

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, November 15, 2016

Present:

Mayor Dwain Morrison
Mayor Pro tem Charlotte Farmer, SMD 6
Council Member Bill Richardson, SMD 1
Council Member Marty Self, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Lane Carter, SMD 5

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 8:34 a.m. on November 1, 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 City Clerk Bryan Kendrick; and the pledges were led by San Angelo Christian Academy students: Alyssa Smith, Joshua Smith, Brooke Estrada, Shiloh DeLoy, and Tate Miller.

3. Proclamations/Recognitions

Council Member Lane Carter, Budget Manager Morgan Chegwidden, and COSADC board member Todd Kolls were recognized for being selected as "20 Under 40" Recipients.

December 3, 2016 was proclaimed "Concho Christmas Celebration Day", the proclamation was accepted by President of the Concho Christmas Celebration Lee Pfluger.

November 18, 2016 was proclaimed "National Adopting Day", the proclamation was accepted by Valarie Robbins.

4. Note: At 12:00 p.m. a recess will be taken to allow for a Special Joint Meeting with Tax Increment Reinvestment Zone Board

Mayor Morrison made the announcement regarding the joint meeting, as noted.

5. Public Comment

Neighborhood Services Director Bob Salas spoke about the upcoming meeting regarding possible future Low Income Housing Tax Credit (LIHTC) projects in San Angelo.

Council Member Farmer noted her upcoming Town hall Meetings regarding Short Term Rentals (December meeting), and Streets (January meeting).

Council Member Carter noted his upcoming Town Hall Meeting regarding Crime Prevention.

Council Member Gonzales congratulated the Central High School Football Team (the Bobcats).

Council Member Thomas invited everyone to attend the upcoming Christmas at Old Fort Concho.

6. Consent Agenda

- a. Approval of the November 1, 2016 City Council regular and November 7, 2016 City Council special meeting minutes
- b. Approval of appointments to MHMR Service for the Concho Valley Board of Trustees recommended by Liaison Representative Committee
- c. Adoption of a resolution authorizing the City Manager, or designee, to execute a Temporary Nonexclusive Sidewalk Use License Agreement to allow for a 248-square foot metal canopy located within the North Chadbourne Street and East College Avenue public right-of-ways and a 39-square foot canopy located within the East College Avenue public right-of-way, on property located at 38 North Chadbourne Street (Pg. 735, #2016-11-124)
- d. Approval of awarding FS-01-17 Asphalt Maintenance Truck Chassis to Corley Freightliner, in an amount of \$69,249, budgeted in FY17, for the purchase of one unit, and authorizing the City Manager or designee to execute any related documents
- e. Approval of awarding FS-02-17 Infrared Asphalt Maintenance Equipment to KASI Infrared, in an amount of \$182,710, budgeted in FY17, for the purchase of two units, and authorizing the City Manager or designee to execute any related documents
- f. Adoption of a resolution allowing the City Manager or his designee to negotiate and execute a contract with the Chamber of Commerce Convention & Visitors Bureau allocating Hotel Occupancy Tax fund (Pg. 741, #2016-11-125)
- g. Approval of purchases with Xylem/Flygt related to new and existing water and wastewater pumps for captive replacement parts, repairs, rebuilds, and replacements budgeted in FY17, FY18, and FY19 in the amount of \$200,000 annually
- h. Approval of second reading and adoption of an ordinance amending Chapter 5 "Business and Commerce" of the Code of Ordinances by adding Article 5.11 "Credit Access Businesses" (Pg. 743, #2016-11-126)
- i. Approval of second reading and adoption of an ordinance for Case Z16-07, approving a request for a rezoning from the Ranch and Estate (R&E) Zoning District to the General Commercial (CG) Zoning District for property generally located along the west side of Knickerbocker Road, between Red Bluff Road and Hilltop Drive, on 30.00 acres (Pg. 751, #2016-11-127)
- j. Approval of second reading and adoption of an ordinance amending Chapter One "General Provisions" of the Code of Ordinances by amending Section 1.04 through 1.09 (Pg. 759, #2016-11-128)

Motion: Council Member Richardson made a motion, seconded by Council Member Gonzales, to approve the consent agenda, with the exception of item 6e. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Richardson made a motion, seconded by Council Member Carter, to approve item 6e, as presented. The motion carried unanimously (7) ayes to (0) nays.

7. Regular Agenda

- a. Discussion and direction on feedback received from waste collection survey and public forums regarding possible changes to waste collection service
A presentation was made by Operations Director Shane Kelton

Consensus of Council was direction for staff to work with Republic to determine the possibility of adding a monthly bulk pickup without any increase in rates.

- b. Approval and public hearing of the 2015 Consolidated Annual Performance and Evaluation Report (CAPER)

A presentation was made by Neighborhood & Family Services Director Bob Salas

Motion: Council Harry Thomas made a motion, seconded by Council Member Self, to approve the CAPER, as presented. The motion carried unanimously (7) ayes to (0) nays.

- c. Approval of first reading and public hearing of an Ordinance approving a request for the following alley right-of-way abandonments: (a) two 10-foot-wide alleys within Blocks A & B of the J.P. Holmes' Resubdivision, consisting of approximately 1,912 square feet and (b) a 20-foot-wide alley in the south ½ of Block C, Baze Addition of the Malone Subdivision, consisting of approximately 7,898 square feet, generally located north of Upton Street, east of North Baze Street, south of Veck Street and west of the Texas-Pacifico Railway line

A presentation was made by Planning & Development Services Director Jon James.

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the ordinance, as presented. The motion carried unanimously (7) ayes to (0) nays.

- d. Approval of first reading and public hearing for Case PD16-05, an Ordinance approving a request for a rezoning from the General Commercial (CG) Zoning District to the Planned Development (PD) Zoning District for a Construction Yard with an Office, Shop, and Outdoor Storage, generally located along the northeast side of South Chadbourne Street, approximately 588 feet northwest of Texas Farm-to-Market Road 765, on approximately 8.140 acres

A presentation was made by Planning & Development Services Director Jon James

Motion: Council Member Richardson made a motion, seconded by Council Charlotte Farmer, to approve the ordinance, as presented. The motion carried unanimously (7) ayes to (0) nays.

- e. Approval of first reading and public hearing of an Ordinance for a text amendment to Chapter 12, Exhibit "A" Zoning Ordinance, for Intermodal Containers

A presentation was made by Planning & Development Services Director Jon James

Motion: Council Member Farmer made a motion, seconded by Mayor Morrison, to approve the ordinance, as presented, with the change to remove the requirements related to screening and the number of containers (permanent or commercial), changing the requirement to allow commercial sites to place containers on the rear or side of the property; and reducing the compliance time from one year to 90 days in R&E Zoning. The motion carried (5) ayes to (2) nays, with Council Members Richardson and Gonzales casting the dissenting votes.

Recess: At 10:27 a.m. Mayor Morrison called for a recess.

Reconvene: At 10:48 a.m. the meeting was reconvened.

- f. Approval of first reading and public hearing of an Ordinance for a text amendment to Chapter 12, Exhibit "A" Zoning Ordinance, for Accessory Structures

A presentation was made by Planning & Development Services Director Jon James

Motion: Council Member Thomas made a motion, seconded by Council Member Self, to approve the ordinance, increasing the size limitation from 5% to 10%. The motion carried unanimously (7) ayes to (0) nays.

- g. Approval of the 2017 health insurance premiums

A presentation was made by Human Resources/Risk Management Director Lisa Marley

Motion: Council Member Thomas made a motion, seconded by Council Member Self, to approve the premiums, as presented. The motion carried unanimously (6) ayes to (1) nays with Council Member Richardson casting the dissenting vote.

- h. Approval of first public hearing and introduction of an ordinance amending the 2016-2017 budget for grants and capital projects

A presentation was made by Budget Manager Morgan Chegwiddden

Motion: Council Member Thomas made a motion, seconded by Council Member Self, to approve the ordinance, as presented. The motion carried unanimously (7) ayes to (0) nays.

8. Closed Session

At 11:16 a.m. the Council convened into 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. Templeton Construction, Inc.~~
 - 3. Alsay, Inc.
- 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
- c. Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding:
 - 1. Assignment of water rights on the Ford Ranch
 - ~~2. West Texas Water Partnership~~
- d. Section 551.072 Deliberations about Real Property

At 1:02 p.m. the Council convened back to Regular Session.

9. Follow Up and Administrative Issues

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

No action was taken on this item.

- b. Postponement of the water rebate review to December 6, 2016

Consensus of Council was to postpone this item as requested.

- c. Consider approving the following board nomination:
Civic Events Board: Karen Abbott (SMD1) to a first full term ending October 2019
Fort Concho Museum Board: Lt. Col. Yukio Kuniuki III (By Position: GFAB Commander)

Motion: Council Member Self made a motion, seconded by Council Member Carter, to approve the ordinance, as presented. The motion carried unanimously (7) ayes to (0) nays.

- d. Possible action related to the City Council Meeting Schedule for December 2016

Consensus of Council was to cancel the meeting for December 20, 2016 and hold only one meeting on the 6th of December.

- e. Announcements and consideration of Future Agenda Items

10. Adjournment

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

There being no further business, the meeting was adjourned at 1:07 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.)