#### **MINUTES**

# REGULAR CITY COUNCIL MEETING CITY COUNCIL CHAMBERS

## 124 Old San Antonio Road

Boerne, TX 78006

February 27, 2018 - 6:00 PM

Minutes of the Regular Called City Council meeting of February 27, 2018.

**Present:** 4 - Council Member Joe Anzollitto, Mayor Pro Tem Nina Woolard,

Council Member Charlie Boyd IV, and Council Member Ron

Cisneros

**Absent:** 2 - Mayor Michael Schultz, and Council Member Craig Colvin

Staff **Present:** Siria Arreola, Pam Bransford, Lori Carroll, Kirsten Cohoon, Sheldon Cravey, Jim Kohler. Mike Mann, Sandy Mattick, Mike Raute. Laura Talley, Jeanette Teague, Jeff Thompson, Larry Woods, and Linda Zartler.

**Recognized / Registered Guests:** Lance Kyle, Emily Green, Tim Handren, Rod Fowler, Joe Macaluso, Scott Stolle, and John Newman.

#### 1. CALL TO ORDER - 6:00 PM

Mayor Pro Tem Woolard called the City Council to order at 6:00 p.m.

Mayor Pro Tem Woolard asked for a Moment of Silence and led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

#### 2. CONFLICTS OF INTEREST

No conflicts were declared.

### 3. PUBLIC COMMENTS:

226 Cascade Caverns Lance Kyle, Road spoke on the proposed annexation of 214 Cascade Caverns Road. He questioned economic benefits for the the developer as well as the City if the property is annexed. He discussed the elevation of property, flood plain, storm water, and the potential road going through to Cascade Caverns Road which currently has cattle guards. He expressed concerns on the connectivity of the road with the proposed Gateway Study road and the issue with a cave in the area.

Rod Fowler, 131 Ranch Drive spoke on the proposed annexation of 214 Cascade Caverns Road. He stated that several years ago, he was on a transportation committee for Kendall County, which the results from that study were ignored. He felt with the new study there needs to be more coordination between Kendall County, TxDOT, and the City. The City did not consider the study when He stated that TCEQ has issued citations to the this subdivision was approved. for compaction and the two recharge features were covered. appears that there is no juridical oversight on the development.

#### 4. CONSENT AGENDA:

4.A. 2018-212 CONSIDER APPROVAL OF THE MINUTES OF THE SPECIAL CALLED CITY COUNCIL MEETING HELD FEBRUARY 13, 2018 (STATE OF THE CITY) AND THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 13, 2018.

THE MINUTES WERE APPROVED.

**4.B.** 2018-209 CONSIDER ON SECOND READING ORDINANCE NO. 2018-03; **CITY ORDINANCE AMENDING** THE OF **BOERNE ZONING 2007-64 CAPTIONED,** "ZONING ORDINANCE NO. **ORDINANCE OF** THE CITY OF BOERNE, TEXAS", DATED **DECEMBER** 2007, 18, ARTICLE 3, SECTION 6, **ACCESSORY** DWELLING, **AUTHORIZING** ACCESSORY **DWELLING** IN AN R-3, HIGH DENSITY **RESIDENTIAL** DISTRICT LOCATED ΑT **402 YOALANA** NO. STREET (KAD 23531). (Jack Hearn)

THE ORDINANCE WAS APPROVED.

**4.C.** 2018-210 CONSIDER ON **SECOND** READING **ORDINANCE** NO. 2018-05; AN **ORDINANCE AMENDING** THE CITY OF **BOERNE** ZONING ORDINANCE NO. 2007-64, DATED DECEMBER 18, 2007, ARTICLE 1,

**SECTION** IN **GENERAL**, 06. **DEFINITIONS**, ARTICLE 3. **GENERAL PROHIBITIONS** AND REQUIREMENTS, **SECTION** 02. **OUTDOOR** LIGHTING, ARTICLE 5, ZONING DISTRICTS AND USE REGULATIONS. **PERMITTED** SECTION 03. USES, **SECTION** 20. B-3 -**CENTRAL** DISTRICT, **ADDING SECTION** 33. **BUSINESS** AND NH **NORTH HERFF ROAD OVERLAY DISTRICT.** 

THE ORDINANCE WAS APPROVED.

READING **4.D.** 2018-211 CONSIDER ON SECOND **ORDINANCE** NO. 2018-06: AN **DESCRIBED** ORDINANCE ANNEXING THE HEREINAFTER **TERRITORY** INTO THE CITY OF BOERNE, KENDALL COUNTY, **TEXAS** AND **EXTENDING** THE **BOUNDARY** LIMITS OF SAID CITY SO TO AS INCLUDE SAID **HEREINAFTER DESCRIBED PROPERTY** WITHIN THE CITY LIMITS. AND GRANTING TO SAID TERRITORY AND ALL **FUTURE INHABITANTS SAID PROPERTY** ALL OF THE **RIGHTS** OF AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY. (13.327 acres located at 41 Old San Antonio Rd., KAD 38976, and the adjacent right-of-way on Old San Antonio Road, **Recycling Center** Wastewater Treatment and at the request of the City of Boerne.)

THE ORDINANCE WAS APPROVED.

**4.E.** 2018-206 CONSIDER **RESOLUTION** NO. 2018-R14; Α RESOLUTION **AUTHORIZING** THE CITY **MANAGER** TO **PROCEED** WITH **PURCHASE'S** AS **PER SECTION** 6.08 OF THE CITY OF **BOERNE'S** HOME RULE CHARTER. (Lucas 3.0 Chest Compression System and service agreement)

THE RESOLUTION WAS APPROVED.

MOTION WAS MADE BY COUNCIL ANZOLLITTO, **SECONDED** BY MEMBER COUNCIL MEMBER **CISNEROS** TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Boyd IV, and Council Member Cisneros

**Absent:** 1 - Council Member Colvin

CONSIDER **RESOLUTION** NO. **RESOLUTION** 5. 2018-207 2018-R15; Α OF THE BOERNE, TEXAS, ACCEPTING A CITY OF **GRANT FOR** THE **BG18** RIFLE-RESISTANT **BODY ARMOR GRANT PROGRAM FROM** THE OFFICE OF THE GOVERNOR

Mayor Pro Tem Woolard called on Police Chief Kohler. Chief Kohler stated that City Council approved the submission of a grant application for rifle-resistant body armor in November of 2017. Staff was notified that the City was awarded the grant from the Governor's Criminal Justice Division. Staff will be purchasing the body armor in the amount of \$18,359.69 from Overwatch Group which was approved by the Governor's Office prior to the grant award. The City will be reimbursed for the full amount of the cost.

A MOTION WAS MADE BY COUNCIL MEMBER CISNEROS, SECONDED BY COUNCIL TO APPROVE RESOLUTION ANZOLLITTO, NO. 2018-R15; **RESOLUTION** Α THE **CITY** OF BOERNE, TEXAS, **ACCEPTING** Α **GRANT** FOR THE **BG18 RIFLE-RESISTANT** BODY ARMOR **GRANT** PROGRAM FROM THE OFFICE OF THE GOVERNOR. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 4 - Council Member Anzollitto, Mayor Pro Tem Woolard, Council Member Boyd IV, and Council Member Cisneros

**Absent:** 1 - Council Member Colvin

2018-R16; 6. 2018-213 CONSIDER **RESOLUTION** NO. Α RESOLUTION OF THE BOERNE, COUNCIL OF THE CITY OF TEXAS. THE PLACE FOR TWO DATE, TIME AND **PUBLIC HEARINGS** ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF TEXAS; **AUTHORIZING** DIRECTING BOERNE. AND THE **PUBLICATION** OF **NOTICE** OF **SUCH PUBLIC HEARINGS.** (8.491 acres located at 45 Cascade Caverns Rd. at the request of Currey **Creek Baptist Church)** 

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL ANZOLLITTO, TO APPROVE RESOLUTION NO. 2018-R16; A **RESOLUTION** OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME THE PROPOSED PLACE FOR TWO PUBLIC HEARINGS ON ANNEXATION **CERTAIN PROPERTY** BY THE CITY BOERNE, TEXAS; OF **AUTHORIZING** AND DIRECTING THE **PUBLICATION** OF NOTICE OF SUCH PUBLIC HEARINGS. (8.491)ACRES LOCATED AT 45 CASCADE CAVERNS ROAD AT THE REQUEST OF CURREY CREEK BAPTIST CHURCH). THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

**Absent:** 1 - Council Member Colvin

7. **CONSIDER** RESOLUTION NO. 2018-R17; Α RESOLUTION THE 2018-186 OF CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE PETITION AND SETTING THE DATE, TIME, AND PLACE FOR HEARINGS THE **PROPOSED ANNEXATION** OF PUBLIC ON **CERTAIN** PROPERTY BY THE CITY OF BOERNE. **TEXAS: AUTHORIZING** THE **PUBLICATION OF NOTICE** OF **SUCH** DIRECTING **PUBLIC HEARINGS.** (7.89 acres located at 214 Cascade Caverns Road at the request of Landquest Acquisitions, LLC)

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL ANZOLLITTO, TO APPROVE RESOLUTION NO. 2018-R17; A MEMBER RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, **ACCEPTING** THE THE DATE. AND PLACE **PETITION** AND SETTING TIME. FOR TWO **PUBLIC** PROPOSED ANNEXATION OF CERTAIN HEARINGS ON THE PROPERTY BY THE CITY BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF OF NOTICE OF **SUCH PUBLIC** HEARING. (7.89 ACRES LOCATED ΑT 214 CASCADE **CAVERNS** ROAD THE REQUEST OF LANDQUEST ACQUISITIONS, LLC). THE **MOTION** CARRIED BY THE FOLLOWING VOTE:

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

**Absent:** 1 - Council Member Colvin

8. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR MARCH 27, 2018:

- **8.A.** 2018-214 **PROPOSED** REZONING OF 946 ADLER STREET (1.519 ACRES-**KAD** 14178) **FROM** R-E. SINGLE-FAMILY RESIDENTIAL-ESTATE DISTRICT TO B-1. HIGH-DENSITY RESIDENTIAL AND **NEIGHBORHOOD COMMERCIAL DISTRICT. (Linda Lira)**
- **8.B.** 2018-215 **PROPOSED** REZONING OF Α **PORTION** OF 34 SHOOTING **CLUB** MAIN **ROAD** (4.2 ACRES **FRONTING NORTH** STREET-KAD NO. 14943) **FROM** I, **INDUSTRIAL** DISTRICT TO B-2R, **HIGHWAY COMMERCIAL-RESTRICTED DISTRICT. (Urfan Dar)**

MOTION WAS MADE BY COUNCIL **MEMBER** ANZOLLITTO, SECONDED BY COUNCIL **MEMBER** CISNEROS, TO RECEIVE THE RECOMMENDATIONS FROM THE AND ZONING COMMISSION AND PLANNING SET PUBLIC HEARINGS FOR MARCH 27, 2018. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

**Absent:** 1 - Council Member Colvin

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

Council Member Cisneros announced the Alamo Area Metropolitan Planning Organization is holding a meeting at the Kronkosky Place which started at 6:00 p.m. The purpose of the meeting is to review the list of projects that they are looking to fund. The Cascade Caverns Project is on the list. Public attendance is a large part of the decision making process and he encouraged attendance.

Deputy City Manager Jeff Thompson stated that Danny Zincke, Parks and Recreation Director is featured in the Texas Parks and Wildlife Magazine. He provided a copy of the magazine to the City Council Members.

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

Mayor Pro Tem Woolard convened the City Council into Executive Session at 6:21 p.m. and asked those individuals requested to participate to adjourn to

the Executive Session Conference Room.

2018-218 SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY NO ACTION WAS TAKEN.

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

Mayor Pro Tem Woolard reconvened the City Council into open session at 6:37 p.m.

**2018-217 CONSIDER** RESOLUTION NO. 2018-R18; **RESOLUTION** Α AUTHORIZING THE CITY MANAGER TO **ENTER INTO AND MANAGE** FOR THE SALE THE AGREEMENT OF BOERNE **CONVENTION** AND VISITORS BUREAU **BUILDING LOCATED AT 1407 SOUTH MAIN** STREET, BOERNE TEXAS.

NO ACTION WAS TAKEN.

#### 12. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER BOYD IV, SECONDED BY COUNCIL MEMBER ANZOLLITTO TO ADJOURN THE CITY COUNCIL MEETING ΑT 6:37 P.M. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Absent:	1 - Council Member Col	vin .
		Approved
		Mayor
Attest:		
City Secret	ary	