

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

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

**PRESENT:**

Alderman Berrier  
Alderman Hisel  
Mayor Pro Tem Ross  
Alderman Simpson  
Mayor Werner

**ABSENT:**

Alderman Heintzelman

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

Mayor Werner recognized Boy Scout Troop 1947 and asked the Troop lead the Pledge of Allegiance to the Flag. Alderman Hisel led the Invocation.

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

Citizen D. Clark, S. Clark, Smoot, Mitchell, and Sandison addressed City Council regarding blasting, congratulatory and portable buildings.

## **4. CITY COUNCIL COMMENTS**

City Council welcomed everyone to the meeting.

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

### **5.1. Holiday Event - Mayor Pro Tem Ross**

Mayor Pro Tem Ross informed all that we had a fabulous holiday event and thanked all for those that participated.

### **5.2. Police Chief's Award of Excellence - Cpl. Trimble for outstanding performance of duty to the Citizens of Shavano Park on December 22, 2016 and on 11 January 2017**

Mayor Werner and Chief Lacy presented Cpl. Trimble with the Police Chief's Award of Excellence.

## **6. REGULAR AGENDA ITEMS**

### **6.1. Discussion /action - Accepting the 2016 Audit - City Manager Hill / ABIP**

Janet Pittman, ABIB, Certified Public Accountants and Advisors, presented the City of Shavano Park Annual Financial Report for the FY ended September 30, 2016.

Alderman Simpson made a motion to accept the 2016 Audit and ask that City Manager Hill ameliorate the internal control comments.

Alderman Hisel seconded the motion.

The motion carried unanimously.

### **6.2. Discussion - Update on Martin Marietta Beckmann Quarry Operations – Alderman Hisel**

Chance Allen, Martin Marietta Beckman, presented an updates on Quarry operations. Discussion followed and consensus that information will be placed on the City of Shavano Park Website citizen access.

**6.3. Discussion / action - Authorize award and execution of contract for the Supervisory Control and Data Acquisition (SCADA) systems - City Manager Hill**

Mayor Pro Tem Ross made a motion to authorize award and execution of contract for the SCADA system with TraC-n-Trol.

Alderman Simpson seconded the motion.

The motion to award and execute a contract with TraC-n-Trol for replacement of the SCADA system carried unanimously.

**6.4. Discussion / action - Ordinance O-2017-001 proposed amendments to Chapter 6 and Chapter 36 of the City's Code of Ordinances regarding accessory buildings, outbuildings and portable buildings - City Manager**

City Manager Hill presented an overview the Planning & Zoning Commission's Working Group timeline of events beginning in November 4, 2015 and culminating in the proposed amendments to Chapter 6 and Chapter 36 of the City's Code of Ordinances regarding accessory buildings, outbuildings, and portable buildings presented this evening.

Mayor Werner recognized Planning & Zoning Chairman Janssen and Commissioner Aleman. Commissioner Aleman stated that the working group took citizen input into consideration, concerns, questions and the petition when preparing this recommendation.

Alderman Berrier made a motion to approve O-2017-001 for the first reading.

Alderman Simpson seconded the motion.

Alderman Simpson made a motion to amend the ordinance by deleting the current verbiage found in 6.95 and replacing it with the following and by deleting the current verbiage found in Section 36-36 (h) and replacing it with the following verbiage:

Sec. 6-95. - Portable buildings.

Except in A-1 and A-3 Districts, a single unattached portable building (movable) constructed of light metal, wood, or fiberglass of not more than 200 square feet of area and used for storage only may be erected in the rear yard providing the building is suitably screened from adjacent property, is not more than eight feet high measured from grade level to the top of the side wall, is not used temporarily or permanently as a habitation, and is unattached to a solid foundation. The highest point of the building may not exceed 12 feet from existing grade. In A-1 District no more than two unattached portable buildings as described in this subsection shall be permitted. See Section 36-36(h) for these regulations by zoning district. In A-3 District, the maximum size may be no more than a total of 350 square feet in one or more portable buildings. The portable buildings in A-3 District may be set on, but not permanently attached to, a concrete foundation with a sidewall height of no more than 8 feet, a maximum building height of no more than twelve feet and located no closer than 5 feet to rear and side setback lines in the back yard of the residence.

(h) Portable buildings. Except in A-1 and A-3 Districts, a single, unattached portable buildings (movable) constructed of light metal, wood, fiberglass or, used for storage only, not greater than 200 square feet in size may be erected in the rear yard providing the building is suitably screened from adjacent property, is not used temporarily or permanently as a habitation, and is unattached to a solid foundation including concrete. The highest point of the building may not exceed 12 feet from existing grade. No portable building higher than 12 feet in height measured from grade level to the building's highest point and no side wall exceeding eight feet shall be permitted in the building setbacks In A-1 District, no more than two unattached portable buildings as described in this subsection shall be permitted. In A-3 District, the maximum size may be no more than a total of 350 square feet in one or more portable buildings. The portable buildings in A-3 District may be set on, but not permanently attached to, a concrete foundation with a sidewall height of no more than 8 feet, a maximum building height of no more than twelve feet and located no closer than 5 feet to rear and side setback lines in the back yard of the residence.

**The yellow highlighted portions are proposed changes to the wording in our packets.**

Alderman Hisel seconded the motion.

The vote on the amendment to the motion:

AYES: 4; AYES: 0

Discussion on the original motion as amended followed regarding the proposed ordinance concerning masonry requirements, carports, design of accessory buildings.

Mayor Werner with the consent of Council requested a motion to postpone item 6.4 after the consideration of agenda item 6.5.

Alderman Berrier made a motion to postpone agenda item 6.4 after the consideration of agenda item 6.5.

Alderman Simpson seconded the motion.

The motion carried unanimously.

**6.5. Presentation / Discussion - 2016 Crime Report - City Manager Hill / Chief Lacy**  
Chief Lacy presented the 2016 Crime Report.

Mayor Werner deviated back to agenda item 6.4.

Mayor Pro Tem Ross made a substitute motion to delete Chapter 36.36 A-1, A-2, A-3, and A-5 PUD Single-Family Residential Districts (a) (2) (b) and any reference to masonry requirements in Chapter 6 also be deleted.

Alderman Berrier seconded the motion.

Vote on the motion to substitute the original motion as amended:

AYES: 4; NAYES: 0

Mayor Pro Tem Ross made a motion to delete Section 36-36 (e) (2) and replace the language with the following, “All carports shall conform to all building setback lines and structural regulations”.

Mayor Pro Tem Ross withdrew the motion.

Vote on the original motion to proposed Ordinance O-2017-001 as amended by Alderman Simpson and Mayor Pro Tem Ross.

AYES: 4 NAYES: 0

**6.6. Discussion / action - Ordinance O-2017-002 proposed amendments to Appendix A – City of Shavano Park Fee Schedule to amend subdivision and platting filing fees, contractor registration fees, residential roofing permit fees, and the commercial and residential building permit fees (first reading) - Mayor Werner / City Manager**

Mayor Pro Tem Ross made a motion to approve Ordinance O-2017-002 for the first reading.

Alderman Hisel seconded the motion.

The motion to approve O-2017-002 for the first reading carried unanimously.

**6.7. Discussion /action - Ordinance O-2017-003 repealing Section 2-155 Complaints against City Officers, enacting Section 2-66 - Complaints against City Officers - Alderman Simpson**

Alderman Simpson made a motion to approve Ordinance O-2017-003 for the first reading.

Alderman Hisel seconded the motion.

Mayor Pro Tem Ross made a motion to amend by repealing Section 2-155 in its entirety.

Alderman Berrier seconded the motion.

Discussion followed regarding the intent / purpose of the proposed ordinance.

Mayor Pro Tem Ross withdrew her motion.

Alderman Berrier withdrew his second to the motion.

The vote on the motion to approve Ordinance O-2017-003:

AYES: 2 NAYES: 2 (Mayor Pro Tem Ross / Alderman Berrier)

Due to tie vote, Mayor Werner voted NAY.

Motion to approve O-2017-003 failed with a final vote:

AYES: 2 NAYES: 3 (Mayor Werner, Mayor Pro Tem Ross, Alderman Berrier)

**6.8. Discussion /action - Appointment of Council Appointed Positions (Building Inspector / Auditor/ Refuse Service) - City Manager Hill**

Alderman Hisel made to a motion to issue a Request for Proposal for City Auditor services in 2017 and authorization to renegotiate with Republic Services and BB Inspections.

Alderman Simpson seconded the motion.

The motion carried unanimously.

**6.9. Discussion - Timeline for annual City Manager review – Mayor Werner**

Mayor Werner discussed the timeline for the annual City Manager review.

**7. CITY MANAGER’S REPORT (November and December Reports)**

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**

**7.4.1. Code Enforcement Activity Report**

**7.5. Public Works Activity Report**

**7.6. 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.

**8.1. Approval - City Council Meeting Minutes, November 21, 2016**

**8.2. Accept - Planning & Zoning Commission Meeting Minutes, November 9, 2016**

**8.3. Accept - Planning & Zoning Commission Meeting Minutes, December 7, 2016**

- 8.4. Accept - Water Advisory Committee Meeting Minutes, November 3, 2016**
- 8.5. Accept - Water Advisory Committee Meeting Minutes, November 7, 2016**
- 8.6. Approval - R-2017-001 approving the 2016 Tax Roll - City Manager**
- 8.7. Approval - O-2016-020 amending the FY 2016-17 Water Budget due to proposed repairs to Trinity Well (second reading) - City Manager**
- 8.8. Approval - Quarterly Investment Report ending September 30, 2016**
- 8.9. Approval - Consideration for transfer portions of Fund Balance to Capital Replacement / Improvement Fund – City Manager**
- 8.10. Approval - Resolution No. R-2017-002 Calling the 2017 General Election**
- 8.11. Approval - Authorizing the City Manager to enter into an Joint Election Agreement with Bexar County Election Administrator for the May 6, 2017 General Election**
- 8.12. Approval - Ordinance O-2017-021 amending Ordinance 200-01-99 outlining the duties of the office of City of Shavano Park Fire Marshal – City Manager**

Alderman Simpson requested that items 8.4 and 8.9 be pulled from the Consent Agenda.

Mayor Pro Tem Ross made a motion to approve 8.1 - 8.3, 8.5 - 8.8 and 8.10 - 8.12.

Alderman Simpson seconded the motion.

The motion to approve Consent agenda items 8.1 - 8.3, 8.5 - 8.8 and 8.10 - 8.12 carried unanimously.

Consent agenda item 8.4 - Alderman Simpson indicated that the Water Advisory Committee Minutes dated November 3, 2016 did not reflect the absence of board members. Alderman Simpson made a motion to send back to Water Advisory Committee for correction and resubmittal to City Council in February meeting.

Consent agenda item 8.9 - Alderman Simpson made a motion that we begin the year with an unassigned fund balance of 40% and direct the City Manager to come to us in the February meeting with a recommendation of how to allocate the excess in fund balance.

Alderman Hisel seconded the motion.

Vote AYES: 2; NAYES: 2 (Mayor Pro Tem Ross, Alderman Berrier)

Due to tie vote, Mayor Werner voted NAY.

Final Vote on agenda item 8.9 failed with the following vote:

AYES: 2; NAYES: 3 (Mayor Werner, Mayor Pro Tem Ross, Alderman Berrier)

Mayor Werner asked for a motion to accept Consent Agenda item 8.9 as presented by the City Manager.

Mayor Pro Tem Ross made a motion to accept Consent Agenda item 8.9 as presented by the City Manager.

Alderman Hisel seconded the motion.

The motion carried with the following vote:

AYES: 4; NAYES: 1 (Alderman Simpson)

### **9. ADJOURNMENT**

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

Alderman Hisel seconded the motion.

The meeting adjourned at 9:17 p.m.

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Robert Werner  
Mayor

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Zina Tedford  
City Secretary