

MINUTES
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
Regular Meeting, Tuesday, January 19, 2021

In accordance with order of the Office of the Governor issued March 16, 2020, the City Council of the City of Universal Council will conduct a telephonic and videoconference meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

The meeting will be held on Tuesday, January 19, 2021 at 6:30 P.M.

The public may participate in this meeting by dialing US Toll-free to 877-853-5247 (Meeting ID: 666 263 7178 and Password: UCTX2150) or by joining the Zoom meeting at <https://us02web.zoom.us/j/6662637178?pwd=UkF3RkdMeFpWSmNCbThYS1lUV3Izdz09>

The public will be permitted to offer public comments telephonically or via videostream as provided by the agenda and as permitted by the presiding officer during the meeting. Written questions or comments may be submitted up two hours before the meeting to Kristin Mueller, City Clerk at kmueller@uctx.gov.

A recording of the telephonic and video meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request.

1. CALL TO ORDER: Mayor John Williams at 6:30 P.M.
2. QUORUM CHECK: Kristin Mueller, City Clerk

Present:

Mayor John Williams
Mayor Pro Tem Richard Neville
Councilmember Tom Maxwell
Councilmember Paul Najarian
Councilmember William Shelby
Councilmember Beverly Volle (Virtually)

Present:

Kim Turner, City Manager
Matthew Longoria, City Attorney
Michael Cassata, Development Services Director
Kristin Mueller, City Clerk/Economic Dev Director

Absent:

Councilmember Bear S. Goolsby

Mayor Williams noted a quorum was present.

3. INVOCATION: Councilmember Najarian 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:

Councilmember Maxwell moved to excuse the absence of Councilmember Goolsby. Councilmember Shelby seconded the motion.

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

Motion to approve carried.

6. AWARDS/PROCLAMATION/INTRODUCTION OF GUESTS:

Mayor Williams read the proclamation declaring January 24 – January 30, 2021 as *School Choice Week* in the City of Universal City. He praised the local school districts and teachers who work tirelessly to give students in Universal City a quality education.

Mayor Williams presented Susan Wetz, Chief Operating Officer of the Communities in Schools of South Central Texas, with a proclamation declaring January 2021 as *National Mentoring Month*. Mrs. Wetz thanked Mayor Williams for the honor and invited everyone to volunteer to be a mentor.

Mayor Williams encouraged Universal City residents to sign-up for the 2021 It's Time Texas Community Challenge, a state-wide competition aimed to keep Texas residents focused on their health and wellness. The Mayor and Councilmembers signed pledges proclaiming their participation in and support of the challenge.

Mayor Williams congratulated Linda Rose, Court Administrator, on her retirement. Mrs. Rose worked in the Universal City Municipal Court for twenty years. Her dedicated service to Universal City has made Universal City a model municipal court and her legacy will last for years to come.

Judge Charles Stubblefield thanked Mrs. Rose for being the glue that held Municipal Court together for the last twenty years. He gave her a token of his appreciation for her years of unwavering professionalism and friendship.

Mayor Williams announced that Mrs. Rose's public retirement reception will be Thursday, January 21st from 3-5PM.

Mayor Williams recognized Gary Speer, retiring Chief of Police, for his 36 years of service to Universal City. He thanked Chief Speer for the years of dedicated service and said that he has left a legacy in Universal City. He announced that Chief Speer's public retirement reception will be Wednesday, January 20th from 5-7PM.

Chief Speer introduced the incoming Chief of Police for Universal City, John Siemens.

7. CONSENT AGENDA:

Mayor Pro Tem Neville moved to approve the following consent agenda items:

- a) Consider the minutes of the Tuesday, January 5, 2020 Regular Meeting.
- b) Consider Ordinance 655-C-2021 (PC 535 SU 004): An Ordinance approving a Specific Use Permit to Liberty Tax for a Professional Office Use in a C2-Retail District on property located at 1825 Pat Booker Road, Universal City, Texas (CB 5047F BLK 2, Lot 17 Universal Heights Subdivision); providing for non-severability; and establishing an effective date. (2nd Reading).
- c) Consider Ordinance 655-D-2021 (PC 37 SU 006): An Ordinance approving a Specific Use Permit to Led by the Spirit – Leading by Example for a Personal Improvement Services use in a C1-Neighborhood Services District on property located at 433 Kitty Hawk Road, Suite 113, Universal City, Texas (CB 5047E BLK 2, LOT 1 KITTY HAWK

PROFESSIONAL BUILDING); providing for non-severability; and establishing an effective date. (2nd Reading).

- d) Consider Ordinance 581-W-2021: An Ordinance amending certain sections of Ordinance 581, Chapter 4-5 Zoning Related to Planned Unit Developments of the Code of Ordinances, revising certain sections and paragraphs accordingly, providing severability, and setting an effective date. (2nd Reading).

Councilmember Maxwell seconded the motion.

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

Motion to approve carried.

8. CITIZENS TO BE HEARD:

- Ross Wallace, 133 Rifle Gap, stated that he believes that sidewalk repairs should be the responsibility of the City, not the homeowners. He said that he researched surrounding cities and all of them take responsibility to fix sidewalks and do not expect homeowners to fund sidewalk repairs. He asked that this topic be discussed formally at a future city council meeting.

- Jesse Cantrell, 136 Rifle Gap, requested that the City do something to control the water pressure in his home. He mentioned that the water pressure is 115psi and that it has caused PVC pipe in his home to bust which caused flood damage.

9. BUSINESS:

A. Present & Consider the October 2020 Financial Report.

Finance Director Pat Collins presented the October 2020 Financial Report and answered questions accordingly.

Councilmember Najarian moved to approve the October 2020 Financial Report. Councilmember Maxwell seconded the motion.

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

Motion to approve carried.

B. Discuss & Consider Ordinance 308-A-2021: An Ordinance amending Ordinance 308 and Chapter 3-4-Traffic of the Code of Ordinances, revising certain sections and paragraphs accordingly, providing severability, and setting an effective date. (1st Reading).

City Manager Kim Turner explained that each time the City added a street, changed a speed limit, or made any changes to the traffic code in the past, it did so by adopting a new ordinance for each change. Development Services Director Michael Cassata and Patrol Lieutenant Tina Vitacco worked together to consolidate the entire traffic code into one ordinance, making future amendments easier to track.

Councilmember Shelby moved to approve Ordinance 308-A-2021. Councilmember Najarian seconded the motion.

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

Motion to approve carried.

C. Discuss & Consider Ordinance 542-A-2021: An Ordinance amending Ordinance 542 and Article II.-Food Establishments, Various Sections, of the Code of Ordinances, revising certain sections and paragraphs accordingly, providing severability, and setting an effective date. (1st Reading).

City Manager Kim Turner stated that before discussion began on Ordinance 542-A-2021, Mr. Cassata would give a presentation on interim uses in the Aviation District.

Mr. Cassata's presentation noted that 17% of the Aviation District was composed of vacant parcels. He presented mobile food truck parks, community gardens, farmers markets, kiosk venues, and car shows as potential interim uses for those parcels. He explained that those uses are only meant as temporary uses to activate the space until the market is good enough to attract a developer for permanent use.

He explained that Ordinance 542-A-2021 allow for food truck parks in the City. It states that there must be between 3-6 food trucks in the park and details what infrastructure must be provided by the user like parking spaces, appropriate seating, restrooms, etc. In addition, the ordinance allows for food trucks to get permits to set-up in City parks.

Councilmember Najarian applauded city staff for their for their work on this ordinance as well as combining the traffic code.

Councilmember Maxwell said that he loved the food truck idea but asked how a community garden would operate and if it could be successful. Mr. Cassata responded that the City had not looked into the operation of a community garden yet, but would research successful community gardens in the area if the opportunity to have a community garden arises.

Councilmember Shelby moved to approve Ordinance 542-A-2021. Councilmember Maxwell seconded the motion.

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

D. Discuss & Consider Ordinance 361-AB-2021: An Ordinance amending Ordinance 361 and Article IV.-Fees and Charges for Licenses, permits, Inspections, Certificates, Services, Appeals and Other Official Action, Sec. 1-4-40.-Schedules, of the Code of Ordinances, revising certain sections and paragraphs accordingly, providing severability, and setting an effective date. (1st Reading).

Mr. Cassata explained that the last ordinance considered allowed for the food truck park and for food trucks to station themselves in City parks. He said that this ordinance would update the City's fee schedule to include an annual park operator fee of \$85 for a food truck park operator and an annual fee of \$125 for individual food truck vendors.

Mayor Pro Tem Neville moved to approve Ordinance 361-AB-2021. Councilmember Maxwell seconded the motion.

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

10. CITY MANAGER COMMENTS:

City Manager Kim Turner:

1. Informed that new microphones had been added to Council Chambers;
2. Mentioned that the ribbon cutting for Meadowland Park will be scheduled for mid-March;
3. Invited everyone to attend the public retirement receptions for Mrs. Rose and Chief Speer. Chief Speer's reception is Tuesday, January 20th from 5-7PM. Mrs. Rose's reception is Wednesday, January 21st from 3-5PM;
4. Announced that there is a new Graffiti Removal Committee in Universal City. The two inaugural members are residents Bill Havlic and Kari Carlson. The Fire and Police Departments will provide the members with supplies to remove the graffiti;
5. Stated that the new sound wall by Loop 1604 is covered in graffiti. TxDot will repaint the wall, then provide Universal City with the supplies to repaint it in the future;
6. Revealed that the Olympia Hills Golf Course and Convention Center will host the "Head for the Hills" Golf Tournament on February 28, 2021; and
7. Disclosed that the newly adopted credit card processing fee at Olympia Hills covered 85% of the facility's bank fees for December.

11. COUNCILMEMBER COMMENTS:

Councilmember Najarian congratulated Mrs. Rose and Chief Speer on their retirements. He asked that the discussion on sidewalk repair be a formal agenda item at the next meeting. He also thanked City staff for their work on the traffic code ordinance and mentioned that he was looking forward to participating in the It's Time Texas Community Challenge.

Mayor Pro Tem Neville asked for an update on the tree-like cell tower that was proposed to City Council over a year ago. He reminded council that if there was a consensus of four or more councilmembers on a topic, that they could request it become an agenda item. He determined there was a consensus for the discussion on whose financial responsibility it should be to repair sidewalks and asked that it is added to an upcoming council agenda.

Councilmember Maxwell asked for City staff to explain how and why residents would have water pressure issues.

Councilmember Shelby joked that the City missed the opportunity to sell advertisements on the big tarps covering the water tower during the repainting process.

12. MAYORAL COMMENTS:

Mayor Williams gave his condolences to the Salazar family. Sheriff Salazar's mother, Mary, passed away recently. The Salazar are long time Universal City residents. He also mentioned that the Northeast Partnership used the new smartboard at Olympia Hills at their last meeting and it went smoothly and it was very impressive. Mayor Williams asked that residents continue to stay vigilant with COVID-19, to continue to social distance and be patient while waiting for the opportunity to

get vaccinated. Finally, he said that he would like to consider revising the City Charter as it has not been revised since 1989.

13. ADJOURNMENT: Mayor Williams adjourned the meeting at 7:50 P.M.

ATTEST:

John Williams, Mayor

Kristin Mueller, City Clerk