

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
May 23, 2017 – 6:00 PM

Minutes of the Regular Called City Council Meeting of May 23, 2017 at 6:00 p.m.

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

Staff Present: Ron Bowman, Siria Arreola, Paul Barwick, Pam Bransford, Lori Carroll, Kirsten Cohoon, Mike Mann, Sandy Mattick, Doug Meckel, Jeff Page, Mike Raute, Mitchell Scoggins, Laura Talley, Jeff Thompson, Larry Woods, Linda Zartler, and Danny Zincke.

Recognized Guests: Yolanda J. Kovac, David Kovac, Jim Grahman, Betty Grahman, Scott Ellis, Carol Schultz, Jonathan Jennings, Phil Bernal, Tucker Kocureca, Cathy Cisneros, Guy Sanders, Corey Huffman, Emily Weiner, Meredith Woolard, Debbie Thomas, and A.J. Garza.

1. CALL TO ORDER – 6:00 PM

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

Mayor Schultz asked for a Moment of Silence.

Mayor Schultz called on Tucker Kocureca in the audience to lead the Pledge of Allegiance to the United States Flag and to the Texas Flag.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. [2017-398](#) ADMINISTER OATHS OF OFFICE

Mayor Schultz called on Ms. Lori Carroll, City Secretary to administer the Oaths of Office to Nina Woolard, City Council Member District 2; Ronald Cisneros, City Council Member District 4; and Mike Schultz, Mayor.

4. [2017-399](#) CONSIDER ELECTION OF THE OFFICE OF MAYOR PRO-TEM FOR MAY 2017 -MAY 2018

Mayor Schultz explained that each year immediately following the General Election, as per the City's Home Rule Charter, the Mayor Pro-Tem shall be elected by the City Council. The Mayor Pro-Tem shall act as Mayor during the absence or disability of the Mayor.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO NOMINATE NINA WOOLARD TO THE OFFICE OF MAYOR PRO-TEM FOR MAY 2017 - MAY 2018. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Mayor Schultz expressed his appreciation to Ron Cisneros for taking on the responsibility of Mayor Pro Tem for the last few years. Mayor Schultz also congratulated Nina Woolard and thanked her for accepting the nomination of Mayor Pro Tem for May 2017-May 2018.

5. PUBLIC COMMENTS:

Yolanda Kovack, 213 E. Hosack expressed her concerns with the traffic on South Main Street in the River Arts District. She also explained that she signed the petition regarding the new City Hall and her protest was not about the type of funding, but with height and width of the proposed building. She feels that the City should have public hearings so the public can express their opinions.

6. CONSENT AGENDA:

- 6.A. [2017-387](#) APPROVAL OF MINUTES OF THE SPECIAL CALLED CITY COUNCIL MEETING OF MAY 4, 2017 (Master Plan Open House) AND THE REGULAR CITY COUNCIL MEETING OF MAY 9, 2017.

THE MINUTES WERE APPROVED.

- 6.B. [2017-397](#) CONSIDER RESOLUTION NO. 2017-R43; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND TW HICKS INDUSTRIAL FLOOR SPECIALISTS TO REFINISH THE FLOORS IN THE FIRE DEPARTMENT

THE RESOLUTION WAS APPROVED.

- 6.C. [2017-405](#) CONSIDER RESOLUTION NO. 2017-R44; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A REAL ESTATE SUB-LEASE AGREEMENT BETWEEN THE CITY OF BOERNE AND ACREWERKS INC. FOR THE DOWNTOWN PARKING LOT LOCATED AT 153 S MAIN STREET

THE RESOLUTION WAS APPROVED.

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

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

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

Mayor Schultz opened the Public Hearing at 6:11 p.m.

- 7.A. [2017-390](#) PROPOSED ANNEXATION OF 13.733 ACRES OF LAND BEING PART OF HERFF ROAD AT THE REQUEST OF JUDGE LUX FOR KENDALL COUNTY (Second of two hearings)

No comments were received.

Mayor Schultz closed the Pubic Hearing at 6:12 p.m.

7.B. [2017-391](#) PROPOSED REVISION TO THE CITY OF BOERNE THOROUGHFARE PLAN LAST UPDATED FEBRUARY 10, 2015 (One of one hearing)

Mayor Schultz opened the Public Hearing at 6:12 p.m.

No comments were received.

Mayor Schultz closed the Public Hearing at 6:12 p.m.

8. TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARING:

8.A. [2017-392](#) CONSIDER PROPOSED REVISION TO THE CITY OF BOERNE THOROUGHFARE PLAN LAST UPDATED FEBRUARY 10, 2015

Mayor Schultz called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley displayed a map of the area under consideration. She pointed out the location of the developments that are planned for the Shooting Club Road area. She explained that Staff would like to re-classify Shooting Club Road to be categorized as a secondary collector with 74' of right-of-way. Staff feels it is necessary to re-classify the road now, so the right-of-way is dedicated as the area develops further. Currently the road is rural in nature with no sidewalks or curbs. It is likely that with KWU providing water to the east side of Shooting Club Road, additional developments may happen in the near future with properties subdividing into smaller lots. Discussion ensued regarding Shooting Club Road going from FM 1376 to Main Street and other rules or ordinances that apply. Mr. Jeff Thompson, Deputy City Manager stated that both FM 1376 and Hwy 87 are TxDOT maintained roads.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE THE PROPOSED REVISION TO THE CITY OF BOERNE THOROUGHFARE PLAN LAST UPDATED FEBRUARY 10, 2015. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

9. [2017-403](#) **CONSIDER RESOLUTION NO. 2017-R45; A RESOLUTION RESCINDING RESOLUTION NO. 2016-R48 AND ESTABLISHING THE NUMBER OF TERMS, RESIDENCY REQUIREMENTS, AND ATTENDANCE OF THE VARIOUS BOARDS, COMMITTEES AND COMMISSIONS WHERE THE MAYOR AND CITY COUNCIL OF THE CITY OF BOERNE, TEXAS APPOINT THE MEMBERS, AND THE VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS ARE ESTABLISHED BY STATE LAW, CITY ORDINANCE, AND BY LAWS OF OTHER ENTITIES**

Mayor Schultz called on Ms. Lori Carroll, City Secretary. Ms. Carroll reviewed the various proposed changes to the Boards and Commission Resolution. Staff is suggesting that the residential requirement for the Historic Landmark Commission and the Zoning Board of Adjustments be broaden to include the ETJ. The major change to the Resolution includes modifications to the Convention and Visitors Bureau, increasing the number of members from three to nine with one staff liaison, changing the term of office to June, and regular meetings will be held quarterly instead of monthly. Staff also suggested that the Public Art Competition Committee increase the number of members from two to three. Discussion ensued regarding concerns with extending the residential requirements to the ETJ, and difficulty finding qualified people who live within the city limits. Mayor Schultz reminded the City Council that they will have the opportunity to consider any recommended mayoral appointment.

A MOTION WAS MADE BY COUNCIL MEMBER ANZOLLITTO, SECONDED BY COUNCIL MEMBER WOOLARD, TO APPROVE RESOLUTION NO. 2017-R45; A RESOLUTION RESCINDING RESOLUTION NO. 2016-R48 AND ESTABLISHING THE NUMBER OF TERMS, RESIDENCY REQUIREMENTS, AND ATTENDANCE OF THE VARIOUS BOARDS, COMMITTEES AND COMMISSIONS WHERE THE MAYOR AND CITY COUNCIL OF THE CITY OF BOERNE, TEXAS APPOINT THE MEMBERS, AND THE VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS ARE ESTABLISHED BY STATE LAW, CITY ORDINANCE, AND BY LAWS OF OTHER ENTITIES. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Nay: 1 - Council Member Boyd IV

10. [2017-404](#) CONSIDER MAYORAL APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Mayor Schultz read his recommended appointments and re-appointments to the various Boards and Commissions which will be effective June 1, 2017. Official Appointments: Reappoint Municipal Court Judge Ed Phillips, Alternate Municipal Court Judge Lawrence Morales, Municipal Court Prosecutor Kirsten Cohoon, Alternate Municipal Court Prosecutor Dana Jacobson, and Cemetery Sexton Dusty Fisher; Public Housing Authority: Reappoint Chairman Carla Heath, Vice Chairman Esther Turner, Member Sister Kathleen Higgins, and Resident Commissioner Heather Ontiveroz; Planning and Zoning Commission: Reappoint Vice Chairman Cal Chapman and Place 6 Member Paula Hayward, and new appointment of Member Joe Davis to Place 8 replacing Russell Noll; Zoning Board of Adjustments: Reappoint Vice Chairman Scott Lowry, Member Thomas Harris, Alternate Jon Paul Bergmann, and new appointment as Alternate Bryan Benaway filling a vacancy; Boerne Public Library: Reappoint Member Martha Schaefer and new appointment as Member Susan Whipple replacing Rita Weber; Historic Landmark Commission: Reappoint Vice Chairman Justin Boerner, new appointment as Member Shanna Bergmann replacing Shelly Swinghamer, new appointment as Member Cesar Hance replacing Ariel Brooks-Stevens, new appointment as Member Sherri Jo Adams replacing Sally Schoemaker; Convention and Visitors Bureau Advisory Board: New appointments of Michelle Ernst representing Business District, Ed McClure representing Full Service Hotel, Arnoldo Rodriguez representing Limited Service

Hotel, Elizabeth Castle representing Arts, Jeff Alvarez representing Business District, and Helen Schneider representing Bed & Breakfast; Utility Group: Reappoint Mike Schultz; Governmental Round Table: Reappoint Mike Schultz; and Boerne-Kendall County Economic Development Board: Reappoint Jeff Thompson.

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

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

11. [2017-408](#) CONSIDER REVISIONS TO THE HISTORIC DISTRICT RESTORATION PROGRAM GUIDELINES AND TAKE NECESSARY ACTION

Mayor Schultz called on Mr. Paul Barwick, Special Projects Director. Mr. Barwick discussed the Historic District Restoration Program and the current process. He stated to date, a total of 21 reimbursement grants have been approved totaling \$91,201.00. For FY 16-17, only two applications have been received. Staff recommended that modifications be made to the existing Historic District Restoration Program to include renaming the program; increase reimbursement levels based on a sliding scale of qualifying construction costs; establish program scoring criteria and committee; expand eligible improvements for reimbursement, and consider raising the annual program funding to \$50,000.00 per year. He reviewed the programs that other Texas cities are offering. Discussion ensued regarding the historic district boundaries, advertising to get the word out about the program, look to expand the program in the future, and the opportunity for property owners to apply every three years on the same property.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO APPROVE THE REVISIONS TO THE HISTORIC DISTRICT RESTORATION PROGRAM GUIDELINES. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

Council Member Cisneros spoke on the Alamo Area Metropolitan Planning Organization meeting he attended yesterday. He was selected to be on nominating committee to select a new chairman and vice chairman of the Organization.

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

Mayor Schultz convened the City Council into Executive Session at 6:50 p.m. and directed those individuals requested to participate to adjourn to the Executive Session Conference Room.

13.A.[2017-407](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY

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 7:07 p.m.

14.A.[2017-406](#) CONSIDER RESOLUTION NO. 2017-R46; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE AN EASEMENT FOR THE LOOPING OF A WATER MAIN AND POTENTIAL EXTENSION OF SEWER MAIN

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL MEMBER COLVIN, TO APPROVE RESOLUTION NO. 2017-R46; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE AN EASEMENT FOR THE LOOPING OF A WATER MAIN AND POTENTIAL EXTENSION OF SEWER MAIN. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

15. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER COLVIN, SECONDED BY COUNCIL MEMBER ANZOLLITTO, TO ADJOURN THE CITY COUNCIL MEETING AT 7:07 P.M. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Approved:

Mayor

Attest:

City Secretary