

City of Round Rock

Meeting Minutes City Council

Thursday, July 12, 2018

CALL MEETING TO ORDER

The Round Rock City Council met in regular session on July 12, 2018 in the City Council chambers at 221 E. Main Street. Mayor Morgan called the meeting to order at 6:02 pm.

ROLL CALL

Present: 7 - Mayor Craig Morgan
Councilmember Tammy Young
Councilmember Rene Flores
Councilmember Matthew Baker
Councilmember Will Peckham
Councilmember Hilda Montgomery
Mayor Pro-Tem Writ Baese

Absent: 0

PLEDGES OF ALLEGIANCE

Mayor Morgan led the following Pledges of Allegiance: United States and Texas

CITIZEN COMMUNICATION

All citizen comments were made under item H.3 when the Mayor opened Citizen Communication re-opened.

STAFF PRESENTATIONS:

E.1 2018-5624 Consider a presentation regarding the results of the City's biennial survey.

Will Hampton, Communications and Marketing began the presentation and introduced Jason Morado, ETC Institute who presented the draft results of the City's biennial survey.

CONSENT AGENDA:

All items listed on the Consent Agenda were enacted by one motion. There was no separate discussion of these items and no items were removed from the Consent Agenda.

A motion was made by Mayor Pro-Tem Baese, seconded by Councilmember Peckham, that the Consent Agenda be approved. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

F.1 2018-5623 Consider approval of the minutes for the June 28, 2018 City Council meeting.

The Minutes were approved under the consent agenda.

- F.2

2018-5614

Consider a resolution authorizing the Mayor to execute Term Renewal Agreement No. 1 with Superior Septic/Clean Can for rental of chemical portable toilets.

This Resolution was approved under the consent agenda.
- F.3

2018-5599

Consider a resolution authorizing the Mayor to execute an Engagement Letter with Whitley Penn, LLP for the 2018 financial and compliance audit.

This Resolution was approved under the consent agenda.
- F.4

2018-5601

Consider a resolution authorizing the Mayor to execute an Interlocal Agreement for joint and cooperative purchasing with the City of DeSoto.

This Resolution was approved under the consent agenda.

RESOLUTIONS:

- G.1

2018-5620

Consider a resolution ordering a Special Option Election for "The Legal Sale of all Alcoholic Beverages Including Mixed Beverages" to be held on November 6, 2018.

Sara White, City Clerk made the staff presentation.

A motion was made by Councilmember Flores, seconded by Councilmember Peckham, that this Resolution be approved. The motion carried by the following vote:

Aye:

7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay:

0

Absent:

0
- G.2

2018-5605

Consider a resolution adopting an amendment to the CDBG 2014-2018 Consolidated Plan to include youth services (at risk youth) and health services (community clinic) as high priority needs and goals.

Liz Alvarado, CDBG Coordinator made the staff presentation.

A motion was made by Mayor Pro-Tem Baese, seconded by Councilmember Young, that this Resolution be approved. The motion carried by the following vote:

Aye:

7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay:

0

Absent:

0
- G.3

2018-5611

Consider a resolution authorizing the Mayor to execute an Agreement with Heart of Texas Landscape and Irrigation, Inc. for landscape maintenance and mowing services.

Chad McKenzie, Sports Management and Tourism Director made the staff presentation.

A motion was made by Councilmember Peckham, seconded by Councilmember Flores, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

G.4 2018-5602

Consider a resolution adding Addendum No. 2 to Resolution No. 2017-4700 which authorized the City Manager to execute contracts for pre-approved budgeted items in the maximum amount of \$200,000.

Susan Morgan, CFO made the staff presentation.

A motion was made by Councilmember Young, seconded by Councilmember Flores, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

G.5 2018-5609

Consider a resolution authorizing the Mayor to execute Quantity Adjustment/Change Order No. 1 with T. Gray Utility & Rehab Co., LLC for the 2016 Wastewater Collection System Rehabilitation - Manhole Rehabilitation, Open Cut, and Point Repairs Project.

Michael Thane, Utilities and Environmental Services Director made the staff presentation.

A motion was made by Councilmember Peckham, seconded by Mayor Pro-Tem Baese, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

G.6 2018-5610

Consider a resolution authorizing the Mayor to execute a Professional Consulting Services Agreement with HOT Inspection Services, Inc. for the Clearwell No. 2 Ground Storage Tank Rehab 2018 Project.

Michael Thane, Utilities and Environmental Services Director made the staff presentation.

A motion was made by Councilmember Young, seconded by Mayor Pro-Tem Baese, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young

Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

G.7 2018-5615

Consider a resolution authorizing the Mayor to execute Supplemental Contract No. 6 with Atkins North America, Inc for the E. Bagdad Avenue Extension Project.

Gary Hudder, Transportation Director made the staff presentation.

A motion was made by Councilmember Flores, seconded by Councilmember Young, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

G.8 2018-5617

Consider a resolution authorizing the Mayor to execute a Letter Agreement with Union Pacific to purchase excess railroad right-of-way near the intersection of Mays Street and McNeil Road.

Gary Hudder, Transportation Director made the staff presentation.

A motion was made by Councilmember Peckham, seconded by Mayor Pro-Tem Baese, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

G.9 2018-5618

Consider a resolution authorizing the Mayor to execute a Landlord Consent and Estoppel regarding the Ground Lease Agreement with KR CC, Inc. and KR Acquisitions, LLC.

Steve Sheets, City Attorney made the staff presentation.

A motion was made by Councilmember Young, seconded by Councilmember Flores, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

G.10 2018-5619

Consider a resolution authorizing the Mayor to execute a Landlord Consent and Estoppel regarding the Convention Center Operating Lease Agreement with KR CC, Inc. and KR Acquisitions, LLC.

Steve Sheets, City Attorney made the staff presentation.

A motion was made by Councilmember Peckham, seconded by Councilmember Baker, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

G.11 2018-5632

Consider a resolution authorizing the Mayor to execute a Collateral Assignment of Economic Development Agreement with KR Acquisitions LLC and KR CC, Inc.

Steve Sheets, City Attorney made the staff presentation.

A motion was made by Councilmember Young, seconded by Mayor Pro-Tem Baese, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

G.12 2018-5633

Consider a resolution authorizing the Mayor to execute a Collateral Assignment of Master Development Agreement with KR Acquisitions LLC and KR CC, Inc.

Steve Sheets, City Attorney made the staff presentation.

A motion was made by Councilmember Peckham, seconded by Councilmember Young, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

ORDINANCES:

H.1 2018-5598

Consider an ordinance vacating an alleyway in Block 12 of the Round Rock Original Plat. (First Reading)*

Brad Wiseman, Planning and Development Services Director made the staff presentation.

A motion was made by Councilmember Young, seconded by Mayor Pro-Tem Baese, that this Ordinance be approved. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

A motion was made by Councilmember Peckham, seconded by Councilmember Young, to dispense with the second reading and adopt the Ordinance. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

H.2 2018-5563

Consider an ordinance granting a partial tax exemption from ad valorem taxes for certain qualified historically significant properties.
(Second Reading)

Brad Wiseman, Planning and Development Services Director made the staff presentation.

A motion was made by Councilmember Peckham, seconded by Councilmember Baker, that this Ordinance be amended to change 119 E. Main from failed to needs maintenance. The motion carried by the following vote:

Aye: 6 - Mayor Morgan
Councilmember Young
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 1 - Councilmember Flores

Absent: 0

A motion was made by Mayor Pro-Tem Baese, seconded by Councilmember Peckham, that this Ordinance be adopted as amended. The motion carried by the following vote:

Aye: 7 - Mayor Morgan
Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Nay: 0

Absent: 0

CITIZEN COMMUNICATION

Mayor Morgan introduced item H.3 and re-opened Citizen Communication for public comments on the item. The following people spoke on the item:

- Charlie Gagen with the Cancer Alliance Texas, 11000 N. Mopac spoke in favor of the ordinance amendment and read a letter from the Chair of the alliance.
- Kelli Becerra, 8126 Ephoram Road, spoke on behalf of the WCCD in favor of the ordinance amendment and read a letter from the Williamson County Board of Health.
- Megan Klein, 1417 Howard Lane, Taylor spoke on behalf of the American Heart Association and spoke in favor of the ordinance amendment.
- Jason Chenoweth, 1116 E. Palm Valley Blvd, local business owner spoke in favor of the ordinance amendment.
- Cam Scott, Norman Loop, spoke on behalf of the American Cancer Society and spoke in favor of the ordinance amendment.
- Greg Talamantez, spoke on behalf of the American Heart of Association, spoke in favor of the ordinance amendment.
- Andy Martinez, 3808 Galena Hills Loop, spoke in favor of the ordinance amendment.
- John Cielo, 2326 Cattle Crossing Drive, owner of Skinny Bobs, a smoking bar, spoke against the ordinance amendment.
- Adam Baur, 3917 Tranquil Lane, Austin spoke against the ordinance amendment.
- Stephanie Hughes, regional manager for Fast Eddies spoke against the ordinance amendment.
- Marcos Rodriguez, manager of Pardners spoke against the ordinance amendment.
- Lora Dame, 1612 Rolling Trail, bartender at Roadhouse spoke against the ordinance amendment.
- Michael Gill, spoke against the ordinance amendment.
- Phillip Brinson, 816 Congress, General Counsel for Fast Eddies spoke against the ordinance amendment.
- Colleen Johnson, Owner/Operator of Pardners spoke against the ordinance amendment.
- Bill Fisher, owner of Roadhouse bar spoke against the ordinance amendment.

H.3 2018-5621

Consider an ordinance amending Chapter 14, Article IX, Code of Ordinances (2010 Edition), to remove "bars" and "designated smoking bars" from the list of public places that are exempt from the smoking/vaping prohibitions. (First Reading)(Requires Two Readings)

Mayor Morgan introduced this item before re-opening citizen comments

A motion was made by Councilmember Young, seconded by Mayor Pro-Tem Baese, that this Ordinance be tabled and approve a substitute motion to direct the City Manager and City Attorney to redraft the ordinance to include a grandfather clause specifically exempting the current bars where smoking is allowed. The motion failed by the following vote:

Aye: 3 - Mayor Morgan
 Councilmember Young
 Mayor Pro-Tem Baese

Nay: 4 - Councilmember Flores
 Councilmember Baker
 Councilmember Peckham
 Councilmember Montgomery

Absent: 0

A motion was made by Councilmember Montgomery, seconded by Mayor Morgan, that this Ordinance be approved. The motion failed by the following vote:

Aye: 1 - Mayor Morgan

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Nay: 6 - Councilmember Young
Councilmember Flores
Councilmember Baker
Councilmember Peckham
Councilmember Montgomery
Mayor Pro-Tem Baese

Absent: 0

COUNCIL COMMENTS REGARDING ITEMS OF COMMUNITY INTEREST

ADJOURNMENT

There being no further business, Mayor Morgan adjourned the meeting at 9:05 pm.

Respectfully Submitted,

Sara L. White, City Clerk