

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL

The City of Helotes City Council met for a regular meeting on Thursday, July 9, 2015 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
Paul Friedrichs, Mayor Pro Tem
Alex Blue
Bert Buys
Cynthia Massey

Absent: Edward Villanueva

Staff Present: Rick Schroder, City Administrator
Cody Faulk, City Attorney
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 amendments to the Code of Ordinances, Chapter 98 Zoning, Section 98-4 Definitions to define total lot surface area coverage permitted for accessory buildings, associated living quarters, and storage buildings.

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 7:02 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 Buys, second by Council Member Blue, to approve items 4 and 5 on the consent agenda. Motion to approve carried unanimously.

4. Approval of the minutes of the Work Session dated June 22, 2015 and the Regular Meeting dated June 25, 2015. (Staff)**

5. Approval of the City of Helotes Revenue and Expense Report dated June 30, 2015. (Staff)**

ITEMS FOR INDIVIDUAL CONSIDERATION:

6. Discussion of and action on appointing the following to the City of Helotes Economic Development Corporation (Mayor Schoolcraft):

- **Place Two, Kathy Oliver, Term to expire on September 30, 2016; and**
- **Place Seven, Carl Hale, Term to expire on September 30, 2015.**

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

Ms. Oliver and Mr. Hale introduced themselves to the City Council and gave a brief biographical history.

Motion to approve carried unanimously.

7. Discussion of and action on a request for a variance to Chapter 66 Signs, Sec. 66-51 Commercial signs: projecting, wall and hanging, or in or on windows of the City of Helotes Code of Ordinances for wall signage for Tietze Plumbing, Inc. located at 10545 N. F.M. 1560, Helotes, Texas 78254, property more particularly described as CB 4467A Blk 2 Lot 3. (Applicant)

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

On October 7, 2014, the Planning and Zoning Commission approved wall signage for Tietze Plumbing with the stipulation that the word "Repair" and the telephone number, separate signs on the building, be removed. The applicant wishes to keep these two signs on the building.

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

The variance is denied.

8. Discussion of and action on an Ordinance amending City of Helotes Code of Ordinances Chapter 98 Zoning, Article I In General, Section 98-4 Definitions by adding a definition for Total Lot Coverage Maximum Permitted within a Single-family Residential Zoning District (R-1); protecting the public health and promoting the public welfare of the City of Helotes by establishing rules and regulations regarding zoning and development, generally; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing any other Code provisions, ordinances, or parts of

ordinances, and other provisions in conflict herewith; providing a penalty; adopting an effective date; and requiring publication of the amended Ordinance. (Staff)

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

For many years, City Staff has interpreted the Code (rightly or wrongly) to regulate maximum allowable square footages for accessory, storage, and/or associated living quarters on a single-family residential lot in the following manner:

Accessory, storage, and associated living quarters square footages *combined*:

- ½ acre or less - Not more than 800 square feet
- Greater than ½ acre - 1,000 square feet or 3% of total lot, whichever is greater

In April 2015, City Staff received an attorney opinion that reinterpreted the aforementioned understanding in the following manner:

Accessory, storage, and associated living quarters square footages:

- ½ acre or less - Not more than 800 square feet *combined*
- Greater than ½ acre - 1,000 square feet or 3% of total lot, whichever is greater, per building type

Due to the long-standing tradition of interpreting the Code in the first instance, City Staff sent the issue to the Planning and Zoning Commission on April 7 and June 2, 2015. On June 2, the Commission reviewed the proposed ordinance, made modifications accordingly, and instructed City Staff to publish notice of public hearings before the Commission and City Council. It appeared to City Staff at that time that the proposed ordinance was acceptable to a majority of the Commissioners.

On July 7, 2015, however, the Commission recommended to City Council by a vote of 3 to 4 that the Council reject the proposed ordinance and keep Chapter 98 *Zoning*, Article I *In General*, Section 98-4 *Definitions* of the Municipal Code of Ordinances in its original format.

Motion to amend was made by Council Member Massey, second by Council Member Blue, to approve the ordinance with the following amendments; 1) include a separate definition for “carport” (removed from under the definition *Garage*), 2) include in the carport definition the wording “shall not exceed 900 square feet in size,” and 3) include the wording “square footage” under the *Total Lot Coverage Maximum Permitted* definition.

Motion to approve as amended carried unanimously.

9. Discussion of and action on the FYE 2016 and 2017 Comprehensive Grade and Step Salary System for the City of Helotes. (Staff)

Rick Schroder, City Administrator, made a brief presentation. Mr. Schroder noted that all employees are now compensated within their salary range. A cost of living salary adjustment is not warranted because pursuant to the Consumers Price Index data for April 2015, CPI has decreased. Merit increases, if warranted, would be made subject to recommendation from the department head and if allowed within the budget.

The estimated market value calculations were taken from the TML survey and were averaged. Revisions to the grade and step salary system chart are made every two years and this year's revisions include quarter step increases.

Motion was made by Council Member Buys, second by Council Member Blue, to approve the FYE 2016 and 2017 Comprehensive Grade and Step Salary System as presented.

Motion to approve carried unanimously.

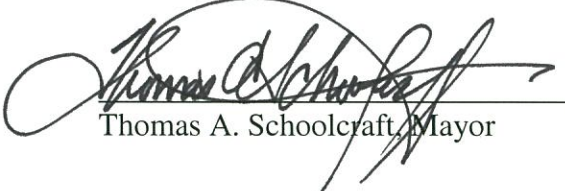
Adjourn.

With no more business to come before Council, Mayor Schoolcraft adjourned the meeting at 8:25 p.m.

ATTEST:



Grace Tamez, City Secretary



Thomas A. Schoolcraft, Mayor

