

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, September 19, 2017

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 Lucy Gonzales, SMD 4
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 8:30 a.m. on Tuesday, September 19, 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 CB Sutton with Paul Ann Baptist Church; and the pledges were led by Lyleann McClellan Thee.

3. Proclamations/Recognitions

Mira Velez was recognized for loaning the City of San Angelo the 9/11 New York Trade Center Twin Tower artifact presented to the Velez family

September 17-23, 2017 was proclaimed as "Constitution Week"

October 8-14, 2017 was proclaimed as "Fire Prevention Week"

Angelo State University was proclaimed "10,000 Strong"

4. Public Comment

Shannon Carpenter expressed concerns about the Railway Museum Board.

5. Consent Agenda

- a. Approval of the September 5, 2017 City Council regular meeting minutes
- b. Approval of an amendment to Lake Nasworthy Residential Lot Lease with Tenant of 1506 South Concho, providing an additional six (6) months be added to the end of the Lease
- c. Adoption of a resolution authorizing the City Manager to execute an interlocal agreement with Tom Green County providing for Mental Health Unit (MHU) Services; making provision for city participation in the costs associated with the MHU not to exceed \$117,080 for fiscal year 2017-2018; and finding a public purpose and benefit (Pg. 241, #2017-09-134)
- d. Adoption of a resolution authorizing the City Manager to execute an interlocal agreement with Tom Green County providing for Crisis Intervention Unit (CIU) Services; making provision for city participation in the costs associated with the CIU not to exceed \$44,074, for fiscal year 2017-2018; and finding a public purpose and benefit (Pg. 243, #2017-09-135)

- e. Approval of a renewal of a lease agreement with Federal Express Corporation in the amount of \$47,224.60 and authorizing City Manager to negotiate and execute all related documents
- f. Approval of a purchase with Weaver Technologies, LLC utilizing Texas DIR Contract DIR-SDD-1951 in an amount of \$112,280.38, budgeted in FY17, for the purchase and installation of a new server and storage system for email and authentication services, and authorizing the City Manager or designee to execute any related documents
- g. Second reading and adoption of an ordinance deleting and replacing Chapter 2, Article 2.08, Section 2.08.002 "Classification Plan" of the San Angelo Code of Ordinances
(Pg. 245, #2017-09-136)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the consent agenda, as presented with the exception of item 5b. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve item 5b, as presented. The motion carried unanimously (7) ayes to (0) nays.

6. 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(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 Meet and Confer Agreement

7. Regular Agenda

- a. Discussion and approval of accepting the abandonment by the San Angelo Coalition of Police (SACOP) of the Meet and Confer contract negotiations and the Meet and Confer process - (A presentation was made by Lisa Marley, Director of Human Resources & Civil Service Director)

Motion: Council Member DeWitt made a motion, seconded by Council Member Thomas, to accept abandonment of the contract negotiations, as presented. The motion carried (6) ayes to (1) nay with Council Member Carter casting the dissenting vote.

Comments were made in support of the continuation of the Meet & Confer process.

Consensus of Council was to bring an item at a future agenda to discuss whether or not to continue in the Meet & Confer process.

- b. Second public hearing and adoption of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018. This budget will raise more total property taxes than last year's budget by \$1,540,425 (4.29%), and of that amount, \$635,425 is tax revenue to be raised from new property added to the tax roll this year - (A presentation was made by Finance Director Tina Dierschke)
(Pg. 247, #2017-09-137)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to adopt the ordinance, as presented. A record vote was taken and the motion carried unanimously (7) ayes to (0) nays.

- c. Second public hearing and adoption of an ordinance levying property taxes for the City of San Angelo for the 2017 tax year. An ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2017-2018 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date - (Presentation by Finance Director Tina Dierschke)
(Pg. 257, #2017-09-138)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, that the property tax rate remain the same by the adoption of a tax rate of 0.7760 per \$100 valuation. A record vote taken and the motion carried unanimously (7) ayes to (0) nays.

- d. Denial of first reading and public hearing of an ordinance amending Chapter 5, Article 5.02 Alcohol and Beverage Regulations of the City Code of Ordinances to add a minimum 300-foot separation for the sale of any alcoholic beverage, liquor, beer, wine, or vinous liquor from a church - (Presentation by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Thompson, to deny the ordinance, as presented. The motion carried (6) ayes to (1) nay, with Council Member Lucy Gonzales casting the dissenting vote.

- e. Approval of first reading and public hearing of an ordinance for Z17-10 a rezoning from the Office/Warehouse (OW) Zoning District to the Single-Family Residential (RS-1) Zoning District, being 0.5 acres generally located on an unaddressed tract north of 6622 Clarice Court - (Presentation by Planning & Development Services Director Jon James)

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

- f. Approval of first reading and public hearing of an ordinance for Z17-11 a rezoning from the Planned Development (PD13-02) Zoning District to the Office Warehouse (OW) Zoning District, being 1.50 acres located at 1221 Grand Canal Road - (Presentation by Planning & Development Services Director Jon James)

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

- g. Approval of first reading and public hearing of an ordinance for the vacation and abandonment of a 0.642-acre (28,000-square feet) segment of the South Marie Street public right-of-way generally located between Bryan Street and Roosevelt Street - (Presentation by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve the ordinance, as presented with the three conditions for approval. The motion carried unanimously (7) ayes to (0) nays.

- h. Approval of first reading and public hearing of an ordinance amending the Major Thoroughfare Plan component of the San Angelo Comprehensive Plan in an area north of Clubhouse Lane, east of North Bentwood Drive, south of West Loop 306, and west of Foster Road - (Presentation by Planning & Development Services Director Jon James)

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

- i. Rejection of RFB-PK-04-17, Construction of Concession Building at the Texas Bank Sports Complex to Onyx General Contractors, LLC of Midland, Texas in the amount not to exceed \$740,000, budgeted for purchase in FY17, and authorizing the City Manager or designee to negotiate and execute any related documents - (Presentation by Construction Manager David Knapp)

Motion: Council Member Thompson made a motion, seconded by Council Member Carter, to reject the bid and for staff to bring back a plan for restrooms only. The motion carried unanimously (7) ayes to (0) nays.

- j. Update on Sales Tax revenue performance - (Presentation by Finance Director Tina Dierschke)

No action was taken on this item.

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. Templeton Construction, Inc.
 - 3. Alsay, Inc. v. City of San Angelo, Texas Carollo Engineers, Inc.
- b. Section 551.072 Deliberations about Real Property regarding 703 S. Chadbourne
- c. Section 551.071(2) consultation with attorney regarding 703 S. Chadbourne

9. Follow Up and Administrative Issues

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

Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, to direct staff to negotiate a month to month lease for 703 S. Chadbourne for a term up to six months with the expectation the lessee develop a plan of action for the consideration of a longer term lease at a future date. The motion carried unanimously (7) ayes to (0) nays.

Several citizens expressed concerns with the membership of the current board for the railway museum.

- b. Consider approving the following Board nominations:
Airport Advisory Board: Teresa Special (SMD2) to a 1st full term ending October 2020; William Pritchard (SMD6) to a 1st full term ending October 2020; and Elizabeth Grindstaff (Mayor) to a 1st full term ending October 2020
Animal Shelter Advisory Commission: Carah Dunagan (SMD5) to an unexpired term ending January 2019

Motion: Council Member Thomas made a motion, seconded by Council Member Thompson, to approve the Airport Advisory Board nominations, as presented. The motion carried unanimously (7) ayes to (0) nays.

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Motion: Council Member Carter made a motion, seconded by Council Member Hiebert, to approve the nomination of Carah Dunagan, as presented. The motion carried unanimously (7) ayes to (0) nays.

c. Announcements and consideration of Future Agenda Items

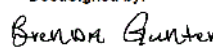
Council Member Thomas asked for an update on the Sealcoat program from Engineering and/or Operations.

10. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, 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 1:46 p.m.

THE CITY OF SAN ANGELO

DocuSigned by:

65CC121DADB40F...
Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

EE8995EDAEA1475...
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.)