

1. CALL MEETING TO ORDER

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

PRESENT:

Alderman Berrier
Alderman Heintzelman
Alderman Hisel
Alderman Simpson
Mayor Werner

ABSENT:

Mayor Pro Tem Ross

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Alderman Hisel led the Pledge of Allegiance to the Flag. Alderman Heintzelman led the Invocation.

3. CITIZENS TO BE HEARD

Citizens Rehm, Kahn, Fanning, Carvajal, Pierce, Ogden, Lindhan, Closner, Florine, Smoot, and Zucker addressed City Council regarding agenda items 6.1, 6.2, 6.3 6.7, 6.9, 6.11 and various topics.

4. CITY COUNCIL COMMENTS

City Council welcomed everyone to the meeting.

5. PRESENTATIONS, COMMENDATIONS AND ANNOUNCEMENTS

5.1. Scenic City Recognition - Mayor Werner

Mayor Werner recognized City of Shavano Park Scenic City Recognition.

5.2. National Night Out Recognition- Mayor Werner

Mayor Werner recognized the participants of the 2016 National Night Out.

5.3. Holiday Event - Mayor Pro Tem Ross

Mayor Werner invited the citizens of Shavano Park to the Holiday Event scheduled for December 3rd from noon to dusk at City Hall.

6. REGULAR AGENDA ITEMS

6.1. Discussion / action - Selection Boards, Commissions, and Committees - City Manager

6.1.1. Tree Committee - At least one appointment for two-year terms.

Alderman Heintzelman made a motion appoint all applicants to the Tree Committee.

J. David Pierce

A.D. Smoot

Vicky Maisel

MJ Smoot

Gerald Reamey
Kenneth Chorn
Louise Chumley
Nancy Bula

Alderman Simpson seconded the motion.
The motion carried unanimously.

6.2. Public Hearing - Council shall conduct a public hearing to receive testimony and comments from members of the public on proposed amendments to Chapter 6 and Chapter 36 of the City's Code of Ordinances regarding accessory buildings, outbuildings, and portable buildings

Public Hearing opened 7:10 p.m.

City Manager Hill gave an overview of the proposed amendments to Chapter 6 and Chapter 36 of the City's Code of Ordinances regarding accessory buildings, outbuildings and portable buildings. Additional discussion was held regarding the public hearings, post card mailings and the Planning & Zoning Hearing Meeting where the Planning & Zoning Commission voted to return the proposed amendments to the Sub-Committee to reevaluate the proposed amendments and will be contacting the citizens that volunteered to assist in the review of the proposed amendments.

Public Hearing closed 7:36 p.m.

6.3. Discussion - Proposed amendments to Chapter 6 and Chapter 36 of the City's Code of Ordinances regarding accessory buildings, outbuildings, and portable buildings - City Manager Hill and Commissioner Aleman.

Chairman Janssen and Commissioner Aleman discussed the proposed amendments and made note that City Council had tasked Planning & Zoning Commission review this item. At the Planning & Zoning Commission public hearing, a number of citizens volunteered to assist the Sub-Committee.

6.4. Public Hearing - Council shall conduct a public hearing to receive testimony and comments from members of the public on proposed amendments to the City of Shavano Park's Zoning regulations Chapter 36, Article VI, Table 1 regarding front fences

Public hearing opened at 7:45 p.m.

City Manager Hill presented an overview of the proposed amendments to the City of Shavano Park's Zoning regulation Chapter 36, Article VI, Table 1 regarding front fences.

Public hearing closed at 7:47 p.m.

6.5. Discussion / action - Ordinance O-2016-016 proposed amendments to the City of Shavano Park's Zoning regulations Chapter 36, Article VI, Table 1 regarding front fences (first reading) – City Manager Hill

Alderman Simpson made a motion to approve Ordinance O-2016-016 proposed amendments to the City of Shavano Park's Zoning regulations Chapter 36, Article VI, Table 1 regarding front fences (first reading)

Alderman Heintzelman seconded the motion.

The motion to approve O-2016-016 carried unanimously.

6.6. Discussion / action - After Action Review National Night Out - Alderman Simpson / Chief Lacy / City Manager / Etta Fanning

Alderman Simpson stated the City of Shavano Park had a superb National Night Out celebration. Alderman Simpson thanked the participating neighborhoods, police department and fire department. A successful event due to collaborative efforts of Dr. Fanning, former Police Chief Creed, Police Officers, Chief Lacy, Firefighters and Chief Naughton. Alderman Simpson asked that an additional McGruff be considered and funds allocated to offset costs for the participating neighborhoods in future.

Dr. Fanning presented the Neighborhood Watch Report which outlined the number of participating neighborhoods and participants.

Chief Lacy and Chief Naughton presented their reports to City Council.

City Manager Hill reviewed the costs of the event.

6.7. Discussion / action - Complaint by Citizen Vicky Maisel – Mayor Pro Tem Ross / Ald. Berrier

Alderman Berrier made a motion to discuss this item.

Alderman Heintzelman seconded the motion.

Discussion followed regarding the process.

Alderman Hisel made a motion to postpone this item until the complainant is present.

Alderman Berrier seconded the motion.

The motion to postpone this agenda item until the complainant past with the following vote:

AYES: 3; NAYES: 1 (Alderman Simpson)

6.8. Discussion / action - Authorizing the City Manager to negotiate with recommended firm(s) for the selection of City of Shavano City Engineer - City Manager

Alderman Simpson made a motion to authorize the City Manager to negotiate with recommended firm(s) for the selection of City of Shavano Park City Engineer with the caveat to reissue Request for Qualifications (RFQ's) if negotiations do not work out.

Alderman Heintzelman seconded the motion.

The motion carried unanimously.

6.9. Discussion / action - authorizing the demonstration of one (1) acre underbrush in the municipal tract under the Firewise Program - City Manager

Alderman Heintzelman made a motion to authorize the demonstration of one (1) acre underbrush in the municipal tract under the Firewise Program.

Alderman Berrier seconded the motion.

The motion to authorize the demonstration of one (1) acre underbrush in the municipal tract under the Firewise Program carried unanimously.

6.10. Discussion / action - Ordinance O-2016-017 proposed amendments to Appendix A – City of Shavano Park Fee Schedule to provide the Board of Adjustments application for special exception fee, commercial sign permit fee and solar permit fee (first reading) - Ald. Simpson / Mayor Pro Tem Ross

At this time with the consensus of City Council, Mayor Werner deviated to Consent Agenda items 8.6 and 8.7.

Alderman Simpson made a motion to approve Consent Agenda items 8.6 and 8.7.

Alderman Berrier seconded the motion.

The motion to approve Consent Agenda item 8.6 and 8.7 was approved unanimously.

Mayor Werner deviated back to agenda item 6.10.

City Manager Hill presented an overview of the proposed amendments to Appendix A – City of Shavano Park Fee Schedule to provide the Board of Adjustments application for special exception fee, commercial sign permit fee and solar permit fee

Alderman Simpson made a motion to approve O-2016-017.

Alderman Berrier seconded the motion.

The motion to approve O-2016-017 for the first reading passed unanimously.

6.11. Discussion / action - Determine the feasibility of and whether this Council desires to pursue communication with the governing authority of CPS (i.e., the City Council of the City of San Antonio) asking that Shavano Park obtain representation on the CPS Board and/or that Shavano Park residents be allowed to avoid the opt out fee and/or that Shavano Park be able to negotiate a different/lower fee - Ald. Hisel

Alderman Hisel made a motion to determine the feasibility of and whether this Council desires to pursue communication with the governing authority of CPS (i.e., the City Council of the City of San Antonio) asking that Shavano Park obtain representation on the CPS Board and/or that Shavano Park residents be allowed to avoid the opt out fee and/or that Shavano Park be able to negotiate a different/lower fee.

Alderman Simpson seconded the motion.

The motion to determine the feasibility of and whether this Council desires to pursue communication with the governing authority of CPS (i.e., the City Council of the City of San

Antonio) asking that Shavano Park obtain representation on the CPS Board and/or that Shavano Park residents be allowed to avoid the opt out fee and/or that Shavano Park be able to negotiate a different/lower fee carried with the following vote:

AYES: 3; NAYES 1 (Alderman Berrier)

6.12. Discussion / action - Consider revision of ordinance to allow carports to be substituted for garage space, open to street, load in front and be freestanding. In addition, ordinance should specify type of structures allowed – Mayor Pro Tem Ross

City Council consensus was to postpone this item to the next meeting.

6.13. Discussion / action - Amendment to the City Manager Employment Agreement - Possible Executive Session pursuant to Texas Government Code §551.074, Personnel Matters

Alderman Berrier made a motion to approve the first amendment to the City Manager Employment Agreement.

Alderman Heintzelman seconded the motion.

Alderman Simpson made a substitute motion to leave the 3 weeks vacation in the contract amendment and strike the severance portion of the contract amendment.

Alderman Hisel seconded the motion.

Alderman Simpson made a motion to adjourn into Executive Session to discuss amendment to the City Manager Employment Agreement pursuant to Texas Government Code §551.074, Personnel Matters

Alderman Heintzelman seconded the motion.

City Council adjourned into Executive Session at 9:14 pm.

The open meeting reconvened at 9:17 p.m.

City Council will now vote on the substitute motion of 3 weeks vacation.

Alderman Simpson	– AYE
Alderman Heintzelman	– NAY
Alderman Hisel	– AYE
Alderman Berrier	- NAY

Vote is as follows: AYES: 2; NAYES: 2 (Alderman Heintzelman / Alderman Berrier)
Mayor Werner cast a vote to break the tie. Mayor Werner voted NAY.

The vote on the substitute motion is as follows:

AYES: 2 NAYES: 3 (Alderman Heintzelman / Alderman Berrier / Mayor Werner)

The motion to substitute has failed.

Alderman Heintzelman made a substitute motion that in Section 8, we credit 5 days executive leave and in addition amend Section 13a to reflect 6 months full base salary if terminated within 3 years of the date of this amendment.

Alderman Berrier seconded the motion.

The vote is AYES: 2; NAYES: 2

Mayor Werner cast a vote to break the tie. Mayor Werner voted AYE.

The motion carried with the following vote:

AYES: 3; NAYES 2 (Alderman Simpson / Alderman Hisel)

The vote to approve the motion as amended in its entirety which is to credit 5 days executive leave and reflect the language Section 13a to reflect 6 months full base salary if terminated within 3 years of the date of this amendment.

The vote is AYES: 2; NAYES: 2

Mayor Werner cast a vote to break the tie. Mayor Werner voted AYE.

The motion passed with the following vote:

AYES: 3; NAYES 2 (Alderman Simpson / Alderman Hisel)

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.

7.1. Building Permit Activity Report

7.2. Fire Department Activity Report

7.3. Municipal Court Activity Report

7.4. Police Department Activity Report

7.5. Public Works Activity Report

7.6. Finance Report (September)

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.

- 8.1. **Approval - Special City Council Meeting, August 24, 2016**
- 8.2. **Approval - Special City Council Meeting, September 12, 2016**
- 8.3. **Approval - Special City Council Meeting, September 16, 2016**
- 8.4. **Approval - City Council Meeting, September 19, 2016**
- 8.5. **Accept - Planning & Zoning Commission Meeting Minutes, September 7, 2016**
- 8.6. **Approval - Replat of Subdivision Plat of Shavano Park, Frost Bank. Replat to add an additional approximate square footage of 18,261 to the 1.78 acre tract of land out of an 86.94 acre tract of land as conveyed to Rogers Shavano Park unit 18/19, LTD. and described in special warranty deed with vendor's lien recorded in volume 10075, pages 1609-1624 of the official public records of Bexar County, Texas, out of the Collin C. McRea survey number 391, abstract 482, County Block 4782 in the City of Shavano Park, Bexar County, Texas.**
- 8.7. **Approval - Amending plat of Shavano Park Lot 418, Block 9. This plat amends Lot 418, Block 9, of the Shavano Park Subdivision previously recorded in Volume 4600, Page 105 of the Deed and Plat Records of Bexar County, Texas to include the quitclaimed portion of Saddletree Road (.037 of an acre).**
- 8.8. **Approval - Ordinance O-2016-010 amendments to City of Shavano Park Code of Ordinances, Chapter 24 – Signs (Second Reading)**
- 8.9. **Approval - Ordinance O-2016-015 amending Chapter 14, Article II, Section 14-21 of the City of Shavano Park Code of Ordinances to provide revised durations of residential and commercial tree permits (Second Reading)**
- 8.10. **Approval - R-2016-021 Designation of City of Shavano Park Official Paper**
- 8.11. **Approval - Disposal of City Equipment / Furniture**

Alderman Berrier made a motion to approve /accept the Consent Agenda Items 8.1 - 8.5 and 8.8 – 8.11.

Alderman Heintzelman seconded the motion.

The motion carried unanimously.

9. ADJOURNMENT

Alderman Heintzelman made a motion to adjourn the meeting
Alderman Hisel seconded the motion.
The meeting adjourned at 9:32 p.m.

Zina Tedford
City Secretary

Robert Werner
Mayor