas – Passed 5 - 0

G. Discussion And Possible Action Concerning the Parking Problem On Oak Terrace Between Village Oak Drive And Shin Oak Drive

Discussion concerning the parking problem on Village Oak and Oak Terrace. It was decided at the next regular schedule City Council meeting (February 12, 2008) an Ordinance would be required for the implementation of no parking signs.

H. Presentation Of The Investment Policy And Strategies Report

Presentation of the Investment Policy and Strategies Report was given by Leroy Kowalik, Finance Director; no action taken.

I. A Resolution By The City Council Of The City Of Live Oak Reviewing An Investment Policy And Investment Strategies And Recording Any Changes Thereof

Councilwoman Jorrie made a motion for approval; seconded by Councilwoman Mancillas

Vote FOR: Councilmembers Jorrie, Mancillas, Serrano, Kauts

Against: Councilman Diegel

Passed 4 - 1

Mayor Edwards asked for a five-minute break – 9:01 p.m.

City Council reconvened at 9:10 p.m.

10. STAFF PRESENTATIONS

A. Update And Discussion Of Current Personnel Vacancies, Recent Promotions And Department Transfers

Update of current personnel vacancies, recent promotions, and department transfers. A handout was provided by the Human Resource Department.

B. Update And Discussion Of Municipal Court Administration And Operations

Update and discussion; no action taken.

C. Update On The 2007 Audit

Update on the 2007 Audit; however, the audit could not be presented as it was not complete. This item will be on the next schedule City Council meeting.

D. Update On FEMA Maps

Update on the FEMA map; this item will be on the next scheduled City Council meeting.

E. Update And Discussion Of Improvements For Both Parks Including Status Of New Baseball Field And Estimated Completion

Update and Discussion; Mr. Wagster stated that he would get back with City Council concerning the Trail Grant Bid and the Grant money deadline.

F. Presentation And Approval Of The Quarterly Investment Report For October – December 2007

Ms. Nixon, Finance Department made the presentation of the Quarterly Investment Report for October through December 2007; approval and consensus of City Council was requested.

Consensus FOR approval: Councilmembers Diegel, Kauts, Serrano, Jorrie and Mancillas – Passed 5 – 0.

G. Update, Discussion And Written Report Of All Direct Expenses Involved For The Period September 1, 2007 Through January 15, 2008 Relating To The Termination Of Robert Tobias Jr., Larry Homan, The Administrative Leave Status With Pay Of Mark S. Jackley, And An Estimate Of The Indirect Expense Of City Staff And Subsequent Termination

Discussion, no action taken.

H. Analysis Provided By City Attorney Regarding Council Member Authority To Speak At Citizens To Be Heard And Or Under A General Agenda Heading Of “Council Comments”

Charles Zech, City Attorney provided informational handout concerning this topic. If any member of City Council has knowledge of a topic under Citizens to be Heard the topic must be listed in its entirety, which includes any item a City Council member might want to discuss.

11. GENERAL ANNOUNCEMENTS

A. Daddy Daughter Dance On February 9, 2008

Mr. Wagster announced the Daddy Daughter Dance would take place on February 9th.

12. ADJOURNMENT

As there was no further business, Councilwoman Kauts made a motion to adjourn; seconded by Councilwoman Jorrie. The Regular City Council meeting adjourned at 10:00 p.m.

APPROVED:

Henry O. Edwards Jr., Mayor

ATTEST:

Deborah L. Goza, City Secretary