

# DRAFT

## MINUTES REGULAR MEETING April 14, 2020

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on April 14, 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 Rosemary Scott; Councilmember Scott Larson; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Tim Brown; Councilmember Allison Heyward

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**

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

### **Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas. (Councilmember Scott)**

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

### **City Events and Announcements**

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

No announcements were provided.

- Announcements and recognitions by the City Manager (M. Browne)

Mayor Gutierrez recognized City Manager Dr. Mark Browne who mentioned

that it was officially National Public Safety Telecommunications week and normally we present a proclamation but given the situation we are not going to do this tonight. He did want to recognize our find Dispatch Operators and all the Telecommunicators in our dispatch office for the great work they do.

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

Mayor Gutierrez reminded students who were participating in the Hal Baldwin Scholarship to sign the sheet in the back if in attendance but also stated that if students are applying, they do not have to attend the meeting in person but can watch it on-line and still get credit. He stated that students should contact Sarah Gonzalez at 210-619-1015 for any questions, or they can email her at sgonzalez@schertz.com.

## Hearing of Residents

***Residents who choose to watch the meeting via live stream, but who would like to participate in Residents to be Heard, should email their comments to City Secretary, Brenda Dennis, at bdennis@schertz.com by 5:00 p.m. on Monday, April 13, 2020, SO THAT THE CITY SECRETARY MAY READ THE PUBLIC COMMENTS INTO THE RECORD UNDER THE HEARING OF RESIDENTS. In the body of the email please include your name, your address, phone number, agenda item # if applicable or subject of discussion, and your comments.***

*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.*

Mayor Gutierrez indicated no one signed up to speak on the speakers form. Mayor Gutierrez recognized City Secretary Brenda Dennis and asked if anyone had emailed her who wished to address Council. Ms. Dennis stated no one else had signed up.

## 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 were read into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the meeting of April 7, 2020. (B. Dennis)
2. **Ordinance No. 20-H-06** - Consideration and/or action approving an Ordinance of the City of Schertz, Texas, amending chapter 14-Animal Control, of the code of Ordinances; providing for mandatory micro chipping regulations for dogs and cats; therefore removing the requirement for an annual city license for dogs and cats; providing a conflict clause; providing for severability; providing for publication; and providing an effective date. *Final Reading* (C. Kelm/M. Bane/S. Solitto)
3. **Ordinance No. 20-D-10** - Consideration and/or action approving an Ordinance providing that the Code of Ordinances of the City of Schertz, Texas be amended by revising Chapter 86, Section 86-115, Maximum limits generally on specific streets, adding the maximum speed limits of FM 1103 to a construction speed limit and thus temporarily changing the maximum speed limit. *Final Reading* (C. Kelm/S. Williams/D. Letbetter)
4. **Ordinance No. 20-T-11** - 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 transfer funds for the purchase of software, parts, and labor for 14 existing Flashing School Zone Lights and the purchase of three additional lights, repealing all ordinances in conflict with this ordinance; and providing an effective date. *Final Reading* (C. Kelm/S. Williams/D. Letbetter)

Mayor Gutierrez recognized Councilmember Rosemary Scott who requested agenda #2 be removed from consent for separate action.

Moved by Mayor Pro-Tem Mark Davis, seconded by Councilmember Rosemary Scott to approve consent agenda items, 1, 3 and 4.

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

Passed

## Discussion and Action Item

The following captions were read into record:

**2. Ordinance No. 20-R-39** - Consideration and/or action approving an Ordinance of the City of Schertz, Texas, amending chapter 14-Animal Control, of the code of Ordinances; providing for mandatory micro chipping regulations for dogs and cats; therefore removing the requirement for an annual city license for dogs and cats; providing a conflict clause; providing for severability; providing for publication; and providing an effective date. *Final Reading* (C. Kelm/M. Bane/S. Solitto)

Mayor Gutierrez recognized Assistant Police Chief Marc Bane who introduced this item stating he is available to address any questions.

Mayor Gutierrez recognized Councilmember Rosemary Scott who again expressed her concern of the micro chipping causing cancer in animals. She provided some information she had obtained while doing research and feels she should be an advocate for the animals. She did read the clause where you could get your animal tattooed from the vet, so there seems to be an out if someone is concerned about micro chipping their animal. Assistant Police Chief Bane addressed her concerns and stated that their goal is voluntary compliance.

Councilmembers Heyward and Dahle expressed their thoughts regarding micro chipping the animals. Chief Bane also addressed further questions from council.

Moved by Councilmember Scott Larson, seconded by Councilmember Allison Heyward to approve Ordinance 20-H-06 on final reading.

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

NAY: Councilmember Rosemary Scott

Passed

5. **Resolution 20-R-39-** Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas Authorizing Expenditures in Excess of \$50,000 with Silsbee Ford in Fiscal Year 2019-20 and Other Matters In Connection Therewith. (C. Kelm/C Hernandez /J. Gohlke)

Mayor Gutierrez recognized Purchasing Manager Julie Gohlke who provided a brief PowerPoint introducing this item. Ms. Gohlke addressed questions from Council.

Questions was raised that the caption on the agenda states \$50,000, but the backup material in the resolution states \$500,000. Ms. Gohlke stated that the caption in the resolution was correct. "Mayor Gutierrez had read the appropriate caption with the \$500,000."

Moved by Councilmember Michael Dahle, seconded by Mayor Pro-Tem Mark Davis to approve Resolution No. 20-R-39.

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

Passed

6. **Resolution No. 20-R-37** - Consideration and/or action approving a resolution authorizing additional expenditures not to exceed \$857,739 with Fuquay, Inc. for the 2018 SPAM Resurfacing project. (B. James/J. Nowak)

Mayor Gutierrez recognized City Engineer John Nowak who provided a PowerPoint presentation regarding the current roads, conditions and the year specific roads will be repaired. Mr. Nowak addressed questions from Council on decisions of moving the North Cliff road to 2021.

Moved by Councilmember Michael Dahle, seconded by Mayor Pro-Tem Mark Davis to approve Resolution No. 20-R-37.

AYE: Mayor Pro-Tem Mark Davis, Councilmember Rosemary Scott, 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 1-6.

## Workshop

- 7. Emergency Operations Update regarding current COVID-19 cases -** Workshop discussion and update regarding current COVID-19 cases. (M. Browne/K. Long)

Mayor Gutierrez recognized Fire Chief Kade Long who provided a timeline of events and updated information regarding current cases. He provided information on what is next. From the Emergency Management and City Management side is to start discussing moving from the response that we are doing now to the recovery and what that looks like.

Chief Kade stated he does not have all the answers tonight, it's just to say, this is what's next for emergency management and having discussions with the leadership. Goal would be to develop some type sustained approach to reopening. What's next, what is it going to look like - that requires a lot of discussion. The Governor has put out information that later this week he is going to address a lot of these questions, and he can come back and update the Council.

Councilmember Scott provided her commentary and questions on the reopening phase, expressed concerns that when employees come back to work, will there be enough face masks - Chief Kade answered depending on if the N95 masks are required, then the supply of those, we do not have enough, but if looking at type citizens are making today he would not think it was an issue. Dr. Mark Browne stated that the Governor is likely going to issue instructions, and he believes they will be fairly specific.

Mayor Gutierrez also stated that we are under the County and the County will also be issuing guidance. It is very difficult to speculate exactly how we are going to handle it until the Governor has taken some action as well as the County Judge. As soon as they do, our team is ready to start the process.

Councilmember Scott, wishing to appeal for reason and rationality as we move forward. Safety and reason, first and foremost. She stated she would send the information that she has gathered out to the other members of Council.

Councilmember Dahle asked about how our teams were set up and did we have enough PPE's supplies. Chief Kade addressed Councilmember Dahle stating

they are receiving donations and Fire, EMS and PD they are setting pretty good and have about a month supply on hand.

Councilmember Dahle stated that he would like to see what options might be available through EDC to assist the small businesses. He would like to explore this conversation and it is one that is worth having.

## **Requests and Announcements**

- Announcements by the City Manager.

No further announcements were provided.

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

Councilmember Larson mentioned as brought up by Councilmember Dahle, he too would like to see more discussion on how EDC could help local businesses.

- 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

Council did not attend any events.

## **Adjournment**

Mayor Gutierrez adjourned the meeting at 7:14 p.m.

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary