

City of San Angelo, Texas  
Regular City Council Meeting  
Tuesday, March 5, 2019

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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 Tuesday, March 5, 2019 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

**2. Legislative Prayer**

An invocation was provided by San Angelo Police Department Chaplain Marcella Jenkins.

**3. Pledges**

The pledges were led by members of Scout BSA Troop 374.

**4. Proclamations/Recognitions**

San Angelo's first all-female Scout BSA Troop, Troop 374, was recognized.

March 2019 was proclaimed Developmental Disabilities Awareness Month.

**5. Public Comment**

Mayor Gunter announced several housekeeping items at the City Attorney's request. Council Members should make all comments into the microphone for all to hear. Citizens should not attempt to send notes or text Council Members during the meeting.

Budget Manager Kim Holle announced the upcoming Capital Improvement Plan forums and online survey. Online live discussions will take place Thursday, March 7<sup>th</sup>, at 7:30 p.m. on the City of San Angelo Facebook page. Tuesday, March 12<sup>th</sup>, at 5:30 p.m. a town hall meeting will be held in Council Chambers.

**6. Consent Agenda**

- a. Approval of the City Council minutes for the February 19, 2019 regular meeting, the February 26, 2019 special meeting, and the ~~September~~ February 26, 2019 strategic planning workshop (Julia Antilley)
- b. Award of a contract to King Consultants through a TIPS Job Order Contract #181101 in the amount of \$59,292 for the removal of asbestos in several wall cavities, replacement of gypsum board, wall preparation, and painting at the City Hall Annex (Ron Lewis)
- c. Award of RFB SB-01-19 Cold Applied Crack Sealant Material to Allstates Coatings Company in the amount of \$197,700, budgeted annually, and authorizing the City Manager to execute any related documents (Patrick Frerich)
- d. Award of RFP FIN-01-18/Electronic Payment Solutions to Automated Merchant Systems, Inc. and authorizing the City Manager to execute any related documents (Tina Dierschke)

- e. Award of a contract to Gilbert Consultants for Municipal Court consulting services in the amount of \$60,000 and authorizing the City Manager to execute all related documents (Daniel Valenzuela)
- f. Second reading and adoption of an ordinance approving the abandonment and vacation of a 15-ft wide by 400-ft long, 0.137-acre (6,000-sq ft) public alley; located east of Bowie St. and south of E. 44th Street (Jon James) (Pg. 100, #2019-028)

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, to approve the consent agenda with the edit to the date on item 6a, and with the exception of item 6f. The motion carried unanimously (7) ayes to (0) nays.

*Citizen Ann Joseph expressed concern.*

Motion: Council Member Thompson made a motion, seconded by Council Member Carter, to approve item 6f, with the exception of separating the west 200-ft abandonment from the east 200-ft abandonment of the alley. The motion carried unanimously (7) ayes to (0) nays.

## 7. Regular Agenda

- a. Second reading and adoption of an ordinance approving case PD19-01, a rezoning from the Neighborhood Commercial (CN) Zoning District to a Planned Development (PD) Zoning District to allow Neighborhood Commercial (CN) uses, as well as self-service storage and a single-family detached dwelling, located at 909 W. Beauregard Ave. (Presentation made by Planning & Development Services Director Jon James) (Pg. 106, #2019-029)

*Property owner Rob Watkins noted they will obtain DHRC approval before proceeding. [Mayor Gunter stated she would like maximum height on the fence.]*

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

- b. Second reading and denial of an ordinance approving case PD19-02, a request for approval of a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Planned Development (PD) Zoning District to allow for uses permitted within the General Commercial/Heavy Commercial (CG/CH) Zoning District and an off-site sign with digital billboard face, located at 3410 Knickerbocker Rd. (Presentation made by Planning & Development Services Director Jon James)

*Lamar Advertising employee Tommy Roberts and Citizens Susan Mertz and Janie Delaney spoke in opposition to rezoning and in support of adhering to the existing Sign Ordinance. Citizen Greg Gossett spoke in opposition to rezoning. Citizen Linda Wilson quoted Red Steagall, "...San Angelo and Alpine... make and break themselves."*

Motion: Council Member Carter made a motion, seconded by Council Member Thomas, to deny the item, as presented. The motion carried (6) ayes to (1) nay, with Council Member Thompson casting the dissenting vote.

- c. Second reading and public hearing for adoption of an ordinance for an amendment to the Zoning Ordinance, establishing new standards for regulating mobile food trucks on public and private property in the City of San Angelo (Presentation made by Planning & Development Services Director Jon James) (Pg. 110, #2019-030)

*Executive Director of Downtown San Angelo, Inc. spoke regarding the limited downtown tax base and offered to connect mobile food trucks with restaurants for parking exceptions. Citizen Steve Hampton spoke in support of the livelihood food trucks bring to the downtown area. Restaurant owner Adrian Soto spoke in opposition to the item. Carlos Rodrigues, Kono Ice owner, asked for*

*clarification on Lake Nasworthy mobile food trucks. [City Attorney Theresa James offered to provide Chapter 9 rules for Lake Nasworthy in her office.] Rosanda Hernandez sought clarification on parking rules. Jesse Merloco spoke against reserved parking for mobile food trucks.*

Motion: Council Member Thomas made a motion, seconded by Council Member DeWitt, to approve the item, as presented with staff recommendations. The motion carried (6) ayes to (1) nay, with Council Member Carter casting the dissenting vote.

- d. Public hearing and first reading for approval of an ordinance deleting Chapter 10 "Traffic Control", Article 10.01 "General Provisions", Section 10.01.019 "Commercial Vehicles Prohibited" and restricting the operation of certain Commercial Vehicles to Designated Truck Routes within the City of San Angelo (Presentation made by Operations Assistant Director Patrick Frerich)

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve the item, as presented and creating Chadbourne St. boundaries at 19<sup>th</sup> St. and Ave. L. The motion carried unanimously (7) ayes to (0) nays.

- e. Discussion and approval of a policy amendment to small cell nodes in the right of way (Presentation made by City Engineer Russell Pehl)

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

- f. Presentation on the last 5-years of Economic Development (Presentation made by Economic Development Director Guy Andrews)

#### No Action Taken

- g. Ratification of a resolution by COSADC authorizing the use of sales and use tax funds in the amount of \$65,000, for the purposes of awarding a contract (DC-01-19) to Inter/Direct U.S.A., Ltd, d/b/a Community Development Strategies for expert services to prepare a comprehensive housing analysis that will assess overall housing needs in the competitive market area, to include workforce and affordable housing (Presentation made by Economic Development Director Guy Andrews) (Pg. 115, #2019-031)

*Real Estate Agent Sherley Spears expressed a concern over affordable housing versus affordable home ownership. Executive Vice President of the San Angelo Association of Realtors Kandi Pool expressed a desire to be included in further discussions. Realtor Teri Jackson spoke regarding proprietary MLS data. Citizens Steve Hampton and Lyleann McClellan expressed concern.*

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

- h. Ratification of a resolution by COSADC authorizing the sale of approximately 6.4 acres of land out of the San Angelo Business and Industrial Park to Jeff Prince Operating, LP at a price of \$25,000 per acre and authorizing the Board President to negotiate and execute a real estate sales contract (Presentation made by Economic Development Project Manager Robert Schneeman) (Pg. 117, #2019-032)

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

- i. Ratification of a resolution by COSADC authorizing the Board President to negotiate and execute a professional services agreement, with Centurion Planning and Design in an amount not to exceed \$7,500, relating to an approved project for additional professional engineering and surveying services required by TXDOT on permit applications for driveway access to a portion of

the Remainder of Block 1 San Angelo Gateway Addition, Section 1 of the San Angelo Business & Industrial Park (Presentation made by Economic Development Project Manager Robert Schneeman) (Pg. 119, #2019-033)

[Council Member Hiebert recused himself from the discussion.]

Motion: Council Member Thomas made a motion, seconded by Council Member Thompson, to approve the item, as presented. The motion carried unanimously (6) ayes, (0) nays, and (1) abstention, with Council Member Hiebert abstaining from the vote.

- j. First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019, for capital items and grants (Presentation made by Finance Director Tina Dierschke)

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

- k. Update on Preliminary Design Phase and award of Task Order 2 under RFQ WU-04-19 Engineering Services for Water System Improvements to the Hickory Groundwater Supply Development to Enprotec / Hibbs & Todd, Inc. in the amount of \$3,117,450, and authorizing the City Manager to execute any related documents (Presentation made by Scott Hibbs, P.E., Enprotec / Hibbs & Todd, Inc. and by Water Utilities Director Allison Strube)

*Citizen Steve Hampton expressed concern over future debt and seismic activity. Citizen Anna Bartosh sought clarification on well depth and recharge zone. Citizen Ginger Moore requested clarification on the sale of the Ford Ranch. Citizen Gary Goetz expressed concern.*

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item, as presented, contingent on the second reading of the above budget amendment. The motion carried unanimously (7) ayes to (0) nays.

## 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:~~

## 9. **Follow Up and Administrative Issues**

- a. ~~Consider items discussed in Closed Session, if needed~~
- b. Approval of various Board nominations:  
**Construction Board of Adjustment & Appeals:** Rodney Mayberry (SMD4) to a second term ending February 2021 and Brooks Wehner (SMD5) to a second term ending February 2021  
**Design & Historic Review Commission:** Stephen McLaughlin (SMD4) to a second term ending September 2020  
**Economic Development Corporation:** William Dendle (SMD2) to a second term ending February 2020 and Garland Freeze (SMD6) to a first term ending February 2021  
**Fort Concho Museum Board:** Wayland Cooksey (SMD4) to a second term ending January 2021 and Curtis Milbourn (SMD5) to a first term ending January 2021  
**Parks & Recreation Advisory Board:** Debbie Wilson (SMD4) to a first full term ending December 2020

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

- c. Announcements and consideration of Future Agenda Items

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Citizen and NAACP President of Unit 6219, Sherley Spears, spoke in favor of including the MLK Park restrooms in the CIP and budget discussions.

**10. Adjournment**

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

There being no further business, the meeting was adjourned at 12:58 p.m.

**THE CITY OF SAN ANGELO, TEXAS:**

DocuSigned by:

*Brenda Gunter*

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Brenda Gunter, Mayor

**ATTEST:**

DocuSigned by:

*Julia Antilley*

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Julia Antilley, 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.)