

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL

The City of Helotes City Council met for a regular meeting Thursday, August 11, 2016 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
Alex Blue, Mayor Pro Tem
Bert Buys
Cynthia Massey

Absent: Edward Villanueva
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. Council Member Buys led the invocation. Mayor Schoolcraft led the pledge to the U.S. flag and the Texas flag.

PRESENTATION:

2. Presentation by U. S. Congressman Joaquin Castro, Texas Congressional District 20, on legislative updates within the Federal Government.

Mayor Schoolcraft introduced Congressman Castro. The 20th Congressional District is located entirely in Bexar County and includes a large portion of the City of Helotes. Congressman Castro serves on the House Permanent Select Committee on Intelligence and the House Foreign Affairs Committee and previously served in the Texas Legislature. Congressman Castro gave a brief presentation on the duties of his office specifically assistance to his constituents. The Congressman encouraged citizens and City officials to contact his office for information or assistance regarding federal issues or programs.

OPEN SESSION:

3. Citizens to be Heard.

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, 5, 6, 7, 8, 9, and 10 on the consent agenda. Motion to approve carried unanimously.

- 4.** Approval of the minutes of the Regular Meeting dated July 14, 2016 and the Special Meeting dated July 21, 2016. (Staff)
- 5.** Approval of the City of Helotes Revenue and Expense and Encumbrance Reports dated August 2, 2016. (Staff)
- 6.** 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, 2016. (Staff)
- 7.** Approval of the acceptance of the resignation of Sandra Ethridge from the Planning and Zoning Commission. (Staff)
- 8.** Approval of the setting of Public Hearings on the proposed Municipal Fiscal Year Ending (FYE) 2017 Budget(s) and the City of Helotes Economic Development Corporation's (EDC) FYE 2017 Budget(s) on August 25, 2016 at 7:00 p.m. C.S.T. and September 8, 2016 at 7:00 p.m. C.S.T. in the City Hall Council Chamber, 12951 Bandera Rd., Helotes, Texas 78023. (Staff)
- 9.** Approval of an Amending Plat to correct errors in a course or distance on the prior plat, pursuant to Municipal Code of Ordinances Chapter 78 *Subdivisions*, Section 78-75 *Amending a Plat*, for Bricewood Subdivision Unit-1A, establishing lots 1A – 7A, Block 3; lots 1A – 6A, Block 7; lots 7A – 15A, Block 8; and lot 26A, Block 4 out of the Bricewood Subdivision, Unit-1, recorded in Volume 9684, Pages 158-159, of the Official Public Records of Bexar County, Texas. (Applicant)
- 10.** Approval of an Amending Plat to correct errors in a course or distance on the prior plat, pursuant to Municipal Code of Ordinances Chapter 78 *Subdivisions*, Section 78-75 *Amending a Plat*, for Bandera Road Subdivision Unit-1 PUD, being a 17.108 acre tract of land out of the J.M. Ross Survey No. 224, Abstract No. 646, County Block 4554, Bexar County, Texas, and being out of a 27.724 acre tract described in a special warranty deed dated September 19, 2014 to M/I Homes of San Antonio, L.L.C., recorded in Volume 16876, Page 1500, Official Public Records of Real Property of Bexar County, Texas. (Applicant)

ITEMS FOR INDIVIDUAL CONSIDERATION:

11. Presentation by Public Works Supervisor Joshua Mair and discussion of and action on the City of Helotes Storm Water Management Program Best Management Practices Report. (Staff)

Joshua Mair, Public Works Supervisor, discussed the documented activity reports included in this Report. The Public Works Department has completed the 2015 goals mandated by TCEQ and

include providing educational flyers or bill inserts for the public, posting information on the City's website, inspecting commercial construction sites, enforcing regulations, monitoring for prohibited discharge or dumping, providing educational material to employees, the public, and elected officials.

The Council took no action on this item.

12. Discussion of and action on a request by General Signs, on behalf of Our Lady of Guadalupe Catholic Church, for a single-business use monument sign, pursuant to Municipal Code of Ordinances Chapter 66 Signs, Sections 66-48 and 66-49 Church Signs and Commercial Signs: Single-Business Use (Monument-Type), respectively, for property located at 11762 FM 1560 N., Helotes, Texas 78023, more particularly described as BCAD Property ID No. 1206640, including, pursuant to Chapter 66 Signs, Article VIII. Variances, the following variance requests:

- a. **A variance to Chapter 66 Signs, Sections 66-49 Commercial Signs: Single-Business Use (Monument-Type), Subsections (a)(2) Size and (a)(3) Height; and**
- b. **A variance to Chapter 66 Signs, Sections 66-31 Prohibited Signs, Subsection (5) Changeable Electronic Variable Message Signs. (Applicant)**

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

Mayor Pro Tem Blue, liaison to the Planning and Zoning Commission, reported that P&Z members believed the sign was aesthetically appealing but felt compelled to follow the City's sign regulations. P&Z approved the non-LED sign, eight feet in height, and with a total surface area no to exceed 105 square feet.

Beverly Baldwin, representing the Church, noted the applicant prefers the CEVMS to allow remote programming. The Church submitted a request for a manual changeable marquee sign or for a changeable electronic variable message sign (CEVMS), with a column height of 10 feet, a two-foot cross atop the column, and dimensions of 10'-0" by 16'-7".

Discussion included allowing exceptions to churches or schools regarding CEVMS, consistent sign regulations within the City, and possible amendments to the sign regulations.

Motion to approve item 12a as submitted, a manual changeable marquee sign with a column height of 10 feet, including a two-foot cross atop the column, and having dimensions of 10'-0" by 16'-7", carried unanimously thereby approving the variance request for a larger size with greater height.

Motion to approve item 12b as submitted, a variance for a changeable electronic variable message sign (CEVMS), failed: 1 Aye; 2 Nays – Council Member Buys, Mayor Pro Tem Blue; 0 Abstain.

The request for a variance is denied.

- 13. Discussion of and action on a Parking Lot Lease Agreement between the City of Helotes, Martin R. Terry, Jr., and Timothy B. Terry for property located at 14392 E. Bandera Rd., Helotes, Texas 78023 within the Old Town Helotes Special District for \$400.00 per month and associated CPS Energy charges related to one (1) security light on the aforementioned property for a term of five (5) years from the effective date of October 1, 2016. (Staff)**

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

Discussion included the monthly cost to be funded by the EDC, the need of the parking lot, the lack of priority use by the City during city events, and the ambiguous language in parts of the contract.

Motion to amend was made by Council Member Massey, second by Council Member Buys, to authorize the Mayor and the City Administrator to amend and clarify the wording in the contract with the monthly cost to remain at \$400.

Motion to approve as amended carried unanimously.

- 14. Presentation of and discussion on proposed City of Helotes FYE 2017 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 Fund;**
- j) **Street Maintenance Fund;**
- k) **Proposed ad valorem tax rate; and**
- l) **Proposed personnel position, salary, benefit, and holiday schedule amendments.**

Rick Schroder, City Administrator, gave an overview of each fund. The proposed \$6,018,383 budget allows the City to maintain the current level of municipal services while controlling growth and spending. The budget includes hiring one full time person in Public Works, and restructuring the Public Works Department, the Police Department, and the Warrants Department. The budget also includes the purchase of four new vehicles.

15. Discussion of and action on placing a proposal to adopt an ad valorem tax rate for Tax Year 2016 on the September 22, 2016 Regular Meeting Agenda of the City Council of the City of Helotes, Texas. (Staff)

The proposed ad valorem property tax is \$0.350 cents per \$100 valuation, the same tax rate as 2015.

Motion was made by Council Member Buys, second by Mayor Pro Tem Blue, to place a proposal to adopt an ad valorem tax rate of \$0.350 cents per \$100 valuation for Tax Year 2016 on the September 22, 2016 Regular Meeting Agenda.

Motion to approve carried unanimously: 3 Ayes – Council Member Buys, Mayor Pro Tem Blue, Council Member Massey; 0 Ayes; 0 Abstain. Mayor Schoolcraft was present and does not vote.

16. Discussion of and action on setting Public Hearings on the proposed Tax Year 2016 ad valorem tax rate on the August 25, 2016 and September 8, 2016 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, Texas 78023. (Staff)

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

Motion to approve carried unanimously.

Mayor Schoolcraft pulled item #17 off the agenda because the City did not receive expected information.

CLOSED SESSION:

17. 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 City Council deliberations in Closed Session and disclosure of the same to the public outside of Closed Session;
- §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.; and
- §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. (Staff)

ITEMS FOR INDIVIDUAL CONSIDERATION Cont.:

Mayor Schoolcraft pulled item #18 off the agenda because Council did not adjourn into Closed Session.

18. Discussion of and action on matters discussed in Closed Session regarding Continental Homes of Texas L.P. vs. the City of Helotes Et. Al.; Texas Association of Builders Et. Al. vs. the City of Helotes Et. Al.; and 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. (Staff)

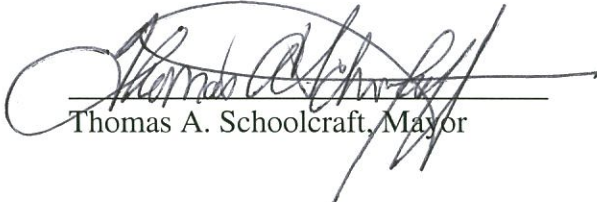
Adjourn.

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

ATTEST:



Grace Tamez, City Secretary



Thomas A. Schoolcraft, Mayor

