

WOODWAY CITY COUNCIL MINUTES

May 23, 2022 – 2:00 p.m.

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 23, 2022, at 2:00 p.m. The following individuals were in attendance:

Mayor:	Jane Kittner/Amine Qourzal
Mayor Pro Tem:	Scott A. Giddings
Councilmembers:	David Russell, Storey Cook, Gayle Avant, Janell Gilman and John Williams

Absent:	David Mercer
City Manager:	Shawn Oubre
City Secretary:	Donna Barkley
City Staff:	John Norman, Larry Adams, Khalil El-Halabi and Keith Lowery
Contract Staff:	Mike Dixon, City Attorney
Registered Guests:	Lisa Qourzal, 11000 Sandalwood, Woodway David & Cheryl Keyston, 400 Shadow Mountain Drive, Woodway Gary Gilman, 420 Broughton Dr., Woodway Kathy Endres, 209 Trailwood Dr., Woodway Patty Castillo, 161 Stonelake Dr., Woodway Geri Shows, 10011 Stony Point, Woodway Larry Jackson, 8503 Gladedale Dr., Woodway Stephanie West, 1909 Real Dr., Waco Angela Granger, 1794 Warren Rd., Lorena Sue Clayton Karen Ellis, 4512 Anlo Avenue, Waco Connie Combs, 921 Greenwood Ln, Waco Dwain Moss, 802 Forest Oaks, Woodway Nancy Goebel, 14007 Horseshoe Circle, Woodway Carla Gray, 9000 Ridge Point Dr., Dorothy Cadendhead, P.O. Box 1065, Buffalo, TX David Bellow, 136 E. Broad St., Oakwood, TX

CALL MEETING TO ORDER

Mayor Kittner called the meeting to order at 2:00 p.m.

INVOCATION

1. INVOCATION

Councilmember Qourzal provided the invocation.

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ANNUAL ORGANIZATION OF THE CITY COUNCIL

2. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-22-10, DECLARING THE RESULTS OF THE MAY 7, 2022, GENERAL CITY ELECTION

Dr. Oubre stated the City's Canvassing Board met on May 18, 2022. The City contracts with the County to conduct the election. The following seats were open: Ward 1, Place 2 – Amine Qourzal, Ward, 2, Place 2 – Scott Giddings who is terming out and Ward 3, Place 2 - Jane Kittner, who is terming out. The total votes cast in the May 7th election was 1,068, with 111 votes for Nancy Goebel, 431 for David Henry, Sr. and 526 for Amine Qourzal. Ward 2, Place 2 – John Williams ran unopposed. Ward 3, Place 2 – Janell Gilman ran unopposed. Since no candidate running for Ward 1, Place 2 received a majority of votes, a runoff election will be held.

Councilmember Cook moved to adopt Resolution R-22-10, declaring the results of the May 7, 2022, City Council election. Mayor Pro Tem Giddings seconded, and the motion passed unanimously by the Councilmembers present.

3. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-22-11, ORDERING RUNOFF ELECTION TO BE HELD JUNE 28, 2022 AND OTHER MATTERS HERETO

Dr. Oubre stated that he and staff appreciated Jane and Scott's years of service and commitment to the City, staff and citizens. He than provided that this resolution is to call for a runoff election for Ward 1, Place 2 between David Henry, Sr. and Amine Qourzal. The election date is June 28, 2022 from 7 a.m. to 7 p.m. All early voting and election day voting will be held here in the Council Chambers at City Hall. Early voting will occur June 16 - 17 and June 21 -24 between 8 a.m. and 5 p.m.

Mayor Pro Tem Giddings moved to adopt Resolution R-22-11, ordering the Runoff Election to be held June 28, 2022 and other matters hereto. Councilmember Russell seconded, and the motion passed unanimously by the Councilmembers present.

4. ADMINISTER OATH OF OFFICE TO NEWLY ELECTED COUNCILMEMBERS

City Secretary, Donna Barkley administered the Oath of Office to Janell Gilman (Ward 3, Place 2) and John W. Williams (Ward 2, Place 2). Both Councilmembers took their seats with the Council.

5. CONSIDER ACTION ON APPOINTMENT TO OFFICE OF MAYOR

Mr. Dixon opened the floor for nominations for the office of Mayor. Councilmember Avant nominated Amine Qourzal, and Councilmember Cook seconded the nomination.

Mr. Dixon called for a vote by show of hands for those in favor of Amine Qourzal for Mayor and Mr. Qourzal was unanimously elected to serve as Mayor of Woodway for a term of one year.

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

Mr. Dixon open the floor for nominations for the Office of Mayor Pro Tem. Councilmember Cook nominated David Mercer. Councilmember Avant nominated David Russell.

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Mr. Dixon called for a vote by show of hands for those in favor of David Russell for Mayor Pro Tem. Councilmember Avant, Councilmember Russell and Councilmember Gilman voted in favor. He then asked for a show of hands for those in opposition of David Russell for Mayor Pro Tem. Councilmember Cook, Mayor Qourzal and Councilmember Williams voted in opposition. The vote ended in a 3-3 tie.

Mr. Dixon then called for a vote by show of hands in favor of David Mercer for Mayor Pro Tem. Councilmember Cook, Mayor Qourzal and Councilmember Williams voted in favor. He then asked for a show of hands for those in opposition of David Mercer for Mayor Pro Tem. Councilmember Avant, Councilmember Russell and Councilmember Gilman voted in opposition. The vote ended in a 3-3 tie.

Mr. Dixon asked if there were any other nominations and there were none. Since neither nomination received a majority of the votes, the selection of Mayor Pro Tem will be moved to the June 13th City Council meeting.

7. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-22-12, DESIGNATING ROBERT'S RULES OF ORDER NEWLY REVISED (TWELFTH EDITION) TO BE THE COUNCIL'S RULES OF PROCEDURE

Mayor Qourzal called for a motion to open this item for discussion. Councilmember Cook moved to open the item for discussion and Councilmember Avant seconded.

Dr. Oubre provided that this is required by the City Charter.

There was no discussion.

Councilmember Avant moved to adopt Resolution R-22-12, designating Robert's Rules of Order Newly Revised (Twelfth Edition) as the Council's rules of procedure. Councilmember Russell seconded, and the motion passed unanimously by the Councilmembers present.

PUBLIC HEARINGS AND RELATED ACTION

8. A. PUBLIC HEARING ON SITE DEVELOPMENT IN A PLANNED DISTRICT (DRIVE THROUGH COFFEE SHOP) LOT 10, BLOCK 1, OF THE WOODWAY ELEMENTARY SCHOOL ADDITION TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS, LOCATED AT 9000 JORDAN LANE

Dr. Oubre provided information regarding this development and provided an aerial of the property on a PowerPoint presentation. There is one exception requested for you to consider. The Planning and Zoning heard this at the first required public hearing on May 10th and is recommending approval of the Site Development and the exception request to move the boundary trees. Because of the depth in the setback of the utilities in the existing area, it does not allow the area to include all the landscaping so what they are asking to do is include all the necessary landscaping at a minimum required in our ordinance, but just pull it further back.

Mayor Qourzal opened the public hearing.

Sam Moore, 5750 Genesis Court, Frisco, Texas spoke in favor of the development. This is for a Dutch Bros

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Coffee Shop and it will be right behind Walgreens. The only exception they are requesting is to be able to remove the tree from the street yard on Estates Drive, because there are utility easements there. We prefer not to plant anything within a utility easement for the City. Instead, we will move it on the interior side of the lot.

Questions answered by Mr. Moore.

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

8. B. DISCUSSION AND CONSIDER ACTION ON SITE DEVELOPMENT IN A PLANNED DISTRICT (DRIVE THROUGH COFFEE SHOP) LOT 10, BLOCK 1, OF THE WOODWAY ELEMENTARY SCHOOL ADDITION TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS, LOCATED AT 9000 JORDAN LANE

Mayor Qourzal called for a motion to open this item for discussion. Councilmember Russell moved to open this item for discussion and Councilmember Cook seconded.

There were no further comments by the City Manager.

Councilmember Cook moved to approve the request of a Site Development in a Planned District along with the exception requested by the applicant for a (Drive Through Coffee Shop) Lot 10, Block 1, of the Woodway Elementary School Addition to the City of Woodway, McLennan County, Texas, located at 9000 Jordan Lane. Councilmember Russell seconded and the motion passed unanimously by the councilmembers present.

9. A. PUBLIC HEARING ON APPLICATION TO DEVELOP AND SITE DEVELOPMENT IN A PLANNED DISTRICT (COMMERCIAL REMODEL FOR SOUTHPAW INK) ON A .4807 ACRE TRACT, MOSES ALLEN SURVEY TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS LOCATED AT 7604 WOODWAY DRIVE AND BEING FURTHER DESCRIBED IN THE FIELD NOTES

Dr. Oubre provided this item includes the Application to Develop and the Site Development together. This is located next to Slow Rise Pizza off Highway 84. There is a request for exception of the ordinance to build a landscaping berm or allow planting that is required in the ordinance because of the TexDOT ROW and the existing drive doesn't permit. This has been before the Planning & Zoning Commission on May 10, 2022 and they recommend approval along with the requested exception. There was an aerial view of the property provided.

Mayor Qourzal opened the public hearing.

Dave Bellow, 136 E. Broad St., Oakwood, Texas, spoke in favor. He stated that before they bought the property, they had approached the City verifying this type of business would be approved. Sterling Thompson, local architect, drew up the plans. This will be a high-end tattoo studio by appointment only. The clientele is national. The exterior of the building is being completely renovated and will be stunningly gorgeous inside and out. Casey Privette is the gentleman owning the location and his mother, Dorothy Caidenhead is here and she won an award for a store they have in Oakwood. It was voted the best new store/redesign in the entire country. They expect this location will be similar.

Questions were asked and answered regarding the requested exception.

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Various other questions were answered.

Ms. Dorothy Caidenhead, Buffalo, TX, spoke in favor and provided the types of grasses they could plant without doing the berm, so it wouldn't take up as much footage. It is the same grass in front of the restaurant next door and this would make it uniform.

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

B. DISCUSSION AND CONSIDER ACTION ON APPLICATION TO DEVELOP IN A PLANNED DISTRICT (COMMERCIAL REMODEL FOR SOUTHPAW INK) ON A .4807 ACRE TRACT, MOSES ALLEN SURVEY TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS LOCATED AT 7604 WOODWAY DRIVE AND BEING FURTHER DESCRIBED IN THE FIELD NOTES

Mayor Qourzal asked for a motion to open this item for discussion. Councilmember Russell moved to open this item for discussion and Councilmember Cook seconded.

Mr. Dixon provided that it is important to note that with regards to the Application to Develop – the area is properly zoned for this business.

Dr. Oubre provided information regarding the exception will be more applicable for Item "C" under the site development.

Councilmember Williams moved to approve the request for an Application to Develop in a Planned District (Commercial Remodel for Southpaw Ink) on a .4807 acre tract, Moses Allen Survey to the City of Woodway, McLennan County, Texas, located at 7604 Woodway Drive and being further described in the field notes. Councilmember Gilman seconded and the motion passed with a 4-2 vote, with Councilmember Russell and Councilmember Avant voting against.

C. DISCUSSION AND CONSIDER ACTION ON SITE DEVELOPMENT IN A PLANNED DISTRICT (COMMERCIALREMODEL FOR SOUTHPAW INK) ON A .4807 ACRE TRACT, MOSES ALLEN SURVEY TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS LOCATED AT 7604 WOODWAY DRIVE AND BEING FURTHER DESCRIBED IN THE FIELD NOTES

Councilmember Russell and Councilmember Williams had concerns regarding the requested exception.

There was a brief discussion.

Councilmember Russell moved to deny the exception request and that the applicant submit a different proposal. Councilmember Williams seconded. There was no vote.

Councilmember Russell moved to amend the motion to approve the site development plan and deny the requested exception. Councilmember Williams seconded and the motion passed unanimously by the councilmembers present.

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CONSENT AGENDA

The Consent Agenda consists of non-controversial, routine and budgeted items which require no public hearing. The Consent Agenda is subject to being approved with one single motion; however, the Mayor or any City Councilmember may remove any item from the Consent Agenda for separate discussion and consideration.

10. A. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 9, 2022, AT 5:30 P.M.
- B. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE SPECIAL MEETING OF THE CANVASSING BOARD HELD MAY 18, 2022, AT 9:00 A.M.
- C. DISCUSSION AND CONSIDER ACTION ON APPOINTMENT TO THE WOODWAY YOUTH COMMISSION
- D. DISCUSSION AND CONSIDER ACTION ON ACCEPTANCE OF RESIGNATION OF BOB HOWARD FROM THE PLANNING & ZONING COMMISSION
- E. DISCUSSION AND CONSIDER ACTION ON AUTHORIZING THE CITY MANAGER TO ENTER INTO A STANDARD PROFESSIONAL SERVICES AGREEMENT WITH BUREAU VERITAS NORTH AMERICA, INC.
- F. DISCUSSION AND CONSIDER ACTION ON AWARD OF BID #22-03, 2022 MICRO-SURFACING IMPROVEMENTS
- G. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-22-13 AMENDING THE CITY OF WOODWAY MASTER FEE SCHEDULE

Mayor Qourzal asked if there were any items to be removed for separate discussion? Councilmember Russell asked to move Item E for separate discussion.

11. DISCUSSION AND CONSIDER ACTION ON CONSENT AGENDA

Dr. Oubre provided information on Items C, D, F and G.

Councilmember Cook moved that the Consent Agenda be approved as follows:

- A. Approve the minutes of the regular City Council meeting held May 9, 2022, at 5:30 p.m.
- B. Approve the minutes of the special meeting of the Canvassing Board held May 18, 2022, at 9:00 a.m.
- C. Confirm the appointment as recommended by the City Council Nominating Committee
- D. Accept the resignation from Planning & Zoning Commission Member, Bob Howard

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- F. Award Bid #22-03, City of Woodway 2022 Micro-Surfacing Improvements, to Intermountain Slurry Seal in the amount not to exceed \$300,000.00
- G. Adopt Resolution R-22-13, amending the City of Woodway Master Fee Schedule

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

- 10. E. DISCUSSION AND CONSIDER ACTION ON AUTHORIZING THE CITY MANAGER TO ENTER INTO A STANDARD PROFESSIONAL SERVICES AGREEMENT WITH BUREAU VERITAS NORTH AMERICA, INC.

Mayor Qourzal asked for a motion to discuss this item. Councilmember Russell moved to open discussion for this item. Councilmember Cook seconded.

Dr. Oubre provided information on this item.

There was a brief discussion.

Councilmember Avant moved to authorize the City Manager to enter into a standard professional services agreement with Bureau Veritas North America, Inc. Councilmember Williams seconded, and the motion passed unanimously by the councilmembers present.

VISITORS

12. HEAR VISITORS

The following Woodway citizens were in attendance and spoke regarding recent appraisal evaluations and taxes:

- Dwain Moss, 802 Horseshoe Circle, Woodway, TX
- Daniel Whitby, 1506 Wandering Trail, Woodway, TX
- Bruce Hamelin, 1507 Wandering Trail, Woodway, TX
- David Bellow, 136 E. Broad St., Oakwood, TX – Re: Remodel for Southpaw Ink, addressed concerns about a berm and parking space
- Lori Whitsell, 431 Woodfall Drive, Woodway, TX, - Does not like that visitors are limited to three minutes of speaking

CITY MANAGER AND CITY COUNCIL REPORTS

- 13. CITY MANAGER'S REPORT (BRIEFINGS OR UPDATES MAY BE PROVIDED REGARDING CITY SERVICES, ADMINISTRATIVE/PERSONNEL MATTERS, REAL ESTATE/DEVELOPMENT, INFRASTRUCTURE, EVENTS, REGULATIONS, COMMUNITY AND INTERGOVERNMENTAL RELATIONS ISSUES)

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Dr. Oubre provided:

- City Office closed Monday in observance of Memorial Day
- Per the City's Charter, there is one meeting in June and July
- The next City Council meeting is June 13th

14. CITY COUNCIL REPORTS (BRIEFINGS OR UPDATES MAY BE PROVIDED REGARDING CITY COUNCIL COMMITTEE AND LIAISON ASSIGNMENTS)

Councilmember Cook provided that the Parks and Recreation Commission will meet on Thursday at 5:30 p.m.

Mayor Qourzal welcomed the new Councilmembers, Janell Gilman and John Williams.

CLOSING ITEMS

15. CONSIDER ACTION ON ADJOURNMENT

Councilmember Avant moved to adjourn the meeting. Councilmember Russell seconded the motion, and the motion passed unanimously. The meeting adjourned at 3:27 p.m.

Donna Barkley, City Secretary

Amine Qourzal, Mayor