

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, April 19, 2016

Present:

Mayor Dwain Morrison
Council Member Rodney Fleming
Council Member Marty Self
Council Member Johnny Silvas
Council Member Lucy Gonzales
Council Member Elizabeth Grindstaff

1. Call to Order

With a quorum of the City Council Members present, Mayor Morrison called the regular session of the San Angelo City Council to order at 8:31 a.m. on Tuesday, April 19, 2016, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Prayer and Pledge

An invocation was provided by Dr. Don Jackson, Pastor of Parkside Community Foursquare Church; and the pledges were led by Tammy Fluitt's 3rd Grade Class from Fort Concho Elementary.

3. Proclamations/Recognitions

"Save Safety City" April 9th, 2016, was received Mrs. Fluitt's Third Grade Class at Ft. Concho Elementary

"Lemonade Day" May 7th, was received by Boomer Kingston Operations Manager & Program/Music Director for KGKL

"Public Safety Telecommunicators Week" April 10-16, was received by Lieutenant Les Bird Assistant Police Chief Jeff Fant

Recognition of the Public Information Office's two Gold Awards at the 2016 local ADDY Awards, including a Best of Show for #ThisPlaceMatters was received by Public Information Officer Anthony Wilson and Multimedia Coordinator Brian Groves

Recognition of The Concho Valley Home for Girls/Children's Emergency Shelter was received by Sammye Ruppeck, Executive Director, Concho Valley Home for Girls/Children's Emergency Shelter; Ricky Rogers and Randy Blackwood Festival Organizers and members of Concho Grass Bluegrass Band

4. Note: At 12:00 p.m. a recess will be taken to allow for a Special Joint Meeting with City of San Angelo Development Corporation

5. Public Comment

R.A. Cantrell requested a poll of citizens to be taken on the possibility of changing of bulk trash pickup to the Alley. Citizen Harry Thomas invited the citizens of Single Member District Three to attend two upcoming town hall meetings. Public Information Officer Anthony Wilson noted the City's Channel was now broadcasting in high definition. City Clerk Bryan Kendrick noted that early voting for the May 7th General Election would begin on April 25th.

6. Consent Agenda

- a. Approval of the April 5, 2016 City Council regular meeting minutes
- b. Approval of adopting a resolution authorizing applicant, San Angelo Chamber of Commerce, to hold a special event at Lake Nasworthy, known as, "Craig Partusch Memorial Showdown in San Angelo," permitting specified activities; imposing requirements on applicant; and granting variances relating to rules and regulations of Lake Nasworthy and park ordinances
- c. Approval of authorizing staff to negotiate an agreement, with Ronald R. Wagner & Co., L.P. for sealcoat services per Request for Sealed Competitive Proposal (RFSCP): ES-01-16 / 2016 Annual Sealcoat Project in an amount not to exceed \$3,600,000 and authorizing the City Manager to execute an agreement between the City of San Angelo and Ronald R. Wagner & Co., L.P.
- d. Approval of adopting a resolution authorizing applicant, Simply Texas Blues Festival Committee, to hold a special event downtown, known as, "Simply Texas Blues Festival," permitting specified activities; imposing requirements on applicant; and granting variances relating to rules and regulations of ordinances
- e. Second reading and adoption of an ordinance amending the 2015-2016 budget for grants and capital projects

Motion: Council Member Silvas made a motion, seconded by Council Member Grindstaff, to approve the Consent Agenda, with the exception of item 6c. The motion carried unanimously (6) ayes to (0) nays.

City Engineer Russell Pehl presented background information on item 6c.

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

7. Regular Agenda

- a. Annual update and discussion of the City's Wellness Program - (A presentation was made by Human Resources Director Lisa Marley and Wellness Coordinator Janet Charlesworth)

No action was taken on this item.

Recess: at 9:44 a.m. Mayor Morrison called for a recess

Reconvene: at 10:00 a.m. the meeting was called back to order.

- b. Update on a portion of Bart DeWitt Park associated with the Eggemeyer lease to create an historical agricultural museum, now under a new non-profit organization, the Farm and Ranch Museum and discussion of terms for a new lease - (A presentation was made by Parks and Recreation Director Carl White, San Angelo Museum of Fine Arts Executive Director Howard Taylor and board members John Hemphill, Raul Ruiz and Eric Eggemeyer)

No action was taken on this item.

- c. Consider adopting a resolution approving a Memorandum of Understanding with the Bureau of Reclamation and Texas Parks and Wildlife Department for the creation and management of public hunting lands at the Twin Buttes Reservoir - (A presentation was made by Parks and Recreation Director Carl White and Game Warden Jason Huebner)

Citizen Lloyd Davidson and Dennis Sonnenberg expressed concerns regarding possible over-regulation of citizens.

Motion: Council Member Grindstaff made a motion, seconded by Council Member Fleming, to adopt the resolution, as presented. The motion carried unanimously (6) ayes to (0) nays.

d. Approval of second public hearing and adoption of ordinances amending Appendix A fee schedule of the code of ordinances:

- Creating article A14.000 facility use fees, section A14.001 airport conference room;
- Deleting and replacing article A11.000 fire and rescue service fees;
- Deleting and replacing article A12.000 fire safety inspection fees;
- Amending article A9.000 planning related fees; and
- Deleting and replacing article A2.000 building and construction related fees

(A presentation was made by Budget Manager Morgan Chegwidden)

Mayor Morrison expressed concerns on the amounts of increase for these fees.

Council Members Grindstaff, Fleming, and Silvas noted that moving fees to cover the cost of service reduces the amount of subsidy that comes from tax dollars to provide these services. Citizen Bill Ware expressed concerns over raising fees.

Citizen Jim Turner spoke about the philosophical issues related to taxes and user fees.

Motion: Council Member Fleming made a motion, seconded by Council Member Grindstaff, to adopt the ordinances. The motion carried (5) ayes to (1) nays, with Mayor Morrison casting the dissenting vote.

e. Approval of first public hearing and consideration of ordinances amending Appendix A fee schedule and chapter 11 of the code of ordinances:

- Amending article A6.000 "Park Use Fees" (Real Estate/Finance);
- Amending article A1.000 "Animal Control Services Fees";
- Amending article 11.05 "Water Conservation and Drought Contingency Plan" and article A.8000 "Utility Related Fees"; and
- Amending article A.8000 "Utility Related Fees" and chapter 11 "Utilities", article 11.02 "water and sewer service"

(A presentation was made by Budget Manager Morgan Chegwidden)

Motion: Council Member Fleming made a motion, seconded by Council Member Grindstaff, to approve the first reading, with the fees at the estimated cost of service, with the exception of the Animal Services related fees and the late fees on the leases, which would be changed to the proposed fee. The motion carried (5) ayes to (1) nays, with Mayor Morrison casting the dissenting vote.

f. Postponement of First Reading and Public Hearing on an ordinance amending Chapter 2, "Administration and Personnel", Article 2.07, "Boards, Committees, and Commissions", Division 10, "Tax Increment Reinvestment Zone Board", and removing Chapter 2, "Administration and Personnel", Article 2.07, "Boards, Committees, and Commissions", Division 11, "Downtown Development Commission"

Consensus of City Council was to postpone this item until the next City Council Meeting.

g. Postponement of discussion and consideration of amendments to the bylaws for the Tax Increment Reinvestment Zone Board

Consensus of City Council was to postpone this item until the next City Council Meeting.

h. Approval of First Reading and Public Hearing for Case Z16-01, an Ordinance approving a request from Jared Matlock to authorize a Rezoning from the Low Rise Multi-family Residential (RM-1) Zoning District to the Office Commercial (CO) Zoning District, on 0.14 acres generally located

along the south side of West First Street, across from Farr Street - (A presentation was made by Planning & Development Services Director Jon James)

Motion: Council Member Silvas made a motion, seconded by Council Member Self, to approve the first reading, as presented. The motion carried unanimously (6) ayes to (0) nays.

- i. Approval of First Reading and Public Hearing for Case Z16-02, an Ordinance approving a request from Bryan Burger to authorize a Rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District, on 1.30 acres generally located at the corner of Knickerbocker Road and South Jackson Street - (A presentation was made by Planning & Development Services Director Jon James)

Motion: Council Member Grindstaff made a motion, seconded by Council Member Fleming, to approve the first reading, as presented. The motion carried unanimously (6) ayes to (0) nays.

- j. Consider adopting a resolution approving a Memorandum of Understanding (MOU) with the San Angelo Performing Arts Coalition (SAPAC) modifying an existing MOU describing fiscal responsibilities relating to the Renovation of the Auditorium and the approval of a Change Order to the Lee Lewis Construction contract for selected alternates and construction allowance totaling \$593,916 and authorization to execute any related documents - (A presentation was made by Assistant City Manager Rick Weise and Construction Manager David Knapp)

Motion: Council Member Silvas made a motion, seconded by Council Member Grindstaff, to adopt the resolution, as presented. The motion carried unanimously (6) ayes to (0) nays.

Recess: at time 12:00 p.m.. Mayor Morrison called for a recess

Reconvene: at time 1:27 p.m. the meeting was called back to order.

- k. Consider adopting a resolution authorizing the Public Works Department to adopt and implement the Construction Details and Approved Materials List for Water and Sewer in order to ensure reliable and consistent development of the municipal water distribution and sanitary sewer systems infrastructure for San Angelo - (A presentation by City Engineer Russell Pehl)

Motion: Council Member Silvas made a motion, seconded by Council Member Grindstaff, to adopt the resolution, as presented. The motion carried unanimously (6) ayes to (0) nays.

- l. First public hearing and introduction of an ordinance amending the 2015-2016 budget for a capital project - (A presentation was made by Budget Manager Morgan Chegwiddden)

Motion: Council Member Silvas made a motion, seconded by Council Member Fleming, to approve the first reading, as presented. The motion carried unanimously (6) ayes to (0) nays.

- m. Discussion and consideration of the possibility of issuing rebates of water fees - (A presentation was made by Budget Manager Morgan Chegwiddden)

Motion: Council Member Grindstaff made a motion, seconded by Council Member Fleming, to accept staff's recommendation of no action at this time. The motion carried unanimously (6) ayes to (0) nays.

8. 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 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding:

1. 2013 Sealcoating Program Contract;
2. Martifer-Hirschfeld Energy Systems, LLC ET. AL.
3. Templeton Construction, Inc.; and
4. Denise Kendall V COSA ZBA 16C070-L2 (3221 RED BLUFF ROAD)

Consensus of City Council was to postpone this item until the next City Council Meeting.

- b. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding the contract with the Health Foundation

Consensus of City Council was to postpone this item until the next City Council Meeting.

9. Follow Up and Administrative Issues

- a. Consider possible action on matters discussed in Executive/Closed Session, if needed

No action was taken, no executive session was held.

- b. Consider approving various Board nominations:

COSADC: Todd Kolls (Mayor) to an unexpired term ending February 2017

Fort Concho Board Jason Pierce (SMD1) to an unexpired term ending January 2018

Zoning Board of Adjustment: Jean Cornell (SMD6) to an unexpired term ending January 2018

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

- c. Announcements and consideration of Future Agenda Items

Council Member Grindstaff asked for Water Conservation Incentives to be presented at a future meeting.

10. Adjournment

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

There being no further business, the meeting was adjourned at 1:37 p.m.

THE CITY OF SAN ANGELO

Dwain Morrison, Mayor

ATTEST:

Bryan Kendrick, 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.)