

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL
March 9, 2023

The City of Helotes City Council met for a regular meeting on Thursday, March 9, 2023, at 7:00 p.m. in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present: Rich Whitehead, Mayor
Craig Sanders
Jen Sones
Matthew McCrossen
Cynthia Massey
Matthew Merchant

Staff Present: Marian Mendoza, City Administrator
Celina Perez, City Secretary

1. Call to Order.

Mayor Whitehead called the meeting to order at 7:00 p.m. Commander Willis Gray, American Legion Post 309, led the invocation. Mayor Whitehead led the pledges to the U.S. flag and to the Texas flag.

PUBLIC HEARING:

- 2. First public hearing to give all interested persons the right to appear and be heard on the proposed voluntary annexation by Michael and Kathryn Arena for property located on FM 1560, near its intersection with Braun Rd, and described as 4.719 acres out of the JP Miller Survey, Abstract 861, and out of the MMV Muzquiz Survey, Abstract 467, in Bexar County, Texas, BCAD Property Tax ID No. 236993.**

Mayor Whitehead opened the public hearing at 7:02 p.m. No one signed up to speak on this item. Mayor Whitehead closed the public hearing at 7:03 p.m.

OPEN SESSION:

3. Citizens to be Heard.

Miguel Hernandez and Laura Jones spoke in support of ordinance amendments about the lot size and the number of fowl/small animals allowed for approved 4-H and Future Farmers of America (FFA) projects (Agenda Item No. 8). The speakers affirmed that these two vocational education programs teach children responsibility and values, and benefit the ecological system.

CONSENT AGENDA: All items marked with an asterisk (*) on the consent agenda were voted on by one motion. Motion was made by Council Member Sanders, second by Council Member Sones, to approve items 4 and 5 on the consent agenda. Motion to approve carried unanimously.

- 4.* **Approval of the minutes of the Regular Meeting dated February 23, 2023. (Staff)**
- 5.* **Approval of the Fiscal Year Ending (FYE) 2023 City of Helotes Revenue and Expense, Balance Sheet, and Encumbrance Reports dated March 1, 2023. (Staff)**

MAYOR'S REPORT:

6. **Updates on the following:**
 - **Status of Ordinance No. 23-02 *No Thru Traffic in the Beverly Hills Subdivision*;**
 - **Pet Wellness & Vaccination Clinic hosted by Helotes Animal Control, in partnership with Mobile Petcare Clinic of Texas, on Sunday, March 19 at Helotes City Hall; and**
 - **Announcement of the parade theme and registration for the 56th Annual Helotes Cornyval Parade to be held on Saturday, May 6.**

Mayor Whitehead shared that an ordinance establishing no-thru traffic in the Beverly Hills Subdivision was adopted on February 23, 2023. Public notice of the ordinance appeared in the newspaper twice (on March 1 and March 8, 2023), and the City installed signage, making the ordinance enforceable (as of March 9, 2023). Next, the Pet Wellness & Vaccination Clinic is scheduled on Sunday, March 19, 2023, from 1:00 to 4:00 p.m. at Helotes City Hall. Lastly, Mayor Whitehead announced the parade theme for the 56th Annual Helotes Cornyval Parade is *Love, Peace, and Corn: A Tribute to the late '60s and early '70s*. Registration is free; however, there is an entry limit of 100. To participate, submit the entry form available on the city website. The parade is on Saturday, May 6, 2023, starting at 10:00 a.m.

ITEMS FOR INDIVIDUAL CONSIDERATION:

7. **First reading and discussion on an Ordinance of the City Council of the City of Helotes, Texas, providing for the extension of the Helotes municipal boundaries by voluntary annexation of an approximate 4.719 acre tract of land located on FM 1560, near its intersection with Braun Road, adjacent and contiguous to the Helotes city limit, being the same real property described out of the JP Miller Survey, Abstract 861, and out of the MMV Muzquiz Survey, Abstract 467, in the Official Public Records of Bexar County, Texas; and approving a Municipal Service Plan for said area. (Staff)**

Mayor Whitehead noted this item pertains to the public hearing (Agenda Item No. 2) held at the start of the meeting. The second public hearing, the second and final reading of the annexation ordinance, and consideration of a development agreement will occur at the next City Council Meeting.

There being no discussion, Mayor Whitehead continued to the next item.

8. Discussion of and direction on amending portions of Municipal Code of Ordinances Chapter 14 *Animals* to update the keeping requirements for fowl and small animals; setting limitations on the number allowed for domestic benefit and/or for approved 4-H and Future Farmers of America (FFA) projects; and adding general provisions for beekeeping. (Staff)

Mayor Whitehead prefaced this item by stating the current Code requires a minimum one-acre lot for 4-H and Future Farmers of America (FFA) projects. The amendments being discussed are specifically for temporary 4-H and FFA projects where the chicks and small animals (i.e. rabbits) are contained, not running around. There will be no amendments to the number and space requirement for farm animals (i.e. horses, cows, sheep, goats, or pigs). It is important to note that these amendments will not supersede subdivision restrictions and homeowner association covenants, if that subdivision restricts fowl and small animals.

The City Council agreed Helotes was a longstanding 4-H and Future Farmers of America (FFA) community. The Council was amenable to considering amendments to the lot size requirement for 4-H and FFA projects only, where the projects are temporary and require containment of the chicks and rabbits. Regarding chickens for domestic use, Mayor Whitehead explained that a Texas House Bill on keeping six or fewer chickens on a single-family residential lot is under discussion. If adopted, a municipality or subdivision could not prohibit an individual on a single-family residential lot from keeping chickens. The Council was not interested in pursuing beekeeping regulations. The direction to Staff was to introduce a draft ordinance with amendments to Article III *Vocational Education Programs*, Section 14-41. Discussion of this item will continue at future City Council Meetings.

Mayor Whitehead read the caption below and adjourned into closed session at 7:56 p.m.

CLOSED SESSION:

- 9. Closed Session in accordance with Texas Government Code §551.087 *Deliberations Regarding Economic Development Negotiations*. In addition to the matters listed below, any matter scheduled for Open Session may be discussed in Closed Session, as appropriate and authorized by Law:**
- **§551.087 *Deliberations Regarding Economic Development Negotiations* with respect to an annexation and development agreement related to Bricewood Subdivision Unit-6A.**

Mayor Whitehead convened the meeting into open session at 8:11 p.m. and announced no action had been taken in closed session.

ITEMS FOR INDIVIDUAL CONSIDERATION:

10. Discussion of and action on accepting a petition by L&F-1, LLC for the voluntary annexation of two (2) parcels of land totaling approximately 10.01 acres, being the future Bricewood Subdivision Unit-6A, all of which is currently located within the City of Helotes Extraterritorial Jurisdiction, and specifically described as:
- a) A 4.658 acre tract of land currently addressed as 10851 Paloma Drive, BCAD Property Tax ID No. 236313; and
 - b) A 5.358 acre tract of land currently addressed as 10851 Paloma Drive, BCAD Property Tax ID No. 236310. (Staff)

Motion was made by Council Member Sones, second by Council Member Massey, to discuss and act on this item as written.

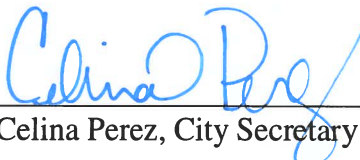
Mayor Whitehead clarified that accepting this petition allows for Staff to commence the annexation proceedings.

Motion to approve the item as written carried unanimously.

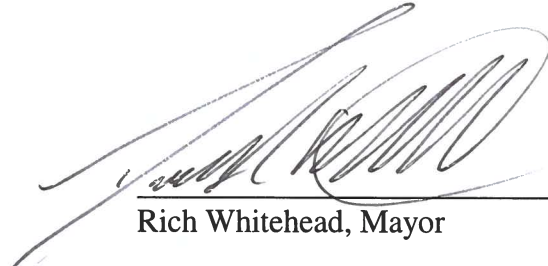
Adjourn.

With no more business to come before Council, Mayor Whitehead adjourned the meeting at 8:13 p.m.

ATTEST:



Celina Perez, City Secretary



Rich Whitehead, Mayor

