

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF LIVE OAK
WILL BE HELD IN CITY HALL
8001 SHIN OAK DRIVE
TUESDAY, FEBRUARY 10, 2009, AT 7:00 P.M.

1. CALL TO ORDER

Mayor Joe Painter called the February 10, 2009 Regular City Council Meeting to order at 7:00 p.m.

2. INVOCATION/PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

Mayor Joe Painter

Councilwoman Mary Dennis, Place 1

Councilwoman Pat Kauts, Place 2

Councilman Emilio Serrano, Place 3

Councilwoman Anne Jorrie, Place 4

Councilwoman Ann Mancillas, Place 5

4. CITIZENS TO BE HEARD

1. Ed Cimics, 12214 Brownstone, Live Oak – Mr. Cimics came before City Council to give his opinion regarding the Stormwater Rate Fees, indicating he did not support exemptions for the Churches in Live Oak. Additionally he made a plea to Council Places 1, 3 and 5 to run for re-election as he was proud of their service to the citizens. Finally, he expressed his support for Assistant Chief of Police Dan Pue and thanked him for a job well done as the Interim Police Chief.
2. Bill Umphlett, 7501 Avery Road, Live Oak – Mr. Umphlett came before City Council to provide a report regarding the APA Conference that he and the other Commissioners attended in El Paso, TX.
3. Rebecca Kochan, 13806 Biltmore Lakes, Live Oak – Ms. Kochan came before City Council to ask them and the Planning and Zoning Commission to remember the Bridlewood Subdivision residents when approving lights and brightly lit signs for the Gateway Project, as this could be a problem for some residents. Finally, she complained about the increase traffic on the frontage road, which she felt there was a need for more signals and stop signs to control the problem.
4. Denese Huntsberry, 7702 Forest Fern, Live Oak – Ms. Hunsberry came before City Council to discuss the problem of parking and drive through commercial trucks in her neighborhood. Finally, she spoke about increased perception of crime, graffiti on the neighborhood mailboxes and abandoned vehicles on her street; she would like more police policing the neighborhood.
5. Loretta Kusek, 7714 Forest Stream, Live Oak, - Ms. Kusek came before City Council to ask council to give more attention to the Live Oak businesses, code compliance sign issues and to ask for adjustment for code compliance issues for the Live Oak businesses. Finally, she spoke about the beginning of the San Antonio Rodeo and urged everyone to attend.

6. Don Crane, 5375 Circle Drive, Bulverde, TX – Mr. Crane came before City Council to let everyone know that he will be starting a business in the City, named Edward Jones Investments. Additionally he provided a brief personal history of his family and himself.
 7. John Reid Jr., 11915 Northledge Drive, Live Oak – Mr. Reid came before City Council to speak about the Stormwater Utility project, water run-off, and to agree with Mr. Cimics regarding the non-exemptions of churches in Live Oak with regard to the Stormwater Rate fees.
5. CONSENT AGENDA
- A. Approval Of Minutes
 1. January 24, 2009 (Goals Workshop) – Item was moved to New Business to discuss (7G)
 2. January 27, 2009

Councilman Serrano made a motion to approve the January 27, 2009 Regular City Council Minutes; seconded by Councilwoman Dennis

Vote FOR: Councilmembers Serrano, Dennis, Kauts, Jorrie, and Mancillas – passed 5/0
6. SPECIAL CONSIDERATION
- A. Introduction And Oath Of Office For New Patrol Officer Daniel Pope

Chief Echols introduced his new patrol officer and ceremoniously read the Oath of Office to Patrol Officer Daniel Pope.
 - B. Presentation Of Recognition Plaque To Assistant Chief Of Police William D. Pue

Mayor Painter and Chief Echols presented Assistant Chief Dan Pue a plaque of recognition for his outstanding contributions and service while acting in the capacity of Interim Chief of Police, October 2007 through January 2009. Chief Pue thanked his officers in attendance, City Council and citizens for their support.
 - C. Proclamation For Severe Weather Awareness Week – February 22 through February 28, 2009

Mayor Painter read and presented the Proclamation for Severe Weather Awareness to Mr. Gary Woppert
7. NEW BUSINESS
- A. City Council Discussion And Guidance On The City Hall Renovations From The January 24, 2009 Goals Workshop

Mr. Smith made his City Hall renovation presentation to City Council, staff and audience. Items discussed: various sources of funds, uses of the funds, and the balance of funds that could, by council action, be distributed, dedication of General Fund Reserves toward the Police building, authorize a transfer of EDC money towards the Police building, approximate costs of budget amount towards City Hall renovations, 2005 CO Bonds Fund, renovations of old fire bay for the new Council Chambers, and paint/fix-up of the old police building for Public Works. Additional items discussed were a future City Receptionist position, different phases for the City Hall renovation, floor plan of the renovated City Hall, accessibility to the public.

Councilwoman Dennis made a motion to authorize the City Manager to enter into an architectural service agreement for the City Hall renovation to include the old police department building; seconded by Councilwoman Kauts.

Vote FOR: Councilmembers Dennis, Kauts, Serrano, Jorrie and Mancillas – passed 5/0

B. City Council Discussion Regarding The Agenda Items For The February 18, 2009 Economic Development Corporation Meeting

Items identified for the Economic Development Corporation Meeting on February 18, 2009: discussion and possible action on using Economic Development Corporation funds for the purchase of Water Rights; discussion and possible action on a bus tour to development areas; discussion and update on EDC activities; discussion and update on the impact of the current economy; discussion and possible action to allow the City Manager to enter into a contract for professional services between the City of Live Oak and the Live Oak Economic Development Corporation, discussion and possible action regarding the job description of the Manager of Economic and Community Development and other financial updates. No other action was taken.

C. Update And Discussion Of Personnel Vacancies In All City Departments

The following items were discussed: Current vacancies - Public Works Department: Park Maintenance Worker – Current vacancy filled to start February 11, 2009; Fire Department: One Firefighter/EMT Vacancy – Posting Closes on February 13, 2009; Police Department: One Police Officer Vacancy – Posting is open until filled ; Two Dispatcher Vacancies, offers made Pending Pre-employment screening; Economic Development: Manager of Economic & Community Development (Pending EDC Board Meeting); Development Services: Plan Reviewer (under management review and evaluation to be reclassified as a second Building Inspector position. Possible new positions budgeted for 2008/09 Fiscal Year: Public Works Department: Park Maintenance Worker (one additional position available); Fire Department: Firefighter/EMT (three additional positions available) and Police Department: (two additional positions available)

D. Update, Discussion And Possible Action Regarding City Charter Amendments For The May 2009 Election

The following items were discussed: Ballot verbiage for the City Charter amendments, clean up of the legal portions of Charter, proposed Disaster Clause, timelines for translation of Ordinance and Notice of Election, possible committee for Charter review if City Council wanted to wait on the amendments, timeframe for a true review of the City Charter (4-6 months).

Councilman Serrano made a motion to move forward with the legal portion of the City Charter amendments; seconded by Councilwoman Kauts

Vote FOR: Councilmembers Serrano, Kauts and Jorrie – passed 3/2

Vote AGAINST: Councilwomen Dennis and Mancillas

E. Update And Discussion Of The New Justice Center

Chief Echols briefly told City Council that February 27, 2009 was the dates to turn over the keys to the Justice Center, however, he anticipated the date to be March/April 2009. In addition, he added that the City was still within the budgeted amount, and there would be another business meeting on February 17, 2009; no other action was taken.

F. Update And Discussion Of The Water Acquisition Plan And BexarMet Utilization

The following items were discussed: BexarMet recognition of contract with the City, Future Economic Development Corporation February 18, 2009 agenda item, pumping Lake water from Park, water leases versus purchasing water rights, and future staff plan on purchasing water rights. Mayor Painter asked that the City have a program to purchase water rights and an

alternative water source. Councilwoman Kauts briefly discussed the possibility of getting out of the "water business" as it may not be cost effective for the City. Mayor Painter also added that Water Rights was the number one (1) priority for the City Council during the January 24, 2009 City Council Goals Workshop.

G. January 24, 2009 (Goals Workshop) Minutes

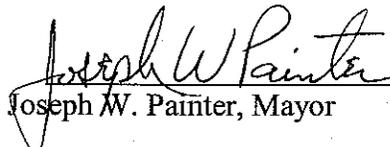
Mayor Painter had two minor corrections to the Minutes, and there were no other corrections.

Councilwoman Mancillas made a motion to approve the Minutes with corrections; seconded by Councilwoman Dennis and Jorrie

Vote FOR: Councilmembers Mancillas, Jorrie, Serrano, Kauts and Dennis – passed 5/0

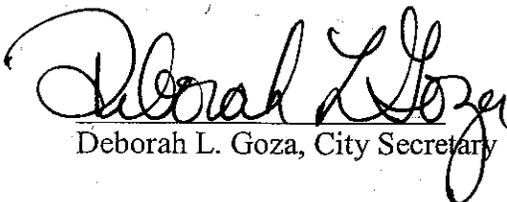
8. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS – NO DISCUSSION OR ACTION
 - A. Councilwoman Kauts – Discussion and possible action regarding the closing of the City Parks at night.
9. GENERAL ANNOUNCEMENTS FOR CITY COUNCIL AND STAFF
 - A. Councilmembers: Dennis, Kauts, Serrano, Jorrie, Mancillas, And Mayor Painter
Councilman Serrano – Announced that he would be running for re-election for Place 3.
Councilwoman Jorrie – Invited entire City Council to be Judges at the Parks Day Chili Cook-Off on April 18, 2009
 - B. Staff - North East Partnership Legislative Trip To Austin On February 25, 2009 – Mr. Smith
10. ITEMS FOR FUTURE AGENDA – NO DISCUSSION OR ACTION
Duplicate agenda item – no action
11. ADJOURNMENT
As there was no further business, Councilwoman Dennis made a motion to adjourn; seconded by Councilwomen Jorrie and Mancillas. The Special City Council meeting adjourned at 9:25 p.m.

APPROVED:



Joseph W. Painter, Mayor

ATTEST:



Deborah L. Goza, City Secretary