

**MINUTES FOR THE  
NOVEMBER 12, 2024  
CITY COUNCIL MEETING**

**1. Call to Order and Recording of Quorum.**

The meeting was called to order at 4:00pm and a quorum was established.

City Council Members Present

Mayor John Low

Emmy Ballantyne

Bill Mitchell

Peter Mako

Kate Lanfear

City Staff Present

City Manager William Foley

Executive Secretary Kristyn Schones

Fire Chief William Knupp

Asst. Fire Chief Justin Seibert

Police Chief Gail Baham

Asst. Police Chief Gabriel Ortiz

Director Rick Baldarrama

Attorney Richard Lindner

Others Present

Michelle Wright

Suzzie Thomas

Michael Knott

Collier Bashara

Emma Bradley

Danielle Gamiz & Webelos from Troop # 248

Ann Cirer

Logan Foley

Jeremiah Bradley

Renee Bradley

**2. Action of minutes from: October 15, 2024 (City Council meeting & Budget meeting)**

The minutes were reviewed, Mako motioned to approve both sets of minutes, Ballantyne seconded, all voted in favor, motion passed.

**3. Comments by Citizens.**

There were none.

Mayor Low asked the Webelos, Troop # 248, if all were present and wanted to ask questions, Mayor was advised they were missing a couple of people. Mayor Low stated he did not want them to miss out so he will come back to that section later. Mayor Low asked again if there were any comments by citizens, hearing none, Mayor Low closed the session temporarily.

At 4:12 p.m., Mayor Low welcomed the Webelos Troop # 248, gave an overview of city history, and introduced council and staff. Troop #248 asked the council questions about what the city council does and how they were elected.

#### **4. Discussion/Action: On Presentation on the Proposal of a Community Garden.**

Mayor asked if Allison was coming to the meeting, Foley advised he last heard she was stuck in Mexico. Mayor Low advised we will wait to see if she will present this item at another time.

#### **5. Discussion/Approval: Of Annual Employee Health, Life and Dental Insurance.**

Michelle Wright with Hub international confirmed all had the presentation in front of them, Michelle gave a little history that we were formerly with Humana a couple years ago, this is the last year Humana is writing business on group medical benefits so Humana has not been a viable option in a couple of years. Michelle advised we then moved to UHC, UHC bought Humana's book of business, which means they bought down our business by offering lower premiums to us to get your business. This year we are running at 159% utilization, that's for every \$1.00 we pay in premiums, the insurance company is paying out a \$1.59. Michelle said that is obviously not what they want to see which is driving the cost of our renewal up with UHC. Michelle said United Healthcare's renewal quote was 39.09% above our current rate, and Aetna declined because they weren't competitive. Michelle advised they will see Blue Cross Blue Shield is offering a 7.58 % renewal over current so with this information, Hub International's recommendation is to move to Blue Cross Blue Shield. Mitchell commented we had better be prepared for next year, with no other options. Michelle explained the plans and how to read and see the differences/comparisons, dental 6.5% increase, \$1,000.00 over last year. Mako asked if they had shopped for dental, Michelle advised she believed they did, and usually when they go to the market, they go for all benefits. Mayor Low advised it was better than the 30% quoted. Foley said the fixed rate allotment as far as budget would cover all single employees to date. Mayor Low asked for a motion to approve, Mako motioned to approve, Mitchell, seconded, all voted in favor and the motion passed.

4:12 p.m., Mayor Low advised deviating back to Agenda item #3 for the Webelos since all were present.

#### **6. Discussion/Action: Adopting policy regarding the use of Tik Tok and other applications on City Government purchased equipment, as Required by State Law.**

Mayor Low asked Foley to explain, Foley stated Governor Abbott, as per state law, is requiring that all cities pass a policy that prohibits such social media applications as Tik Tok. Foley advised that the change has been added to our employee policy and all employees have been read into this new policy and have all signed acceptance letters. Foley stated we have until November 20<sup>th</sup> to approve the change to the policy. Mayor Low advised all have had a chance to review the model policy and asked if anyone had questions on adopting the policy. There were none, Mayor Low asked for a motion to approve adopting resolution number 1543, Lanfear made the motion to approve, Mako, seconded, all voted in favor and the motion passed.

#### **7. Discussion: Discussion on Amending Building/Demolition Permit Fees and Required Time Limit for Demolition/Building.**

Foley advised Rick to catch council up with this item and with Richard's help if needed. Rick advised when the code was codified, we had an ordinance limiting the time for permits, permits were good for a year, if you wanted a two year permit you paid a double fee, when this was codified that part was dropped off so we want to put this back into our ordinances. Richard advised right now we have a default international building code permit timeline, and in the building code any permit that has no action in 6 months, expires, that is the default. Richard advised he believed in 2020 the city took an effort to change from a default permit scheme, because during covid, and with the types of houses our community built, everything was taking forever, and we were trying to acknowledge that. Lindner said the city went to a permit scheme so that there were options to buy 1, 2 or 3 year permits for different prices and then used monetary incentives not to go over the time of purchase but all that went away when you codified or when you did your most recent building code adoption. Linder continued by saying right now the city has expiration dates, if

you want customized ones we would have to go through and either start from what we had last time or discuss with your current building inspector's consultant B&B to see if they have any thoughts on it. Mayor Low asked if we have constraints on what keeps a permit valid. Richard advised the city is limited to grandfathering law but going forward as far as the individual permits the decision is up to the council. The mayor asked if Foley had anything to add, Foley advised he looked at this as a discussion item because we want to get an idea from council on what the perimeters were that you want to see. Foley asked the council if they wanted to go back to the schedule permitting process or to stick with the current building code. Foley said he would like to get with Richard, we have already spoken to B&B, Rick has reached out to Alamo Heights and asked what they do as far as demolition permits and he has that information for you. Foley said staff would like to come back in December and have all that together and pass it, Foley asked Richard if we would need another ordinance, Richard advised we would need another ordinance and would need a public hearing. Richard advised our customized ordinance was based very loosely after Olmos Park so we might check with Olmos Park on how that is going. Richard explained the 1, 2, and 3-year permit with different cost advised if \$10,000 square feet home, may be a 3-year permit if they can't build in a year. Mitchell stated that some builders start a job, 8 years later, do work, go away for 4 months, would be an incentive for builders to continue to work. Mayor Low advised to shorten demolition and building permits and it might help reduce demolition houses that are an eyesore/public safety hazard. Foley asked Rick what we found out on Alamo Heights, demo fees. Rick advised for their fees they go off valuation and he thinks it was 2 percent depending on what table they fall on, it goes to a 2, then a 1 percent, .85 percent depending on valuation of the demo. The mayor asked how long they are good for, Rick advised 180 days from what he understood. Mayor Low asked, under our old ordinance before it was dropped, how long our permit was good for, Rick advised for a year. Mayor asked Richard were there any restraints, could we shorten it to 90 days, Richard advised he believed he could if you have a good basis for it and had the statements on the record about how prolonged demolitions can be a nuisance to the neighborhood and state of disrepair. Mayor Low asked if anyone else had any ideas or thoughts on things staff could produce before revisiting this. Mitchell stated he would like to see what staff comes up with and revisit what we did before it was codified. Foley asked Mitchell if he was happy with the existing ordinance, Mitchell advised he thinks it did its job and again its not to punish the builders who are working on large houses it's to help us move the process along on the houses that are not being worked on continuously. Foley asked if staff's direction would be to bring back in December something that was similar to what we had before codification, Mitchell and Mayor advised yes. Mayor Low advised he would like to provide commercially reasonable standards to enhance the progress. Foley advised if he is understanding correctly that ordinance would be a baseline and work with Richard to see if we can enhance that, Mayor Low advised, absolutely. Foley asked if the council was happy with the cost of demolition permits, he added that the current \$300 matches Alamo Heights. Mitchell advised that he did not think raising the fee on it was going to take care of the problem that we are having. The mayor advised he thinks it's about the time limit and that the goal is to facilitate a timely demo. Mayor Low stated he thinks to consider escalating renewal fees to encourage builders to take care of their demolition if it goes from \$300, \$600, to \$900. Foley asked to look into changing the renewal fees, Mayor advised yes and see what other cities are escalating renewal fees. Foley advised we would get Richard on that as well. Mayor Low thanked all for the discussion and Rick for his research and seeing what they can produce, understanding it is an issue that we want to discuss in a little more detail.

## **8. Public Hearings:**

A. 253 Seford opened at 4:43 p.m., closed at 4:48 p.m.

Mayor Low asked if anyone there to speak about the property, there were none. Rick advised on the 10/17/2024 inspection, the city boarded the property on 09/30/2024 for safety, it is vacant, there are no utilities, letters were sent to owner, no action was taken by the owner, there is trash inside. Rick also said an invoice was sent and has not been paid. Mayor Low asked Richard at what point could we set a lien on the property, Richard advised he thinks couple weeks and he will look into that. The mayor asked Foley if he had anything to add. Foley referred the council to the report that was submitted as evidence of the inspections. In the report, they will see it contains different sections for

Rick, B&B Inspections, Fire and Police Department and all department heads' comments are noted within that report. All Departments notes show they agreed that they all believe the property is a safety risk, they also note that there is a lot of debris inside and rotting, you will also see where Knupp believes there is a fire hazard and all three of the reports have comments from each person. Mayor Low advised he commended all on their reports, comprehensive and very well done. Mayor asked Gail if we had any police that they are currently walking around making sure all doors are in place, Mayor advised he assumes all departments are keeping a log on times spending on these and the manpower that it takes and then closed the session at 4:48 p.m.

B. 344 Tuttle opened at 4:48 p.m. and closed at 4:50 p.m.

Mayor Low asked if anyone there to speak about the property, there were none. The mayor asked Rick if he could fill them in. Rick advised they went out again to inspect, all windows were missing, no sheetrock on walls, construction debris on the floor, that they started the demo with no permit, there was no gas and no electricity and so the city boarded the home to secure it. Rick stated there was still some trash and construction debris inside the building. Mayor Low asked if this looked like a demolition or deliberate, Rick advised, yes, it appears it is demolition as there are piles and appearance of torn sheet rock on the floor. The mayor asked Gail if they were doing the same thing, regarding patrolling. The mayor asked Billy and Justin if the comments were the same. Knupp advised, yes.

C. 813 Terrell opened at 4:50 p.m., and closed at 4:52 p.m.

Mayor Low asked if there were any owners or citizens present to speak about the property, there were none. Mayor Low asked Rick to speak. Rick advised there were no windows, no sheet rock, the owner's started demo, construction debris still in the house, gas and electric meters were pulled by CPS, and the demo permit was pulled. The mayor asked if there was any indication that someone was occupying the property. Rick replied no. Mayor asked if they are mowing the property, Gail advised they have been staying on top of the mowing. The mayor again asked if departments are keeping a log so we could recoup our costs in liens. Mayor Low asked if there were any questions, there were none.

**9. Executive Session: Pursuant to Texas Government Code Section 551.071 (consultation with attorney)- Council may recess into closed session to discuss building or structure that constitutes a dangerous substandard structure and/or public nuisance located at 253 Seford, 344 Tuttle and 813 Terrell.**

Open at 4:54, closed at 5:46 p.m., no action taken.

**10. Discussion/Action: on whether the Property contains a building or structure that constitutes a dangerous, substandard structure and/or public nuisance, and a potential order to vacate, repair, secure and/or demolish such building or structure located at:**

**1. 253 Seford-**Mayor approve order to secure property and abate nuisance as defined in order, no owners present, 30 days to remove debris inside, Mako motioned to approve, Mitchell seconded, all voted in favor, motion passed.

**2. 813 Terrell-** No owners present, secure property, abate nuisance within, Mako motioned to approve, Ballantyne seconded, all voted in favor, motion passed.

**3. 344 Tuttle-**No owners present, secure property, abate nuisance within 30 days, Mitchell motioned to approve, Mako seconded, all voted in favor, motion passed.

**11. Discussion about monthly reports as submitted in the council packets.**

There were none. Foley reminded the council about the Christmas Holiday Party on December 6th.

**12. Adjournment**

The meeting adjourned at 5:51 p.m.

ATTEST:

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MAYOR

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SECRETARY-MANAGER