

MINUTES
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
Regular Meeting, Tuesday, June 15, 2021

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 Neville
Councilmember Bear Goolsby
Councilmember Tom Maxwell
Councilmember Paul Najarian
Councilmember William Shelby
Councilmember Beverly Volle

Present:

Kim Turner, City Manager
Michael Cassata, Development Services Director
Matthew Longoria, City Attorney
Randy Luensmann, Public Works Director
Kristin Mueller, City Clerk/Economic Dev Director
Jaclyn Redmon, Building Official

Mayor Williams noted a quorum was present.

3. INVOCATION: Councilmember Volle 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:

No action was necessary; all members were present.
6. AWARDS/PROCLAMATION/INTRODUCTION OF GUESTS:
7. MINUTES OF THE PREVIOUS CITY COUNCIL MEETING:

Mayor Pro Tem Neville moved to approve the minutes of the Tuesday, May 18, 2021 City Council regular meeting. Councilmember Volle seconded the motion.

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

Motion to approve carried.

8. CITIZENS TO BE HEARD:
 - Lori Putt, 114 Fox Glove, happily announced that she is back and gave an overview of all the successful family friendly events that the City hosted throughout the last year, despite COVID-19. She said that she knows that City Staff and Council does an outstanding job preparing the budget each year and stated they have her greatest confidence.
 - Jennifer Andrews, 121 Andorra Dr., said that she did not want to speak. She thought it was just a sign-in sheet for attending.
 - Bill Ferrato, 13319 Demeter, readdressed City Council about his neighbor's outside lightening, stated that the issue has not been corrected yet and how the City's code is not being enforced properly.

- Bernie Rubal, 635 Balboa, thanked the City for adding the graffiti option to the Fix-It Form like he requested. He also questioned whose responsibility it was to maintain the area behind the sound walls on Loop 1604. He questioned the amount of personnel time and resources are used to maintain the planters on Kitty Hawk and suggested that the plants be changed to something that requires less maintenance. He mentioned that the golf course has been a loss for the City forever and suggested that the City host an audit open house, an open meeting that would allow residents to ask questions of all the department heads.
- Kim Igleheart, 736 Garden Meadow, voiced that the proposition that residents voted on to approve the venue tax included language that would also allow the tax to be spent on open spaces and linear parks. In the 19 years that the tax has been collected, it has not been used on parks but solely on the golf course. Additionally, Ms. Igleheart asked the City to get an appraisal before selling the 32 Acres of parkland that voters recently removed the parkland dedication on to the EDC. Finally, she asked City Council that the proceeds from the sell of the 32 acres be used to pay off the bond debt first, then the remainder to new and improving parks. Lastly, she said that the Waste Management alley/street pick-up arrangement is not functioning correctly, as trash that was left streetside as directed, was not picked up by Waste Management.

9. BUSINESS:

A. PUBLIC HEARING: Conduct a Public Hearing to receive testimony and comment regarding Ordinance 559-J-2021, amending Chapter 4-5 – Zoning, Article XI of the Code of Ordinances to establish requirements for garage conversions and carports.

Development Services Director Michael Cassata explained that the proposed ordinance would establish requirements for garage conversions and carports, including the permitting, carport building, design standards and appeal procedures. He stated that the current code requires a two-car garage, but older homes in the City were designed either without a garage or only a one-car garage. Passenger vehicles are larger than they used to be, and many residents use their garage solely as storage space or have converted their garage to living space without obtaining a permit. To add to the mix, property owners that have requested a variance to convert their garage space into living space have been turned down, resulting in a few having to re-convert the area back to a garage. Additionally, many residents have installed carports without a permit, and as a result there are aesthetically unappealing carports that do not meet the building code's wind requirements. Then, Mr. Cassata gave examples of carports that would be allowed by the proposed ordinance as they meet the design standards and wind load requirements. He stated that the Planning and Zoning Commission approved the proposed changes 5-0.

Mayor Williams opened the Public Hearing at 7:15 p.m.

Lori Putt, 114 Foxglove, commented that this ordinance was a very good idea and that the older area of town needs it very badly.

Jennifer Andrews, 121 Andorra Dr., said that this was her first-time hearing about the ordinance, but thinks that building a carport should be optional, not required, if a resident chooses to convert their garage.

Mayor Williams closed the Public Hearing at 7:16 p.m.

B. Discuss & Consider Ordinance 559-J-2021: An Ordinance amending a certain section of Ordinance 559, Chapter 4-5 – Zoning related to off-street parking, loading and driveway

requirements regarding garage conversions and carports, providing severability, and setting an effective date. (1st Reading).

Mrs. Turner reminded that the current code requires residents to build a new two-car garage if they choose to convert their current garage to living space. The proposed ordinance allows them to build a carport in lieu of a garage, making it less of a financial burden to residents. Additionally, she said that by ensure that the carports meet wind load restrictions, it will help with the City's ISO rating, lowering homeowner insurance for all residents.

Councilmember Maxwell asked if residents would need to consider impervious coverage requirements. Mrs. Turner answered that if the carport was built over the driveway it would not impact impervious coverage. Mr. Cassata reminded that the council recently increased the amount of impervious coverage allowed on single-family residential lots.

Councilmember Shelby asked if the City knows how many of the homes with carports currently are owner occupied versus renter occupied. He also asked how this ordinance would affect homeowners that already have carports or have already enclosed their garage. Mr. Cassata responded that they do not know the amount of owner or renter occupied homes and said that this ordinance would not affect homes that have already converted or already have a carport as they would be considered "existing non-conforming".

Councilmember Shelby asked the price of an entry level carport. Building Official Jaclyn Redmon replied that the examples shown cost between \$3,800 - \$8,000. Councilmember Shelby also asked if the work to convert a garage and the work to build a carport would be done at the same time. Mrs. Turner answered that the work would be completed under one permit.

Councilmember Najarian asked if carpet could be added to the garage without it being considered a conversion and Mr. Cassata confirmed that it could. Councilmember Najarian also commented that aesthetics are subjective and questioned who decides what meets design standards and how. Mrs. Turner replied that it would be a judgement call made by Development Services.

Councilmember Shelby asked if this ordinance would supersede covenants of homeowners' associations. Mrs. Turner answered that it would not.

Councilmember Goolsby stated he likes the idea of giving residents the option of building a carport instead of a garage, but he does not like that building a carport is required. He would like a carport to be optional because he doesn't like requiring an additional financial burden to residents. Councilmember Goolsby also asked how much a homeowner's insurance would go down by lowering the ISO rating. Ms. Turner said that is not calculated.

Councilmember Goolsby asked if these carport kits that were recommended have a structural seal on them and Ms. Redmon verified that they do. He asked her if she would be required to inspect the new carports and she confirmed that she would be inspecting them. Councilmember Goolsby said that he thinks the efforts to streamline the process are futile because each carport would be different. Mrs. Turner commented that this ordinance does not prevent homeowners from building a custom carport.

Councilmember Goolsby asked the City Attorney if it is easy for a City to win a court case based on a judgement call. Mrs. Turner interjected that if a resident does not like Development Services judgement call, they can always appeal to the Board of Appeals.

Mayor Pro Tem Neville commented that the only appeals to the Board of Appeals is District Court. Then, he asked how much wind could a cantilever carport take? Ms. Redmon answered that they are rated for the 115mph wind requirement which equates to about a 90mph horizontal gust.

Councilmember Shelby moved to approve Ordinance 559-J-2021. Councilmember Najarian seconded the motion.

Vote: Yeas: Shelby, Najarian, Neville, Maxwell
Nays: Goolsby, Volle

Motion to approve carried.

C. PUBLIC HEARING: Conduct a Public Hearing to receive testimony and comment regarding Ordinance 559-K-2021, amending Chapter 4-5 – Zoning, Article XI of the Code of Ordinances to establish Architectural Design Requirements.

Mr. Cassata explained that this ordinance would establish architectural design requirements, including building design requirements and the application and appeal procedures. To ensure an interest in design and provide building articulation to the façade of a building, a variety of building techniques are required. The proposed ordinance would ensure the front and sides and, in certain instances, the rear of non-residential and multi-family structures have a variety of offsets, relief, and insets to provide a more aesthetic façade appearance. He noted that the proposed regulations do not dictate the types of materials required, rather they determine the maximum distance a wall plane can extend without having either a horizontal or vertical articulation, which is generally three times the average height of the building. He stated that the Planning and Zoning Commission recommended approval by a vote of 5-0.

Mayor Williams opened the Public Hearing at 7:50 p.m.

There being no public comments, Mayor Williams closed the Public Hearing at 7:50 p.m.

D. Discuss & Consider Ordinance 559-K-2021: An Ordinance amending certain sections of Ordinance 559, Chapter 4-5 – Zoning related to Architectural Design Standards, providing severability, and setting an effective date. (1st Reading).

Councilmember Goolsby commended Mr. Cassata for his work on the ordinance and moved to approve Ordinance 559-K-2021. Mayor Pro Tem Neville seconded the motion.

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

Motion to approve carried.

E. Discuss & Consider Ordinance 308-B-2021: An Ordinance amending Ordinance 308 and Chapter 3-4 – Traffic of the Code of Ordinances; removing official yield intersections and establishing official full stop sign locations at certain street intersections in the City of Universal City, Texas; revising certain sections and paragraphs accordingly, providing severability, and setting an effective date. (1st Reading).

Public Works Director Randy Luensmann stated that yield signs in the Aviation District area are being ran through, likely because the increase in traffic due to the street construction on Aviation. This ordinance would replace some of those yield signs with stop signs as well as add new stop signs in the new subdivisions.

Councilmember Shelby moved to approve Ordinance 308-B-2021. Councilmember Maxwell seconded the motion.

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

Motion to approve carried.

F. Discuss & Consider Resolution 859-1: A Resolution of the City of Universal City, Texas, approving the City's participation in the Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and Home Programs for the Fiscal Year 2022, 2023, and 2024.

Mr. Luensmann informed that the re-qualification process for continued participation in the Housing Urban Development (HUD) and the Community Development Block Grant (CDBG) has begun. Approving this resolution would authorize the City to participate in the HUD and CDBG programs for Fiscal Year 2022, 2023, and 2024.

Councilmember Maxwell moved to approve Resolution 859-1. Councilmember Shelby seconded the motion.

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

Motion to approve carried.

G. Discuss & Consider Resolution 895-F-2021: A Resolution amending Section 6.0, Subsection 6.09 (Holidays Worked) and Section 9.00, Subsections 9.01 (General Policy), 9.02 (Work During Holidays), 9.03 (Holiday Falling on Non-Workdays), 9.04 (Holiday During Approved Leave), and 9.05 (Full or Partial Day Office Closing) of the Personnel Policies and Procedures Manual for the City of Universal City and renumbering accordingly, establish legislative findings; and setting an effective date.

Mrs. Turner explained that this resolution clarifies the relationship between holiday pay and the calculation of overtime pay. In short, holiday pay is not considered hours worked toward the calculation of overtime, if applicable.

Councilmember Maxwell moved to approve resolution 895-F-2021. Councilmember Goolsby seconded the motion.

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

Motion to approve carried.

H. Discuss & Consider Resolution 914: A Resolution of the City Council of the City of Universal City approving a project of the Universal City Economic Development Corporation as authorized by Section 505.158 of the Texas Local Government Code, authorizing certain financial assistance to be used for targeted infrastructure located within the City of Universal City, Texas; and providing for an effective date. (1st Reading).

Economic Development Director Kristin Mueller stated that Resolution 914 approves a street project that the EDC authorized at their May meeting. The project consists of a full reconstruction of Houston Drive, from West Lindbergh Blvd. to East Aviation Blvd, approximately 270 LF. The roadway will meet the design standards set in the Aviation District Masterplan. The estimated cost of the project is \$191,500. Once bid, the award of the contract will come before council as well.

Mayor Pro Tem Neville said that outside the UCEDC Small Business Stimulus Program, the Aviation District Masterplan was the best thing that the EDC has spent money on.

Councilmember Shelby requested that a map be included in their packets for the next reading.

Councilmember Volle asked if this project is part of the current Aviation street project. Mrs. Turner confirmed that it was not.

Mayor Pro Tem Neville moved to approve Resolution 914. Councilmember Maxwell seconded the motion.

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

Motion to approve carried.

10. CITY MANAGER COMMENTS:

Mrs. Turner asked Mr. Cassata to give a status update on some development projects throughout the City.

12. COUNCILMEMBER COMMENTS:

Councilmember Volle thanked Lori Putt for her positive comments and summary of successful Universal City events.

Councilmember Goolsby thanked staff for their hard work.

Mayor Pro Tem Neville commented that many of the citizens that speak in Citizens to Be Heard leave before the meeting is over so they miss the answers to their questions. He commented that the EDC pays for the landscaping along Pat Booker Rd. He also commented that the Luau Happy Hour at the golf course was a great event.

Councilmember Najarian shared that he was happy to see the yield signs changed to stop signs. He said that he personally disagrees with the residents comments that the City has not spent money on the parks and talked about the improvements at Northview Park and Meadowland Park.

Councilmember Maxwell thanked Mr. Cassata for the status updates on the projects and said he is looking forward to the mobile food park and Gather Brewery.

Councilmember Shelby asked the City to address the striping at Pat Booker Rd and Loop 1604 with TxDot.

13. MAYORAL COMMENTS:

Mayor Williams:

1. Commented that a pop-up COVID-19 shot clinic will be held at St. Matthew's Episcopal Church this Saturday from 10 a.m. – 5:00 p.m;
2. Announced that Jr. Golf Camp is going on this week and his two grandchildren are attending;
3. Shared that Mrs. Turner spoke at CPS Resiliency Summit that he, Ms. Turner, and Mr. Luensmann attended last week. Mrs. Turner was the only non-CPS employee who spoke, and she did a fantastic job; and
4. Asked City Council to wear their patriotic polo for the next City Council meeting.

14. ADJOURNMENT: Mayor Williams adjourned the meeting at 8:15 P.M.

ATTEST:

John Williams, Mayor

Kristin Mueller, City Clerk