

MINUTES OF A COUNCIL MEETING
OCTOBER 16, 2012

The Hollywood Park City Council met in a regular session October 16, 2012 at 7:00 p.m. in Town Hall. Notice was posted in accordance with the Texas Open Meeting Laws.

Mayor Perry called the meeting to order with the following Council Members present: Steve Phillips, Sudie Sartor, Tim McCallum, Matt Amerman and Paul Homburg. Also present: City Secretary-Janice Alamia, Finance Director-Adelina Mardegain, Police Chief-Steve Kwiecien, Fire Chief-John Butrico and City Attorney-Michael Brenan.

Mayor Perry announced the Council would be going into Executive Session to discuss pending litigation. Mayor Perry stated the time as 7:01pm for closing the regular meeting. After assembling in the Executive Session chambers, the City Attorney stated we could not have an Executive Session until this was properly posted on the Agenda. Council returned to Council Chambers and Mayor Perry re-opened the regular meeting at 7:05pm.

PRESENTATIONS: David Givler from Givler Engineering spoke to the Council, giving them an update as to the repairs for the Triangle Park project. He stated his firm did not design the original Triangle Park project and were called in after work had already begun. They came in and tried to mitigate the situation. He told the Council that the original contract called for color concrete but the Parks and Recreation committee has asked to have no color or rock-salt finish, which would save approximately \$9,000 for the City. Completion was set to be completed in early January but it looked like completion might be as early as the second week in December 2012.

ANNOUNCEMENTS/ MAYOR AND CITY EMPLOYEES:

1. Fire announcements: Chief stated they had a fire prevention week and they visited some schools to inform them. He has smoke detectors that were donated and they will be giving those out to the residents but they must sign a disclaimer.
2. Police announcements: Councilman Phillips asked about car burglaries.
3. Financial announcements: Councilman McCallum noted that overall we brought in more revenue than expenditures.
4. City Secretary announcements: City Secretary announced the city was on a new email system and we are developing a new web site and it is currently under construction.
5. City Attorney announcements: None

CONSENT AGENDA:

1. Approve the Minutes of a Regular Council Meeting 8/21/12
2. Approve the Minutes of a Special Council Meeting 9/11/12
3. Approve the Minutes of a Special Council Meeting 9/18/12
4. Approve the Minutes of a Regular Council Meeting 9/18/12
5. Accept the Financial Statements as of 8/31/12
6. Accept the Financial Statements as of 9/30/12
7. Approve the 2013 Investment Policy Ordinance #917

Councilman Phillips made a motion to approve the Consent Agenda in its entirety. Councilwoman Sartor seconded the motion. The motion passed unanimously.

OLD BUSINESS:

1. Discuss/Take Possible Action on the expenditures for current maintenance issues as listed, at Voigt Park in the amount of \$45,000 from the Venue Fund.

- a. Citizen Comments: None
- b. Discussion: Mayor Perry explained he worked with the City Attorney to find out if we indeed could use the Venue Tax on repairs at the Voigt Park. City Attorney, Michael Brenan stated the list was permissible to be paid for with Venue funds. He then had Chief Butrico, who supervises Public Works, come up with a list of necessary items needing repair or replacement. Councilwoman Sartor asked if we were going to have a basketball court and a tennis court. Mayor Perry stated it has not been decided yet. Councilman Phillips stated we needed to resurface the tennis court and bring it up to speed. Councilman Homburg stated the tennis courts are needed more than the basketball courts. Councilman McCallum encouraged the Parks and Recreation Committee to look at this because during festivals it would be beneficial to have an extra flat surface to use. Councilwoman Sartor stated if we had removable nets it would help. After all discussion was completed Councilman McCallum made a motion to approve the expenditures for the current list of maintenance issues listed in their packet for Voigt Park in the amount of \$45,000. Councilman Phillips seconded. The motion passed unanimously.

2. Discuss/Take Possible Action on Ordinance #918 amending the Hollywood Park's Code of Ordinances Chapter 50 Signs Section 50-10 subsection 2; and possible proposals.

- a. Citizen Comments:
 - John Herman/Owner of The Bagel Factory: The merchants are being hurt by the 1604/281 construction that is being done. We have seen a decrease in business. We have not been able to use a temporary digital sign to help improve our business because of a City Ordinance. We would like to be able to do this.
- b. Discussion: Mayor Perry stated he put together the draft of the Ordinance in the Council packets regarding this issue and to also garner bids to those who may be interested. The Mayor stated he would like to start a bid process with this draft in mind. Councilman Homburg gave a history of the current sign Ordinance and he thinks this draft would allow an additional digital sign on 281 and he feels one is enough. The motion was made to approve this Ordinance by Councilman Amerman and seconded by Councilman Phillips. The motion passed 4 to 1 with Councilman Homburg voting nay.

NEW BUSINESS

1. Discuss/Take Possible Action on Ordinance#919 amending Chapter 2: Administration by providing for the indemnification and legal defense of the

officers and employees of the city against any cost, loss, or expense, including court costs and attorney's fees, arising out of any act or action of such person undertaken in good faith during the discharge of that person's official duties and committed within the scope of such persons authority.

- a. Citizen Comments: None
- b. Discussion: The City Attorney suggested this Ordinance because it will take care of the Council for land-use decisions. Councilman McCallum stated he was accused of violating the open meetings act in the past and he presented the bill to Council at the time. Is this still retroactive? Mr. Brennan stated this was not retroactive. Attorney Brennan explained that most cities have this Ordinance and it protects Council and employees. Councilman Phillips made the motion with Councilwoman Sartor seconding. The motion passed unanimously.

2. Discuss/Take Possible Action on a permitting process to regulate garage sales and estate sales. [Police Dept]

- a. Citizen Comments:
 - Bob Sartor/43 Ashford Glen: Mr. Sartor stated that estate sales are very different from garage sales and he is in favor of less estate sales.
 - Earl Siebold/226 Yosemite: Mr. Siebold was concerned with how many days a garage sale could be held.
- b. Discussion: Officer Quintero explained why the Police Department wanted this brought before the Council. Councilman Homburg asked if we could get this put before the citizens for their input. Consensus was to send out an email blast to residents, possibly put in the Sparks and to bring back information at the November Council meeting. The Mayor tabled this for the next meeting with unanimous approval by the Council.

Before moving into Citizens Participation Councilwoman Sartor stated she was forming a Code and Ordinance Committee and anyone who would like to join should contact her. Councilman Amerman stated he wanted to comments on the financial status of Hollywood Park. He went on to say even though the city hit their financial targets, it was because of an 8% ad valorem tax to get us there and we still have a long way to go to replace the \$360,000 in lost revenue to the city.

CITIZEN PARTICIPATION:

- Nicole Ramirez/317 Sky Forest: Parks is at a stand-still. We would like to move on Voigt Park. We would like to know about funds available.
- Ray Medina/ 241 Mecca: I have a complaint about our next door neighbor because he is living in a trailer next to his house. Deputy Chief Quintero told me there is nothing they can do until they see him coming in /out of trailer.
- Linda Vasquez/316 Fleetwood: My father just spoke. I certainly do care about our town. There is a fence erected and Mecca and El Cerrito and it is against my parents' stone wall. There are hoses and wires coming from the trailer my father spoke about and plumbing. We don't want to turn our town into a trailer park.

- Dana McCutchen/136 Sequoia : I live right behind this trailer. We have seen him come in and out and it is for their son who lives there. I called and left 2 complaints.
- John Hermann/ Bagel Factory: Thank you for letting us speak. We need sign ordinances that are business friendly. We would like the support of the community.
- Earl Siebold/226 Yosemite: When is the lighting and kitchen getting worked on at the Voigt Center? There is a lot of work and attention needed there.

ADJOURNED: There being no other business, Mayor Sartor adjourned the Regular Meeting at 8:48pm

MINUTES OF THIS MEETING APPROVED AS SUBMITTED (✓)
CORRECTED () THIS 20 DAY OF November, 2012.



Mayor Pro-Tem, Steve Phillips

ATTEST:



City Secretary, Janice Alamia

