

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL

The City of Helotes City Council met for a regular meeting on Thursday, August 8, 2013 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
Edward Villanueva
Alex Blue
Bert Buys, Mayor Pro Tem
Cynthia Massey
Paul Friedrichs

Staff Present: Rick Schroder, City Administrator
Grace Tamez, City Secretary

1. Call to Order.

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

OPEN SESSION:

2. Citizens to be Heard.

Speaking on this item were; Ron Lammert, who complimented the City's July 6 Fireworks Extravaganza and requested more enforcement of fireworks discharged illegally within the city limits, and Nancy Smith, who asked for support for Casa Helotes at the Art Show.

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 Councilmember Massey, second by Councilmember Villanueva, to approve items 3, 4, and 5 on the consent agenda. Motion to approve carried unanimously.

- 3.** Approval of the minutes of the regular meeting of July 11, 2013. (Staff)**
- 4.** Approval of the monthly Revenue and Expenditure Report dated July 30, 2013. (Staff)**
- 5.** Approval of setting Public Hearings on the proposed Municipal Fiscal Year Ending (FYE) 2014 Budget(s), including the City of Helotes Economic Development Corporation (EDC) FYE 2014 Budget(s), on August 22, 2013 at 7:00 p.m. CST and**

September 12, 2013 to be held at 7:00 p.m. CST in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas 78023. (Staff)

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 6. Discussion of and action on a request by Joseph and Erin Muñoz for a variance from City of Helotes Code of Ordinances Chapter 78 *Subdivisions* requiring municipal approval and recordation of a plat before the issuance of a building permit for a tract of land located at 11381 Baxtershire, Helotes, Texas 78023, more particularly described as CB 4468 P-1A ABS 982. (Applicant)**

Motion was made by Councilmember Massey, second by Councilmember Friedrichs, to discuss and act on this item as written.

The applicant noted on the application submittal that the subject property had been surveyed and the added expense to plat had not been budgeted. Mr. and Mrs. Muñoz were in attendance.

City Council discussion included past approval of a variance when property is described in metes and bounds and the lack of the survey document in the application packet. The City discovered that the subject property is a portion of a larger tract of land that has not been platted.

Councilmember Massey amended the motion to postpone this item to the next regular Council meeting.

Discussion continued. Pursuant to the Municipal Code, financial hardship, standing alone, shall not be deemed to constitute undue hardship. City Council expressed concern about setting a precedent if approving this item because the adjoining property is also not platted.

Councilmember Massey withdrew the motion to postpone. Mayor Schoolcraft noted the vote would be on the original motion (as noted above).

Motion to approve the variance failed: 0 Aye, 5 Nays – Councilmember Villanueva, Councilmember Blue, Mayor Pro Tem Buys, Councilmember Friedrichs, and Councilmember Massey, 0 Abstentions.

- 7. Presentation of and discussion on the proposed City of Helotes FYE 2014 Budget(s), including, but not limited to, the following (Mayor Schoolcraft and Staff):**

- a) General Fund;
- b) Debt Service Fund, including:
 - i) Proposed debt requirements to accommodate planned capital improvement projects;
 - ii) Proposed Financial Advisory Agreement;
 - iii) Proposed Bond Counsel Agreement; and
 - iv) Proposed Reimbursing Resolution.

- c) Capital Replacement Fund;
- d) Dispatch Proprietary Fund;
- e) Emergency Medical Service Proprietary Fund;
- f) Proposed ad valorem tax rate;
- g) Proposed implementation of a hotel occupancy tax;
- h) Proposed personnel position, salary, benefit, and holiday schedule amendments;
and
- i) Proposed Municipal FYE 2014 Fee Schedule amendments.

Mayor Schoolcraft reviewed the City's past year accomplishments before presenting the budget to the City Council. Mayor Schoolcraft noted the City now has an agreement with a new, "no-kill" veterinarian hospital, received a fifth consecutive financial audit that contained no deficiencies or negative comments, completed the major purchase for upgrades to the cameras in the patrol units, completed the three-year plan to repair pot-holes and street edges, purchased a commercial shredder, purchased two interceptor police utility vehicles, purchased a crew cab for the Fire Department, and will soon be launching its own broadcasting channel on Time Warner and AT&T Cable and a new, easier to navigate, web-site.

Mayor Schoolcraft thanked Rick Schroder, City Administrator, and Susan Wootton, City Treasurer, for their input and work on the budget.

Mayor Schoolcraft presented a balanced budget and recommended a reduction of the ad valorem property tax rate to 35.0 cents per \$100 valuation from the current 35.5 cents per \$100. The Mayor noted that this will be the third consecutive year he has recommended a reduction in the property tax rate.

Rick Schroder, City Administrator, presented an overview of the budget document. The comprehensive budget document is a "first" for the City and includes expanded financial and background information. The proposed budget includes three capital improvement projects; the water / sewer line project on Bandera Road, the F.M. 1560 Circle A Trail realignment project, and the Helotes Creek Linear Park Transportation Enhancement Program in Old Town Helotes. The number of personnel will not increase, however, health insurance rates will increase by approximately 50%.

The proposed \$5,063,300 budget was balanced with an ad valorem tax rate of \$0.350000 per \$100 valuation as recommended by Mayor Schoolcraft.

8. Discussion of and action on placing a proposal to adopt an ad valorem tax rate for Tax Year 2013 on the September 26, 2013 City Council of the City of Helotes, Texas Regular Meeting Agenda. (Staff)

Discussion included the effective tax rate and the proposed tax rate. Council consensus was to place this item on the September 12, 2013 regular meeting agenda.

Motion was made by Councilmember Friedrichs, second by Mayor Pro Tem Buys, to place a proposal to adopt an ad valorem tax rate for Tax Year 2013 on the September 12, 2013 City Council of the City of Helotes, Texas Regular Meeting Agenda at a rate of \$0.358656 per \$100 valuation, the 2013 Effective Tax Rate.

Motion to approve carried unanimously.

- 9. Discussion of and action on setting Public Hearings on the proposed Tax Year 2013 ad valorem tax rate on the August 22, 2013, September 12, 2013, and September 26, 2013 City Council of the City of Helotes, Texas Regular Meeting Agendas to be held at 7:00 p.m. CST in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas 78023. (Staff)**

Motion was made by Councilmember Massey, second by Councilmember Villanueva, to set Public Hearings on the proposed Tax Year 2013 ad valorem tax rate on the August 22, 2013, and September 12, 2013, regular meeting agendas to be held at 7:00 p.m. CST in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas 78023 and to remove the September 26, 2013 date.

Motion to approve carried unanimously.

- 10. Discussion of and action on, working in conjunction with Western Premium BBQ Products and the Helotes Festival Association, the reorganization and operation of the City of Helotes BBQ Cook-Off to be relocated to the Helotes Festival Association grounds and held annually on the fourth weekend in January, commencing on January 24, 2014. (Staff)**

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

Speaking on this item was Rick Schroder, City Administrator. Steve Graham, representing Western Premium BBQ Products was in attendance. The intent is to expand the BBQ cook-off event held in Old Town Helotes during MarketPlace. The event will be moved to the Helotes Festival Association grounds to allow for more participants and a larger crowd. Cost to the City is uncertain, however, the event has been successful in Pleasanton.

Motion to approve carried unanimously.

Mayor Schoolcraft adjourned the meeting into closed session at 8:48 p.m. after reading the caption below.

CLOSED SESSION:

- 11. Closed Session in accordance with Texas Government Code §551.072 *Deliberation Regarding Real Property*. 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:

- **§551.072 *Deliberation Regarding Real Property and the purchase thereof within the City of Helotes***

Closed session was adjourned at 9:20 p.m. Mayor Schoolcraft reconvened the meeting into open session at 9:24 p.m. and announced that no action had been taken in the closed session.

OPEN SESSION:

ITEMS FOR INDIVIDUAL CONSIDERATION CONT.:

- 12. Discussion of and action on the approval of any matters discussed in Closed Session regarding the purchase of real property within the City of Helotes, including, but not limited to, the adoption of a Resolution of the City Council of the City of Helotes, Texas authorizing Mayor Thomas A. Schoolcraft to negotiate and execute an Earnest Money Contract for the purchase of said real property. (Mayor Schoolcraft)**


Motion was made by Councilmember Massey, second by Councilmember Blue, approve a resolution to authorize Mayor Schoolcraft to negotiate and execute an Earnest Money contract for the purchase of 4.92 acres of real property located at the intersection of Parrigin Road and F.M. 1560.

General consensus was that the purchase was good for the City because the land borders the Disc Golf Park and will help tie-in the park land in Iron Horse Canyon. For the record, Councilmember Villanueva noted that he feels the purchase is a good move for the City but that he is opposed to the purchase because of the price.

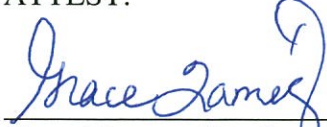
Motion to approve carried; 3 Ayes, 2 Nays – Councilmember Villanueva, Councilmember Friedrichs, 0 Abstentions.

Adjourn.

With no more business to come before Council, Mayor Schoolcraft adjourned the meeting at 9:27 p.m.


Thomas A. Schoolcraft, Mayor

ATTEST:


Grace Tamez, City Secretary

