

**MINUTES**  
**CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS**  
Regular Meeting, Wednesday, 06 November 2024

1. **CALL ORDER:** Mayor Tom Maxwell at 6:30 P.M.

2. **QUORUM CHECK and VOTE TO CONSIDER THE EXCUSE OF ABSENT MEMBERS (if applicable):**

Maribel Garcia, Deputy City Clerk

**Present:**

Mayor Tom Maxwell  
Mayor Pro Tem, Christina Fitzpatrick  
Councilmember Ashton Bulman  
Councilmember Bear Goolsby  
Councilmember Lori Putt  
Councilmember Phil Vaughan

**Absent:**

Councilmember Bernard Rubal

**Staff Present:**

Kim Turner, City Manager  
Natalie Thamm, City Attorney  
Michael Cassata, Dev. Svc/Economic Development Director  
Randy Luensmann, Public Works Director  
Brandon Peterson, Asst. Public Works Director  
Maribel Garcia, Deputy City Clerk  
Public Works Staff  
Fire Department Staff

Ms. Garcia confirmed a quorum was present.

3. **INVOCATION and PLEDGE OF ALLEGIANCE:**

Councilmember Vaughan gave the invocation. Mayor Maxwell led the Pledge of Allegiance to the United States and Texas flags.

4. **PROCLAMA AND AWARDS:**

**a. Proclamation: Military Order of the Purple Heart:**

Mayor Maxwell explained the proclamation to reaffirm Universal City as a Purple Heart City. He noted that all Councilmembers signed the proclamation and presented a sample of what the street signs would look like around the City. He presented the proclamation to Alamo Chapter 1836, Military Order of the Purple Heart.

**b. Best Tasting Water Award:**

Mr. Peterson explained the process of applying for this TWUA award for Best Tasting Drinking Water. He, members of the Public Works Staff, and Mayor Maxwell displayed the 2024 Award for Best Tasting Drinking Water, awarded to Universal City by the TWUA.

**c. Pumpkin Patch Proceeds:**

Mayor Pro Tem Fitzpatrick and Councilmember Putt, both board members of the Parks Partners, reported the success of the 2024 Universal City Pumpkin Patch. They presented proceeds in the form of checks to the Fire Department and the UCCPAAA for their work at the Pumpkin Patch.

5. **STAFF REPORTS AND OTHER DISCUSSION ITEMS:**

**a. City Manager's Report:** None.

**b. Staff Report:**

**i. Concept Presentation: FM 1518 PUD (Meritage Homes)**

Mrs. Turner explained that the concept presentation under this item pertained to a potential PUD for Meritage Homes off FM 1518. The concept presentation was to give developers the opportunity to gauge the preferences of Council and Staff. Council feedback was crucial to this process.

Developers presented area maps indicating zoning districts of Selma, Schertz, Universal City, and the Universal City ETJ. They clarified the location of the newly proposed development. They noted commercial and residential areas surrounding the location. Developers shared letters from brokers unrelated to the development that gave their opinion of what should be developed in the Neighborhood Services districts of the development. They noted the AICUZ zone due to the Randolph AFB flight path; they mentioned how the development would work to accommodate the zone. They discussed potential ingress and egress locations and presented the proposed land plan. They shared tract highlights such as a development agreement, their commitment to following all development and city building codes, and the compatibility of the proposed development to existing developments such as Orchard Park. They would also address all drainage and traffic requirements and mitigation efforts for the area. They mentioned amenities on the property.

Councilmember Goolsby shared his concerns about the smaller lot sizes and the location of the amenities center. It was explained that the AICUZ zone had affected both issues. He asked the developers to speak with the AFB to see if there was another solution that benefited the City. He expressed other concerns regarding traffic.

Zoning requirements and potential zone changes were clarified for Council. Universal City's ETJ does not have zoning.

Councilmember Vaughan and the Council mentioned SCUC ISD capacity for new students, a swimming pool facility would be available and additionally open to surrounding residents in other neighborhoods, and if they had investigated zero-lot-line homes such as garden homes. Council noted that residents had expressed interest in pools and garden homes.

Mayor Pro Tem Fitzpatrick expressed concern regarding traffic mitigation and EMS access to neighborhoods. She also expressed concern for speeding in residential areas and the affect on safety for pedestrians.

Developers assured Council that traffic would be addressed through the design of the subdivision. Roundabouts and limited access points would address speeding through the neighborhood.

After Councilmember Goolsby mentioned the possibility of soccer balls getting out of the soccer fields areas, developers stated they were open to providing fencing to address this.

The Council, at the request of Mrs. Turner, clarified that they would like mixed lot sizes to address the perceived market want of both garden homes and larger lots. Mrs. Turner explained that this would be up to Meritage Homes to decide based on market research.

Councilmember Vaughan requested curvilinear streets. Mrs. Turner noted that curvilinear streets help with speed mitigation. Developers stated they would be open to this.

Mayor Maxwell asked if consideration had been given to building homes with mother-in-law flats. Developers responded that they had not seen market analysis for this area to support demand.

## **6. CITIZENS TO BE HEARD:**

**Mayor Maxwell began Citizens to be Heard at 7:22 p.m.**

- David Baird, with Pumpkin Pyle – pumpkin suppliers for the Universal City Pumpkin Patch,

commended the Universal City Pumpkin Patch. He noted how organized and successful they were this year. Comparatively, the Patch did wonderful while others suffered. He further commended the volunteer organizations and Public Works employees for their organization in setting up the Patch.

**Mayor Maxwell closed Citizens to be Heard at 7:24 p.m.**

## **7. PUBLIC HEARINGS:**

- a. **P.C. 612 (ZC 261)— Request for an Amendment to the FLUP at 205 W. Byrd Blvd. from MDR-Medium Density Residential to GC-General Commercial**

**Mayor Maxwell opened the Public Hearing at 7:24 p.m.**

Mr. Cassata reminded Council of the item history and that this applicant returned after consultation with Staff for a PUD rather than their original request for C4 zoning. The applicant was present to answer questions and give a presentation.

Caroline McDonald, with Brown & McDonald representing the applicant, started by thanking Mrs. Turner and Mr. Cassata for their work together. She reiterated the location of the property and history of the owner with the property and non-conforming use. She reviewed the FLUP request which accommodates different land uses both amenable to Staff and the client. She reviewed PUD uses including residential, civic, industrial, and commercial uses. PUD design restrictions were reviewed including solid fencing and the parking layout. She reviewed surrounding zoning as well as letters of support. Pending items included Consumer Repair Services, Equipment Sales, and Equipment Repair Services.

Mr. Cassata explained that the pending items needed to be discussed to clearly define the uses for future generations. Furthermore, Staff's and neighbors' main concern was proper coverage of uses behind solid fencing.

There being no further comments, **Mayor Maxwell closed the Public Hearing at 7:33 p.m.**

- b. **P.C. 613 (ZC 262)— Request for a Zoning Map Amendment at 205 W. Byrd Blvd. from R-OT – “Old Town Residential” District to C4-General Commercial District.**

**Mayor Maxwell opened the Public Hearing at 7:33:10 p.m.**

There being no public comments, **Mayor Maxwell closed the Public Hearing at 7:34 p.m. The Mayor opened discussion under Action Items B and C.**

## **10. ACTION ITEMS:**

- B. **Ordinance No. 632-PC 585-FLUP 2024: An ordinance amending the Future Land Use Plan to change the land use designation of property located at 205 W. Byrd Boulevard, Universal City, Texas (CB 5768 BLK 7 LOT 11) from MDR-Medium Density Residential to NS-Neighborhood Services, CS-Commercial Services, GC-General Commercial, AC-Aviation Commercial, MDR/HDR-Med/High Density Residential; providing for severability; and establishing an effective date.**

Councilmember Vaughan expressed his lack of concern regarding solid fence coverage of equipment and repair services. He received clarification that equipment repair would not include automotive

repair; it would address repairs that coincide with equipment sales listed in permitted uses. After clarification was received, he only felt concerned for noise disturbances attributed to repairs.

Mayor Maxwell explored the possibility of using “small engine repairs” as a definition. Mayor Pro Tem Fitzpatrick noted this definition included motorcycles and other vehicles.

Council reached a consensus that the definition provided for “consumer repair services” would be more amenable.

Councilmember Goolsby clarified that “solid fencing” did not include chain link fences with strips between links. He mentioned his preference against a salvage yard. He said the applicant should be cognizant of the affect of noise on neighbors, especially with certain repair services.

Mr. Cassata moved on to review the definition provided for “equipment sales” which included heavier agricultural equipment and potential storage and maintenance for said equipment.

Ms. McDonald clarified that the applicant did not aim to sell large equipment on this property and small engine equipment such as lawnmowers and lawn maintenance equipment were more the target. She said her client was amenable to removing both “equipment sales” and “equipment repair services” from the PUD and crafting language more specific to their intended use.

Council gave consensus to craft wording for “consumer repair services” to be presented during the second reading of the ordinance.

Councilmember Bulman moved to approve Ordinance No. 632-PC 585-FLUP-2024 with stated amendments. Councilmember Putt seconded the motion.

**Vote: Yeas: Bulman, Putt, Fitzpatrick, Goolsby, Vaughan**

**Nays: None**

**Motion to approve carried.**

- C. Ordinance No. 581-Y-PUD-2024-103: An ordinance of the City Council of the City of Universal City, Texas amending the Zoning Map of the City of Universal City, Texas for an approximately 0.717-acre property located at 205 W. Byrd Boulevard, Universal City, Texas; rezoning said property from R-OT Old Town Residential District to PUD 2024-103 District, generally for commercial uses; adopting the PUD Final Plan related to PUD 2024-103; providing for severability; providing for the publication of the caption of this ordinances; and establishing an effective date.**

Councilmember Goolsby moved to approve Ordinance No. 581-Y-PUD-2024-103. Councilmember Bulman seconded the motion.

**Vote: Yeas: Goolsby, Bulman, Fitzpatrick, Putt, Vaughan**

**Nays: None**

**Motion to approve carried.**

## **8. ANNOUNCEMENTS:**

### **a. CITY MANAGER’S ANNOUNCEMENTS:**

Mrs. Turner notified Council that the new Civic Plus Agenda Center would go live for the next

meeting. She also gave an update on electronic traffic speed radar signs, which were anticipated to go live in approximately 30 days.

**b. COUNCILMEMBERS' ANNOUNCEMENTS:**

Councilmember Goolsby commended the Pumpkin Patch on their operations along with the election's officials at voting centers. He felt that both ran their operations smoothly and quickly.

**c. MAYOR'S ANNOUNCEMENTS:**

Mayor Maxwell notified Council that the December 3<sup>rd</sup> agenda would be condensed to allow Council to attend the Universal City Tree Lighting. He reported a successful Veterans Day Parade, though there was less attendance than years prior. He mentioned that going with Jeeps for Councilmembers in the parade was great, and he wished to make the parade livelier and family friendly in coming years. He also reported on a successful ribbon cutting for L&L Hawaiian.

**9. CONSENT AGENDA:**

Councilmember Vaughan moved to approve the following Consent Agenda items:

- 1) Consider the minutes of Tuesday, 15 October 2024 Regular Meeting.
- 2) Ordinance No. 655-R-2024 (PC 614 SU 026): An ordinance approving a Specific Use Permit to Sue Glenna Cannon for an Accessory Residential Unit Use (mother-in-law flat) in an R3-Medium Density Residential District on property located at 234 Flintstone Lane (CB 5053B BLK 3 LOT 9); providing for non-severability; and establishing an effective date. (Second Reading)

Councilmember Bulman seconded the motion.

**Vote: Yeas: Vaughan, Bulman, Fitzpatrick, Goolsby, Putt  
Nays: None**

**Motion to approve carried.**

**10. ACTION ITEMS:**

**D. Award Contract for Olympia Hills Operational Assessment.**

Mrs. Turner reminded Council that this project was requested by Council during the budget process. She clarified that language used during the budget process called for a business plan for the golf course, but golf courses do not have business plans, they have operational assessments. She reported that there were six submissions reviewed by Mayor Pro Tem Fitzpatrick, Councilmember Vaughan, and four Staff members of the golf course. They unanimously chose the National Golf Foundation in the amount of \$35,000. This price included virtual meetings throughout the process and cost estimates for an in-person final presentation of its assessment.

Councilmember Vaughan shared the review committee's review process. He explained their reasons for not going with the lowest base bid: the lowest one had add-ons that would have been more expensive than the chosen bid, and the second lowest bid had a hospitality focus. All three lowest bids were close in price, and Staff were favorable to the National Golf Foundation. Councilmember Putt moved to approve the award of contract to the National Golf Foundation. Councilmember Goolsby seconded the motion.

**Vote: Yeas: Putt, Goolsby, Fitzpatrick, Bulman, Vaughan**  
**Nays: None**  
**Motion to approve carried.**

**E. Bid Acceptance of the National & East Langley Street Reconstruction Project.**

Mr. Luensmann gave bid specifics including the base bid with additive alternates 1 and 2. He responded to Councilmember Goolsby questions regarding the low turnout stating that while Staff were also surprised with the low turnout of bids, they believe it is due to competing with TXDOT which puts out all of their bids around this time.

Councilmember Vaughan asked whether certain engineers were better than others at soliciting bids, to which he received clarification that all bids are advertised in the same manner on CivCast. He asked what disruptions residents could expect.

Mr. Luensmann said the project would be phased, and disruptions would be appropriately noticed.

Councilmember Goolsby moved to approve the acceptance of the bid. Councilmember Bulman seconded the motion.

**Vote: Yeas: Goolsby, Bulman, Fitzpatrick, Putt, Vaughan**  
**Nays: None**  
**Motion to approve carried.**

**11. DISCUSSION ITEMS:**

**N.T. 1. Fence Discussion – Requested by Councilmember Rubal.**

Mayor Maxwell noted that Councilmember Rubal requested the item and was absent. He gave the option to discuss the item later to allow Councilmember Rubal to be present.

Mrs. Turner gave a general description of the item request: Councilmember Rubal wished to discuss fence permitting fees and potentially repeal all permits and fees for fence repair.

Council unanimously came to a consensus to table the item, generally for 6-7 months. Several members felt that the item had been addressed and felt that changes made during prior meetings should be left to stand for more time to review the affects of changes. Furthermore, they reported that no residents had contacted members further on this issue after changes were made.

**12. ADJOURNMENT:** Mayor Maxwell adjourned the meeting at 8:00 P.M.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Tom Maxwell, Mayor

\_\_\_\_\_  
Maribel Garcia, Deputy City Clerk