

Minutes of the Regular City Council Meeting of February 28, 2017 at 6:00 p.m.

Recognized / Registered Guests: John Woolard, Duane Westerman, Allen Westerman, Suzanne Young, Steve Young, Emily Weiner, Scott Ellis, and Charles Riddle.

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

Mayor Schultz asked for a Moment of Silence.

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

2. CONFLICTS OF INTEREST

3. PUBLIC COMMENTS:

Emily Weiner, 624 Graham stated she has lived in Boerne since 2009. She expressed that Boerne has become a highly desirable area and a once charming town that has now turned into a City. She expressed concern that the City needs to care for the waterways and not delay in taking necessary steps to disallow cookie cutter landscapes. The City also needs to increase transparency and make careful review of changes.

4. CONSENT AGENDA:

- 4.A. [2017-212](#) APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 14, 2017 AND THE SPECIAL CALLED CITY COUNCIL MEETING OF FEBRUARY 17, 2017 (YMCA Wall Breaking).**

THE MINUTES WERE APPROVED.

- 4.B. [2017-210](#) CONSIDER ON SECOND READING ORDINANCE NO. 2017-07; 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. (4.510 acres located at 47 Old San Antonio Rd at the request of Priscilla Jean Heard)**

THE ORDINANCE WAS APPROVED.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER COLVIN TO APPROVE THE CONSENT AGENDA. 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

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

5.A. [2017-211](#) PROPOSED ANNEXATION OF 6.883 ACRES BEING A PORTION OF SHOOTING CLUB ROAD, A PORTION OF CHAPARRAL HILL AND 16 CHAPARRAL HILL ROAD, KAD NO. 14932, AT THE REQUEST OF JIM COOK. (First of two hearings)

Mayor Schultz opened the Public Hearing at 6:07 p.m.

Scott Ellis, 11 Chaparral Hill expressed his concern with the annexation of the property located in his neighborhood. There will be an increase in traffic and he doesn't want to see his property value decrease.

Mayor Schultz closed the Public Hearing at 6:08 p.m.

6. [2017-208](#) RECEIVE BRIEFING ON THE BOERNE POLICE DEPARTMENT 2016 ANNUAL REPORT TO INCLUDE THE ANNUAL REPORT ON RACIAL PROFILING.

Mayor Schultz called on Police Chief Jim Kohler. Chief Kohler reviewed the Boerne Police Department 2016 annual report. He stated that in 2012, the Boerne Police Department was awarded "Recognized Law Enforcement Agency" from the Texas Police Chiefs Association. A recognized agency must be audited every four years. In 2016, the Boerne Police Department was again awarded "Recognized Law Enforcement Agency". Chief Kohler mentioned that all the officers will be going through mental health training. In addition to an Evidence Clerk being hired this year, the Department also reestablished a K-9 unit thanks to a donation through the Police Foundation. Chief Kohler reviewed the many community activities that the Officers are involved with and the 2016 department awards recognizing the Officer of the Year, Dispatcher of the Year, Fit for Duty, and Top Gun recipients. Chief Kohler reviewed the required annual Racial Profiling report. He discussed the various statistics on offenses, activities, accidents, calls for service, and dispatch activity. Discussion ensued regarding the number of arrests and if the majority of criminals are local or from surrounding cities and predominate types of drugs that are in the Boerne community. Council Member Anzollitto expressed his appreciation to the Police Department for the arrest that took place in his neighborhood. Chief Kohler stated that the increase in arrests means that the Police

Department is addressing the issues. Mayor Schultz asked K-9 Tucker be introduced at the next City Council meeting.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER BOYD IV, TO RECIEVE AND APPROVE THE BRIEFING ON THE BOERNE POLICE DEPARTMENT 2016 ANNUAL REPORT TO INCLUDE THE ANNUAL REPORT ON RACIAL PROFILING. 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. [2017-209](#) **CONSIDER ON SECOND READING ORDINANCE NO. 2017-06; 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, ARTICLE 5, SECTION 3 PERMITTED USES, TABLE 5-1, AUTHORIZING THE USE OF A GOVERNMENTAL FACILITY IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 221 WATER STREET (KAD NO. 21662), A TOTAL OF 0.5372 ACRES. (Cow Creek Groundwater Conservation District)**

Mayor Pro Tem Cisneros recused himself and stepped away from the dais.

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley stated that the property located at 221 Water Street is zoned B-2 and does require City Council approval of the use of a Governmental Facility in the B-2 district. She stated that the intended use stays with the property if the property is sold. Staff has been notified that this is a temporary location for Cow Creek Goundwater Conservation District. The Planning and Zoning Commission voted 6-0 in favor of the use. Staff is also supportive of the use at this location.

A MOTION WAS MADE BY COUNCIL MEMBER WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE ON SECOND READING ORDINANCE NO. 2017-06; 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, ARTICLE 5, SECTION 3 PERMITTED USES, TABLE 5-1, AUTHORIZING THE USE OF A GOVERNMENTAL FACILITY IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 221 WATER STREET (KAD NO. 21662), A TOTAL OF 0.5372 ACRES. (COW CREEK GROUNDWATER CONSERVATION DISTRICT). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Council Member Anzollitto, Council Member Woolard, Council Member Boyd IV, and Council Member Colvin

Recused: 1 - Mayor Pro Tem Cisneros

8. [2017-214](#) UPDATE ON THE BOERNE MASTER PLAN.

Ms. Talley continued with the Master Plan update. The Burditt Consultants and the Planning Staff met with the Master Plan Steering Committee on January 25, 2017. The existing Master Plan was discussed as well as an overview of the process and timeline in which to update the Plan. Burditt conducted a visioning exercise in an effort to draw from the group their thoughts concerning the future of Boerne. On January 26, 2017, the Burditt Consultants and the Planning Staff met with the Technical Advisory Committee. This group is made up of thirteen members of City Staff from all departments. The same information was discussed as was in the Steering Committee meeting. Ms. Talley reviewed the next steps in the process: meeting with various groups such as downtown merchants, realtors, medical groups, etc; launching the first community survey; next Steering Committee will be held on March 21, 2017; next Technical Advisory Group will be held on March 23, 2017; and the first community forum will be held on May 4, 2017 at 5:30 at the Kronkosky Place. Ms. Talley stated that any group not invited to the meetings and would like to attend should notify her.

9. [2017-217](#) UPDATE ON THE PARKS MASTER PLAN.

Mayor Schultz called on Mr. Danny Zincke, Parks and Recreation Director. Mr. Zincke stated that the kickoff meeting for the Parks Master Plan update was held on February 21, 2017. Staff met with Burditt Consultants LLC to review

inventory, amenities, and the shape the amenities are in. Staff discussed their goals, vision for the future, and challenges. They also discussed the various programs held at the parks and the operation and maintenance provided. The next Focus Group will meet on March 29, 2017 to discuss sports and youth organizations and to review public feedback. The first draft of the Parks Master Plan update will be presented to the City Council the second meeting in May at which time the City Council will be asked for feedback. It will then be brought back to City Council the second meeting in June.

10. [2017-215](#) UPDATE ON THE NEW CITY HALL PROJECT.

Mayor Schultz called on Ms. Linda Zartler, Assistant City Manager. Lee Lewis Construction (Construction Manager at Risk) will now be involved with the pre-construction process, providing the architect and City Staff with estimates as the building progresses through the schematic design. Mr. Randall Scott will present to the City Council at the March 14, 2017 meeting, the proposed interior designs and the refined exterior designs. The original schedule is about one month behind, but anticipates the time to be made up during the design phase in order to keep the December, 2018 move in date.

11. [2017-213](#) PRESENTATION ON THE PROCESS OF ISSUING CERTIFICATES OF OBLIGATIONS BY DUANE WESTERMAN OF SAMCO CAPITAL MARKETS, INC.

Mayor Schultz called on Ms. Sandy Mattick, Finance Director. Ms. Mattick introduced Duane Westerman with SAMCO Capital Markets who has been the City's financial advisor for many years. Mr. Westerman provided information relating to the issuance of Certificates of Obligation. He discussed the time frame which generally requires at least 60 days from the Notice of Intention to receiving funds. He compared Certificates of Obligation to voted bonds.

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

No comments were received.

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

Mayor Schultz convened the City Council into Executive Session at 6:46 p.m. and requested those individuals directed to participate to adjourn to the Executive Session conference room.

[2017-216](#) **A. SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION AND SECTION 551.071 (1) (A) - CONSULTATION WITH AN ATTORNEY.**

B. SECTION 551.074 - PERSONNEL MATTERS: CITY ATTORNEY'S ANNUAL EVALUATION.

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 7:33 p.m.

No action was taken.

15. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY COUNCIL MEMBER WOOLARD, TO ADJOURN THE CITY COUNCIL MEETING AT 7:33 P.M. 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