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City of San Angelo, Texas
Regular City Council Meeting
Tuesday, March 6, 2018

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 8:32 a.m. on March 6, 2018, 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 Fritsche, Principal at Trinity Lutheran School; and the pledges were led by the 4th-8th graders at Trinity Lutheran School.

**3. Proclamations/Recognitions**

March 2018 was proclaimed as National Intellectual and Developmental Disabilities Awareness Month

March 2018 was proclaimed as National Lutheran Schools Month

**4. Public Comment**

Citizen Steve Hampton requested a presentation on item 5d.

**5. Consent Agenda**

a. Approval of the February 20, 2018 regular and February 26, 2018 special meeting minutes
b. Authorization of the sale of the following Lake Nasworthy property to current residential lot leaseholder for the appraised values:
1601 Turtle Dr; Lot 66, Block 5, Section 1, Group Shady Point ($25,318)
c. Approval of a maintenance service contract for San Angelo Public Safety Communication in the amount of $150,404.94, budgeted in FY18, between the City of San Angelo and Hexagon, our Computer Aided Dispatch and Records Management System authorizing 24/7 technical support and authorizing the City Manager or his designee to execute said maintenance contract and any renewal contract thereafter provided the cost does not increase more than 5% each subsequent year
d. Approval of awarding RFP PI-01-18 Television Studio to Nelco Media, Inc., in the amount of $294,158.80, budgeted in FY18 and to be paid using PEG fees, a designated funding source, and authorizing the City Manager or designee to execute any related documents
e. Adoption of a resolution for the City of San Angelo, Texas, authorizing the City Manager to negotiate and execute an agreement with the State of Texas for municipal control, operation and maintenance of lighted traffic control signals installed and tested by the Texas Department of Transportation, located at the diamond intersection of EB and WB frontage roads of US Highway 67 with Loop 306 at Sherwood Way/Business Highway 67 **(Pg.56, 2018-021)**

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f. Ratification of COSADC's resolution authorizing the use of sales and use tax funds in an amount not to exceed $5,975 to provide an Economic Development Incentives to Engine Pro Machine, LLC.

g. Ratification of COSADC's approval to execute a real estate sales contract for the sale of approximately 4 acres of land out of Block 1, Section 1, San Angelo Gateway Addition (the San Angelo Business & Industrial Park) to CBJ1, LLC d/b/a Munn Properties at a price of $29,000 per acre

h. Second reading and adoption of an ordinance for Z18-01, a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single Family Residential (RS-1) Zoning Districts to the Neighborhood Commercial (CN) Zoning District, on a 1.35-acre property located at 2819 North Chadbourne Street **(Pg. 66, 2018-022)**

i. Second reading and adoption of an ordinance amending Chapter 3 "Animal Control" Sections 3.02.041 and 3.05.001 of the Code of Ordinances to clarify when the City takes ownership of animals pursuant to state law **(Pg.69, 2018-023)**

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

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

**6. Regular Agenda**

a. Adoption of an ordinance authorizing the issuance and sale of City of San Angelo, Texas combination tax and limited surplus revenue Certificates of Obligation, Series 2018; appointing a Pricing Officer and delegating to the Pricing Officer the authority to approve on behalf of the City the sale of the certificates, the terms of the certificates and the offering documents for the certificates; establishing certain parameters for the approval of such matters by the Pricing Officer; approving the use of a paying agent/registrar agreement; levying an annual ad valorem tax and providing for the security for and payment of said certificates; providing an effective date; and enacting other provisions relating to the subject - (Presentation made by Finance Director Tina Dierschke) **(Pg.71, 2018-024)**

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

b. Approval of the following items:
1. Allocating up to $374,000 for capital projects including $294,000 from the Hotel Occupancy Tax fund balance for facility improvements
2. Awarding bid COL-01-18 to Accurate Air Solutions for the replacement of a chiller for the Foster Communications Coliseum/1st Community Federal Credit Union Spur Arena in the amount of $170,921 and authorizing the City Manager or his designee to negotiate and execute a contract and any related documents - (Presentation made by Civic Events Manager Sidney Walker)

Motion: Council Member Thompson made a motion, seconded by Council Member Gonzales, to approve items 5b1 and 5b2, as presented. The motion carried unanimously (7) ayes to (0) nays.

c. First reading and public hearing of an ordinance amending Chapter 5 "Business and Commerce", Section 5.04.034 by creating an exception to the itinerant merchant permit for persons holding a mobile or temporary food establishment permit (food trucks) - (Presentation made by Planning & Development Services Jon James)

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

d. First reading and public hearing of an ordinance amending Chapter 10 "Traffic Control", article 10.04 "Stopping, Standing and Parking", Division 1. "Generally", Section 10.04.003 "Stopping, Standing or Parking Prohibited in Specified Places", by creating subdivision (f) "Parking Temporarily Prohibited during Street Maintenance Activities"; regulating parking on public roadways during street maintenance activities as designated by the director of public works; providing for notice of street maintenance activities, and pursuant to section 2308.354 of the Texas Occupations Code appointing a City designee with authority to immobilize and remove vehicles from public roadways during street maintenance activities where parking is temporarily prohibited; providing repealing and savings clauses; and providing an effective date - (Presentation made by City Engineer Russell Pehl)

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

e. First hearing and public hearing of ordinances of the City of San Angelo, Texas, amending appendix A, "Fee Schedule" for the following ordinances:
   1. Article A6.000, "Parks and Recreation Fees"; Section A6.005 "Park Facility and Activity Fees" subpart (e) "Facility Rental Fees" to provide rental fees for Kirby Park pavilion
   2. Article A6.000, "Parks and Recreation Fees"; Section A6.005 "Park Facility and Activity Fees", subpart (f) "Miscellaneous Event Fees", to adjust summer camp weekly fee and add holding fee
   3. Article A14.000, "Cemetery Fees"; Section A4.002 "Cremation", Section A14.004 "Overtime", and Section A4.006 "Disinterment" to adjust said fees
   4. Article A11.000, "Fire and Rescue Service Fees"; Section A11.001 "Service Fees", subsection (f) "Ambulance/Transport/Transfer Fees", to adjust said fees
   5. Article A2.000 "Building and Construction Related fees"; Section A2.002 "Building Permit Fees", by restating new subpart (c) to provide for site plan review fees; amending Section A2.004 "Miscellaneous Permit Fees", by repealing and deleting subpart (e) "Customer Service Inspection for Existing Structures"
   6. Article A9.000 "Planning Related Fees" by: amending Section A9.004 to provide for administrative adjustment fee; amending Section A9.005 fees for preliminary, final plats and variance fees; and, amending section A9.007 "Miscellaneous Planning Fees" by amending fees for street name change and release of easement, and adding fees for urban design review, appeal, certificate of appropriateness, and disannexation.
   7. Article A9.000, "Planning Related Fees"; Section A9.007 "Miscellaneous Planning Fees by Adding a Publication Fee for Newspaper Advertisement" - (Presentation made by Finance Director Tina Dierschke)

Citizen Steve Hampton spoke on multiple fees.

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve the first hearing (6e1 Facility Rental Fees) of the ordinance, as presented. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Thompson made a motion, seconded by Council Member Hiebert, to approve the first hearing of the ordinance (6e2 Summer Camp Fees) as presented, with the change to the holding fee to $20. The motion carried unanimously (7) ayes to (0) nays.

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Motion: Council Member DeWitt made a motion, seconded by Council Member Thompson, to approve the ordinance (6e3 Cemetery Fees), as presented, with the change of the disinterment/re-interment charge to $685. The motion carried (6) ayes to (1) nay, with Council Member Carter casting the dissenting vote.

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve the first reading of the ordinance (6e4 Fire and Rescue Service Fees), as presented, and direct staff to review these charges next year. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member Thompson, to approve the ordinance (6e5 Permit Fees), as presented. The motion carried (5) ayes to (2) nays, with Mayor Gunter and Council Member Carter casting the dissenting vote.

Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, changing the (6e6 Planning Related Fees) appeal fee to $100 and exempting the original applicant from paying an appeal fee. The motion carried unanimously (7) ayes to (0) nays.

Motion: Mayor Gunter made a motion, seconded by Council Member Gonzales, to charge $100 for the certificate of appropriateness (6e6 Planning Related Fees). The motion carried (6) ayes to (1) nay, with Council Member Thompson casting the dissenting vote.

Motion: Council Member Thomas made a motion, seconded by Council Member Thompson, to approve the first reading of the ordinance (6e6 Planning Related Fees), with the changes to the appeal fee and the certificate of appropriateness passed in the previous two motions. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve the first reading of the ordinance (6e7 Publication Fee), as presented. The motion carried unanimously (7) ayes to (0) nays.

f. Ratification of COSADC's approval of the bid secured by AEP Texas North Company (AEP) from Crossland Construction Company, Inc. in the sum of $582,809 for construction of utilities and other infrastructure within the San Angelo Business and Industrial Park pursuant to the Development Agreement by and between COSADC and AEP, authorized by resolution of the City Council adopted on January 9, 2018 - (Presentation made by Business Retention & Expansion Coordinator Robert Schneeman)

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

g. Adoption of a City of San Angelo policy governing the use of city property for film production and authorizing the City Manager to update the policy from time to time as necessary – (Presentation made by City Manager Daniel Valenzuela)

CVB Representative Diann Bayes spoke in support of the policy.

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

h. Adoption of a resolution establishing a policy related to the process for appointment to City Boards, Committees and Commissions when said appointment results in the requirement of a resignation from service on another City Board, Committee or Commission – (Presentation made by City Clerk Bryan Kendrick) **(Pg.97, 2018-025)**

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

**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 regarding 703 S. Chadbourne

**8. Follow Up and Administrative Issues**

a. Consider items discussed in Executive Session, if needed

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve the first amendment to a commercial lease agreement with Historic Orient Santa Fe Depot, Inc. for property located at 703 South Chadbourne, to provide for a term ending June 15, 2018. The motion carried unanimously (7) ayes to (0) nays.

b. Consideration of approving the following board nomination
Construction Board of Adjustments and Appeals: David Jacobo (At-Large) to a second term ending February 2020

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

c. Announcements and consideration of Future Agenda Items
Council Member Thompson asked for a presentation and update on the Benedetti Asphalt Recycling machine. Council Member Thomas noted that a Town Hall meeting needed to be planned for the Bell Street Reconstruction Project. Mayor Gunter asked for a discussion and possible ordinance related to the routing of commercial trucks throughout the city.

**9. Adjournment**

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

There being no further business, the meeting was adjourned at 12:03 p.m.

THE CITY OF SAN ANGELO
DocuSigned by:
Mayor Gunter
85CC121DADBB40E...
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.)