

MINUTES
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
Regular Meeting, Tuesday, May 15, 2018

1. **CALL TO ORDER:** Mayor John Williams at 6:31 p.m.
2. **QUORUM CHECK:** Kristin Mueller, City Clerk

Present:

Mayor John Williams
Mayor Pro Tem Richard "Dick" Neville
Councilmember Tom England
Councilmember S. Bear Goolsby
Councilmember Tom Maxwell
Councilmember William Shelby
Councilmember Beverly Volle

Present:

Ken Taylor, City Manager
Jameene Williams, City Attorney
Regina Carmona, Event Coordinator
Manuel Casarez, Fire Chief
Pat Collins, Finance Director
Randy Luensmann, Public Works Director
Kristin Mueller, City Clerk
Gary Speer, Police Chief
Tina Vitacco, Lt. Detective

Mayor Williams noted a quorum was present.

3. **INVOCATION:** Mayor Pro Tem Neville gave the invocation.
4. **PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAG:** Led by Mayor Williams.
5. **VOTE TO CONSIDER THE EXCUSE OF ABSENT MAYOR/COUNCILMEMBERS:**

All members were present; no action was necessary.

6. **AWARDS/PROCLAMATION/INTRODUCTION OF GUESTS:**

Councilmember England read the "National Police Week" proclamation. Mayor Williams presented the proclamation to Chief of Police Gary Speer and Detective Lt. Tina Vitacco. He praised the Universal City police force for their exceptional work.

7. **MINUTES OF PREVIOUS MEETING:**

Mayor Pro Tem Neville moved to approve the minutes of the Tuesday, May 1, 2018 City Council Regular Meeting. Councilmember Shelby seconded the motion.

Vote: Yeas: Neville, Shelby, England, Goolsby, Maxwell, Volle
Nays: None

Motion to approve carried.

8. **CITIZENS TO BE HEARD:**

Lori Putt, 114 Fox Glove, thanked councilmember Tom England for his service. She explained that Parks Partners goal is to help support the parks both financially and with volunteering at events. She thanked city council for prioritizing parks this last budget year and asked that they continue to do so next budget year. She also shared that citizens have showed overwhelming support for the proposed splashpad at Northview Park.

Veronica Ulrich, 219 Madrid Dr., spoke in support of the Northview Park splashpad. She detailed how she believed the splashpad would positively affect residents and local businesses.

Jerry Geyer, 13315 Titan, asked City Council to favorably consider the funding of the Northview Park splashpad. He said that this project has been in the park master plan for several years.

Mariesa Robbins, representing Christ the King Lutheran Church at 1129 Pat Booker Rd., stated that she is in favor of the splashpad but has concerns about the lack of signage and lack of parking. She asked that the City respect that the Christ the King Lutheran Church is not a public parking lot and that the lack of parking is taken into consideration when building the splashpad.

J. Svalberg, 207 Forrest Trail, stated that she is in support of the splashpad but is concerned about public health and safety as it relates to the splashpad as well as the excessive noise that the splashpad would bring to the Universal City Library. In addition, she is concerned that the funding needed to maintain the splashpad is budgeted in the forefront, not as an afterthought.

Harry Westerfield, 242 Ivy Lane, is the chair for the Parks and Recreation Commission. He informed City Council that the Parks and Recreation Commission unanimously approved the Northview Park splashpad. As a private resident who lives in the Northview area, he also supports the Northview Park splashpad saying that it would be great for kids young and old.

Kris England, 607 Balboa Dr., expressed her support of Universal City parks and the forward momentum of park improvements, including the Texas Parks and Wildlife Department matching grant. She explained that splashpads are extremely popular right now and that it would be a great addition to Universal City.

Shelly Reynolds, 103 Circle Dr., voiced that she also supports the Northview Park splashpad. She said that surrounding cities having indoor playgrounds and outdoor activities that draw Universal City residents out of Universal City. The addition of the splashpad would make Northview Park more usable and will keep Universal City residents local.

9. NEW BUSINESS:

A. Discuss & Consider San Antonio River Authority (SARA) Wholesale Wastewater Rates.

City Manager Ken Taylor explained that about half of Universal City is served by SARA. He asked John Gomez, with SARA, to present on the proposed wastewater rates.

Mr. Gomez explained that this is the beginning of a new forty-year interlocal agreement between SARA and Universal City. The proposed rates reflect the federally mandated expansion of the treatment plant due to capacity limitations. There is a proposed increase of 13%. He also discussed the connection fee increase to \$2,700 from \$1,350.

Councilmember Goolsby asked how this rate increase would affect commercial accounts. Mr. Gomez confirmed that it would increase rates on commercial accounts based on a multiplier effect. He said that the construction of the plant is needed due to old age and capacity limitations. The SARA Board of Directors will act on the proposed increases in the middle of June.

Councilmember Goolsby moved to approve the SARA Wholesale Wastewater Rates. Councilmember Shelby seconded the motion.

**Vote: Yeas: Goolsby, Shelby, England, Maxwell, Volle
Nays: Neville**

Motion to approve carried.

B. Discuss & Consider funding and construction of a splashpad in Northview Park; and amending the budget accordingly.

Mr. Taylor explained that there is potential this budget year to fund a splashpad through some extra revenue in the municipal court fund as well as some left-over bond project money due to lower than expected bids. He stated that the budget for the project was \$520,000. He asked Public Works Director Randy Luensmann to present the proposed splashpad.

Mr. Luensmann explained that there has been in depth research on the potential splashpad project. The City is interested in a recirculating system, meaning it will recycle the same water over and over.

Event Coordinator Regina Carmona presented the proposed design of the splashpad. She discussed how the Northview Park splashpad will be unique in the sense that there will be several interactive pieces. She also highlighted some of the main features of the splashpad.

Amy Cook, sales representative for Vortex USA, gave an overview of the company. She also answered some questions that city council had regarding warranty, surfacing, maintenance, and the rain diverter.

Mayor Pro Tem Neville asked how the parking concern will be addressed. Mr. Luensmann said that he will address that concern as it arises. There is space available to extend the current lot.

Councilmember Maxwell requested some sort of assurance that the new splashpad would not affect parking at the Christ The King Church.

Councilmember England requested improved signage at the park.

Councilmember Maxwell moved to approve the funding and construction of a splashpad in Northview Park and amending the budget accordingly. Councilmember Shelby seconded the motion.

**Vote: Yeas: Maxwell, Shelby, Neville, England, Goolsby, Volle
Nays: None**

Motion to approve carried.

C. Consider petition for Final Acceptance of Public Improvements of the KB Kitty Hawk Subdivision Phase II to include the water system, sanitary sewer system, and drainage and streets system.

Councilmember England moved to approve the final acceptance of public improvements of the KB Kitty Hawk Subdivision Phase II to include the water system, sanitary sewer system, and drainage and streets system. Mayor Pro Tem Neville seconded the motion.

**Vote: Yeas: England, Neville, Goolsby, Maxwell, Shelby, Volle
Nays: None**

Motion to approve carried.

D. Consider a petition for Final Acceptance of Public Improvements, specifically park land and equipment in the KB Kitty Hawk Phase 1 public park area, also known as Copano Ridge.

Councilmember Goolsby moved to approve the final acceptance of public improvements, specifically park land and equipment in the KB Kitty Hawk Phase 1 public park area, also known as Copano Ridge. Councilmember Shelby seconded the motion.

Vote: Yeas: Goolsby, Shelby, Neville, England, Maxwell, Volle

Nays: None

Motion to approve carried.

- E. Consider consent for the Assignment of Non-Annexation Development Agreement for Biegert Properties, LLC (Ruby Biegert) to Brenda Sue Prestage, Trustee of Kelly Jo Prestage for land wholly situated in the Universal City extra-territorial jurisdiction (ETJ) and legally described as approximately 10.00 AC located at 3112 FM 1518, Guadalupe County Property ID 64557.**

Mr. Taylor explained that the Biegert's are selling a portion of their property in the ETJ. Previously, all ETJ property owners signed a Non-Annexation Development Agreement with the City. This agenda item reassigns the Non-Annexation Development Agreement to the new parcel and new owner.

Councilmember Shelby moved to approve the reassignment of the Non-Annexation Development Agreement for Biegert Properties, LLC to Brenda Sue Prestage. Councilmember Maxwell seconded the motion.

**Vote: Yeas: Shelby, Maxwell, Neville, England, Goolsby, Volle
Nays: None**

Motion to approve carried.

- F. Consider consent for the Assignment of Non-Annexation Development Agreement for Gail Ann Hyatt to Brenda Sue Prestage, Trustee of Kelly Jo Prestage Trust for land wholly situated in the Universal City extra-territorial jurisdiction (ETJ) and legally described as approximately 0.39 AC located at 3116 FM 1518, Guadalupe County Property ID 64563.**

Councilmember England moved to approve the reassignment of the non-Annexation Development Agreement for Gail Ann Hyatt to Brenda Sue Prestage. Councilmember Goolsby seconded the motion.

**Vote: Yeas: England, Goolsby, Neville, Maxwell, Shelby, Volle
Nays: None**

Motion to approve carried.

- G. Consider Bid Acceptance for the Olympia Hills Water Line Improvements.**

Mr. Luensmann stated that the Olympia Hills Water Line Improvement project will bring water to the new hotel site. He said there were 8 responsive bidders for the project with the lowest bid coming in at \$311,702.47 from D&D Contractors. City staff is recommending to award the project to D&D Contractors.

Councilmember Shelby asked if the City has worked with D&D prior to this project. Mr. Luensmann confirmed that they have worked on City projects previously.

Mayor Pro Tem Neville moved to award the Olympia Hills Water Line Improvements project to D&D Contractors in the amount of \$311,702.47. Councilmember Maxwell seconded the motion.

**Vote: Yeas: Neville, Maxwell, England, Goolsby, Shelby, Volle
Nays: None**

Motion to approve carried.

H. Consider Appointment of Elizabeth L. Dixon to the Planning & Zoning Commission.

Mayor Williams recommended Ms. Dixon to be appointed to the Planning & Zoning Commission. He has worked with her previously and believes that she will be an excellent addition to the group. She will be filling Mr. Paul Najarian's unexpired term.

Mayor Pro Tem Neville moved to appoint Elizabeth L. Dixon to the Planning & Zoning Commission. Councilmember Volle seconded the motion.

**Vote: Yeas: Neville, Volle, England, Goolsby, Maxwell, Shelby
Nays: None**

Motion to approve carried.

I. Consider the UCEDC Board's Recommendation to Expend Funds for an Economic Development Incentive at 2405 Pat Booker Rd.

Mr. Taylor stated that the property is the old Acme Lumber building. The Universal City Economic Development Corporation unanimously approved the expenditure at their last meeting.

Councilmember Goolsby stated that the new owners are looking to reface the front and side of the building. They are going to subdivide the building into multiple tenant spaces. He mentioned that he believes it is the best use for that space on Pat Booker Rd.

Mayor Pro Tem Neville said that the owner will spend approximately \$1.4 million dollars to renovate. The UCEDC will reimburse them up to \$160,000 with the stipulation that within 24 months the entire project will be complete and they have 20 full time employees. He clarified that the money to fund the UCEDC and the reimbursement project comes from sales tax, not property taxes.

Councilmember Shelby moved to approve the UCEDC Board's recommendation to expend up to \$160,000 for an economic development incentive at 2405 Pat Booker Rd. Councilmember Maxwell seconded the motion.

**Vote: Yeas: Shelby, Maxwell, Neville, England, Goolsby, Volle
Nays: None**

Motion to approve carried.

J. Discuss & Consider Resolution 860: A Resolution Canvassing the Vote for the May 5, 2018 General Election, Declaring Candidates Elected, and Requiring the Oath of Office.

Mayor Williams acknowledged receipt of the final election returns from the Bexar County Election Administrator. The City's Resolution 860 recorded candidate votes and declared the following candidates elected to office for a two-year term (2018-2020), effective upon taking the Oath of Office:

FOR MAYOR

John Williams 458

FOR CITY COUNCILMEMBER

Paul Najarian 394

Tom Maxwell	451
Beverly Volle	462

Mayor Pro Tem Neville moved to approve Resolution 860. Councilmember England seconded the motion.

**Vote: Yeas: Neville, England, Goolsby, Maxwell, Shelby, Volle
Nays: None**

Motion to approve carried.

K. Award Presentation to Councilmember England.

Mayor Williams thanked Councilmember England for his many years of service to Universal City. Councilmember England served six terms on City Council since 1994. He also has served on the Charter Review Committee, Industrial Development Corporation, Planning and Zoning Commission, and the Board of Adjustments. He has been a real asset to Universal City. Mayor Williams presented him with a token of appreciation.

Mayor Williams also acknowledged Councilmember England's wife, Kris England, for her unwavering support and presented her with flowers.

Councilmember England stated that he has enjoyed working with the City Council and City Staff. He thanked Ms. England for all of her support.

L. Administering the Oath of Office to Elected Candidates.

Municipal Court Judge Charles Stubblefield, acting in his authority as the judge of the Universal City Municipal Court of Record, administered the Oath of Office to John Williams, Tom Maxwell, Paul Najarian, and Beverly Volle. They each signed their officer statement and took their respective places on council.

M. Election of Mayor Pro Tem to Serve a Period of One Year.

Councilmember Maxwell nominated Mayor Pro Tem Neville. Councilmember Volle seconded the motion.

Mayor Williams noted there was one nomination and called for the vote to elect Mayor Pro Tem Neville to serve another one-year term as mayor pro tem.

**Vote: Yeas: Maxwell, Volle, Neville, Najarian, Goolsby, Shelby
Nays: None**

Motion to approve carried.

10. OLD BUSINESS: None.

11. CITY MANAGER COMMENTS:

Mr. Taylor:

1. Called on Finance Director Pat Collins to distribute the budget meeting calendar. Budget meetings will start at 5 p.m. on the days listed. All budget meetings are open to the public;
2. Asked Mr. Luensmann to explain the street bond project public meetings. The open house will be Tuesday, May 22, 2018 from 6-7 p.m at Olympia Hills Golf Course and Convention Center; and

3. Explained that in preparation for annexing the ETJ, the City is working on a franchise agreement with Guadalupe Valley Electric Company (GVEC). That agreement will be on the next council meeting agenda.

12. COUNCILMEMBER COMMENTS:

Mayor Pro Tem Neville explained the open meeting act requirements. He thanked council for allowing him to continue as mayor pro tem. He thanked Mr. England for his service to Universal City.

Councilmember Volle invited everyone to attend the Happy Hour at Olympia Hills every Thursday. She also thanked those involved with the splashpad planning.

Councilmember Shelby invited the public to attend the budget meetings so that they get a better understanding of the process. He thanked Mr. England for being a friend, mentor and for serving on City Council.

Councilmember Goolsby also invited the public to attend the budget meetings. He welcomed Councilmember Najarian to council and informed Mr. England that his yard is available to him for any future endeavors.

Councilmember Maxwell thanked Mr. England for serving on council with him and welcomed Councilmember Najarian to council. He also stated that Ms. Ulrich covered most of his concerns regarding the splashpad and thanked her for speaking.

Councilmember Najarian, on behalf of his daughter Savannah, said thank you for the future splashpad. She is very excited about it. Also, he thanked Universal City for their kindness and support, encouragement and mentoring. He has enjoyed the time he spent volunteering. To Mr. England, he said he hoped he can do half the job Mr. England did. He thanked Mr. England for his mentorship and friendship and for all he has done and will continue to do for Universal City.

13. MAYORAL COMMENTS:

Mayor Williams:

1. Congratulated Councilmember Najarian for being elected and stated he is looking forward to working with him the next two years;
2. Informed that the Armed Forces River Parade will be on Saturday, May 19th. Councilmembers Goolsby, Shelby and Mayor Pro Tem Neville will be riding on the float;
3. Explained the Fix-It Form – a form that citizens can fill out on the city website to address their concerns. He also read two fix-it forms from citizens who could not attend the meeting, but submitted forms in support of the Northview Park splashpad; and
4. Invited citizens to attend the budget workshops.

14. ADJOURNMENT: Mayor Williams adjourned the meeting at 8:44p.m.

ATTEST:

Kristin Mueller, City Clerk

John Williams, Mayor