

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**June 22, 2021 – 6:00 PM**

Minutes of the Regular Called City Council meeting of June 22, 2021.

**Present:**           **6 -**   Mayor Tim Handren, Mayor Pro Tem Ty Wolosin, Council Member Nina Woolard, Council Member Quinten Scott, Council Member Bryce Boddie, and Council Member Joseph Macaluso

**Staff Present:**   Ben Thatcher, Siria Arreola, Pam Bransford, Jeff Carroll, Lori Carroll, Laura Haning, Mike Mann, Sandy Mattick, Barbara Quirk, Mike Raute, and Danny Zincke.

**Recognized/Registered Guests:**   Christina Ryholm, Robert Imler, Jay Parker, Josh Valenta, and Zachary Taylor Wright.

**1. CALL TO ORDER – 6:00 PM**

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

Mayor Handren asked Council Member Macaluso to introduce his father in the audience.

Mayor Handren asked for a Moment of Silence.

Mayor Handren asked Dr. Joseph Macaluso, Sr. PHD, Retired Colonel, Veteran of World War II and Korean War to lead the Pledge of Allegiance to the United States Flag and the Texas Flag.

**2. CONFLICTS OF INTEREST**

No conflicts were declared.

**3. PUBLIC COMMENTS:**

No comments were received.

**4. CONSENT AGENDA:**

- A. [2021-581](#) CONSIDER THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF JUNE 8, 2021.

THE MINUTES WERE APPROVED.

- B. [2021-583](#) CONSIDER ON SECOND READING ORDINANCE NO. 2021-19; 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 14, REZONING 0.996 ACRES LOCATED BETWEEN 115 STAHL AND 400 ROSEWOOD (KAD NO. 63697) FROM B-2, HIGHWAY COMMERCIAL DISTRICT, TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (rezoning property located between 115 Stahl and 400 Rosewood from B-2 to R-3)

THE ORDINANCE WAS APPROVED.

- C. [2021-584](#) RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR JULY 13, 2021:

I. PROPOSED REZONING OF 0.678 ACRES LOCATED AT THE CORNER OF OAK PARK AND SECOND STREET (PART OF KAD NO. 24880) FROM R-1, MEDIUM DENSITY RESIDENTIAL DISTRICT, TO R-D DUPLEX RESIDENTIAL DISTRICT. (Robert S. Thornton L.P./ Travis Roberson)

THE RECOMMENDATION WAS APPROVED AND DATE SET FOR PUBLIC HEARING.

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

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

**REGULAR AGENDA:**

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

- A. [2021-587](#) CONSIDER ON SECOND READING ORDINANCE NO. 2021-20; 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 14, REZONING 0.302 ACRES LOCATED AT 606 FREY STREET (KAD NO. 18989) FROM R-1, MEDIUM-DENSITY RESIDENTIAL DISTRICT, TO O, OFFICE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Rezoning 606 Frey from R-1 to O. James S. Schuepback, original request was for B-1)

Mayor Handren called on Ms. Laura Haning, Planning and Community Development Director. Ms. Haning displayed a location map of the property. She stated that the requestor is aware that the City Council is considering the property be rezoned O district rather than the requested B-1. The property owner would still like to have the property zoned B-1, but he has not withdrawn his request.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVE ON SECOND READING ORDINANCE NO. 2021-20; 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 14, REZONING 0.302 ACRES LOCATED AT 606 FREY STREET (KAD NO. 18989) FROM R-1, MEDIUM-DENSITY RESIDENTIAL DISTRICT, TO O, OFFICE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (REZONING 606 FREY FROM R-1 TO O. JAMES S. SCHUEPBACH, ORIGINAL REQUEST WAS FOR B-1). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

**B. [2021-590](#) RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR JULY 13, 2021:**

**I. PROPOSED ADOPTION OF THE REVISED CITY OF BOERNE ZONING MAP FOR A CITYWIDE REZONING AND AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE (UDC) ADOPTED NOVEMBER 24, 2020, INCLUDING BUT NOT LIMITED TO AMENDMENTS TO CHAPTER 2, PROCEDURES AND CHAPTER 3, ZONING (WHICH INCLUDE OVERLAY DISTRICTS), CHAPTER 8, ENVIRONMENTAL DESIGN AND APPENDICES A, DEFINITIONS WITH THE CONDITION THAT A FULL LEGAL REVIEW TAKE PLACE PRIOR TO FIRST READING BY CITY COUNCIL.**

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY MAYOR PRO TEM WOLOSIN, TO RECEIVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR JULY 13, 2021. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

**6. RESOLUTIONS:**

- A. [2021-591](#) **CONSIDER RESOLUTION NO. 2021-R22; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT FOR ADDITIONAL SERVICES TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND MOSAIC PLANNING AND DEVELOPMENT SERVICES, INC. FOR THE BOERNE UNIFIED DEVELOPMENT CODE FOR AN AMOUNT NOT TO EXCEED \$19,500.00. (Additional coordination and handbook for the Unified Development Code)**

Mayor Handren called on Ms. Haning, Planning and Community Development Director. Ms. Haning explained the necessity for additional funds to complete the UDC project.

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE RESOLUTION NO. 2021-R22; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT FOR ADDITIONAL SERVICES TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND MOSAIC PLANNING AND DEVELOPMENT SERVICES, INC. FOR THE BOERNE UNIFIED DEVELOPMENT CODE FOR AN AMOUNT NOT TO EXCEED \$19,500.00. (ADDITIONAL COORDINATION AND HANDBOOK FOR THE UNIFIED DEVELOPMENT CODE). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

- B. [2021-582](#) **CONSIDER RESOLUTION NO. 2021-R23; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND TIMELESS SUNSET FOR REPAIRS TO THE CITY PARK WETLANDS OVERLOOK FOR AN AMOUNT NOT TO EXCEED \$39,234.00. (Replace existing observation deck at Boerne City Park Wetlands Overlook)**

Mayor Handren called on Mr. Danny Zincke, Community Services Director. Mr. Zincke displayed a photo of the current condition of the City Park Wetlands

Overlook. Staff did not feel that the repairs should wait until the next budget year. He stated that the deck will be made of composite material.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVE RESOLUTION NO. 2021-R23; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND TIMELESS SUNSET FOR REPAIRS TO THE CITY PARK WETLANDS OVERLOOK FOR AN AMOUNT NOT TO EXCEED \$39,234.00. (REPLACE EXISTING OBSERVATION DECK AT BOERNE CITY PARK WETLANDS OVERLOOK). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

## **7. OTHER ITEMS:**

### **A. [2021-589](#) CONSIDER MAYORAL APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.**

Mayor Handren recommended new appointments to the Convention and Visitors Bureau, Historic Landmark Commission and the Public Library Advisory Board.

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

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

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

### **A. [2021-585](#) MONTHLY PROJECT UPDATE. (Thatcher)**

Mayor Handren called on City Manager Ben Thatcher to provide an update on various ongoing City projects. Discussion ensued regarding the water system assessment and the transportation questionnaire in the Boerne Star Newspaper.

**B. [2021-586](#) UTILITY RATE UPDATE. (Thompson)**

City Manager Thatcher asked Ms. Sandy Mattick, Finance Director to provide an update on utility rates, primarily reclaimed water rate. Only Esperanza and Ranches at Creekside subdivisions have access to the reclaimed water. Total build out for the two subdivisions is 3,500 homes. 100% of the reclaimed water is for irrigation. It is staff's recommendation that the reclaimed water rates should be increased due to much higher usage than expected. The last increase was in 2018.

**C. [2021-588](#) LEGISLATIVE UPDATE. (Quirk)**

City Manager Thatcher asked Ms. Barbara Quirk, City Attorney to provide an update on city related bills that have failed and passed. Ms. Quirk stated she attended a TML conference where many of the these bills were discussed.

City Manager Thatcher expressed appreciation to those who helped during the weekend events.

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

Council Member Boddie stated that the noise committee had a productive meeting.

Council Member Macaluso mentioned that the new turnaround at Hwy 46 West was open, but be aware that if you take the turnaround, it will take you past Chili's.

**10. ADJOURNMENT**

Mayor Handren adjourned the City Council meeting at 7:05 p.m.

Approved:

\_\_\_\_\_  
Mayor

Attest:

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