

DRAFT

MINUTES REGULAR MEETING February 6, 2024

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on February 6, 2024, 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 Paul Macaluso; Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember Tiffany Gibson; Councilmember Robert Westbrook; Councilmember Tim Brown

Absent: Councilmember Allison Heyward

Staff present: City Manager Steve Williams; City Attorney Daniel Santee; Deputy City Manager Brian James; Assistant City Manager Sarah Gonzalez; Deputy City Secretary Sheree Courney

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 Heyward)

Mayor Gutierrez provided the opening prayer and led the Pledges of Allegiance to the Flags of the United States and State of Texas.

Discussion and Action Items

Appointment of Mayor Pro-Tem - Discussion, consideration, and/or action regarding the confirmation, appointment, or election of the Mayor Pro-Tem. (Mayor/Council)

Mayor Gutierrez explained the responsibilities, term, and process for election of the Mayor Pro-Tem. He thanked Councilmember Michelle Watson for serving in this role from August 2023 through February 2024. In accordance with City Council procedures, the next Councilmember to serve is Paul Macaluso. Mayor Gutierrez opened the floor for discussion. No discussion occurred.

Mayor Gutierrez asked for a motion to approve Councilmember Paul Macaluso as next Mayor Pro-Tem.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Tim Brown

Passed

Deputy City Secretary Sheree Courney administered the Oath of Office to Mayor Pro-Tem Macaluso.

Proclamations

● San Antonio Stock and Rodeo 2024

Mayor Gutierrez presented the San Antonio Stock Show and Rodeo 2024 proclamation to the San Antonio Stock Show and Rodeo Ambassador Committee. Ms. Barbara Hall spoke on behalf of the committee thanking the Mayor for recognizing the 75th year of the San Antonio Stock Show and Rodeo. She stated that the ambassadors participated in 21 parades promoting the stock show scholarship program and attended 4-H and FFA events throughout the year. \$12.2 million was set aside for scholarships and 220 students in Guadalupe County were recipients. For more information, visit their website at SARodeo.com.

● United Kindness Day-February 16, 2024-First United Bank

Mayor Gutierrez presented the United Kindness Day - February 16, 2024, to representatives of First United Bank. First United Bank's goal and mission is to improve the communities where they are located. This initiative is one small way to do that, and they invite everyone to participate either by sharing a small token of appreciation or kindness, smiling at your neighbors as you leave your house, and/or helping someone in need at HEB as you're shopping. They are seeking to complete 350,000 acts of kindness in one day. Together we can make Schertz better one day at a time.

Employee Introductions

Mayor Gutierrez recognized City Department Heads who introduced new staff:

- Animal Services: Zachary Bottiglieri
- Police-Heather Davis-Crime Victim Liaison; Katherine Myers-Police Cadet; Nicole Sosa-Sterling-Police Cadet;
- Utility Billing-Amanda Lees-Utility Billing Specialist

Presentations

Awards/ recognition from the National Society of the Sons of the American Revolution (J.Lowery/W.Moravits)

- Officers
- EMS

Mayor Gutierrez recognized Chief Lowery who explained that the National Society of

the Sons of the American Revolution of the New Braunfels chapter (William Hightower Branch) recognizes those individuals in public service for acts of heroism and exemplary dedication to the community. He introduced Will Moravits, Secretary of the William Hightower Branch, to present the award. Mr. Moravits stated the organization is a patriotic, educational, historical society, who are active in the community. One of the things they do is seek out exemplary First Responders, firefighting, life-saving heroism, and law enforcement.

Mr. Moravits presented the following:

EMS Service Award to Amy Anderson for the creation and implementation of the yellow dot program;

Law Enforcement Commendation award to Joaquin Montez for being instrumental with his bilingual skills, the execution of his job, and his abilities on various calls for service;

Law Enforcement Commendation Medal to Mark Trevino for his exemplary work as a school resource officer and the leadership he has shown in that position; and

Life-saving Award to Justin Mitch Weston for his service and saving the life of a community member by going above and beyond.

Milestone Service Pin Presentation (S. Williams)

City Manager Steve Williams presented Fire Lieutenant Carl Schultze, a pin in honor and gratitude for his 20 years of dedicated service to the City of Schertz.

City Events and Announcements

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

Mayor Gutierrez recognized Deputy City Manager Brian James, who provided the following:

Standing announcements

Thursday, February 29 (meets weekly through May 2, 2024)

Citizens Police Academy

6:00 p.m. - 9:00 p.m.

Registration is currently open online at www.Schertz.com/cps. Applications are also available at the Schertz Police Department. Deadline to apply is Friday, February 23, 2024.

New announcements

Thursday, February 8

Annual Trail Rider Lunch

Pickrell Park

11:30 a.m.

Saturday, February 10

Nature Discovery Series - Discover Soils

Crescent Bend Nature Park

9:30 a.m. - 11:00 a.m.

Schertz PD Polar Bear Plunge
Pickrell Park
10:00 a.m. - 12:00 p.m.

Monday, February 19

Presidents' Day - City Offices Closed

Tuesday, February 20

Next Regular City Council Meeting
Council Chambers
6:00 p.m.

- Announcements and recognitions by the City Manager (S. Williams)
Mayor Gutierrez recognized City Manager Steve Williams, who provided the following:

Congratulations to Daisy Marquez for being accepted to the APATX Leadership Academy. The Leadership Academy is designed to create a dynamic network of future leaders committed to promoting the planning profession in Texas communities and includes seminars that focus on leadership development, communications, and public engagement training.

The Love Where You Live organization hosted a volunteer social celebration and presented a few awards. Lisa Locken was awarded Public Employee of the Year at the event. During the presentation of her award, kudos went out to her son, Jude Locken, for volunteering at every event as well. Kudos to Lisa and her son.

Congratulations to John Nowak, Engineer, for receiving a Lifetime membership with APWA (American Public Works Association). This membership is only given to those individuals that have been a member for 30 years. John is working to become a speaker at this year's annual conference. APWA is a great resource for the City and John is helping to get the name of Schertz noticed!

Ribbon cutting at the new shade structures at Cypress Point Park on Monday, January 29th. The San Antonio Council on Alcohol and Drug Awareness (SACADA) supplemented this project with a grant and funding for several members.

Father/Daughter Dance was held on February 3rd and had 324 participants. Mother/Son Dance was held on February 4th, and had 147 participants.

Congratulations to Schertz Police Department for winning first place with their Special Olympics Texas San Antonio fundraiser. As a community, they raised \$2,915. Cumulatively, all agencies raised \$8,434. The Polar Bear Plunge is this Saturday, and Mr. Williams will be participating.

- Announcements and recognitions by the Mayor (R. Gutierrez)
There is a workshop for Caregivers at the Schertz Senior Center on February 10, from 8:00 a.m. - 1:00 p.m. This is an opportunity for caregivers to learn about resources

available to them.

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 Macaluso recognized the following residents:

Maggie Titterington, 1730 Schertz Parkway, who shared the following information for The Chamber:

- The Health and Home Show held on Saturday at the Civic Center was very successful. There were 71 booths and 430 attendees in 3 hours. Many thanks to Richard Dziejewit and his team for their help with the traffic and parking.
- February 12 - Bee Organized Ribbon Cutting at the Kramer House at 10:00 a.m.
- February 15 - 2nd Annual Casino Night, 80s theme, at the Schertz Civic Center from 6:00 p.m. - 9:30 p.m. Tickets available at events@TheChamber.info
- February 20 - Monthly luncheon, "State of the Cities", Schertz Civic Center, 11:15 a.m.
- February 28 - Green Valley Dental Care Ribbon Cutting, 3860 FM 3009, at 4:00 p.m.

Denny Law, resident of Schertz, stated he is 95 years old and lives alone. He has a caregiver from a caregiver agency. On October 10, 2023, Mr. Law said his caregiver drove him to RBFCU to withdraw funds for an upcoming trip for medical treatment. Upon returning home, he and the caregiver had lunch. There was no one else present in the home. He put the money and the receipt on his bed with everything he needed to pack. As he neared the end of packing he discovered the envelope with the money and the receipt were gone. Mr. Law states that the caregiver agency claimed they did background checks, but his daughter discovered the caregiver assigned to him had two convictions for money theft in less than 15 minutes of searching online. He asked Council to take action to prevent unscrupulous agencies from placing unqualified caregivers into the homes of the elderly.

Maggie Titterington, 1730 Schertz Parkway, who shared the following information as the new Chair of the Schertz Historical Preservation Society. She thanked Councilmembers Gibson and Westbrook for selecting to serve as liaisons to their committee. They have a lot of ideas for the upcoming year and will be strategizing at their next meeting. The new meeting time will be the 4th Wednesday of each month in the Bob Andrews conference room from 6:00 p.m. - 7:00 p.m.

The first ceremony will be on February 23 at 10:00 a.m., where they will be dedicating a plaque to Samuel Clemens High School designating them as a historical building in Schertz.

Eric De La Garza, 4917 FM 3009, stated he is there to observe Council proceedings as a

participant of The Chamber Leadership Program and a member of the First United Bank. He expressed appreciation for proclaiming the United Acts of Kindness Day for the City.

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.

1. **Minutes**-Consideration and/or action regarding the approval of the regular meeting minutes for January 9, 2024, and January 16, 2024. (S.Edmondson/S.Courney)

2. **Appointment/Reappointment For Boards/Commissions/Committees** (S.Edmondson)
 - Mr. Patrick McMaster-Planning and Zoning Commission-Alternate to Regular Commission Member
 - Ms. Danielle Craig-Planning and Zoning Commission-Alternate 2-Alternate 1
 - Mr. Michael Dahle-TIRZ Committee
 - Ms. Jill Whittaker-TIRZ Committee

3. **Resolution 24-R-09** - Adopting the Investment Policy and Strategy (S.Gonzalez/J.Walters)

4. **Resolution 24-R-08** Authorizing the City Manager to issue a purchase order(s) for the purchase of various Police Department vehicles as part of the FY 2023-2024 Vehicle/Equipment Replacement/Acquisition program. (B.James/D.Hardin-Trussel/C.Hernandez)

Mayor Gutierrez asked for motion to approve Consent Agenda Items #1 - #4.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Tim Brown

Passed

Discussion and Action Items

Public Hearings

5. **Ordinance 24-S-01** - Conduct a public hearing and consider amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 5 - Zoning Districts, Article 9 - Site Design Standards, and Article 14 - Transportation. *First Reading* (B.James/L.Wood/S.Haas)

Mayor Gutierrez recognized Sr. Planner Samuel Haas provided a briefing outlining the ten proposed amendments to the UDC. The purpose of these amendments is to clean up the UDC and to address the Main Street Committee's desire to increase flexibility. Development on Main Street has been slow. With regard to clean up, there are a number of districts listed in the UDC that do not or no longer exist in the City and changes made to the parking standards weren't updated in Article 5. With regard to Main Street, there is a need to address inconsistencies in the zoning districts between parcels of property; aligning the dimensional and design requirements listed in Table 21.5.7.A consistent with what is already there.

The Planning and Zoning Commission recommended approval with a 6-0 vote at their January 10, 2024 meeting.

Mayor Gutierrez opened the Public Hearing at 7:07 p.m.

Judy Goldick, 807 Main Street, stated this ordinance directly affects her family. They recently purchased a commercial mixed use lot on Main Street and hopes to combine their businesses. These amendments will help them bring more business to Main Street and allow them to build something new and exciting there. She asked that Council approve the ordinance.

Mayor Gutierrez closed the Public Hearing at 7:08 p.m. and opened the floor to Council for discussion.

Mayor Gutierrez recognized Mayor Pro-Tem Macaluso asked if there had been any consideration to the privacy of individual homeowners regarding reducing the buffer between residences and businesses. Mr. Haas responded that it is in the UDC and makes sense for other parts of Schertz, but it doesn't fit the vision given for Main Street.

Councilmember Brown thanked staff for bringing greater consistency in the UDC codes and for understanding that Main Street isn't like a lot and block kind of neighborhood, the properties vary greatly in size. He appreciates the effort staff has put into updating the UDC.

Moved by Councilmember Tim Brown, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Tim Brown

Passed

6. **Ordinance 24-S-02** - Conduct a public hearing and consider a request for a Specific Use Permit to allow Automobile Repairs & Service, Major on approximately 1.5 acres of land, located 250 feet east of the intersection of FM 3009 and Borgfeld Road, also known as Guadalupe County Property Identification Number 129949, also known as 1205 Borgfeld Road, City of Schertz, Guadalupe County, Texas. *First Reading* (B. James/L. Wood/E. Delgado)

Mayor Gutierrez recognized Planning Manager Emily Delgado who provided the location of the subject property and stated it is currently zoned General Business District (GB) and is developed as an Automobile Repair & Service, Major Business, specifically Classic Collision. They do not have a previously approved SUP, so the land use itself is considered non-conforming. 22 Public Hearing Notices were mailed on January 19, 2024. No responses were received. Also on January 19th the Public Hearing Notice was published in the San Antonio Express News. Applicant is requesting a Specific Use Permit (SUP) to allow Automobile Repairs & Service, Major on approximately 1.5 acres to the land use no longer non-conforming.

Staff recommends approval of the Specific Use Permit to allow Automobile Repairs & Service, Major conditioned on the following:

- Prior to a new Certificate of Occupancy being issued, the site will need to be brought into full compliance with the UDC site design requirements including but not limited to paved concrete or asphalt surface for all parking areas.

The Planning and Zoning Commission conducted a Public Hearing on January 31, 2024, in which they made a recommendation for approval conditioned upon the same requirement.

Mayor Gutierrez opened the Public Hearing at 7:19 p.m.
No public came forward to address Council.

Mayor Gutierrez closed the Public Hearing at 7:19 p.m. and opened the floor to Council for discussion.

Mayor Gutierrez recognized Councilmember Davis who asked if the approval of the SUP would affect the ability of Classic Collision to continuing operating as they currently do without paving the parking surfaces. Ms. Delgado explained that they are two separate issues. The approval of the SUP does not alter their existing Certificate of Occupancy. They are not required to get a new Certificate of Occupancy unless they change ownership, want to change their name, or any other action that would typically trigger the requirement of a new CofO. The SUP is specifically for the land use, Automobile Repair and Service, Major, so the other items on site that are non-conforming do not get authorized with the approval of the SUP for the land use. The other non-conforming items on site would be subject to code enforcement processes.

Mayor Gutierrez asked for a motion to approve Ordinance 24-S-02.

Moved by Councilmember Michelle Watson, seconded by Mayor Pro-Tem Paul Macaluso

AYE: Mayor Pro-Tem Paul Macaluso, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Tim Brown

Passed

Information available in City Council Packets - NO DISCUSSION TO OCCUR

7. Plan to demolish/remove unoccupied City buildings.
8. October and November 2023 Financial Statements (S.Gonzalez/J.Walters)

Requests and Announcements

- Requests by Mayor and Councilmembers for updates or information from Staff
No requests were made by the Mayor or Councilmembers for updates or information from Staff.
- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda
Councilmember Gibson requested an executive session to discuss the City Manager and City Secretary positions and the matrix for PD. Mayor Gutierrez stated that there is an executive session scheduled to discuss the City Manager's evaluation but not the City Secretary. He will consult with the City Manager to have that placed on there, too.
- City and Community Events attended and to be attended (Council)
Mayor Pro-Tem Macaluso attended Superintendent Ealy's retirement from SCUCISD on January 31, and the Cardiology Clinic of San Antonio Ribbon Cutting on February 1.

Councilmember Davis attended the Strategic Planning Retreat and the TSAC meeting.

Councilmember Watson attended the Cardiology Clinic of San Antonio Ribbon Cutting and the Council Retreat.

Councilmember Gibson attended TML Newly Elected Officials Workshop, Cardiology Clinic of San Antonio Ribbon Cutting, and City Retreat.

Councilmember Westbrook attended the Cardiology Clinic of San Antonio Ribbon Cutting, Historic Preservation Committee meeting, and the Strategic Planning Retreat. He also participated as a judge for the BBQ competition in New Berlin.

Councilmember Brown attended the Strategic Planning Retreat and offered kudos to Mr. Williams and the staff for the great job. He invited everyone to attend the Schertz PD Polar Plunge on Saturday.

Mayor Gutierrez also thanked the staff for a job well-done at the Strategic Planning Retreat.

Adjournment

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

ATTEST:

Ralph Gutierrez, Mayor

Sheila Edmondson, City Secretary