

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL
August 12, 2021

The City of Helotes City Council met for a regular meeting on Thursday, August 12, 2021 at 7:00 p.m. in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present: Rich Whitehead, Mayor
Craig Sanders
Linda Salazar
Matthew McCrossen
Cynthia Massey
Matthew Merchant

Staff Present: Marian Mendoza, City Administrator
Celina Perez, City Secretary

1. Call to Order.

Mayor Whitehead called the meeting to order at 7:00 p.m. Pastor John Van Pay, Gateway Fellowship Church, led the invocation. Mayor Whitehead led the pledge to the U.S. flag and the Texas flag.

OPEN SESSION:

2. Citizens to be Heard.

No one signed up to speak on this item.

CONSENT AGENDA (ITEM NOS. 3 - 6): All items marked with an asterisk (**) on the consent agenda were voted on by one motion. Motion was made by Council Member Sanders, second by Council Member McCrossen, to approve items 3 through 6 on the consent agenda. Motion to approve carried unanimously by those present.

3. Approval of the minutes of the Regular Meeting dated July 22, 2021, and of the Budget Workshop dated July 27, 2021. (Staff)**

4. Approval of the Quarterly Investment Reports for the City of Helotes and the Helotes Economic Development Corporation (HEDC) for the quarter ending June 2021. (Staff)**

5. Approval of the Fiscal Year Ending (FYE) 2021 City of Helotes Revenue and Expense, Balance Sheet, and Encumbrance Reports dated August 4, 2021. (Staff)**

- 6.** Approval of an Ordinance of the City Council of the City of Helotes, Texas amending Municipal Code of Ordinances Chapter 86 *Traffic and Vehicles* by revising Article VIII *Recreational Vehicles*, to include more concise criteria on the storage of a recreational vehicle on residential zoned property and specifically identifying when a recreational vehicle can be used as a construction trailer. (Staff)**

MAYOR'S REPORT:

- 7. Updates on the following: (Mayor Whitehead)**
- **2021 City Street Maintenance Plan;**
 - **Public Safety and Crime Awareness; and**
 - **Coronavirus (COVID) & Delta variant.**

Mayor Whitehead reported on the aforementioned items. Street maintenance began in Iron Horse Canyon Subdivision. The maintenance consists of applying HA5, a high-density mineral bond surface treatment, to the subdivision's roadways. This surface treatment will extend the life of the pavement, prevent damage from moisture, and protect against damage from the sun. Next, residents were reminded to lock their vehicle doors and do not leave any valuables in plain sight. Doing this will help lessen vehicle burglaries. Lastly, the mask mandates in the City of San Antonio facilities are not applicable in the City of Helotes facilities. Mayor Whitehead acknowledged those who have been vaccinated but noted, it's every individual's right to choose.

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 8. Discussion of and action on a request by Anita Mendoza for approval of a variance to Municipal Code of Ordinances Chapter 18 *Buildings and Building Regulations*, Section 18-12, Subsection 312.2 *Access Control Gate Systems* authorizing two (2) vehicular access gates to encroach on the required setback of twenty feet (20') from the property line on a single-family residential zoned lot located at 11161 Beverly Hills Drive, Helotes, Texas 78023, and identified as BCAD Prop. ID No. 236751. (Applicant)**

Motion was made by Council Member Massey, second by Council Member Merchant, to discuss and act on this item as written.

The applicant is requesting the following variances: authorizing an encroachment of 9 feet on the side property line for Vehicle Access Gate #1 abutting Doheny Drive; and authorizing an encroachment of 20 feet on the front property line for Vehicle Access Gate #2 abutting Beverly Hills Drive.

Council Member Massey stated variance requests are normally granted due to hardship purposes, however, logic and fairness should also be applied to such requests. In visiting the site, the lot has a bigger right of way, therefore, leaving both vehicle access gates as is would not impede traffic on Doheny Drive or Beverly Hills Drive. Council Member Merchant added, he too visited the site, and parked his large truck in the driveway of Gate #1, which did not stick out into Doheny Drive. Gate #2 will be used as needed, to service the septic tank. After an exchange of information by the Council Members that visited the site, the Council came to a consensus.

There being no further discussion, Mayor Whitehead called the question.

All those in favor of approving the aforementioned variance on Vehicle Access Gate #1 abutting Doheny Drive and authorizing an encroachment of 9 feet on the side property line.

Motion to approve carried unanimously.

All those in favor of approving the aforementioned variance on Vehicle Access Gate #2 abutting Beverly Hills Drive and authorizing an encroachment of 20 feet on the front property line.

Motion to approve carried unanimously.

- 9. Discussion of and action on a request by Edward Olmo for approval of a variance to Municipal Code of Ordinances Chapter 18 *Buildings and Building Regulations*, Section 18-12 (b) *International Building Code Adopted*, Subsection 312.2 *Access Control Gate Systems* authorizing two (2) vehicular access gates to encroach on the required setback of twenty feet (20') from the property line on a residential zoned lot located at 9829 Cash Mountain Road, Helotes, Texas 78023, and identified as BCAD Prop. ID No. 246937. (Applicant)**

Motion was made by Council Member Massey, second by Council Member McCrossen, to discuss and act on this item as written.

The applicant wishes to construct two (2) vehicle access gates at either end of the half-circle driveway located in front of the home, and abutting Cash Mountain Road. Based off the submitted drawing, both gates are on the property line. The applicant is requesting a variance to authorize an encroachment of 20 feet for each gate.

Council Member Massey visited the site and identified topography as a reason for the variance request. During Council discussion, it was pointed out that the applicant supplied a photo showing a measurement of 40 feet from each gate to the road. Additionally, there would be no future road expansions in this area.

Motion to approve the aforementioned variance carried unanimously.

- 10. Discussion of and action on a request by Thomas and Cynthia Parker for approval of a variance to Municipal Code of Ordinances Chapter 18 *Buildings and Building Regulations*, Section 18-12 (b) *International Building Code Adopted*, Subsection 312.2 *Access Control Gate Systems* authorizing one (1) vehicular access gate to encroach on the required setback of twenty feet (20') from the property line for Parker & Parker Investments located at 15248 Scenic Loop Road, Helotes, Texas 78023, and identified as BCAD Prop. ID No. 242030. (Applicant)**

Motion was made by Council Member Sanders, second by Council Member Salazar, to discuss and act on this item as written.

The applicant obtained a permit to construct a fence with two (2) vehicle access gates, one abutting Scenic Loop Road, and the second abutting Marnoch Road. An inspection of the project showed the second vehicle access gate abutting Marnoch Road did not meet the required 20 foot setback from the side property line. The applicant is requesting a variance to authorize an encroachment of approximately 4 feet.

Council acknowledged the gate installer used their best effort to locate the property line, as per the site plan, for the secondary access gate abutting Marnoch Road. Moreover, the primary access gate abutting Scenic Loop Road was built to Code.

Motion to approve the aforementioned variance carried unanimously.

11. Discussion of and action on the following appointments to the Ethics Commission, all to serve concurrently with the corresponding council member's term: (City Council)

- Council Member Sanders nominee - Michael Duff, Place 1, term expiring May 2022;
- Council Member Salazar nominee - Rhiannon Bollis, Place 2, term expiring May 2022;
- Council Member McCrossen nominee - Keith Kouba, Place 3, term expiring May 2023;
- Council Member Massey nominee - Joseph Bohac, Place 4, term expiring May 2022;
- Council Member Merchant nominee - Derek Mathis, Place 5, term expiring May 2023;
- Mayor Whitehead nominee - Jesse Saldana, Place 6, term expiring May 2023; and
- Mayor Whitehead nominee - Jeff Felty, Place 7, term expiring May 2023.

Motion was made by Council Member Salazar, second by Council Member Merchant, to discuss and act on this item as written.

Mayor Whitehead advised one of his nominees, Jeff Felty, would be pulled from the agenda. Mr. Felty is the only volunteer firefighter for the city. In accordance with Code, a volunteer firefighter is considered an appointed official, making such ineligible to serve on the Ethics Commission. Another nominee for Place 7 will be brought back for appointment consideration at a subsequent Council meeting.

Mayor Whitehead called on the remaining nominees to stand and be known. All were in attendance and stood to be recognized. Council acknowledged the nominees for volunteering to serve on the Ethics Commission.

Motion to approve the appointment of said nominees for Place 1 through Place 6, to serve on the Ethics Commission, carried unanimously.

12. Presentation of and discussion on the proposed FYE 2022 Municipal Budget and the proposed Tax Year 2021 ad valorem (property) tax rate. (Mayor Whitehead and Staff)

Marian Mendoza, City Administrator, presented the proposed FYE 2022 Municipal Budget. Due to the ongoing COVID pandemic, conservative adjustments were made in the General Fund and Capital Projects Fund. Despite these changes, the city is still able to maintain a high level of municipal services to the public. The proposed property tax rate for Tax Year 2021 decreased to \$0.343979 per \$100 valuation. The Maintenance and Operations Rate (M&O) is \$0.281232 and

the Interest and Sinking Rate (I&S) is \$0.062747. The FYE 2022 Municipal Budget highlights are a city-wide cost of living adjustment, the reallocation of a position from Dispatch to Public Works to meet the growing needs of the city, a traffic signal maintenance replacement plan, the attendance of the City Attorney at the second Council meeting of the month, and the reallocation of events that support economic development from the city budget into the EDC budget, being the *Cornyval Parade*, *Christmas Parade*, and *MarketPlace at Old Town Helotes*. The budget also includes investment purchases for equipment, training, amenities, and community events. These investment purchases are annotated within the respective department budgets. The FYE 2022 Municipal Budget proposes a revenue total of \$8,953,260, an expenditure total of \$8,658,154, leaving an ending general fund balance of \$3,078,316. The proposed budget will be posted on the city website for public viewing.

13. Discussion of and action on setting public hearings on the proposed FYE 2022 Municipal Budget and the proposed FYE 2022 Economic Development Corporation (EDC) Budget on Thursday, August 26, 2021 and Thursday, September 9, 2021, at 7:00 p.m. in the City Hall Council Chambers. (Staff)

Motion was made by Council Member Salazar to hold public hearings on the proposed FYE 2022 Municipal Budget and EDC Budget on August 26, 2021, and September 9, 2021, at 7 p.m. Second by Council Member Sanders.

Motion to approve carried unanimously.

Motion was made by Council Member McCrossen to adopt said budgets on September 23, 2021, at 7 p.m. Seconded by Council Member Merchant.

Motion to approve carried unanimously.

14. Discussion of and action on setting the proposed Tax Year 2021 ad valorem (property) tax rate and setting the meeting to adopt said proposed tax rate on Thursday, September 23, 2021, at 7:00 p.m. in the City Hall Council Chambers. (Staff)

The proposed property tax rate for Tax Year 2021 decreased to \$0.343979 per \$100 valuation. The proposed property tax rate does not exceed the no-new revenue rate of \$0.344348 or the voter-approval rate of \$0.343979. As a result, the city is not required to hold public hearings or an election.

Motion was made by Council Member Massey to set the proposed 2021 Property Tax Rate at \$0.343979 per \$100 valuation, composed of the Maintenance and Operations Rate (M&O) at \$0.281232 and the Interest and Sinking Rate (I&S) at \$0.062747, and to adopt said property tax rate on September 23, 2021, at 7 p.m. Second by Council Member Salazar.

Motion to approve carried unanimously.

City Council Regular Meeting
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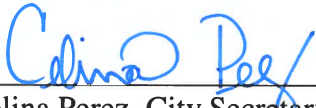
Adjourn

With no more business to come before Council, Mayor Whitehead adjourned the meeting at 8:24 p.m.



Rich Whitehead, Mayor

ATTEST:



Celina Perez, City Secretary

