

WOODWAY CITY COUNCIL MINUTES

May 10, 2021

The Woodway City Council met in a regular meeting in the Donald J. Baker Council Chambers at Woodway City Hall, 922 Estates Drive, Woodway, Texas, on Monday, May 10, 2021, at 5:30 p.m. The following individuals were in attendance:

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| Mayor: | Jane Kittner |
| Mayor Pro Tem: | Vic Sober |
| Councilmembers: | Scott A. Giddings, Amine Qourzal, David Mercer, David Russell and Storey Cook |
| Absent: | None |
| Councilmember Elect: | Gayle Avant |
| City Manager: | Shawn Oubre |
| City Secretary: | Donna Barkley |
| City Staff: | Lenny Caballero, William Klump, Mitch Davison and Bret Crook |
| Contract Staff: | Mike Dixon, City Attorney |
| Registered Guests: | Melissa and Branch Musil, 403 Silver Spur Trail, McGregor, TX 76657 Kay Avant, 7601 Tallahassee, Woodway, TX Laura Sheehy, 304 Appaloosa Trail, Waco Trip Sheehy, 304 Appaloosa Trail, Waco Dave Keyston, 400 Shadow Mountain, Woodway, TX |

CALL MEETING TO ORDER

Mayor Kittner called the meeting to order at 5:30 p.m.

INVOCATION

1. INVOCATION

Mayor Pro Tem Sober provided the invocation.

After the invocation, Mayor Pro Tem Sober left the meeting.

ANNUAL ORGANIZATION OF THE CITY COUNCIL

2. ADMINISTER OATH OF OFFICE TO NEWLY ELECTED COUNCILMEMBERS

City Secretary Donna Barkley administered the Oath of Office to Gayle Avant (Ward III, Place I), and Storey Cook (Ward II, Place I)

3. CONSIDER ACTION ON APPOINTMENT TO OFFICE OF MAYOR

Dr. Oubre, City Manager, opened the floor for nominations for the office of Mayor. Councilmember Russell nominated Jane Kittner, and Councilmember Giddings seconded. Dr. Oubre asked if there were any other nominations and, there being none, Dr. Oubre called for a vote of those in favor of Jane Kittner for Mayor, and Ms. Kittner was unanimously elected to serve as Mayor of Woodway for a term of one year.

WOODWAY CITY COUNCIL MINUTES

Page 2

May 10, 2021

4. CONSIDER ACTION ON APPOINTMENT TO OFFICE OF MAYOR PRO TEM

Dr. Oubre, City Manager, opened the floor for nominations for the office of Mayor Pro Tem. Councilmember Russell nominated Scott A. Giddings, and Mayor Kittner seconded. Dr. Oubre asked if there were any other nominations and, there being none, Dr. Oubre called for a vote of those in favor of Scott A. Giddings for Mayor Pro Tem, and Mr. Giddings was unanimously elected to serve as Mayor Pro Tem of Woodway for a term of one year.

5. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-21-06, DESIGNATING ROBERT'S RULES OF ORDER NEWLY REVISED (TWELFTH EDITION) TO BE THE COUNCIL'S RULES OF PROCEDURE

Mayor Pro Tem Giddings moved to adopt Resolution R-21-06, designating Roberts Rules of Order Newly Revised (Twelfth Edition), the most current edition, as the Council's rules of procedure. Councilmember Cook seconded, and the motion passed unanimously.

PRESENTATIONS AND VISITORS

6. HEAR VISITORS

No visitors came forward to speak at this time.

PUBLIC HEARINGS AND RELATED ACTION

7. A. PUBLIC HEARING ON APPLICATION FOR CHANGE IN ZONING CLASSIFICATION FROM "R-1" SINGLE FAMILY RESIDENTIAL TO "PUD" PLANNED UNIT DEVELOPMENT OF 38.686 ACRES LOCATED IN THE PETER J. MENARD SURVEY, ABSTRACT 612 IN THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS, DESCRIBED IN THE FIELD NOTES

Dr. Oubre stated that the request is to change the zoning from R-1 to a PUD. The developer is asking for a PUD because he wants to bring in a gated community. For you to consider a gated community it falls under a PUD category. Jacob Bell, the engineer with Walker Partners and the applicant, Mr. Musil are here to answer any questions. On April 27th, a public hearing was held on this item at the Planning and Zoning Committee meeting and they are recommending approval for your consideration.

Mayor Kittner opened the public hearing.

Jacob Bell with Walker Partners, 823 Washington Avenue, Waco, Texas is here to speak in favor of this item. He provided a presentation with a few PowerPoint slides that gave a site overview of the land. A Concept plan was provided along with the PUD Characteristics. He stated that the only reason they are requesting PUD is because the developer is wanting to gate the subdivision. Gating the subdivision requires the streets to be private, therefore, it cannot be R-1 Residential without a variance for every single lot. The intent is absolutely Single Family Residential. They intend to design the streets to City standards and may be a little wider than the City minimum but it will be designed to City standards and specs and within access easements. Water, wastewater and storm drain will be public within easements and stormwater detention ponds like all developments in Woodway will be private but within

WOODWAY CITY COUNCIL MINUTES

Page 3

May 10, 2021

easements so the City can access if necessary. There will be a homeowner's association and architectural controls by deed restrictions on each lot and home. There will be green spaces or common areas with landscaping and enhanced pavement in select locations. He also provided several slides of concept images.

With no one else to speak in favor or to speak in opposition, the Mayor closed the public hearing.

- B. DISCUSSION AND CONSIDER ACTION ON ORDINANCE 21-03, AMENDING THE ZONING CLASSIFICATION FROM "R-1" SINGLE FAMILY RESIDENTIAL TO "PUD" PLANNED UNIT DEVELOPMENT OF 38.686 ACRES LOCATED IN THE PETER J. MENARD SURVEY, ABSTRACT 612 IN THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS, DESCRIBED IN THE FIELD NOTES

There were questions and brief discussion.

Councilmember Qourzal moved to approve Ordinance 21-03, amending the zoning classification from "R-1" Single Family Residential to "PUD" Planned Unit Development of 38.686 acres located in the Peter J. Menard Survey, Abstract 612 in the City of Woodway, McLennan County, Texas, described in the field notes and to include single family homes and construction of streets and utilities built to City standards. Any deviation from single family or constructing infrastructure to City standards shall require reapplying for the PUD zoning. Councilmember Russell seconded, Mayor Kittner read aloud the caption of the ordinance as required, and the motion passed unanimously.

ITEMS FOR INDIVIDUAL DISCUSSION, CONSIDERATION AND/OR ACTION

- 8. DISCUSSION AND CONSIDER ACTION ON AUTHORIZING THE CITY MANAGER TO HIRE WALKER PARTNERS FOR ENGINEERING SERVICES FOR THE IMPROVEMENTS TO THE ACORN PUMP STATION

Dr. Oubre provided this is similar to the Hwy 84 pump station improvements. There are six pump stations in the City and this will begin the process to change out the next one, which is Acorn.

Mayor Pro Tem Giddings moved to authorize the City Manager to execute a task order with Walker Partners for engineering services for the improvements to the Acorn pump station. Councilmember Qourzal seconded and the motion passed unanimously.

CONSENT AGENDA

- 9.
 - A. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD APRIL 26, 2021, AT 5:30 P.M.
 - B. DISCUSSION AND CONSIDER ACTION ON ANNUAL APPOINTMENTS AND REAPPOINTMENTS TO THE WOODWAY BOARDS AND COMMISSIONS
 - C. DISCUSSION AND CONSIDER ACTION ON ADOPTING RESOLUTION R-21-07, SUPPORTING THE CITY OF WACO'S APPLICATION TO TCEQ FOR CERTIFICATION OF A MUNICIPAL SETTINGS DESIGNATION ("MSD") FOR THE RIVERFRONT

WOODWAY CITY COUNCIL MINUTES

Page 4

May 10, 2021

PROPERTY GENERALLY LOCATED AT TIF ZONES 1, 2 AND 3 PLUS ADDITIONAL PROPERTIES ADJACENT TO THE ELM AVENUE CORRIDOR OF TIF ZONE 1

- D. DISCUSSION AND CONSIDER ACTION ON ADOPTING RESOLUTION R-21-08, SUPPORTING THE LG SPEIGHT, LLC APPLICATION TO TCEQ FOR CERTIFICATION OF A MUNICIPAL SETTINGS DESIGNATION FOR THE PROPERTY GENERALLY LOCATED AT 1508-1524 SPEIGHT AVENUE NEXT TO THE FUEGO AND VITEK'S RESTAURANTS IN THE CITY OF WACO, TEXAS

Dr. Oubre provided comments on items C and D. No items were removed from the Consent Agenda.

10. DISCUSSION AND CONSIDER ACTION ON CONSENT AGENDA

Mayor Pro Tem Giddings moved the Consent Agenda be approved as follows:

- A. Approve the minutes of the of the regular City Council meeting held April 26, 2021, at 5:30 p.m.
- B. Confirm the appointments to the various Woodway boards and commissions as recommended by the City Council Nominating Committee.
- C. Adopt Resolution R-21-07, supporting the City of Waco's Application to TCEQ for Certification of a Municipal Settings Designation ("MSD") for the riverfront property generally located at TIF Zones 1, 2 and 3 plus additional properties adjacent to the Elm Avenue corridor of TIF Zone 1
- D. Adopt Resolution R-21-08, supporting the LG Speight, LLC Application to TCEQ for Certification of a Municipal Settings Designation for the property generally located at 1508-1524 Speight Avenue next to the Fuego and Vitek's Restaurants in the City of Waco, Texas

Councilmember Russell seconded the motion, and the motion passed unanimously.

CITY MANAGER AND CITY COUNCIL REPORTS

11. CITY MANAGER'S REPORT

Mr. Oubre provided information on the following:

- Will finish the Public Safety building leveling project with contingency funds in the amount of \$9,800.00.
- He and Dr. Caballero met with Logan Owens with Tex-Mix in Hutto last week. He is open to the idea of working with us on the Bush Drive improvements.
- There is a special called meeting for May 19th to discuss funding sources for the upcoming bond service
- We are trying to open up the Pavilion for local and regional use during the daytime hours. I plan on bringing back to you an amended fee schedule to bring some of the pricing down to be competitive with the day use venues.

WOODWAY CITY COUNCIL MINUTES

Page 5

May 10, 2021

12. CITY COUNCIL REPORTS

Mayor Pro Tem Giddings stated that the Youth Commission meeting was scheduled on Thursday of last week but was one short of a quorum. They will begin meeting again in August.

Mayor Kittner stated she and Councilmember Cook attended the Mother/Daughter brunch at the Pavilion. It was nicely done, the music was beautiful and the food was good. Councilmember Cook agreed and really enjoyed the musicians.

Councilmember stated that the Youth Commission has a park clean-up day scheduled on May 15th.

CLOSING ITEMS

13. CONSIDER ACTION ON ADJOURNMENT

Mayor Pro Tem Giddings moved to adjourn the meeting. Councilmember Qourzal seconded the motion, and the motion passed unanimously. The meeting adjourned at 6:20 p.m.

Donna Barkley, City Secretary

Jane Kittner, Mayor