

DRAFT

MINUTES REGULAR MEETING June 14, 2022

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on June 14, 2022, 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 David Scagliola; Councilmember Mark Davis; City Council Place 2 - Vacant; Councilmember Jill Whittaker; Councilmember Michael Dahle; 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

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 Brown)

Mayor Gutierrez recognized Councilmember Tim Brown 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 welcomed and recognized Boy Scout John Guerra from Troop 343 who was present as he was here working on his Citizenship in the Community Merit Badge.

City Events and Announcements

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

Assistant City Manager Brian James provided the following announcements:

Saturday, June 18

Music & Movies in the Park 7:00-10:30 PM Pickrell Park “Encanto”

Sunday, June 19

Father’s Day

Monday, June 20

Fire Chief Kade Long Retirement Celebration 1:00-3:00 PM Civic Center
Bluebonnet Hall

Tuesday, June 21

Great Northern Trail Grand Opening 6:00-7:00 PM 17504 Wiederstein Road

Thursday, June 23

CVLGC Joint Meeting with Council 6:00-8:00 PM City Council Chambers

Saturday, June 25

Music & Movies in the Park 7:00-10:30 PM Cypress Point Park “The Mitchell’s vs. The Machines”

Tuesday, June 28

Police Chief James Lowery Swearing-In Ceremony 5:30 PM City Council Chambers

Next regular scheduled Council meeting 6:00 PM City Council Chambers

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

City Manager Dr. Browne recognized and thanked the Public Works Crew who worked many hours to get the major water main leak repaired last week by Rippis Kreuzler.

Dr. Browne also stated that last week they had their Texas City Managers Conference in Bastrop, and Assistant City Manager Brian James gave a great presentation on Development and Development Issues. It was a great conference, and he appreciates Brian's great work as well as Assistant City Manager Charles Kelm who put the whole program together.

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

Mayor Gutierrez also recognized and thanked the Public Works Crew, Staff and Team for getting the major water main leak fixed 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.

Mayor Pro-Tem Scagliola recognized the following residents:

- Michele (Micki) Terletsky, 705 Marilyn Drive, who thanked and recognized Utility

Billing Manager Dawnieca Hardin-Trussell and Utility Billing Assistant Manager Rodolfo Rosales for hosting her to come in and explain what they do: job duties, and how the processes are repaired. She indicated that she learned a lot from them, and they were very professional. She also asked about the recent Nature Discovery Event at Crescent Bend Nature Park regarding the catching of lightning bugs and how the event went and who would she talk to. City Manager Dr. Mark Browne stated that Assistant Brian James could provide her that information.

- Mr. Richard Kunz, 2960 Red Tip, is here as a representative of the Schertz Police Association, who stated that the Association recently conducted a survey on what they feel are the most important issues they are facing as a Police Department. Mr. Kunz stated they provided the results to the City Council and Management. He stated the results are not surprising to them or should be to Council and Management as they have discussed this before. It is the hope that the survey results help to emphasize how much trouble the Police Department is in. He provided an example of one of the questions, #9 "I feel it is likely I will still be with the department after 2 years" only 15 of the 45 responses believe that they will still be with the department after two (2) years. This means the city could be faced with trying to hire 30 people in two years time. With the continued problem the department has had trying to hire people, these positions most likely will go unfilled. For example, the department has managed to hire two officers of the seven open positions. To be fair, not all the 30 people are officers, as their members are both sworn and non-sworn members. With all respect, the City would not be able to hire 30 people in two years and this department could not function with so many vacant positions, this spells catastrophe and threatens everyone in the community. In looking at the other responses of the survey, we believe it is obvious that so many people feel that they may not be here after two years. This is not meant to criticize or demean any ones efforts or concerns regarding the problem and addressing them in the past. They wish to bring to the forefront of what the issues are, that need to be addressed with the highest priorities. They look forward to the City's response.

Mayor Gutierrez asked if the results had been provided to Council, in answer Mr. Kunz stated that they were emailed today at 4:00 p.m.

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 items into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the meeting of regular meeting of June 7, 2022. (B. Dennis)

2. **Ordinance No. 22-S-24** Consider and act upon a request to close and abandon to the abutting property owners a portion of Aviation Avenue Right-of-Way, approximately 918 feet east from Farm to Market Road (FM) 1518 to Oak Street, a portion of Mitchell Avenue Right-Of-Way approximately 857 feet east from FM 1518 to Oak Street, and approximately 806 feet of Poplar Street Right-of-way north of Aero Avenue extending 161 feet north of the intersection of Aviation Avenue and Poplar Street; establish an effective date hereof. *Final Reading* (B. James/ L. Wood/ M. Harrison)

ORDINANCE NO. 22-R-24

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, CLOSING AND ABANDONING TO THE ABUTTING PROPERTY OWNERS A PORTION OF AVIATION AVENUE RIGHT-OF-WAY APPROXIMATELY 918 FEET EAST FROM FARM TO MARKET ROAD (FM) 1518 TO OAK STREET, A PORTION OF MITCHELL AVENUE RIGHT-OF-WAY APPROXIMATELY 857 FEET EAST FROM FM 1518 TO OAK STREET, AND APPROXIMATELY 806 FEET OF POPLAR STREET RIGHT-OF-WAY NORTH OF AERO AVENUE EXTENDING 161 FEET NORTH OF THE INTERSECTION OF AVIATION AVENUE AND POPLAR STREET; ESTABLISH AN EFFECTIVE DATE HEREOF. (Final Reading)

3. **Appointments and Reappointments to various Boards, Commissions and Committees** - Consideration and/or action approving the Reappointments and Appointments to the Board of Adjustments, Library Advisory Board and the Planning & Zoning Commission. (B. Dennis/Mayor-Council)

Board of Adjustments: Reappoint Richard Dzewit, Earl Hartzog and Yvonne Griffin. Appoint Ferrando Heyward to fill the vacant Alternate Position.

Library Advisory Board: Reappoint Dawn Figueras, Letticia Sever, Joanne Ward, Beverly Clark. Appoint Amy Bearce as a Regular Member; appoint Linda DuVall and Lee Murphy as Alternate Members filling current vacancies.

Planning & Zoning Commission: Reappoint Glen Outlaw, Judy Goldick, and Ernest Evans Jr. Appoint Tamara Brown as a Regular Member filling the current vacancy.

4. **Resolution No. 22-R-59**– Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing a Subdivision Improvement Agreement with Comal Independent School District. (B. James/L. Wood/E. Delgado)

RESOLUTION NO. 22-R-59

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE APPROVAL OF A SUBDIVISION

IMPROVEMENT AGREEMENT WITH COMAL INDEPENDENT SCHOOL DISTRICT TO ALLOW THE FILING OF THE REPLAT OF THE HARRAL SUBDIVISION TO CREATE LOT 1 AND 2 BLOCK 5 PRIOR TO ACCEPTANCE OF PUBLIC IMPROVEMENTS, AND OTHER MATTERS IN CONNECTION THEREWITH

5. **Resolution No. 22-R-52**– Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing the City Manager to enter into an agreement with Unintech Consulting Engineers, Inc., for design, bid, and construction phase engineering services for the Ware Seguin to Lower Seguin and Pfeil Road to N Graytown Road looped waterline project and other matters in connection therewith. (B. James/K. Woodlee/E. Schulze)

RESOLUTION NO. 22-R-52

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH UNINTECH CONSULTING ENGINEERS, INC. FOR DESIGN, BID, AND CONSTRUCTION PHASE ENGINEERING SERVICES FOR THE WARE SEGUIN TO LOWER SEGUIN AND PFEIL ROAD TO N GRAYTOWN ROAD LOOPED WATERLINE PROJECT

Mayor Gutierrez stated that he had a request to remove Item 3 from Consent and asked Council if there were any others. Mayor Gutierrez recognized Mayor Pro-Tem Scagliola who requested Item 4 be removed for separate action. Mayor Gutierrez called for a motion to approve Consent Agenda Items 1, 2 and 5.

Moved by Councilmember Mark Davis, seconded by Councilmember Jill Whittaker to approve Consent Agenda Items 1, 2 and 5.

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

Passed

Discussion and Action Items:

- 3. Appointments and Reappointments to various Boards, Commissions and Committees** - Consideration and/or action approving the Reappointments and Appointments to the Board of Adjustments, Library Advisory Board and the Planning & Zoning Commission. (B. Dennis/Mayor-Council)

Mayor Gutierrez read the following into record:

Consideration and/or action approving the Reappointments and Appointments to the Board of Adjustments, Library Advisory Board and the Planning & Zoning

Commission:

Board of Adjustments: Reappoint Richard Dziewit, Earl Hartzog and Yvonne Griffin. Appoint Ferrando Heyward to fill the vacant Alternate Position.

Library Advisory Board: Reappoint Dawn Figueras, Leticia Sever, Joanne Ward, Beverly Clark. Appoint Amy Bearce as a Regular Member; appoint Linda DuVall and Lee Murphy as Alternate Members filling current vacancies.

Planning & Zoning Commission: Reappoint Glen Outlaw, Judy Goldick, and Ernest Evans Jr. Appoint Tamara Brown as a Regular Member filling the current vacancy.

Mayor Gutierrez recognized Councilmember Whittaker who stated she did not have any questions, she just wanted to take the opportunity as being on the Interview Committee to thank those that volunteered to step up for the vacant positions and thanks those who are returning and for their service to the community. Depending on the Committee there is a lot of time involved, some more than others, by doing this it goes toward a more tight net community having more residents involved. Again, she appreciates all of those that have volunteered over the last couple of years and for those that have stepped up and are going to be new members to our Boards, Commissions and Committees. We still have vacancies, and she encourages citizens to go on-line to schertz.com and view our page on Boards and Commissions, view information on each, what they do and when they meet. Contact the City Secretary if you have interest in applying.

Moved by Councilmember Jill Whittaker, seconded by Councilmember Mark Davis to approve the reappointments and appointments as read.

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

Passed

4. Resolution No. 22-R-59– Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing a Subdivision Improvement Agreement with Comal Independent School District. (B. James/L. Wood/E. Delgado)

Mayor Gutierrez read the following into record:

RESOLUTION NO. 22-R-59

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE APPROVAL OF A SUBDIVISION IMPROVEMENT AGREEMENT WITH COMAL INDEPENDENT SCHOOL DISTRICT TO ALLOW THE FILING OF THE REPLAT OF THE HARRAL SUBDIVISION TO CREATE LOT 1 AND 2 BLOCK 5 PRIOR TO ACCEPTANCE OF PUBLIC IMPROVEMENTS, AND OTHER MATTERS IN CONNECTION THEREWITH

Mayor Gutierrez recognized Mayor Pro-Tem Scagliola who stated as he read through this item he figured what the School District is asking is to move forward with their construction and put off their public improvements until they are closer to opening, which is in 2023 and understand this. He did state that a couple of weeks ago he mentioned there is a big problem on the corner of FM 482 and Hubertus with cars blocking the road trying to get into the school, it completely shut off the thoroughfare. He mentioned at that time that it might be a good idea to sit down with the School District and talk to them about traffic control. He understands as part of the public improvement process, it requires that they do a traffic study, he is not sure that the traffic study accounts for cars parked in the middle of the road waiting to get into the facility to pick up their children, he sees this as an opportunity to sit down with the ISD, so before they open up this new school, coming up with a plan to mitigate some challenges of the existing school. This is the time to start talking about this and not after the fact. He asked for assurance that the conversations would take place and Assistant City Manager Brian James answered yes, they can sit down with the School District and talk about traffic management around the school.

Moved by Mayor Pro-Tem David Scagliola, seconded by Councilmember Allison Heyward to approve Resolution No. 22-R-59.

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

Passed

Workshop

Mayor Gutierrez read the following into record:

- 9. City Boards, Commissions & Committees** - Discussion regarding City Council Liaison positions on the various City Boards, Commission and Committees and setting joint meetings. (Item requested by Councilmember Heyward) (M. Browne/B. Dennis/A. Heyward)

Mayor Gutierrez recognized Councilmember Heyward who stated she had requested this item to see if the Council wanted to go back to having Council Liaisons on our City Boards, Commissions and Committees. It was the concurrence of Councilmembers present to bring back liaison positions and set up some guidelines for doing so. City Manager Dr. Browne stated that this could be an addition in their Council's Rules of Conduct and Procedures and staff will work on the process and item and bring forward for Council consideration.

Mayor Gutierrez addressed Councilmember Heyward second request regarding setting of joint meetings with the Boards, Commission and Committees. Councilmember Heyward stated that this was another suggestion if the council was not interested in liaison positions.

Roll Call Vote Confirmation

Mayor Gutierrez recognized City Secretary Brenda Dennis who provided the roll call vote confirmation for Agenda Items 1 through 5.

Closed Session

Mayor Gutierrez read the following into record:

10. City Council will meet in closed session in accordance with Section 551.074 of the Texas Government Code to discuss the vacancy of the Fire Chief.

Mayor Gutierrez recessed the Regular Meeting at 6:31 p.m. into closed session.

Reconvene into Regular Session

Mayor Gutierrez reconvened into Regular Session at 6:42 p.m.

11. Take any action based on discussions held in Closed Session under Agenda Item 7.

No action taken.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

Mayor Gutierrez stated that Agenda Item 9 is an Informational item and can be found in the Council packets as well as can be found online.

12. **Monthly Update on Major Projects in progress/CIP. (B. James/K. Woodlee)**

Requests and Announcements

- Announcements by the City Manager.

No further announcements.

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

No items were requested.

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

No items were requested.

- Announcements by Mayor and Councilmembers

Councilmember Whittaker stated that she attended the Jr. Fire Academy Graduation on Friday, and the NEP meeting.

Councilmember Heyward stated she attended the Jr. Fire Academy Graduation on Friday, NEP meeting and the Guadalupe County Community Collation meeting.

Councilmember Brown stated he attended the NEP meeting last week.

Adjournment

Mayor Gutierrez adjourned the meeting at 6:45 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary