

## **1. CALL MEETING TO ORDER**

Mayor Werner called the meeting to order at 6:30 p.m.

PRESENT:

ABSENT:

Alderman Berrier

Alderman Hisel

Alderman Heintzelman

Alderman Simpson

Mayor Pro Tem Ross

Mayor Werner

## **2. PLEDGE OF ALLEGIANCE AND INVOCATION**

Mayor Pro Tem Ross led the Pledge of Allegiance to the Flag. Mayor Werner followed with the Invocation.

## **3. CITIZENS TO BE HEARD**

Citizens Pierce, Braulick, and Kautz addressed City Council regarding order of agenda, town plan and upcoming meetings.

## **4. CITY COUNCIL COMMENTS**

City Council welcomed everyone to the meeting.

## **5. PRESENTATIONS, COMMENDATIONS AND ANNOUNCEMENTS**

### **5.1. Arbor / Earth Day - Mayor Pro Tem Ross**

Mayor Pro Tem invited everyone to join the 2017 Arbor / Earth Event scheduled from 10 – 2 p.m. on April 22<sup>nd</sup>.

### **5.2. Community Directory - Mayor Werner**

Mayor Werner extended his appreciation to Marcia Stipek and the Women's Club for their hard work in producing the updated Community Directory.

## **6. REGULAR AGENDA ITEMS**

### **6.1. Discussion / action - Authorization for City Manager to enter into agreement with VIA Metropolitan Transit to proceed with design/location of three VIA Shelters within Shavano Park and grant of bus stop locations on De Zavala and Lockhill Selma - City Manager**

Alderman Simpson made a motion to authorization for City Manager to enter into agreement with VIA Metropolitan Transit to proceed with design/location of three VIA Shelters within Shavano Park and grant of bus stop locations on De Zavala and Lockhill Selma.

Mayor Pro Tem Ross seconded the motion.

The motion to authorize the City Manager to enter into an agreement with VIA Metropolitan Transit to proceed with the design/ location of three VIA Shelters within Shavano Park and

grant of bus stop locations on De Zavala and Lockhill Selma carried unanimously.

**6.2. Public Hearing - Receive testimony and comments from members of the public regarding an application for bank/savings and loan – drive through facilities “CC” use for Huntington West Office Building, 3424 Paesanos Parkway, Shavano Park, TX 78231 (first reading)**

Public hearing opened at 6:54 p.m.

City Manager Hill presented an overview of the application for bank/savings and loan – drive through facilities “CC” use.

Mr. Kossl, Bitter Blue Denton Communities, discussed the application and relocation of the project.

Public hearing closed at 6:55 p.m.

**6.3. Discussion / action - Ordinance No. O-2017-006 Application for bank/savings and loan – drive through facilities “CC” use for Huntington West Building, 3424 Paesanos Parkway, Shavano Park, TX 78231 (first reading) - City Manager**

Alderman Berrier made a motion to approve Ordinance O-2017-006 application for bank/savings and loan – drive through facilities “CC” use for Huntington West Building, 3424 Paesanos Parkway, Shavano Park, TX 78231.

Mayor Pro Tem Ross seconded the motion.

The motion to approve O-2017-006 carried unanimously.

**6.4. Public Hearing - Receive testimony and comments from members of the public regarding rezoning a 22.46 acre tract of land located east of NW Military Highway in the vicinity of Pond Hill Road and Loop 1604, from B-1 Business District to B-2 Business District**

Public hearing opened at 6:58 p.m.

City Manager Hill presented an overview of request for rezoning a 22.46 acre tract of land located east of NW Military Highway in the vicinity of Pond Hill Road and Loop 1604, from B-1 Business District to B-2 Business District

Mr. Kossl and Mr. Lange, Bitter Blue Denton Communities, discussed the rezoning request of a 22.46 acre tract of land located east of NW Military Highway in the vicinity of Pond Hill Road and Loop 1604, from B-1 Business District to B-2 Business District.

Citizens Pierce, Smoot and Florine addressed City Council regarding this item.

Public hearing closed at 7:11 p.m.

**6.5. Discussion / action - Ordinance No. O-2017-007 rezoning a 22.46 acre tract of land located east of NW Military Highway in the vicinity of Pond Hill Road and Loop 1604, from B-1 Business District to B-2 Business District (first reading) - City Manager**

Mayor Pro Tem Ross made a motion to approve O-2017-007 rezoning a 22.46 acre tract of land located east of NW Military Highway in the vicinity of Pond Hill Road and Loop 1604, from B-1 Business District to B-2 Business District.

Alderman Berrier seconded the motion.

The motion to approve O-2017-007 rezoning a 22.46 acre tract of land located east of NW Military Highway in the vicinity of Pond Hill Road and Loop 1604, from B-1 Business District to B-2 Business District carried unanimously.

**6.6. Public Hearing - Receive testimony and comments from members of the public regarding proposed amendments to City of Shavano Park of Ordinances, Chapter 6 – Buildings and Building Regulations and Chapter 36 – Zoning to consider change in carports**

Public hearing opened at 7:16 p.m.

City Manager Hill and Chairman Janssen presented an overview of proposed amendments to City of Shavano Park of Ordinances, Chapter 6 – Buildings and Building Regulations and Chapter 36 – Zoning to consider changes in carport.

Citizen Pierce addressed City Council regarding individuals enclosing carports for storage.

Citizen Smoot addressed City Council regarding local government authority.

Public hearing closed at 7:21 p.m.

**6.7. Discussion / action - Ordinance No. O-2017-008 proposed amendments to City of Shavano Park of Ordinances, Chapter 6 – Buildings and Building Regulations and Chapter 36 - Zoning to consider change in carports (first reading) - City Manager**

Mayor Pro Tem Ross made a motion to approve O-2017-008 proposed amendments to the City of Shavano Park Code of Ordinances, Chapter 6 – Buildings and Building Regulations and Chapter 36 – Zoning to consider change in carports.

Alderman Berrier seconded the motion. The motion failed with the following vote:

AYES: 2; NAYES: 3 (Aldermen Simpson / Heintzelman / Hisel)

**6.8. Public Hearing - Receive testimony and comments from members of the public regarding proposed amendments to Chapter 36, Article IV, Tables 3, 4 and 5 of the permitted uses in zoning districts O-1, B-1 and B-2**

Public hearing opened at 7:29 p.m.

City Manager Hill and Chairman Janssen presented an overview of proposed amendments to City of Shavano Park of Ordinances, Chapter 6 – Buildings and Building Regulations and Chapter 36 – Zoning to consider change in carport.

Citizen Pierce asked for clarification regarding public storage or rental.

Public hearing closed at 7:36 p.m.

**6.9. Discussion / action - Ordinance No. O-2017-009 regarding proposed amendments to Chapter 36, Article IV, Tables 3, 4 and 5 of the permitted uses in zoning districts O-1, B-1 and B-2 (first reading) - City Manager**

Alderman Simpson made a motion to approve O-2017- 009 regarding proposed amendments to Chapter 36, Article IV, Tables 3, 4, and 5 of the permitted uses in zoning districts O-1, B-1 and B-2.

Alderman Heintzelman seconded the motion.

The motion to approve Ordinance O-2017-009 re regarding proposed amendments to Chapter 36, Article IV, Tables 3, 4 and 5 of the permitted uses in zoning districts O-1, B-1 and B-2 carried unanimously.

**6.10. Discussion / action - Setting the dates for the City sponsored events (Independence Day / National Night Out / Holiday Event) - City Manager**

Mayor Pro Tem Ross made a motion to schedule the dates for the City sponsored events July 1st, October 3rd and December 2<sup>nd</sup>.

Alderman Heintzelman seconded the motion.

Alderman Simpson made a motion to substitute the dates for the City sponsored events to Independence Day to July 4th and the Holiday event to December 9<sup>th</sup>.

Alderman Hisel seconded the motion.

The vote on the motion to substitute the dates for the City sponsored events to Independence Day to July 4th and the Holiday event to December 9<sup>th</sup> failed with the following vote:

AYES: 1; NAYES: (Mayor Pro Tem Ross, Aldermen Heintzelman, Hisel and Berrier)

The vote on the primary motion to schedule the dates for the City sponsored events July 1st, October 3rd and December 2 carried with the vote as follows:

AYES: 4; NAYES: 1 (Alderman Simpson)

**6.11. Discussion / action - Establishing a City policy appointing citizens to steering groups responsible for planning City sponsored events - Alderman Simpson**

Alderman Simpson made a motion to have the City Manager responsible for choosing, recruiting, and supervising the volunteers working the events.

Alderman Hisel seconded the motion.

The motion failed with the following vote:

AYES: 2; NAYES: 3 (Mayor Pro Tem Ross, Aldermen Heintzelman and Berrier)

**6.12. Discussion / action - Amendment to the City of Shavano Park Town Plan – Alderman Hisel**

Alderman Hisel made a motion that “in accordance with Section 213.003 of the Texas Local Government Code, this council by ordinance, establish procedures for amending our Town Plan to reflect the City and TxDOT plans as to NW Military Highway and to reflect the results of the City’s Municipal Tract Citizen Survey conducted by Core Research as it relates to City action on the Municipal Tract”.

Alderman Simpson seconded the motion.

Mayor Pro Ross made a substitute motion to include review of everything in the Town Plan. We have had over 500 new homeowners / homes built since the Town Plan’s adoption. There has been a whole change in the landscaping of over 1000 new people in the City that may have an opinion on what they would like to see moving forward. Mayor considered this a motion to substitute based the scope of the change to the plan included everything not just the two items (NW Mil Hwy and muni-tract).

Alderman Heintzelman seconded the motion to substitute.

City Manager Hill asked for a clarification on the original motion regarding Section 213.003 options A. or B. of the Texas Local Government Code which provides guidance on the adoption and amendment of a Comprehensive Plan. Was it the intent to agree to amend the town plan or to direct staff to establish procedures for amending the Town Plan?

Mayor and Mayor Pro Tem Ross reiterated the substitute motion is “adopt a comprehensive plan by an amending ordinance and following City Council and Planning & Zoning hearings, a town plan for 2017 and future years”

Alderman Heintzelman concurred his second to the substitute motion.

The Mayor called for a vote.

The Mayor did not call for the vote for all opposed. Minutes (April 24, 2017) are amended to reflect Alderman Hisel’s opposition to the motion to substitute. The motion to substitute carried AYES: 4; AYES: 1 (Alderman Hisel).

The mayor called the vote for the primary (substitute) motion “to adopt a comprehensive plan by an amending ordinance and following City Council and Planning & Zoning hearings a town plan for 2017 and future years.”

Ald. Simpson requested that the minutes include the intent of the council from the last discussion. As per City Ordinance, the City Secretary shall provide Action minutes which shall reflect what was done at the meeting.

The primary (substitute) motion carried.

No opposition was heard after the Mayor’s call for “all opposed”.

**6.13. Discussion / action - Selection of Shavano Park Auditors and authorizing City Manager Hill to negotiate terms - City Manager**

Alderman Simpson made a motion to approve staff recommendation to select Armstrong, Vaughn and Associates and authorize the City Manager to negotiate terms of contract.

Mayor Pro Tem Ross seconded the motion.

The motion carried unanimously.

**6.14. Discussion / action - Authorizing the City Manager to purchase “CopTrax” Body Worn Cameras by Applied Concepts, Inc. as part of the previously approved grant - City Manager / Chief Lacy**

Alderman Berrier made a motion to authorize the City Manager to purchase “CopTrax” Body Worn Cameras by Applied Concepts, Inc. as part of the previously approved grant

Mayor Pro Tem Ross seconded the motion.

Alderman Simpson motion to substitute to approve the purchase of 20 CopTrax body worn cameras to purchase and install 9 CopTrax vehicle cameras at a cost not to exceed \$55,000 (excluding matching grant). This total includes costs for server configuration and additional storage. Any additional costs above 2016 / 2017 budget line items for body worn cameras to be funded from the Crime Control Prevention District funds.

Alderman Heintzelman seconded the motion.

Discussion was held regarding what is the City Manager’s recommendation, expending funds from the Crime Control Prevention District and amount of grant funds available.

Alderman Simpson withdrew the motion to substitute.

Alderman Heintzelman withdrew the second to the motion to substitute.

Alderman Simpson made a motion to postpone this item until the next meeting and direct the City Manager to prepare a budget amendment outlining the funding for purchase and installation of 20 CopTrax body worn cameras to purchase and install 9 CopTrax vehicle cameras.

Alderman Heintzelman seconded the motion.

The motion to postpone this item until the next meeting to include a budget amendment outlining funding for purchase of 20 CopTrax body worn cameras to purchase and install 9 CopTrax vehicle cameras carried unanimously.

**7. CITY MANAGER’S REPORT**

All matters listed under this item are considered routine by the City Council and will only be considered at the request of one or more Aldermen. Coincident with each listed item, discussion will generally occur.

**7.14. Building Permit Activity Report**

**7.15.Fire Department Activity Report**

**7.16.Municipal Court Activity Report**

**7.17.Police Department Activity Report**

**7.18.Public Works Activity Report**

**7.19.Finance Report**

City Council did not request discussion of any of the above agenda items 7.1-7.6.

**8. CONSENT AGENDA**

All matters listed under this item are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired by any Alderman on any item, that item will be removed from the consent agenda and will be considered separately.

**8.14.Approval - City Council Meeting Minutes, February 27, 2017**

**8.15.Accept - Planning & Zoning Commission Meeting Minutes, February 1, 2017**

**8.16.Accept - Water Advisory Committee Meeting Minutes, February 13, 2017**

**8.17.Discussion / action - Ordinance O-2017-005 amending Chapter 2, Article V of the City of Shavano Park Code of Ordinances to conform with Resolution R-2015-024 regarding policies and procedures governing the management of public records (second reading) - City Manager**

Alderman Simpson made a motion to approve / accept Consent Agenda items 8.1 - 8.4 as presented.

Alderman Berrier seconded the motion.

The motion to approve Consent Agenda item 8.1 – 8.4 carried unanimously.

**9. ADJOURNMENT**

Mayor Pro Tem Ross made a motion to adjourn the meeting.

Alderman Simpson seconded the motion.

The meeting adjourned at 8:47 p.m.

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Robert Werner  
Mayor

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Zina Tedford  
City Secretary