

CITY OF SANDY OAKS, TX
COUNCIL MEETING MINUTES

September 11, 2014

INTRODUCTION

The meeting was called to order by Mayor Jim Clement at 7:00 p.m. He explained that the time was changed to accommodate the Aldermen who work.

OPENING CEREMONIES

The invocation was given by Mayor Jim Clement, which was followed by the Pledge of Allegiance to the flag of the United States of America.

ROLL CALL

Present for the meeting were Mayor Jim Clement, Alderman David Tremblay, Earnest D. Gay, Doug Tomasini, Joel Ortega and Micki Ball. Others present City Attorney Art Martinez de Vara.

AGENDA ITEMS

Item #4 Discuss and approve minutes from the August 28, 2014 city council meeting. Alderman Ball would like the minutes to be amended to read that Item #15 did not pass unanimously but it was passed with a 4 to 1 vote for a resolution to join the Texas Municipal League. There was also discussion pertaining to the meeting start time. It was voted on last meeting to start at 6:30. Since the change to 7:00 was not on the agenda it will be put on the agenda for the next meeting. Alderman Tremblay asked if we could negotiate the park gate closure time to allow for more time during the meeting. Mayor Clement said that he would talk to Mr. Gale about it. Alderman Gay made a motion to accept the minutes as amended and Alderman Ball seconded. Vote was unanimous.

Item #5 Discuss and consider a resolution thanking the Committee to Incorporate Sandy Oaks for its efforts in establishing the City of Sandy Oaks, Texas. Alderman Tremblay stated he could not support the resolution as he feels the way the committee handled this endeavor was not done properly. Alderman Ball asked to identify the members of the committee. Mayor Clement asked the active members to stand. Mayor Clement, Pedro Orduno and Charlotte Rabe stood.

Mayor Clement noted that at the beginning there were about 15 members and over the course of time dropped down to 3 or 4.

Alderman Ball also agrees with Alderman Tremblay about not supporting the resolution. She questioned the methods of communication used and the name of Sandy Oaks not being associated with Waterwood making it confusing to residents.

It was brought up by Alderman Ball the fact that Pedro Orduno and Art Martinez de Vara were quoted as saying the allotted 2.4 square miles granted to the city would not work financially. Mr. Orduno stated that it was taken out of context and it was during negotiations with the city. Alderman Ball thinks it should be tabled for a year and see how it turns out. Alderman Tremblay agrees.

Alderman Gay stated that that he was aware of everything that went on except for the signatures drives up front. Alderman Ball says the confusion of the name made it hard for residents to know what was going on.

Mayor Clement said he could see both sides and would agree to whatever the council decided. Mr. Martinez de Vara interjected, in response to the question about the quotes he and Mr. Orduno were questioned on, that after a tax analysis was done on the land given to Sandy Oaks it was decided to go ahead with the efforts to become a city. With a property tax based budget and not a sales tax based budget.

Mayor Clement asked for a motion to approve. Ball said she made a motion to table the resolution. Alderman Tremblay seconded and a vote was called for with Alderman Gay, Ortega and Tomasini against. Table failed, Alderman Gay made a motion to consider the resolution and Doug Tomasini seconded. Alderman Gay, Ortega and Tomasini voted for and Alderman Ball and Tremblay voted against. Resolution passed.

Item#6 Discuss and consider establishing the office of Municipal Engineer. Mr. Martinez added this was an enabling statute to establish the office as required by local government code. Compensation could be on a contingency basis. The position would work on infrastructure plans and to work on acquiring grants for these plans. Alderman Gay asked if we had to put out bids and Mr. Martinez said it wasn't technically required but recommended. Alderman Gay also brought up the fact that certain grants required a named municipal engineer. Specifically the CDBG grant to be used for an Infrastructure Master Plan. Which Mr. Martinez said that the city had the support of the county judge and the CDBG staff that the grant would be supported by them. Alderman Ball made a motion to establish the office of Municipal Engineer and Alderman Gay seconded. The city council unanimously voted for.

Item#7 Discuss and consider an ordinance restricting sexually oriented businesses. This would be a distance ordinance of 300 ft. It is a preventative position because of the gap in regulations. Alderman Ball asked what recourse we had to enforce the ordinance. Mr. Martinez de Vara said since we have no Marshall appointed we would have to sue in district court for the enforcement of the ordinance. Alderman Tremblay made a motion to table this discussion as he sees no immediate need for it. Discussion followed about zoning and deed restrictions. Mr. Martinez stated it would take 9-12 months to complete a zoning plan for the city. But the fact

that most of the deed restrictions have not been enforced in the last 15 years, it would be wise to start the zoning process.

Alderman Tremblay made a motion to table this item and Alderman Ball seconded. The motion passed unanimously.

Item #8 Discuss and consider a resolution providing for an open forum during regularly scheduled city council meetings. Alderman Ball called for this agenda item. Mayor Clement said they would allot 30 minutes of each meeting for public comments. They would be required to sign-up before each meeting. This sign-up sheet becomes part of the official record as an exhibit to the minutes. Alderman Ball asked Mr. Martinez to explain the open meeting act.

Mr. Martinez stated that the act states the meetings will be posted properly along with the agenda. Citizens to be heard can sign-up and then give their ideas to the council. This is not a two-way conversation.

Alderman Tremblay stated some of the agenda items would have to be removed to allot the 30 minutes. Mayor Clement agreed. Mayor Clement stated Alderman Ball had originally requested 15 minutes. After much discussion, it was agreed to a maximum of 30 minutes. Alderman Ball made a motion to approve the resolution calling for an open forum for all regularly scheduled city council meetings. Alderman Tremblay seconded. Vote was unanimous.

Item#9 Discuss and consider a resolution adopting www.cityofsandyoaks.com as the official web site for use by and for the city of Sandy Oaks. Alderman Ball stated that she had personally bought the domain name for the city. She is happy to be the administrator. Mr Martinez stated that the website will have to post all required notices. Alderman Ball said she would welcome another alderman to help her administer the website. Alderman Tremblay made a motion to adopt www.cityofsandyoaks.com as the official site for use by and for the city of Sandy Oaks. Alderman Ortega seconded. Vote was unanimous.

Item#10 Discuss and consider approval of the contract with Bexar County Elections Department to conduct the special election of November 4, 2014. The city of Sandy Oaks will have 4 items on the ballot. General Use Sales Tax, Additional General use Sales Tax, Street Maintenance Sales Tax, Removal from VIA. Our portion of the cost will be \$1,511.20, with payment being deferred one year from the election. Alderman Ball made a motion to approve the contract with Bexar County Elections Department. Alderman Gay seconded. Vote was unanimous.

Item #11 Discuss the inability to include agenda items seeking action not authorized for statutory city. Alderman Gay made a motion to postpone this item until the next meeting as to allow time for the citizens to be heard. Alderman Ball seconded. Vote unanimous.

Five citizens signed up to speak.

Pedro Orduno asked the council to consider starting the process of city trash collection.

Consuelo Orduno spoke on the need for recycling which would help the community.

Mr. Kanapkey asked about animal control.

Dale Burmaster thanked everyone who voted for him and the council for the fine job

Priscilla Yarbrough spoke on the speeding cars and need for more stop signs on Waterwood Pass and what to do about the wild dogs.

Alderman Gay made a motion to adjourn and seconded by Alderman Ball. Meeting adjourned at 8:30p.m.

Minutes approved October 9, 2014 by Sandy Oaks City Council