

**Written Minutes for the
Regular City Council Meeting
Held on November 15, 2018
7:00 PM
Elmendorf City Hall
8304 FM 327
Elmendorf, Texas 78112**

At any time during the City Council Meeting, the City Council may meet in executive session for consultation concerning attorney-client matters (real estate, litigation, contracts, personnel, and security).

I. City Council will convene for a Regular City Council Meeting at the Elmendorf City Hall at 7:00 pm November 15, 2018.

Call to Order

The meeting is called to order at **7:01 PM** by Mayor Pro-tem Hipolito "Polo" Maldonado

Pledge of Allegiance

Invocation

by Chaplain David Kirk

Roll Call

Mayor	Michael J. Gonzales	Absent
Councilwoman Place 1	Tracy Riojas	Present
Councilman Place 2	R.M. "Andy" Anderson	Absent
Councilman Place 3	Hipolito "Polo" Maldonado	Present
Councilman Place 4	Richard B. Rodriguez	Present
Councilwoman Place 5	Linda Pena Ortiz	Present

Also, present City Administrator Cody Dailey, City Secretary Roxanne De Leon, Chief Marco Pena, Water Supervisor Stephen Mayfield, Court Clerk Angie Mojica, and City Engineer Garry Montgomery. Also present, Sergeant Reyes, Officer Eduardo Corona, and Officer Fernando Palomo.

Citizens Participation

Laura Freabe

Requests the City Council consider having a festival or a monthly gathering to raise money and bring the community together. She would like to see the monies raised to build restrooms at the Elmendorf City Park or other such improvements. It is of her opinion that Elmendorf is only known for speeding tickets and St. Anthony's Catholic Church. Councilman Maldonado welcomes her to come up with a plan and volunteers to bring forth to City Council to consider. Councilman Rodriguez states there has been discussion about having a third event in the city but it has been hard to find people willing to volunteer.

William Lloyd

Frank Reynolds

Holding comments for Items #6 & #7.

Inquired when Old Corpus Christi Road would be repaired. City Administrator Cody Dailey states a pre-construction meeting will take place on November 26th and they will start soon after. Mr. Reynolds also disapproves of City Council voting on salary increases to 1.5% and then again increasing it the following month. He feels they shouldn't be allowed to do that. Councilwoman Ortiz states the councilmembers in attendance of that second meeting all agreed on the increases and voted as such.

II. Mayor and City Council Comments

Councilman Rodriguez Regarding Frank Reynold’s comments, he did not attend that meeting where the salaries were increased because he knew the majority was in favor of the increase and he was against. He doesn’t have to listen to what the employees say or hear what they need. He believes the City Council is falling behind and is not running the show. He felt like the employees were telling them how much they want to make. The City Council offered them a job and they should take what is given to them. If they don’t want to work here, they can find a job somewhere else. He thinks City Council is voting to increase salaries because they are friendly with the employees.

Councilwoman Ortiz Councilwoman Ortiz states Councilman Rodriguez gave up his vote when he chose not to attend the meeting. No one knew how the vote would turn out. She also believes the city comes first but the city does not function on its own. The City Council only come in once a month while the staff enforces City Council decisions on a day to day basis. Councilwoman Ortiz further states that she has the wherewithal to separate her friendships with staff and the voting of salary increases. Second, due to the road repair on Old Corpus Christi Road, the parade route will change from starting on Loop 1604 to Borregas Road.

III. General Business – Consent Agenda

1. Adoption and approval of the city council minutes from October 18, 2018.

Councilwoman Ortiz motions to approve the city council minutes from October 18, 2018 with corrections. Councilwoman Riojas seconds and a vote is called.

Yay	Nay	Abstain
Councilwoman Riojas		
Councilman Maldonado		
	Councilman Rodriguez	
Councilwoman Ortiz		

The motion to approve the city council minutes from October 18, 2018 with corrections is passed on a majority vote with three (3) councilmembers in favor and one (1) against. Councilman Rodriguez voted against this motion.

2. Approval of the previous month’s bills paid and financial reports.
3. Adoption and approval of the 2018 Tax Roll as provided by the Bexar County Office of the Tax Assessor-Collector.
4. Approval of the First renewal to the SAWS Wholesale Water Service Contract.

Councilwoman Ortiz motions to approve Items #2 through #4 of the General Business – Consent Agenda. Councilwoman Riojas seconds and a vote is called.

Yay	Nay	Abstain
Councilwoman Riojas		
Councilman Maldonado		
Councilman Rodriguez		
Councilwoman Ortiz		

The motion to approve Items #2 through #4 of the General Business – Consent Agenda is passed on a unanimous vote with all four (4) councilmembers in favor.

IV. General Business – Individual Consideration

- Discuss and possible action regarding the locations of placement of new fire hydrants in the city’s water system in accordance to the FY 2018-2019 budget.

Councilwoman Riojas motions to approve the locations of placement of new fire hydrants presented in the city’s water system in accordance to the FY 2018-2019 budget. Councilwoman Ortiz seconds and a vote is called.

Yay	Nay	Abstain
Councilwoman Riojas		
Councilman Maldonado		
Councilman Rodriguez		
Councilwoman Ortiz		

The motion to approve the locations of placement of new fire hydrants presented in the city’s water system in accordance to the FY 2018-2019 budget is passed on a unanimous vote with all four (4) councilmembers in favor.

- Discuss and possible action regarding variances requested by Rausch Coleman Homes applicable to future plat additions for Units 3, 4 and 5 of the Homewood Place Subdivision related to lots size, setback requirements and street width.

A representative from Pape Dawson presents plat where they are requested a variance on the street width and for the setback lines. Also, they would add a secondary access road for emergency purposes, a community park, and drainage ditches. City Engineer Garry Montgomery recommends approval of the plat. Citizen Roland Vargas, a resident in Homewood Place, complains about the potholes in Homewood Place and a discussion amongst citizens who did not live in Homewood Place commenced amongst themselves. Their comments of the lots presented being too small raised concern with the City Council.

Councilwoman Riojas motions to approve 50-foot right-of-way width and table the other items until they bring a new proposal. Councilwoman Ortiz seconds and a vote is called after further discussion.

Yay	Nay	Abstain
	Councilwoman Riojas	
Councilman Maldonado		
	Councilman Rodriguez	

	Councilwoman Ortiz	
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The motion to approve 50-foot right-of-way width and table the other items until they bring a new proposal does not pass with a majority of (3) councilmembers against and (1) for the motion.

Councilwoman Ortiz motions to deny the future plat additions for Units 3, 4 and 5 of the Homewood Place Subdivision. Councilwoman Riojas seconds and a vote is called.

Yay	Nay	Abstain
Councilwoman Riojas		
Councilman Maldonado		
Councilman Rodriguez		
Councilwoman Ortiz		

The motion to deny the future plat additions for Units 3, 4, and 5 of the Homewood Place Subdivision is passed on a unanimous vote with all four (4) councilmembers in favor.

- Discuss and possible action regarding the Master Development Plan for Units 3, 4, and 5 of th4e Homewood Place Subdivision.

No action taken.

- Discuss and possible action regarding Ordinance 11-15-2018-1, amending the Code of Ordinances by amending Chapter 14 Environment, Article V. Water Wells, by amending Sec. 14-112 to allow for wells to supply water to residences in the City which are not in the City’s Certificate of Convenience and Necessity; providing a severability clause; providing for the repeal of ordinances in conflict herewith; and providing an effective date.

Councilwoman Riojas motions to approve Ordinance 11-15-2018-1, amending the Code of Ordinances by amending Chapter 14 Environment, Article V. Water Wells, by amending Sec. 14-112 to allow for wells to supply water to residences in the City which are not in the City’s Certificate of Convenience and Necessity; providing a severability clause; providing for the repeal of ordinances in conflict herewith; and providing an effective date. Councilwoman Ortiz seconds and a vote is called.

Yay	Nay	Abstain
Councilwoman Riojas		
Councilman Maldonado		
Councilman Rodriguez		
Councilwoman Ortiz		

The motion to approve to approve Ordinance 11-15-2018-1, amending the Code of Ordinances by amending Chapter 14 Environment, Article V. Water Wells, by amending Sec. 14-112 to allow for wells to supply water to residences in the City which are not in the City’s Certificate of Convenience and Necessity; providing a severability clause; providing for the repeal of ordinances in conflict herewith; and providing an effective date is passed on a unanimous vote with all four (4) councilmembers in favor.

Citizen George Dziuk confirms that he can have a well for cows. Yes, a well is acceptable for agricultural purposes.

9. Discuss and possible action regarding development of Dickey Clay Property. The foregoing agenda item (#9) is specifically identified for a potential closed session in accordance with TOMA section 551.071 (litigation and certain consultation with attorney).

Councilwoman Ortiz motions to proceed with Item #9 in closed session. Councilwoman Riojas seconds and a vote is called.

Yay	Nay	Abstain
Councilwoman Riojas		
Councilman Maldonado		
Councilman Rodriguez		
Councilwoman Ortiz		

The motion to proceed with Item #9 in closed session is passed on a unanimous vote with all four (4) councilmembers in favor.

City Council adjourns for closed session at 9:04 PM.
 City Council reconvenes from closed session at 9:45 PM

Councilwoman Riojas motions to authorize the city attorney to conduct negotiations regarding the development agreement for all utilities. Councilwoman Rodriguez seconds and a vote is called.

Yay	Nay	Abstain
Councilwoman Riojas		
Councilman Maldonado		
Councilman Rodriguez		
Councilwoman Ortiz		

The motion to authorize the city attorney to conduct negotiations regarding the development agreement for all utilities is passed on a unanimous vote with all four (4) councilmembers in favor.

V. Adjournment

Councilwoman Ortiz motions to adjourn the Regular City Council Meeting. Councilman Rodriguez seconds and a vote is called.

Yay	Nay	Abstain
Councilwoman Riojas		
Councilman Maldonado		
Councilman Rodriguez		
Councilwoman Ortiz		

The motion to adjourn the Regular City Council Meeting is passed on a unanimous vote with all four (4) councilmembers in favor.

Regular City Council Meeting is adjourned at:

9:46 PM

The minutes were passed and approved on:

December 20, 2018



Mayor Mike Gonzales

Attest: 

City Secretary Roxanne De Leon