

MINUTES
CITY COUNCIL WORKSHOP
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
August 23, 2016 – 4:30 PM

Minutes of the City Council Workshop of August 23, 2016 at 4:30 p.m.

Present: **3 -** Mayor Michael Schultz, Council Member Charlie Boyd IV, and
Mayor Pro Tem Ron Cisneros

Absent: **3 -** Council Member Joe Anzollitto, Council Member Nina
Woolard, and Council Member Craig Colvin

Council Member Anzollitto arrived at 4:31 p.m.

Council Member Colvin arrived at 4:32 p.m.

Council Member Woolard arrived at 4:35 p.m.

Staff Present: Ron Bowman, Siria Arreola, Paul Barwick, Pam Bransford, Lori Carroll, Kirsten Cohoon, Jim Kohler, Mike Mann, Sandy Mattick, Mark Mattick, Doug Meckel, Susana Ramos, Mike Raute, Angie Rios, Laura Talley, Jeff Thompson, Larry Woods, Linda Zartler, and Danny Zincke.

Recognized/Registered Guests: Ed Coffey, Ron Cortez, Robert Hanley, Rod Fowler, Sally Schoemaker, Christina Peese, Rob Ziegler, John W. Uecker, and Shelly Swinghamer.

1. CALL TO ORDER – 4:30 PM

Mayor Schultz called the City Council Workshop to order at 4:30 p.m.

2. WORKSHOP DISCUSSION:

2A. [2016-806](#) RECEIVE PRESENTATION ON THREE RENDERINGS FOR THE PROPOSED FUTURE CITY HALL

Mayor Schultz called on Ms. Linda Zartler, Assistant City Manager. Ms. Zartler began the presentation with the history of the events leading up to the current status of the new City Hall project. She stated that following the Ad Hoc Committee recommendation for more public input, two public forums have been scheduled. Tomorrow, August 24, 2016 will be the first public forum held

at Morningside Ministries, 1150 Grand Blvd. from 9:00 a.m. to 11:00 a.m. in the Grand Room. The second public forum will be held on September 1, 2016 at the Patrick Heath Public Library Community Room from 5:00 p.m. to 7:00 p.m. Ms. Zartler introduced Randall Scott and Preston Scott of Randall Scott Architects. Mr. Randall Scott presented the original conceptual design, as well as three other renderings of the new City Hall building. He discussed elevation, parking, water detention, angle of Council Chambers, and roof dormers. He discussed the placement of the building on the City Campus property. Discussion ensued regarding cost difference between the different renderings, parking, space for mechanical equipment, avenues to reduce cost, landscaping, finishes on interior and exterior, and views from Main Street obstructing the view of the library and amphitheater.

3. ADJOURNMENT

Mayor Schultz adjourned the City Council Workshop at 5:10 p.m.

MINUTES

REGULAR CITY COUNCIL MEETING

CITY COUNCIL CHAMBERS

124 Old San Antonio Road

Boerne, TX 78006

August 23, 2016 – 6:00 PM

Minutes of the City Council meeting of August 23, 2016 at 6:00 p.m.

Present: **6 -** Mayor Michael Schultz, Council Member Joe Anzollitto, Council Member Nina Woolard, Council Member Charlie Boyd IV, Mayor Pro Tem Ron Cisneros, and Council Member Craig Colvin

Staff Present: Ron Bowman, Siria Arreola, Paul Barwick, Pam Bransford, Lori Carroll, Kirsten Cohoon, Jim Kohler, Mike Mann, Sandy Mattick, Mark Mattick, Doug Meckel, Susana Ramos, Mike Raute, Angie Rios, Laura Talley, Jeff Thompson, Larry Woods, Linda Zartler, and Danny Zincke.

Recognized/Registered Guests: Ed Coffey, Ron Cortez, Robert Hanley, Rod Fowler, Rob Ziegler, John W. Uecker, Dub Smothers, Pastor Steve Gross, Josh

Valenta, Cody Morris, Stephanie Lau, and William Canavan Jr.

1. CALL TO ORDER – 6:00 PM

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

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS:

Ed Coffey, 148 Lake View Drive introduced Mr. Ron Cortez, the new Kendall County Veterans Service Officer. Mr. Coffee presented statistics regarding military veterans and issues accessing health care and discouraging paperwork. Mr. Cortez stated he began the position in May of 2016. His office assists Armed Forces Veterans and their dependents who reside in Kendall County with available legal benefits. There is no charge for the services. A handout was distributed to the Council Members.

4. CONSENT AGENDA:

4A. [2016-807](#) APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF AUGUST 9, 2016.

THE MINUTES WERE APPROVED.

4B. [2016-811](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-29; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NOS. 2009-41, 2010-27, 2011-12, 2011-25, 2012-18, 2012-31, 2015-19, AND 2015-27, ESTABLISHING THE DESIGNATION OF NO PARKING AREAS WITHIN THE CITY OF BOERNE; AND PROVIDING FOR A PENALTY OF NOT MORE THAN \$200 FOR VIOLATION. (Removal Of No Parking On South Side Of Johns Road In Front Of Old Fabra Elementary And No Parking On Lohmann St.)

THE ORDINANCE WAS APPROVED.

- 4C. [2016-800](#) CONSIDER RESOLUTION NO. 2016-R75; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND KENDALL COUNTY FAIR ASSOCIATION FOR GRANT OF FUNDS.

THE RESOLUTION WAS APPROVED.

- 4D. [2016-799](#) CONSIDER RESOLUTION NO. 2016-R76; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND RVI PLANNING FOR A CEMETERY FEASIBILITY STUDY.

THE RESOLUTION WAS APPROVED.

- 4E. [2016-816](#) CONSIDER RESOLUTION NO. 2016-R77; A RESOLUTION AUTHORIZING THE CLOSURE OF A PORTION OF MAIN STREET (HWY 87) DURING CERTAIN HOURS FOR DICKENS ON MAIN AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY WITH THE TEXAS DEPARTMENT OF TRANSPORTATION.

THE RESOLUTION WAS APPROVED.

- 4F. [2016-817](#) CONSIDER RESOLUTION NO. 2016-R78; A RESOLUTION AUTHORIZING THE CLOSURE OF A PORTION OF MAIN STREET (HWY 87) DURING CERTAIN HOURS FOR PRIDE OF TEXAS STREET ROD RUN AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY WITH THE TEXAS DEPARTMENT OF TRANSPORTATION.

THE RESOLUTION WAS APPROVED.

- 4G. [2016-808](#) CONSIDER RESOLUTION NO. 2016-R79; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT BETWEEN THE CITY OF BOERNE AND FROST LEASING. (Brush Truck)

THE RESOLUTION WAS APPROVED.

- 4H. [2016-809](#) CONSIDER RESOLUTION NO. 2016-R80; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE

**A CERTIFICATION AND AGREEMENT OF GOVERNMENT/
GOVERNMENT-RELATED ENTITY BETWEEN THE CITY OF BOERNE
AND UBS FINANCIAL SERVICES INC. (Non-Designation Of Financial
Advisement)**

THE RESOLUTION WAS APPROVED.

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY MAYOR PRO TEM CISNEROS TO APPROVE THE CONSENT AGENDA. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

YEAH 5- COUNCIL MEMBER ANZOLLITTO, COUNCIL MEMBER NINA WOOLARD, COUNCIL MEMBER BOYD IV, MAYOR PRO TEM CISNEROS, AND COUNCIL MEMBER COLVIN.

5. PUBLIC HEARING – To Hear Comments On The Following:

5A. [2016-803](#) PROPOSED TAX RATE FOR FY 2016-2017 (0.4720/\$100) (First Of Two Hearings)

Mayor Schultz opened the Public Hearing at 6:09 p.m.

Mayor Schultz stated that the proposed tax rate for FY 2017 is \$.4720 per \$100 valuation which is the same as the current rate for FY 2016.

No public comments were received.

Mayor Schultz closed the Public Hearing at 6:10 p.m.

6. [2016-805](#) RECEIVE RECOMMENDATION FOR ART AL FRESCO PUBLIC ART COMPETITION SCULPTURE ACQUISITION FOR THE INAUGURAL FY15-16 COMPETITION AND CONSIDER RESOLUTION NO. 2016-R81; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Two art pieces; Dancer 2015 and Comet & Raven: Messenger from Afar)

Mayor Schultz called on Mr. Paul Barwick, Special Projects Director. Mr. Barwick explained that the Art Al Fresco Public Art Competition has been in place since

last September 2015. The program was developed so that at the end of each year's competition, the City would have the option to purchase a minimum of one sculpture depending on the budget and sculpture selections. There are nine sculptures currently installed throughout Boerne as part of the competition. Throughout the duration of the exhibition, City residents and visitors had the opportunity to vote on-line for the piece they would like to see the City purchase. Dancer 2015 by Jerry Daniel (\$10,000) and Comet & Raven: Messenger from Afar by Joe Barrington (\$15,000) won the competition. The other seven sculptures will stay in place until March 2017. Discussion ensued regarding the permanent location of the winning sculptures.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO RECEIVE THE RECOMMENDATION FOR ART AL FRESCO PUBLIC ART COMPETITION SCULPTURE ACQUISITION FOR THE INAUGURAL FY15-16 COMPETITION AND APPROVE RESOLUTION NO. 2016-R81; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER, IN THE AMOUNT NOT TO EXCEED \$25,000.00. (TWO ART PIECES; DANCER 2015 AND COMET & RAVEN: MESSENGER FROM AFAR). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

7. [2016-810](#) **CONSIDER ON SECOND READING ORDINANCE NO. 2016-30; AN ORDINANCE AMENDING ORDINANCE NO. 2008-18 ESTABLISHING A SCHOOL ZONE IN THE AREA OF 121 OLD SAN ANTONIO ROAD AT MEADOWLANDS CAMPUS AND REDUCING THE SPEED LIMIT DURING THE DESIGNATED HOURS AND AN ORDINANCE AMENDING ORDINANCE NO. 2009-42 ESTABLISHING A SCHOOL ZONE AT NORTH MAIN STREET FROM THE 200 BLOCK TO THE 400 BLOCK. (Remove school zones on Main Street and Old San Antonio Road by Meadowlands.) (Ordinance was approved on first reading during the August 9, 2016 City Council Meeting, deleting the school zone on Old San Antonio Road from the**

Ordinance)

Mayor Schultz called on Mr. Mike Mann, Public Works Director. Mr. Mann reminded the City Council that at the last meeting, Ordinance 2016-30 was presented to include removing the school zone from Main Street and also a portion of Old San Antonio Road in the area of Meadowlands School. Council approved on first reading of the ordinance to remove only the school zone on Main Street and leave the school zone on Old San Antonio Road in place. It is Staff's recommendation to remove the school zone on Old San Antonio Road in the area of Meadowlands School from the Ordinance. City Manager Ron Bowman referred to the map provided to the Council which reflects the various speed limits currently on Old San Antonio Road. Staff will visit with Kendall County to merge speed limits which will be presented to the City Council at a future meeting.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE ON SECOND READING ORDINANCE NO. 2016-30; AN ORDINANCE AMENDING ORDINANCE NO. 2009-42 ESTABLISHING A SCHOOL ZONE AT NORTH MAIN STREET FROM THE 200 BLOCK TO THE 400 BLOCK (REMOVING MAINT STREET SCHOOL ZONE). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

8. [2016-814](#) CONSIDER RESOLUTION NO. 2016-R82; A RESOLUTION AUTHORIZING A CHANGE ORDER WITH BLACK CASTLE GENERAL CONTRACTORS FOR THE WASTEWATER SYSTEM IMPROVEMENTS FOR TEXAS STAR NUT AND FOOD COMPANY.

Mr. Mann stated that the City has an ongoing construction project to extend sewer mains along Trade Avenue and Market Avenue in the North Industrial Park. The majority of the project is grant funded. During excavation, the contractor encounter rock which was not contemplated in the original contract. The City's grant coordinator advises that the additional expense will be completely funded by excess monies available under the original grant budget. The process for this change order requires that the governing body approve the change prior to the documentation getting processed through

Grantworks/TDA. Once approved, the City will pay the contractor and request reimbursement under the grant program. Staff recommended approval of Resolution No. 2016-R82.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY MAYOR PRO TEM CISNEROS, TO APPROVE RESOLUTION NO. 2016-R82; A RESOLUTION AUTHORIZING A CHANGE ORDER WITH BLACK CASTLE GENERAL CONTRACTORS FOR THE WASTEWATER SYSTEM IMPROVEMENTS FOR TEXAS STAR NUT AND FOOD COMPANY, IN THE AMOUNT NOT TO EXCEED \$61,975.18. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

9. [2016-802](#) **CONSIDER ON SECOND READING ORDINANCE NO. 2016-31; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY. (40.892 Acres Being Part Of Shooting Club Road- KAD Nos. 153712, 153713, 153714, 153715, and 153716- At The Request of William E. Canavan Jr.- Durango Development)**

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley displayed a map of the location of the property located on Shooting Club Road and stated that the 40.892 acre tract currently consists of five large commercial lots. The property owner would like to subdivide the property into smaller residential lots. Staff recommended approval of the annexation.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE ON SECOND READING ORDINANCE NO. 2016-31; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY. (40.892 ACRES BEING PART OF SHOOTING CLUB ROAD- KAD NOS. 153712, 153713, 153714, 153715, AND 153716- AT THE REQUEST OF WILLIAM E. CANAVAN JR.- DURANGO DEVELOPMENT). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Anzollitto, Council Member Woolard, Mayor Pro Tem Cisneros, and Council Member Colvin

Nay: 1 - Council Member Boyd IV

10. [2016-804](#) **CONSIDER RESOLUTION NO. 2016-R83; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS SETTING THE DATE, TIME, AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (11.540 Acres Of Land Located At 15 Cascade Caverns Road KAD No. 24322, At The Request Of Property Owner Caroll A. Covey, Temporary Administratrix of the Estate of Thomas W. Pankratz)**

Ms. Talley continued with a map of the location of the proposed annexation at 15 Cascade Caverns Road. As part of the annexation process, the City Council needs to set two public hearings which are scheduled for September 13, 2016 and September 27, 2016.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER COLVIN, TO APPROVE RESOLUTION NO. 2016-R83; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS SETTING THE DATE, TIME, AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (11.540 ACRES OF LAND LOCATED AT 15 CASCADE CAVERNS ROAD KAD NO. 24322, AT THE REQUEST OF PROPERTY OWNER CAROLL A. COVEY, TEMPORARY ADMINISTRATRIX OF THE ESTATE OF THOMAS W. PANKRATZ). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

11. [2016-815](#) CONSIDER RESOLUTION NO. 2016-R84; A RESOLUTION APPROVING CHANGES TO THE PERSONNEL POLICIES MANUAL FOR THE CITY OF BOERNE, TEXAS.

Mayor Schultz called on Ms. Linda Zartler, Assistant City Manager. Ms. Zartler stated that periodically, modifications are needed to update the City's Personnel Policies. She reviewed the proposed modifications. Discussion ensued regarding cell phone usage while driving.

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE RESOLUTION NO. 2016-R84; A RESOLUTION APPROVING CHANGES TO THE PERSONNEL POLICIES MANUAL FOR THE CITY OF BOERNE, TEXAS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

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

Ms. Sandy Mattick, Finance Director provided financial information for the new city hall project. She informed the City Council that the information will be displayed at the two public forums.

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

Mayor Schultz convened the City Council into Executive Session at 6:43 p.m. and requested those individuals directed to participate to adjourn to the Executive Session conference room.

13A. [2016-812](#) SECTION 551.074 - PERSONNEL MATTERS: CITY MANAGER'S ANNUAL EVALUATION, COMPENSATION, AND CONTRACT.

No action was taken.

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

Mayor Schultz reconvened the City Council into Open Session at 8:19 p.m.

14A. [2016-813](#) CONSIDER MOTION TO RENEW THE CITY MANAGER'S CONTRACT

A MOTION WAS MADE BY MAYOR PRO TEM CISNEROS, SECONDED BY COUNCIL MEMBER WOOLARD, TO RENEW THE CITY MANAGER'S CONTRACT. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY COUNCIL MEMBER WOOLARD, TO ADJOURN THE CITY COUNCIL MEETING AT 8:21. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, Mayor Pro Tem Cisneros, and Council Member Colvin

APPROVED:

Mayor

ATTEST:

City Secretary