

MINUTES
REGULAR CITY COUNCIL MEETING
Municipal Court Complex
124 Old San Antonio Road
Boerne, TX 78006
February 25, 2020 – 6:00 PM

Minutes of the Regular City Council meeting of February 25, 2020 at 6:00 p.m.

Staff Present: Ron Bowman, Siria Arreola, Pam Bransford, Jeff Carroll, Lori Carroll, Sandy Mattick, Nick Montagno, Jeff Page, Mike Raute, Mitch Scoggins, Chris Shadrock, Laura Talley, Jeanette Teague, Jeff Thompson, and Larry Woods.

Recognized/Registered Guests: Donna Taylor, Rufus Stephens, Sherry Yates, and Ben Eldredge.

1. CALL TO ORDER – 6:00 PM

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

Mayor Handren asked for a Moment of Silence 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. PUBLIC COMMENTS:

Donna Taylor, Environmental Research Scientist with the Cibolo Nature Center distributed to the Council Members, a copy of a letter she gave to the Planning and Zoning Commission in August. She spoke on agenda item 7., the zoning of the property located at 36 Herff road.

Rufus Stephens, 205 Bess Street also with the Cibolo Nature Center, spoke on agenda item 7., the zoning of the property located at 36 Herff Road.

4. CONSENT AGENDA:

4.A. CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 11, 2020.

THE MINUTES WERE APPROVED.

4.B. RECEIVE AND CONSIDER CERTIFICATION OF UNOPPOSED CANDIDATES FOR COUNCIL MEMBER DISTRICTS 1 AND 5 FOR THE GENERAL ELECTION OF MAY 2, 2020.

THE CERTIFICATION OF UNOPPOSED CANDIDATES WAS RECEIVED AND APPROVED.

4.C. CONSIDER AN ORDER OF CANCELLATION FOR THE GENERAL ELECTION OF MAY 2, 2020 FOR COUNCIL MEMBER DISTRICTS 1 AND 5.

THE ORDER OF CANCELLATION WAS APPROVED.

4.D. CONSIDER ON SECOND READING ORDINANCE NO. 2019-46; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007 BY AMENDING ARTICLE 3, SECTION 13, PERMANENT ZONING OF 4.492 ACRES LOCATED AT 23 OLD SAN ANTONIO ROAD (KAD NOS. 15828 AND 15829) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (J Willis Harpole)

THE ORDINANCE WAS APPROVED.

4.E. CONSIDER ON SECOND READING ORDINANCE NO. 2020-04; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF

THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18,2007, BY AMENDING ARTICLE 3, SECTION 13, PERMANENT ZONING OF 10.484 ACRES LOCATED AT 30-32 FM 1376 (KAD NOS. 14926 AND 14958) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Sherri and Rodney Yates)

THIS ORDINANCE WAS APPROVED.

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

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

5. PRESENTATION OF WASTE MANAGEMENT SOLID WASTE SERVICES.

Mayor Handren called on Ms. Sandy Mattick, Finance Director. Ms. Mattick introduced two representatives from Waste Management. A video was displayed providing information on the new processes for solid waste services.

6. BRIEF OVERVIEW OF UNIFIED DEVELOPMENT CODE ADOPTION SCHEDULE, OUTREACH PROCESS, VESTED RIGHTS AND FINAL COMMENTS.

Mayor Handren called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley asked Ms. Carissa Cox with Mosaic to provide the next steps in approving the Unified Development Code (UDC).

7. CONSIDER ON SECOND READING ORDINANCE NO. 2019-48; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007 BY AMENDING ARTICLE 3, SECTION 13, PERMANENT ZONING OF 4.37

ACRES LOCATED AT 36 HERFF ROAD (KAD NO. 15865) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (J Willis Harpole)

A MOTION WAS MADE BY COUNCIL MEMBER WOLOSIN, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE ON SECOND READING ORDINANCE NO. 2019-48; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007 BY AMENDING ARTICLE 3, SECTION 13, PERMANENT ZONING OF 4.37 ACRES LOCATED AT 36 HERFF ROAD (KAD NO. 15865) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT FOR THE NORTHERN PORTION OF THE PROPERTY AND R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT FOR THE SOUTHERN PORTION OF THE PROPERTY; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (J WILLIS HARPOLE). THE MOTION FAILED BY THE FOLLOWING VOTE:

Yeah: 2 - Council Member Wolosin, and Mayor Pro Tem Woolard

Nay: 3 - Council Member Scott, Council Member Fowler, and Council Member Macaluso

A MOTION WAS MADE BY COUNCIL MEMBER FOWLER, SECONDED BY COUNCIL MEMBER SCOTT, TO APPROVE ON SECOND READING ORDINANCE NO. 2019-48; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007 BY AMENDING ARTICLE 3, SECTION 13, PERMANENT ZONING OF 4.37 ACRES LOCATED AT 36 HERFF ROAD (KAD NO. 15865) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (J WILLIS HARPOLE). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 3 - Council Member Scott, Council Member Fowler, and Council Member Macaluso

Nay: 2 - Council Member Wolosin, and Mayor Pro Tem Woolard

- 8. CONSIDER RESOLUTION NO. 2020-R12; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND PAWELEK & MOY, INC. FOR CIVIL ENGINEERING AND SURVEYING SERVICES FOR THE PAVEMENT RECONSTRUCTION OF APPROXIMATELY 350 FEET OF JOHNS ROAD ALONG N MAIN. (Adjacent to the new City Hall)**

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN, TTO APPROVE RESOLUTION NO. 2020-R12; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND PAWELEK & MOY, INC. FOR CIVIL ENGINEERING AND SURVEYING SERVICES FOR THE PAVEMENT RECONSTRUCTION OF APPROXIMATELY 350 FEET OF JOHNS ROAD AT NORTH MAIN STREET, NOT TO EXCEED \$25,800.00. (ADJACENT TO THE NEW CITY HALL). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

9. CITY MANAGER'S UPDATE:

A. DISCUSSION ON PROJECTS DASHBOARD

Mayor Handren called on City Manager Ron Bowman to provide an update on various projects listed on the Dashboard.

10. COMMENTS FROM COUNCIL/LEGAL COUNSEL/STAFF – No discussion or action may take place.

Comments were received from Mr. Larry Woods, Convention and Visitors Bureau Director; Mr. Chris Shadrock, Communications Manager; Council Member Ty Wolosin and Council Member Joe Macaluso.

11. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:

Mayor Handren convened the City Council into Executive Session at 7:32 p.m.

11.A. SECTION 551.071 - CONSULTATION WITH ATTORNEY AND SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. (153 S Main)

No action was taken.

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

Mayor Handren reconvened the City Council into Open Session at 7:51 p.m.

No action was taken.

13. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE: CITY COUNCIL MAY, AS PERMITTED BY LAW, ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY MATTER LISTED ABOVE INCLUDING IF THEY MEET THE QUALIFICATIONS IN SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION REGARDING REAL PROPERTY), 551.073 (DELIBERATION REGARDING GIFTS), 551.074 (PERSONNEL/OFFICERS), 551.076 (DELIBERATION REGARDING SECURITY DEVICES), AND SECTION 551.087 (DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS) OF CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. (If needed)

If was not necessary for the City Council to reconvene into Executive Session.

14. ADJOURNMENT

Mayor Handren adjourned the City Council meeting at 7:51 p.m.

Approved:

Mayor

Attest:

City Secretary