

MINUTES
REGULAR MEETING
February 9, 2016

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on February 9, 2016, at 6:00 p.m., in the Hal Baldwin Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas. The following members present to-wit:

Mayor Michael Carpenter
Councilmember Jim Fowler
Councilmember Daryl John

Mayor Pro-Tem Edwards
Councilmember Grumpy Azzoz
Councilmember Robin Thompson

Staff Present:
Executive Director Brian James
Executive Director Bob Cantu
City Secretary Brenda Dennis

City Manager John Kessel
Executive Director Dudley Wait
City Attorney Dan Santee

Call to Order – City Council Regular Session

Mayor Carpenter called the meeting to order at 6:02 p.m.

Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas.
(Councilmember John)

Councilmember John provided the opening prayer followed by the pledges of allegiance to the flags of the United States and the State of Texas.

City Events and Announcements

- Announcements of upcoming City Events (B. James/D. Wait/B. Cantu)

The following announcements were made:

- **Thursday, February 11**, Chuck Wagon Breakfast, Frost Bank IH-35 N, 7:30 a.m.
- **Thursday, February 11**, Trail Rider Lunch, Pickrell Park, 11:30 a.m.
- **Thursday, February 11**, Northeast Partnership Meeting, Olympia Hills Golf & Conference Center 11:30 a.m.
- **Thursday, February 11**, TML Region 7 Meeting – The Gardens at Old Town Helotes, City of Helotes, Reception begins at 5:00 p.m. RSVP to the City Secretary by Friday, February 5.
- **Friday, February 12**, We Rent It Ribbon Cutting, 18115 IH 35 Frontage Rd, 2:00 p.m.
- **Monday, February 15**, City Holiday in Observance of President’s Day.
- **Tuesday, February 16**, Council on the Go Meeting, Community Center North, 6:30 p.m.

SAVE THE DATE:

- Saturday March 5, 8th Annual Wilenchik’s Walk for Life 2016, Clemens High School, 8:00 a.m.

- Announcements and recognitions by City Manager (J. Kessel)

No announcements were provided at this time.

Employee Service Recognition

- Matt Troncoso , EMS Shift Supervisor– 25 Years
- Eber Busch Water/Waste Supervisor – 25 Years

Mayor Carpenter recognized City Manager John Kessel who called both Matt and Eber up for recognition stating that he is doing this a little differently than in the past as each started out their career in the Water Department when first hired. Mr. Kessel provided information on their accomplishments, goals and interests as well as provided comments from their departments. Mr. Kessel recognized Matt's daughter Stacy who came forward reading a tribute in honor of her dad. Mr. Kessel presented Matt and Eber with their 25 year pins and recognized Chair of the Historical Preservation Committee Dean Weirtz who also came forward presenting them with copy of the newest publication of the Schertz History Book as they too have been a part of Schertz History.

Matt and Eber expressed their gratitude and thanks to the City of Schertz. Mayor Carpenter and Councilmembers came down from the dais to congratulate Matt and Eber.

Mayor Carpenter recessed the meeting at 6:21 p.m., for photos.

Mayor Carpenter reconvened the meeting at 6:28 p.m.

Presentation

- Proclamation recognizing February 11-28, 2016 as Official Rodeo Season and February 11, 2016 as Official Dress Western San Antonio Day.

Mayor Carpenter read and presented the proclamation to the Rodeo Ambassador's Committee. The Committee Chair Cindy Gidden presented each member of Council with a commemorative custom lapel pin and tickets to Thursday's Rodeo.

- Historical Preservation Committee Annual Report. (B. James/D. Weirtz)

Mayor Carpenter recognized Chair of the Historical Preservation Committee Dean Weirtz who came forward providing the Council with their annual report for FY 2015 with information regarding the progress of the committee through the objectives that were set for the year, the things that impacted them and goals for the future. He stated last year's focus was on three (3) project areas: (1) Historic recognition projects, (2) Historic public information projects, and (3) Joint committee projects with the community, schools, students, etc. Mr. Weirtz addressed one issue that continues to impact the committee and that is the inventory of historic artifacts, now maintained in an environmentally controlled storage facility. He stated the items were meant to be placed in a historical arts facility, which seven (7) years ago was designated by the City Council at the time to be space that now stands where the private facility of WellMed is, which is attached to the Senior Center. The

Committee would ask the Council to possibly renew its former commitment to their group by allowing them to utilize the space which will someday soon be available as WellMed moves into a new facility. The Committee would like to have consideration for this Heritage Cultural Arts activity in that space. He stated that besides the City, there are several arts groups, genealogy clubs, senior citizens choir and other such groups within the Senior Center itself that would benefit from the availability from such dedicated space.

Mr. Weirtz stated that the committee has set certain goals for the coming year which are inclusive of those three areas spoken about earlier, which are (1) recognition, (2) publication and (3) joint projects. Mr. Weirtz thanked City Staff for their continued support of the projects during this past year.

Mayor Carpenter expressed his gratitude for the work that the Historical Preservation Committee has done in the small amount of time they have been meeting.

Hearing of Residents

Mayor Carpenter recognized the following who spoke:

- Miss Sarah Wargo, Student with Kung Jung Mu Sul of Schertz who came forward providing information on their past and upcoming events, inviting Council to attend.

Consent Agenda Items

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.

1. **Minutes** - Consideration and/or action regarding the approval of the minutes of the Regular Meeting of February 2, 2016. (J. Kessel/B. Dennis)
2. **Ordinance No. 16-S-03** – Consideration and/or action approving an Ordinance to rezone approximately 2.1 acres of land located at 17231 Schertz Parkway in the Verde Enterprise Business Park from Planned Unit Development to Planned Development District. **Final Reading** (B. James/L. Wood/B. Cox)

Mayor Carpenter recognized Councilmember Fowler who moved, seconded by Mayor Pro-Tem Edwards to approve the consent agenda items 1 and 2. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.**

Discussion and Action Items

3. **Boards, Commission and Committee Appointments** – Consideration and/or action ratifying the appointment of Col. USAF (Ret) Paul Ringenbach as a regular member to the Historical Preservation Committee. (B. Dennis/Mayor/Council)

Mayor Carpenter stated that the City received an application from Col. USAF (Ret) Paul Ringenbach who is requesting to serve as a regular member on the Historical Preservation

Committee. Mayor Carpenter recognized Col. USAF (Ret) Paul Ringbach who was in the audience this evening.

Mayor Carpenter recognized Councilmember Thompson who moved, seconded by Mayor Pro-Tem Edwards to approve the appointment of Col. USAF (Ret) Paul Ringenbach as a regular member to the Historical Preservation Committee. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.**

4. **Resolution No. 16-R-11** – Consideration and/or action approving a Resolution authorizing expenditures with Silsbee Ford totaling no more than \$262,000, as approved in the 2015-2016 Fiscal Year Budget for the City’s Vehicle Replacement Program. (B. Cantu/J. Kurz)

The following was read into record:

RESOLUTION NO. 16-R-11

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING EXPENDITURES WITH SILSBEE FORD TOTALING NO MORE THAN \$262,000, AS APPROVED IN THE 2015-2016 FISCAL YEAR BUDGET, FOR THE CITY’S VEHICLE REPLACEMENT PROGRAM AND OTHER MATTERS IN CONNECTION THEREWITH

Mayor Carpenter recognized Purchasing and Asset Manager Jessica Kurz who stated the City has taken a comprehensive approach in developing a cost-effective fleet replacement program. Best practice fleet operations have been integrated into the existing program and the City has developed systematic policies and procedures for determining when a vehicle requires replacement. In support of this program, Council approved a funding mechanism, and \$262,000 was authorized in FY 2015-16 budget for the City’s Vehicle Replacement Program.

The City has historically purchased vehicles from vendors belonging to purchasing cooperatives. This has allowed the City to procure vehicles through best-value and capitalize on volume discounts. For the remainder of the FY 2015-16, The City anticipates the purchase of the following vehicles from Silsbee Ford:

<u>Department</u>	<u>Vehicle</u>	<u>Budgeted Amount</u>
Development Services	Truck (1)	\$24,000
Drainage	Truck (1)	\$38,000
Economic Development	SUV (1)	\$40,000
Parks	Truck (1)	\$38,000
Streets	Truck (2)	\$78,000
Water	Truck (2)	\$44,000

The City’s practice is to seek authorization from Council when expenditures with a vendor exceed \$50,000 in one fiscal year. Though exact amounts for each vehicle are not yet known, it will not exceed the budgeted amount. Thus, staff is requesting approval to spend up to \$262,000 with Silsbee Ford in FY 2015-16.

A proactive fleet replacement program provides for long-term planning and prudent fiscal stewardship. Purchasing cooperatives assist local governments in reducing costs through volume purchasing. Additionally, City resources are conserved and purchasing efficiencies are maximized through use of a streamlined procurement process, where all vehicles can be purchased from one vendor. Staff recommends that Council authorize expenditures with Silsbee Ford for vehicles, totaling no more than \$262,000, as approved in the FY 2015-16 budget for the City's Vehicle Replacement Program.

Ms. Kurz addressed questions from Council as to why they chose Silsbee Ford and not a closer purchasing coop. She stated that Silsbee was willing to waive the cooperative and delivery fees.

Mayor Carpenter recognized Fleet Manager Jon Harshman who came forward also answering questions of choosing Silsbee Ford; he also explained the savings of convenience. He explained that they are trying to save time in getting the vehicles prefitted with auxiliary items like tool boxes etc., and Silsbee is able to install the auxiliary items that are needed on the vehicle which will eliminate the time of sending the vehicles to other places for installation. He also addressed questions of being able to use local Ford dealers for warranty work.

Mayor Carpenter recognized Councilmember Azzoz who moved, seconded by Councilmember Thompson to approve Resolution No. 16-R-11. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.**

5. **Resolution No. 16-R-12** – Consideration and/or action approving a Resolution authorizing a nomination for the naming of a Schertz-Seguin Local Government Corporation (SSLGC) building or property, posthumously, in honor of Mr. Hal Baldwin. (D. Wait/A. Briggs)

The following was read into record:

RESOLUTION NO. 16-R-12

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS
AUTHORIZING A NOMINATION FOR THE NAMING OF A SCHERTZ/SEGUIN
LOCAL GOVERNMENT CORPORATION (SSLGC) BUILDING OR PROPERTY,
POSTHUMOUSLY, IN HONOR OF MAYOR HAL BALDWIN**

Mayor Carpenter recognized Executive Director Dudley Wait who stated several months ago, the SSLGC Board asked their Executive Director to formulate a process for naming structures and large system equipment in honor of those who have spent their time in public service dedicated to the development and growth of the SSLGC Water production and delivery system. The impetus of this was the untimely deaths of two individuals who, while serving lengthy terms as elected officials, were instrumental in birth of the SSLGC.

SSLGC staff explored the processes used by both Schertz and Seguin as well as other organizations in our area to name things after residents. They then built their policy from these best practices. This new process was approved by the SSLGC Board of Directors in November of 2015.

In Board meetings, discussions were held on naming two facilities after these pioneering leaders that led to the formation of this new policy. These two individuals are Schertz Mayor Hal Baldwin and Seguin City Councilmember Rodger Weyel. The SSLGC Board would like to name the new High Volume Pump Station building that pushes the water to Schertz after Mayor Baldwin and the Seguin Terminus Building at the Seguin Water Plant after Councilmember Weyel.

To be consistent with the new policy, the application must include a Resolution in support of this naming from the City Council of the nominating City.

The SSLGC was developed from an idea introduced and supported by a number of people. A number of those individuals are responsible for seeing the concept become a reality. Mayor Baldwin was a critical player in the overall birth and success of the SSLGC. Naming of the High Volume Pump Station after Mayor Baldwin would be another way of honoring him posthumously. Staff recommends approval of the Resolution authorizing the submission of an application for the naming of an SSLGC Building in honor of Mayor Hal Baldwin.

Mayor Carpenter made a motion, seconded by Councilmember Fowler to approve Resolution No. 16-R-12 authorizing a nomination for the naming of a Schertz/Seguin Local Government Corporation building or property in honor of Mayor Hal Baldwin. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.**

6. **Resolution No. 16-R-14** – Consideration and/or action approving a Resolution authorizing the acceptance of a grant award extension through the Texas Criminal Justice Division of Texas Governor’s Office Grant funds totaling no more than \$11,125.00 with matching funds of no more than \$2,781.25 (the “Grant”) for the project titled “Crime Victim Liaison Unit”. (D. Wait/M. Hansen/J. Correu)

The following was read into record:

RESOLUTION NO. 16-R-14

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE ACCEPTANCE OF A GRANT, AND OTHER MATTERS IN CONNECTION THEREWITH

Mayor Carpenter recognized CID Lt. John Correu who stated last year the City received a grant from the Criminal Justice Division of the Texas Governor’s Office grant award to support the City’s Crime Victim Liaison Unit. The grant was for \$5,340.00 and required a match of \$1,335.00. The City has been selected for an automatic extension of the grant to receive an additional \$11,125.00 with match of \$2,781.25. The grant can be used to purchase equipment to support the City’s Crime Victim Liaison Unit. The goal is to now request and receive additional funding to purchase equipment needed by the Crime Victim Liaison in the performance of his/her duties to include public presentations and training.

Staff recommends council authorize acceptance of the fiscal year 2015-16 Criminal Justice Division of the Texas Governor’s Office grant award extension for the project titled: Crime Victim Liaison Unit in the amount no greater than \$11,125.00 with a matching funds

requirement no greater than \$2,781.25. The City is required to provide a match of \$2,781.25 to receive a grant of \$11,125.00. The matching funds are available in the existing Police Department budget.

Mayor Carpenter recognized Councilmember Thompson who moved, seconded by Councilmember Fowler to approve Resolution No. 16-R-14. **The vote was unanimous with Mayor Pro-Tem Edwards, Councilmembers Fowler, Azzoz, John, and Thompson voting for and no one voting no. Motion passed.**

7. **Ordinance No. 16-C-04** – Consideration and/or action approving an Ordinance amending the code of ordinances of the City of Schertz Chapter 18, Buildings and Building Regulations, Article 1, In General, Section 18 Inspections and Article III, International Residential Code for One and Two Family Dwellings R1052, Work Exempt from Permits. *First Reading* (B. James/G. Durant)

The following was read into record:

ORDINANCE NO. 16-C-04

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF SCHERTZ CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, ARTICLE I, IN GENERAL, SECTION 18 INSPECTIONS AND ARTICLE III, INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS, R1052. WORK EXEMPT FROM PERMITS.

Mayor Carpenter recognized Executive Director Brian James who introduced this item stating staff has determined a need to revise the current building codes with regard to special inspections and the permitting requirements for fences and sheds. Staff presented the proposed changes regarding fences and sheds to the Planning and Zoning Commission for their input on the change.

The change to the permitting requirements section is generally to not require a permit for the replacement of residential fences with like for like fences and to not require a permit for sheds that are not greater than 120 square feet and that can be moved. Staff will evaluate the impact of the proposed changes for six months and provide an update to the City Council and Planning and Zoning Commission.

Mr. James stated that staff had added language that made clear the Chief Building Official may authorize special inspections per the building codes, but at this time is not recommending this be part of the ordinance and will be brought forward under a separate ordinance. Staff recommends approval of first reading with that correction. Mr. James stated the Ordinance on final reading will reflect the change.

Mayor Carpenter opened the public hearing and recognized the following who spoke:

- Robert Brockman, 1000 Elbel, if the City had the current flood map available; in answer Mr. James stated yes. Mr. Brockman also suggested that this information be published in the Schertz Magazine.
- Ken Greenwald, 205 Westchester Drive, who stated that his main concern was in the older sections of town where the utility and power lines are buried in the back yard and he believes that pulling a permit might require residents to call before they dug.

As no one else spoke, Mayor Carpenter closed the public hearing for Council comments.

Mayor Carpenter recognized Councilmember Fowler who stated in regard to Mr. Greenwald's concern, wouldn't it be wise to identify those areas of town that have these backyard electrical lines and cables, making it part of the document and requiring acknowledgement of these situations; would it be feasible? Mr. James stated no it would not be feasible as utility easements are located in the back of lots throughout both older and newer neighborhoods. This is a common situation and the city does not require a 'Dig Test'.

In answer to Councilmember Fowler's question as to how deep the franchise companies must bury the lines, Mr. James said he did not know because the city does not regulate how or where the franchise utilities locate their equipment. However, he offered to check if there was a state regulation on this matter.

Councilmember Fowler asked for clarification on the sheds not requiring a permit. Mr. James stated as long as it was portable and could be moved by a group of people and set down on blocks or skids, it will be exempt from a permit. He stated a recommendation the Planning & Zoning Commission made was to have some handout material for residents, have an article in the Schertz Magazine, update the Schertz website with the new information, and have our staff fully trained in answering some of the most commonly asked questions.

Councilmember Thompson asked if the utility companies would come out 'free of charge' if they were called. Mr. James said often they will, but typically a contractor will charge to arrange that on behalf of the customer. Councilmember John stated if residents will call 811 and mark in their yard with a white line where they intend to dig, all the services and utilities in that area will come out and do it for free.

Mr. James stated in the Inspections/Permit Department they do have signs in the lobby saying "Call before you Dig" and staff encourages residents to do this. He again stated they could expand more on getting the word out via the Schertz Magazine, the city website and some in-house handout materials available in the lobby of City Hall.

Councilmember Fowler asked if as a minimum, does the resident have to come in and verify they are not in a floodplain? Mr. James stated staff is not anticipating anyone will come in to verify that they are not in the floodplain and simply go ahead and replace their fence. However, we don't have the right to waive the requirement in a high flood hazard area. This is the flood plain administrator's requirement that we follow state and federal regulations which also allows our folks to take advantage of federally subsidized flood insurance.

Mayor Carpenter recognized Councilmember Azzoz who moved, seconded by Councilmember John to approve Ordinance No. 16-C-04 on first reading. **The vote was 4-1-**

0, with Mayor Pro-Tem Edwards, Councilmembers, Azzoz, John, and Thompson voting for and Councilmember Fowler voting no. Motion passed.

Roll Call Vote Confirmation

Mayor Carpenter recognized City Secretary Brenda Dennis who provided the roll call votes for agenda items 1-7.

Requests and Announcements

8. Announcements by City Manager

- Citizen Kudos
- Recognition of City employee actions
- New Departmental initiatives

Mayor Carpenter recognized City Manager John Kessel who made mention of agenda item 11, which was the amended 2016 City of Schertz Master Calendar and Council Calendar that reflect the recent change made to the retreat dates, from Friday to Thursday. Mr. Kessel stated that this was the calendar for council to use.

Mr. Kessel also mentioned the Aquatic Center construction that is currently being accomplished and mentioned that soon it will stop with digging the desired depth for the pools and start going the other way.

He announced that Public Works Director Sam Willoughby will be retiring next month as well as Executive Director Bob Cantu. He congratulated both gentlemen. There will be more announcements and details coming forth later but he wanted council to hear this from him.

9. **Future Agenda Item Request for City Council:** This is an opportunity for City Council members to request that items be placed on a future agenda. No discussion of the merits of the item may be taken at this time. Should a Council Member oppose placement of the requested item on a future agenda, the Mayor, without allowing discussion, shall ask for the consensus of the other City Council members to place or not place the item on a future agenda.

No items were requested.

10. Announcements by Mayor and Councilmembers

- City and community events attended and to be attended
- City Council Committee and Liaison Assignments (see assignments below)
- Continuing education events attended and to be attended
- Recognition of actions by City employees
- Recognition of actions by community volunteers
- Upcoming City Council agenda items

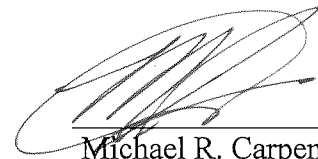
Mayor Carpenter recognized Mayor Pro-Tem Edwards who stated he had visited the Cibolo BBQ Cook-Off and they also had a cook-off contest for children. He would like to see Schertz do something similar to this in the future.

Mayor Carpenter recognized Councilmember Thompson who attended the Promptu Immediate Care Grand Re-opening last Saturday. Executives from the Christus Health System who attended were extremely complimentary about the city staff members they have had contact with and feel this is going to be one of their flagship models for other Promptu Immediate Care Centers that they are going to be developing.

Mayor Carpenter stated he has mixed feelings on hearing about the upcoming retirements of Public Works Director Sam Willoughby and Executive Director Bob Cantu. He thanked them both for their institutional knowledge and the many contributions and service they have given to the city through the years. They will be tough to replace.

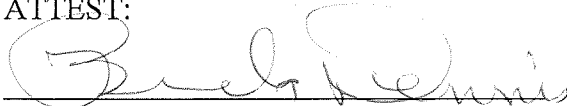
Adjournment

Mayor Carpenter adjourned the meeting at 7:27 p.m.



Michael R. Carpenter, Mayor

ATTEST:



Brenda Dennis, City Secretary