

MINUTES  
REGULAR MEETING  
HELOTES CITY COUNCIL

The City of Helotes City Council met for a regular meeting on Thursday, August 13, 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  
Edward Villanueva  
Alex Blue  
Bert Buys  
Cynthia Massey

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 Massey led the invocation. Mayor Schoolcraft led the pledge to the U.S. flag and the Texas flag.

**PUBLIC HEARINGS:**

- 2. Public hearing to give all interested persons the right to appear and be heard on a request by Rodney and Pricilla Wilkinson to re-plat property within the Helotes Park Estates Subdivision, Unit 11-B, located at 14703 Cross X D Trail, Helotes, TX 78023, more particularly described as Bexar County Appraisal District (BCAD) Property ID 242683.**

Mayor Schoolcraft opened the public hearing at 7:05. Speaking in opposition on this request were Martha Burnett, Guy Burnett, John Cooper, James Cain, Brian Blackwell, Wayne Owens, and Paula Blackwell. Speaking in support of the request were Paul Hunt, Priscilla Wilkinson, and Wayne Wilkinson. Mayor Schoolcraft closed the public hearing at 7:43 p.m.

- 3. Public hearing to give all interested persons the right to appear and be heard on a request by 4GB-1, L.L.C. for a change in zoning from Pre-development District (PD) to Single-family Residential District (R-1), pursuant to Ordinance No. 560 Chapter 380 Economic Development and Annexation Agreement, for approximately 122.286 acres of land known as Bricewood Subdivision and generally located on Galm Rd., San Antonio, TX 78254, more particularly described as BCAD Property IDs 1155692, 1155695, 236122, 1155694, 1155693, and 236127.**

Mayor Schoolcraft opened the public hearing at 7:43. No one signed up to speak on this item. Mayor Schoolcraft closed the public hearing at 7:45 p.m.

4. **Public hearing to give all interested persons the right to appear and be heard on a request by Murphy Oil - Express for a change in zoning from Overlay District (B-3 OD) to General Business District (B-3) for approximately 1.721 acres of land generally located on Bandera Rd. (S.H. 16) near its intersection with Leslie Rd., Helotes, TX 78023, more particularly described as BCAD Property ID 239951.**

Mayor Schoolcraft opened the public hearing at 7:45. Paula Blackwell spoke in opposition to this item. Mayor Schoolcraft closed the public hearing at 7: 50 p.m.

OPEN SESSION:

2. **Citizens to be Heard.**

Brian Blackwell spoke regarding the northbound Bandera exit on Circle A. Martin Clausewitz spoke in support of item #19.

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 Villanueva, second by Mayor Pro Tem Friedrichs, to approve items 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 on the consent agenda. Motion to approve carried unanimously.

- 6.\*\* **Approval of the minutes of the regular meeting dated July 23, 2015. (Staff)**
- 7.\*\* **Approval of the City of Helotes Revenue and Expense Report dated August 10, 2015. (Staff)**
- 8.\*\* **Approval of an interdepartmental budget adjustment transferring \$3,630.35 from General Fund No. 01-515-5212 *Dispatch Fleetmatics GPS* to General Fund No. 01-540-5101 *Development Services Salaries*. (Staff)**
- 9.\*\* **Approval of the Quarterly Investment Reports for the City of Helotes and the City of Helotes Economic Development Corporation for the quarter ending June 30, 2015. (Staff)**
- 10.\*\* **Approval of setting Public Hearings on the proposed Municipal Fiscal Year Ending (FYE) 2016 Budget(s), including the City of Helotes Economic Development Corporation's (EDC) FYE 2016 Budget(s), on August 27, 2015 at 7:00 p.m. C.S.T. and September 10, 2015 at 7:00 p.m. C.S.T. in the City Hall Council Chamber, 12951 Bandera Rd., Helotes, TX 78023. (Staff)**
- 11.\*\* **Approval of a final plat, pursuant to Municipal Code of Ordinances Chapter 78 *Subdivisions*, Article II *Subdivision Regulations*, Division 2 *Plat Procedures*, for approximately 22.96 acres of land generally located on Whip-O-Will Way, Helotes, TX 78023, establishing the GQ Subdivision, Lot 15, Block 1, CB 4554 out of the J.M. Ross Survey No. 224, Abstract No. 646, C.B. 4554, also being out of a 24.93 acre tract, as recorded in Volume 5731, Pg. 568, Deed Records of Bexar County, Texas. (Applicant)**

- 12.\*\* **Approval of an Application for the Adopt-a-Street Program, pursuant to City Council Resolution No. 2006-180, by the Disabled American Veterans Kel-Lac Chapter #114 for litter collection within Municipal Rights-of-Way along Leslie Rd. from its intersection with Business Parkway to 12005 Leslie Rd. (Applicant)**
- 13.\*\* **Approval of a Traffic Impact Analysis, pursuant to Municipal Code of Ordinances Chapter 78 *Subdivisions*, Article II *Subdivision Regulations*, Division 1 *Generally*, Section 78-39 *San Antonio Unified Development Code Adopted; Amendments* for a grocery store / fueling station development on property located at the southwest corner of the intersection of F.M. 1560 and Galm Rd., more particularly described as BCAD Property ID 1008496. (Applicant)**
- 14.\*\* **Approval of Ordinance No. 574 of the City Council of the City of Helotes, Texas zoning real property known as the Bricewood Subdivision and consisting of 122.286 acres, more or less, from Pre-Development District (PD) to Single-family Residential District (R-1); declaring compliance with Municipal zoning regulations, the City Master Plan, State Law, and public notice and hearing requirements; incorporating recitals; repealing ordinances or parts of ordinances in conflict herewith; providing for severability; and declaring an effective date. (Applicant)**
- 15.\*\* **Approval of Resolution No. 327 of the City Council of the City of Helotes, Texas casting the City's allotted votes for Rick A. Schroder for election to the Bexar Appraisal District Board of Directors for term ending in the year 2017; authorizing the City Administrator to take all necessary steps to implement the provisions of this Resolution; incorporating recitals; providing for severability; and adopting an effective date. (Staff)**

ITEMS FOR INDIVIDUAL CONSIDERATION:

16. **Discussion of and action on a request by Rodney and Pricilla Wilkinson to re-plat property within the Helotes Park Estates Subdivision, Unit 11-B, located at 14703 Cross X D Trail, Helotes, TX 78023, more particularly described as BCAD Property ID 242683. (Applicant)**

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

The applicants propose to re-plat property to remove an existing 120' front building setback line and relocate the front setback line to 40' from the front property line. The City Engineer has reviewed and recommended approval of the proposed re-plat. The Planning and Zoning Commission recommended disapproval at their August 11, 2015 meeting.

Mr. and Mrs. Guy Burnett and surrounding property owners have submitted letters of protest and petitions against the proposed re-plat. The Burnett's have filed, and been granted, a Temporary Injunction restraining the building of any permanent structure in front of the 120' setback.

City Council expressed concerns regarding fairness to the property owners and to the neighboring property owners. They also urged the applicants and neighbors to communicate and consider compromising to the benefit of all parties.

Motion to approve failed: Aye 0, Nays – Council Member Villanueva, Council Member Blue, Council Member Buys, Council Member Massey, Mayor Pro Tem Friedrichs; 0 Abstentions.

The request to re-plat is denied.

- 17. Discussion of and action on an Ordinance of the City Council of the City of Helotes, Texas zoning real property consisting of 1.721 acres, more or less, generally located on Bandera Rd. (S.H. 16) near its intersection with Leslie Rd., from Overlay District (B-3 OD) to General Business District (B-3); declaring compliance with Municipal zoning regulations, the City Master Plan, State Law, and public notice and hearing requirements; incorporating recitals; repealing ordinances or parts of ordinances in conflict herewith; providing for severability; and declaring an effective date. (Applicant)**

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

Murphy Oil – Express submitted a request for a zoning amendment to rezone 1.72 acres of vacant land from B-3 Overlay District to General Business District (B-3) to allow for the construction and operation of a convenience store and fueling station. The Planning and Zoning Commission recommended disapproval at their August 11, 2015 meeting.

Discussion included; either eliminate the overlay district rules or follow them, increasing traffic at a location that already contains a large amount of traffic, and receiving only one objection from the neighboring property owners.

Motion to approve failed: 2 Ayes, 3 Nays – Council Member Blue, Council Member Massey, Mayor Pro Tem Friedrichs, 0 Abstentions.

The request for a change in zoning is denied.

- 18. Discussion of and action on a request by Diamond Spikes Ball Park, L.L.C. for off-premise signage for Diamond Spikes Ball Park and the Greater Helotes Little League generally located at the intersection of Braun Rd. and a private street (at 10185 Braun Rd.), San Antonio, TX 78254, more particularly described as BCAD Property ID 1065172. (Applicant)**

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

Speaking on this item was Michael Hampton, owner of Diamond Spikes Ball Park. The sign requires the off-site location and height for visibility. Mr. Hampton stated that he believes he has the documents at home granting permission to place the sign in the location.

The Planning and Zoning Commission recommended approval at their August 11, 2015 meeting. Concerns included; location of the sign is in the ETJ and should not have to conform, signage is in the ETJ and should have to conform as required by Code, the proposed sign does not conform to Code because it is a pole sign, it is located off premise, it may be too tall, and it is a multi-tenant sign. The applicant does not own the proposed site and may not have the owner's permission to erect the sign.

Cody Faulk, City Attorney, noted that City Council could act on the request tonight without having the required document granting permission. The issue regarding the permission would be addressed as an administrative procedure during the permit process.

Motion to amend was made by Mayor Pro Tem Friedrichs, second by Council Member Buys, to approve the off premise signage with the following conditions; it must include a monument base, as prescribed by Code, and the monument sign does not have to be landscaped due to the location.

Motion to approve as amended carried unanimously.

**19. Discussion of and action on a request by Mr. / Mrs. Clausewitz for a variance to Chapter 18 Buildings and Building Regulations, Article I In General, Sec. 18-2 Building Permits, Sub-sections (d) Time Limitation of Permit and (e) Permit Extension of the Municipal Code of Ordinances for property located at 10080 Rafter S Trail, Helotes, TX 78023, more particularly described as BCAD Property ID 246929. (Applicant)**

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

The initial building permit was issued on May 5, 2014, extended on April 2, 2015, and became invalid on August 6, 2015. The applicants are requesting an 18-month extension following completion of the foundation (with an uncertain date).

Discussion included the length of time the applicants have been working on the home, the foundation is still not complete, and the applicant does not have a set date to complete the construction.

Motion to approve failed; 0 Ayes, 5 Nays – Council Member Villarreal, Council Member Blue, Council Member Buys, Council Member Massey, and Mayor Pro Tem Friedrichs, 0 Abstentions.

The request for a variance is denied.

**20. Presentation of and discussion on proposed City of Helotes FYE 2016 Budget(s), including, but not limited to, the following (Mayor Schoolcraft and Staff):**

- a) **General Fund;**
- b) **Debt Service Fund;**
- c) **Capital Replacement Fund;**
- d) **Municipal Court Security and Technology Funds;**

- e) **Police Training and Education Fund;**
- f) **School Safety Fund;**
- g) **PEG (Public Access Channel) Fund;**
- h) **State and Federal Forfeiture Funds;**
- i) **Police Explorer Post Funds;**
- j) **Proposed ad valorem tax rate; and**
- k) **Proposed personnel position, salary, benefit, and holiday schedule amendments.**

Mayor Schoolcraft gave a brief overview. Rick Schroder, City Administrator, presented the proposed budget. The \$5,910,586.00 proposed budget is balanced. Due to increased property values, the tax revenue will be increased by 10.11%. Total debt increased due to the recent issuance of the Certificates of Obligation. Of the total budget expenditures, the largest allocations are 25% for the Police Department, 19% for the Fire Department, and 15% for Building and Grounds. Of the total budget expenditures, 66.56% is allocated for personnel salaries and benefits.

The proposed budget includes three part-time new hires, one step increase for full-time employees who are currently under their Estimated Market Value (EMV) and a one-half step increase for full-time employees who are currently over their EMV. This budget allows for investments in employee benefits, Dispatch Dept. training, codification, Human Resources reporting, Public Works vehicles and equipment, grounds improvements, Police Dept. vehicles and training, EMS Dept. equipment, school safety improvements, IT infrastructure, Public Safety hardware and software, workspace improvements, street maintenance, Capital Improvement projects, Parks and Recreation pavilions, equipment, and maintenance, Fire Dept. protective equipment, Municipal Court security and technology, and Public Access Channel improvements. Total scheduled holidays decreased from 15 to 14 due to the calendar dates.

The Certificates of Obligation, approved by City Council last month and due to be received this month, were structured to keep the I&S escrow account at its current level. The intent was to keep the property tax at its current rate. Staff also proposes keeping the property tax rate at the current rate of \$0.350000 per \$100 valuation.

**21. Discussion of and action on placing a proposal to adopt an ad valorem tax rate for Tax Year 2015 on the September 24, 2015 Regular Meeting Agenda of the City Council of the City of Helotes, Texas. (Staff)**

Motion was made by Council Member Buys, second by Mayor Pro Tem Friedrichs, to place a proposal to adopt an ad valorem tax rate for Tax Year 2015 on the September 24, 2015 Regular Meeting at the rollback rate of \$0.355069 / \$100.

Motion to approve carried; 4 Ayes, 1 Nay – Council Member Massey, 0 Abstentions.

**22. Discussion of and action on setting Public Hearings on the proposed Tax Year 2015 ad valorem tax rate on the August 27, 2015 and September 10, 2015 Regular Meeting Agendas of the City Council of the City of Helotes, Texas to be held at 7:00 p.m. C.S.T. in the City Hall Council Chamber, 12951 Bandera Rd., Helotes, TX 78023. (Staff)**

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

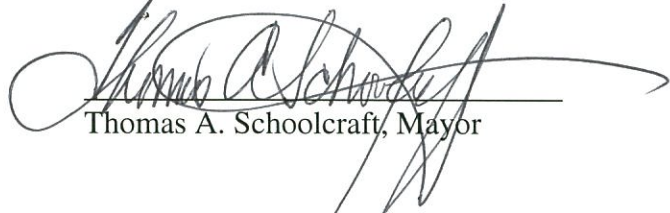
Motion to approve carried unanimously.

***Adjourn.***

With no more business to come before Council, Mayor Schoolcraft adjourned the meeting at 10:43 p.m.

ATTEST:

  
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Grace Tamez, City Secretary

  
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Thomas A. Schoolcraft, Mayor

