



"City of Choice"

CITY COUNCIL MEETING
CIBOLO MUNICIPAL BUILDING
200 S. MAIN
July 26, 2016
6:30 P.M.

MINUTES

1. Call to Order – Meeting was called to order by Mayor Dunn at 6:31 p.m.
2. Roll Call and Excused Absences – Council Present: Mayor Dunn, Councilwoman Schultz, Councilman Garrett, Councilwoman Gebhardt, Councilman Russell, Councilman Hogue and Councilman Weber. Council Absent: Councilman Doty. Councilman Hogue made the motion to approve the absence of Councilman Doty. Motion was seconded by Councilman Garrett. For: All; Against: None. Motion carried 6 to 0. Staff Present: City Manager Herrera, City Attorney Erkan, City Secretary Cimics, Finance Director Miranda, ED Director Luft, Police Chief Cox, Planning/Engineering Director Klein, Public Works Director Fousse, City Planner Gonzalez and CM Executive Assistant Rogers.
3. Invocation – Invocation was given by Councilman Russell.
4. Pledge of Allegiance – All in attendance recited the Pledge of Allegiance.
5. Citizens to be Heard –
This is the only time during the Council Meeting that a citizen can address the City Council. It is the opportunity for visitors and guests to address the City Council on any issue to include agenda items. All visitors wishing to speak must fill out the Sign In Roster prior to the start of the meeting. City Council may not debate any non-agenda issue, nor may any action be taken on any non-agenda issue at this time, however, City Council may present any factual response to items brought up by citizens.

The following individuals spoke during citizens to be heard: Paul Buell spoke on the toll road. Maggie Titterington from the Chamber spoke on several events going on in the area. On Aug 12th Edward Jones Agency located on FM 1103 in Cibolo will have a ribbon cutting. September 28th will be Meet the Candidate Night in Cibolo. Joel Hicks spoke on the alcoholic ordinance and he did not like the ideal of late hours as we still have homes with school age children nearby. Nick Marquez the owner of Old Main Ice House spoke in favor of the late hours. He stated he only wanted to be open late on Friday & Saturday nights and that he could generate more revenue if he could sell later.

6. Public Hearing
 - A. The Cibolo City Council will conduct a Public Hearing to hear public testimony concerning the proposed Cibolo Parkway and Feasibility Study.

The Mayor stated that this item was something the council was exploring to see if it makes sense for Cibolo. Cibolo is only looking at a feasibility Study. No money is being spent nor is any dirt being turned at this point. The City Manager Mr. Herrera, Police Chief Cox and Planning & Engineering Director Klein gave a presentation on the history of this road, safety concerns and options. Mayor Dunn opened the Public Hearing at 7:12 p.m. The following individuals spoke during this item: Bryan Byrd thanked all those that participated in the Blue Ribbon Committee. He stated they were a very diverse group of individuals that met several times for a few hours listening to all the information before making a recommendation for a Feasibility Study. Melissa Tovar wanted to know how much input would citizens have on the Feasibility Study and who was going to do the study. She also wanted to know if the company doing the study was connected to the Texas Toll Company. Paul Buell stated that the city was looking at FM 1103 in the late 70's and tried to get money for the road in early 1990. Mr. Buell stated he was a member of the Blue Ribbon Committee and he was not in favor of a toll road going into this study. He now feels it is the only option especially for safety. Melvin Hicks stated that the longer we wait to fix this road the more money it's going to cost the tax payers. Robert Schultz and Michael Arizpe both were concerned about the people that lived in the area where the toll road would impact. How would they have access to their property and the impact on the creek in that area. Tanya Lee did not feel that the toll road was the answer and she did not feel that the citizens have been given all the options to look at. Karen Hale had concerns about future development in the area going towards IH 10. Don Dixon stated that there was a recent change in Austin and that TxDOT should be paying to upgrade FM 1103. He did not feel that the citizens should be saddle with paying for a TxDOT road. Carol Buell thanked Mr. Herrera for the excellent job of getting the facts to the community. Stephanie Caplan was concerned about the additional traffic on FM 1103. She expected more traffic in the area from IH 35 to where the toll road would start. Les Cook wanted to know how we know that traffic is traveling to IH 10. Terri Hall stated that she is here as a resource to the city as she as followed the toll roads in Texas. Ms. Hall stated that Mr. Crews Company had not built a single toll road in Texas and when they do they are contracts for 50 to 75 years giving exclusive rights to Mr. Crew and his Company. Ms. Hall stated that Feasibility Studies are no longer available to the public to view. Several of these individuals spoke again prior to the close of the Public Hearing. Mayor Dunn closed the Public Hearing at 8:45 p.m.

Mayor Dunn called at 15 minutes recess at 8:45 p.m.

Mayor Dunn called the meeting back to order at 9:00 p.m.

- B. The Cibolo City Council will conduct a Public Hearing to hear public testimony regarding the assignment of permanent zoning from Agricultural (AG) to Light Industrial (I-1) with a Conditional Use Permit Application for 39.14 acres located approximately one (1) mile west of the intersection of Santa Clara Road and Bolton Road to allow a commercial go-kart complex that may be annexed into the City of Cibolo.

This item was briefed by Mr. Klein. Mayor Dunn opened the Public Hearing at 9:10 p.m. Ms. Tovar spoke during this hearing and wanted to know if a property is rezoned is it automatic. Mr. Buell also spoke in favor of this rezoning. Mayor Dunn closed the Public Hearing at 9:19 p.m.

- C. The Cibolo City Council will conduct a Public Hearing to hear public testimony concerning the rezoning of 1.39 acres, located southeast of the intersection of FM 1103 and Gulf Street currently zoned Light Industrial (I-1) to Retail/Commercial (C-3) to all for a dental office use.

This item was moved by Mayor Dunn and was completed before item 9B. Ms. Gonzalez the City Planner briefed this item. Mayor Dunn opened the Public Hearing at 9:02 p.m. The owner of the

Dental Office spoke and was very complimentary on the serve from both Planning and EDC. Mr. Luft ED Director stated that EDC was in favor of the project. Mayor Dunn closed the Public Hearing at 9:06 p.m. and went directly to the ordinance.

7. Consent Agenda – Consent Items (General Items)

(All items listed below are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the consent agenda and will be considered as part of the order of business.)

A. Approval of the minutes of the Regular City Council Meeting held on July 12, 2016.

Councilman Hogue made the motion to approve the consent agenda. Motion was seconded by Councilman Russell. For: All; Against: None. Motion carried 6 to 0.

8. Staff Updates/Discussion

- A. Parks Department
- B. Street Department
- C. Drainage Department
- D. Administration

As presented.

9. Discussion/Action

A. Discussion/Action on the removal, appointments and re-appointments to Planning and Zoning Commission, Board of Adjustments Commission, Capital Improvement Program (CIP), Charter Review Committee, Master Plan Committee, Youth Council and Cibolo Economic Development Corporation, Animal Advisory Board and all other Committees, Commissions and Boards.

No Action.

B. Discussion/Action regarding the 2016 Semi-Annual update to the 2012-2017 Capital Improvement Plan.

This item was postponed until the Council Meeting to be held on August 9, 2016.

C. Discussion/Action regarding an amendment to the Saratoga Subdivision Master Plan.

Councilwoman Gebhardt made the motion to approve the amendment to the Saratoga Subdivision Master Plan. Motion was seconded by Councilwoman Schultz. For: All; Against: None. Motion carried 6 to 0.

D. Discussion/Action on a proposed amendment to the Bison Ridge Planned Unit Development, located along and south of FM 78, between Country Lane and Meadowview Estates.

Councilman Hogue made the motion to send this back to the Planning and Zoning Commission. Motion was seconded by Councilman Russell. For: Councilmembers: Schultz, Gebhardt, Russell, Hogue and Weber; Against: Councilman Garrett. Motion carried 5 to 1 to send back to P&Z.

- E. Discussion/Action regarding the final Acceptance of Infrastructure – Heights of Cibolo Subdivision Units 4A and 4B.

Councilman Russell made the motion to approve the final Acceptance of Infrastructure for the Heights of Cibolo Subdivision Units 4A and 4B with the following improvements:

Unit 4A

Sanitary Sewer: 1,719 Linear Feet with a valuation of \$119,681.26

Drainage: Valuation of \$81,880.71

Public Street: 1,719 Linear Feet with a valuation of \$182,615.35

Water (GVSUD): 1,719 Linear Feet with a valuation of \$129,147.73

Unit 4B

Sanitary Sewer: 1,031 Linear Feet with a valuation of \$68,569.29

Drainage: Valuation of \$6,376.88

Public Street: 1,031 Linear Feet with a valuation of \$138,505.81

Water (GVSUD): 324 Linear Feet with a valuation of \$64,991.84

Total Valuation of accepted Public Improvements dedicated to the City of Cibolo: \$597,629.30

Total Valuation of accepted Public Improvements: \$791,768.87

Motion was seconded by Councilman Weber. For: All; Against: None. Motion carried 6 to 0.

- F. Discussion/Action on approving a contract for Election Services between Guadalupe County and the City of Cibolo for an election to be held on November 8, 2016.

Councilman Hogue made the motion to approve the contract for Election Services between Guadalupe County and the City of Cibolo for an election to be held on November 8, 2016. Motion was seconded by Councilwoman Schultz. For: All; Against: None. Motion carried 6 to 0.

- G. Discussion/Action on approving a Joint Election Agreement between the City of Cibolo, City of Schertz, City of Seguin, the Schertz-Cibolo-Universal City Independent School District, Seguin Independent School District, Navarro Independent School District, Green Valley Special Utility District, Crystal Clear Special Utility District, the City of Staples and Guadalupe County.

Councilwoman Gebhardt made the motion to approve the Joint Election Agreement between the City of Cibolo, City of Schertz, City of Seguin, the Schertz-Cibolo-Universal City Independent School District, Seguin Independent School District, Navarro Independent School District, Green Valley Special Utility District, Crystal Clear Special Utility District, the City of Staples and Guadalupe County. Motion was seconded by Councilman Weber. For: All; Against: None. Motion carried 6 to 0.

- H. Discussion/Action on the review and confirmation of all upcoming special meetings and workshops and scheduling the time, date, and place of additional special meetings or workshops.

Council went over the calendar for July and August 2016.

10. Ordinances

- A. Approval/Disapproval of an ordinance of the City of Cibolo, Texas amending Chapter 6 of the Code of Ordinances providing for the regulation of the Sale of Alcoholic Beverages, requiring a permit, assessing fees and establishing a penalty for violations.

Councilman Garret made the motion to approve the ordinance of the City of Cibolo, Texas amending Chapter 6 of the Code of Ordinances providing for the regulation of the Sale of Alcoholic Beverages, requiring a permit, assessing fees and establishing a penalty for violations. Motion was seconded by Councilwoman Schultz. For: Councilmembers: Schultz, Garrett, Gebhardt, Russell and Hogue; Against: Councilmember Weber. Motion carried 5 to 1.

- B. Approval/Disapproval of an ordinance amending Chapter 6 of the Code of Ordinances providing for the regulation of the Sale of Alcoholic Beverages, extending hours for sale and consumption, requiring permits, assessing fees and establishing a penalty for violations.

Mayor Dunn pulled this item from the agenda.

- C. Approval/Disapproval of an ordinance to rezone certain real property located southeast of the Intersection of FM 1103 and Gulf Street, comprised of approximately 1.39 acres from Light Industrial (I-1) to Retail/Commercial (C-3); and providing an effective date.

Councilman Hogue made the motion to approve the ordinance to rezone certain real property located southeast of the Intersection of FM 1103 and Gulf Street, comprised of approximately 1.39 acres from Light Industrial (I-1) to Retail/Commercial (C-3); and providing an effective date. Motion was seconded by Councilwoman Schultz. For: All; Against: None. Motion carried 6 to 0.

- D. Approval/Disapproval of an ordinance ordering a Municipal Election to be held on Tuesday, November 8, 2016 for the purpose of the election of Councilmember District 1, Councilmember District 4, Councilmember District 5 and Councilmember District 6.

Councilman Garrett made the motion to approve the ordinance ordering a Municipal Election to be held on Tuesday, November 8, 2016 for the purpose of the election of Councilmember District 1, Councilmember District 4, Councilmember District 5 and Councilmember District 6. Motion was seconded by Councilman Hogue. For: All; Against: None. Motion carried 6 to 0.

11. Adjournment

Councilwoman Gebhardt made the motion to adjourn the meeting at 10:00 p.m. Motion was seconded by Councilman Garrett. For: All; Against: None. Motion carried 6 to 0.

PASSED AND APPROVED THIS 9th DAY OF AUGUST 2016



Allen Dunn
Mayor

ATTEST:



Peggy Cimics, TRMC
City Secretary

