

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL

The City of Helotes City Council met for a regular meeting on Thursday, June 26, 2014 at 7:00 p.m. in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas. This was an open meeting, subject to the open meeting laws of the State of Texas.

Council

Present: Thomas A. Schoolcraft, Mayor
Cynthia Massey, Mayor Pro Tem
Bert Buys
Alex Blue
Paul Friedrichs

Absent: Edward Villanueva

Staff Present: Grace Tamez, City Secretary

1. Call to Order.

Mayor Schoolcraft called the meeting to order at 7:00 p.m. Council Member Blue led the invocation. Mayor Schoolcraft led the pledge to the U.S. flag and the Texas flag.

PUBLIC HEARING:

- 2. Public Hearing to give all interested persons the right to appear and be heard on a proposed Ordinance(s) of the City Council of the City of Helotes, Texas annexing the following streets, highways, and/or public rights-of-way:**
- a) **An approximate 10 acre tract of land being a 1 (one) mile (more or less) portion of Farm to Market 1560 from a point approximately 358 feet south of the centerline of Hunter's Way right-of-way, south to a point 1 (one) mile south of the Corporate Limits of the City of Helotes, all out of the Manuel Martinez y Musquiz Survey No. 87, Abstract 467, Bexar County, Texas;**
 - b) **An approximate 7 acre tract of land being that 3/4 mile (more or less) portion of Farm to Market 1560 from a point lying on the southeast right-of-way of said 1560, approximately 110 feet from the west corner of a called 5.000 acre tract, described by instrument recorded in Volume 13917, Pages 485-488 of the Official Public Records of Bexar County, Texas to the south right-of-way line of Shaenfield/Galm Road, out of the Manuel Martinez y Musquiz Survey No. 87, Abstract 467, Bexar County, Texas;**
 - c) **An approximate 27 acre tract of land being that 1 (one) mile (more or less) portion of State Highway 16 from a point on the northerly line of the Corporate Limits of the City of Helotes to a point approximately 1 (one) mile northwest of the Corporate Limits of the City of Helotes, out of the George**

- W. Tindall Survey No. 283, Abstract 872, the Rafael Diaz Survey No. 229A, the J.A. Torris Survey No. 238.25, Abstract 768, and the John M. Ross Survey No. 228, Abstract 644, Bexar County, Texas;
- d) An approximate 25 acre tract of land being that 1 (one) mile (more or less) portion of State Highway 16 from Los Reyes Creek, at a point one mile past the current Corporate Limits of the City of Helotes, to a point approximately 2 (two) miles past the current Corporate Limits of the City of Helotes, out of the George W. Tindall Survey No. 283, Abstract 872, the John Hardburger Survey No. 282A, Abstract 363, the Frank Madla Survey No. 2, Abstract 1211, the Antonio Valdez Survey No. 222, Abstract 1124, and the Santos Blanca Survey No. 182.5, Abstract 882, Bexar County, Texas;
- e) An approximate 31 acre tract of land being that 1 (one) mile (more or less) portion of State Highway 16 from a point approximately 2 (two) miles past the current Corporate Limits of the City of Helotes, to a point approximately 3 (three) miles past the current Corporate Limits of the City of Helotes, out of the Frank Madla Survey No. 2, Abstract 1211, the Antonio Valdez Survey No. 222, Abstract 1124, the Natividad Dolson Survey, Abstract 842, the Robert V. Smith Survey, Abstract 1271, the Pedro Hernandez Survey No. 181.75, the M.A. Sharp Survey No. 8, Abstract 1143, and the Desidero Hernandez Survey No. 181.5, Abstract 361, Bexar County, Texas;
- f) An approximate 5½ acre tract of land being that 0.2 mile (more or less) portion of State Highway 16 from a point 3 (three) miles past the current Corporate Limits of the City of Helotes, to a point approximately 3.2 miles past the current Corporate Limits of the City of Helotes, out of the M.A. Sharp Survey No. 8, Abstract 1143, and the Desidero Hernandez Survey No. 181.5, Abstract 361, Bexar County, Texas;
- g) An approximate 11½ acre tract of land being that 1 (one) mile (more or less) portion of Braun Road from the intersection of the southeast right-of-way of Mustang Ranch, westerly to Farm to Market 1560, out of the Thomas S. Tatum Survey No. 219, Abstract 756, and the John P. Miller Survey 221 ½, Abstract 861, Bexar County, Texas;
- h) An approximate 3½ acre tract of land being that 0.4 mile (more or less) portion of Braun Road from the intersection of Leslie Road, as it departs in a northerly direction from said Braun Road, westerly to the intersection of the southeast right-of-way line of Mustang Ranch, out of the Thomas S. Tatum Survey No. 219, Abstract 756, Bexar County, Texas;
- i) An approximate 14½ acre tract of land being that 1 (one) mile (more or less) portion of Shaenfield Road from the east right-of-way line of the intersection of Farm to Market 1560, easterly to the centerline of a transmission line easement as it crosses said Shaenfield Road, out of the Candelario Villanueva Survey No. 80, Abstract 774, and the Manuel Martinez y Musquiz Survey No. 87, Abstract 467, Bexar County, Texas;
- j) An approximate 4 acre tract of land being that 0.4 mile (more or less) portion of Shaenfield Road from the centerline of a transmission line easement as it crosses said Shaenfield Road, east approximately 0.4 of a mile to a northwest line of the Corporate Limits of the City of San Antonio, out of the Candelario

Villanueva Survey No. 80, Abstract 774, and the Manuel Martinez y Musquiz Survey No. 87, Abstract 467, Bexar County, Texas; and

- k) An approximate 9 acre tract of land being that approximate 1 (one) mile (more or less) portion of Galm Road from Farm to Market 1560 to Silver Bells Road, out of the Manuel Martinez y Musquiz Survey No. 87, Bexar County, Texas, Abstract 467.**

Mayor Schoolcraft opened the public hearing at 7:02 p.m. No one signed up to speak on this item. Mayor Schoolcraft closed the public hearing at 7:03 p.m.

OPEN SESSION:

3. Citizens to be Heard.

No one signed up to speak on this item.

CONSENT AGENDA: All items marked with an asterisk (**) on the consent agenda were voted on at the beginning of the meeting. Motion was made by Council Member Friedrichs, second by Council Member Blue, to approve items 4, 5, and 6 on the consent agenda. Motion to approve carried unanimously.

- 4.** Approval of the minutes of the regular meeting of June 12, 2014. (Staff)**
- 5.** Approval of the City of Helotes Revenue and Expense Report dated June 20, 2014. (Staff)**
- 6.** Approval of a Resolution of the City Council of the City of Helotes, Texas authorizing Mayor Thomas A. Schoolcraft to negotiate and execute a multi-year agreement between the City and the Texas Department of Transportation for the temporary closure of State Rights-of-Way for the annual Cornyval Parade, including the Cornyval Parade Traffic Control Plan. (Staff)**

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 7. Discussion of and action on an application for a sign variance from Chapter 66 Signs, Section 66-51 Commercial signs: projecting, wall and hanging, or in or on windows, Subsection (b) Wall signs of the Municipal Code of Ordinances for Hill Country Crossing II Shopping Center located at 12340 E. Bandera Road, Helotes, TX 78023, more particularly described as CB 4477E Blk 1 Lot 1 (Hill Country Crossing II Subd.). (Applicant)**

The applicant is requesting a variance to allow two multi-tenant illuminated wall signs to be placed on the east wall of the existing building.

Mayor Schoolcraft asked for a motion to discuss and act on this item. No one made a motion. This item died for lack of a motion. No action was taken on this item.

- 8. Discussion of and action on an Ordinance of the City Council of the City of Helotes, Texas establishing permit requirements and fees charged by the City of Helotes for the installation of roofing materials (re-roof) on existing residential and commercial structures within the City's Corporate Limits and Extraterritorial Jurisdiction; authorizing the City Administrator to take all steps necessary to implement the provisions of this Ordinance; adopting a severability clause and a repealer clause; and adopting an effective date. (Staff)**

Motion was made by Council Member Buys, second by Council Member Blue, to discuss and act on this item as written.

Speaking on this item was Bruce Bealor, City Building Inspector. Installation of roofing materials is covered in the Building Code and approval of this item would make permitting and inspections consistent with that Code.

Concerns included cost or need of a re-roof permit and inspection.

Motion to approve failed; 0 Ayes, 4 Nays – Council Member Blue, Council Member Buys, Council Member Friedrichs, and Mayor Pro Tem Massey, 0 Abstentions.

- 9. Discussion of and action on a Resolution of the City Council of the City of Helotes, Texas approving a lease agreement between the City of Helotes and Bluff at Old Town Helotes, LLC for the lease of a public restroom facility and associated real property located at 14391 Riggs Road, Helotes, Texas 78023; authorizing Mayor Thomas A. Schoolcraft to execute the lease agreement; providing for severability; incorporating recitals; and setting an effective date. (Staff)**

Motion was made by Mayor Pro Tem Massey, second by Council Member Friedrichs, to discuss and act on this item as written.

Concerns included lack of doors to the entrance of the bathrooms, length of term and liability terms in the proposed contract, and separating the Commercial Contract issue and the bathroom lease into two distinct agenda items.

Mayor Schoolcraft noted that Mr. Dempsey stated that approval this lease was not urgent and he was agreeable to postponing this item. General consensus was to allow Mayor Schoolcraft and Staff time to negotiate a use agreement with Mr. Dempsey and to place this item on a future agenda.

Motion to amend was made by Mayor Pro Tem Massey, second by Council Member Friedrichs, to postpone this item indefinitely.

Motion to approve as amended carried unanimously.

Mayor Schoolcraft announced that Council would not go into closed session because the City Attorney was not in attendance. Open session continued.

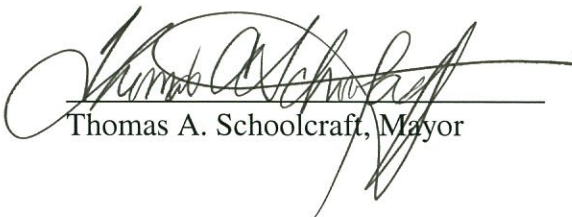
CLOSED SESSION:

10. Closed Session in accordance with Texas Government Code §551.071 *Consultations with Attorney*. In addition to the matters listed below, any matter scheduled for Open Session may be discussed in Closed Session, as appropriate and authorized by law:
- §551.071 *Consultations with Attorney* regarding *Continental Homes of Texas L.P. vs. the City of Helotes Et. Al.* and *the Texas Association of Builders Et. Al. vs. the City of Helotes Et. Al.*

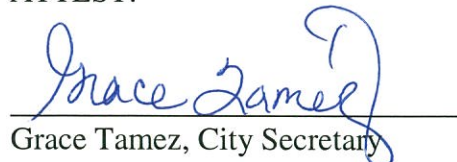
ITEMS FOR INDIVIDUAL CONSIDERATION (Cont.):

Adjourn.

With no more business to come before Council, Mayor Schoolcraft adjourned the meeting at 7:45 p.m.


Thomas A. Schoolcraft, Mayor

ATTEST:


Grace Tamez, City Secretary

