



CITY OF HILL COUNTRY VILLAGE
116 ASPEN LANE • HILL COUNTRY VILLAGE • TEXAS • 78232
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**MINUTES
CITY COUNCIL MEETING
CITY HALL
116 ASPEN LANE
HILL COUNTRY VILLAGE, TEXAS 78232
THURSDAY, NOVEMBER 21, 2019
5:00 P.M.**

The City Council for the City of Hill Country Village met for a City Council Meeting Thursday, November 21st, 2019 at 5:00 p.m. at City Hall, 116 Aspen Lane, Hill Country Village, Texas. This was an open meeting subject to the open meetings law of the State of Texas.

Members Present:

Mayor Gabriel Durand-Hollis
Councilman Carl A. Register *(Left at 6:01 p.m.)*
Councilman Matthew Acock
Councilman Neal Leonard
Councilman Thomas Doyle

Members not present:

Councilwoman Allison Greer

City Staff Present:

Frank Morales, City Administrator/Police Chief
Marc Schnall, City Attorney
Ismael Urias, Administrative Assistant

1. Call to order.

Mayor Durand-Hollis called the meeting to order at 5:01 p.m.

2. Moment of Silence and Pledge of Allegiance.

Mayor Durand-Hollis led those present in a moment of silence and the Pledge of Allegiance.

CONSENT AGENDA:

The following items are of a routine or administrative nature. The City Council has been furnished with background and support material on each item, and/or it has been discussed in a previous meeting. All items can be acted upon by one vote without being discussed separately, unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in their normal sequence after the items not requiring

separate discussion have been acted upon. The remaining items will be adopted by one motion and vote of the City Council.

3. Discussion and possible action approving the minutes of the City Council Meeting of September 19, 2019.

4. Discussion and possible action approving an ordinance making the San Antonio Express News as the city's official newspaper.

5. Discussion and possible action approving an ordinance accepting the retirement of Lt. Gene E. Fox effective November 30, 2019.

Councilman Leonard motioned to approve the Consent Agenda, seconded by Councilman Register. Motion passed unanimously.

INDIVIDUAL ITEMS FOR CONSIDERATION:

6. Citizens to be heard.

At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to be Heard section no council action may take place and no council discussion or response is required to the speaker. However, the Mayor or the City Administrator may make a statement of specific factual information in response to an inquiry or recite existing policy in response to an inquiry. A time limit of two minutes per speaker is permitted; the council may extend this time at their discretion.

Mr. Doug Smith of Texas Disposal Systems expressed to the council that if the city were to ever put out a Request for Proposal for garbage collection, his company would be interested.

Mr. Steve Marceau of 215 Tomahawk Trail spoke of a potential golf cart ordinance and what the rules and regulations would be. Mr. Marceau asked the council to consider the safety aspects of having a golf cart ordinance. Mr. Marceau expressed that he was not for or against such an ordinance, he just wanted all aspects considered.

Mr. Marceau spoke of the recent vote on the 14 acres of city owned property at 305 W. Bitters Road and said the city should move forward with a plan so another 20 years doesn't go by with nothing being done.

Ms. Jean Stovall of 321 Limestone Creek spoke of a business being run out of a home. Ms. Stovall said that the residents across the street (303 Tomahawk Trail) from her were running a business. Ms. Stovall complained of meetings being held at that house and the traffic that it generated.

Mr. Brian Beck of 117 Cherokee Lane spoke of brush pick up the city use to provide. Mr. Beck asked the council if that service could be reestablished.

7. A presentation by Dr. Randall and Mrs. Bobbi Schuster, 6 Village Knoll regarding a golf cart ordinance for the City of Hill Country Village.

Dr. Randall and Ms. Schuster of 6 Village Knoll gave a presentation on a potential golf cart ordinance. Ms. Schuster would like the council to consider revisiting the idea of a golf cart ordinance for the city.

Ms. Melissa Childers-White of 212 Village Circle expressed her safety concerns about a golf cart ordinance. Ms. Childers-White said an ordinance would need to be thoroughly looked at before establishing such an ordinance.

Councilman Acock proposed that this should be put on the agenda for the next meeting so residents could be aware of the discussion and ask questions of Ms. Randall.

8. Discussion and possible action accepting the Year End Summary of Delinquent Tax Collection Activities and Results for the City of Hill Country Village for the period of October 1, 2018 – September 30, 2019 from Linebarger, Goggan, Blair and Sampson, LLP.

This item heard after item #13

Councilman Acock motioned to accept the Year End Summary of Delinquent Tax Collection Activities and Results for the City of Hill Country Village for the period of October 1, 2018 – September 30, 2019 from Linebarger, Goggan, Blair and Sampson, LLP, seconded by Councilman Leonard. Motion passed unanimously.

9. Discussion and Possible Action on an Ordinance amending Chapter 22 of the Code of Ordinances to add Section 22-11 authorizing a collection fee in the amount of thirty percent (30%) to defray costs of collecting delinquent fines, fees, court costs, and other debts over 60 days past due pursuant to Article 103.0031 of the Texas Code of Criminal Procedure, authorizing the City of Hill Country Village to enter into a contingency collection contract for fines, fees, restitution, other debts, and costs including provisions for split fees on partial collections, and providing for a severability clause and an effective date.

Councilman Leonard motioned to adopt an Ordinance amending Chapter 22 of the Code of Ordinances to add Section 22-11 authorizing a collection fee in the amount of thirty percent (30%) to defray costs of collecting delinquent fines, fees, court costs, and other debts over 60 days past due pursuant to Article 103.0031 of the Texas Code of Criminal Procedure, authorizing the City of Hill Country Village to enter into a contingency collection contract for fines, fees, restitution, other debts, and costs including provisions for split fees on partial collections, and providing for a severability clause and an effective date, seconded by Councilman Doyle. Motion passed unanimously.

10. Discussion and Possible Action on a Resolution authorizing the City of Hill Country Village to enter into a Contract for Fines and Fees Collection Services (the "Contract")

with Linebarger Goggan Blair & Sampson, LLP on a contingency basis and authorizing the Mayor to sign the Contract.

Councilman Leonard motioned to adopt a Resolution authorizing the City of Hill Country Village to enter into a Contract for Fines and Fees Collection Services (the "Contract") with Linebarger Goggan Blair & Sampson, LLP on a contingency basis and authorizing the Mayor to sign the Contract, seconded by Councilman Doyle. Motion passed unanimously.

11. Discussion and possible action regarding the utilization of monies from the Municipal Court Technology Fund to finance the purchase and regular annual maintenance costs for the 'Badge Terminal Services Integration' software program and licensing.

Councilman Acock motioned for the utilization of monies from the Municipal Court Technology Fund to finance the purchase and regular annual maintenance costs for the 'Badge Terminal Services Integration' software program and licensing, seconded by Councilman Leonard. Motion passed unanimously.

12. A public hearing, discussion, and possible action regarding a request from Embrey Partners, Ltd. for a preliminary plat of the following property located in the City of Hill Country Village Extra Territorial Jurisdiction and in the City Limits of the City of Hill Country Village which consists of a total of approximately 19.979 acres, establishing Lots 2 and 3, Block 3, in County Block 4990, in the City of Hill Country Village Extra Territorial Jurisdiction and in the City of Hill Country Village, Bexar County, Texas, said approximately 19.979 acres being Lot 1, Block 3 of the Tower Drive Office Park recorded in Volume 9726, Page 104 of the Deed and Plat Records of Bexar County, Texas, Parcel 1 described in deed to Marmon Family Properties, LLC recorded in Volume 16352, Page 1197 of the Official Public Records of Bexar County, Texas, and parcels 2, 3, 4, 5 and 6 described in deed to Marmon Family Properties, LLC recorded in Volume 6575, Page 1539 of the Official Public Records of Bexar County, Texas.

This item was heard before items 8, 9, 10 and 11.

Mayor Durand-Hollis closed the regular meeting and opened the Public Hearing at 5:34 p.m.

Attorney Rob Killen of 100 W. Houston Street spoke of the preliminary plat for this property. Mr. Killen had said a small portion of the property is in Hill Country Village but the Zoning would not change. The rest of the property would become a multi-family project being developed by Embry Partners. Although not in the city limits, Embry has worked with the city to satisfy city and resident's concerns.

Mr. Tom Carter with Pape-Dawson Engineers of 2000 N.W. Loop 410 was at the meeting to answer questions anyone may have had.

Dr. Bernard Swift of 101 Winding Way said he has reviewed the plat and does not have any issues with it. Dr. Swift relayed that it seems that Embry Partners has done everything they said they were going to do.

Mayor Durand-Hollis closed the public hearing and opened the regular meeting at 5:40 p.m.

Councilman Register motioned to approve the preliminary plat, seconded by Councilman Acock. Councilman Doyle abstained due to his current employer having a potential interest in Embry Partners and this development agreement. Motion passes.

13. Discussion on approximately 13 acres of city owned property commonly known as Bitters Road Property with frontage on Bitters Road between South Tower Drive and Winding Way.

This item was heard before items 8, 9, 10 and 11.

Dr. Bernard Swift of 101 Winding Way stated that the citizens have spoken by their recent vote and it his opinion that the citizens were uniformed. Dr. Swift wanted to go on record by saying if the city chooses to go the route they have now, it would be the second worst financial decision the city has made in the history of the city. The first being giving up the property across Bitters Road known as Embassy. Dr. Swift said that if a city hall is built on the 14 acres, it would compound that problem.

Councilman Acock said one step forward would be to evaluate the property that would not be used for city hall and maybe begin the process of putting the property up for bids to see what the city gets for residential purposes.

City Attorney Marc Schnall explained to the council what the process would be in selling city owned property.

Councilman Doyle expressed that decisions need to be made on city hall by evaluating options. Should city hall be built on the city owned property, renovating the current city hall or tearing down the current city hall and rebuilding at its current location?

14. Presentation regarding the September 30, 2019 and October 31, 2019 financial statements.

City Administrator, Frank Morales gave the presentation regarding the September 30, 2019 and October 31, 2019 financial statements.

15. Discussion and possible action regarding the annual evaluation and compensation of City Administrator/Chief of Police Frank Morales.

Mayor Durand-Hollis chose to defer this item until the January meeting as he wanted Councilman Register and Councilwoman Greer to be present for this item.

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

16. Report by Mayor Durand-Hollis on items of community interest.

The Mayor stated he wanted to touch on the referendum. Mayor Durand-Hollis stated he has never said and didn't want anyone to think that he even implied that the voters didn't know what they were doing, the voters knew what they were doing. Mayor Duran Hollis stated that others may have said that he believes the voters knew what they were doing when they were pulling a lever. This is all he wanted to say about his report.

17. Report by City Administrator/Chief of Police on items of community interest.

City Hall will be closed the following days in observance of Thanksgiving, Christmas and New Year's Day.

*November 28th and 29th
December 24th and 25th
January 1st*

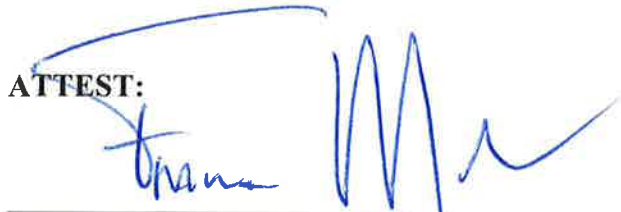
18. Adjourn

Mayor Durand-Hollis adjourned the meeting at 6:46 p.m.

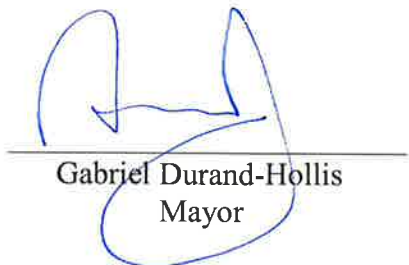
The Council reserves the right to discuss and appropriately act upon any item stated on this agenda in open session. The Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultations with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development). No action may be taken in Executive Session.

APPROVED THIS 16th DAY OF JANUARY 2020.

ATTEST:



Frank Morales
City Administrator



Gabriel Durand-Hollis
Mayor