

WOODWAY CITY COUNCIL MINUTES

January 8, 2024

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, January 8, 2024, at 5:30 p.m. The following individuals were in attendance:

Mayor: Amine Qourzal
Mayor Pro Tem: John W. Williams
Councilmembers: David Russell, Storey Cook, Gayle Avant, Janell Gilman and David Keyston
City Manager: Shawn Oubre
City Secretary: Donna Barkley
City Staff: Adam Niolet, Mitch Davison, Khalil El-Halabi, Todd Gill and Jason Graves
Contract Staff: David Shaw, City Attorney

CALL MEETING TO ORDER

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

INVOCATION AND PLEDGE

1. INVOCATION

Councilmember Gilman provided the invocation.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the United States Flag was recited in unity

PUBLIC COMMENT

3. THE CITY COUNCIL INVITES CITIZENS TO ADDRESS THE COUNCIL ON ANY MATTER, INCLUDING ITEMS ON THE AGENDA, EXCEPT PUBLIC HEARINGS THAT ARE INCLUDED ON THE AGENDA. COMMENTS RELATED TO PUBLIC HEARINGS WILL BE HEARD WHEN THE SPECIFIC HEARING STARTS. PLEASE LIMIT YOUR COMMENTS TO THREE (3) MINUTES PER RESOLUTION R-87-11. THE COUNCIL IS NOT PERMITTED TO TAKE ANY ACTION OR DISCUSS ANY ITEM NOT LISTED ON THE AGENDA. WHEN CALLED TO SPEAK, PLEASE STATE YOUR NAME AND ADDRESS, AND IF SPEAKING ON A SPECIFIC AGENDA ITEM, STATE THE ITEM BEFORE BEGINNING YOUR COMMENTS

- John Williams, resident, spoke with regards to his home on Sugar Place has flooded three different times due to a broken water line.
- Joe Yelderman, resident, spoke on development in the sensitive zone – Starlight Estates

WOODWAY CITY COUNCIL MINUTES

Page 2

January 8, 2024

PRESENTATIONS

4. QUARTERLY PRESENTATION – PUBLIC SAFETY DEPARTMENT’S REPORT REGARDING CRIME STATISTICS AND LAW ENFORCEMENT ACTIVITIES IN THE FIRST QUARTER OF FY 2024

Chief El-Halabi introduced Captain Graves who presented the quarterly report. This is the quarterly comparison statistics for October 1 – December 3, 2022 and October 1 – December 31, 2023. Chief El-Halabi also provided statistics on burglaries during the holiday season. There were no questions.

5. QUARTERLY PRESENTATION – COMMUNITY SERVICES AND DEVELOPMENT DEPARTMENT’S REPORT REGARDING PROGRESS ON NEW CONSTRUCTION, ANTICIPATED COMPLETION DATES AND THE ISSUANCE OF CERTIFICATES OF OCCUPANCY, AND INSPECTION STATISTICS FOR THE FIRST QUARTER OF FY 2024

Mitch Davison, Director of Community Services and Development provided the quarterly presentation covering October 2023 through December 2023.

PUBLIC HEARINGS AND RELATED ACTION

6. A. PUBLIC HEARING ON REQUEST FOR RENEWAL OF GENERAL SPECIAL USE PERMIT RECEIVED FROM SBA COMMUNICATIONS CORPORATION FOR THE OPERATION OF A T-MOBILE WIRELESS COMMUNICATION TOWER AT 13013 OLD MCGREGOR ROAD, WOODWAY, TEXAS

Mayor Qourzal opened the public hearing.

- Madison Berberet spoke on behalf of SBA Communications stating there were no changes being made and there had been a special use permit on this tower for approximately 20 years.

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

- B. DISCUSSION AND CONSIDER ACTION ON REQUEST FOR RENEWAL OF GENERAL SPECIAL USE PERMIT RECEIVED FROM SBA COMMUNICATIONS CORPORATION FOR THE OPERATION OF A T-MOBILE WIRELESS COMMUNICATION TOWER AT 13013 OLD MCGREGOR ROAD, WOODWAY, TEXAS

Dr. Oubre presented this item.

Councilmember Cook moved to grant a five-year Special Use Permit (general) to SBA Communications Corporation for the operation of the T-Mobile wireless communication tower at 13013 Old McGregor Road, Woodway, Texas. Councilmember Gilman seconded and the motion passed unanimously.

WOODWAY CITY COUNCIL MINUTES

Page 3

January 8, 2024

ITEMS FOR INDIVIDUAL DISCUSSION, CONSIDERATION AND/OR ACTION

7. DISCUSSION AND CONSIDER ACTION ON APPROVAL OF FINAL PLAT FOR STARLIGHT ESTATES, BLOCK A, LOTS 1 – 32; BLOCK B, LOTS 1 – 5; BLOCK C, LOTS 1 – 8; AND BLOCK D, LOTS 1 – 20, BEING 112.60 ACRES SITUATED WITHIN THE J.Q. MERRIFIELD SURVEY, ABSTRACT NUMBER 620, TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS

Dr. Oubre presented this item. The Planning and Zoning Commission recommends approval of the final plat.

Mark Firmin, Counsel for Western Star answered questions and made comments.

Councilmember Cook moved to approve the final plat for Starlight Estates Addition, Block A, Lots 1-32; Block B, Lots 1-5; Block C, Lots 1-8; and Block D, Lots 1-20, being 112.60 acres situated within the J.Q. Merrifield Survey, abstract Number 620, to the City of Woodway, McLennan County, Texas. Councilmember Gilman seconded and the motion passed by a 5-2 vote. Voting Aye: Qourzal, Williams, Cook, Avant and Gilman; Voting Nay: Russell and Keyston.

8. DISCUSSION AND CONSIDER ACTION ON THE ADDITION OF INSULATION AND CLIMATE CONTROL ON THE APPROVED CTX INCORPORATED PRECAST RESTROOM FACILITY AT THE ARBORETUM FOR AN AMOUNT NOT TO EXCEED \$23,750.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS IN CONNECTION THEREWITH

Mr. Niolet presented this item.

Councilmember Cook moved to accept the addition of insulation and climate control on the approved CTX Incorporated Precast restroom facility at the Arboretum for an amount not to exceed \$23,750.00 and authorizing the City Manager to execute all documents in connection therewith. Councilmember Gilman seconded and the motion passed unanimously.

9. DISCUSSION AND CONSIDER ACTION AUTHORIZING A CHANGE ORDER FOR AN AMOUNT NOT TO EXCEED \$425,000.00 TO AN EXISTING CONTRACT WITH JOHN W. ERWIN GENERAL CONTRACTOR, INC, FOR THE NEW WOODWAY FAMILY CENTER, TO MAKE REPAIRS AND IMPROVEMENTS TO THE EXISTING PARKING LOT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS IN CONNECTION THEREWITH

Dr. Oubre presented this item.

Mayor Pro Tem Williams moved to authorize a change order for an amount not to exceed \$424,466.67 to an existing contract with John W. Erwin General Contractor, Inc., for the new Woodway Family Center to make repairs and improvements to the existing parking lot and authorizing the City Manager to execute all

WOODWAY CITY COUNCIL MINUTES

Page 4

January 8, 2024

documents in connection therewith. Councilmember Cook seconded and the motion passed unanimously.

10. DISCUSSION AND CONSIDER ACTION ON ORDINANCE 24-01, AMENDING CHAPTER 11, SECTION 11-3 OF THE CODE OF ORDINANCES OF THE CITY OF WOODWAY, TEXAS, "DECLARATION OF ADDITIONAL PUBLIC NUISANCES," ESTABLISHING REGULATIONS REGARDING THE OPEN STORAGE OF CERTAIN MATERIALS IN A RESIDENTIAL DISTRICT

Dr. Oubre presented this item.

David Shaw, City Attorney provided comments.

Councilmember Gilman moved to adopt Ordinance 24-01, amending Chapter 11, Section 11-3 of the Code of Ordinances of the City of Woodway, Texas, "Declaration of Additional Public Nuisances," establishing regulations regarding the open storage of certain materials in a residential district. Mayor Qourzal seconded, then read aloud the caption of the ordinance as required and the motion passed unanimously.

11. Discussion and consider action on purchasing and upfitting a Chevrolet Tahoe in an amount not to exceed \$32,468.00 from Caldwell Country Chevrolet under the cooperative purchasing agreement with BuyBoard, and authorizing the City Manager to execute all documents in connection therewith

Dr. Oubre presented this item.

Mayor Qourzal moved to approve the expenditure in the amount of \$32,468.00 for the purchase and upfitting of a Chevrolet Tahoe from Caldwell Country Chevrolet under the cooperative purchasing agreement with BuyBoard and authorizing the City Manager to execute all documents in connection therewith. Councilmember Russell seconded and the motion passed unanimously.

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.

12. A. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD DECEMBER 11, 2023 AT 5:30 P.M.
- B. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD DECEMBER 11, 2023 AT 6:15 P.M.
- C. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-24-01 AMENDING THE CITY OF WOODWAY MASTER FEE SCHEDULE

WOODWAY CITY COUNCIL MINUTES

Page 5

January 8, 2024

- D. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-24-02, DECLARING CAPTAIN ADAMS BULLET-RESISTANT VEST EXCESS TO THE CITY'S NEEDS AND AUTHORIZING SALE TO CITY OF ROBINSON FOR THE FULL ACQUIRED PRICE OF \$924.00

13. DISCUSSION AND CONSIDER ACTION ON CONSENT AGENDA

Dr. Oubre provided comments on Items C-D. There were no items removed for separate discussion.

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

- A. Approve the minutes of the regular City Council meeting held December 11, 2023 at 5:30 p.m.
- B. Approve the minutes of the regular City Council meeting held December 11, 2023 at 6:15 p.m.
- C. Adopt Resolution R-24-01, amending the City of Woodway Master Fee Schedule
- D. Adopt Resolution R-24-02, declaring property excess to the City's needs and authorizing approval of the sale of the Bullet-Resistant Vest for the full purchase price of \$924.00 to the City of Robinson

Councilmember Russell seconded, and the motion passed unanimously.

EXECUTIVE SESSION

- 14. NOTICE IS HEREBY GIVEN THAT A CLOSED MEETING WILL BE HELD PURSUANT TO *SECTION 551.071(2) OF THE GOVERNMENT CODE (V.C.T.A.)* THAT AUTHORIZES A GOVERNMENTAL BODY TO CONSULT WITH ITS ATTORNEY IN AN EXECUTIVE SESSION TO SEEK HIS OR HER ADVICE ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER

Mayor Qourzal closed the open meeting at 6:41 p.m.

Mayor Qourzal reconvened the open meeting at 7:13 p.m.

CITY MANAGER AND CITY COUNCIL REPORTS

- 15. 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)

WOODWAY CITY COUNCIL MINUTES

Page 6

January 8, 2024

There were no reports at this time.

16. CITY COUNCIL REPORTS

Councilmember Keyston reminded everyone of the Planning & Zoning meeting scheduled for January 9th.

CLOSING ITEMS

17. CONSIDER ACTION ON ADJOURNMENT

Councilmember Russell moved to adjourn the meeting. Councilmember Avant seconded the motion, and the motion passed unanimously by the Councilmembers present. The meeting adjourned at 7:13 p.m.

Donna Barkley, City Secretary

Amine Qourzal, Mayor