

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, August 21, 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 8:31 a.m. on August 21, 2018, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Legislative Prayer

Council Member Thompson provided the invocation.

3. Pledges

The pledges were led by the Bandits Youth Football Team and Cheerleading Squad.

4. Proclamations/Recognitions

August 30, 2018 was proclaimed as RSVP Volunteer Recognition Day.

5. Public Comment

Mayor Gunter made public comments noting this meeting will not include the Overlay related Zoning Ordinances that were discussed at the City Council Meeting on July 17, 2018 and prior to these items coming back to City Council for consideration, new notices will be sent out to advise of the subject and meeting information.

Assistant Water Utilities Director Lance Overstreet made public comments related to the recent security breach with online water billing payments.

Citizen Steve Hampton expressed concern related to the City's dependence on the electrical grid.

Council Member Gonzales, Mayor Gunter and City Engineer Russell Pehl made public comments related to the sealcoating and street sweeping activities.

6. Consent Agenda

- a. Approval of the August 7, 2018 regular meeting and August 14, 2018 special meeting minutes
- b. Approval of authorizing the Fire Department to participate in the 2018 Muscular Dystrophy Association (MDA) Fill the Boot Campaign

- c. Approval of authorizing the sale of the following Lake Nasworthy property to the current residential lot leaseholder for the appraised value and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the property: 1918 Shady Point Drive (\$90,800)
- d. Ratification of notice of default of Commercial Lease and Option Agreement as amended for Solar Electric Generating Facility with OE Renewables Texas, LLC, and authorizing the City Manager to execute all documents in consultation with the City Attorney for purposes of terminating the lease agreement and taking possession of the leased premises
- e. Approval of awarding RFB CE-03-18 Linen Rental Service to Ameripride Services Inc. for one year with two additional one-year extensions, budgeted for purchase annually, and authorizing the City Manager to execute any related documents
- f. Approval of an interlocal agreement between the City and Tom Green County regarding the Joint Operation of Office of Emergency Management
- g. Second reading and adoption of an ordinance to change "Harbor Court" to "Ener Tel Way" over the complete 325-foot length of the street's right-of-way, beginning at West Avenue N and continuing south to the cul-de-sac terminus (Pg. 336, 2018-096)

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

7. Regular Agenda

- a. Presentation of annual actuarial analysis regarding the Risk Fund - (Introduction made by Risk Manager Charles Hagan and presentation made by Jason A. Martin Senior Consultant at Willis Towers Watson)

No action taken on this item.

- b. Public hearing and first reading of an ordinance for Case Z18-13, a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning Districts to the Heavy Commercial (CH) Zoning District, being 2.053 acres located at 3014 Grape Creek Rd - (Presentation made by Planning & Development Services Director Jon James)

Citizen Randy Bannert spoke regarding current usage of the property.

Motion: Council Member Thompson made a motion, seconded by Council Member Gonzales, to approve the zoning change to a Planned Development with a requirement of no outdoor storage or heavy construction activities on the eastern 55 feet of the property. The motion carried unanimously (7) ayes to (0) nays.

- c. First reading and public hearing of ordinances approving:
 - 1. Case CP18-05, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Neighborhood" to "Neighborhood Center," being 0.36 acres located at 320 W. Ave O
 - 2. Case Z18-14, a rezoning from the Single-Family Residential (RS-1) Zoning District to the Office Commercial (CO) Zoning District, being 0.36 acres located at 320 W. Ave O (Presentation made by Planning & Development Services Director Jon James)

Citizen Jesse Calloway clarified the planned usage of the property.

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

- d. Public hearing and first reading of an ordinance for the abandonment and vacation of a 25-foot wide, 0.162-acre (7,096-square foot) segment of the Ben Ficklin Rd public right-of-way and a 10-foot wide, 0.061-acre (2,678-square foot) public alley, located immediately east and between Lots 1-5 and 22-27 within Block 4 of the Monterrey Addition - (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve the ordinance, as presented with the stipulation that only 15 feet of the Ben Ficklin Rd ROW be abandoned. The motion carried unanimously (7) ayes to (0) nays.

- e. Second reading and adoption of an ordinance deleting and replacing Chapter 10, "Traffic Controls", Article 10.01 "General Provisions", Section 10.01.014 "Bicycle Lanes" of the Code of Ordinances, City of San Angelo, Texas, providing for severability, and providing for an effective date - (Presentation made by City Engineer Russell Pehl) **(Pg. 337, 2018-097)**

Citizens Suzanne Daniel, Rocky Templin, and Steve Hampton spoke in opposition to the ordinance.

Motion: Mayor Gunter made a motion, seconded by Council Member DeWitt, to approve the ordinance, making the change from City Manager approval to the City Council. The motion failed (3) ayes to (4) nays, with Council Members Hiebert, Thompson, Thomas, and Gonzales casting the dissenting votes.

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, to approve the ordinance as presented, adding the stipulation for the ordinance to become effective after the approval of a new bicycle plan. The motion carried (5) ayes to (2) nays, with Council Member Carter and Mayor Gunter casting the dissenting votes.

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

No action taken on this item.

- g. Consider first public hearing of the property tax rate for the City of San Angelo for the 2018 tax year- (Presentation made by Finance Director Tina Dierschke)

No action taken on this item.

8. 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:
 1. Lot 9D, Block 2, Section 9A, Red Arroyo Hills Addition
 2. 21.536 acres located at 2838 College Hills Blvd
- b. 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.

9. Follow Up and Administrative Issues

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

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Motion: Council Member Carter made a motion, seconded by Council Member Hiebert, to approve the City Manager to negotiate an assignment to the lease agreement located on 21.536 acres located at 2838 College Hills Blvd and expand the use of the leased premises. The motion carried unanimously (7) ayes to (0) nays.

b. Approval of the following Board nomination:

Public Art Commission: Richard Round (Mayor) to an unexpired term ending April 2019

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

c. Consider the schedule for City Council Meetings in September

Motion: Mayor Gunter made a motion, seconded by Council Member Thompson, to move the first meeting in September from the 4th to the 6th. The motion carried unanimously (7) ayes to (0) nays.

Consensus: Upon clarification of the publication of public notice, the City Council rescinded the previous action and the September meetings will continue as originally scheduled (9/4/18 and 9/18/18).

d. Announcements and consideration of Future Agenda Items

Council Member Thompson asked for a study of the use of savings to improve, maintain, or add event venues.

10. Adjournment

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

There being no further business, the meeting adjourned at 11:23 a.m.

THE CITY OF SAN ANGELO

DocuSigned by:

Mayor Gunter

Brenda Gunter, Mayor

ATTEST:

DocuSigned by:

Bryan Kendrick

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.)