

# WOODWAY CITY COUNCIL MINUTES

February 26, 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, February 26, 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, Brenda Hernandez, John Norman and Todd Gill  
Contract Staff: David Shaw, City Attorney

## **CALL MEETING TO ORDER**

Mayor Qourzal called the meeting to order at 5:31 p.m.

## **INVOCATION AND PLEDGE**

### 1. INVOCATION

Mayor Pro Tem Williams 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

- Dana Bartels, resident – She expressed concerns with the water line replacement work being performed by J.H. Contracting. Dr. Oubre asked Mr. Norman (Assistant Director of Community Services and Development) to provide Ms. Bartels with his business card so they can discuss the status of the project.
- Mike Barron, resident – He expressed frustration over the sewer project and dealing with the noise of

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a pump all day for almost six months. Also, has concerns about his backyard where the creek is on Fairway, and the trees that have been taken out. Asked what the plans for restoration of trees after the project is complete. Dr. Oubre stated that Mr. Norman will reach out to him and discuss whatever the restoration plans are.

- The following individuals spoke regarding the PAW (Patch Across Woodway), the land at the corner of Estates and Midway Drive. This is used by many community members who enjoy outdoor recreation before and after school hours, weekends and summers. They have concerns regarding the need of repair and upkeep. The PTA has worked hard to raise money through local fundraisers to help with beautifying the PAW but the maintenance has become too much for them to handle. They are asking the City to partner with Woodway Elementary and the PTA in helping them fund and update some of the basic necessities needed for park safety and outdoor recreation at the PAW.
  - Ashley Schupp
  - Krystal Cook
  - Ben Larsen
- Bill Swartz, resident – Spoke on Agenda Item #6 and suggested waiting for the new Family Center to open and see how things go before making any decision on the old Family Center

### **PRESENTATIONS**

4. QUARTERLY PRESENTATION – FINANCE DEPARTMENT (REGARDING GENERAL FUND REVENUES AND EXPENSES, UTILITY FUND REVENUES AND EXPENSES, AND TOURISM FUND REVENUES AND EXPENSES THROUGH DECEMBER 31, 2023).

Brenda Hernandez, Finance Director provided the quarterly report for the Finance Department for October 1 through December 31, 2023. She reviewed comparative numbers for the first three months of the current and prior fiscal year and reviewed budget to actual percentages for the general utility and tourism funds. She also reviewed the City's Investment Report. There were no questions.

A copy of the report was provided in the agenda packet.

### **PUBLIC HEARINGS AND RELATED ACTION**

5. A. PUBLIC HEARING ON ORDINANCE 24-02, AMENDING APPENDIX A ZONING OF THE CITY OF WOODWAY CODE OF ORDINANCES: SECTION 7.4, "FENCES SHALL BE LOCATED IN ACCORDANCE WITH THE FOLLOWING RULES" ESTABLISHING REGULATIONS AND RESTRICTIONS REGARDING THE USE OF MATERIALS WITHIN THE CITY OF WOODWAY FOR THE CONSTRUCTION, ERECTION OR REPAIR OF FENCES.

Mayor Qourzal opened the public hearing.

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

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- B. DISCUSSION AND CONSIDER ACTION ON ORDINANCE 24-02, AMENDING APPENDIX A – ZONING OF THE CITY OF WOODWAY CODE OF ORDINANCES: SECTION 7.4, “FENCES SHALL BE LOCATED IN ACCORDANCE WITH THE FOLLOWING RULES” ESTABLISHING REGULATIONS AND RESTRICTIONS REGARDING THE USE OF MATERIALS WITHIN THE CITY OF WOODWAY FOR THE CONSTRUCTION, ERECTION OR REPAIR OF FENCES

Dr. Oubre presented this item.

Questions were answered.

Councilmember Russell moved to adopt Ordinance 24-02, amending Appendix A – Zoning of the City of Woodway Code of Ordinances: Section 7.4, “Fences shall be located in accordance with the following rules” establishing regulations and restrictions regarding the use of materials within the City of Woodway for the construction, erection or repair of fences. Councilmember Gilman seconded, and Mayor Qourzal read aloud the caption of the ordinance as required and the motion passed unanimously.

### **ITEMS FOR INDIVIDUAL DISCUSSION, CONSIDERATION AND/OR ACTION**

6. DISCUSSION AND CONSIDER ACTION TO AWARD A CONTRACT IN RESPONSE TO RFP #24-01 TO KSA ENGINEERS, INC. OR TERRACON FOR THE FACILITY CONDITION AND ASSESSMENT AND COST ANALYSIS ON THE OLD WOODWAY FAMILY CENTER AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS IN CONNECTION THEREWITH.

Dr. Oubre provided comments.

Jake McAdams with Public Management prepared the RFP for the Facility Condition and Assessment and Cost Analysis of the old Woodway Family Center. He provided information on both RFPs that were received.

Mayor Qourzal moved that the respondents to the RFP be invited to an interview to supplement their submission. Councilmember Gilman 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.*

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7.       A.       DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 12, 2024 AT 5:30 P.M.
  - B.       DISCUSSION AND CONSIDER ACTION TO AWARD A CONTRACT IN RESPONSE TO RFP #24-02 FOR VENDING MACHINES AT THE WOODWAY FAMILY CENTER TO AUTOMATIC CHEF, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS IN CONNECTION THEREWITH
  - C.       DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-24-05, AUTHORIZING THE APPOINTMENT OF ADAM NIOLET, A VOTING REPRESENTATIVE FOR THE CITY OF WOODWAY TO THE WACO METROPOLITAN PLANNING ORGANIZATION POLICY BOARD WITH CERTAIN DUTIES AND POWERS TO CONDUCT BOARD BUSINESS
8.       DISCUSSION AND CONSIDER ACTION ON CONSENT AGENDA

Councilmember Russell pulled Item B for separate discussion. Dr. Oubre provided comments on Item C.

Councilmember Russell moved that Items A and C on the Consent Agenda be approved as follows:

- A.       Approve the minutes of the regular City Council meeting held February 12, 2024 at 5:30 p.m.
- C.       Adopt Resolution R-24-05, authorizing the appointment of Adam Niolet, a voting representative for the City of Woodway to the Waco Metropolitan Planning Organization Policy Board with certain duties and powers to conduct Board business

Councilmember Keyston seconded, and the motion passed unanimously.

7.       B.       DISCUSSION AND CONSIDER ACTION TO AWARD A CONTRACT IN RESPONSE TO RFP #24-02 FOR VENDING MACHINES AT THE WOODWAY FAMILY CENTER TO AUTOMATIC CHEF, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS IN CONNECTION THEREWITH

Questions were answered regarding how many vendors responded.

Councilmember Russell moved to award a contract in Response to RFP #24-02 for Vending Machines at the Woodway Family Center to Automatic Chef, and authorizing the City Manager to execute any documents in connection therewith. Councilmember Cook seconded, and the motion passed unanimously.

### **EXECUTIVE SESSION**

9.       NOTICE IS HEREBY GIVEN THAT A CLOSED MEETING WILL BE HELD PURSUANT TO SEC. 551.071 OF THE TEXAS GOVERNMENT CODE TO CONSULT WITH THE CITY ATTORNEY REGARDING A MATTER IN WHICH THE DUTY OF THE

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ATTORNEY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE OPEN MEETING PROVISIONS OF OPEN MEETINGS ACT.

10. NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL WILL GO INTO EXECUTIVE SESSION IN ACCORDANCE WITH TEXAS GOVERNMENT CODE: § 551.074 TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF ADAM NIOLET, A CITY OFFICER OR EMPLOYEE.

Mayor closed the open meeting at 6:40 p.m.

Mayor reconvened the open meeting at 7:17 p.m.

### **OPEN SESSION AND RELATED ACTION**

11. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-24-06, FOR THE CONTINUATION AND ADDENDUMS TO ADAM NIOLET'S EMPLOYMENT AGREEMENT.

Councilmember Russell moved to adopt Resolution R-24-06 for the continuation and addendums to Adam Niolet's employment agreement. Councilmember Keyston seconded, and the motion passed unanimously.

### **CITY MANAGER AND CITY COUNCIL REPORTS**

12. 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)

Dr. Oubre stated that an email was sent to the Councilmembers on February 23<sup>rd</sup> which included the Woodway Forward Comprehensive Plan in its current form. Staff has been working on this along with a sub-committee of Council. We are targeting March 26, 2024 for the Planning & Zoning Commission meeting where they will discuss and recommend to the City Council for adoption or any changes thereto for consideration.

13. CITY COUNCIL REPORTS

Councilmember Keyston stated that the Planning & Zoning Commission does not have a meeting on Tuesday, February 27<sup>th</sup>.

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**CLOSING ITEMS**

14. CONSIDER ACTION ON ADJOURNMENT

Councilmember Russell moved to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 7:26 p.m.

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Donna Barkley, City Secretary

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Amine Qourzal, Mayor