

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, May 7, 2019

Present:

Mayor Brenda Gunter
Mayor Pro tem Lane Carter, SMD 5
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Billie F. DeWitt, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:32 a.m. on Tuesday, May 7, 2019 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer

An invocation was provided by San Angelo Police Department Chaplain Gary Jenkins. [Mayor Gunter congratulated Mr. Jenkins on his retirement and thanked him for serving the City of San Angelo.]

3. Pledges

Pledges were led by sisters Ivy (6th grade) and Willow (3rd grade) Dill.

4. Proclamations/Recognitions

May 2019 was proclaimed National Asian Pacific Heritage Month

May 2019 was proclaimed National Safety Council's Motorcycle Safety Awareness Month

May 2019 was proclaimed National Mental Health Awareness Month

May 6-12, 2019 was proclaimed National Nurses Week

May 5-11, 2019 was proclaimed National Travel & Tourism Week

May 12-18, 2019 was proclaimed National Police Week and May 15, 2019 as Peace Officers' Memorial Day

May 18, 2019 was proclaimed Simply Texas Blues Festival Day

5. Public Comment

No public comment was made.

Council Member DeWitt thanked the Police and Fire Department that responded to a recent family emergency and specifically recognized Police Officers Hamilton, Barker, and Potts for their care and concern.

6. Consent Agenda (Old Business)

- a. Approval of the April 16, 2019 City Council regular meeting minutes (Julia Antilley)
- b. Authorization of the City Manager to execute a consent to assignment of the Lease Agreement of 21.536 acres located at 2838 College Hills Blvd., to Sports Next Level, LLC (Cindy Preas)
- c. Approval of a lease agreement renewal between San Angelo Independent School District and the City of San Angelo for the Carl Ray Johnson Recreation Center and Safety City property at 1103 Farr St. (Brent Casey)

- d. Adoption of a resolution authorizing a special event known as "Wake the Desert 2019" and approving variances to City ordinances at Middle Concho Park for July 12-14, 2019 (Carl White) (Pg. 196, 2019-055)
- e. Second reading and adoption of an ordinance amending Chapter 11 "Utilities", Article 11.05 "Water Conservation and Drought Contingency Plan" by deleting the adoption date from ordinance language (Allison Strube) (Pg. 198, 2019-056)
- f. Second reading and adoption of an ordinance approving a street name change for "King Mill Dr." and "Wedgewood Ct." to "King Mill Cir.", over the complete length of these street rights-of-way, 340 and 345 linear ft respectively (Jon James) (Pg. 199, 2019-057)
- g. Second reading and adoption of an ordinance approving the abandonment of approximately 45.6-sq ft of the N. Chadbourne St. public right-of-way; located adjacent to 50 N. Chadbourne St. (Jon James) (Pg. 200, 2019-058)
- h. Second reading and adoption of an ordinance approving case Z19-03 a rezoning from the existing General Commercial/Heavy Commercial Zoning District (CG/CH) and Two Family Residential District (RS-2) to General Commercial (CG) on property located at 918 N. Chadbourne St. (Jon James) (Pg. 203, 2019-059)
- i. Second reading and adoption of an ordinance for Z19-04, a rezoning from the Neighborhood Commercial (CN) and Single-Family Residential (RS-1) Zoning Districts to the General Commercial (CG) and Office Commercial (CO) Zoning Districts for land generally located between W. Houston Harte Expy., Howe St., Freeland Ave., and Millsbaugh St.; comprising a total of 7.04 acres (Jon James) (Pg. 206, 2019-060)
- j. Second reading and adoption of an ordinance amending Chapter 8 "Offenses and Nuisances", Article 8.11 "Outdoor Lighting", Section 8.11.005 "Light Trespass" to change the allowable maximum intensity to 0.5 footcandles (Theresa James) (Pg. 209, 2019-061)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the consent agenda. The motion carried unanimously (6) ayes to (0) nays.

7. Special Agenda

- a. Administration of Oaths of Office for Single Member District Representatives 1, 3, and 5 and presentation of Certificates of Election
The Oaths of Office were administered for Council Member Hiebert (by City Clerk Julia Antilley), Council Member Thomas (by Judge Jay Daniel), and Council Member Carter (by Judge Jay Daniel) with presentation of Certificates of Election made by Mayor Brenda Gunter.
- b. Introduction of Special Guests
Council Member Carter introduced and thanked his special guests.

Note: a brief reception was held immediately following the Special Agenda. The Regular Agenda with the newly seated Council Members began after recess for the reception.

New Quorum Present:

Mayor Brenda Gunter

Mayor Pro tem Lane Carter, SMD 5

Council Member Tommy Hiebert, SMD 1

Council Member Tom Thompson, SMD 2

Council Member Harry Thomas, SMD 3

Council Member Billie F. DeWitt, SMD 6

8. Regular Agenda

- a. Water Utilities presentation containing:
 - 1. Approval of the 2019 Water Conservation Plan

2. Discussion and direction for customer programs (Presentation made by Water Utilities Director Allison Strube)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to accept the staff recommendation and approve item 8a1. The motion carried unanimously (6) ayes to (0) nays.

Consensus: Direction was given, regarding item 8a2, to bring an ordinance for first reading removing the existing conservation discount and adding the three customer programs recommended by staff.

- b. Public hearing and approval of first reading of an ordinance amending Chapter 10 "Traffic Control", Article 10.03 "Operation of Motor Vehicles", Division 2 "Speed Limits" altering the maximum speed limit on E. Ave. D beginning at the intersection of S. Oakes St. extending east to Rust St. (Presentation made by Assistant Operations Director Patrick Frerich)

Citizen Steve Hampton expressed concern.

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve the item, as presented. The motion carried unanimously (6) ayes to (0) nays.

- c. Public hearing and approval of first reading of an ordinance approving case Z19-05, a rezoning from the Low-Rise Multi-Family (RM-1) Zoning District to the General Commercial (CG) Zoning District, on 2.047 acres located in the 5100 block of W. Houston Harte Expy. (Presentation made by Planning & Development Services Director Jon James)

Citizen Steve Hampton expressed concern.

Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, to approve the item, as presented. The motion carried unanimously (6) ayes to (0) nays.

- d. Public hearing and approval of first reading of an ordinance amending Chapter 12 "Planning and Development", Exhibit A "Zoning Ordinance", Section 511 "Off-Street Parking Standards" and Section 512 "Loading Standards", establishing new standards and revisions to existing standards for parking and loading (Presentation made by Planning & Development Services Director Jon James)

Citizen Steve Eustis requested clarification on certain parking scenarios.

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item, as presented. The motion carried (5) ayes to (1) nays, with Council Member DeWitt casting the dissenting vote.

- e. Ratification of a resolution by the COSADC Board authorizing the Board President or his designee to negotiate and execute a Memorandum of Understanding with the City of San Angelo relating to infrastructure improvements necessary for platting a 153.007 +/- acre portion of the subdivision of Phase II of the San Angelo Business & Industrial Park encompassing a future allocation of up to \$4,000,000 (Presentation made by Economic Development Project Manager Robert Schneeman) (Pg. 210, 2019-062)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the item, as presented. The motion carried unanimously (6) ayes to (0) nays.

- f. Ratification of COSADC's approval regarding the purchase of a vacant tract of land being 180 +/- acres out of J C Matthews Abstract 8071, Survey 0178, and being a parcel of property located adjacent to the south right-of-way of FM 2105 approximately 1.5 miles west of the intersection of FM 2105 and Hwy 277, and authorizing the board president to negotiate and execute a contract for the purchase of the real estate as presented at \$3,000 per acre plus

related costs, and to execute all related documents (Presentation made by Economic Development Project Manager Robert Schneeman)

Motion: Council Member Carter made a motion, seconded by Council Member Hiebert, to approve the item, as presented. The motion carried unanimously (6) ayes to (0) nays.

- g. Public hearing and approval of first reading of an ordinance amending Appendix A "Fee Schedule", by deleting article A3.011 "Bus Fares" and replacing it with article A3.011 "Airport Badge Fees" (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Thompson made a motion, seconded by Council Member Hiebert, to approve the item, granting pre-approval to the Finance Director to move fees 1/3 of the way to 100% cost reimbursement each year for three years, with the Finance Department evaluating cost of service and adjusting fees annually. The motion carried unanimously (6) ayes to (0) nays.

- h. Public hearing and approval of first reading of an ordinance amending Appendix A "Fee Schedule", by amending Article A6.005(a) "Park Facility and Activity Fees" for youth leagues and tournaments (Presentation made by Finance Director Tina Dierschke)

Citizen Steve Hampton spoke in approval of fees at actual cost of service.

Motion: Council Member Thompson made a motion, seconded by Council Member Thomas, to approve the item, adding a fee "Youth Volleyball" at \$300 and "Youth Volleyball with Jerseys" at \$360. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member DeWitt made a motion, seconded by Council Member Carter, to approve the item, making all "Adaptive Leagues" \$30 per player. The motion carried unanimously (6) ayes to (0) nays.

Consensus: Direction was given to bring an ordinance for first reading addressing the three "Other" fees for recreation special events/tournaments along with the overall Track Program Fees when cost of service background is available.

- i. Public hearing and approval of first reading of an ordinance amending Appendix A "Fee Schedule", by amending Article A6.005(c) "Nature Center Fees" for memberships and special event fees (Presentation made by Finance Director Tina Dierschke)

Citizen Steve Hampton expressed concern.

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve the item, as presented, for Individual and Family Memberships, granting pre-approval to the Finance Director to move fees 1/3 of the way to 100% cost reimbursement each year for three years, with the Finance Department evaluating cost of service and adjusting fees annually. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item, Birthday Parties at a fee of \$80. The motion carried unanimously (6) ayes to (0) nays.

- j. Public hearing and approval of first reading of an ordinance amending Appendix A "Fee Schedule", by amending Article A11.000, "Fire and Rescue Service Fees" for ambulance related fees (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Thompson made a motion, seconded by Council Member Hiebert, to approve the item, Advance Life Support Type 1 Emergency, as presented, granting pre-approval to the Finance Director to move fees 1/3 of the way to 100% cost reimbursement each year for three years, with the Finance Department evaluating cost

of service and adjusting fees annually. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member Thompson made a motion, seconded by Council Member Hiebert, to approve the item, Advance Life Support Type 2 Emergency, as presented, granting pre-approval to the Finance Director to move fees 1/3 of the way to 100% cost reimbursement each year for three years, with the Finance Department evaluating cost of service and adjusting fees annually. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member DeWitt made a motion, seconded by Council Member Carter, to approve the item, Basic Life Support Emergency and Non-Emergency, as presented, granting pre-approval to the Finance Director to move fees 1/3 of the way to 100% cost reimbursement each year for three years, with the Finance Department evaluating cost of service and adjusting fees annually. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member Thompson made a motion, seconded by Council Member Thomas, to approve the item, Mileage Fee at \$14 per patient mile. The motion carried unanimously (6) ayes to (0) nays.

- k. Public hearing and approval of first reading of an ordinance amending Appendix A "Fee Schedule", by amending Article A15.003(h) "Other Rental Fees" for Civic Events facility use fee (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Thomas made a motion, seconded by Council Member DeWitt, to approve the item, as presented. The motion carried unanimously (6) ayes to (0) nays.

- l. Public hearing and approval of first reading of an ordinance amending Appendix A "Fee Schedule", by amending Article A9.000 "Planning Related Fees" (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Thompson made a motion, seconded by Council Member Thomas, to approve the item, Administratively Eligible Amendment Fee at \$130. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member DeWitt, to approve the item, DHRC Administratively-Eligible Fee at \$90. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the item, Classification Sign Fee at \$22. The motion carried unanimously (6) ayes to (0) nays.

- m. Public hearing and approval of first reading of an ordinance amending Appendix A "Fee Schedule", by amending Article A2.000 "Building and Construction Related Fees" (Presentation made by Finance Director Tina Dierschke)

Home Builders Association's Kristen Oliver thanked staff for their support.

Motion: Council Member Thompson made a motion, seconded by Council Member Hiebert, to approve all fees with a cost reimbursement of 75% by year three, with fees moving 1/3 of the way to 75% each year. The motion carried unanimously (6) ayes to (0) nays.

- n. Appointment of Mayor Pro Tempore and appointment of City Council Members to Boards and Commissions (Presentation made by City Clerk Julia Antilley)

Motion: Council Member Carter made a motion, seconded by Council Member Thompson, to approve the item, nominating Council Member Thomas as Mayor Pro Tempore, keeping all other board appointments as is.

Motion: Council Member Carter amended his motion, with the second amended by Council Member Thompson, to approve the item, nominating Council Member Thomas as Mayor Pro Tempore, keeping all other board appointments as is, and reinstating the Ports-to-Plains Backup position with Council Member Carter filling that appointment. The motion carried unanimously (6) ayes to (0) nays.

9. Closed Session

Executive Session under the provision of Government Code, Title 5. Open Government; Ethics, Subtitle A. Open Government, Chapter 551. Open Meetings, Subchapter D. Exceptions to Requirement that Meetings be Open under the following sections:

- a. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, regarding:
 - Ford Ranch
 - Property commonly known as "City Farm"

10. Follow Up and Administrative Issues

- a. Consider items discussed in Closed Session, if needed

Motion: Council Member Hiebert made a motion, seconded by Council Member DeWitt, to authorize the City Manager to negotiate and execute a lease agreement with Recurrent Energy for up to 342 acres located along Highway 67, for the development of a solar farm, contingent on Recurrent Energy negotiating access to the Red Creek Substation within 180 days. The motion carried unanimously (6) ayes to (0) nays.

- b. Approval of the following board nomination:

Keep San Angelo Beautiful: Sally Ayana (SMD6) to a first term ending September 2021

Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, to approve the appointment. The motion carried unanimously (6) ayes to (0) nays.

- c. Discussion and consideration of:
 - July meeting schedule
 - Budget Workshops/Tax Hearings (August and September)

Consensus: Discussion to keep the July meeting schedule as planned (July 2nd and 16th), to meet each week in August (1st and 3rd Tuesday for City Council, 2nd and 4th Tuesday for Budget Workshops), and meet September 3, 2019 for the Budget Tax Hearing.

- d. Announcements and consideration of Future Agenda Items

No announcements were made.

11. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to adjourn the meeting. The motion carried unanimously (6) ayes to (0) nays.

There being no further business, the meeting was adjourned at 2:33 p.m.

Official Minute Record
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THE CITY OF SAN ANGELO, TEXAS:

DocuSigned by:

Brenda Gunter

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Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

Julia Antley

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Julia Antley, City Clerk

In accordance with Chapter 2, Article 2.300, of the Official Code of the City of San Angelo, the minutes of this meeting consist of the preceding Minute Record and the Supplemental Minute Record. Details on Council meetings may be obtained from the City Clerk's Office or a video of the entire meeting may be purchased from the Public Information Officer at 481-2727. (Portions of the Supplemental Minute Record video tape recording may be distorted due to equipment malfunction or other uncontrollable factors.)