

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**May 28, 2024 – 6:00 PM**

**Present:** 5 - Mayor Frank Ritchie, Mayor Pro Tem Ty Wolosin, Council Member Quinten Scott, Council Member Bret A. Bunker, and Council Member Joseph Macaluso

**Absent:** 1 - Council Member Sharon D. Wright

**Staff Present:** Ben Thatcher, Siria Arreola, Sarah Buckelew, Jeff Carroll, Lori Carroll, Nathan Crane, Mike Mann, Mick McKamie, Natalie Morgan, Mike Raute, Chris Shadrock, Kristy Stark, Jeanette Teague, and Larry Woods.

**Recognized/Registered Guests:** Keri Sandvig, Emily Kirchner, Jeffrey Berwell, Susan Friar, Carlin Friar, Ashlyn Booth, Will Shipman, Heather Bateman, Joe Bateman, Sandy Scott, Renee Macaluso.

**1. CALL TO ORDER – 6:00 PM**

Mayor Ritchie called the City Council meeting to order at 6:00 p.m.

Mayor Ritchie provided the Invocation and led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

**2. CONFLICTS OF INTEREST**

No conflicts were declared.

**3. ADMINISTER OATH OF OFFICE TO COUNCIL MEMBER DISTRICT 1, 3, AND 5.**

**BREAK FOR RECEPTION IN CITY HALL LOBBY - 15 MINUTES.**

Mayor Ritchie called on Lori Carroll, City Secretary to administer the oaths of office to Council Member Ty Wolosin, District 1; Council Member Quinten Scott,

District 3; and Council Member Joe Macaluso, District 5.

Mayor Ritchie called for a short break.

Mayor Ritchie convened the meeting at 6:20 p.m.

**4. CONSIDER ELECTION OF THE OFFICE OF MAYOR PRO-TEM FOR THE PERIOD OF MAY 2024 - MAY 2025.**

Mayor Ritchie called on Lori Carroll, City Secretary to provide requirements of the Mayor Pro-Tem as referenced in the City of Boerne's Home Rule Charter.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER MACALUSO, TO ELECT COUNCIL MEMBER TY WOLOSIN TO THE OFFICE OF MAYOR PRO-TEM FOR THE PERIOD OF MAY 2024 - MAY 2025. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Mayor Pro Tem Wolosin, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**5. PUBLIC COMMENTS:**

No comments were received.

**6. CONSENT AGENDA:**

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Mayor Pro Tem Wolosin, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**A. CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF MAY 14, 2024.**

THE MINUTES WERE APPROVED.

- B. CONSIDER ON SECOND READING ORDINANCE NO. 2024-06; AN ORDINANCE AMENDING ORDINANCE NO. 2002-13, PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE CITY OF BOERNE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION TO INCLUDE THE DETAIL DRAWINGS AND UPDATES TO REFLECT CHANGES FROM THE ENGINEERING DESIGN MANUAL, UNIFIED DEVELOPMENT CODE, AND PUBLIC RIGHT-OF-WAY ACCESSIBILITY GUIDELINES; PROVIDING FOR WAIVER OR THE MODIFICATION OF SUCH STANDARDS; PROVIDING FOR AN ADMINISTRATIVE APPEAL; PROVIDING FOR REVISION OF SUCH STANDARDS; PROVIDING FOR A PENALTY NOT TO EXCEED ONE THOUSAND (\$1,000.00) DOLLARS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION. (Update to the Standard Specifications for Public Works Construction.)

THE ORDINANCE WAS APPROVED.

- C. CONSIDER RESOLUTION NO. 2024-R37; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE THE SECOND AMENDED ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF BOERNE AND DSL HOLDINGS, LLC.

THE RESOLUTION WAS APPROVED.

- D. CONSIDER RESOLUTION NO. 2024-R38; A RESOLUTION AUTHORIZING THE PURCHASE OF AUDIO VIDEO EQUIPMENT UPGRADES AND INSTALLATION AT THE POLICE AND FIRE TRAINING ROOMS FROM BRANSON DESIGN GROUP FOR AN AMOUNT NOT TO EXCEED \$94,203.00.

THE RESOLUTION WAS APPROVED.

**REGULAR AGENDA:**

**7. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:**

- A. RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION, HOLD A PUBLIC HEARING, AND CONSIDER

ON FIRST READING ORDINANCE NO. 2024-07; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3-2, ZONING MAP, GRANTING HISTORIC LANDMARK DESIGNATION TO 717 N. MAIN STREET, BOERNE, TEXAS (KAD NO. 19840) IN A C3, COMMUNITY COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Historic Landmark Designation - One of one public hearing)

Mayor Ritchie called on Nathan Crane, Planning Director to provide the history and description of the property located at 717 North Main Street. Director Crane also provided the benefits of preserving the historical, cultural, and educational value of the property.

Mayor Ritchie opened the Public Hearing at 6:25 p.m.

No comments were received.

Mayor Ritchie closed the Public Hearing at 6:25 p.m.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER MACALUSO, TO RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION, AND APPROVE ON FIRST READING ORDINANCE NO. 2024-07; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3-2, ZONING MAP, GRANTING HISTORIC LANDMARK DESIGNATION TO 717 N. MAIN STREET, BOERNE, TEXAS (KAD NO. 19840) IN A C3, COMMUNITY COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Mayor Pro Tem Wolosin, Council Member Scott, Council Member Bunker, and Council Member Macaluso

## 8. RESOLUTIONS:

- A. **CONSIDER RESOLUTION NO. 2024-R39; A RESOLUTION INCREASING THE BUDGET FOR FISCAL YEAR 2024 FROM \$50,000.00 TO AN AMOUNT NOT TO EXCEED \$150,000.00 FOR THE AGREEMENT BETWEEN THE CITY OF BOERNE AND AOKA ENGINEERING LLC DBA: AOKA CODE CONSULTING TO PROVIDE ADDITIONAL PROFESSIONAL SERVICES, ARCHITECTS, ENGINEERS, AND BUILDING OFFICIALS. (Building and Onsite Infrastructure Plan Review and Inspections)**

Director Crane continued with the background of the current contract with AOKA Code Consulting. Due to increase in permits and expected upcoming commercial plan review and inspections, it is necessary to increase the current year's budget \$100,000.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE RESOLUTION NO. 2024-R39; A RESOLUTION INCREASING THE BUDGET FOR FISCAL YEAR 2024 FROM \$50,000.00 TO AN AMOUNT NOT TO EXCEED \$150,000.00 FOR THE AGREEMENT BETWEEN THE CITY OF BOERNE AND AOKA ENGINEERING LLC DBA: AOKA CODE CONSULTING TO PROVIDE ADDITIONAL PROFESSIONAL SERVICES, ARCHITECTS, ENGINEERS, AND BUILDING OFFICIALS. (BUILDING AND ONSITE INFRASTRUCTURE PLAN REVIEW AND INSPECTIONS). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Mayor Pro Tem Wolosin, Council Member Scott, Council Member Bunker, and Council Member Macaluso

- B. **CONSIDER RESOLUTION NO. 2024-R40; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HDR ENGINEERING, INC. FOR BOERNE CITY LAKE WATER TREATMENT PLANT PILOT STUDY FOR AN AMOUNT NOT TO EXCEED \$721,000.00. (Pilot testing of a potential new water treatment plant at Boerne City Lake)**

Mayor Ritchie called on Mike Mann, Utilities Director to discuss the proposed pilot study. Director Mann explained that the city is nearing the completion of the study that will help us determine when it is appropriate to construct an additional water treatment plant at Boerne City Lake. A pilot study is

necessary to determine the best treatment process based on the specific characteristics of the lake water. Staff recommends entering into an agreement with HDR Engineering, Inc. for the City Lake Water Treatment Plant Study.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVE RESOLUTION NO. 2024-R40; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HDR ENGINEERING, INC. FOR BOERNE CITY LAKE WATER TREATMENT PLANT PILOT STUDY FOR AN AMOUNT NOT TO EXCEED \$721,000.00. (PILOT TESTING OF A POTENTIAL NEW WATER TREATMENT PLANT AT BOERNE CITY LAKE). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Mayor Pro Tem Wolosin, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**C. CONSIDER RESOLUTION NO. 2024-R41; A RESOLUTION RESCINDING RESOLUTION NO. 2023-R78 AND ESTABLISHING THE NUMBER OF TERMS, RESIDENCY REQUIREMENTS, AND ATTENDANCE OF THE VARIOUS BOARDS, COMMITTEES AND COMMISSIONS WHERE THE MAYOR AND CITY COUNCIL OF THE CITY OF BOERNE, TEXAS APPOINT THE MEMBERS, AND THE VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS ARE ESTABLISHED BY STATE LAW, CITY ORDINANCE, AND BY LAWS OF OTHER ENTITIES. (Update Visit Boerne Advisory Board)**

Mayor Ritchie called on Larry Woods, Visit Boerne Director. Director Woods explained the necessity of re-organizing the board, adjusting the number of members from nine to seven which will allow the seven members to represent all the business types.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER SCOTT TO APPROVE RESOLUTION NO. 2024-R41; A RESOLUTION RESCINDING RESOLUTION NO. 2023-R78 AND ESTABLISHING THE NUMBER OF TERMS, RESIDENCY REQUIREMENTS, AND ATTENDANCE OF THE VARIOUS BOARDS, COMMITTEES AND COMMISSIONS WHERE THE MAYOR AND CITY COUNCIL OF THE CITY OF BOERNE, TEXAS APPOINT THE MEMBERS, AND THE VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS ARE ESTABLISHED BY STATE LAW, CITY ORDINANCE, AND BY LAWS OF OTHER ENTITIES. (UPDATE VISIT BOERNE ADVISORY BOARD) THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Mayor Pro Tem Wolosin, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**Absent:** 1 - Council Member Wright

**D. RECEIVE BIDS AND CONSIDER RESOLUTION NO. 2024-R42; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDED THE BID FOR AN EQUIPMENT LINE OF CREDIT TO \_\_\_\_\_ FOR AN AMOUNT NOT TO EXCEED \$\_\_\_\_\_; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED LEASE AGREEMENT.**

Mayor Ritchie called on Sarah Buckelew, Finance Director. Director Buckelew explained the process for financing multiple pieces of equipment. It is more efficient to enter into a line of credit rather than individual financing agreements. The proposed line of credit will be open to the city until December 31, 2025. She reviewed the equipment approved in this year's budget. Three bids were received from surrounding banks. It is staff's recommendation to award the agreement to Frost Bank.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER BUNKER, THAT THIS RESOLUTION BE APPROVED RECEIVE BIDS AND CONSIDER RESOLUTION NO. 2024-R42; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDED THE BID FOR AN EQUIPMENT LINE OF CREDIT TO FROST BANK FOR AN AMOUNT NOT TO EXCEED \$3,175,000.00; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED AGREEMENT. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Mayor Pro Tem Wolosin, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**9. OTHER:**

**A. CONSIDER ANNUAL MAYORAL APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.**

Mayor Ritchie called on Lori Carroll, City Secretary to review the mayor's annual recommendations for appointments and re-appointments to various boards and commissions.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER SCOTT, TO APPROVE THE ANNUAL MAYORAL APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Mayor Pro Tem Wolosin, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**B. RECEIVE PUBLIC COMMENTS AND CONSIDER A VARIANCE TO ORDINANCE NO. 2002-29 CHAPTER 3, ALCOHOLIC BEVERAGES, SECTION 3-4 SALES NEAR SCHOOL, CHURCH, OR HOSPITAL. (Request for a wine tasting and sales business located 248 N. Main St., Jeff Berwell, Platinum Brix Winery)**

City Secretary Carroll continued with a request for a variance to the Alcoholic Beverages Ordinance. A TABC application was received for a wine tasting and sales business located at 248 North Main Street. City Secretary Carroll explained that State statute and the city's ordinance states the location must be at least 300 feet from the property line of a school. The measurement is 198.3 feet from property line of the business to property line of the school. The applicant Jeff Berwell with Platinum Brix Winery spoke regarding his background. He stated the winery is located on Upper Cibolo Creek Road. The wine tasting location will be open on weekends and not during school hours. He has a one year lease with the property on Main Street.

Mayor Ritchie asked for public comments. No comments were received.



A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVE A VARIANCE TO ORDINANCE NO. 2002-29 CHAPTER 3, ALCOHOLIC BEVERAGES, SECTION 3-4 SALES NEAR SCHOOL, CHURCH, OR HOSPITAL. (REQUEST FOR A WINE TASTING AND SALES BUSINESS LOCATED 248 N. MAIN ST., JEFF BERWELL, PLATINUM BRIX WINERY). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Mayor Pro Tem Wolosin, Council Member Scott, Council Member Bunker, and Council Member Macaluso

#### **10. CITY MANAGER'S REPORT:**

Mayor Ritchie called on Ben Thatcher, City Manager to provide the city manager's report.

##### **A. INTRODUCTION OF FRANCESCA "FRANCI" LINDER, ASSISTANT PLANNING DIRECTOR.**

City Manager Thatcher called on Nathan Crane, Planning Director to introduce Francesca Linder, the new Assistant Planning Director and provided her previous training and education. Ms. Lindner stated that she looks forward to working with the city.

##### **B. MONTHLY PROJECTS UPDATE.**

City Manager Thatcher provided an update on various city projects. Discussion ensued regarding the traffic study for the proposed new Catholic Church.

#### **11. COMMENTS FROM COUNCIL – No discussion or action may take place.**

Mayor Pro Tem Wolosin congratulated this year's graduates.

Council Member Bunker stated that the Boerne Greyhounds baseball team is in the playoffs.

#### **12. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:**

Mayor Ritchie convened the City Council into Executive Session at 7:18 p.m.

**A. SECTION 551.071 - CONSULTATION WITH ATTORNEY TO DISCUSS PROPERTY VESTED RIGHTS.**

No action was taken.

**13. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.**

Mayor Ritchie reconvened the City Council into Open Session at 8:02 p.m. No action was taken.

**14. ADJOURNMENT**

Mayor Ritchie adjourned the City Council Meeting at 8:02 p.m.

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Secretary