

MINUTES
CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS
Regular Meeting, Tuesday, March 5, 2019

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 Tern Richard Neville
Councilmember Tom Maxwell
Councilmember Paul Najarian
Councilmember William Shelby
Councilmember Beverly Volle

Absent:

Councilmember Bear Goolsby

Present:

Ken Taylor, City Manager
Kim Turner, Assistant City Manager
Habib Erkan, City Attorney
Manuel Casarez, Fire Chief
Pat Collins, Finance Director
Susan Ennis, Library Director
Bill Gabbard, Asst. Police Chief
Jacob Jenkins, Code Enforcement Officer
Randy Luensmann, Public Works Director
Kristin Mueller, City Clerk
Gary Speer, Police Chief

Mayor Williams noted a quorum was present.

3. INVOCATION: Councilmember Shelby 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 Najarian seconded the motion.

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

Motion to approve carried.

6. AWARDS/PROCLAMATION/INTRODUCTION OF GUESTS:

Prior to the meeting, the following airmen were given Certificates of Appreciation for volunteering at Snowfest:

| | | |
|---------------------|---------------------------|----------------------|
| Andrew Cortez, AB | Joe Garcia, AB | Shane Rooker, A1C |
| Anna Dressen, AB | Joiya Whitney, A1C | Steven Askew, A1C |
| Audrey Hawkins, A1C | Jose Gonzalez, AMN | Tiana Gray, AB |
| Camryn Stolfus, AB | Kaylee Nowickischafer, AB | Victoria Blaney, A1C |
| Carl Schuler, A1C | Kiah Murriell, A1C | Cody Spencer, A1C |
| Daniel Smith, AB | Nicholas Tanner, A1C | Dawson Carter, AB |
| Dylan Southern, A1C | Sage Linksy, AB | Isaiah Estrada, AMN |
| Jelon Davis, A1C | Sean Kinsella, AB | Israel Harrison |
| | | Rosycela Muniz |

Mayor Williams thanked the airmen for volunteering their time to help make Snowfest a huge success. Without them, the event would not be possible.

7. MINUTES OF PREVIOUS MEETING:

Mayor Pro Tem Neville moved to approve the minutes of the Tuesday, February 19, 2019 City Council Regular Meeting. Councilmember Shelby seconded the motion.

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

Motion to approve carried.

8. CITIZENS TO BE HEARD:

- Christine Patmoal, 16326 Boulder Pass, San Antonio, explained her recent encounter with Universal City Municipal Court. She stated that she believed that communication between her and the department was not at the level it should be and asked City Council to address the broken processes she felt she experienced throughout her encounter with that department.

9. NEW BUSINESS:

A. Consider renewal of towing contract with Johnny's Wrecker Service LLC.

Asst. Chief Bill Gabbard explained that the contract with Johnny's Wrecker Service would be for five years and the rates had not changed since the last contract.

Councilmember Shelby moved to approve the contract with Johnny's Wrecker Service LLC. Mayor Pro Tem Neville seconded the motion.

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

Motion to approve carried.

B. Consider preliminary acceptance of public improvements of the KB Kitty Hawk Subdivision Phase 5 to include the water system, sanitary sewer system, and drainage and street systems.

Assistant City Manager Kim Turner stated that by accepting public improvements of the KB Kitty Hawk Subdivision Phase 5, it allows KB to begin building phase 5. A year later, it will be brought back to City Council for their final acceptance. Ms. Turner also mentioned that the City is reviewing plans for Phase 6 and Phase 7.

Councilmember Shelby moved to approve the preliminary acceptance of public improvements of the KB Kitty Hawk Subdivision Phase 5. Councilmember Volle seconded the motion.

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

Motion to approve carried.

- C. Consider Resolution 877: A Resolution of the City of Universal City, Texas authorizing the filing of a program application with the Bexar County Home Investments Partnership Program (HOME) for Fiscal Year 2020 for Home Investment Partnership Funding; Authorizing Ken Taylor, City Manager of said City to act on behalf of the City of Universal City, Texas, in all matters related to the application; and pledging that if funding is received, the City of Universal City will comply with the requirements of the Home Investments Partnership Program.**

Code Enforcement Officer Jacob Jenkins explained that Resolution 877 would allow for him to apply for Home Investment Partnership Funding through the county. The program would provide funding for residential home rehabilitation projects. Currently, there are no other municipalities participating in the program. He plans to request \$100,000 in funding. If granted, the City would have to provide a 25% match of \$25,000. That would provide for two home rehabilitation projects valued at \$62,500 each. Mr. Jenkins detailed some of the requirements for home owners to qualify for the grant and explained that the homeowners would not have to contribute any money out of their pocket. To encourage the homeowners to remain in their home after it is fixed up, there would be a 5-year soft lien put on the property.

Councilmember Maxwell moved to approve Resolution 877. Councilmember Volle seconded the motion.

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

Motion to approve carried.

- D. Discuss regulating dock/dockless e-scooters and bikes.**

Police Chief Gary Speer explained that Universal City passed an ordinance back in 2005 prohibiting the use of neighborhood electric vehicles, including motorized and electric scooters on any path, trail, alley, street, or highway within the City. He stated that the current ordinance includes businesses or firms in the penalty ordinance, which means that it would include any potential scooter-rideshare service like what residents are seeing in San Antonio.

After City Council discussion, they determined that the current ordinance is restrictive enough at this time and will reevaluate if dock/dockless scooters become more prominent in Universal City.

- E. Discuss increasing age for sale of tobacco products, including e-cigarettes, from 18 years of age to 21 years of age.**

Ms. Turner declared that there is currently state legislation in both the house and senate that would prohibit sale of tobacco products statewide to anyone under the age of 21. The legislation is expected to pass at the state level. If it does, it would be anticipated to become effective September 1, 2019. If the City was to pass an ordinance locally, it would take City resources to draft the ordinance, pass the ordinance, educate the citizenry on the change, and give a grace period for local businesses to comply. It is likely that if the City passed a local ordinance, it would not become effective until July 2019. She asked City Council to consider the unintended consequences of passing such ordinance prior to the state passing an ordinance.

Police Chief Gary Speer stated that from an enforcement perspective, it would be solely reactionary.

After discussion, City Council came to the consensus that they would like to see a draft ordinance, based on the language of the proposed state legislation, that would prohibit the sale of tobacco products in Universal City to people under the age of 21. They would like to see a draft ordinance at the first City Council meeting in April.

10. OLD BUSINESS:

- A. Consider Resolution 876: A Resolution authorizing a project at 207 Pat Booker Rd, which will facilitate the promotion and development of new or expanded commercial development, and which was approved by the Board of Directors of the Universal City Economic Development Corporation on 14 February 2019; and, providing an effective date. (Second Reading).**

City Manager Ken Taylor stated that no changes had been made to Resolution 876 since the first reading.

Councilmember Shelby moved to approve Resolution 876. Councilmember Maxwell seconded the motion.

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

Motion to approve carried.

- B. Discuss & Consider Ordinance 361-V-2019: An Ordinance amending Ordinance 361 and the Code of Ordinances Chapter 1-4 Finance Article IV, Fees and Charges, revising certain sections and paragraphs accordingly. (Second Reading).**

Mayor Pro Tem Neville moved to approve Ordinance 361-V-2019. Councilmember Shelby seconded the motion.

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

Motion to approve carried.

11. CITY MANAGER COMMENTS:

Mr. Taylor proclaimed that Olympia Hills Golf & Conference Center was awarded the Couples Choice Award by Wedding Wire. Also, he announced that Universal City won Best Tasting Water in Texas again in 2019. Blake Partridge with the Water Department will take Universal City water to compete at the national level.

12. COUNCILMEMBER COMMENTS:

Councilmember Shelby made no comments.

Councilmember Najarian said that he attended the Rush Fun Park ribbon cutting and that it was an amazing addition to Universal City. His daughter really enjoys it. Also, he stated that the Northview Park Splash Pad grand opening is Saturday, March 9, 2019 at 10:00 a.m.

Mayor Pro Tem Neville asked if Municipal Court could provide those who receive a ticket with a handout explaining the processes that they must complete. Also, he congratulated the Judson ISD Girls Varsity Basketball Team for winning the State Tournament. He asked if Universal City could do a proclamation honoring them and mentioned that there is a parade for them Thursday, March 7, 2019 at 4:00 p.m.

Councilmember Volle read part of a thank-you note that was written to Parks Partners. It thanked them for helping to make Universal City a fun, family-friendly place.

Councilmember Maxwell congratulated Code Enforcement Officer Jacob Jenkins for his presentation and is looking forward to the City participating in the program.

13. MAYORAL COMMENTS:

Mayor Williams:

1. Displayed the notice that was left on his door by the Water Department stating he had constant meter movement and should check for a leak. There was a hand-written note on the notice by the technician who said that he already tried turning all the faucets off but there was still meter movement. He commended the Water Department for going above and beyond the call of duty;
2. Informed City Council that there will be a couple of Public Scoping Meetings hosted by JBSA-Randolph. One will be in Seguin and the other in Universal City. The purpose of the meetings are to get public input on the base changing from T-38C to the T-X aircraft; and
3. Congratulated Universal City for finishing 4th in the It's Time Texas Community Challenge. Locally, Mr. Chuck Consla finished in 1st place and Fire Chief Manny Casarez finished in 2nd place. The Mayor finished in 31st place out of 152 participants.

14. ADJOURNMENT: Mayor Williams adjourned the meeting at 7:40 p.m.

ATTEST:

John Williams, Mayor

Kristin Mueller, City Clerk