

# DRAFT

## MINUTES REGULAR MEETING November 12, 2024

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on November 12, 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 Robert Westbrook; Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember Paul Macaluso; Councilmember Tim Brown

Absent: Councilmember Place 4 (vacant); Councilmember Allison Heyward

Staff present: City Manager Steve Williams; City Attorney Natalie Thamm; Deputy City Manager Brian James; Assistant City Manager Sarah Gonzalez; City Secretary Sheila Edmondson; 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 Tim Brown)**

Councilmember Tim Brown provided the opening prayer and led the Pledges of Allegiance to the Flags of the United States and State of Texas.

### **Employee Introductions**

Mayor Gutierrez recognized City Department Heads who introduced the following new staff:

- Engineering: Faith Tercero-Phillips, Associate Engineer
- Police Dept: Phillip Elliot Waller, Assistant Police Chief, JayVeon Cardwell, Police Cadet
- Water/Wasterwater Services: Zachary Michael Eaton, Water/Wasterwater Superintendent; Anthony Lopez, Water/Wastewater I

## **Presentations**

### **Presentation of the Schertz Young Leaders Class of 2025 (S.Gonzalez/L.Shrum/C.Paddock)**

Recreation Manager Cassie Paddock presented the class schedule and introduced the Schertz Young Leaders Class of 2025:

- Clemens High School
  - Colette Forsberg, 10th grade
  - Emily Kinney, 10th grade
  - Carli Moy, 11th grade
  - Hannah Jacobson, 11th grade
  - Christopher Aikman, 11th grade
  - Caleb Reeder, 12th grade
  - Kate Krupczak, 12th grade
- Steele High School
  - Sophia Fisher, 11th grade
  - Isabella Hunter, 12th grade
- Randolph Field High School
  - Emalee Denson, 11th grade
- TOPS K12
  - Zachary Roundtree, 11th grade
- Founders Classical Academy
  - Marcus Brown, 10th grade

### **20-Year Milestone Service Pin Presentation: Fire Department- Battalion Chief Clint Williams (S.Williams)**

City Manager Steve Williams recognized Battalion Chief Clint Williams for 20 years of service.

## **City Events and Announcements**

- Announcements of upcoming City Events (B.James/S.Gonzalez)  
Deputy City Manager Brian James announced upcoming city events.
- Announcements and recognitions by the City Manager (S.Williams)  
City Manager Steve Williams had no announcements or recognitions.
- Announcements and recognitions by the Mayor (R.Gutierrez)  
Mayor Gutierrez thanked the City of Cibolo for hosting the Veterans Day Ceremony and Davenport High School for honoring veterans this past weekend.

## 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.*

*All handouts and/or USB devices must be submitted to the City Secretary no later than noon on the Monday preceding the meeting. Handouts will be provided to each Councilmember prior to the start of the meeting by the City Secretary. All USB devices will be vetted by City IT staff to ensure City property is protected from malware.*

Mayor Pro-Tem Robert Westbrook recognized the following resident:

**Dr. Miguel Vasquez**, 93 Bubbling Springs Rd., President of Schertz-Cibolo Cemetery Association, who provided an update on the Schertz-Cibolo Cemetery events held on November 2, 2024. Ms. Raquel Gutierrez served as Mistress of Ceremonies. She introduced County Commissioner Michael Carpenter, who unveiled the County Historical Marker. The event also included the long awaited dedication of the Children's Memorial, which helps restore the names of the children known to be buried at the cemetery, but their markers had withered away.

## 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** - Approval of the minutes from the Council Meeting on October 22, 2024. (S.Edmondson/S.Courney)
2. **Resolution 24-R-144** - Authorizing the City Manager to enter into an interlocal agreement for allocation of emergency medical services and for a mutual aid agreement with Caldwell County ESD#5. (S. Williams/J. Mabbitt)
3. **Resolution 24-R-147** - Authorizing an agreement with Way Mechanical for on-call HVAC services. (B.James/D.Hardin/C.Lonsberry)
4. **Resolution 24-R-151** - Authorizing an increase in the previously approved expenditure amount with Hill Country Outdoor Power as part of the 2024-2025 Vehicle/Equipment Replacement/Acquisition program. (B.James/D.Hardin/C.Hernandez)

5. **Resolution 24-R-148** - Authorizing an agreement with Advantage USAA, Inc. for on-call roofing services. (B.James/D.Hardin/C.Lonsberry)
6. **Resolution 24-R-149** - Authorizing an agreement with D.H. Pace Company, Inc. for on-call Garage Door services. (B.James/D.Hardin/C.Lonsberry)
7. **Ordinance 24-S-162** - Consider closing and abandoning to the abutting property owner a portion of Troy Lane Right-of-Way, from Wiederstein Road, north to the end (approximately 600 feet) and a portion of Shady Lane Right-Of-Way from Wiederstein Road, north to the end (approximately 600 feet); and to establish an effective date hereof. **Final Reading** (B.James/K.Woodlee/J.Nowak)

No items were removed for separate action.

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #1 - #7.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tim Brown

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

Passed

## Discussion and Action Items

8. **Resolution 24-R-153** - Approval of a Resolution casting votes to elect the Board of Directors for the Guadalupe County Appraisal District for the FY2025 term. (Mayor/Council)

Mayor Gutierrez recognized City Secretary Sheila Edmondson who introduced Resolution 24-R-153. Ms. Edmondson read the names of all candidates. She stated the City of Schertz had 283 votes to cast for candidate(s) to the Board of Directors for the Guadalupe County Appraisal District for the FY2025 term.

Mayor Gutierrez made a recommendation to cast all 283 votes for Mr. Chris Evans.

Councilmember Tim Brown made a motion to cast all 283 votes for Mr. Chris Evans, seconded by Councilmember Michelle Watson.

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

Passed

9. **Resolution 24-R-152** - Approving a Contract for Architectural and Engineering Services for Fire Station 4. (S.Williams/G.Rodgers).

Fire Chief Greg Rodgers introduced Resolution 24-R-152 approving a contract for Architectural and Engineering Services for Fire Station 4.

No Council discussion occurred.

Moved by Councilmember Michelle Watson, seconded by Councilmember Tim Brown

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

Passed

10. **Ordinance 24-S-154** - Approving amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC), to Article 5, Section 21.5.9- Special Districts, and Article 9, Section 21.9.3- Lots, Section 21.9.8- Screening and Fencing, Section 21.9.9- Tree Preservation and Mitigation, Section 21.9.12- Site Plan Process, and Article 16 - Definitions. **Final Reading** (B.James/L.Wood/D.Marquez)

Planner Daisy Marquez introduced Ordinance 24-S-154 and highlighted the requested change made by Councilmember Mark Davis during the ordinance first reading.

No Council discussion occurred.

Moved by Councilmember Mark Davis, seconded by Councilmember Michelle Watson

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

Passed

## Public Hearings

11. **Ordinance 24-S-160** - Conduct a public hearing and consider a request for a Specific Use Permit to allow a Manufactured / Mobile Home on approximately 2 acres of land, known as 6759 Pfeil Rd, also known as Bexar County Property Identification Number 1296079, City of Schertz, Bexar County, Texas. **First Reading** (B.James/L.Wood/D.Marquez)

Planner Daisy Marquez introduced Ordinance 24-S-160 to consider a request for a Specific Use Permit to allow a Manufactured/Mobile Home on approximately 2 acres of land, known as 6759 Pfeil Rd, also known as Bexar County Property Identification

Number 1296079, City of Schertz, Bexar County, Texas.

Public Hearing opened at 6:50 p.m.  
No residents came forward to speak.  
Public Hearing closed at 6:51 p.m.

No Council discussion occurred.

Mayor Gutierrez asked for a motion to approve Ordinance 24-S-160.

Moved by Councilmember Tim Brown, seconded by Mayor Pro-Tem Robert Westbrook

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

Passed

- 12. Ordinance 24-S-161** - Conduct a public hearing and consider a request to rezone approximately 1.4 acres of land, from Office and Professional District (OP) to Neighborhood Services District (NS), generally located 250-feet South of the intersection of Antler Drive and FM 3009, more specifically known as Guadalupe County Property Identification Number 20412, City of Schertz, Guadalupe County, Texas. *First Reading* (B.James/L.Wood/D.Marquez)

Planner Daisy Marquez introduced Ordinance 24-S-161 to consider a request for rezone from Office and Professional District (OP) to Neighborhood Services District (NS), generally located 250-feet south of the intersection of Antler Drive and FM 3009, more specifically known as Guadalupe County Property Identification Number 20412, City of Schertz, Guadalupe County, Texas. Ms. Marquez stated that the applicant had previously applied for a proposed zone change and the Planning and Zoning Commission had a public hearing in May 2024, where the commission made a recommendation for denial with a 5-1 vote. The applicant withdrew the application prior to being heard at Council. Based on UDC Section 21.5.4.D - Criteria for Approval, Staff recommended denial.

Applicant was recognized and provided a presentation to Council regarding the proposed development. He stated their proposal was compatible with businesses in proximity to the subject property.

Public Hearing opened at 7:13 p.m.  
No residents came forward to speak.  
Public Hearing closed at 7:13 p.m.

Mayor Gutierrez opened the floor to Council for discussion.

Councilmember Brown pointed out that there are several car washes in proximity to the subject property. He stated he did not feel this development was compatible with the residences in the area.

Councilmember Davis questioned the difference between the original application heard by P&Z and this evening's presentation. Ms. Marquez responded nothing had changed.

Councilmember Macaluso stated it was arguable as to whether there was a need for a car wash in this area and that there were two failed ones in this area. He did not support a zone change.

City Manager asked if the parking spots on the plan presented were vacuuming stations. Applicant confirmed.

Councilmember Michelle Watson made a motion to approve Ordinance 24-S-161. There was no second. Application was denied.

- 13. Ordinance 24-S-157-** Conduct a public hearing and consider a request to rezone approximately 218 acres of land to Agricultural District (AD), more specifically known as Comal County Property Identification Numbers 79001, 78946, 75480, 78247, 79009, and 79006, City of Schertz, Comal County, Texas. *First Reading* (B.James/L.Wood/E.Delgado)

Planning Manager Emily Delgado introduced Ordinance 24-S-157 stating the purpose of this ordinance was to establish a zoning district for recently annexed properties.

Public Hearing opened at 7:24 p.m.  
No residents came forward to speak.  
Public Hearing closed at 7:24 p.m.

No Council discussion occurred.

Moved by Councilmember Tim Brown, seconded by Councilmember Michelle Watson

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

Passed

**14. Ordinance 24-S-163 - Conduct a Public Hearing and Consider Amendments to the Public Works Specification Manual. *First Reading* (B.James/K.Woodlee)**

City Engineer Kathy Woodlee introduced Ordinance 24-S-163 to consider amendments to the Public Works Specification Manual.

Public Hearing opened at 7:29 p.m.  
No residents came forward to speak.  
Public Hearing closed at 7:30 p.m.

Mayor Gutierrez asked if the implementation date of January 1, 2025, is sufficient time for developers. Ms. Woodlee responded affirmatively. Anything in the process would be accepted under current specs, only new projects would be subject to the new specs. Mayor Gutierrez was concerned with the timing being so close to the holidays. Deputy City Manager clarified the timing of the projects and the implementation of the new specs.

Councilmember Brown stated he has no concerns about the January 1, 2025, implementation date.

Mayor Pro-Tem Westbrook stated he would support 3 months, but he is ok with the January 1, 2025, implementation date.

Councilmember Tim Brown made a motion to approve Ordinance 24-S-163, seconded by Councilmember Mark Davis.

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

Passed

## **Workshop**

**15. Workshop Discussion on Future Special Events and Event Offerings such as Alcoholic Beverages. (S.Gonzalez/L.Shrum)**

Parks and Recreation Director Lauren Shrum opened the discussion with background information regarding the offerings of alcohol at previous events. She provided some ideas for options in the future where alcohol would be appropriate, and some events where it would not be appropriate.

Mayor Gutierrez opened the floor to Council for discussion.

Councilmember Tim Brown thanked Ms. Shrum for the presentation and the creative events she shared.

Mayor Gutierrez agreed that some of the events are not appropriate for alcohol and other events where it would work.

Mayor Pro-Tem Westbrook stated the ideas presented were great, but asked what is the Schertz identity? Ms. Shrum stated they are still working on an identity, exploring lots of ideas.

**16. Workshop Regarding TCEQ Lead And Copper Rule Revisions  
(B.James/N.Ferris/Z.Eaton)**

Water/Wastewater Superintendent Zac Eaton presented the workshop regarding TCEQ Lead and Copper Rule Revisions (LCRR). The LCRR required public water systems to submit a Lead Service Line Inventory (LSLI) by October 16, 2024, and provide notification to customers with lead, galvanized requiring replacement or unknown service lines within 30 days of the LSLI submission. Approximately 600 notices will be sent no later than Thursday, November 14, 2024.

Mayor Gutierrez opened the floor to Council for discussion. He then asked if replacement was mandatory. Mr. Eaton confirmed it is mandatory and has a time limit of 10 years.

Mayor Pro-Tem Westbrook commended Mr. Eaton on his presentation.

Mayor Gutierrez recessed to closed session at 7:53 p.m.

**Closed Session**

17. The City Council will meet in closed session under Section 551.071 of the Texas Government Code for discussion related to statutory charter election requirements.

**Reconvene into Regular Session**

Mayor Gutierrez reconvened Regular Session at 8:22 p.m.

18. Take any action based on discussion held in Closed Session under Agenda Item #17.

Mayor Gutierrez stated the discussion for Closed Session under Agenda Item #17 began at 8:00 p.m. and ended at 8:14 p.m.

No action was taken.

**Information available in City Council Packets - NO DISCUSSION TO OCCUR**

19. Update on the Beck Landfill Permit Application (S.Williams/B.James)

20. Monthly Update - Major Projects In Progress/CIP (B.James/K.Woodlee)

**Requests and Announcements**

- Requests by Mayor and Councilmembers for updates or information from Staff  
No requests by 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  
No requests by Mayor or Councilmembers that items or presentations be placed on a future City Council agenda.
  
- City and Community Events attended and to be attended (Council)  
Councilmember Tim Brown attended the Veterans Day Ceremony in Cibolo.

**Adjournment**

Mayor Gutierrez adjourned the meeting at 8:24 p.m.

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Ralph Gutierrez, Mayor

ATTEST:

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Sheila Edmondson, City Secretary