

CITY OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
October 17, 2019
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

Present: Mayor Manitzas and Mayor Pro Tem Elizondo
Council Members: Hartpence, Havard, Koerner, and Maxton

Absent: Council Member Patel

With a quorum present, the Mayor called the City Council meeting to order at 6:30 PM.

B. The Pledge of Allegiance was led by Mr. Robert Kolodziej, father of newly appointed Municipal Court Judge, Kim Keller.

II. CITIZENS and GUEST FORUM/PRESENTATIONS

A. Citizens to be heard:

1. John Hill, resident requested that the City Council remove Site A from consideration as a location for the elevated storage tank citing aesthetics and value of his home and its negative effect on security for his family.
 2. Nancy Hill, resident, informed the City Council that she had a petition signed by 395 residents to remove Site A from the list of possible locations for the elevated storage tank. She noted decrease of property values as a concern which would generate a decrease in property taxes for the City.
 3. Kris Purchatzke, representing Stone Creek Ranch as well, requested that the City Council remove Site A from the list of possible locations for the elevated storage tank. She noted that the possibility of an elevated storage tank being placed near their home was not disclosed to them or 10 other neighbors when purchasing their homes. She indicated that she wouldn't buy such a property had she been informed.
- B. Mayor Manitzas provided the Oath of Office to the City's new Municipal Court Judge, Kim Keller, and Municipal Court Prosecutor, Cynthia X. Trevino of Denton Navarro Rocha Bernal & Zech, P.C.
- C. Mayor Manitzas and Court Administrator Debbie Landrum recognized Court Clerk Maria Pinedo for achieving Court Clerk Level 1 Certification.
- D. Director of Human Resources & Communications, Joanna Merrill presented City Council with the Top Workplace Award. This award was a result of employee evaluations regarding company leadership, compensation and training, workplace flexibility and diversity.
- E. Ryan Sowa, P.E., of Kimley-Horn and Associates provided a summary of community workshops regarding the elevated storage tank. He noted of the five potential sites and three tank styles, residents have indicated preference for Site B (uninhabited site furthest to the east) and a composite style. Both of these selections result in the highest construction costs.

III. CONSENT AGENDA

- A. Approval of September 19, 2019 Regular City Council Meeting Minutes.**
- B. Approval of October 3, 2019 Regular City Council Meeting Minutes.**
- C. Approval of Council Member Havard's absence for the October 3, 2019 Council Meeting.**
- D. Approval of Council Member Patel's absence for the October 17, 2019 Council Meeting.**

The Mayor presented the Consent Agenda and with no discussion, the Consent Agenda was approved by unanimous consent.

IV. DISCUSSION/CONSIDERATION ITEMS

- A. Consideration and possible action approving the first reading of an Ordinance for a Special Use Permit allowing for a commercial equine boarding facility on land currently zoned Neighborhood Residential (NR) and commonly known as Setterfeld Estates 1A, Lot 1, Comal County Texas (30350 Ralph Fair Road, Fair Oaks Ranch, Texas)**

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Maxton to approve the first reading of the Ordinance as recommended by the P&Z Commission.

VOTE: 7-0; Motion Passed.

- B. Consideration and possible action authorizing the City Manager to sign a Professional Services Agreement for Auditing Services with ABIP, P.C.**

MOTION: Made by Council Member Havard, seconded by Mayor Pro Tem Elizondo to authorize the City Manager to sign the Professional Services Agreement ("Engagement Letter") with ABIP, P.C. for the FY 2018-19 audit at a cost of \$21,600 plus out of pocket expenses.

VOTE: 7-0; Motion Passed.

- C. Consideration and possible action approving the first reading of an Ordinance Amending Chapter 4 "Business Regulations: Article 4.02 "Solicitors" of the City of Fair Oaks Ranch Code of Ordinances.**

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Hartpence to approve the first reading of an Ordinance amending the City's Code of Ordinances Article 4.02 "Solicitors".

VOTE: 7-0; Motion Passed.

V. REPORTS FROM STAFF / COMMITTEES / COUNCIL

- A. Assistant City Manager, Carole Vanzant, provided an update on the Home Rule City Charter amendment election process.**

VI. CONVENE INTO EXECUTIVE SESSION

City Council did not convene into Executive Session regarding:

- A. 551.071 (Consultation with Attorney) - Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs Edward I. Hill, Robert E. Heckendorn, Craig M. Luitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.**

- B. 551.071 (Consultation with Attorney) - to receive legal advice regarding claims made on behalf of a real property owner against the City's operation of the K-3 Trinity Glen Rose Water Well.
- C. 551.071 (Consultation with Attorney) - to receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

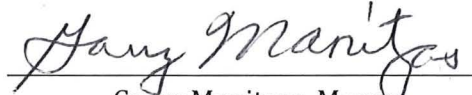
VII. RECONVENE INTO OPEN SESSION

- A. Not applicable.

VI. ADJOURNMENT

Council Member Elizondo requested that the Council review the list of criteria for the elevated storage tank and assign weights and values to balance between costs and aesthetics.

Mayor Manitzas adjourned the meeting at 8:07 PM.


Garry Manitzas, Mayor

ATTEST:


Christina Picioccio, City Secretary