

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, February 7, 2017

Present:

Mayor Dwain Morrison
Council Member Bill Richardson, SMD 1
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 8:31 a.m. on Tuesday, February 7, 2017, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Prayer and Pledge

An invocation was provided by Ron Miller, a minister with Trinity Fellowship Church; and the pledges were led by Nikki Self, Emily Green, and Erin Elizabeth Morrison 5th graders from Wall Elementary School.

As part of Mayor Morrison's plan to showcase local musician talent Case Harden performed three songs.

3. Proclamations/Recognitions

No proclamations or recognitions were made.

4. Public Comment

Wayne Dolcefino expressed concerns about the landfill contract.

Several Citizens and volunteers from Critter Shack made public comments concerning the Trap Neuter Return ordinance.

Council Member Gonzales invited the public to attend the TxDot meeting on February 9th.

Council Member Thomas invited the public to attend Council Member Farmer's upcoming town hall meeting on February 9th.

Mayor Morrison announced that Council Member Farmer was attending a Ports-to-Plains meeting, and Council Member Self had a business meeting to attend.

5. Consent Agenda

- a. Approval of the January 17, 2017 City Council Regular Meeting minutes
- b. Approval of authorizing the sale of the following Lake Nasworthy properties to the current residential lot lease holder for the appraised value
 1. 1502 S. Concho Dr; Lake Nasworthy; \$63,288
 2. 1506 S. Concho Dr; Lake Nasworthy; \$109,578
 3. 1607 Shady Point; Lake Nasworthy; \$28,000
 4. 1611 Turtle Drive; Lake Nasworthy; \$26,132
 5. 1613 Turtle Drive; Lake Nasworthy; \$18,479

6. 1624 Canal Road; Lake Nasworthy; \$28,000
 7. 1632 Canal Road; Lake Nasworthy; \$19,484
 8. 1814 S Concho Dr; Lake Nasworthy; \$135,752
 9. 2029 American Legion Rd; Lake Nasworthy; \$112,800
 10. 2898 Red Bluff Cir; Lake Nasworthy; \$126,000
 11. 3213 Red Bluff West Road; Lake Nasworthy; \$113,900
 12. 6425 Lincoln Park East; Lake Nasworthy; \$21,608
- c. Ratification of a resolution of the City of San Angelo Development Corporation board of directors authorizing the use of sales and use tax funds in an amount not to exceed \$550,000, to provide an economic development incentive to Principal LED, LLC for a project related to business enterprises that create or retain primary jobs, and authorizing the Director of Economic Development to negotiate an economic development performance agreement with Principal LED, LLC; and authorizing the COSADC Board President to execute said agreement
 - d. Ratification of the City of San Angelo Development Corporation's (COSADC) approval of an Economic Development Agreement, Promissory Note and Deed of Trust by and between the City of San Angelo Development Corporation and ZP Kirby Park Villas, LP
 - e. Adoption of a resolution to: (Pg. 63, #2017-02-013)
 1. Authorize a corrected special warranty deed, by which City of San Angelo Development Corporation conveyed property to the City of San Angelo, inadvertently omitting a reversionary interest intended by the parties and adopted at a regular meeting of Council on February 3, 2009; and
 2. Acknowledge applicability of the reversionary provision in the corrected deed and authorize the execution of a special warranty deed and any related documents by the City Manager
 - f. Adoption of a resolution authorizing the San Angelo Police Department to apply for \$37,500 from the Justice Assistance Grant Program (Pg. 67, #2017-02-014)
 - g. Approval of a contract for the re-roofing of the Kenneth McNease Convention Center with Duro-Last via The Interlocal Purchasing System (TIPS # 2042816) in the amount of \$218,000 and authorizing the City Manager to negotiate and execute all related documents
 - h. Approval of second reading for an ordinance amending the Vision Plan component of the San Angelo Comprehensive Plan, to change the Future Land Use designation on eight properties: 2007 West Loop 306 and 2031 West Loop 306 from "Neighborhood" to "Commercial," 1981 West Loop 306 from "Neighborhood Center" and "Neighborhood" to "Commercial," 1883 and 1955 West Loop 306 from "Neighborhood Center" and "Neighborhood" to "Commercial," 4537-4541 North Bentwood Drive and 4540-4544 North Bentwood Drive from "Neighborhood" to "Neighborhood Center," and 1801 West Loop 306 from "Neighborhood Center" to "Transitional" (Pg. 69, #2017-02-015)
 - i. Approval of second reading for Case PD16-06, an ordinance approving a request for a rezoning from the General Commercial (CG) Zoning District to a Planned Development (PD) Zoning District to allow for all of those uses permitted in the Neighborhood Commercial (CN) Zoning District, and the additional uses of Warehouse and Freight Movement along with the assembly of goods, generally located approximately 400 feet southwest of the intersection of North Bentwood Drive and West Loop 306, on 1.30 acres (Pg. 73, #2017-02-016)

- j. Approval of second reading for Case Z16-08, an ordinance approving a request for a rezoning from the Heavy Commercial (CH) and the General Commercial/Heavy Commercial (CG/CH) Zoning Districts to the General Commercial (CG) Zoning District, generally located along the northwest side of Executive Drive between Office Park Drive and Parkview Drive, on 1.010 acres (Pg. 77, #2017-02-017)
- k. Approval of second reading for Case PD16-07, an ordinance approving a request for a rezoning from the General Commercial / Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District for a short term and long term residential shelter / safe house, generally located at the southeast corner of the intersection of East 19th Street and Briant Street, on 0.804 acres (Pg. 79, #2017-02-018)
- l. Approval of second reading and consider adopting an ordinance amending Chapter 10 of the Code of Ordinances to increase the speed limit on Scherz Boulevard beginning at the north boundary of Goodfellow Airforce Base and extending south to the south boundary of Goodfellow Airforce Base from 20 mph to 25 mph (Pg. 85, #2017-02-019)
- m. Approval of second reading and consider adopting an ordinance amending the existing One-Way operations of E. Washington St. and Burgess St. (Pg. 89, #2017-02-020)
- n. Approval of second reading and consider adopting an ordinance amending appendix A fee schedule of the code of ordinances, City of San Angelo Texas, by creating section A3.014 credit access business fee (Pg. 91, #2017-02-021)
- o. Approval of second reading and consider adopting an ordinance amending the 2016-2017 budget for grants, contributions and incomplete projects (Pg. 93, #2017-02-022)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the consent agenda, as presented. The motion carried unanimously (5) ayes to (0) nays.

6. **Regular Agenda**

- a. Presentation on the Mayor's Wellness Partnership by Texas Hunger Initiative representatives Mary Herbert and Betty Teston

No action was taken on this item

- b. Bell Street Construction Project Update (A presentation was made by City Engineer Russell Pehl)

No action was taken on this item

- c. Denial of a sublease of the following Lake Nasworthy residential lot lease: 1601 Shady Point Circle, Lake Nasworthy (A presentation was made by Real Estate Manager Cynthia Preas, and the current tenant Ed Richmond)

Motion: Council Member Richardson made a motion, seconded by Council Member Gonzales, to affirm the terms of the lease and deny the request to sublease the property. The motion carried unanimously (5) ayes to (0) nays.

- d. Postponement of consideration of the following items related to Solid Waste Services authorizing City Manager or designee to negotiate and execute all related documents:
 - 1. Second public hearing and adoption of an ordinance amending Section A8.017 "Charge for Collection of Garbage and Trash"
 - 2. Second public hearing and adoption of an ordinance amending Section 11.04.006 "Duties of the Residential Customer" (A presentation was made by Operations Director Shane Kelton)

This item was postponed to a future meeting.

- e. Approval of first reading and public hearing for Case VP16-03, an ordinance approving an amendment to the Vision Plan component of the Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use Category to the Neighborhood Center Future Land Use category, generally located along the north side of West Loop 306 Frontage Road, between Brook Hollow Lane and Southwest Boulevard (A presentation was made by Planning & Development Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the first reading, as presented. The motion carried unanimously (5) ayes to (0) nays.

- f. First reading and public hearing for Case PD16-08, an ordinance approving a request for a rezoning from the Office Commercial (CO) Zoning District to the Planned Development (PD) Zoning District for uses as a Contractor's Office with Indoor Storage, and the provision of a Master Sign Plan to include a billboard, generally located along the north side of West Loop 306 Frontage Road, between Brook Hollow Lane and Southwest Boulevard (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 first reading, as presented. The motion carried unanimously (5) ayes to (0) nays.

- g. First reading and public hearing for Case PD16-09, an ordinance approving a request for a rezoning from the Planned Development (PD97-03) Zoning District to a new Planned Development (PD) Zoning District to allow for all of the permitted uses in the General Commercial (CG) Zoning District, generally located approximately 700 feet southwest of the intersection of Sunset Drive and West Loop 306 (A presentation was made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Richardson, to approve the first reading, as presented. The motion carried unanimously (5) ayes to (0) nays.

- h. First reading and public hearing for Case Z16-09, an ordinance approving a request for a rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District, generally located approximately 550 feet northeast of the intersection of Knickerbocker Road and University Avenue (A presentation was made by Planning & Development Services Director Jon James)

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve the first reading, as presented. The motion carried unanimously (5) ayes to (0) nays.

- i. Acceptance of a petition by the county seeking dis-annexation of properties generally located north of F.M. 380 and east of U.S. Highway 67 & 277 (A presentation was made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to accept the petition, as presented. The motion carried unanimously (5) ayes to (0) nays.

- j. Acceptance of a petition seeking annexation of properties situated immediately west of San Angelo, generally located south of U.S. Highway 67 and west of Southland Boulevard (A presentation was made by Planning & Development Services Director Jon James)

Motion: Council Member Carter made a motion, seconded by Council Member Richardson, to accept the petition, as presented. The motion carried unanimously (5) ayes to (0) nays.

- k. Approval of a memorandum of understanding between the City of San Angelo and the Fort Concho Foundation regarding the reconstruction project for Barracks and Mess Halls 3 & 4 at Fort Concho (A presentation was made by Assistant City Manager Rick Weise and City Attorney Theresa James)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the memorandum of understanding, as presented. The motion carried unanimously (5) ayes to (0) nays.

- l. Postponement of first public hearing of an ordinance amending appendix A fee schedule, article A9.000 planning and related fees, by repealing in its entirety section A9.009 fees for sign placement or erection, amending section A9.007 miscellaneous planning fees, to provide for adjustment of certain fees and addition of fees for additional planning services, providing for severability and providing for an effective date (A presentation was made by Budget Manager Morgan Chegwidden)

This item was postponed to a future meeting.

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. 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.
 - 4. Spillman Contract
- b. Section 551.072 Deliberations about Real Property regarding:
 - 1. The Ford Ranch
 - 2. Lot 9A, Red Arroyo Hills
 - 3. 30 W. Twohig Street
 - 4. 1005 City Farm Road

8. Follow Up and Administrative Issues

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

No action was taken on this item

- b. Consider the March 2017 City Council Meeting Schedule

No action was taken on this item

- c. Announcements and consideration of Future Agenda Items

Mayor Morrison request the Planning Department look at the possibility of allowing temporary placement "Granny Pods" to help citizens with solutions for assisted living of aging relatives.

9. Adjournment

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to adjourn the meeting. The motion carried unanimously five (5) ayes to zero (0) nays.

There being no further business, the meeting was adjourned at 10:50 a.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.)