

REGULAR MEETING OF THE CITY COUNCIL
MAY 2, 1989

The Schertz City Council convened in Regular Sessison, Tuesday, May 2, 1989, at 7:00 p.m. in the Council Chambers of the Municipal Complex, 1400 Schertz Parkway, Schertz, Texas. The following members were present: Mayor Earl W. Sawyer, presiding; Hal Baldwin; Barbara Stanhope; Adolph Aguilar and Ken Greenwald. Absent: Earl P. Hartzog. Staff present were City Manager Kerry R. Sweatt and City Secretary June Krause.

After welcoming everyone to the meeting Mayor Sawyer had the pleasant task of issuing certificates of appreciation to several of our citizens. He mentioned that these citizens have served on the Industrial Development Committee for several years and did a very good job. He then gave certificates to Harry Richburgh, Bob Booth, Cris Frias, Kermit Harborth and Tom Dovey. Two members of the committee, Melvin Gola and Tom Weaver were unable to attend and receive their certificates. Mayor Sawyer thanked them all for serving, adding that with the forming of the Economic Development Task Force some of these same people will still be serving their city.

Mayor Sawyer said we are also tonight saying good bye to an old friend and colleague, Mr. Adolph Aguilar. He has served this city well for many years. He has shown us a lot of leadership and ability while on the City Council. We feel he will be a great loss to the Council and the City for he has had a steadying influence on the City. Mayor Sawyer then presented Mr. Aguilar with a plaque for his years of service on the Planning & Zoning Commission from 1976 to 1981 and on the City Council from 1982 to 1989. Mayor Sawyer said Mr. Aguilar was not through serving his community yet as he was going to be placed on another committee.

The Chief of Police then had a few words to say to Mr. Aguilar.

Chief Agee said Mr. Aguilar would be happy to hear that as of this date, the police captured the burglars that hit his house. They have implicated some other people. They stole a car at Wuests and were caught in Kyle Texas. They were responsible for at least three burglaries in the vicinity.

#1 **APPROVAL OF MINUTES:** Regular meeting of 4-4-89 and Special meeting of 4-12-89.

Mr. Baldwin moved to approve the minutes of the regular meeting of April 4th and the Special Meeting of April 12, 1989. Mrs. Stanhope seconded the motion, which carried as follows:

AYES: Councilmembers Baldwin, Stanhope, Aguilar and Greenwald.

NAYS: None

#2 HEARING OF RESIDENTS: Mr. Harold Lemm, who owns the property at 820 Aero, and has since 1975, said that he has received a letter from the City Inspector saying the bushes in the yard exceed what is allowed by City ordinance. He said that if he cuts them in accordance to the ordinance, all he would have left would be a stump. He said he would like a little understanding or common sense in the implementation of this ordinance.

Mr. Sweatt said he was not familiar with the area but that we do have an ordinance that describes certain limits. We have sent a number of letters. He said he would be happy to meet with Mr. Lemm and the inspector. He said he would check to see if it is indeed in violation.

Mr. Baldwin asked if the shrub was on his property or on the right of way. Mr. Lemm said it was on his property. Mr. Baldwin said he was familiar with that house and shrub and it creates a very dangerous intersection.

Mr. Lemm said he did not want to be made a scapegoat for the people who were not careful. Mr. Baldwin said he goes that way to work everyday and drives a van, which is higher than an average car, and it is difficult to see on-coming traffic.

Mr. Lemm mentioned that the stop sign is 15 foot back from the corner and if you slowly go forward and people drive carefully, there should be no problem. He said that if people do not pay attention, then they are going to get into trouble.

Mayor Sawyer thanked Mr. Lemm for bringing this up. Mr. Sweatt said he would be glad to meet with Mr. Lemm.

#3 POLICE RESERVE: Consider and take action on appointing Kenny Schmidt as a Police Reserve Officer.

Mayor Sawyer recognized Mr. Schmidt, along with Sgt. Kruetler and Chief Agee.

Mr. Baldwin moved to appoint Kenny Schmidt as a Police Reserve Officer. Mr. Greenwald seconded the motion, which carried with the following vote:

AYES: Councilmembers Baldwin, Stanhope, Aguilar and Greenwald.

NAYS: None

Mayor Sawyer welcomed Mr. Schmidt to the Police Reserve Force.

#4 ZONING MAP: Consider and take action on accepting the new zoning map.

Mr. Greenwald moved to accept the new zoning map. Mr. Aguilar seconded the motion, which carried as follows:

AYES: Councilmembers Baldwin, Stanhope, Aguilar and Greenwald.
 NAYS: None

Mayor Sawyer said this map was developed by a group of volunteer citizens, many who have served on the Planning & Zoning Committee for a long time.

#5 **ORDINANCE:** Mayor Sawyer introduced an ordinance and read the caption as follows:

ORDINANCE NO. 89-C-15

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF SCHERTZ, TEXAS, BE AMENDED BY REVISING SECTION 7-14 OFFICE OF CHIEF CREATED; APPOINTMENT OF CHIEF, OF SAID CODE AND PROVIDING A REPEALING CLAUSE.

Mr. Aguilar moved to approve the final consideration of an ordinance amending the Code, Section 7-14 that deals with the appointment of Fire Chief. Mrs. Stanhope seconded the motion, which carried with the following vote:

AYES: Councilmembers Baldwin, Stanhope, Aguilar and Greenwald
 NAYS: None

#6 **ORDINANCE:** Mayor Sawyer introduced an ordinance and read the caption as follows:

ORDINANCE NO. 89-S-16

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE ZONING ORDINANCE, NO. 87-S-1, ARTICLE V, SINGLE FAMILY DWELLING DISTRICT REGULATIONS R-1, SECTION 3.9; ARTICLE VI, SINGLE FAMILY DWELLING DISTRICT REGULATIONS R-2, SECTION 3.9; ARTICLE VII, SINGLE FAMILY DWELLING DISTRICT REGULATIONS R-6, SECTION 3.9; ARTICLE VIII, SINGLE FAMILY DWELLING MANUFACTURED HOUSING DISTRICT REGULATIONS R-7, SECTION 3.9; ARTICLE IX, TWO FAMILY DWELLING DISTRICT R-3, SECTION 3.9; ARTICLE X, APARTMENT/MULTI-FAMILY DWELLING DISTRICT R-4, SECTION 3.9; ARTICLE XI, GARDEN HOME DWELLING DISTRICT R-5A AND R-5B, SECTION 4.10 AND SECTION 6.10; ARTICLE XIV, OFFICE AND PROFESSIONAL DISTRICT, SECTION 5.8; ARTICLE XV, NEIGHBORHOOD SERVICES DISTRICT, SECTION

5.9; ARTICLE XVI, GENERAL BUSINESS DISTRICT,
SECTION 5.8; ARTICLE XIX, PLANNED UNIT
DEVELOPMENT, SECTION 1.1, ITEM 9 AND
PROVIDING A REPEALING CLAUSE.

Mr. Greenwald moved to approve the final reading of an ordinance amending the zoning ordinance regulating wall heights on accessory buildings. Mr. Baldwin seconded the motion, which carried with the following vote:

AYES: Councilmembers Baldwin, Stanhope, Aguilar and Greenwald.

NAYS: None

#7 ENGINEERING SERVICE AGREEMENT: Consider and take action on an Engineering Service Agreement, with Ford Engineering for Rittimann Community Development Water Improvement Project.

Mr. Sweatt refreshed the Council memories by saying this is predicated on the recommendation of the Community Development Block Grant program for Rittimann Addition Water System. We do have an agreement with Ford Engineering but because of the nature of this project, we felt it better to have a separate agreement.

Mr. Greenwald moved to approve the engineering service agreement with Ford Engineering for the Rittimann Addition Water Project. Mr. Aguilar seconded the motion, which carried with the following vote:

AYES: Councilmembers Baldwin, Stanhope, Aguilar and Greenwald.

NAYS: None

#8 COMMITTEE APPOINTMENT: Consider and take action on appointing Adolph Aguilar as a member of the Leadership Committee.

Mrs. Stanhope moved to appoint Adolph Aguilar to the Citizen Leadership Panel. Mr. Baldwin seconded the motion, which carried with the following vote:

AYES: Councilmembers Baldwin, Stanhope, Aguilar and Greenwald.

NAYS: None

#9 GUIDELINES: Consider and take action on approving the Guidelines for changes in Street and Road names within the City.

Mr. Greenwald moved to approve the guidelines for changing street and road names with the city. Mrs. Stanhope seconded the motion, which carried as follows:

AYES: Councilmembers Baldwin, Stanhope, Aguilar and Greenwald.

NAYS: None

#10 **ORDINANCE:** Mayor Sawyer introduced an ordinance and read the caption as follows:

AN ORDINANCE

BY THE CITY COUNCIL OF THE CITY OF SCHERTZ,
TEXAS PROVIDING THAT THE CODE OF ORDINANCES
CITY OF SCHERTZ, TEXAS BE AMENDED BY
REPEALING ARTICLE IV, INDUSTRIAL DEVELOPMENT
COMMITTEE AND ADDING A NEW ARTICLE IV,
ECONOMIC DEVELOPMENT TASK FORCE.

Mr. Aguilar moved to approve the first reading of an ordinance repealing the section on Industrial Development Committee and replacing with the Economic Development Task Force. Mr. Greenwald seconded the motion, which carried as follows:

AYES: Councilmembers Baldwin, Stanhope, Aguilar and Greenwald.

NAYS: None

#11 **SW BELL RATE CASE:** Consider and take action authorizing City of Schertz intervention in Southwestern Bell Rate Case before the Public Utility Commission.

Mr. Sweatt said this is a request as the result of preliminary findings of the Public Utility Commission. As a result of their findings, there is an apparent rate overcharging. He said this represents the first time the PUC has entered on its own an investigation of the reasonableness of a rate. We believe this has substantial implications not only for our city but statewide. We would be an intervener and interested party in the rate case.

Mr. Baldwin moved the City of Schertz intervene in the Southwestern Bell Rate Case before the Public Utility Commission. Mr. Greenwald seconded the motion, which carried as follows:

AYES: Councilmembers Baldwin, Stanhope, Aguilar and Greenwald.

NAYS: None

#12 **LANDSCAPE PLAN:** Consider and take action on approving Landscape Committee recommended plan.

Mr. Sweatt said that the Council, some time ago, named a Landscape Committee to develop plans for the City Hall area to provide a format and means for long term planning. They have met on a number of occasions and have developed a plan, designating specific types of trees and plants. We believe that if you will adopt this plan, it will provide a means by which people might make contributions. One of the outgrowths of this committee is to broaden the committee functions to develop a more broad based

concept to include beautification of the Cibolo Creek area and a flower mosaic for this complex.

Mrs. Stanhope said they would like to see a large scale of this plan on display so that people could see what they are donating.

Mr. Aguilar moved to approve the beautification and Landscape Plan made by this committee. Mr. Greenwald seconded the motion, which carried with the following vote:

AYES: Councilmembers Baldwin, Stanhope, Aguilar and Greenwald.

NAYS: None

Mrs. Ruth Tienor said that at their previous night's Library Board meeting, because of their love and respect for Ray Stanhope they pledged \$100 for this project and hope this kicks off the start of donations. Mayor Sawyer thanked Mrs. Tienor and the Library Board on behalf of the City.

#13 CITY MANAGER'S REPORT: A. You have a request from the Chamber of Commerce regarding Derby Day. We have received notice from the Chamber of Commerce regarding a Military Appreciation Day at Northcliffe Country Club on June 2nd.

B. We have provided you with a memo regarding a life saving course at our swimming pool May 15-27th. We will be trying to gain some publicity on all our classes at the pool.

C. Call your attention the this month's newsletter.

#14 ITEMS BY COUNCIL: Mr. Aguilar: A. At the Library Board Meeting they expressed their concern for the quality of people manning libraries throughout the district. This is very essential and we do need quality library personnel.

Mr. Greenwald: A. CVADAC has moved to the Student Resource Building on F.M. 78 in Cibolo. This will be a lot bigger building and they can do a lot more things for the area.

B. Notice our paint striper machine is working again. Several months ago he had asked that a crossing be marked on Curtiss so that our senior citizens could cross safely when going to Wuests. Would like to see that accomplished.

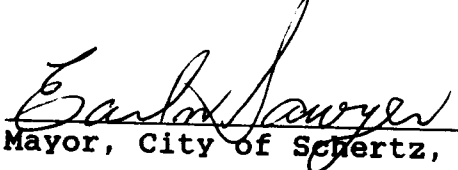
#15 ITEMS BY MAYOR: A. "Derby Day" is May 6th at Rotama, for a Texas horse racing fund raiser. The Randolph Metrocom Chamber of Commerce has passed a resolution to encourage the legislators to amend the horse racing act. Mayor Sawyer said we do support horse racing at Rotama and encourage everyone to participate.

B. Had the honor of standing in for Dr. Steele in Seguin honoring outstanding teachers in our area. One of them was Mary McAllister from our school district.

C. Also had the pleasure of speaking to the third grade class and now they want me to speak to the first grade class. They planted a tree and will have a time capsule and will put a copy of our newsletter in the capsule.

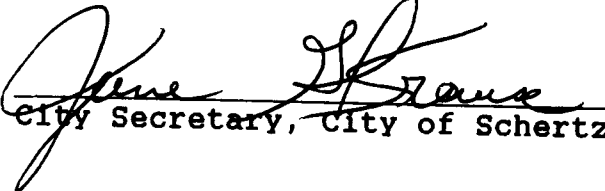
D. Mayor Sawyer recommended everyone get a copy of our monthly newsletter and read it. It contains the best information about the city available.

#16 **ADJOURNMENT:** Mr. Aguilar moved the meeting be adjourned at 7:41 p.m. Mr. Baldwin seconded the motion, which carried unanimously.



Mayor, City of Schertz, Texas

ATTEST:



City Secretary, City of Schertz