

WOODWAY CITY COUNCIL MINUTES

September 27, 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, September 27, 2021, at 5:30 p.m. The following individuals were in attendance:

Mayor:	Jane Kittner
Mayor Pro Tem:	Scott A. Giddings
Councilmembers:	Amine Qourzal, David Mercer, David Russell, Storey Cook and Gayle Avant
Absent:	None
City Manager:	Shawn Oubre
City Secretary:	Donna Barkley
City Staff:	Lenny Caballero, William Klump, John Norman, Bret Crook and Larry Adams
Contract Staff:	None
Registered Guests:	Chris Qualls, 2740 Mountainview Dr., Waco, TX Walt and Tatyana Strickland, 8917 Raven Dr., Woodway, TX

CALL MEETING TO ORDER

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

INVOCATION

1. INVOCATION

Councilmember Qourzal provided the invocation.

PRESENTATIONS AND VISITORS

2. PRESENTATION OF YARD OF THE MONTH AWARD FOR THE MONTH OF SEPTEMBER

Mayor Kittner and Chief Crook presented the Yard of the Month award to the Strickland Family, 8917 Raven Dr.

3. HEAR VISITORS

Councilmember Qourzal provided that he is a part of the Executive Mentoring Committee as part of the Greater Waco Chamber and has invited Mr. Chris Qualls to attend tonight's meeting as he is very interested in politics.

No other visitors came forward to speak at this time.

PUBLIC HEARINGS AND RELATED ACTION

4. A. PUBLIC HEARING ON APPROVAL OF FINAL REPLAT OF LOT 69, BLOCK A,

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RAINBOW LAKE ADDITION, BEING A 1.223 ACRE TRACT OF LAND, BEING LOTS 31 THROUGH 33, BLOCK A, RAINBOW LAKE ADDITION, AN ADDITION TO THE CITY OF WOODWAY, RECORDED IN VOLUME 275, PAGE 278, DEED RECORDS, MCLENNAN COUNTY, TEXAS, (D.R.M.C.T.), AND TWO TRACTS OF LAND, IN THE MOSES ALLEN, SURVEY, CONVEYED TO ERIC AND JULIE LOUDAMY, AS DESCRIBED IN A DEED, RECORDED IN INSTRUMENT NO. 2021026297, D.R.M.C.T.

Dr. Oubre provided this is a property at Rainbow Lake. The main reason for this item is that the City Ordinance requires tracts of land to front or have a connection to a public city street. The streets in Rainbow Lake are privately owned streets. When someone is trying to develop a plat, they need to ask for a waiver for the piece of land that does not front a city street. The applicant is Shelby Hoffman. Staff is asking for a conditional approval due to a few issues needing to be worked out. The Planning and Zoning took action on September 14th and recommends approval.

Mayor Kittner opened the public hearing. Mr. Eric Loudamy, 1607 Oak Hollow, owner of the property, spoke in favor. He and his wife are trying to build a house on this property. With no one else speaking in favor nor in opposition, Mayor Kittner closed the public hearing.

- B. DISCUSSION AND CONSIDER ACTION ON APPROVAL OF FINAL REPLAT OF LOT 69, BLOCK A, RAINBOW LAKE ADDITION, BEING A 1.223 ACRE TRACT OF LAND, BEING LOTS 31 THROUGH 33, BLOCK A, RAINBOW LAKE ADDITION, AN ADDITION TO THE CITY OF WOODWAY, RECORDED IN VOLUME 275, PAGE 278, DEED RECORDS, MCLENNAN COUNTY, TEXAS, (D.R.M.C.T.), AND TWO TRACTS OF LAND, IN THE MOSES ALLEN, SURVEY, CONVEYED TO ERIC AND JULIE LOUDAMY, AS DESCRIBED IN A DEED, RECORDED IN INSTRUMENT NO. 2021026297, D.R.M.C.T.

Councilmember Cook moved to approve the variance as requested and conditionally approve the final plat of Lot 69, Block A, Rainbow Lake Addition, being a 1.223 acre tract of land, being Lots 31 through 33, Block A, Rainbow Lake Addition, an addition to the City of Woodway, recorded in Volume 275, Page 278, Deed Records, McLennan County, Texas, (D.R.M.C.T.), and two tracts of land, in the Moses Allen, Survey, conveyed to Eric and Julie Loudamy, as described in a Deed, recorded in Instrument No. 2021026297, D.R.M.C.T. Councilmember Russell seconded the motion, and the motion passed unanimously.

ITEMS FOR INDIVIDUAL DISCUSSION, CONSIDERATION AND/OR ACTION

5. DISCUSSION AND CONSIDER ACTION ON AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RBDR FOR ARCHITECTURAL DESIGNS FOR THE NEW FAMILY CENTER FACILITIES

Dr. Oubre provided that staff has been working on this for several years and recently staff has worked with RBDR for the conceptual drawings of the Family Center. RBDR will use the expertise of Langerman Foster for geotechnical work, Jim Winton Engineering, Summit for mechanical electrical work and Walker Partners for civil engineering. This contract will work through schematic design, design phase services, construction documents, bidding, as well as services once construction is underway.

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There were a few questions and a brief discussion.

Mayor Pro Tem Giddings moved to authorize the City Manager to enter into an agreement with RBDR for architectural designs for the new Family Center facilities. Councilmember Avant seconded the motion, and the motion passed unanimously.

6. DISCUSSION AND CONSIDER ACTION ON PROHIBITING OPEN AND CONCEALED CARRY BY LICENSED HANDGUN OWNERS IN A PUBLIC MEETING

Dr. Oubre provided information on the updated legislative changes regarding prohibiting carrying a handgun into a meeting which is subject to the Open Meetings Act. Chief Crook and Assistant Chief Adams were in attendance to answer any additional questions.

There were a couple of questions and a brief discussion.

Councilmember Avant moved to approve prohibiting licensed handgun owners from carrying handguns into a room where a body subject to Open Meetings Act is meeting and the staff prepare necessary signage. Councilmember Qourzal seconded the motion, and the motion passed unanimously.

7. DISCUSSION AND CONSIDER ACTION ON AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS TO FILE AS CLAIMANT FOR PROCEEDS FROM TEXAS ATTORNEY GENERAL'S SETTLEMENT WITH JOHNSON & JOHNSON, AMERISOURCEBERGEN, CARDINAL HEALTH AND MCKESSON

Dr. Oubre provided that staff has been watching this opioid epidemic for the past three years and how it has put a strain on local government costs, county government and local hospitals. A class action suit was filed by State attorney generals throughout the United States and there is currently a settlement being accepted. A \$26 billion settlement was reached with four current defendants. The settlement for Texas is about \$1.5 billion, and the settlement will be paid out over eighteen (18) years. Money from this settlement must be used for fighting the opioid crisis or reimbursing government entities for their costs associated with the crisis. An estimate of the City of Woodway's direct payment would be \$25,713.00.

There was a brief discussion.

Councilmember Cook moved to authorize the City Manager to execute necessary documents to file as claimant for proceeds from Texas Attorney General's settlement with Johnson & Johnson, AmeriSourceBergen, Cardinal Health and McKesson. Mayor Pro Tem Giddings seconded the motion, and the motion passed unanimously.

CONSENT AGENDA

8. A. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD SEPTEMBER 13, 2021, AT 5:30 P.M.

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- B. DISCUSSION AND CONSIDER ACTION ON APPROVING REFUND OF \$117,634.29 IN LOCAL SALES AND USE TAXES TO THE TEXAS STATE COMPTROLLER'S OFFICE
- C. DISCUSSION AND CONSIDER ACTION ON AWARD OF BID 21-05, CITY OF WOODWAY BRYCE DRIVE DRAINAGE IMPROVEMENTS
- D. DISCUSSION AND CONSIDER ACTION ON ADOPTING THE REVISED PERSONNEL POLICY AS PRESENTED

Dr. Oubre provided comments on items B, C and D. Councilmember Qourzal moved to remove Item D for separate discussion. Councilmember Cook seconded the motion, and the motion passed unanimously.

9. DISCUSSION AND CONSIDER ACTION ON CONSENT AGENDA

Councilmember Qouzal moved the Consent Agenda be approved as follows:

- A. Approve the minutes of the of the regular City Council meeting held September 13, 2021, at 5:30 p.m.
- B. Authorize net expenditure in the amount of \$115,281.60 to the Texas State Comptroller's Office to refund local sales and use taxes
- C. Award Bid #21-05, City of Woodway Bryce Drive Drainage Improvements, to Barnett Contracting, in the amount of \$56,260.00

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

8. D. DISCUSSION AND CONSIDER ACTION ON ADOPTING THE REVISED PERSONNEL POLICY AS PRESENTED

There was a brief discussion addressing intimate relationships between co-workers. Dr. Oubre had also recommended an addition of "in-laws" to the bereavement policy.

Councilmember Qourzal moved to adopt the new revised Personnel Policy for all City Employees as presented with the addition of "in-laws" added to the bereavement policy. Councilmember Russell seconded the motion, and the motion passed unanimously.

EXECUTIVE SESSION

- 10. NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL WILL GO INTO EXECUTIVE SESSION IN ACCORDANCE WITH THE FOLLOWING PROVISIONS OF THE GOVERNMENT CODE: SEC. 551.074(A)(1), THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A CITY OFFICER OR EMPLOYEE (ANNUAL EVALUATION OF THE CITY MANAGER)

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Mayor Kittner closed the open meeting at 6:14 p.m.

Mayor Kittner reconvened the open meeting at 6:47 p.m.

CITY MANAGER AND CITY COUNCIL REPORTS

11. CITY MANAGER'S REPORT

- Provided an aerial video update of the Sewer Project
- Available property for sale that the City may be interested in
- Memo sent regarding possible charter amendment and Councilmember Qourzal has asked for an agenda item in the future
- Reminder of the October 4th Council meeting

12. CITY COUNCIL REPORTS

Councilmember Cook reported that the Parks and Recreation Commission met on the previous Thursday. She is very encouraged by the participation level of the members. Dr. Caballero implemented an idea where every Commissioner is responsible for overseeing a city park. There was also an update from Mr. Norman on the dog park at Whitehall.

Councilmember Cook also provided an update from the Arboretum Committee. The Committee is looking at how to make the Arboretum a place where community can gather, be an attraction for tourist with a heavy emphasis on a children's area and gardens.

CLOSING ITEMS

13. CONSIDER ACTION ON ADJOURNMENT

Mayor Pro Tem Giddings moved to adjourn the meeting. Councilmember Russell seconded the motion, and the motion passed unanimously. The meeting adjourned at 6:59 p.m.

Donna Barkley, City Secretary

Jane Kittner, Mayor