

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**August 9, 2022 – 6:00 PM**

Minutes of the Regular Called City Council meeting of August 9, 2022.

**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, Jeff Carroll, Lori Carroll, Sheldon Cravey, Glenn Garcia, Laura Haning, Robert Lee, Mike Mann, Mick McKamie, Nick Montagno, Terry Nolan, Steve Perez, Chris Shadrock, Kristy Stark, Danny Zincke and Gas Department employees.

**Recognized/Registered Guests:** Christina Ryrholm, Zachary Wright, Robert Imler, Cheryl Perez, Tom Trentlage and Carolyn Chipman Evans.

**1. CALL TO ORDER – 6:00 PM**

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

**INVOCATION**

Mayor Handren asked Pastor Greg Arreola of the Kendall County Cowboy Church to provide the Invocation.

Mayor Handren led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

**2. CONFLICTS OF INTEREST**

Council Member Boddie stated that he has a conflict with Consent Agenda item K.

**3. PUBLIC COMMENTS:**

Tony Moninski, 301 Menger Springs stated he was a Meteorologist and spoke on weather conditions and weather forecast. Boerne needs its own network for weather forecast as a safety tool.

Carolyn Chipman Evans, 25 Spring Creek Road stated she is the CEO of the Cibolo Center for Conservation. She expressed appreciation to the City Council for considering the Center as a Delegate Agency. The Center had over 1,000 visitors last year.

Robert Imler, 3 Sky Rose Ranch Road expressed concern with future growth.

**4. CONSENT AGENDA:**

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVE THE CONSENT AGENDA AS PRESENTED WITH THE EXCEPTION OF ITEM K WHICH WILL BE CONSIDERED SEPARATELY. 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

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

**A. [2022-627](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON JULY 26, 2022.**

THE MINUTES WERE APPROVED.

**B. [2022-628](#) CONSIDER ON SECOND READING ORDINANCE NO. 2022-24; AN ORDINANCE AMENDING THE CITY OF BOERNE, TEXAS, CODE OF ORDINANCES, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, CONSTRUCTION STANDARDS, SECTION 5-36, ADOPTING THE INTERNATIONAL BUILDING CODE 2021**

EDITION; ARTICLE III, MECHANICAL CODE, SECTIONS 5-61, ADOPTING THE INTERNATIONAL MECHANICAL CODE 2021 EDITION; ARTICLE IV GAS, SECTION 5-86 ADOPTING THE INTERNATIONAL FUEL GAS CODE 2021 EDITION; ARTICLE V, PLUMBING, SECTIONS 5-111, ADOPTING THE INTERNATIONAL PLUMBING CODE 2021 EDITION; ARTICLE VI, EXISTING BUILDING CODE, SECTION 5-136, ADOPTING THE INTERNATIONAL EXISTING BUILDINGS CODE 2021 EDITION; ARTICLE VII, ELECTRICAL CODE, SECTION 5-232, ADOPTING THE NATIONAL ELECTRIC CODE 2020 EDITION; ARTICLE VIII, LIFE SAFETY CODE, SECTION 5-326, ADOPTING THE LIFE SAFETY CODE 2021 EDITION; ARTICLE X, HOUSING CODE, SECTION 5-266, ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2021 EDITION; AND CHAPTER 8, FIRE PREVENTION AND PROTECTION, ARTICLE II, FIRE PREVENTION CODE, SECTION 8-36, ADOPTING THE INTERNATIONAL FIRE CODE 2021 EDITION; PROVIDING FOR A PENALTY OF NOT MORE THAN \$2,000 FOR EACH VIOLATION OF THE FIRE PREVENTION CODE. (Amend the building code sections and fire code from the 2009 Edition to current editions)

THE ORDINANCE WAS APPROVED.

- C. [2022-625](#) CONSIDER RESOLUTION NO. 2022-R37; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A MUNICIPAL EQUIPMENT LEASE/PURCHASE AGREEMENT BETWEEN THE CITY OF BOERNE AND FROST BANK FOR AN ASPHALT ZIPPER FOR AN AMOUNT FINANCED NOT TO EXCEED \$264,424.00. (Street Department)

THE RESOLUTION WAS APPROVED.

- D. [2022-626](#) CONSIDER RESOLUTION NO. 2022-R38; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND KIMLEY-HORN AND ASSOCIATES, INC. FOR TASK ORDER NO. 2, WORK AUTHORIZATION NO. 1, FOR THE SCHEMATIC DESIGN FOR CASCADE CAVERNS CAPITAL IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$1,499,828.00. (MPO Roadway Project)

THE RESOLUTION WAS APPROVED.

- E. [2022-624](#) CONSIDER RESOLUTION NO. 2022-R39; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE AND BOERNE ISD FOR SCHOOL RESOURCE OFFICER PROGRAM.

THE RESOLUTION WAS APPROVED.

- F. [2022-638](#) CONSIDER RESOLUTION NO. 2022-R40; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO OPEN AND MANAGE A BANK ACCOUNT FOR THE RANCHES AT CREEKSIDE PUBLIC IMPROVEMENT DISTRICT (PID) ADMINISTRATION, AND DESIGNATING SIGNATORIES FOR THE DEPOSITORY FINANCIAL INSTITUTION FOR THE FUNDS. (Frost Bank)

THE RESOLUTION WAS APPROVED.

- G. [2022-635](#) CONSIDER RESOLUTION NO. 2022-R41; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND RAINBOW SENIOR CENTER. (Kronkosky Place)

THE RESOLUTION WAS APPROVED.

- H. [2022-636](#) CONSIDER RESOLUTION NO. 2022-R42; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND BOERNE HOUSING AUTHORITY.

THE RESOLUTION WAS APPROVED.

- I. [2022-637](#) CONSIDER RESOLUTION NO. 2022-R43; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND BOERNE PERFORMING ARTS.

THE RESOLUTION WAS APPROVED.

- J. [2022-639](#) CONSIDER RESOLUTION NO. 2022-R44; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND CIBOLO CENTER FOR CONSERVATION.

THE RESOLUTION WAS APPROVED.

- K. [2022-634](#) CONSIDER RESOLUTION NO. 2022-R45; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND BOERNE HILL COUNTRY FAMILY SERVICES.

Council Member Boddie stepped away from the dais and recused himself from the discussion vote.

City Manager Thatcher stated that Hill Country Family Services is now working with the Boerne Police Department to help people in a mental health crisis. The city has increased the public purpose funding to \$35,000.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE RESOLUTION NO. 2022-R45; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND HILL COUNTRY FAMILY SERVICES. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

**Recused:** 1 - Council Member Boddie

#### **REGULAR AGENDA:**

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

- A. [2022-641](#) DISCUSS AND RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION FOR THE PROPOSED REZONING OF 4.771 ACRES AND 0.0618 ACRES FOR A TOTAL OF 4.8328 ACRES,

LOCATED AT 502 SOUTH SCHOOL STREET, FROM C1, NEIGHBORHOOD COMMERCIAL, TO R1-M, MEDIUM DENSITY RESIDENTIAL DISTRICT (A10310 - SURVEY 178 A LOCKMAR, KAD NO. 14412 AND A PORTION OF KAD NO. 14381). (Patrick Christensen).

Mayor called on Ms. Laura Haning, Planning and Community Development Director. Ms. Haning displayed a map of the property located at 502 South School Street. She stated that all the lots except one are a quarter acre in size. There will be a total of 12 lots. The Planning and Zoning Commission recommended approval of the rezoning request by a vote of 6-0. Discussion ensued regarding the responsibility of the developer to improve School Street and sidewalks in front of the development.

**B. [2022-642](#) PUBLIC HEARING (One of one hearing)**

No comments were received.

**C. [2022-643](#) CONSIDER ON FIRST READING ORDINANCE NO. 2022-25; 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, REZONING 4.771 ACRES AND 0.0618 ACRES FOR A TOTAL OF 4.8328 ACRES LOCATED AT 502 SOUTH SCHOOL STREET (A10310 - SURVEY 178 A LOCKMAR, KAD NO. 14412 AND A PORTION OF KAD NO. 14381) FROM C1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO R1-M, MEDIUM DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVE ON FIRST READING ORDINANCE NO. 2022-25; 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, REZONING 4.771 ACRES AND 0.0618 ACRES FOR A TOTAL OF 4.8328 ACRES LOCATED AT 502 SOUTH SCHOOL STREET (A10310 - SURVEY 178 A LOCKMAR, KAD NO. 14412 AND A PORTION OF KAD NO. 14381) FROM C1, NEIGHBORHOOD COMMERCIAL DISTRICT, TO R1-M, MEDIUM DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. 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. [2022-640](#) **CONSIDER RESOLUTION NO. 2022-R46; A RESOLUTION OF THE CITY OF BOERNE RATIFYING A PURCHASE BY CITY STAFF AND AUTHORIZING A PAYMENT TO ERGON ASPHALT & EMULSIONS FOR CHIP SEAL EMULSION FOR A TOTAL AMOUNT NOT TO EXCEED \$57,588.91. (Materials for street repairs)**

Mayor Handren called on Mr. Jeff Carroll, Development Services Director. Mr. Carroll explained that material for chip seal of city streets was purchased in the summer in the amount of \$48,000.01. Additional material is needed for paving the cemetery at a cost of \$9,588.90. Because the total budgeted amount exceeds \$50,000.00, City Council approval is necessary for the expenditure.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE RESOLUTION NO. 2022-R46; A RESOLUTION OF THE CITY OF BOERNE RATIFYING A PURCHASE BY CITY STAFF AND AUTHORIZING A PAYMENT TO ERGON ASPHALT & EMULSIONS FOR CHIP SEAL EMULSION FOR A TOTAL AMOUNT NOT TO EXCEED \$57,588.91. (MATERIALS FOR STREET REPAIRS). 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. CITY MANAGER'S REPORT:**

Mayor Handren called on City Manager Ben Thatcher to provide the City Manager's Report.

### **B. [2022-630](#) AMERICAN PUBLIC GAS ASSOCIATION (APGA) SAFETY AWARD.**

City Manager Thatcher asked Mr. Mike Mann, Utilities Director to provide information on the American Public Gas Association Safety Award. Mr. Mann stated that this was a National award and Boerne is the only Texas City to receive the safety award for the year 2021. He recognized and expressed appreciation to the employees of the Gas Department in the audience and to the administrative staff Andrea Snouffer and Crystal Barrera who are at a Water conference.

### **A. [2022-629](#) TEXAS PUBLIC POWER ASSOCIATION (TPPA) SYSTEM ACHIEVEMENT AWARD.**

Mr. Mann continued with Texas Public Power Association Achievement Award. This award was given to the city for the 15 year project creating two LCRA substations, eight feeder routes for back up power giving reliability and redundancy in the electric system. Mr. Mann recognized Mr. Terry Nolan, Utilities Operations Administrator and Glenn Garcia, Electric Superintendent in the audience and administrative staff Andrea Snouffer and Crystal Barrera who are at a Water conference.

### **C. [2022-631](#) PRESENTATION OF CITY'S WATER DASHBOARD.**

Mr. Mann continued with the Water Dashboard on the city's website. He displayed how the dashboard works and the data that is available. This web page creates a one stop shop for utilities. The Dashboard can be found on the City of Boerne Utilities Operation page. Maintenance of the website will be a priority. City Manager Thatcher stated that there are state agencies that are



impressed with the Dashboard and may duplicate for their use.

Mr. Thatcher expressed appreciation to Mike Mann and Terry Nolan and staff for taking serious the excellence of the city values. Mr. Thatcher reminded everyone that tomorrow is the first day of school. Police Chief Perez and his staff are on task and expect nothing but a great day tomorrow.

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

Council Member Boddie expressed appreciation to the Police Chief, the School Resource Officers and school staff for their preparation before school starts. He wished them the best.

Mayor Pro Tem Wolosin asked everyone to plan ahead to allow travel time to school. He thanked the street department for striping the streets and crosswalks in preparation for school. Mayor Pro Tem Wolosin also stated that NOAA posted the precipitation data from 1895 to date which shows that 2022 is in the top 5 driest years since 1895.

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

Mayor Handren did not convene the City Council into Executive Session.

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

**11. ADJOURNMENT**

Mayor Handren adjourned the City Council meeting at 6:37 p.m.

Approved:

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Mayor

Attest:

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City Secretary