

1. CALL MEETING TO ORDER

Mayor Werner called the meeting to order at 6:30 p.m.

| | |
|----------------------|-----------------|
| PRESENT: | ABSENT: |
| Alderman Colemere | Alderman Powers |
| Alderman Kautz | |
| Mayor Pro Tem Ross | |
| Alderman Heintzelman | |
| Mayor Werner | |

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Alderman Heintzelman led the Invocation to the Flag. Alderman Kautz led the Invocation to the flag.

3. CITIZENS TO BE HEARD

Citizen Kusch, Piece, Adams, Townsend and Rhodes addressed City Council regarding concerns and approval the trailhead at Cliffside and old signs at Bentley Manor.

4. CITY COUNCIL COMMENTS

City Council welcomed all to the meeting and thanked the citizens that provided input.

5. PRESENTATIONS, COMMENDATIONS, AND ANNOUNCEMENTS

5.1. Proclamation - Declaring May 17, 2019 World Neurofibromatosis (NF) Awareness Day - Mayor Werner

Mayor Werner read and presented the Proclamation Declaring May 17, 2019 World Neurofibromatosis (NF) Awareness Day to Mrs. Mueller and her family

5.2. Proclamation - City of Shavano Park San Antonio Radio Field Day, June 21-23, 2019 - Mayor Werner

Mayor Werner will present this proclamation at a later date.

6. REGULAR AGENDA ITEMS

6.1. Discussion / action - Resolution No. R-2019-007 canvassing the 2019 General / Special Election - City Council

Alderman Colemere made a motion to approve Resolution No. R-2019-007 canvassing the 2019 General / Special Election.

Alderman Kautz seconded the motion.

The motion to motion to approve Resolution No. R-2019-007 canvassing the 2019 General / Special Election carried with a unanimous vote.

6.2. Oath of Office - Newly Election Officials - Mayor Werner

Mayor Werner asked Alderman Colemere and Alderman Bunting Ross to step forward and take the Oaths of Office. After the Oaths were taken, all congratulated the Mayor and Aldermen.

6.3. Discussion / action - Appointment of Mayor Pro Tem - City Council

Alderman Heintzelman made a motion to appoint Michele Bunting Ross as Mayor Pro Tem.

Alderman Kautz seconded the motion.

The motion to appoint Michele Bunting Ross as Mayor Pro Tem carried with a unanimous vote.

6.4. Public Hearing - Proposed re-plat of Lots 2 and 4 in CB 4787 of Shavano Park (Napier Park Unit-1 (PUD)) to create Lots 20, 21 and 22

Public hearing opened at 6:56 p.m.

City Manager Hill presented a brief overview of the proposed replat.

Public hearing closed at 7:02 p.m.

6.5. Discussion / action - Proposed replat of Lots 2 and 4 in CB 4787 of Shavano Park (Napier Park Unit-1 (PUD)) to create Lots 20, 21 and 22 - City Manager

Mayor Pro Tem Ross made a motion to replat of Lots 2 and 4 in CB 4787 of Shavano Park (Napier Park Unit-1 (PUD)) to create Lots 20, 21 and 22.

Alderman Colemere seconded the motion.

The motion to approve replat of Lots 2 and 4 in CB 4787 of Shavano Park (Napier Park Unit-1 (PUD)) to create Lots 20, 21 and 22 carried with a unanimous vote.

6.6. Discussion / action - Request for a Minor Amendment to Mixed-Use District site plan located at 4001 Pond Hill Road to authorize exceptions to covered parking at the Lynd Building - City Manager

City Manager Hill presented an overview of the request for a Minor Amendment to Mixed-Use District site plan located at 4001 Pond Hill Road to authorize exception to covered parking at the Lynd Building.

Mayor, with Council consensus, allowed City Manager Hill to included agenda item 6.7 which discusses Request change to the Planned Unit Development Detail Plan at 4775 Lockhill Selma to authorize exceptions to covered parking for the National Joint Care Institute.

After discussions, Mayor Pro Tem Ross made a motion to approve the request for a Minor Amendment to Mixed-Use District site plan located at 4001 Pond Hill Road to authorize exception

to covered parking at the Lynd Building to include language this item is subject to future regulations of canvass covers.

Alderman Kautz seconded the motion.

The motion to approve the request for a Minor Amendment to Mixed-Use District site plan located at 4001 Pond Hill Road to authorize exception to covered parking at the Lynd Building to include language this item is subject to future regulations of canvass covers carried with a unanimous vote.

6.7. Discussion / action - Request Change to the Planned Unit Development Detail Plan at 4775 Lockhill Selma to authorize exceptions to covered parking for the National Joint Care Institute - City Manager

Mayor Pro Tem Ross made a motion to authorize the change to the Planned Unit Development Detail Plan at 4775 Lockhill Selma to authorize exceptions to covered parking for the National Joint Care Institute and to include language that this item is subject to future regulations of canvass covers.

Alderman Colemere seconded the motion.

The motion to authorize the change to the Planned Unit Development Detail Plan at 4775 Lockhill Selma to authorize exceptions to covered parking for the National Joint Care Institute and to include language that this item is subject to future regulations of canvass covers carried with a unanimous vote.

6.8. Discussion / action - Ordinance No. O-2019-004 ordinance amending the city of Shavano Park Code of Ordinances to increase the water debt service fee beginning July 1, 2019 (final reading) - City Manager

Alderman Heintzelman made a motion to approve Ordinance No. O-2019-004 ordinance amending the City of Shavano Park Code of Ordinances to increase the water debt service fee beginning July 1, 2019 (final reading).

Alderman Colemere seconded the motion.

The motion to approve Ordinance No. O-2019-004 ordinance amending the city of Shavano Park Code of Ordinances to increase the water debt service fee beginning July 1, 2019 (final reading) carried with a unanimous vote.

6.9. Discussion / action - Annual Budget Calendar - Finance Director

Alderman Kautz made a motion to approve the first (2) Workshop Dates of June 12th and June 24th

Mayor Pro Tem Ross seconded the motion.

The motion to approve the first (2) Workshop dates of June 12th and June 24th carried with a unanimous vote.

- 6.10. Discussion / update - ARDMOR, Inc., Texas ARDMOR Properties, LP, Texas ARDMOR Management, LLC, and Paul Cooke v. City of Shavano Park, in the 407th District Court, Bexar County, No. 2018-CI-21898. Possible Executive Session pursuant to Texas Government Code Section 551.071, Consultation with Attorney regarding update on status of pending litigation and claims against City. Reconvene into open session to take action as necessary. - City Manager / City Attorney**

Mayor Pro Tem Ross made a motion to adjourn into Executive Session.

Alderman Colemere seconded the motion.

The Open Meeting closed at 7:31 p.m.

The Open Meeting reconvened at 7:57 p.m.

Mayor Pro Tem Ross made a motion authorizing the City Manager to negotiate minor terms and to authorize the City Attorney to proceed with Rule 11 received May 13, 2019, **ARDMOR, Inc., Texas ARDMOR Properties, LP, Texas ARDMOR Management, LLC, and Paul Cooke v. City of Shavano Park, in the** 407th District Court, Bexar County, No. 2018-CI-21898.

1. Ardmor, Inc. Texas Ardmore Properties, LP, Texas Ardmore Management, LLC and Paul Cooke (Collectively the “Plaintiffs”) agree to waive any right to appeal in consideration for the City of Shavano Park agree to waive any right to appeal in consideration for the City of Shavano park (the “Defendant”) waiver of any right to claims of attorney’s fees and costs of court attributable to the above referenced case; and
2. The City of Shavano Park shall consider the pending petition for annexation into the corporate limits of the City of Shavano Park, under Section 43.028 of the Texas Local Government Code, with the understanding that the City makes no agreement as to the outcome of said petition.

Alderman Colemere seconded the motion.

The motion authorizing the City Manager to negotiate minor terms and to authorize the City Attorney to proceed with Rule 11 received May 13, 2019, **ARDMOR, Inc., Texas ARDMOR Properties, LP, Texas ARDMOR Management, LLC, and Paul Cooke v. City of Shavano Park, in the** 407th District Court, Bexar County, No. 2018-CI-21898.

1. Ardmor, Inc. Texas Ardmore Properties, LP, Texas Ardmore Management, LLC and Paul Cooke (Collectively the “Plaintiffs”) agree to waive any right to appeal in consideration for the City of Shavano Park agree to waive any right to appeal in consideration for the City of

Shavano park (the “Defendant”) waiver of any right to claims of attorney’s fees and costs of court attributable to the above referenced case; and

2. The City of Shavano Park shall consider the pending petition for annexation into the corporate limits of the City of Shavano Park, under Section 43.028 of the Texas Local Government Code, with the understanding that the City makes no agreement as to the outcome of said petition carried with a unanimous vote.

6.11. Discussion / action - Annual review / salary of the City Manager - Possible Executive Session pursuant to Texas Government Code §551.074, Personnel Matters

Mayor Pro Tem Ross made a motion to postpone this agenda item until the next Regular Meeting.

Alderman Colemere seconded the motion.

The motion to postpone this agenda item until the Regular City Council Meeting carried with a unanimous vote.

7. CITY MANAGER’S REPORT

All matters listed under this item are considered routine by the City Council and will only be considered at the request of one or more Aldermen. Coincident with each listed item, discussion will generally occur.

7.1. Building Permit Activity Report

7.2. Fire Department Activity Report

7.3. Municipal Court Activity Report

7.4. Police Department Activity Report

7.5. Public Works Activity Report

7.6. Finance Report

8. CONSENT AGENDA

All matters listed under this item are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired by any Alderman on any item, that item will be removed from the consent agenda and will be considered separately.

8.1. Approval - City Council Meeting Minutes, April 22, 2019

8.2. Accept - Planning and Zoning Commission Meeting Minutes, April 3, 2019

Mayor Pro Tem Ross made a motion to approve Consent Agenda Item 8.1 – 8.2.

Alderman Kautz seconded the motion.

The motion to approve Consent Agenda Items 8.1 - 8.2 carried with a unanimous vote.

9. ADJOURNMENT

Alderman Colemere made a motion to adjourn the meeting.

Alderman Kautz seconded the motion. The motion to adjourn the carried with a unanimous vote.

The meeting ended at 8:03 p.m.

Robert Werner
Mayor

Zina Tedford
City Secretary