

WOODWAY CITY COUNCIL MINUTES

September 12, 2022 – 5:30 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, September 12, 2022, at 5:30 p.m. The following individuals were in attendance:

Mayor:	Amine Qourzal
Mayor Pro Tem:	David Mercer
Councilmembers:	David Russell, Storey Cook, Janell Gilman and John Williams
City Manager:	Shawn Oubre
City Secretary:	Donna Barkley
City Staff:	Lenny Caballero, William Klump, Brenda Hernandez, Mitch Davison, Bret Crook and Khalil El-Halabi
Contract Staff:	David Shaw, City Attorney
Registered Guests:	Lori Whitsell, 431 Woodfall Dr., Woodway Gary Guman, Broughton, Woodway Dave Keyston, 400 Shadow Mountain Drive, Woodway

CALL MEETING TO ORDER

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

INVOCATION

1. INVOCATION

Councilmember Russell provided the invocation.

PUBLIC HEARINGS AND RELATED ACTION

2. A. PUBLIC HEARING ON APPLICATION TO DEVELOP IN A PLANNED DISTRICT (ADDITIONAL STORAGE FACILITY FOR UBI) LOT 18, BLOCK 1, OF THE BUSH INDUSTRIAL ADDITION TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS, LOCATED AT 22003 BUSH DRIVE

Mayor Qourzal opened the public hearing.

Dr. Oubre provided information regarding their request to add additional storage on their property. An aerial view was shown on the PowerPoint presentation.

Since there was no one present to speak in favor or in opposition of the Application to Develop, Mayor

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Qourzal closed the public hearing.

- B. DISCUSSION AND CONSIDER ACTION ON APPLICATION TO DEVELOP IN A PLANNED DISTRICT (ADDITIONAL STORAGE FACILITY FOR UBI) LOT 18, BLOCK 1, OF THE BUSH INDUSTRIAL ADDITION TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS, LOCATED AT 22003 BUSH DRIVE

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

There were no additional comments by the City Manager.

Councilmember Cook moved to approve the request of an Application to Develop in a Planned District (Additional Storage Facility for UBI) Lot 18, Block 1, Bush Industrial Park Addition, located at 22003 Bush Drive, Woodway, Texas. Councilmember Russell seconded, and the motion passed by a five to one vote. Mayor Pro Tem Mercer voted Nay to the process, not the application.

- 3. A. PUBLIC HEARING ON CONTINUATION OF YOUTH CURFEW ORDINANCE

Mayor Qourzal opened the public hearing.

Dr. Oubre provided that every three years the City has to review the Youth Curfew Ordinance. This ordinance is used as a tool by the police department. Staff recommends the ordinance be continued.

Chief Crook added additional comments.

With there being no one to speak in favor or in opposition of this item, Mayor Qourzal closed the public hearing.

- B. DISCUSSION AND CONSIDER ACTION ON ABOLISHMENT, CONTINUATION OR MODIFICATION OF ORDINANCE 98-24, THE YOUTH CURFEW ORDINANCE

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

There was a brief discussion.

Councilmember Russell moved to continue the City's Youth Curfew Ordinance 98-24, as adopted on October 12, 1998. Councilmember Williams seconded, and the motion passed unanimously by the Councilmembers present.

ITEMS FOR INDIVIDUAL DISCUSSION, CONSIDERATION AND/OR ACTION

4. DISCUSSION AND CONSIDER ACTION ON AUTHORIZING THE TRANSFER OF FUNDS FROM THE TOURISM FUND AND THE GENERAL FUND TO THE ARBORETUM CONSTRUCTION FUND

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

Dr. Oubre provided comments.

Dr. Caballero provided a brief PowerPoint presentation of current progress on the grounds at the Arboretum and the needs to complete this project in order to get the Arboretum opened to the public.

Questions were answered and there was a brief discussion.

Councilmember Russell moved to authorize transferring funds in the amount of \$100,000.00 from the General Fund (Capital projects) and \$300,000.00 from the Tourism Fund to the Arboretum Construction Fund. Councilmember Gilman seconded, and the motion passed unanimously by the Councilmembers present.

5. DISCUSSION AND CONSIDER ACTION ON AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH EAGLE MOUNTAIN TREE FARM FOR THE PURCHASE AND INSTALLATION OF TREES AT THE CARLEEN BRIGHT ARBORETUM

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

Dr. Oubre provided that we are asking to use funds that were approved to transfer in the previous item in the amount of \$44,000.00 to purchase 120 trees and shrubs from Eagle Mountain Tree Farm.

There was a brief discussion.

Lori Whitsell (citizen), 431 Woodfall Drive, commented regarding irrigation of these trees.

Councilmember Cook moved to award the agreement with Eagle Mountain Tree Farm for the purchase and installation of trees at the Carleen Bright Arboretum. Councilmember Russell seconded, and the motion passed unanimously by the Councilmembers present.

6. DISCUSSION AND CONSIDER ACTION ON SELECTING PROJECT(S) AS RECOMMENDED BY THE ENGINEER OF RECORD FROM THE ALLOCATED

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AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

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

Dr. Oubre provided that the City received one million dollars in ARPA funds a little over a year ago with the potential to be allocated by a total of two million dollars. The ARPA funds are to assist the City in recovery of COVID. Three items that were pre-approved as expenses are water projects, sewer projects and/or broad band in the City. Through requests for qualifications, an engineer and grant manager were chosen for this project. Jacob Bell, with Walker Partners is the engineer and is in attendance to answer any questions. Traylor and Associates is the grant manager on this project.

In 2018, early 2019, we were updating our master water plan and with staff recommendations and along with Mr. Bell, we are targeting a 12-inch waterline improvement project around Highway 84 and Old McGregor, Ritchie Road and Oak Ridge Road.

Councilmember Cook moved to approve the selection of project(s) as recommended by the Engineer of Record from the allocated American Rescue Plan Act (ARPA) funds. Councilmember Williams seconded, and the motion passed unanimously by the Councilmembers present.

7. DISCUSSION AND CONSIDER ACTION ON AUTHORIZING SEALED BIDS FOR NON-BUDGETED STREET REPAIR PROJECTS

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

Dr. Oubre provided comments regarding the need to repair Lazy River and Rolling Green streets.

There was a lengthy discussion regarding the difference between asphalt and concrete streets.

Councilmember Gilman moved to postpone this item until the next City Council meeting. Councilmember Cook seconded and the motion passed unanimously by the Councilmembers present.

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.

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8. A. Discussion and consider action on minutes of the regular City Council meeting held August 22, 2022, at 5:30 p.m.
- B. Discussion and consider action on appointment of judges to the Municipal Court of Record for a term of two (2) years
- C. Discussion and consider action on Resolution R-22-17, declaring property excess to the City's needs and authorizing the disposal of same

Dr. Oubre provided information on Item B and C. No items were removed for individual discussion.

9. DISCUSSION AND CONSIDER ACTION ON CONSENT AGENDA

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

- A. Approve the minutes of the regular City Council meeting held August 22, 2022 at 5:30 p.m.
- B. Reappoint Rod Goble as primary judge and David Bass as alternate judge for the City of Woodway Municipal Court
- C. Adopt Resolution R-22-17, declaring property excess to the City's needs and authorizing the disposal of same in the best interest of the City of Woodway

Councilmember Gilman seconded the motion, and the motion passed unanimously by the Councilmembers present.

VISITORS

10. HEAR VISITORS

The following Woodway citizen was in attendance and made comments:

- Dave Keyston, 400 Shadow Mountain – Comment regarding the placement of the Executive Session

EXECUTIVE SESSION

11. 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,

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EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A CITY OFFICER OR EMPLOYEE (ANNUAL EVALUATION OF THE CITY MANAGER)

12. NOTICE IS HEREBY GIVEN THAT A CLOSED MEETING WILL BE HELD PURSUANT TO *SECTION 551.072 OF THE TEXAS GOVERNMENT CODE (V.C.T.A.)* TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON

Mayor Qourzal closed the open meeting at 6:47 p.m.

Mayor Qourzal reconvened the open meeting at 8:07 p.m.

OPEN SESSION AND RELATED ACTION

13. DISCUSSION AND CONSIDER ACTION ON TO AUTHORIZE THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO SELL THE PROPERTY LOCATED AT 1216 WOOD VALLEY, WOODWAY, TEXAS

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

Dr. Oubre provided that the property was appraised for \$195,000.00 without any additional improvements. The City listed it with a local realtor for thirty days and the City received five offers.

There was no discussion.

Councilmember Cook moved to sell the property to Joe Alford in the amount of \$195,000.00 (cash offer) and move forward with closing. Councilmember Williams seconded and the motion passed unanimously by the Councilmembers present.

CITY MANAGER AND CITY COUNCIL REPORTS

14. 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)

No report at this time.

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

Councilmember Cook reported that the Parks and Recreation Commission met in August. They are working on an Easter Egg Hunt event for the City.

CLOSING ITEMS

16. CONSIDER ACTION ON ADJOURNMENT

Councilmember Russell moved to adjourn the meeting. Councilmember Williams seconded the motion, and the motion passed unanimously by the Councilmembers present. The meeting adjourned at 8:12 p.m.

Donna Barkley, City Secretary

Amine Qourzal, Mayor