

Official Minute Record
December 12, 2017

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City of San Angelo, Texas
Regular City Council Meeting
Tuesday, December 12, 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 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 8:31 a.m. on Tuesday, December 12, 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 Public Information Officer Anthony Wilson; and the pledges were led by Angelo Catholic School Students: Daniel Gonzalez-Salazar, Chase Watson, Kenzie Gonzales, and Aly Padilla.

3. Proclamations/Recognitions

Mitch Sprunger was recognized for earning the distinction of Accredited Airport Executive, as awarded by the American Association of Airport Executives.

Tom Green County coordinating team was recognized for their recent award as a "Certified Work Ready Community"

4. Public Comment

Public Comments were made by several citizens.

5. Consent Agenda

- a. Approval of the November 21, 2017 City Council regular meeting minutes
- b. Approval of authorizing the sale of the following Lake Nasworthy properties to the current residential lot leaseholders for the appraised values:
 1. 1605 Shady Point Circle Dr.; Lake Nasworthy Addition; \$26,000
 2. 1926 S. Concho Dr.; Lake Nasworthy Addition; \$128,230
 3. 3145 Red Bluff Road East; Lake Nasworthy Addition; \$85,000
- c. Approval of a Water Purchase Contract with the Upper Colorado River Authority to provide for an additional 500 acre feet of water per year and authorizing the City Manager to negotiate and execute all related documents
- d. Approval of awarding RFB FS-01-18 Patrol Utility Vehicles to Jim Bass Ford (San Angelo, TX) in the amount of \$434,000 per fiscal year, for the purchase of twelve (12) units (with the option to purchase two (2) additional units), and authorizing the City Manager or designee to execute any related documents

- e. Approval of awarding RFB FS-04-18 Medium Pickups to Jim Bass Ford (San Angelo, TX) in the amount of \$160,000 per fiscal year, for the purchase of four (4) units (with the option to purchase two (2) additional units), and authorizing the City Manager or designee to execute any related documents
- f. Approval of awarding RFB FS-02-18 Half-Ton Pickups to Jim Bass Ford (San Angelo, TX) in the amount of \$365,000 per fiscal year, for the purchase of twelve (12) units (with the option to purchase two (2) additional units), and authorizing the City Manager or designee to execute any related documents
- g. Approval of awarding RFB FS-03-18 Quarter-Ton Pickups to Jim Bass Ford (San Angelo, TX) in the amount of \$70,000 per fiscal year, for the purchase of two (2) units (with the option to purchase one (1) additional unit), and authorizing the City Manager or designee to execute any related documents
- h. Adoption of a resolution authorizing the City Manager, or his designee, to negotiate and execute easements and related legal documents authorizing building exterior walls, porches and awnings on an existing building to encroach upon rights-of-way along the south side of East 4th Street and the west side of North Magdalen Street, at the intersection of said streets, located at 301 North Magdalen Street (Pg. 359, #2017-12-167)
- i. Approval of Tax Increment Reinvestment Zone (TIRZ) incentive funding for one private project in the North TIRZ area for the property at 800 North Chadbourne totaling \$29,996.25
- j. Second reading and adoption of an ordinance for Z17-14, a rezoning from the Single-Family (RS-1) and Two-Family (RS-2) Zoning Districts to the Neighborhood Commercial (CN) Zoning District, on 0.74 acres located at 104, 108, and 112 North Milton Street and an unaddressed tract generally located north of Pecos Street between North Milton Street and North Van Buren Street (Pg. 364, #2017-12-168)
- k. Second reading and adoption of an ordinance for Z17-15, a rezoning from the Office Commercial (CO), General Commercial (CG), and Low Rise Multifamily Residential (RM-1) Zoning Districts to the Single-Family Residential (RS-1) Zoning District, on 5.03 acres located at 1901, 1902, & 1906 Colonial Street and an unaddressed tract of land generally located east of North Bentwood Drive and approximately 100 feet north of the intersection of Pine Valley Street (Pg. 367, #2017-12-169)
- l. Postponement of second reading of an ordinance for PD17-01 a rezoning from the General Commercial (CG) Zoning District and General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for multifamily apartments, located approximately 700 feet southwest of the intersection of Martin Luther King Drive and West 29th Street

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the consent agenda with the exception of items 5c, 5d, 5e, 5f, 5g, 5i, 5j and postponing item 5l. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, to approve item 5c, as presented.

UCRA representative Chuck Brown spoke in favor of the contract. Citizen Steve Hampton expressed concern.

The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member DeWitt, to approve item 5d, as presented.

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Citizen Steve Hampton expressed concern.

The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member Carter made a motion, seconded by Council Member Hiebert, to approve item 5e, as presented. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve item 5f, as presented. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve item 5g, as presented.

Citizen Steve Hampton expressed concern.

The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member DeWitt made a motion, seconded by Council Member Thomas, to approve item 5i, as presented. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to adopt the ordinance (5j), as presented. The motion carried unanimously (6) ayes to (0) nays.

6. Regular Agenda

- a. Approval and public hearing of the 2016 Consolidated Annual Performance and Evaluation Report (CAPER) - (A presentation was made by Neighborhood & Family Services Director Bob Salas)

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

- b. Approval of appeal of the Planning Commission's denial of a Conditional Use to allow for a short term rental on property which backs onto Lake Nasworthy, on 0.81 acres, located at 2045 American Legion Road - (A presentation was made by Planning & Development Services Director Jon James)

Several Citizens made public comments for and against the appeal.

Motion: Council Member Thomas made a motion, seconded by Council Member DeWitt, to approved the appeal as presented, with the modified requirement of no signage allowed (#5). The motion carried (5) ayes to (1) nay, with Council Member Hiebert casting the dissenting vote.

- c. First reading and public hearing for an ordinance amending Chapter 12 "Planning and Development," Article 12.03 Manufactured Homes and Mobile Homes," Division 2 "Mobile Homes," Section 12.03.033 "Temporary Manufactured Home, Mobile Home, or Building Installation," which would add recreational vehicles, subject to a concept plan, notifications, and permitting, if applicable, and allowing for a one-year extension - (A presentation was made by Planning & Development Services Director Jon James)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve the ordinance on first reading, with staff making the initial decision, to be appealed to Planning Commission and then City Council, if necessary. Additionally, notifications will be sent out to solicit feedback instead of a public hearing. The motion carried unanimously (6) ayes to (0) nays.

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Citizen Steve Hampton expressed concern.

- d. First reading and public hearing of an ordinance abandoning 125.55 linear feet (7,534-square feet) of the North Sellers Street right-of-way between Belaire Avenue and the alley north of and parallel to Belaire Avenue - (A presentation was made by Planning & Development Services Director Jon James)

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

- e. First reading and public hearing of an ordinance amending Chapter 12 "Planning and Development," Exhibit "A" "Zoning Ordinance," Article 4 "Specific Use Standards," to allow for reduced setbacks for accessory structures with certain conditions within the RS-3 Zoning District - (A presentation was made by Planning & Development Services Director Jon James)

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

- f. Adoption of a resolution approving a new schedule of Rates and Charges for new and renewal leases for airport property and premises at San Angelo Regional Airport - (A presentation was made by Airport Director Luis Elguezabal) **(Pg. 370, #2017-12-170)**

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

- g. Presentation and direction regarding pavement prioritization at San Angelo Regional Airport (A presentation was made by Airport Director Luis Elguezabal)

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to direct staff to choose alternate #1, as presented. The motion carried unanimously (6) ayes to (0) nays.

- h. Adoption of a resolution authorizing the City Manager to execute a memorandum of understanding with COSADC relating to infrastructure improvements necessary for platting the subdivision of a portion of Phase II of the Business & Industrial Park - (A presentation was made by Economic Development Director Roland Pena) **(Pg. 371, #2017-12-171)**

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

- i. Acceptance of Site # 1 for Sulphur Draw Wastewater Improvements Project and possible action related to the contract with Darnell Construction, LLC. - (A presentation was made by City Engineer Russell Pehl)

Several Citizens expressed concern over the location and appearance of the proposed lift station.

Motion: Council Member DeWitt made a motion, seconded by Council Member Thompson, to accept staff's proposal of site #1. The motion carried (4) ayes to (1) nay, with Council Member Carter casting the dissenting vote and Mayor Gunter recusing herself from the discussion and vote.

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- j. Update on Sales Tax revenue performance - (A presentation was made by Finance Director Tina Dierschke)

No action was taken on this item.

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 551.072 Deliberations about Real Property at
 - 1. San Angelo Regional Airport; and
 - 2. 405 S. Chadbourne
- 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 Rita Dauth

8. Follow Up and Administrative Issues

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

No action was taken on this item.

- b. Consider approving the following Board nominations:
Animal Services Advisory Commission: Timothy Davenport-Herbst (SMD1) to a 1st full term ending January 2020; Sandra Villarreal (SMD3) to a first full term ending January 2020
Parks and Recreation Advisory Board: Edward Dotson (SMD2) to a 2nd full term ending December 2019; Christina Woodard (SMD6) to a 2nd full term ending December 2019

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

- c. Announcements and consideration of Future Agenda Items
Council Member Hiebert asked for a 30-year funding plan for streets, drainage, and flooding issues (including related infrastructure) in each single member district to be developed by staff and given to Council on or before December 31, 2018.

9. Adjournment

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

There being no further business, the meeting was adjourned at 3:55 p.m.

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THE CITY OF SAN ANGELO

DocuSigned by:



Brenda Gunter, Mayor

ATTEST:

DocuSigned by:



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.)