

City of San Angelo, Texas  
Regular City Council Meeting  
Tuesday, June 1, 2021

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Present:

Mayor Brenda Gunter  
Mayor Pro tem Harry Thomas, SMD 3  
Council Member Tommy Hiebert, SMD 1  
Council Member Tom Thompson, SMD 2  
Council Member Lucy Gonzalez, SMD 4  
Council Member Lane Carter, SMD 5  
Council Member Larry Miller, 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, June 1, 2021 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

**2. Chaplain Prayer & Pledges**

An invocation was provided by San Angelo Police Department Chaplain Gary Jenkins. Pledges were led by Police Department Chaplain Marcella Jenkins.

**3. Proclamations/Recognitions**

No proclamations/recognitions.

**4. Public Comment**

Mayor Gunter asked for prayers for SAPD Chaplain Pastor Dawkins' wife, she is seriously ill and currently hospitalized.

Mayor Gunter expressed her appreciation for everyone who participated in the Memorial Day events over the weekend. She announced the City will be hosting a 20-year anniversary event for 9/11 at 6:00 p.m. on September 12, 2021 at the River Stage. Citizens can contact Mayor Gunter if they have any ideas or thoughts for the event.

**5. Consent Agenda**

- a. Approval of the May 18, 2021 City Council regular meeting minutes (Julia Antilley)
- b. Award of AP-05-21 Airfield Painting to Eagle Airport Marking in the amount of \$45,674.73, budgeted for purchase in fiscal year 2021, and authorizing the City Manager to negotiate and execute all related documents (Jeremy Valgardson)
- c. Adoption of a resolution authorizing the City Manager to donate the old, removed playground materials from Unidad Park to Northridge Baptist Church and authorizing the City Manager to execute all related documents (Carl White) (Pg. 250, 2021-065)
- d. Adoption of a resolution authorizing the City Manager to donate the old lights and fixtures from the Ben Ficklin field to the Wall Education Foundation and authorizing the City Manager to execute all related documents (Carl White) (Pg. 251, 2021-066)
- e. Authorization of the City Manager to negotiate and execute a renewed agreement between the City of San Angelo and Nasworthy Lake Tours, LLC, to operate an excursion paddle wheel steamboat and non-motorized water craft rental concession at Spring Creek Park at Lake Nasworthy (Carl White)

- f. Authorization of the City Manager to negotiate and execute a Third Amendment to Commercial Lease Agreement - Spring Creek Marina with Golden Antlers, Inc, Lessee, including two small parcels: the adjacent public restrooms and adjacent fenced in storage area (Carl White)
- g. Extension of an MOU with Keep San Angelo Beautiful (KSAB) for three additional years and authorizing the City Manager to execute all related documents (Bob Salas)
- h. Ratification of COSADC's approval of a request by the San Angelo Convention and Visitors Bureau for partial funding of the Air Races to be held at the San Angelo Regional Airport on October 30 and 31, 2021 via a VIP Sponsorship of \$10,000 (Guy Andrews)
- i. Second reading and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021, for donations and reimbursed expenses (Tina Dierschke) (Pg. 252, 2021-067)
- j. Authorization of the City Manager to execute all documents necessary to allow a private, 6-inch, water line to remain within dedicated drainage easements and the public rights-of way of Beverly Dr. and Bentwood Dr.; and approve the location of a new private, 8-inch, water line designed to cross 3-public rights-of-way, being Bentwood Dr., Beverly Dr. and N. Bentwood Dr. (Cynthia Preas and Allison Strube)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve the Consent Agenda, with the exception of items 5c, 5d, and 5g. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Gonzales made a motion, seconded by Council Member Thomas, to approve items 5c and 5d, as presented by Parks and Recreation Director Carl White. The motion carried unanimously (7) ayes to (0) nays.

[Human Resources Director Bryan Kendrick spoke regarding the Compensation and Classification Committee's review process relating to item 5g.]

[Finance Director Tina Dierschke stated the Compensation and Classification Committee requires adequate funding before they recommend approving classification changes but would defer to City Manager Daniel Valenzuela's decision on whether to regrade the position.]

Motion: Mayor Gunter made a motion, seconded by Council Member Carter, to approve item 5g, clarifying that the three-year extension to the MOU is approved today, with discussions occurring within the budget process to address the \$10,000 increase. The motion carried unanimously (7) ayes to (0) nays.

## 6. Regular Agenda

- a. Report by San Angelo Area Foundation on Reconstruction Project for Barracks and Mess Halls 3 and 4 at Fort Concho (Introduction made by Rick Weise Assistant City Manager with presentation made by Matt Lewis CEO of San Angelo Area Foundation)

*San Angelo Area Foundation CEO Matt Lewis provided an update on the reconstruction project and announced Clearview Construction was selected as the contractor. The foundation is attempting to raise additional funds to include rebuilding Barracks 4, as part of the current bid. The project is scheduled to begin by July 1 and is estimated to be complete within 8-9 months.*

No Action Taken on this Item.

- b. Adoption of a resolution reauthorizing previously approved uses by approving a Special Use (SU21-01) to allow an indoor multi-use recreational facility and related recreational activities, daycare, community outreach, community services, and educational programs, on properties zoned Single-Family Residential and Two-Family Residential on the following property: Lifepoint Baptist Church, 810 & 811 Austin St. and 818 Kenwood Dr. (Presentation made by Planning & Development Services Director Jon James) (Pg. 255, 2021-068)

Mr. James offered three options for Council's consideration in deciding the case. Staff recommended approval of Option 1 whereby the special use could be limited as follows:

1. Limiting use to an athletics facility and related child care and educational programs.
2. Limiting the special use to only the gym and designated parking area.
3. Limiting the approval to Lifepoint Church as the property owner, with a change in ownership resulting in expiration of the special use.

*Lifepoint Baptist Church (LBC) Pastor Jay Clatworthy responded to questions from City Council.*

[Mayor Gunter read a statement. She also specified the City has a responsibility to ensure the church is treated the same as a business, and to protect the city/citizens from lawsuits.]

[Council Member Carter spoke about protecting neighborhoods and suggested limiting the permit. He stated he has received no noise or traffic complaints on the business.]

Initial Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve the Special Use Permit (SU21-01), with provisions that upon termination of the lease or the sale of the property the special use will revert back, that the permit is only effective for the gymnasium facility and adjacent parking, and to include the recommended conditions of approval presented today.

*LBC and Texas Tumbleweeds Gymnastics (TTG) Attorney Dustin Gaines stated the church is reinvesting the lease payments into renovating the property and highlighted the religious purposes of their partnership as outlined in their MOU.*

*Attorney representing Santa Rita homeowners Greg Gossett requested a recess to discuss the new proposal.*

Consensus: Council Member Carter made a motion to recess. By consensus the City Council agreed to table the item and resume discussions after addressing the remainder of the agenda.

Discussion on this item resumed at 10:32 a.m.

*Mr. Gaines requested the motion be amended to remove the provision restricting the lease to TTG.*

*H.R. "Winkie" Wardlaw (SMD5) stated an objection to the requested amendment and referenced a letter to TTG from September 2019 asking them not to move into Santa Rita, warning them of pending litigation.*

*Sarah Negovetich (SMD6), TTG Owner Landa Knight (Sonora), Bridget Barbee (SMD1), Sierra Morrison (Buffalo Heights), Jessica & Presley Parker (Mertzson), and Sarah Clatworthy (SMD5) all spoke in support of the LBC partnership with TTG.*

*Citizen Suzi Smith (SMD6) requested clarification on the impact of this zoning dispute on the Special Use permit at RiverView Restaurant.*

*Mr. Clatworthy requested the motion be amended to remove the lessee portion, but supports the other provisions presented by staff.*

Final Motion: City Attorney Theresa James clarified the motion as made by Council Member Carter and seconded by Council Member Gonzales, to approve the resolution [with the five conditions of approval and three staff recommendations from Option 1 as presented] will rescind, terminate, and replace SU19-03, and upon termination of the lease or sale of the property this special use will be terminated. The motion carried unanimously (7) ayes to (0) nays.

*This item taken out of order.*

- c. Selection of Mayor Pro Tempore for June 2021 through May 2023 election (Presentation made by City Clerk Julia Antilley)

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Motion: Mayor Gunter made a motion, seconded by Council Member Carter, to select Tom Thompson as Mayor Pro Tempore. The motion carried unanimously (7) ayes to (0) nays.

*This item taken out of order.*

d. Appointment of City Council Members to Boards and Committees (Presentation made by City Clerk Julia Antilley)

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to approve the existing committee assignments, with the addition of Council Member Miller to the Concho Valley Council of Governments Transit Board. The motion carried unanimously (7) ayes to (0) nays.

*This section taken out of order.*

**7. 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. 551.071 Consultation with Attorney regarding:
  - 1. Lake Nasworthy contracts and water rights
  - 2. GEXA contract

**8. Follow Up and Administrative Issues**

*This item taken out of order.*

- a. Consideration of items discussed in Closed Session, if needed

No Action Taken on this Item.

- b. Announcements and consideration of Future Agenda Items

Council Member Gonzales requested an update from Animal Services regarding the ordinance concerning stray and feral cats.

**9. Adjournment**

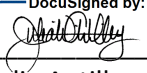
Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to adjourn the meeting. The motion carried unanimously (7) ayes to (0) nays.

There being no further business, the meeting adjourned at 11:00 a.m.

**THE CITY OF SAN ANGELO, TEXAS:**

**ATTEST:**

DocuSigned by:  
  
Brenda Gunter, Mayor

DocuSigned by:  
  
Julia Antilley, 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.)