

DRAFT

MINUTES REGULAR MEETING April 13, 2021

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on April 13, 2021, 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 Jill Whittaker; Councilmember Mark Davis; Councilmember Rosemary Scott; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

City Staff: City Manager Dr. Mark Browne; Assistant City Manager Brian James; Assistant City Manager Charles Kelm; City Attorney Daniel Santee; City Secretary Brenda Dennis; Assistant to the City Manager Sarah Gonzalez; Deputy City Secretary Sheila Edmondson; Director of Planning & Community Development Lesa Wood; Senior Planner Emily Delgado; Senior Planner Nick Kopolyay; Planner Megan Harrison; Planner James May

Attendees: Glen Outaw Chair P&Z Commission, Ernest Evans Vice Chair P&Z Commission, Gordon Ray P&Z Commissioner, Earl Platt P&Z Commissioner, Ken Greenwald P&Z Commissioner, Richard Braud P&Z Commissioner, Ricky Haynes P&Z Commissioner, Jimmy Odom P&Z Commissioner, Judy Goldick P&Z Commissioner

Call to Order

Mayor Gutierrez called the Special Joint meeting to order at 5:30 p.m, followed by Planning & Zoning Chair Outlaw calling their Special Joint meeting to order.

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

Mayor Gutierrez recognized Councilmember Davis who provided the opening prayer followed by the Pledges of Allegiance to the Flags of the United States and the State of Texas.

Mayor Gutierrez turned the meeting over to Planning and Zoning Commission Chair Glen Outlaw.

Hearing of Residents

Chair Outlaw recognized the following who spoke:

- Maggie Titterington, 1730 Schertz Parkway, who spoke regarding the Tree Mitigation Ordinance as well as showed a video from Pastor Zak White with Revolution Church regarding same subject and the need for change and flexibility in the ordinance and the burden on the landowner with a heavily wooded lot. Ms. Titterington extended kudos to several Councilmembers and Mr. James who assisted in walking her through the process and is looking forward to further discussions on proposed changes and options.
- David Gleeson, 7000 Preston Shire Lane Dallas, owner partner of 1.7 acres west side of FM 3009 and Wiederstein who also addressed concerns on the Tree Mitigation Ordinance as the acreage is a virtual forest of trees and the cost of mitigation and design around the trees present problems.

Workshop discussion:

- Comprehensive Plan Update
 - Process
 - Major Policy Issues
- Unified Development Code Update
 - Goal
 - Process
 - Quick Victory Amendments

Chair Outlaw recognized Mr. Nick Kopylay Senior Planner who provided the following information:

The purpose of this joint workshop is to align City Council, City Staff and Planning and Zoning Commission (P&Z) on different policy values before we move forward with the Comprehensive Plan (Comp Plan) and Unified Development Code (UDC) updates and want to make sure after tonight moving forward, everyone was on same page.

Workshop Goals: Articulate the City's Position:

- Allowing Smaller Residential lot sizes
- Responding to changed conditions in Southern Schertz.
- Increasing flexibility in regard to development regulations while maintaining quality development
- Approaching the Comp Plan and the UDC Update

Allowing Smaller Residential Lot Sizes:

- The smallest single-family detached lot size currently allowed by the UDC is 8400 sq ft. (70'x120')
- Used Planned Development District (PDD) to allow a variety of lot sizes
- Median new home price within SCUCISD in Schertz is \$310,800
- This highlights the issue of affordability and diversity in housing

City Council and Planning and Zoning Commission discussed numerous topics:

The issue of small lots with large homes, the PDD's putting small lots in their developments that are below the 8400 sq ft minimum and wanting to have different size lots spread out in developments to alleviate the 'cookie cutter' style neighborhoods. PDD's can have small lots in their designs and the lot size would not be an issue, if the home built on it was proportionate to the size lot. There are several areas in Schertz that have smaller lots with smaller homes are built on them, that do not appear or feel small.

Setbacks were also discussed. Schertz has many setbacks depending on when development was built. Some of the new PDD's ask for 5ft setbacks depending on the lot and house being built. The fire department has always supported the 10 ft setback for fire safety issues. The 10 ft setback will help neighborhoods feel less dense and is a good thing for Schertz.

The discussion and definitions of congestion vs. density brought out varying ideas on how we can alleviate congestion and have some areas of planned density. Adding townhomes, condos and garden homes can increase density without a lot of congestion if planned properly. Congestion can be addressed by having developers address parking, street widths and layout designs.

Having cars being parked on the streets makes it very congested in some neighborhoods. Some of our current streets are not wide enough to have a pick-up truck parked on both sides of the street and have enough room for vehicles drive down the road without pulling over and letting traffic through. On these narrow streets, firetrucks cannot turn around once they are finished with the emergency call. They have to back out of the streets where the emergency call was in order to return to their stations. Discussion included having the newly proposed developments put in wider streets to accommodate parking and allow emergency vehicles able to travel up and down without issues. Other ideas concerning cars parking on streets are extended driveways, adding additional garages to homes and carports.

Many opposed the R6/R7 size lots, but by having PDD's limit smaller lots (percentage of total lots) they can be part of the proposed development with mixed lot sizes and add the diversity and affordability Schertz is looking for. On the other side, areas with large lots, 1-10 acre lots would be a good blend and with good conversation find positive solutions.

The City of Schertz has a wonderful charm and character and is a destination city to live in. Both Council and P&Z want to keep the standards high, offering quality homes at affordable costs. Currently, the market is booming and there are not a lot of homes in the \$250,000 price range. The median home price in the SCUCISD area is \$318,000. The hope is that folks who are working in the city could afford to live here is a big challenge. The demand for housing outweighs the homes available. Developers want to cash in on the market and want to put in as many homes in a development as possible. We need to make sure the developments that are being built, meet the high standards that make Schertz a desirable area to live in. Ideas of researching affordable good quality building materials was brought up. Newer building material options can help make homes more affordable, without compromising building standards. By updating the Comp plan and UDC to have some built in flexibility, we can meet those standards and work to keep Schertz a premier place to live in.

Planning and Zoning Commission felt with the written rules in the Comp Plan and UDC, are not aligning with the feelings of the current council. Current council did not write these rules, but things change, and P&Z are stuck trying to enforce the rules when opinions and feelings have changed. Planning and Zoning Commissions is looking for guidance and more insight of what council wants moving forward.

One of the biggest areas of challenge is with commercial properties and our current Landscaping Area and Tree Planting requirements. Our ordinances are not simple to read. Staff would like to make some modifications to maintain that standard and quality, build in an 'ease of use' and make it a 'win-win' for everyone. Make standards the same in the Comp Plan and UDC, build in some flexibility. We can propose some of the tree planting requirements and some of the landscape issues without reducing standards with developers.

The Tree Mitigation staff would like to work with P&Z concerning the heavily wooded lots that landowners want to develop. With the current fee schedule developing those lots can be extremely expensive. Ideas of possibly having a cap on fees was mentioned. Planning and Zoning Commisison and Staff want the developers to meet the high standards Schertz has, but at the same time understand with the current fee schedule, costs can be very expensive. Let staff work with P&Z and fix the easy topics, get those updated and with the more difficult topics, put them aside for the UDC update. City Council, City Staff and Planning and Zoning want to address and rework these issues by finding a better balance while not giving up quality.

Trees add value to the community and there are some trees in this area that are as old as Texas. Staff will work to find a solution and compromise for landowners with heavily wooded areas and landowners with barren lots.

Mayor Gutierrez and Council thanked Planning and Zoning for all their hard work and dedication.

Chairman Outlaw and Planning and Zoning Commissioners thanked City Council and staff for hosting this joint workshop and look forward to working together again.

Adjournment

Chair Outlaw adjourned Special Meeting at 7:30 p.m. followed by Mayor Gutierrez. Mayor Gutierrez requested a five-minute recess before calling the regular Council meeting to order.

Call to Order

Mayor Gutierrez called the Regular meeting to order at 7:40 p.m.

Mayor Gutierrez stated that students who are participating in the Hal Baldwin Scholarship and are present to sign in on the sheet in the back.

UPDATE: Due to COVID-19, students are encouraged to watch a City Council meeting on the City's YouTube channel:

For more information, contact Sarah Gonzalez by email at sgonzalez@schertz.com.

Proclamations

Mayor Gutierrez read and presented the following proclamations:

- Proclamation recognizing Parental Alienation Awareness Day. (Mayor/Robert Untz)
- Proclamation recognizing National Public Safety Tele-Communicators Week. (Mayor/K. Kallies)
- Proclamation recognizing Child Abuse Prevention Month. (Mayor/C. Williams)
- Proclamation recognizing National Crime Victims Rights Week. (Mayor/C. Williams)

Presentations

- Presentation regarding the newly designed Schertz.com Website. (M. Browne/S. Gonzales/L. Klepper/D. Christensen)

Mayor Gutierrez recognized Public Affairs Director Linda Klepper, Communications Manager Devan Christensen and Librarian Natalie Shults who provided an overview of the newly designed Schertz website and the design process. Those that participated in the new design process were Linda Klepper,

Devan Christensen, Madison Porras with the Public Affairs Department, Natalie Shults with the Library, and Tony McFalls with GIS.

City Events and Announcements

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

Mayor Gutierrez recognized Assistant to the City Manager Sarah Gonzalez who provided the following:

Saturday, April 17, July 17 & September 17

edZooation in the Park - Crescent Bend Park - 10:00 a.m.

Learn about Texas Horned lizards and their food sources

Sundays, April 18th through May 23rd

Last Call for the Adult Kickball League registration (ages 21 years and older)

sponsored by the Schertz Parks & Rec Social League Games will be played

Sunday evenings from 6-10 PM, April 18th through May 23rd at Thulemeyer Park

Register online at Schertz.com or call the Parks Department at 210-619-1850 for more information.

Registration includes a team t-shirt!

Tuesday, April 27th

Next regular scheduled Council meeting

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

Dr. Browne stated that Amazon has announced three new Delivery Stations in the area, and Schertz has been designated as one of those new Delivery Stations, it will be located on Schwab Road. Location to open early 2022. Dr. Browne thanked EDC Executive Director Adrain Perez and his team. Dr. Browne also thanked the Planning and Development Team as well as the Engineering team getting this accomplished. Kudos to all.

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

No announcements.

Hearing of Residents

Mayor Gutierrez recognized the following:

- Ms. Maggie Titterington, 1730 Schertz Parkway, (The Chamber)

April 20th, Chamber Luncheon - Impacting your Business Through Top Digital Trends for2021 - EVO Entertainment - 11:30

Lastly, Ms. Titterington read a letter of congratulations to the City of Schertz and the success regarding the COVID-19 Shot Clinics being sponsored. The letter thanked Fire Chief Kade Long, Emergency Management Coordinator Summar Hall and all the volunteers who made this happen. Ms. Titterington also thanked the City and all the volunteers.

- Mr. Emilio Silvas, 9939 Meadowlark who came forward asking for support as he is running for Place 7 for the Judson Independent School District, School Board.

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.

Mayor Gutierrez read the following into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the meeting of Special Workshop meeting of April 2, 2021 and minutes of the Regular meeting of April 6, 2021. (B. Dennis)
2. **Resolution No. 21-R-29** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing the City Manager to sign a Letter of Intent (LOI) with Sterling McCall Ford for the purchase of one (1) new ambulance for Fiscal Year 2021/2022. (C. Kelm/J. Mabbitt)
3. **Ordinance No. 21-S-12** - Consideration and/or action on a request for a Specific Use Permit to allow Mini-Warehouse / Public Storage on approximately 25 acres of land generally located north-east of the intersection of FM 3009 and FM 78, also known as 200 FM 3009, also known as Guadalupe County Property Identification Numbers 153960, 164035, 67453, City of Schertz, Guadalupe County, Texas. (B. James/L. Wood/E. Delgado) *Final Reading*
4. **Ordinance No. 21-S-11** - Consideration and/or action on a request to rezone approximately 25 acres of land from General Business District (GB) and General Business II District (GB-2) to General Business II District (GB-2), generally located north-east of the intersection of FM 3009 and FM 78, also known as 200 FM 3009, also known as Guadalupe County Property Identification Numbers 153960, 164035, 67453, City of Schertz, Guadalupe County, Texas. (B. James/L. Wood/E. Delgado) *Final Reading*

5. **Resolution No. 21-R-32-** Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing and approving a service contract with Saeco Electric Company for on-call traffic lighting maintenance, repair, and other related matters. (C.Kelm/S. Williams/D. Letbetter)

Mayor Gutierrez asked Council if there were any items they wished to be removed for separate action. No items were removed.

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

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

Passed

Discussion and Action Items

6. **Resolution 21-R-33** - Consideration and/or action approving a Resolution authorizing an amendment to the Professional Services Contract with Kimley-Horn Associates, Inc. for the 2020 SPAM Resurfacing Project to add scope and fees to address concerns discovered during the design process and add the Lindbergh Avenue reconstruction and storm drain extension to the project. (B. James/J. Nowak)

Mayor Gutierrez recognized City Engineer Kathy Woodlee who introduced this item answering questions from Council.

Moved by Councilmember David Scagliola, seconded by Councilmember Allison Heyward to approve Resolution No. 21-R-33.

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

Passed

7. **Resolution No. 21-R-34** - Consideration and/or action approving a resolution by the City of Schertz, Texas, authorizing a submission to the Office of Congressman Vicente Gonzalez to seek funding under the Fiscal Year 2022 Community Project Funding for the Corbett Ground Storage Tank. (C. Kelm/S. Williams/S. McClelland)

Mayor Gutierrez recognized Assostant Public Works Director Scott McClelland who introduced this item addressing questions from Council.

Moved by Mayor Pro-Tem Jill Whittaker, seconded by Councilmember Tim Brown to approve Resolution No. 21-R-31.

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

Passed

Roll Call Vote Confirmation

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided the roll call vote confirmation for agenda items 1 through 7.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

Mayor Gutierrez mentioned that agenda items 8 & 9 are informational only items and were provided in their packets as well as can be found online.

- 8. Monthly update** - on major projects in progress/CIP. (B. James/K. Woodlee)
- 9. COVID-19 UPDATE** - Bi-Weekly COVID-19 Update.(C. Kelm/K.Long/S.Hall)

Requests and Announcements

- Announcements by the City Manager.

City Manager Dr. Browne stated that he received two emails from CPS tonight that our friends from ERCOT are requesting conservation across the state entitled "First Level Energy alert." They are looking for conservation, there's been various factors in the weather today, higher than forecasted temperatures, lower plant capacity due to maintenance, overcast skies impacting solar output and wind power was lower than expected. They are not expecting rolling outages, he is just passing the message along.

- Requests by Mayor and Councilmembers for updates or information from staff.

None at this time.

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

No items requested.

- 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 the following:

Mayor Pro Tem Whittaker attended the following:

- Citizens Police Academy
- COVID-19 Vaccine Clinics
- Movin On Main Event

Councilmember Scott attended the following:

- Movin On Main Event

Councilmember Dahle attended the following:

- Movin On Main Event

Councilmember Scagliola attended the following:

- Movin On Main Event
- COVID-19 Vaccine Clinics

Councilmember Heyward attended the following:

- Virtua Legislative Update
- Movin On Main Event
- Guadalupe County Committee Collation

Councilmember Brown attended the following:

- Movin On Main Event

Adjournment

Mayor Gutierrez adjourned the meeting at 8:45 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary