

DRAFT

MINUTES REGULAR MEETING February 11, 2020

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on February 11, 2020, at 6:00 p.m. in the Hal Baldwin Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas. The following members present to-wit:

Present: Mayor Ralph Gutierrez; Mayor Pro-Tem Mark Davis; Councilmember Scott Larson; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Tim Brown; Councilmember Allison Heyward

Absent: Councilmember Rosemary Scott Excused absence

City City Manager Dr. Mark Browne; Assistant City Manager Brian James;
Staff: Assistant City Manager Charles Kelm; City Attorney Daniel Santee; City
 Secretary Brenda Dennis; Assistant to the City Manager Sarah Gonzalez

Call to Order – City Council Regular Session

Mayor Gutierrez called the regular meeting to order at 6:00 p.m.

Call to Order

Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas. (Councilmember Michael Dahle)

Councilmember Dahle provided the opening prayer followed by the Pledges Allegiance to the Flags of the United States and State of Texas.

Employee Recognition

- Recognition of Esther Mendoza, P.D. Sr. Administrative Assistant, 20 years of service to the City. (C. Kelm/M. Hansen)

Mayor Gutierrez recognized City Manager Dr. Mark Browne who introduced Ms. Esther Mendoza providing a brief biography of her employment history with the City. Dr. Browne provided Ms. Mendoza with her 20-year Service Pin. Ms. Mendoza recognized those family members present.

- Recognition of Jimmy Hooks, Water/Wastewater Manager, for 30 years of service to the City. (C. Kelm/S. Williams)

Mayor Gutierrez recognized City Manager Dr. Mark Browne who introduced Mr. Jimmy Hooks providing a brief biography of his employment history with the City. Dr. Browne provided Mr. Hooks with his 30-year Service Pin. Mr. Hooks recognized those family members present.

City Events and Announcements

- Announcements of upcoming City Events (B. James/C. Kelm/S. Gonzalez)

Mayor Gutierrez recognized Assistant City Manager Charles Kelm who provided the following announcements:

- TxDOT will conduct work on FM 1518 between 1st Street and Wiederstein Road (in Selma) starting January 29th. Alternating lane closures will take place and work will last from 4-8 weeks.
- Thursday, February 13th Northeast Partnership Meeting 11:30 am, Olympia Hills Golf Course and Conference Center
- Monday, February 17th City offices closed in observance of Presidents' Day
- Tuesday, February 18th Chamber Luncheon 11:30 am, Civic Center
- Tuesday, February 18th Council on the Go, 6:00 pm, Fire Station #3
- Tuesday, February 25th City Council Meeting, Council Chambers
- Announcements and recognitions by the City Manager (M. Browne)

No further announcements.

- Announcements and recognitions by the Mayor (R. Gutierrez)

Mayor recognized the Events Facilities Staff for their quick response in assisting with setting up more chairs at a recent event held at the Civic Center. The attendance was much greater than expected and the staff responded very quickly.

Hearing of Residents

This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes.

All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting.

Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a

recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

No one spoke.

Consent Agenda Items

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.

The following was read into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the Special Joint meeting of January 30, 2020, and the minutes of the Regular meeting of February 4, 2020. (B. Dennis)
2. **Ordinance No 20-D-05** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, providing that the Code of Ordinances of the City of Schertz, Texas, be amended by revising Article V, Section 86-149, Parking Prohibited; regarding the establishment of no parking zones on FM 2252 on the approaches to the railroad track crossing and providing an effective date. (B. James/K. Woodlee) ***First Reading***
3. **Resolution No. 20-R-13** - Consideration and/or action approving a Resolution authorizing purchases not to exceed \$125,000 with Caldwell Country/aba Rockwell ford for the purchase of threere vehicles during the 2019-2020 fiscal year. (C. Kelm/D. Letbetter)
4. **Resolution No. 20-R-14** - Consideration and/or action approving a Resolution authorizing contracts totaling no more than \$175,000 with C-3 Environmental Construction, LLC for labor and related materials for various separate and unrelated concrete related projects during the 2019-2020 fiscal year. (S. Williams/D. Letbetter)
5. **Resolution No. 20-R-21** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas approving requests for Schertz Main Street Local Flavor Economic Development Grants for 816 Main and 405 Main. (B. James)

Mayor Gutierrez recognized Councilmember Dahle who indicated that on Item 3, Resolution No. 20-R-13, there is a typo in Section 1, it says Seventy one Hundred and it should say One Hundred Twenty Five Thousand. Also, he would like to include Item 6 Ordinance 20-D-03 to the consent agenda.

Mayor Gutierrez asked if members of Council had any objections to adding Item 6 and Councilmember Scagliola asked that they discuss it. Mayor indicated that the consent agenda includes items 1 through 5 and called for a motion.

Moved by Councilmember Michael Dahle, seconded by Councilmember Allison Heyward to approve consent agenda items 1 through 5.

AYE: Mayor Pro-Tem Mark Davis, Councilmember Scott Larson, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Tim Brown, Councilmember Allison Heyward

Passed

Discussion and Action Items

- 6. Ordinance 20-D-03** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, providing that the Code of Ordinances of the City of Schertz, Texas, be amended by revising Chapter 86, Article V, Section 86-149 Parking Prohibited; removing the no parking zone on Greenridge in the Fairhaven Subdivision, and providing an effective date. *First Reading* (B. James/K. Woodlee)

The following was read into record:

ORDINANCE NO. 20-D-03

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF SCHERTZ, TEXAS BE AMENDED BY REVISING CHAPTER 86, ARTICLE V, SECTION 86-149 PARKING PROHIBITED; AND PROVIDING AN EFFECTIVE DATE. (First reading)

Mayor Gutierrez recognized Assistant City Manager Brian James who introduced this item addressing questions from Council.

Moved by Councilmember Tim Brown, seconded by Councilmember David Scagliola to approve Ordinance 20-D-03 on first reading.

AYE: Mayor Pro-Tem Mark Davis, Councilmember Scott Larson,
Councilmember Michael Dahle, Councilmember David Scagliola,
Councilmember Tim Brown, Councilmember Allison Heyward

Passed

7. **Resolution No. 20-R-18** - Consideration and/or action approving a Resolution authorizing a contract with Alamo City Constructors, INC. relating to the 2018 SPAM Rehabilitation Project and authorizing the budget expenditures for the project. (B. James/J. Nowak)

The following was read into record:

RESOLUTION NO. 20-R-18

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A CONTRACT WITH ALAMO CITY CONSTRUCTORS, INC. RELATING TO THE 2018 SPAM REHABILITATION PROJECT AND AUTHORIZING THE BUDGET EXPENDITURES FOR THE PROJECT

Mayor Gutierrez recognized Engineer John Nowak who introduced this item addressing questions from Council.

Moved by Councilmember Scott Larson, seconded by Councilmember Allison Heyward to approve Resolution No. 20-R-18.

AYE: Mayor Pro-Tem Mark Davis, Councilmember Scott Larson,
Councilmember Michael Dahle, Councilmember David Scagliola,
Councilmember Tim Brown, Councilmember Allison Heyward

Passed

8. **Resolution No. 20-R-16** - Consideration and/or action approving a Resolution authorizing a contract with Fuquay, Inc. relating to the 2018 SPAM Resurfacing Project and authorizing the budget expenditures for the project. (B.James/J. Nowak)

The following was read into record:

RESOLUTION NO. 20-R-16

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A CONTRACT WITH FUQUAY, INC. RELATING TO THE 2018 SPAM RESURFACING PROJECT

AND AUTHORIZING THE BUDGET EXPENDITURES FOR THE PROJECT

Mayor Gutierrez recognized Engineer John Nowak who introduced this item addressing questions from Council.

Moved by Councilmember Scott Larson, seconded by Councilmember Michael Dahle To approve Resolution No. 20-R-18

AYE: Mayor Pro-Tem Mark Davis, Councilmember Scott Larson, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Tim Brown, Councilmember Allison Heyward

Passed

9. **Ordinance No. 20-T-04** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2019-2020 Budget to provide funding for the E. Live Oak Pump Addition Project, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. *First reading* (C. Kelm/S. Williams/J. Hooks)

The following was read into record:

ORDINANCE NO. 20-T-04

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN ADJUSTMENT TO THE FISCAL YEAR 2019-2020 BUDGET TO PROVIDE FUNDING FOR THE E. LIVE OAK PUMP ADDITION PROJECT, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE (*First Reading*)

Mayor Gutierrez recognized Public Works Director Suzanne Williams who introduced this item addressing questions from Council.

Moved by Councilmember Scott Larson, seconded by Councilmember Allison Heyward To approve Ordinance No. 20-T-04 on first reading.

AYE: Mayor Pro-Tem Mark Davis, Councilmember Scott Larson, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Tim Brown, Councilmember Allison Heyward

Passed

Roll Call Vote Confirmation

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided the roll call vote confirmation for agenda items 1 through 9.

Workshop

10. Worksession on potential acquisition of properties in Freeway Manor

Mayor Gutierrez recognized Assistant City Manager Brian James who provided an overview of the Freeway Manor properties. He stated on December 3, 2019 staff made a presentation to City Council on Freeway Manor. During that meeting, Council asked staff to come back to Council to answer some additional questions they had. Staff has included maps as an attachment with some of that additional information. It should be noted that the map indicating which properties have structures on them is from the Appraisal District and may not be accurate - staff is currently field verifying it.

For a number of years, the City acquired property in the Freeway Manor Subdivision. The City has not purchased any of the properties for nearly 10 years. Freeway Manor is a paper subdivision, so called because although the plat was filed, there is not infrastructure - streets, water, sewer to support development of all the lots. The plat was filed in 1958. Freeway Manor is located on the south side of IH-35, just east of the Belmont Park residential subdivision. The area is zoned GB - General Business. There are a handful of residential structures on the property that have been there for a long time. The City began acquiring the properties given the lack of adequate infrastructure that made it difficult for any of the many owners to develop their property. While there are a few people, like the City that own numerous lots, most people own just one or two, which makes it difficult to justify the cost of providing infrastructure. As such the City began acquiring properties when approached by their owners or as properties came up at foreclosure sales.

Mr. James also indicated that Code Enforcement has been in the area to identify junk trash and debris on different lots, he stated that there is junk and trash on our city owned properties that will need to be cleaned up.

It was the consensus of the members of Council to continue with the process as Mr. James outlined.

Closed Session

11. City Council will meet in closed session under section 551.071 of the Texas Government Code for private consultation with attorneys regarding potential or contemplated litigation relating to the City of Schertz Fire Station #3.

Mayor Gutierrez recessed the regular meeting into closed session at 6:55 p.m.

Reconvene into Regular Session

Mayor Gutierrez reconvened into regular session at 7:21 p.m.

Take any action based on discussions held in closed session under **Agenda item 11**.

No action was taken.

Roll Call Vote Confirmation

Requests and Announcements

- Announcements by the City Manager.

No further announcements.

- Requests by Mayor and Councilmembers that items be placed on a future City Council agenda.

Mayor Gutierrez recognized Councilmember Larson who requested a discussion item regarding license reciprocity. We specifically look at food trucks but not limiting to that, any professional or work required license that the city requires for people to work or conduct business. Possibility of leading the region and accepting licenses from other communities as valid in our community. For clarity, Dr. Browne asked if he is talking about food trucks and if you're asking do we accept licenses from another city to allow them to operate in our city? Councilmember Larson answered, not if we do, but if we could and not necessarily just limit it to food trucks but any like kind of licenses or certifications that we require as a municipality and that other municipalities have that are the same or identical standards. Dr. Browne understood his request.

- Announcements by Mayor and Councilmembers
 - City and community events attended and to be attended
 - City Council Committee and Liaison Assignments (see assignments below)
 - Continuing education events attended and to be attended
 - Recognition of actions by City employees
 - Recognition of actions by community volunteers

Mayor Gutierrez recognized Councilmember Dahle who stated he attended the

following:

- Thursday, February 6 - Chuck Wagon Breakfast sponsored by Frost Bank

Mayor Gutierrez recognized Councilmember Scagliola who stated he attended the following:

- Thursday, February 6 - Chuck Wagon Breakfast sponsored by Frost Bank, Trail Riders Lunch Pickrell Park

Mayor Gutierrez recognized Councilmember Heyward who also complemented the Events Department for quickly assisting in setting up more chairs at the meet the candidate's event held at the Civic Center Thursday. She also stated she attended the following:

- Thursday, February 6 - Chuck Wagon Breakfast sponsored by Frost Bank, Trail Riders Lunch Pickrell Park
- Schertz Civic Center Wedding Quinceanera open house
- Tuesday, February 11 - Chamber Leadership Core - Education tour

Mayor Gutierrez recognized Councilmember Brown who added the following:

- Thursday, February 6 - Chuck Wagon Breakfast sponsored by Frost Bank, Trail Riders Lunch Pickrell Park

Councilmember Brown also wanted to give a shout out to Officer Kraft for her work in working with the HOA's, they really appreciate her time she puts into it.

Mayor Gutierrez stated that he attended the following events:

- Wednesday, February 5 - Guadalupe County Mayors Association meeting - the meeting focused on the upcoming 2020 Census and how important it is and how important it is that everyone is being counted. He stated that with the upcoming census it may realign the County precincts based upon the population growth. Also, discussion regarding 2 to 4 congressional seats weill be added to the State of Texas.
- Thursday, February 6 - Chuck Wagon Breakfast sponsored by Frost Bank, Trail Riders Lunch Pickrell Park
- Thursday, February 6 - Northeast Partnership for Economic Development Mayors meeting
- Schertz Civic Center Wedding Quinceanera open house
- Monday, February 10 - Association Defense Communities event - it was a military City's reception at the Alamo

Information available in City Council Packets - **NO DISCUSSION TO OCCUR**

12. Northcliffe Frontage Property Inquiry Update (B. James / L. Wood / E.Delgado & T. McFalls)

Adjournment

Mayor Gutierrez adjourned the meeting at 7:27 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary