

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, March 20, 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 8:34 a.m. on Tuesday, March 20, 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 Reverend Father Ryan Rojo Parochial Vicar of Cathedral of the Sacred Heart; and the pledges were led by 5th grader Cale Neighbors of Wall Elementary.

3. Proclamations/Recognitions

March 21, 2018 was proclaimed as Texas Small Business Development Center Day

March 2018 was proclaimed as Historic Fairmount Cemetery Month in San Angelo in observation of the cemetery's 125th anniversary

The Parks and Recreation Department was recognized for winning the Texas Recreation and Park Society 2018 Park Development Innovations Award

The Lake Nasworthy Homeowner's Association was recognized for their efforts to Keep Lake Nasworthy Beautiful

4. Public Comment

Citizen John Cross spoke regarding street repairs and citizen Steve Hampton spoke regarding an item on the consent agenda.

5. Consent Agenda

- a. Approval of the March 6, 2018 City Council regular meeting minutes
- b. Authorization of the sale of the following Lake Nasworthy properties to current residential lot leaseholders for the appraised values:
 1. 1620 Canal Rd; Lot 78, Block 5, Section 1, Group Shady Point, Lake Nasworthy Addition (\$28,700)
 2. 2366 Fishermans Rd; Lot 17, Block 1, Group 15, Lake Nasworthy Addition (\$84,751)
 3. 6418 Lincoln Park West Rd; Lot 26, Block 2, Group Lincoln Park, Lake Nasworthy Addition (\$28,515)
- c. Award of RFB WU-03-18 Water Distribution/Wastewater Collection Warehouse Inventory to three vendors (Core & Main LP, Morrison Supply Company, & Ferguson) based on the lowest unit bid in compliance with the bid requirements for each specific item for one year with

- two additional one-year term extensions, budgeted for purchase FY2018, FY2019, and FY2020, and authorizing the City Manager to execute any related documents
- d. Approval of hiring local attorney Arthur Uhl for consultation on matters related to oil and gas exploration, range land management and other matters necessary for the preparation of the Ford Ranch property for sale
 - e. Approval of Tax Increment Reinvestment Zone (TIRZ) incentive funding for three private projects in the North TIRZ area for the properties located at 914 N. Bryant, 410 MLK Blvd, and 2503 MLK Blvd totaling \$136,216 and three private projects in the South TIRZ area for the properties located at 200 S. Magdalen, 202 S. Chadbourne, and 39 W. Concho totaling \$170,100
 - f. Adoption of a resolution approving a change in Atmos Energy Corporation, Mid-Tex Division's ("Atmos") rates and consent to a reduction in Atmos Pipeline Texas ("APT") rates as a result of the reduction in the federal income tax rate from 35% to 21% (Pg.105, 2018-026)
 - g. Approval of a Memorandum of Understanding with AEP Texas North Division for energy consulting services (SCORE/City Smart Program) at no cost to the City and authorizing the City Manager to execute all related documents
 - h. Ratification of COSADC's resolution reaffirming support for the proposed VCZ Development, LLC affordable housing apartment development known as Glen Park Apartments ("project"); providing for the allocation of up to five hundred dollars (\$500) in one half cent sales tax revenues in support of the project; and reaffirming support for the proposed Generation Housing Development, LLC affordable housing apartment development known as The Trails, ("project"); providing for the allocation of up to five hundred dollars (\$500) in one half cent sales tax revenues in support of the project
 - i. Second reading and adoption 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 (Pg.107, 2018-027)
 - j. Second reading and adoption of 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 **(Pg.109, 2018-028)**
 - 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 **(Pg.112, 2018-029)**
 - 3. Article A14.000, "Cemetery Fees"; Section A4.002 "Cremation", Section A14.004 "Overtime", and Section A4.006 "Disinterment" to adjust said fees **(Pg.114, 2018-030)**
 - 4. **POSTPONEMENT OF** Article A11.000, "Fire and Rescue Service Fees"; Section A11.001 "Service Fees", subsection (f) "Ambulance/Transport/Transfer Fees", to adjust said fees - tabled

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" **(Pg.116, 2018-031)**
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 **(Pg.118, 2018-032)**
7. Article A9.000, "Planning Related Fees"; Section A9.007 "Miscellaneous Planning Fees by Adding a Publication Fee for Newspaper Advertisement" **(Pg.120, 2018-033)**
- k. Second reading and adoption 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) **(Pg.122, 2018-034)**

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve all consent items with the exception of 5d, 5j3, and 5j4. The motion carried unanimously seven (7) ayes to zero (0) nays.

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

Citizen Steve Hampton expressed concern.

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve item 5j3 as presented, with the exception of leaving the weekend grave opening fee at \$175. The motion carried six (6) ayes to one (1) nays, with Council Member Thompson casting the dissenting vote.

Motion: Council Member Carter made a motion, seconded by Council Member DeWitt, to table item 5j4 until Finance can obtain and present new FY17 average costs of fire and rescue services. The motion carried unanimously seven (7) ayes to zero (0) nays.

Motion: Council Member DeWitt made a motion, seconded by Council Member Carter, to bring back item 5j4 with updated information. The motion carried unanimously seven (7) ayes to zero (0) nays.

6. Regular Agenda

- a. Presentation of Water Master Plan Study by CDM Smith - (Presentation made by Water Utilities Assistant Director Lance Overstreet and CDM Smith representative Allen Woelke)

No action was taken on this item.

- b. Authorization of negotiation and execution of a professional services contract with CDM Smith, Inc. for evaluation of Lake Nasworthy sewer system for \$178,670, budgeted FY2018, and authorizing the City Manager to execute any related documents - (Presentation made by Water Utilities Assistant Director Lance Overstreet)

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

Citizen Steve Hampton expressed concern.

- c. Adoption of a resolution authorizing the Water Utilities Department to develop a program offering utility account rebates to customers owning qualifying homes for participation in water quality testing required for city compliance with EPA National Primary Drinking Water Regulations - (Presentation made by Water Utilities Director Allison Strube and Plant Operations Manager Tymn Combest) **(Pg.124, 2018-035)**

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

- d. Award of RFQ WU-04-18 Professional Services Hickory Groundwater Supply Development to Enprotec/Hibbs & Todd, Inc. in the amount of \$534,300 for task order 1, budgeted for purchase FY2018, and authorizing the City Manager to execute any related documents - (Presentation made by Water Utilities Director Allison Strube)

Motion: Council Member Hiebert made a motion, seconded by Council Member DeWitt, to award the RFQ as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.

- e. Consider awarding RFB PK-01-18 construction of a restroom building at the Texas Bank Sports Complex to Justice Construction, Inc. of Abilene, Texas in the amount of \$395,000; budgeted project in FY18 authorizing the City Manager to execute any related documents - (Presentation made by Construction Manager David Knapp)

Motion: Council Member Thompson made a motion, seconded by Council Member Thomas, to award the RFB as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.

Citizen Steve Hampton expressed concern.

- f. Public hearing and consideration of a resolution approving an update to the City's Community Development Plan (Neighborhood Revitalization Plan) and expanding the community development target area map to include designated neighborhood areas (Presentation made by Neighborhood & Family Services Director Bob Salas) **(Pg.125, 2018-036)**

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

- g. First reading and public hearing of ordinances approving:
 1. Case CP18-01, an amendment to the Comprehensive Plan, changing certain lands from the "Neighborhood Center" to the "Commercial" Future Land Use Category, being 7.2 acres located at 717-729 West 29th Street and 2825-2929 North Bryant Boulevard; changing certain lands from the "Industrial" to the "Commercial" Future Land Use Category, being 3.56 acres located at 2609-2635 North Bryant Boulevard and 606-610 Art Street.; and changing certain lands from the "Neighborhood Center" to the "Industrial" Future Land Use Category, being an unaddressed 2.64-acre tract located southwest of West 29th Street and North Bryant Boulevard.
 2. Case Z18-04, a rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District, being 4.65 acres located at 717-729 West 29th Street and

2829-2901 North Bryant Boulevard - (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Gonzales made a motion, seconded by Council Member Carter, to approve the first reading of the ordinances 6g1 and 6g2 as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.

h. First reading and public hearing of ordinances approving:

1. Case CP18-02, an amendment to the City's Comprehensive Plan, changing certain lands from the "Neighborhood" to the "Neighborhood Center" Future Land Use Category, being 1.2 acres located at 530 West Avenue T, and 509, 517, and 535 West Avenue S.
2. Case Z18-03, a rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.85 acres located at 530 West Avenue T and 535 West Avenue S - (Presentation 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 of the ordinances 6h1 and 6h2 as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.

i. First reading and public hearing for an ordinance amending Chapter 12, Exhibit "A" Zoning Ordinance, Article 4, Section 402 (Accessory Uses and Structures) to eliminate Subsection C.1.a.2)iii. for the purpose of clarifying the language regarding constructing accessory structures - (Presentation made by Planning & Development Services Director Jon James)

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

j. First public hearing and introduction of an ordinance amending

1. Appendix A, "Fee Schedule" by creating article A3.000 "Business Related Fees" Section A3.015 "Alcoholic Beverages Fees"
2. Amending Chapter 5, "Business and commerce", Article 5.02 "Alcoholic beverages regulations", Division 2 "License" - (Presentation made by Finance Director Tina Dierschke)

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

k. First public hearing and introduction of an ordinance amending Appendix A, "Fee Schedule", Article A15.000, "Facility use fees"; by adding Section A15.003 "Civic Events facility use fees", to provide for facility rental and related use fees - (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member DeWitt made a motion, seconded by Council Member Gonzales, to approve the first reading of the ordinance as presented with the exception of placing a 25% limit for increasing the eleven (11) "extra fees"; all proposed increases over 25% would require City Council approval. The motion carried unanimously seven (7) ayes to zero (0) nays.

l. First public hearing and introduction of an ordinance amending Appendix A, "Fee Schedule", Article A13.000, "Health and Sanitation Related Fees", by adding a new section A13.005 "Nursing Division Fees" - (Presentation made by Finance Director Tina Dierschke)

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to approve the first reading of the ordinance as presented with the exception of allowing the Health Director to waive fees at STD Clinics and for child immunizations (for those who cannot afford them). The motion carried five (5) ayes to two (2) nays with Council Member Thomas and Mayor Gunter dissenting.

Citizen Steve Hampton expressed concern.

- m. First public hearing and introduction of an ordinance amending Appendix A, "Fee Schedule", Article A9.000, "Planning Related Fees", by: amending Section A9.002 "Planning and Development Fees" repealing the fees for rehearing requiring renotification; amending Section A9.003 "Planned Development Fees" by repealing the fee for zone change sign deposit and refund for sign deposit; and deleting in its entirety Section A9.009 "Fees for Sign Placement or Erection"; providing for severability; and, providing for an effective date - (Presentation made by Finance Director Tina Dierschke)

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

- n. First public hearing of and introduction of an ordinance amending Appendix A, "fee schedule", Article A13.000, "Health and sanitation related fees"; Section 13.001 "Restaurant permit fee" by adding a fee for "Additional service area" in addition to the annual food establishment permit fee - (Presentation made by Finance Director Tina Dierschke)

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

- o. First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018, for capital projects - (Presentation made by Finance Director Tina Dierschke)

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

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

No action was taken on this item.

7. Follow Up and Administrative Issues

- a. Consideration of approving various Board nominations:
Development Corporation: Elizabeth Grindstaff (SMD3) to a unexpired term ending February 2019 and Oscar Casillas (SMD6) to an unexpired term ending February 2019
Fort Concho Museum Board: Roger Banks (Mayor) to a second term ending January 31, 2021
Parks and Recreation Advisory Board: Debbie Wilson (SMD4) to an unexpired term ending December 2018
Planning Commission: Joe Self (SMD2) to an unexpired term ending January 2020
Public Art Commission: Cynthia Lackey (Mayor) to a second term ending April 30, 2019
Zoning Board of Adjustments: Debbie Cunningham (SMD1) to a second term ending January 2020, Darrin Fentress (SMD3) to a second term ending January 2020, Jean Cornell (SMD6) to

a first full term ending January 2020, Jim Turner (Mayor) to a third term ending January 2020, Gary Cortese (Mayor – Alternate) to a second term ending January 2020, and Aaron Nelson (Mayor – Alternate) to a second term ending January 2020

- Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the Development Corporation nominations, as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.
- Motion: Council Member Hiebert made a motion, seconded by Council Member Gonzales, to approve the Fort Concho Museum Board nominations, as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.
- Motion: Council Member Gonzales made a motion, seconded by Council Member Carter, to approve the Parks and Recreation Advisory Board nominations, as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.
- Motion: Council Member Carter made a motion, seconded by Council Member Hiebert, to approve the Planning Commission nominations, as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.
- Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to approve the Public Art Commission nominations, as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.
- Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve the Zoning Board of Adjustments nominations, as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.

b. Announcements and consideration of Future Agenda Items

8. 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 11:19 a.m.

THE CITY OF SAN ANGELO

DocuSigned by:

Mayor Gunter

65CC124DADB40F...
Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

Bryan Kendrick

EE8995EDA5A1475...
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.)