

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, April 17, 2018

Present:

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 Pro Tem Carter called the regular session of the San Angelo City Council to order at 8:31 a.m. on Tuesday, April 17, 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 COSA Training & Development Specialist Joe Hodges; and the pledges were led by the Sassy Shooters & Lady Bulldogs basketball teams.

3. Proclamations/Recognitions

The 8U D2 girls basketball team (Sassy Shooters) coached by Michael Adams and 12U D2 girls basketball team (Lady Bulldogs) coached by Walter Bryant were recognized for winning the Texas Amateur Athletic Federation Girls State Basketball Tournament for their respective divisions in March 2018
April 29 - May 5, 2018 was proclaimed as "National Small Business Week"

4. Public Comment

Citizen Lyleann McClellan spoke about affordable housing and sidewalk considerations.

5. Consent Agenda

- a. Approval of the April 3, 2018 City Council regular meeting minutes
- b. Approval of authorizing the sale of the following Lake Nasworthy property to current residential lot leaseholder for the appraised value for 2610 Sleepy Hollow Rd; Lot 37, Block 1, Section 1, Group Fishermans Rd, Lake Nasworthy Addition (\$97,903)
- c. Approval of an agreement with the American Red Cross, Texas Big Country Chapter, for the use of City-owned buildings for emergency sheltering and authorizing the City Manager to execute all related documents
- d. Adoption of a resolution authorizing applicant to hold a special event downtown, "Simply Texas Blues Festival," permitting specified activities; imposing requirements on applicant; and granting variances relating to rules and regulations of ordinances (Pg. 171, 2018-052)
- e. Approval of ratifying a resolution of COSADC, authorizing the use of sales and use tax funds in an amount not to exceed \$25,000, to provide an economic development incentive to U.S. Customs & Border Protection Air and Marine Operations, with participation by the City
- f. Approval of authorizing the Parks & Recreation-Nutrition program to apply for, and accept, subcontractor status of congregate meal sites for Area Agency of Aging of the Concho Valley and authorizing the City Manager to execute all related documents
- g. Approval of authorizing the City Manager to sign the award acceptance letter for sub-grant award DR-4272-006 multi jurisdictional Hazard Mitigation Plan
- h. Adoption of a resolution finding that AEP Texas Inc.'s application to amend its distribution cost recovery factors to increase distribution rates within the City should be denied and that

the City's reasonable rate case expenses shall be reimbursed by AEP Texas, Inc. (Pg. 172, 2018-053)

- i. Second reading and adoption 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" (Pg. 174, 2018-054)
- j. Second reading and adoption 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 (Pg. 176, 2018-055)
- k. Second reading and adoption of an ordinance amending Appendix A, Article A 8.000 "Utility Related Fees", A 8.007 "Water Billing Charges" by amending the late fee (Pg. 181, 2018-056)
- l. Second reading and adoption 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 (Pg. 182, 2018-057)
- m. Second reading and adoption 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 (Pg. 185, 2018-058)

Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, to approve the consent agenda with the exception of item 5h. The motion carried unanimously (6) ayes to (0) nays.

Motion: Council Member Hiebert made a motion, seconded by Council Member DeWitt, to approve item 5h, as presented, adopting the resolution. The motion carried unanimously (6) ayes to (0) nays.

6. Regular Agenda

- a. Approval of authorizing the Fire Department to apply for a Staffing for Adequate Fire and Emergency Response (SAFER) grant and authorizing the City Manager to execute all related documents - (Presentation made by Assistant Fire Chief Todd Sanford)

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

- b. Public hearing and first reading of an ordinance approving Case Z18-05, a rezoning from the General Commercial/Heavy Commercial (CG/CH) and General Commercial (CG) Zoning Districts to the General Commercial (CG) Zoning District; located at 4102, 4106, and 4110 Sunset Drive - (Presentation made by Planning & Development Services Director Jon James)

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

- c. Public hearing and first reading of an ordinance approving Case PD18-01, a rezoning from the Ranch and Estate (R&E) Zoning District to a Planned Development (PD) Zoning District to allow for Light Manufacturing and Production, and Retail Sales and Service; located at 3409 and 3415 South Chadbourne Street - (Presentation made by Planning & Development Services Director Jon James)

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

- d. Public hearing and first reading of an ordinance approving an amendment to Case SU17-01, modifying condition of approval #4 and eliminating condition of approval #5, for an approved Special Use which allows an Automotive and Light Truck Dealership in the Neighborhood Commercial (CN) Zoning District, located at 508 West 17th Street - (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Gonzales made a motion, seconded by Council Member Hiebert, to approve item 6d, as presented. The motion carried (5) ayes to (1) nays, with Council Member DeWitt casting the dissenting vote.

- e. Public hearing and first reading of an ordinance amending the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018, for capital projects, reimbursements, and grants (Presentation made by Finance Director Tina Dierschke)

Citizen Steve Hampton expressed concern.

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

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

No action taken on this item.

- g. Discussion and denial of authorizing staff to place a speed hump in the 1200/1300 block of South Madison Street - (Presentation made by Operations Director Shane Kelton)

Citizens Randy Gardner, Lyndon Roberts, in support of the need for a speed hump. Carl White spoke in support of some improvement to the area's traffic plan. Citizen Steve Hampton expressed concern.

Motion: Mayor Pro Tem Carter made a motion to authorize staff to place the speed hump. The Motion failed due to not receiving a second.

Motion: Council Member Thompson made a motion, seconded by Council Member Gonzales, to deny the speed hump request and pursue a study related to an all-way stop sign placement. The motion carried unanimously (6) 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 551.071(1)(A) Consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding Templeton Construction, Inc.
- b. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney regarding Korby Kennedy
- c. Section 551.072 Deliberation about Real Property regarding the Ford Ranch
- d. Section 551.087(2) Deliberation regarding Economic Development Negotiations related to financial or other incentive to a business prospect

8. Follow Up and Administrative Issues

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

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Motion: Mayor Pro Tem Carter made a motion, seconded by Council Member Hiebert, to waive the subrogation rights for the family of Korby Kennedy. The motion carried unanimously (6) ayes to (0) nays.

b. Approval of the following Board nominations:

Airport Advisory Board: Patrick Nuytten (SMD4) to a third term ending October 2021 and Robert Frank (SMD5) to a second term ending October 2021

Animal Shelter Advisory Committee: Jenie Wilson (SMD2) to a second term ending January 2020

Civic Events Advisory Board: Billy Najera (SMD3) to a second term ending December 2020

Construction Board of Adjustments and Appeals: Roger Julien (At-Large) to a first term ending February 2020

Design and Historic Review Commission: Eric Eggemeyer (SMD2/Historian) to a first term ending September 2019

Fort Concho Museum Board: Jason Pierce (SMD1) to a first full term ending January 2021 and Sarah Howell (SMD2) to a second term ending January 2021

Public Art Commission: Teri Covert (SMD1) to a second term ending April 2019, Lori Francks (SMD4) to a third term ending April 2019, and Heidi Meyer-Brooks (SMD5) to a second term ending April 2019

Zoning Board of Adjustment: Louis Rork (SMD5) to a third term ending January 2020

Motion: Council Member Hiebert made a motion, seconded by Council Member Gonzales, to approve all the nominations, as presented (the nomination to the Design and Historic Review Commission was withdrawn). The motion carried unanimously (6) ayes to (0) nays.

c. Announcements and consideration of Future Agenda Items

No action taken on this item.

9. **Adjournment**

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

There being no further business, the meeting was adjourned at 11:25 a.m.

THE CITY OF SAN ANGELO

DocuSigned by:

Mayor Gunter

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Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

Bryan Kendrick

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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.)