



**CITY OF LEON VALLEY  
CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, December 18, 2018

**MINUTES**

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1. **6:00 PM** Call to Order, Determine a Quorum is Present, Pledge of Allegiance.

Attendee Name	Organization	Title	Status	Arrived
Chris Riley	City of Leon Valley	Mayor	Present	
Monica Alcocer	City of Leon Valley	Mayor Pro Tem	Present	
David Edwards	City of Leon Valley	Council Place 1	Present	
Catherine Rodriguez	City of Leon Valley	Council Place 2	Present	
Benny Martinez	City of Leon Valley	Council Place 4	Present	
David Jordan	City of Leon Valley	Council Place 5	Present	

Also present was City Manager Kelly Kuenstler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, Public Works Director Melinda Moritz, LVPD Chief Joseph Salvaggio, Assistant Finance Director Ashley Wayman, Special Events/Community Center Manager Maribel Mendoza, LVPD Captain Ruben Saucedo, Planning & Zoning Director Brandon Melland, LVFD Fire Chief Michael Naughton, and LVFD Captain Blake Wade, and various LVPD staff.

Mayor Chris Riley welcomed everyone and led the Pledge of Allegiance.

Mayor Riley asked for all cell phones to be silenced.

**Presentations**

**Citizens Police Advisory Committee 2018 Annual Report (Donna Charles, Chair)**

Donna Charles, Citizens Police Advisory Committee Chair, presented the Citizens Police Advisory Committee Annual Report.

**Monthly Financial Report November 2018 (A. Wayman, Assistant Finance Director)**

Assistant Finance Director Ashley Wayman presented the Monthly Financial Report.

**Presentation of Draft 2019 Town Hall Agenda With Citizen Input (M&C # 2018 12-18-01 K. Kuenstler)**

City Manager Kelly Kuenstler presented this item to City Council in an effort to provide citizen input after sending out an article on social media and ENews asking for feedback

for the 2019 Town Hall Meeting. City Manager Kuenstler stated that the only feedback received was from Jacqueline Conrad who asked that an item regarding the feeding of deer be considered. Mayor Chris Riley said this would be included in item 9 of the agenda.

Mayor Riley said she would like to see all survey questions by January 15<sup>th</sup>. Council Member Benny Martinez said he would like to see some of the items put off and have more time for *citizens to be heard*; and to hear more from committees and less from staff. Mayor Riley said she wants the Zoning Commission to present item 4 and to move item 3 to a future Coffee with the Mayor & City Council. Council Member David Edwards asked if his request regarding the Economic and Community Development Advisory Committee was still included under item 7. City Manager Kuenstler replied that, yes it was. There was a consensus to move item 9 (the item on the animal ordinance) to the April 2019 Coffee with the Mayor & City Council or a meeting of its own.

## City Manager's Report

### Committee Minutes:

### Upcoming Important Events:

- Next Regular City Council Meeting Tuesday, January 15, 2019, at 6:00 p.m.
- Reminder that the January 1, 2019, Regular City Council Meeting has been cancelled.
- Library Board of Trustees Meeting, Thursday, January 10, 2019, at 5:30 p.m. at the Library
- May 4, 2019, General Election Filing Period, January 16, 2019, through February 15, 2019.
- Annual Town Hall Meeting, Saturday, January 26, 2019, from 8:30 a.m. until 12:30 p.m. at the Conference Center.
- Miscellaneous other events and announcements.

City Manager Kelly Kuenstler reminded everyone that the City Manager's Report is posted on the website as well as placed on the table in the foyer for all interested.

City

Manager Kuenstler then supplemented that report with new information with: A) Spoke

about Blue Santa Program; B) Presented a birthday cake and asked Public Works Director Melinda Moritz to lead everyone in singing Happy Birthday to Council Member

David Edwards who celebrates a birthday on December 24<sup>th</sup>.

<b>RESULT:</b>	<b>PRESENTED</b>
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## Citizens to Be Heard

- Jeremy Diller of HCDT gave a brief introduction of his risk management product.

- Phillip Riddle spoke about the City Parking lot needing more lighting.
- Tommy Branson gave an “AttaBoy” to Public Works for moving the barrels off of the sidewalk that was being worked on that he complained about at the December meeting.

### **Announcements by the Mayor and Council Members**

- Council Member David Jordan thanked everyone for coming this evening and wished everyone a Merry Christmas and a Happy New Year.
- Council Member Benny Martinez thanked everyone for coming this evening and wished everyone a Merry Christmas and a Happy New Year.
- Council Member Monica Alcocer reminded everyone to smile; and wished everyone a Merry Christmas and a Happy New Year.
- Council Member Catherine Rodriguez thanked everyone that participated in the Blue Santa program and spoke briefly of her involvement; and wished everyone a Merry Christmas and a Happy New Year.
- Council Member David Edwards and wished everyone a Merry Christmas and a Happy New Year; and announced that he would be running for re-election in May of 2019.
- Mayor Chris Riley thanked the Bethel Covenant Assembly of God; and wished everyone a Merry Christmas and a Happy New Year.

### **CONSENT AGENDA**

A motion was made by Councilor Monica Alcocer and seconded by Councilor David Jordan to adopt as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Mayor Pro Tem
<b>SECONDER:</b>	David Jordan, Council Place 5
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

1. Consideration of the Following City Council Minutes:
  - a. Regular Meeting- December 4, 2018 6:00 PM

### **Ordinance**

**Presentation and Discussion on an Ordinance, on a request by Applicant George Morehouse on behalf of SA West Loop Investors LTD, to Grant a Specific Use Permit for Assembly/Packaging, at 5413 Bandera Road, Suite 405; generally located on the north side of Bandera Road approximately 2000 feet east of NW Loop 410. (1st Reading held on December 4, 2018) (M&C # 2018-12-18-02 B. Melland)**

A motion was made by Councilor Benny Martinez and seconded by Councilor David Edwards to adopt as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Benny Martinez, Council Place 4
<b>SECONDER:</b>	David Edwards, Council Place 1
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

**Presentation and Discussion of an Ordinance, on a Request by Applicant Jonah Obasi To Grant a Specific Use Permit for an Entertainment Indoor Facility, at 7228 Bandera Road, Leon Valley, Texas; Generally Located on the West Side of Bandera Road Approximately 350 Feet South of Eckert Road. (1st Reading held on December 4, 2018) (M&C # 2018-12-18-03 B. Melland)**

A motion was made by Councilor Monica Alcocer and seconded by Councilor David Jordan to adopt as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Mayor Pro Tem
<b>SECONDER:</b>	David Jordan, Council Place 5
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

**Presentation and Discussion Followed by a Public Hearing on a Recommendation of an Ordinance, by Applicant Sylvia Smith, requesting a Specific Use Permit for a Kennel, at 6746 Poss Road, Leon Valley, Texas; Generally Located on the South Side of Poss Road Approximately 900 feet west of Bandera Road. (1st Reading held on 12-04-18) (M&C # 2018-12-18-0 B. Melland)**

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez to adopt as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Mayor Pro Tem
<b>SECONDER:</b>	Catherine Rodriguez, Council Place 2
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

**Discussion and Action to Consider Approving an Ordinance Authorizing the Purchase of an Electronic LED Full Color Message or Monochromatic Sign to Replace the Current Changeable Copy Sign at the City of Leon Valley Library (1st Reading Held on December 4, 2018) (M&C # 2018-12-18-05 M. Moritz)**

A motion was made by Councilor Monica Alcocer and seconded by Councilor Benny Martinez to adopt with changes.

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Mayor Pro Tem
<b>SECONDER:</b>	Benny Martinez, Council Place 4
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

**Discussion and Possible Action on an Ordinance Amending the Leon Valley Code of Ordinances to Add Article 12.08 Regulating the Use of Hand-Held Mobile Communication Devices While Driving to Chapter 12, Traffic and Vehicles of the Codified Code of Ordinances of the City of Leon Valley, Texas (1st Reading was held on 12-04-2018) (M&C # 2018-12-18-06 J. Salvaggio)**

A motion was made by Councilor David Jordan and seconded by Councilor Catherine Rodriguez to adopt as presented.

There was a consensus among City Council members to grant a thirty (30) day Grace Period to the initial enforcement of this new ordinance. LVPD Chief Joseph Salvaggio added that staff would use ENews and social media to let citizens know of this new ordinance.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	David Jordan, Council Place 5
<b>SECONDER:</b>	Catherine Rodriguez, Council Place 2
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

**8. REGULAR AGENDA**

**Provide Direction to Staff to Mail Out Additional Expanded Public Notice, as Determined by the City Council Regarding Zoning Case ZC-2018-403; a Request for a Zone Change from R-1 and B-2 Districts to B-2 District; at 6800 Evers Road. (M&C # 2018-12-18-07 B. Melland)**

Planning & Zoning Director Brandon Melland presented this item to present to City Council an option to potentially direct staff to mail out additional expanded public notice, as determined by the City Council regarding zoning case ZC-2018-403; a request for a zone change from R-1 and B-2 Districts to B-2 District; at 6800 Evers Road.

The Local Government Code and the City's Zoning Code require at a minimum, that notice of public hearing be mailed to all properties located within 200 feet of a property being considered for a change of zoning classification. This provides the public the ability to express favor or opposition regarding the zone change.

In some cases, however, additional or expanded notice may be in the public interest. Additionally, in 2005 the Council resolved to provide a process for provided expanded notice regarding zone change case, on a case by case basis. The attached resolution resolves as such.

In response to the minimum notice provided regarding the above described zone change, residents of the Pavona Place neighborhood have expressed desire to for the Council to direct Staff to provide expanded notice per this process. Therefore, Staff is presenting this item pursuant to this process, and anticipates the Council providing specific boundaries for Staff to send additional notice to.

Public that spoke on this item were:

- Paul Fletcher
- Liz Maloy
- James Brandenburg

Council Member Monica Alcocer stated that she would like to see this go by distance.

A motion was made by Council Member Monica Alcocer to include an expanded for the zoning issue at 6800 Evers Road will include all of Pavona Place; will include all of Linklea and the properties to the left of the church to the school; then the little neighborhood (Gum Tree, Barney Wood and Fruit Wood); and the odd side of Timberleaf and Peachtree from Huebner to the odd side of Grass Valley.

Mayor Riley moved Item 8.3 up to follow Item 8.1 on the agenda.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Mayor Pro Tem
<b>SECONDER:</b>	David Edwards, Council Place 1
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

**Discussion and Possible Action on a Resolution Supporting the United States Census Bureau by Creating a Census 2020 “Complete Count Committee” (M&C #2018-12-18-09 S. Underwood and L. Martin)**

Library Director Sandy Underwood and Richard Castanon from the United States Census Bureau presented the item.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards to Adopt as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Mayor Pro Tem
<b>SECONDER:</b>	David Edwards, Council Place 1
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

**Presentation, Public Hearing, and Discussion on an Amendment to Article 15.02, Zoning Ordinance of the City of Leon Valley Code of Ordinances, Regarding Institutional Uses Including Churches, Museums, Libraries, Schools, Clubs, and Lodges, in the B-1, B-2, and B-3 Zoning Districts. (1st Reading as required by City Charter) (M&C # 2018-12-18-08 B. Melland)**

Planning & Zoning Director Brandon Melland presented this item as a proposed code amendment to Chapter 15, Zoning Code, of the City of Leon Valley Code of Ordinances to accomplish two primary objectives: 1. To amend minor inconsistencies in the code regarding institutional uses in the B-1 and B-2 Districts; and 2. To make a substantial amendment the code to allow institutional uses including churches, schools, libraries, private clubs and lodges, museums, and universities by right in the in the B-2, Retail District.

Mayor Chris Riley opened the Public Hearing at 8:52 p.m.

Public that spoke on this item were:

- Paul Fletcher
- Ed Alonzo
- Liz Maloy
- Tommy Branson
- Pastor Price
- Jo Betsy Booker
- Lyn Joseph

There being no public comments; Mayor Riley closed the Public Hearing at 9:29 p.m.

Mayor Riley called for a recess at 9:30 p.m.

Mayor Riley reconvened the meeting at 9:40 p.m.

<b>RESULT:</b>	<b>FIRST READ</b>
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**Presentation, and Discussion of an Ordinance Amending the City of Leon Valley Code of Ordinances, Article 4.01 General Provisions to Article 4.00; Creating Article 4.01 Credit Access Businesses; Setting Forth Registration Requirements and Credit Extensions Guidelines (1st Reading as Required by Charter) (M&C # 2018-12-18-10 D.Frederick)**

City Attorney Denise Frederick presented this proposed ordinance that would authorize the City to limit payday loans to 20% of the borrower's gross monthly income; limit auto title loans to the lesser of 3% of the borrower's gross annual income or 70% of the vehicle value; limit loans to no more than four installments or three roll overs or renewals; and, require the proceeds from each installment or renewal to reduce the loan principal by 25%.

Phillip Riddle said he supported this ordinance.

<b>RESULT:</b>	<b>FIRST READ</b>
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**Presentation and Discussion on an Amendment to the Codified Code of Ordinances of the City of Leon Valley, Texas, Chapter 8, Offenses and Nuisances, Adding Article 08.13 Hotel and Motel Guest Registration Requirements (1st Reading as Required by City Charter) (M&C # 2018-12-18-11 J. Salvaggio)**

LVPD Chief Joseph Salvaggio presented this item is to amend Chapter 8 Offenses and Nuisances of the City of Leon Valley Code of Ordinances by adding Article 08.13 Hotel and Motel Guest Registration Requirements to deter illegal activity at hotel/motels and to provide information in case of an emergency by an occupant of each room.

Lyn Joseph said she and her husband have stayed at hotels and motels all over the country and they have never asked for his ID.

<b>RESULT:</b>	<b>FIRST READ</b>
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**Discussion and Possible Action on the Creating a Policy on Providing Security at Council Meetings and Other Official City Functions (M&C # 2018-12-18-12 J. Salvaggio)**

A motion was made by Council Member Benny Martinez and seconded by Council Member David Edwards to table this item to the January 15, 2019 City Council meeting and to cover the entire presentation.



<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>MOVER:</b>	Benny Martinez, Council Place 4
<b>SECONDER:</b>	David Edwards, Council Place 1
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

**Citizens to be Heard**

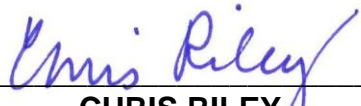
None

**Adjournment**

Mayor Riley announced that the meeting adjourned at 11:00 PM.

**These minutes approved by the Leon Valley City Council on the 15th of January, 2019.**

APPROVED

  
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**CHRIS RILEY**  
MAYOR

ATTEST:   
**SAUNDRA PASSAILAIGUE, TRMC**  
CITY SECRETARY

