

MINUTES  
REGULAR MEETING  
HELOTES CITY COUNCIL  
October 14, 2021

The City of Helotes City Council met for a regular meeting on Thursday, October 14, 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  
Frank Garza, City Attorney

**1. Call to Order.**

Mayor Whitehead called the meeting to order at 7:00 p.m. Council Member Merchant led the invocation. Cub Scout Pack 384 of Helotes led the pledge to the U.S. flag and the Texas flag.

OPEN SESSION:

**2. Citizens to be Heard.**

Katheryn Burnett, Shawn Kaarlsen, and Laura Kaarlsen, all appeared in memoriam for Guy Burnett, who was a Helotes resident and who had his office at 13438 Bandera Road. All requested for the city to assist in honoring Guy Burnett and recognizing him as an instrumental member of the Helotes community.

CONSENT AGENDA (ITEM NOS. 3 - 5): 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 Salazar, to approve items 3 through 5 on the consent agenda. Motion to approve carried unanimously by those present.

- 3.\* Approval of the minutes of the Regular Meeting dated September 23, 2021. (Staff)**
- 4.\* Approval of the Fiscal Year Ending (FYE) 2021 City of Helotes Revenue and Expense, Balance Sheet, and Encumbrance Reports dated September 30, 2021. (Staff)**
- 5.\* Approval of cancelling the following regular City Council meeting dates:**
- **Thursday, November 11, 2021 - Veteran's Day Holiday;**
  - **Thursday, November 25, 2021 - Thanksgiving Holiday; and**
  - **Thursday, December 23, 2021 - Christmas Holiday. (Staff)**

MAYOR'S REPORT:

**6. Update on the 2021 International City/County Management Association (ICMA) Annual Conference. (Mayor Whitehead)**

Mayor Whitehead spoke on his attendance of the 2021 International City/County Management Association (ICMA) Annual Conference in Portland, Oregon. A lot of the conference had to do with increasing efficiencies, doing more with less, and inspiring employees. Mayor Whitehead concluded his update by sharing the following quote from the conference, "The fastest way to kill a great citizen, is to let them watch you tolerate a bad one". Mayor Whitehead added we should all do what is best for our citizens, and hopes this concept drives Council, Staff, and inspires our citizens.

ITEMS FOR INDIVIDUAL CONSIDERATION:

**7. First Reading and discussion on a Resolution of the City Council of the City of Helotes, Texas approving Amendment No. 2 to the City of Helotes Economic Development Corporation ("HEDC") Bylaws by revising Article Two *Board of Directors, Section 2.1 Powers, Number, and Terms of Office.* (Council Members McCrossen & Merchant)**

Presently, under Section 2.1 of the HEDC Bylaws, the Mayor is the only individual from the governing body who recommends new HEDC Board of Director candidates and submits the names to Council for approval. The proposed bylaw amendments will place the responsibility on HEDC Staff and Board to solicit and interview candidates, and submit nominees to Council. It is important to note that Council will still have oversight of the HEDC. The amendments were reviewed for legal compliance by the City Attorney.

Council majority favored the proposed amendments to the HEDC Bylaws as presented. A final reading and action on this resolution will be on a subsequent Council meeting agenda.

**8. Discussion of and action on a request by Image 360 for approval of two (2) wall signs pursuant to Municipal Code of Ordinances Chapter 98 *Zoning, Section 98-72 Old Town Helotes Special District, Subparagraph (g)(6)(b)(2) Commercial Signs – Projecting, Wall, Hanging, or In/On Windows,* for The Lotus Aesthetics and Wellness located at 14743 Old Bandera Road, Building 7, Helotes, Texas 78023, more particularly identified as BCAD Property ID No. 1154308. (Applicant)**

(Note: On October 5, 2021, the Planning & Zoning Commission recommended approval of the above two (2) wall signs for The Lotus Aesthetics and Wellness.)

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

Motion to approve carried unanimously

9. **Discussion of and action on a final amending plat, pursuant to Municipal Code of Ordinances Chapter 78 Subdivisions, Section 78-75 Amending a Plat, establishing Bricewood Subdivision Unit 3-C, Lot 9, Block 16, and amending Bricewood Subdivision Unit 3, recorded in Volume 20001, Pgs. 1364 – 1365, of the Official Public Records of Bexar County, Texas. (Applicant)**

(Note: On October 5, 2021, the Planning & Zoning Commission recommended approval of the above amending plat, establishing Bricewood Subdivision Unit 3-C, Lot 9, Block 16.)

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

Motion to approve carried unanimously

10. **Discussion of and action on the appointment of Robert Hoepfner to the City of Helotes Ethics Commission, Place Seven, with a term expiring May 2023. (Mayor Whitehead)**

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

Motion to approve carried unanimously

11. **Discussion of and action on a Resolution of the City Council of the City of Helotes, Texas approving a Joint Participation Agreement to Contribute Right of Way Funds (Fixed Price) in the amount of Sixty-Two Thousand Seven Hundred and Thirty-Six Dollars (\$62,736) between the City of Helotes and the State of Texas, acting through the Texas Department of Transportation (TxDOT), for the municipal portion of costs associated with acquiring necessary rights-of-way for highway improvements to F.M. 1560, from Galm/Shafenfield Road to S.H. 16 (Bandera Road); and authorizing the Mayor to execute the Agreement on behalf of the City of Helotes. (Staff)**

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

The total estimated cost of the right of way acquisition for this project is \$627,358, with the State to cover 90% of the cost, or \$564,622, and the City of Helotes to contribute the required, remaining 10% of the cost, or \$62,736. The city's contribution is a fixed amount, and no additional right of way monies will be requested by TxDOT, after Council approves this Agreement.

Motion to approve carried unanimously

12. **Discussion of and action on a Resolution of the City Council of the City of Helotes, Texas approving a Subscription Based Health Care Services Contract between the City of Helotes and Alamo City Urgent Care, the sole respondent, for specialized urgent and emergency care services on a subscription plan for a primary term of one (1) year, with an option to extend for two (2) additional one year terms; and authorizing the Mayor to negotiate and execute a Contract for said services. (Staff)**

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

On September 2, 2021, the city issued a Request for Proposal (RFP) seeking potential healthcare facilities to provide a subscription-based urgent and emergency care contract for the city's employees, dependents, and COBRA eligible participants. The city received one (1) proposal, being a joint venture between Alamo Urgent Care and Prestige Emergency Room. Both entities are majority owned by the same three (3) physicians and all subscription payments and flat rates for employees will be paid to Alamo City Urgent Care, who will in turn reimburse Prestige Emergency Room for any costs paid for their facility. The city will pay \$20 per month for 71 full time employees, totaling \$1,420 per month. Employees covered under the subscription service will be allowed to pay the same subscription fee for their eligible dependents. The hope of this subscription contract is to decrease insurance claims to the city, while providing a supplement option for affordable urgent and emergency care subscription services to employees.

Motion to approve carried unanimously.

- 13. Second and Final Reading, and action on an Ordinance of the City Council of the City of Helotes, Texas amending Municipal Code of Ordinances Chapter 34 *Environment* by adding Article VII *Noise and Sound Level Regulation* to set forth permissible sound levels and establish the enforcement thereof in order to protect the citizens against unreasonable noise within the corporate limits of the City of Helotes. (Staff)**

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

Discussion included defining the term legal holiday, being consistent with the term midnight (either it's the start of a new day, or the end of the same day), and under Section 34-93 *Prohibited Noises Enumerated*, subparagraph (i), revising Monday – Thursday, to read Monday – Friday.

Motion to amend was made by Council Member McCrossen to approve the noise ordinance, with the above noted changes. The amended motion was seconded by Council Member Merchant.

Amended motion to approve carried unanimously.

- 14. Second and Final Reading, and action on an Ordinance of the City Council of the City of Helotes, Texas amending Municipal Code of Ordinances Chapter 46 *Health and Sanitation*, Article II *Food Establishments* for the purpose of establishing permit requirements and regulations on the operation of mobile food establishments within the corporate limits of the City of Helotes. (Staff)**

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

Motion to approve carried unanimously.

**Adjourn**

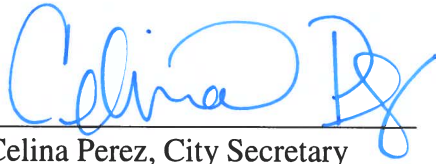
With no more business to come before Council, Mayor Whitehead adjourned the meeting at 8:05 p.m.



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Rich Whitehead, Mayor

ATTEST:



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Celina Perez, City Secretary

