

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, April 3, 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 8:30 a.m. on Tuesday, April 3, 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 Public Information Officer Anthony Wilson; and the pledges were led by Bryce Bunnell, a 4th Grader from Santa Rita Elementary and son of Finance Director Tina Dierschke.

3. Proclamations/Recognitions

April 2-8, 2018 was proclaimed "National Public Health Week"

April 2018 was proclaimed "I Chose Angelo State Month"

April 2018 was proclaimed "Alcohol Awareness Month in San Angelo"

4. Public Comment

Public comment was made by staff member Paulina Levy reminding citizens of spring/summer water restrictions.

5. Consent Agenda

- a. Approval of the March 20, 2018 regular and March 29, 2018 special meeting minutes
- b. Authorization of the sale of the following Lake Nasworthy properties to current residential lot leaseholders for the appraised value
 1. 1949 Beaty Road; Lot 18, Block 1, Section 2, Group 1, Lake Nasworthy Addition (\$121,800)
- c. **REMOVAL** of consideration of a resolution extending the San Angelo-Tom Green County Health Department's participation in the Regional Healthcare Partnership and in Texas' Healthcare Transformation and Quality Improvement Program - 1115 Waiver
- d. Adoption of a resolution authorizing the City Manager to execute a new Passenger Facility Charge (PFC) application and amend any open applications with the Federal Aviation Administration at the San Angelo Regional Airport (Pg. 132, 2018-037)
- e. Approval of an agreement with San Angelo Lions Charities for non-monetary in-kind support for the annual Balloonfest and authorizing the City Manager to execute all related documents

- f. Approval of an agreement with the Boy Scouts of America, Texas Southwest Council, for the lease of the City-owned building, located at 104 Veterans Memorial Drive, and authorizing the City Manager to execute all related documents
- g. Second reading and adoption of an ordinance approving 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 (Pg.133, 2018-038)
- h. Second reading and adoption of an ordinance approving 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 (Pg. 136, 2018-039)
- i. Second reading and adoption of an ordinance approving 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 (Pg. 139, 2018-040)
- j. Second reading and adoption of an ordinance approving 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 (Pg. 142, 2018-041)
- k. Second reading and adoption of 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 (Pg.145, 2018-042)
- l. Second reading and adoption of an ordinance amending:
 - 1. Appendix A, "Fee Schedule" by creating article A3.000 "Business Related Fees" Section A3.015 "Alcoholic Beverages Fees" (Pg. 146, 2018-043)
 - 2. Amending Chapter 5, "Business and commerce", Article 5.02 "Alcoholic beverages regulations", Division 2 "License" (Pg. 148, 2018-044)
- m. Second reading and adoption 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 (Pg. 150, 2018-045)
- n. Second reading and adoption 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" (Pg. 155, 2018-046)
- o. Second reading and adoption 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 (Pg. 157, 2018-047)
- p. Second reading and adoption 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 (Pg. 159, 2018-048)

- q. Second reading and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018, for capital projects (Pg. 161, 2018-049)

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

6. Regular Agenda

- a. Adoption of a resolution authorizing the negotiation and execution of Airport personal property storage unit leases by the City Manager or his designee, and approving lease form - (Presentation made by Airport Director Luis Elguezabal) (Pg. 164, 2018-050)

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

- b. Approval of a task order under RFQ ES-04-15 to Freese and Nichols, Inc. in the amount of \$111,827 for the design of a storm water detention basin for Avenue P drainage improvements and authorizing the City Manager to execute all related documents - (Presentation made by City Engineer Russell Pehl)

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

- c. Public hearing and first reading of an ordinance amending Appendix A, Article A 8.000 "Utility Related Fees", A 8.007 "Water Billing Charges" by amending the late fee - (Presentation made by Water Utilities Director Allison Strube)

Motion: Council Member Gonzales made a motion, seconded by Council Member Carter, to approve the first readings of item 6c and 6d, as presented. The motion carried unanimously (7) ayes to (0) nays.

- d. Public hearing and first reading of an ordinance amending Chapter 11 "Utilities", Article 11.02 "Water and Sewer Systems", Section 11.02.036 "Billing" by amending the payment due date - (Presentation made by Water Utilities Director Allison Strube)

Motion: Council Member Gonzales made a motion, seconded by Council Member Carter, to approve the first readings of item 6c and 6d, as presented. The motion carried unanimously (7) ayes to (0) nays.

- e. Public hearing and first reading of an ordinance amending Chapter 12, Exhibit "A" Zoning Ordinance, Article 3, Section 310.E and Section 315.H.3.c, and Article 4, Section 411, removing the use of "Game Hall" as an individual use category and reclassifying it under "Indoor Entertainment, Retail Sales and Services" - (Presentation made by Planning & Development Services Director Jon James)

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

- f. Public hearing and first reading of an ordinance amending the Land Development and Subdivision Ordinance, Chapter 1, Section II & Section IV, Subsection C, regarding appeals; Chapter 5, Section III, Subsection A & Subsection C, amending submittal requirements and meeting time for the Plat Review Committee; and Chapter 7, Section I, amending submittal requirements - (Presentation made by Planning & Development Services Director Jon James)

Planning Commissioner Teri Jackson expressed concerns related to the ordinance change.

Motion: Council Member DeWitt made a motion, seconded by Council Member Gonzales, to approve the ordinance, as presented. The motion carried (6) ayes to (1) nays, with Council Member Carter casting the dissenting vote.

- g. Public hearing and first reading of an ordinance amending Appendix A, Article A 8.000 "Utility Related Fees", A 8.020 "Rebates" by amending the discussion of bi-annual rebates - (Presentation made by Water Utilities Director Allison Strube)

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

- h. Second reading and adoption of amending appendix A, "Fee Schedule" for the following ordinances: Article A11.000, "Fire and Rescue Service Fees"; Section A11.001 "Service Fees", subsection (f) "Ambulance/Transport/Transfer Fees", to adjust said fees - (Presentation made by Finance Director Tina Dierschke) **(Pg. 165, 2018-051)**

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to adopt the ordinance as presented, with the exception of changing the ALS1, ALS2, and BLSE fees to reflect 75% of the cost of service. 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 551.087(2) to deliberate the offer of a financial or other incentive to a business prospect regarding a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations~~

8. Follow Up and Administrative Issues

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

No Executive Session was held.

- b. Approval of the various Board nominations:
Design and Historic Review Commission: Connie Biggerstaff (Mayor) to a first term ending September 2019
Parks and Recreation Advisory Board: Francis Jelensperger (Mayor) to a third term ending December 2019
Planning Commission: Travis Stribling (SMD5) to a first full term ending January 2021
Public Art Commission: Julie Raymond (SMD6) to a second term ending April 2019

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- Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve the Design and Historic Review Commission nomination, as presented. The motion carried unanimously (7) ayes to (0) nays.
- Motion: Council Member DeWitt made a motion, seconded by Council Member Gonzales, to approve the Parks and Recreation Advisory Board nomination, as presented. The motion carried unanimously (7) ayes to (0) nays.
- Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve the Planning Commission nominations, as presented. The motion carried unanimously (7) ayes to (0) nays.
- Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, to approve the Public Art Commission nomination, as presented. The motion carried unanimously (7) ayes to (0) nays.

c. Announcements and consideration of Future Items

9. Adjournment

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

There being no further business, the meeting was adjourned at 10:07 a.m.

THE CITY OF SAN ANGELO

DocuSigned by:

65CC121DADB40F..
Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

EE8995EDA6A1475..
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.)