

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL

The City of Helotes City Council met for a regular meeting on Thursday, June 11, 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
Bert Buys
Cynthia Massey

Absent: Edward Villanueva
Alex Blue

Staff Present: Rick Schroder, City Administrator
Cody Faulk, City Attorney
Keith Kendall, City Attorney

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 HEARING:

- 2. Public hearing to give all interested persons the right to appear and be heard on the proposed annexation of the property generally located at Whip O Will Way, Helotes, Texas 78023, being Tract 1, 0.27 acre, a portion of Parcel 17, CB 4554 B Sherwood Subdivision, and Tract 2, 0.81 acre, a portion of Lot 10, CB 4554 B Sherwood Subdivision, both in Helotes, Bexar County, Texas.**

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.

Gregg Michel expressed his thanks for members' reappointments and appointments to the Planning and Zoning Commission.

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 Mayor Pro Tem Friedrichs, to approve items 4, 5, 6, and 7 on the consent agenda. Motion to approve carried unanimously.

- 4.** Approval of the minutes of the regular meeting of May 28, 2015. (Staff)
- 5.** Approval of the City of Helotes Revenue and Expense Report dated June 4, 2015. (Staff)
- 6.** Approval, pursuant to Texas Property Tax Code Section 30.11 *Waiver of Penalties and Interest*, of the reimbursement of penalty and interest paid by the property owner for Tax Account No. 04525-912-0100 in an amount not to exceed \$147.40 due to a clerical error. (Tax Assessor-Collector)
- 7.** Approval of Resolution No. 324 of the City Council of the City of Helotes, Texas expressing official intent to reimburse costs of a project from obligations to be issued by the City of Helotes and other matters related thereto; authorizing the City Administrator to take all necessary steps to implement the provisions of this Resolution; providing for severability; incorporating recitals; and setting an effective date. (Staff)

Approval of this resolution replaces Resolution No. 312.

ITEMS FOR INDIVIDUAL CONSIDERATION:

8. Discussion of and action on the following appointments / reappointments to the Planning and Zoning Commission, all to serve concurrently with the Office of the Mayor (Mayor Schoolcraft):

- Joe Edmond;
- Sandra Ethridge;
- Richard Hawk;
- Ronald Hozza;
- Michael McGlothing;
- Gregg Michel;
- *Juliette M. Serafine; and
- *Jeff Wade.

* Denotes new members to fill vacancies.

Jeff Wade and Juliette Serafine introduced themselves to the Council. Council thanked the reappointed and the newly appointed members for their volunteer work.

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

Motion to approve carried unanimously.

9. Discussion of and action on the following appointments / reappointments to the Board of Adjustment, all to serve concurrently with the Office of the Mayor (Mayor Schoolcraft):

- Douglas Deptuch;
- Paul Friedrichs;
- Donny Jones;
- Robert Logue;
- Charles Roberts;
- Blair Weaver (1 Alternate);
- Frank Thompson (2 Alternate); and
- Carl Hale (3 Alternate).

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

Motion to approve carried unanimously.

10. Discussion of and action on the following City Council committee liaisons (Mayor Schoolcraft):

- Norbert “Bert” Buys - Economic Development Corporation;
- Paul Friedrichs - Board of Adjustment; and
- Alex Blue - Planning and Zoning Commission.

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

Council Member Massey suggested that Council Member Blue be appointed as the EDC liaison and that she be appointed as the P&Z liaison. Discussion included the violation of open meetings laws if three City Council Members were to be present at an EDC meeting and Council Member Blue’s desire to remain as the P&Z liaison. Council Member Massey suggested that, if based on experience, she should be appointed as the EDC liaison. Council Member Buys graciously removed his name from consideration for EDC liaison.

Motion to amend was made by Council Member Massey, second by Council Member Buys, to approve the liaison appointments to BOA and P&Z as written and appoint Cynthia Massey as the EDC liaison.

Motion to approve as amended carried unanimously.

11. Discussion of and action on a request for a variance from Chapter 66 Signs, Article IV Prohibitions, Section 66-31 Prohibited Signs by Property Manager Mr. Scott Holden for an off-premise sign located at 16220 E. Bandera Road, Helotes, Texas 78023, more particularly described as CB 4554A Blk Lot N E Pt of 1. (Applicant)

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

P&Z unanimously recommended disapproval at their meeting on June 2, 2015.

Motion to approve failed: 0 Ayes; 3 Nays – Council Member Buys, Council Member Massey, Mayor Pro Tem Friedrichs; 0 Abstain.

The request for a variance is denied.

12. **Discussion of and action on Ordinance No. 570 amending City of Helotes Code of Ordinances Chapter 66 Signs, Article V Sign Classifications; Permit, Sec. 66-43 Residential Subdivision Entry Signs by increasing the maximum allowable sign area permitted and Article IX. Definitions, Sec. 66-91 Definitions by modifying the definition of sign surface area; protecting the public health and promoting the public welfare of the City of Helotes by establishing rules and regulations regarding signage 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; and adopting an effective date. (Staff)**

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

P&Z unanimously recommended approval with revisions at their meeting on June 2, 2015. The proposed ordinance incorporates P&Z's suggested revisions.

Motion to approve carried unanimously.

Mayor Schoolcraft adjourned the meeting into closed session at 7:29 after reading the caption below.

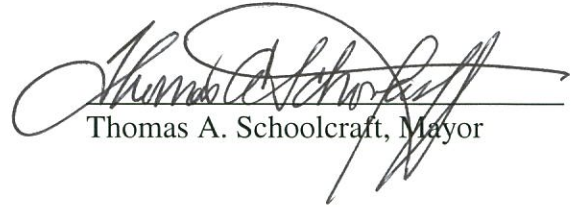
CLOSED SESSION:

13. **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.**
 - **§551.071 Consultations with Attorney regarding Texas Association of Builders Et. Al. vs. the City of Helotes Et. Al.**
 - **§551.071 Consultations with Attorney regarding Ashton San Antonio Residential, LLC; Pulte Homes of Texas, LP; MHI Central Texas, LLC; and Weekley Homes, LLC vs. the City of Helotes, Et. Al.**


Mayor Schoolcraft convened the meeting into open session at 8:19 p.m. and announced that no action had been taken in closed session.

Adjourn.

With no more business to come before Council, Mayor Schoolcraft adjourned the meeting at 8:20 p.m.


Thomas A. Schoolcraft, Mayor

ATTEST:


Grace Tamez, City Secretary

