

**CITY OF SANTA FE
REGULAR COUNCIL MEETING
MAY 10, 2012 7:00 P.M.
COUNCIL CHAMBERS
12002 HWY. 6
SANTA FE, TEXAS**

MINUTES

The meeting was called to order at 7:00 p.m. by Mayor Ralph Stenzel.

Roll Call: Present: Mayor Ralph Stenzel
 Mayor Pro-tem Jim Abney
 Councilmember Joe Carothers
 Councilmember Pat McCrary
 Councilmember Bubba Jannett
 City Attorney Ellis J. Ortego
 City Manager Joe Dickson
 City Secretary Janet L. Davis
 Absent: Councilmember Jeff Tambrella, excused

The invocation was given by and the pledge of allegiance to the U. S. Flag and to the Texas Flag was led by City Manager Joe Dickson.

Mayor's and City Manager's Report:

- a. The minutes of 4/12/12 were approved as presented;
- b. Mayor Stenzel presented a 15-year employee recognition certificate to City Manager Joe Dickson. Mr. Dickson presented employee recognition certificates to Fire Marshal Charles Tuttoilmondo – 10 years; to Police Chief Kenneth Campbell – 15 years; and to Community Services Director Diana Steelquist – 5 years; and
- c. City Manager Joe Dickson reviewed the financial statement and investment report for the quarter ending 3/31/2012, highlighting portfolio investment funds and interest rates.

Planning and Zoning Business:

Old Business: None

New Business:

1. Consideration and possible action: Public Hearing and First reading of an ordinance of the City of Santa Fe, Texas, amending the text of ordinance No. 02-03, commonly known as the City of Santa Fe Unified Development Code, or the Santa Fe Zoning Ordinance, 2002 Edition, amending Appendix 4-F, Zoning Matrix, by allowing NAICS use #454390, Open Air Markets, in the Transportation (TR) Zoning District; providing for penalties; and providing for severability

Community Services Director Diana Steelquist said this request is for a farmer's market on Hwy. 6, next to the railroad tracks, in the Transportation District. That use is not currently allowed in the TR district. At first, a use-by-right was discussed, but the Planning and Zoning Commission discussed the request and

recommended amending the matrix to allow open air markets as a conditional use in the TR District. Requiring a conditional use permit will enable the city to determine any conditions for each specific application and location, such as hours of operation, placement of dumpsters, etc. Mayor Stenzel opened the public hearing and Ms. Ingrid Lea, the owner of the property, said her intent is for an open air market at the proposed location for fresh produce from local gardeners. She said she is currently operating in their tractor business facilities until the zoning restriction is lifted. No other comments were made by the public. Motion by Councilmember McCrary, seconded by Councilmember Carothers to pass the first reading of an ordinance of the City of Santa Fe, Texas, amending the text of ordinance No. 02-03, commonly known as the City of Santa Fe Unified Development Code, or the Santa Fe Zoning Ordinance, 2002 Edition, amending Appendix 4-F, Zoning Matrix, by allowing NAICS use #454390, Open Air Markets, in the Transportation (TR) Zoning District; providing for penalties; and providing for severability. The motion passed the roll call vote unanimously.

City Business (Other):

Old Business:

1. Consideration and possible action: Second and final reading of an ordinance amending Chapter 3, Construction Regulations, Code of Ordinances, Section 22, Storm Water Pollution Control Regulations, by adopting new regulations; and providing for penalties and severability

Community Services Director Diana Steelquist said the City is required by the state to file a storm water pollution prevention plan. This plan included adopting regulations for storm water pollution control, including regulations to control illicit discharges and to control construction site runoff. Motion by Councilmember Carothers, seconded by Councilmember McCrary to pass the second and final reading of an ordinance amending Chapter 3, Construction Regulations, Code of Ordinances, Section 22, Storm Water Pollution Control Regulations, by adopting new regulations; and providing for penalties and severability. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Second and final reading of an ordinance amending Chapter 3, Construction Regulations, Code of Ordinances, Section 19, Flood Hazard Area Regulations, by adopting Model D Ordinance to minimize flood losses; and providing for penalties and severability

Community Services Director Diana Steelquist said the Texas Water Development Board has reviewed our regulations and suggested this change in our ordinance to minimize flood losses and ensure compliance with federal regulations regarding flood prevention. Motion by Councilmember McCrary, seconded by Councilmember Abney to pass the second and final reading of an ordinance amending Chapter 3, Construction Regulations, Code of Ordinances, Section 19, Flood Hazard Area Regulations, by adopting Model D Ordinance to minimize flood losses; and providing for penalties and severability. The motion passed the roll call vote unanimously.

3. Consideration and possible action: Second and final reading of an ordinance amending Chapter 3, Construction Regulations, Code of Ordinances, Section 13(C)(2)(f)(vi), Section 14(C)(1), and Section 18(C)(2), by adding references to flood hazard reduction and prevention; and providing for severability

Community Services Director Diana Steelquist said this will update flood hazard reduction and prevention references throughout our code of ordinances to be compliant with the Model D ordinance minimizing flood losses. Motion by Councilmember Abney, seconded by Councilmember Jannett to pass the second and final reading of an ordinance amending Chapter 3, Construction Regulations, Code of Ordinances, Section 13(C)(2)(f)(vi), Section 14(C)(1), and Section 18(C)(2), by adding references to flood hazard reduction and prevention; and providing for severability. The motion passed the roll call vote unanimously.

New Business:

1. Consideration and possible action: Adoption of a resolution adopting the Engineering Design Specifications specified by Chapter 3, Construction Regulations, and Chapter 6, Subdivisions, Code of Ordinances, City of Santa Fe, Texas

Community Services Director Diana Steelquist said our subdivision development design specifications are a combination of regulations from Galveston County and the city, and the last review was about ten years ago. These specs have been recently reviewed and staff has incorporated changes made in our current subdivision ordinance, specifically storm water pollution prevention regulations, flexible base roadways that require a variance, and minimum width of concrete roads and sidewalks. Motion by Councilmember McCrary, seconded by Councilmember Abney to adopt the resolution adopting the Engineering Design Specifications specified by Chapter 3, Construction Regulations, and Chapter 6, Subdivisions, Code of Ordinances, City of Santa Fe, Texas. The motion passed the roll call vote unanimously.

2. Consideration and possible action: Appointment/reappointment of member to serve on the Police Officer's Civil Service Commission for a three-year term to expire June, 2015

City Manager Joe Dickson said this three-member board has staggered three-year terms. Mr. Richie Pearson's term is up and he has asked to be reappointed. Motion by Councilmember Abney, seconded by Councilmember Carothers to reappoint Richie Pearson as a member to serve on the Police Officer's Civil Service Commission for a three-year term to expire June, 2015. The motion passed the roll call vote unanimously.

3. Consideration and possible action: Appointment/reappointment of members to serve on the Planning and Zoning Commission for a three-year term to expire May, 2015

City Manager Joe Dickson said this seven-member board has staggered three-year terms. Daniel Kitchener and Judith Koleng have agreed to continue to serve another term. Motion by Councilmember Carothers, seconded by Councilmember McCrary to reappoint Daniel Kitchener and Judith Koleng as members to serve on the Planning and Zoning Commission for three-year term to expire May, 2015. The motion passed the roll call vote unanimously.

4. Consideration and possible action: Authorizing staff to execute the online auction contract with Lemons Auctioneers, LLP, for auction and disposal services for surplus property

City Manager Joe Dickson said staff would like to have another auction of property the city no longer needs. Lemons Auctioneers has conducted past online actions that were very successful and their fee is 15 percent. Motion by Councilmember Carothers, seconded by Councilmember Abney to authorize staff to execute the online auction contract with Lemons Auctioneers, LLP, for auction and disposal services for surplus property. The motion passed the roll call vote unanimously.

5. Consideration and possible action: Authorizing sale of surplus property at online auction conducted by Lemons Auctioneers, LLP

City Manager said staff has compiled a list of items that are no longer utilized because they are either not functioning or are close to it. Motion by Councilmember McCrary, seconded by Councilmember Carothers to authorize the sale of surplus property at an online auction conducted by Lemons Auctioneers, LLP. The motion passed the roll call vote unanimously.

6. Executive Session, closed to the public, under Section 551.071, Government Code, for consultation with Attorney regarding litigation to appeal arbitrator ruling regarding Eric Bruss

Council adjourned at 7:27 p.m. into executive session, closed to the public, under Section 551.071, Government Code, for consultation with Attorney regarding litigation to appeal arbitrator ruling regarding Eric Bruss and reconvened at 8:27 p.m.

7. Consideration and possible action: Authorizing litigation to appeal arbitrator ruling regarding Eric Bruss

Motion by Councilmember Jannett, seconded by Councilmember McCrary to authorize litigation to appeal the arbitrator ruling regarding Eric Bruss. The motion passed the roll call vote unanimously.

Announcements: Election Day is Saturday, May 12, 2012, from 7 a.m. to 7 p.m. at City Hall.

Summary of action from this agenda, request for future agenda items, and scheduling future meetings
The meeting to canvass the election is scheduled for Tuesday, May 22, at 6 p.m. The next regular meeting is scheduled for Thursday, May 24, at 7 p.m.

Motion by Councilmember Jannett, seconded by Councilmember McCrary to adjourn. The motion passed and the meeting adjourned at 8:30 p.m.

RALPH STENZEL, MAYOR

ATTEST:

Janet L. Davis, City Secretary