



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Meeting Minutes City Council

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Tuesday, May 16, 2017

5:30 PM

City Council Chambers

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630 E. Hopkins

### I. Call To Order

**With a quorum present, the regular meeting of the San Marcos City Council was called to order by Mayor Thomaides at 5:32 p.m. Tuesday, May 16, 2017 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.**

### II. Roll Call

**Present:** 7 - Mayor John Thomaides, Mayor Pro-Tem Jane Hughson, Deputy Mayor Pro Tem Lisa Prewitt, Council Member Ed Mihalkanin, Council Member Saul Gonzales, Council Member Scott Gregson and Council Member Melissa Derrick

### III. Invocation

**A moment of silence was observed.**

### IV. Pledges Of Allegiance - United States And Texas

**Abby Strait, a 4th grade student, from Texas Preparatory School, led the Assembly in the Pledges of Allegiance.**

### PRESENTATIONS

1. Receive a Staff presentation of the Quarterly Investment and Financial Reports, and provide direction to Staff.

**Heather Hurlbert provided the Council with a presentation of the Quarterly Investment and Financial Reports.**

### 6:00 PM

### V. 30 Minute Citizen Comment Period

**Ryan Patrick Perkins, addressed the City Council regarding the truck traffic on Hopkins St. He stated that he has noticed a steady increase of commercial truck traffic. He encouraged the Council to approve Item #11 to ensure that the historical City Center is preserved and protected.**

**Diana Baker, addressed the Council as a long time preservationist. She spoke**

about the history of school desegregation and the cultural significance of the Lamar School. She asked that if the Council were to form a subcommittee to please include someone from the Historic Preservation Commission.

Lisa Marie Coppoletta, addressed the Council and told them that she had provided them with buttons and postcards that are interactive. She spoke about the Lamar School and how historic it is and how the community may not know the historical significance of buildings.

Johnny Finch, addressed the Council and thanked the Council on reversing the back-in parking and that the only issue that still concerns them is the conversion to two way traffic on Guadalupe and LB and that it is not desirable. He stated that he would like for this to go away, and that there is something better that we can spend the money on.

Greg Newell, addressed the Council as the new owner of The Woods apartments with the Scion Group. He stated that they acquired The Woods in January of 2017. He stated that they run criminal background checks and credit checks on all tenants and that they enforce towing. They do not support alcohol events and they have shut down the shuttle to the square. He announced that they are going to be part of the ACT Ally program.

Melissa Forrester, addressed the Council regarding Item #16 on the agenda. She feels that it would be detrimental to the businesses downtown. She stated that there is money that could be spent on sidewalk improvements along Hopkins Street instead of this project, for example. She feels that none of the City's money should be spent on conversion.

Rob Roark, addressed the Council regarding Elections. He stated that the election on May 6th lost his trust in the County, and that he is protesting the Canvassing of the Election. He stated that he has requested a major audit of the Election processes. He stated that if you went to find results on this Election the evening of May 6 that you could not find results on their website. He found out the results through the media. He also referenced the 1800 votes that were lost by the County in the November Election. We contract with them for this service. He stated that we can do something and that people are concerned about the legitimacy of their vote.

Sean Quinones, spoke about the dangers of one way streets, and stated that we should maintain the Downtown Master Plan as previously adopted. Just this afternoon a pedestrian was hit downtown.

**Jude Prather, addressed the Council and thanked them for their service. He stated that this issue has been studied and we often talk about complete streets and the installation of pedestrian lighting. He asked the Council to please continue the two-way street conversion, and carrying out the Downtown Master Plan. A video was played illustrating the importance of the two-way conversion of Guadalupe and LBJ streets downtown.**

**Kelly Earnest, stated that she was there to represent the Police and Fire Associations and thanked the Council, the Chamber of Commerce and the Friends of the Library, and the Citizens by and large, who really supported their efforts and passed the recent bonds.**

## **CONSENT AGENDA**

**A motion was made by Mayor Pro Tem Hughson and seconded by Council Member Milhalkanin to approve the Consent Agenda. The motion carried by the following vote:**

**For:** 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

**Against:** 0

2. Consider approval, by motion, of the following meeting Minutes:
  - A) April 24, 2017 CDBG-DR Workshop Minutes
  - B) April 28, 2017 - Packet Meeting Minutes
  - C) May 2, 2017 - Transportation Master Plan Workshop
  - D) May 2, 2017 - Regular Meeting Minutes
3. Consider approval of Ordinance 2017-22, on the second of two readings, authorizing the installation of speed cushions in both directions in the 500 through 600 blocks of Candlelight Lane (from Del Sol Drive to Broadway Street); and including procedural provisions.
4. Consider approval of Resolution 2017-85R, approving amendments to the original Interlocal Cooperation agreement that established the Austin Regional Intelligence Center and the Interlocal Cooperation agreement for sustainment funding for the Austin Regional Intelligence Center, the purposes of each amendment being to add three new partner agencies to the agreements and to authorize the City of Austin to enter into collateral agreements with certain non-governmental entities that would enable such entities to become partners in the intelligence center; authorizing the Interim City Manager or his designee to execute both amendments on behalf of the City; and declaring an effective date.
5. Consider approval of Resolution 2017-86R, approving the terms and conditions of an Airport Facility Lease agreement for non-commercial use of city-owned aircraft

hangars; authorizing the City Manager to execute said lease agreements on behalf of the City; and declaring an effective date.

6. Consider approval, by motion, of Change in Service #4 to RPS for Construction Phase Services for the Reclaimed Water Expansion Project, in the not to exceed amount of \$332,633.

## **PUBLIC HEARINGS - 7:00 PM**

7. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2017-30, amending the Official Zoning Map of the City by rezoning 0.951 acre, more or less, tract of land, out of the J. M. Veramendi Survey, Abstract 17, Hays County, Texas located at 1346 Thorpe Lane from "OP" Office Professional District to "CC" Community Commercial District, and including procedural provisions; and consider approval of Ordinance 2017-30 on the first of two readings.

**Shannon Mattingly, Director of Planning and Development Services, provided the Council with a brief update on the proposed zoning change.**

**Mayor Thomaides opened the Public Hearing at 7:05 p.m.**

**Scott Phillips, Endeavor Real Estate Group, addressed the concerns by Dr. Reeves who currently occupies the building. The Group ensures that they do not want to displace any of the current tenants. They want to support the local community and tenants. This zoning will allow more than just office professional tenants.**

**There being no further comments, the Mayor closed the Public Hearing at 7:07 p.m.**

**A motion was made by Council Member Gregson, seconded by Mayor Pro-Tem Hughson, to approve Ordinance 2017-30, on the first of two readings. The motion carried by the following vote:**

**For:** 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

**Against:** 0

8. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2017-88R, authorizing the submission of an application to the Texas Department of Transportation for funding under the Statewide Alternatives Transportation Set-Aside Program for the proposed San Marcos River Bike and Pedestrian Trail Project (Priority Rank No.1) and the Downtown Accessible Pedestrian Signal Project (Priority Rank No. 2); authorizing the Interim City Manager or his designee to execute any and all documents as necessary to accept such funding, if

awarded; authorizing the commitment of local matching funds of at least 20 percent of total project costs and the Texas Department of Transportation 15 percent administrative cost; and providing an effective date; and consider approval of Resolution 2017-88R.

**Rodney Cobb, Executive Director of Community Services, provided an overview of the applications they will be submitting to TxDOT. Sabas Avila, Assistant Director of Public Services – Transportation Division, provided an overview of Project Number 2, and how this will bring our traffic signals in the downtown areas into ADA compliance.**

**Mayor Thomaides opened the public hearing at 7:12 p.m.**

**Paul Murray, spoke about the San Marcos the Bike and Pedestrian Trail project and stated that he understands that this is what TxDOT is looking for. He stated that if the Council was supportive of the Crosstown Pathways then you should be supportive of this project too.**

**Sherwood, 124 Elm Hill Court, stated that he is happy to see the trail project and to see the improvements to the transportation system. He stated that the change in name is good since you really cannot get across town with the trail system yet. He spoke about a possible suspension bridge to provide connectivity to the east and west sides of the interstate.**

**Dianne Wassenich, Spoke on behalf of the San Marcos River Foundation and stated that they are exceptionally excited about this. She said that this will be better for water quality and that when it comes time to doing the bids that they will use pervious paving.**

**There being no further comments, Mayor Thomaides closed the public hearing at 7:17 p.m.**

**Discussion was held about the trails being ADA compliant, regarding the widening of 35 and the request that we have connectivity east to west. Staff to find out where the discussion is between City Staff and TxDOT concerning the 35 widening project and trail connectivity. Staff to provide Council with the renderings that were available at the open house. Staff was asked to look into pervious paving**

**A motion was made by Council Member Gregson, seconded by Deputy Mayor Pro Tem Prewitt, that this Resolution be approved. The motion carried by the following vote:**

**For:** 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

**Against:** 0

9. 7:00PM Hold a public hearing to receive comments for or against Substantial Amendment No. 2 to the Action Plan of the U.S. Department of Housing and Urban Development Community Development Block Grant - Disaster Recovery Grant (CDBG-DR).

**Mayor Thomaides opened the public hearing at 7:24 p.m.**

**Albert Sierra, San Marcos Housing Authority, notified the Council that they will be submitting an application for \$150,000 to get reimbursement for what the Housing Authority spent in response to the 2015 flood.**

**There being no further comments, Mayor Thomaides closed the public hearing at 7:26 p.m.**

**Stacy Brown, Community Housing Coordinator, provided the Council with a presentation on the changes that the Council had previously directed to be made to the Action Plan.**

**Discussion was held regarding the rental housing policy changes. Ms. Brown explained that 80% of \$77,000 is the median income for that family.**

**Discussion was held regarding the rate structure and how is that set up.**

**Discussion was held regarding fair market rents and the tradeoffs.**

**No further action was required.**

## **NON-CONSENT AGENDA**

10. Consider approval of Ordinance 2017-28, on the first of two readings, designating six parking spaces located at the southwest and southeast corners of Guadalupe and San Antonio Streets as loading and unloading spaces for use only by Transportation Network Company drivers who are waiting for prearranged rides between the hours of 10:00 PM and 3:00 AM each day of the week, authorizing the City Traffic Engineer to install signs identifying such parking spaces; amending the traffic register maintained under section 82.067 consistent with this Ordinance; including procedural provisions; and declaring an effective date.

**A motion was made by Council Member Gregson, seconded by Deputy Mayor Pro Tem Prewitt, to approve Ordinance 2017-28, on the first of two readings.**

**The motion carried by the following vote:**

**For:** 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

**Against:** 0

11. Consider approval of Ordinance 2017-29, on the first of two readings, amending Section 82.128 of the San Marcos City Code to clarify the exceptions allowing large commercial trucks weighing more than one ton to deviate from established truck routes; and providing an effective date.

**Main Motion: A motion was made by Council Member Derrick, seconded by Council Member Gregson, to approve Ordinance 2014-29, on the first of two readings.**

**Motion to Amend: A motion was made by Mayor Pro Tem Hughson, seconded by Council Member Mihalkanin, to amend Section 82.128 (a) of Ordinance 2014-29 to insert the word "only" after routes. The Motion carried by the following vote:**

**For:** 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

**Against:** 0

**Main Motion: A motion was made to approve Ordinance 2014-29, on the first of two readings, as amended.**

**For:** 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

**Against:** 0

12. Consider approval of Ordinance 2017-32, on first and final reading, canvassing election returns of a Bond Election held within said city on May 6, 2017, for Public Safety Facilities in the aggregate principal amount of \$17,450,000 and Library Improvements in the aggregate principal amount of \$14,750,000; declaring an emergency creating the need to adopt this Ordinance with only one reading; and containing other provision incident and related to the purposes; and providing an effective date

**A motion was made by Council Member Gregson, seconded by Mayor Thomaides, to approve Ordinance 2017-32, on the first and final reading. Staff will bring back a discussion regarding the election contract with the Hays County Election Administrator. The motion carried by the following vote:**

**For:** 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

13. Consider approval, by motion, authorizing the first Regular City Council meeting of July to be moved to July 5, 2017 due to the Independence Day holiday.

**A motion was made by Mayor Pro-Tem Hughson, seconded by Council Member Gregson, to approve the first Regular City Council Meeting in July to be moved to July 5th due to the Independence Holiday. The motion carried by the following vote:**

**For:** 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

14. Discuss and consider appointments to fill vacancies on the San Marcos Commission on Children and Youth, and provide direction to staff.

**The following applicants were nominated for consideration to serve on the San Marcos Commission on Children and Youth:**

**Billy Stokes - Nominated by Council Member Gregson**

**Alexandra Mylius - Nominated by Council Member Derrick**

**Kristin Sheffield - Nominated by Council Member Derrick**

**Marty Nelson - Nominated by Mayor Pro Tem Hughson**

**Jemm Corona Morris - Nominated by Mayor Pro Tem Hughson**

**Dana Washington - Nominated by Mayor Pro Tem Hughson**

**Jeff Baergen - Nominated by Deputy Mayor Pro Tem Prewitt**

**Suad Hooper - Nominated by Deputy Mayor Pro Tem Prewitt**

**Following a roll call vote all member were approved for appointment to the San Marcos Commission on Youth and Children.**

15. Discuss and consider a request by Becky Collins, Walton Development and Management, to allow an early Preferred Scenario Amendment Process to begin in May, 2017 for Project Zircon and other applicants, and provide direction to staff.

**A motion was made by Deputy Mayor Pro Tem Prewitt, seconded by Council Member Gregson, to approve this request. The motion carried by the following vote:**

**For:** 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

16. Consider a motion to reverse the City's Policy and Plans to convert Guadalupe and LBJ Streets to two-way traffic, and provide direction to Staff.

**A motion was made by Council Member Mihalkanin, seconded by Council Member Derrick, to approve the reversal of the City's Policy and Plans to convert Guadalupe and LBJ Streets to two-way traffic . The motion carried by the following vote:**

**For:** 5 - Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales and Council Member Derrick

**Against:** 2 - Mayor Thomaides and Council Member Gregson

VI. Question and Answer Session with Press and Public.

**None.**

VII. Adjournment.

**Mayor Thomaides adjourned the regular meeting of the San Marcos City Council at 8:20 p.m.**

**Jamie Lee Case, TRMC, City Clerk**

**John Thomaides, Mayor**

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