



MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SUNSET VALLEY, TEXAS
April 6, 2021 at 6:00 P.M.

This meeting was held virtually at: <https://attendee.gototraining.com/r/1367206839280979201>
Training ID: 568-268-652

1. Call to order of the City Council.

- Mayor Bruner called the meeting to order at 6:01 P.M.

2. Citizen/Public Communication

- Mayor Bruner made a statement regarding public comments on Open Town Hall
- Citizen Comments:
 - Ariel Cloud
 - Clayton Stice
 - Melissa Gonzales
 - Rose Hargrave

3. Staff Reports

- Sylvia Carrillo, City Administrator, delivered the Administrative Report
 - Google Fiber update
- J. Horry, Public Works Director, delivered the Public Works Report
 - Stearns Lift Station update
- Chief Carter delivered the Public Safety Report
 - Burger Center Vaccination Site update
 - SFC Sunset Valley Farmers Market relocation update

4. Council consideration of agenda items for approval on consent.

Council Member Rosengarten made a motion to approve Agenda Items #5, 8 and 9 on consent, seconded by Council Member Johnson. All voted in favor and the motion carried.

Items Which May Be Considered and Acted on Consent

- 5. Consider and act on approval of the minutes from the March 16-17, 2021 Regular Meeting and March 23 and 30, 2021 Called Meetings (Mayor Bruner/Administration).
*Item Approved on Consent.***
- 6. Consider and act on approval of the February 2021 Financial Statements (Council Member Rosengarten/Administration).**

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- Mayor Bruner introduced this agenda item
- Comments from Council Members Rosengarten and Reetz on the Financial Statement and the bank reconciliation
 - Comments from Suzanna Fleegal, Accountant, and the City Administrator
- Comment from Council Member Carmona

Council Member Reetz made a motion to table this agenda item until the April 20th City Council Meeting, seconded by Council Member Rosengarten. All voted in favor and the motion carried.

7. **Consider and act on amendment to the City's Human Resource policy related to Hazard Pay; Section 9.09 (Mayor Bruner/Administration).**

- Suzanna Fleegal, Accountant, introduced this agenda item
- Questions and comments from Council Members

Council Member Rosengarten made a motion to table this agenda item, seconded by Council Member Reetz.

Staff was directed to bring back additional information to Council regarding this item.

All voted in favor and the motion carried.

8. **Consider and act on approving the Financial Policies FP 101 and FP 103 (Council Member Rosengarten/Administration). *Item Approved on Consent.***

9. **Consider and act on approving the Budget and Finance Committee Goals approved by the Budget and Finance Committee on March 25, 2021 (Council Member Rosengarten/Administration). *Item Approved on Consent.***

10. **Consider and act on the Tankless Water Heater Rebate Program by (Council Member Rosengarten/Administration):**

- A. **Creating a new ordinance in a new Chapter 42 to codify the comprehensive conservation rebates program to provide funding for water conservation and other sustainability programs.**
- B. **Amending the program to allow for the additional category to include replacement of existing tankless water heaters.**

Mayor Bruner and Sylvia Carrillo, the City Administrator, introduced this agenda item. There were comments and questions from Council Members.

Council Member Carmona made a motion to table 10-B and refer the conservation rebate program, including the tankless water heater replacement proposal, to the Budget and Finance Committee for feedback before bringing back to City Council. The motion was seconded by Council Member Reetz.

- Comments and questions from City Council

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- Comments from the City Administrator and the City Attorney
- Citizen Comments:
 - Melissa Gonzales
 - Sharon Drinkwine
 - Clayton Stice

All voted in favor and the motion carried.

Mayor Pro tem Medicus made a motion to create a new ordinance in a new Chapter 42 to codify the comprehensive conservation rebates program to provide funding for water conservation and other sustainability programs, removing the fifth whereas clause referring to tankless water heater replacements. The motion was seconded by Council Member Johnson. All voted in favor and the motion carried.

Presentation Items for Discussion and Action

**11. Public Hearing to consider a request for a Special Use Permit to operate a Farmers'/Artisan Market under Section 2.503(f) of the Land Development Code by Falling Water, Inc. at 4805 US Highway 290 (Council Member Rosengarten/Administration)
Time Certain – 7:00 P.M.**

- Mayor Bruner opened the Public Hearing at 7:15 P.M.
- Presentation by Matt Lingafelter, Assistant to the City Administrator
- There were no citizen/public comments
- Public Hearing closed at 7:19 P.M.

12. Consider and act on a request for a Special Use Permit to operate a Farmers'/Artisan Market under Section 2.503(f) of the Land Development Code by Falling Water, Inc. at 4805 US Highway 290 (Council Member Rosengarten/Administration).

Council Member Rosengarten made a motion to approve the Special Use Permit, with the conditions set forth in the Land Development Code Section 2.503(f), seconded by Council Member Reetz. All voted in favor and the motion carried.

City Council took a break at 7:22 and reconvened at 7:29 P.M.

13. Consider and act on a variance to Section 4.301 (d) of the Land Development Code to allow for additional parking for the business located at 6218 Brodie Lane operating as "The Barn" (Mayor Bruner/Administration).

- Mayor Bruner introduced this agenda item.
- Comments from Sylvia Carrillo, City Administrator
- Comments and questions from Council Member Carmona
 - Response from Barbara Boulware-Wells, City Attorney

Council Member Rosengarten made a motion to approve a variance to Section 4.301(d) of the Land Development Code to allow for additional parking for the business located at 6218 Brodie Lane operating as "The Barn" with the five findings, and the additional conditions recommended by the City Engineer, and amending the motion to include

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amending the restrictive covenant to remove or revise the section regarding parking on the property. The motion was seconded by Council Member Carmona, but the second did not agree to the amendment. Council Member Carmona withdrew his second.

Council Member Rosengarten made a motion to approve the variance to Section 4.301(d) of the Land Development Code to allow for additional parking for the business located at 6218 Brodie Lane operating as "the Barn" including the five findings, also including the City Engineer's recommendations (1-6), and amending the restrictive covenant removing C, the clause regarding parking restrictions. Council Member Reetz seconded the motion.

Comments from Anita Dunn, the applicant, responding to Council Member Carmona.

All voted in favor and the motion carried.

14. Consider and act on the development of a Small Business Assistance Program consisting of four (4) components (Mayor Bruner/Council Member Reetz):

- A. Creation of a grant program similar in proportion to Phase 1 of the Austin Legacy Business Relief Grant, or 1.15% of the City's Annual Budget.**
- B. Create a Technical Assistance Program with a 3rd party to assist businesses to pursue existing grant opportunities at the state and federal level.**
- C. Discuss a program that provided utility bill assistance to business owners in Sunset Valley who seek economic relief.**
- D. Creation of a microbusiness site in City Hall to provide a resource for businesses to utilize.**

Mayor Bruner introduced this item, with comments from the City Administrator on how to implement this program. There were questions and comments from Council Members.

Council Member Reetz made a motion to direct staff to pursue a 3rd party partner for the development of a monetary grant program and to create a technical assistance program for businesses in Sunset Valley, additionally create an application and approval and denial process to implement a utility bill assistance program, and create the process and implementation plan of a microbusiness site in City Hall once storage space is found for City files and equipment (Arts Commission). The motion was seconded by Mayor Pro tem Medicus. The motion carried by a 4-1 vote:

Council Member Johnson voted yes

Council Member Carmona voted no

Mayor Pro tem Medicus voted yes

Council Member Reetz voted yes

Council Member Rosengarten voted yes

Executive Session Items – Possible Action in Open Session

- 15. Council will announce that it will go into Executive Session, if necessary, to deliberate any matter listed on this agenda for which an exception to open meetings requirements permit such closed deliberation, including but not limited to consultation with the City's**

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Legal Counsel pursuant to Tex. Gov't Code § 551.071 and Personnel pursuant to Tex. Gov't Code § 551.074 as announced at the time of the Executive Session.

- **EX-1: Consult with City's Legal Counsel regarding personnel evaluation process.**
- **EX-2: Consult with City Administrator regarding follow-up.**

Council Member Johnson made a motion to move into Executive Session and extend the meeting to 10:00 P.M., seconded by Council Member Carmona. All voted in favor and the motion carried.

City Council convened into Executive Session at 8:41 P.M.

16. Reconvene into Open Session.

City Council reconvened into Open Session at 10:15 P.M.

17. Consider and act on items listed in Executive Session.

- No action

18. Adjourn

Mayor Pro tem Medicus made a motion to adjourn, seconded by Council Member Johnson. All voted in favor and the meeting adjourned at 10:17 P.M.

Marc Bruner
Mayor

Attest:

Matt Lingafelter
City Secretary

Minutes approved on April 20, 2021