



City Of Granite Shoals
2221 N. Phillips Ranch Road
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MEETING MINUTES
CITY OF GRANITE SHOALS, TX
REGULAR CALLED CITY COUNCIL MEETING
TUESDAY, APRIL 12, 2016
6:00 PM

The numbering below tracks that of the agenda, whereas the actual order of consideration may have varied.

1. Mayor Carl Brugger called the regular meeting of the City Council Of The City Of Granite Shoals to order at 6:01 pm, Granite Shoals City Hall, Council Chamber, 2221 N. Phillips Ranch Road, Granite Shoals, Texas.

Present:

Carl Brugger, Mayor
Shirley King, Mayor Pro Tem
Anita Hisey, Council Member, Plc. 1
Eric Tanner, Council Member, Plc. 3 (left meeting from 6:25 PM to 7:00 PM)
Tom Dillard, Council Member, Plc. 4
Todd Holland, Council Member, Plc. 5
Mark Morren, Council Member, Plc. 6

Absent:

City Staff Present:

Ken Nickel, City Manager
Peggy Smith, Assistant City Manager
Brad Young, City Attorney
Elaine Simpson, City Secretary
Wendy Gholson, Finance Director

2. Jackie English of Christ Redeemer Church and the Granite Shoals Faith Alliance gave the invocation.

3. Pledge to the US and the Texas State Flags, respectively.

4. Public comment and announcements and items of interest

At this time, any person with business before the council not scheduled on the agenda may speak to the council. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called. Anyone wishing to

Speak under this agenda item must complete a comment card and submit to the city secretary prior to addressing the council.

Mayor Brugger read a Proclamation that he issued today, declaring April as Child Abuse Awareness Month.

*“Office Of The Mayor
City Of Granite Shoals*



Proclamation

*Designating April 2016
Child Abuse Prevention and Awareness Month
In Granite Shoals, Texas*

Whereas: the City Of Granite Shoals supports the continuing efforts of all organizations that work to prevent child abuse and to increase awareness of this problem in our society; and

Whereas: the Burnet County Child Welfare Board and the Texas Department Of Family Protective Services provide assistance and services for abused and neglected children and have the cooperation of other agencies such as Casa of the Highland Lakes and The Hill Country Children's Advocacy Center; and

Whereas: Burnet County has an extraordinary number of children who suffer some form of abuse or neglect each year; and

Whereas: through a national effort, Burnet County community members are encouraged to join together to raise awareness for those children who are victims of abuse and neglect; and

Whereas: these efforts will give abused and neglected children in our community, and throughout the country, a better chance for a safe and positive future.

Now, therefore: I, Carl Brugger, Mayor Of Granite Shoals, By Virtue Of The Authority Vested In Me, Do Hereby Proclaim April 2016 As Child Abuse Prevention And Awareness Month In This City, And In Doing So, Urge All Citizens To Join In This National Effort To Raise Awareness Of And To Help Prevent Child Abuse And Neglect Throughout The Year.

*Signed This 12th Day of April 2016
Carl Brugger, Mayor”*

This Proclamation Was Presented To Caroline Ragsdill And Jan Graves, Representing Burnet County Child Welfare.

- April 14, 2016 – Airport Advisory Committee Orientation Meeting – this will be held Thursday, at Council Chambers at 6:00 pm.
- April 20, 2016 – LCRA grant award, City Hall, this is the presentation of the grant check for \$23,000 for rainwater collection and reuse for irrigation purposes for the wildflowers.
- April 23-24, 2016- City Of Granite Shoals, 50th Birthday, Municipal Complex:
- April 30, 2016 – City Wide Clean Up Day For Spring 2016
- May 21, 2016 – Burnet County Household Hazardous Waste Collection at MFHS Visitors Parking Lot.

5. Reports, presentations and awards:
Mayor Carl Brugger – Proclamation - City Of Granite Shoals 50th Anniversary Events

“CITY OF GRANITE SHOALS, TEXAS

PROCLAMATION

50TH ANNIVERSARY WEEKEND - CITY OF GRANITE SHOALS

Whereas, On May 9, 1966 the citizens of areas of the Sherwood Shores Subdivision, In Burnet County, Texas, Voted to incorporate and became the Town Of Granite Shoals; and

Whereas, Sherwood Shores Subdivision had been platted as a resort area and the new town faced many challenges as leaders worked to create a vibrant city where only a sleepy fishing cabin village had been expected; and

Whereas, the citizens will celebrate the achievements of our city founders and civic leaders of the last 50 years by holding a ‘50th Year Bash’ on Saturday, April 23, 2016 and then a City-Wide Worship Service Of Thanksgiving And Hope On Sunday, April 24, 2016, at the City Hall Complex At 2221 N. Phillips Ranch Rd.; and

Whereas, the ‘50th Year Bash’ weekend events were planned, coordinated and will be led by members of the ‘50th Anniversary Committee’: Bessie Jackson, Dennis Maier, Patie Campbell, Pastor Tomas Dominguez, Glynis Smith, Brenda Davis, Merilyn Nations and Committee Chairman Pastor Jackie English with help from City Finance Director Wendy Gholson; and

Whereas, the City is home to Olympic Silver Medalist Leo Manzano, who joins us April 23rd for a fun run on the Leo Manzano Hike, Bike And Run Trail located at Quarry Park; and

Whereas, there will be hot dogs and cake, along with many foods available for purchase, and



Whereas, the activities for the kids include a kiddie train, a bounce house, bean bag toss, and balloon release; and

Whereas, some highlights of the festival will be a poster contest, an exhibit showing our history as a city and a chance to bash the giant piñata; and

Whereas, from 12 noon to 7:00 pm, there will be a music festival headlined by John Arthur Martinez, With London And David Duo, Wilson String Band And Both Chris Reeves And Wake Eastman Performing With Tejas; And

Whereas, there is no better way to celebrate the anniversary of the city's incorporation than by holding a festival for the community where we can all be together,

*Now, Therefore, I, Mayor Carl Brugger, With And On Behalf Of The City Council Do, On This 12th Day Of April, 2016, Hereby Proclaim That April 23rd And 24th Weekend Of 2016 Is The '50th Anniversary Weekend' In The City Of Granite Shoals, Texas and all residents and visitors are encouraged to participate in the celebrations of our milestone event.
Carl Brugger, Mayor”*

Mayor Brugger gave each member of the 50th Anniversary Committee a commemorative pin for the 50th Anniversary.

Also, Mayor Brugger discussed that a public health notice had been issued in the city limits related to the finding of a rabid bat in the city limits.

Tommy Lemonis – Site Development Officer Unison Site Management: Presentation of options for leasing space for antenna on city property.

Mr. Lemonis presented a brief introduction to Unison Site Management and their business model regarding purchasing leases for antenna sites and managing them. Unison is the top independent cell site manager in the country. Unison partners with entities, like the City, who own sites. We work with the major carriers who may wish to co-locate on the site, and we also re-negotiate the city's lease. The city would partner with Unison. City would retain the ownership and control (security) of the site, and would maintain liability insurance. Unison would pay up front for the lease and would take on future risk. Ken Nickel explained that this is just a thumbnail overview of an option that the City Council may not ever decide to pursue. However, he wanted Council to hear this option of pulling future earnings ahead. There was a brief discussion that the City of Granite Shoals is now 6 yrs. into a 20 year lease with Verizon for locating their antenna.

No formal action was taken as this was an information presentation, only.

6. Management Reports
- a.) City Manager

- Mayor and Council responsibilities related to 50th Year Bash events: schedule, invites, etc. Mayor Brugger disseminated a packet of information including the schedule, the official invite, the Proclamation just presented and a copy of the program for the opening ceremony to be held Sat 23rd. KBEY is the official sponsor of event. 40+ vendors are scheduled to participate.

b.) Assistant City Manager

- LCRA Community Development Partnership Program Grant Award April 20, 2016: Grant award on the 20th.

- Water notice and city newsletter for Spring 2016

Newsletters arriving in mailboxes yesterday and today. Extras available at city hall. Also posted on the city website home page.

- Update on automatic meter readers

Peggy disseminated information sheet with graphs illustrating the water sales with the last 6 months of last year compared to first six of this (budget) year. (see Exhibit 'A' to these meeting minutes) There has been a 4.26 % increase in revenue. New meters are more accurate. Other factors still affect water sales, including rainy weather. At this time the city staff cannot read these remotely. This feature will be available after the addition of some new components.

- Update on Equipment and Facilities at Raw Intake and Pre-Treatment Water Plant.

Untrue information is circulating related to the 'Old Water Plant', claiming that this site will be demolished entirely. This is not true; several buildings at this site are part of the pre-treatment process of the water treatment. The water intake area is here and the entire site is included under the Do Not Trespass Ordinance recently revised. The site has dangerous chemicals used on the premises and the warning signs are posted. Those signs that have faded or disappeared will be replaced.

c.) City secretary

- Elections update

Notice of elections will be published in the Highlander in the next few days.

Early voting for the May 7th election starts April 25th.

7. Consent agenda items

The items listed are considered to be routine and non-controversial by the city council and will be approved by one motion, there will be no separate discussion of these items unless a councilmember so requests, in which case the item will be removed from the consent agenda prior to a motion and vote. The item will be considered in its normal sequence of the regular agenda.

a. Approval of City Council Regular Meeting minutes for March 22, 2016.

Council Member Hisey made a motion to approve, as presented, the City Council Regular Meeting minutes of March 22, 2016. Mayor Pro Tem King seconded. Motion carried with a unanimous 6-0. (Council Member Tanner was out of the room).

8. Special workshop(s) item

- a. Continue workshop discussion related to amending City Code Chapter 40, Zoning, Section 40-18. Nonconforming Buildings and Uses, with modifications as discussed during City Council Regular Meeting February 23, 2016. *(City Manager Ken Nickel)*

At the City Council regular meetings on February 23rd, 2016 and January 12, 2016, the Council held workshops to discuss the non-conforming ordinance. A workshop was scheduled for March 8th but due to the Council meeting running late, the agenda item was rescheduled for the first Council meeting in April.

At the City Council meeting of February 23, 2016 the staff recommendations were presented, followed by a review of some Council issues/concerns/questions. There was an extended discussion of the non-conforming ordinance, but Mayor and staff determined that there was no consensus for a specific Ordinance to be drafted to amend/modify the Non-Conforming ordinance yet. There was an extended discussion of encroachment of eaves, and of structures (foundations) into easements and setbacks. There was an extended discussion of standard practice related to how measurements are taken to determine if a structure encroaches, or eaves encroach.

Recommendation #1 from City Staff included adding a provision for allowing structures with only encroachment of eaves (not foundation), be allowed if the structure was constructed before July 1, 2015.

There was general agreement by City Council related to this recommendation.

Recommendation #2 from City Staff was that if a structure is non-conforming because of encroachment of a structure/foundation into the easement/setback that the ordinance continues to be enforced, as written.

There were many suggestions for changing the Recommendation #2. In Marble Falls, it was noted that non-conforming uses are eligible to expand the use up to 50% of the appraised value of the structure from the tax rolls, as long as it doesn't exacerbate the non-conforming issue. Council requested staff to obtain Marble Falls ordinance for next council meeting for comparison.

There was an extended discussion related to equity for those residents who own homes built before their property was annexed into the city.

There was a discussion of the agreement that no enlargement of any kind be allowed that is not up to Building/Electrical/Plumbing codes.

Mr. Jim Davant submitted his informal petition of names of neighbors who did not wish for the City Council to accept Recommendation #2 as proposed by city staff.

There was an extended discussion of researching the process followed by Marble Falls, and to consider if it is fair to use the appraised value from the tax roll, instead of market value.

At the March 8, 2016 City Council meeting, the Council ran out of time before the Non-Conforming Ordinance workshop agenda item was addressed. At that time, the Mayor and Council members agreed to take new information provided from city staff in Marble Falls Development Department, explaining how Marble Falls accommodates expansion requests for non-conforming structures.

At the dais the City Council reviewed the following information, Ord. 663 (passed by Council on July 28, 2015). This Ordinance amended the Zoning Ordinance for sections included in R-1 Single Family residential. A previous version of R-1 was also reviewed and it was noted that before Ord. 663 passed, there was a 'Miscellaneous' section of R-1 regulations that allowed for eaves/overhangs (only) to encroach into building setbacks up to three feet (3'). When Ord. 663 was adopted it did not contain this exemption section of the R-1 Zoning regulations. From July 28, 2015 on, city staff has enforced this new version of the code which says no structure, or portion thereof, may encroach into an easement and establishes all the setback distances.

The Council also reviewed the entire Non-Conforming Development Ordinance currently in effect for the City of Marble Falls.

Council agreed by consensus that there should be a modification made to the Zoning Ordinance, to allow eaves and overhangs (only) to encroach into setbacks, if the following circumstances exist: a.) the structure is classified as non-conforming SOLELY based upon the eave/overhang encroachment and is otherwise in compliance with the zoning ordinance and b.) the structure was built prior to July 28, 2015 – date of passage for Ord. #663. Property owners may apply for building permits to add on/renovate these structures, so long as the new addition does not increase the encroachment. All 'new construction' (entirely new buildings) may have eave / overhang encroachments into the side setbacks if easements can be released.

The Council discussed Jim Davant's house that has an outside staircase that encroaches into the setback. It also has encroaching eaves/overhangs, which has prevented Mr. Davant from being able to secure a permit to enclose the carport into a garage as he desires.

There was a brief discussion related to the role of Lower Colorado River Authority (LCRA) regarding development of properties near shoreline of Lake LBJ. There was a discussion related to how LCRA calculates space when determining the size of septic tank needed for a structure.

There was some philosophical discussion related to the zoning ordinance regulations and the burdens placed upon property owners with lakeshore, versus off-water properties. There was a discussion of the nature of the lakeshore property lots often being very narrow, and the possibility of doing a 'blanket' release of side easements in the future for waterfront property.

There was an extended discussion of the need to require a 'form survey/study' for new construction, to assure the foundation is not encroaching.

There were a few items upon which there was general agreement:

- 1.) The date for any 'grandfathering' of eave/overhang encroachments should be set at July 28, 2015, the date of the passage of Ord. 663. Eave/overhang encroachments which predate Ord. 663 are grandfathered.
- 2.) New construction must conform to zoning ordinance, and a form survey should be required.
- 3.) On lakefront property, eaves can extend into setbacks, so long as there is not a hazard created.
- 4.) New additions to existing structures may neither enlarge an existing, nor create a new encroachment.
- 5.) The 90-day abandonment rule currently in effect for non-conforming structures should be brought before the City Council to consider extending the time to six months (180 days).

There was a discussion of the zoning ordinance restrictions as experienced by property owners annexed in 2009.

City Attorney Young will prepare some options for Zoning Ordinance modifications, based on the discussions previously held on this topic and will bring this back at a future meeting.

Council will resume this workshop at a future meeting.

- b. Workshop to discuss Public Infrastructure (Road) Improvement Project: Grant Process, Bond Option and Scheduling Public Hearings/Meetings. *(Mayor Carl Brugger)*

Mayor Brugger explained that although council has approved the Resolution and we are committed to pursue the grant for the Road Infrastructure Project, we still have not found a grant writing consultant to contract with. There was a discussion that Council Member Tanner might compose the grant application, he requested that USDA office be consulted so that he might get a copy of a successful grant application from a previous grant cycle.

There was no action taken, but this workshop topic will be revisited at a future Council meeting.

Council will individually consider and may take action on any or all of the following items:

9. Regular agenda items:
 - a. Discuss, consider and possibly take action related to proposed Ordinance #687 establishing policies and procedures for special events held in the city, as discussed at March 22, 2016 City Council Meeting. *(City Attorney Brad Young)*

City Attorney Brad Young introduced the item and presented the staff report.

At the March 22, 2016 Regular City Council Meeting, the council considered proposed Ord. 687 from City Attorney Brad Young. Its purpose is to regulate outdoor events and functions which are not sponsored and planned by the City Council.

Council requested that Mr. Young review requirements for insurance bond on events from other cities comparable in size in the surrounding area. The requirement for a 'million dollar bond' posed a concern that it might be too expensive for a small festival.

The council also asked Young to review the proposed ord. 687, to assure that there are no conflicts between this special events ordinance and the current peddler permit ordinance.

There was also a request to consider the prohibition on camping in relation to special events. It was noted that some events like chili cook offs and circuses attract participants who wish to sleep in campers close to the event site.

There was a discussion of whether the city staff should require individual peddler's permits from each vendor participating in a festival, or, require a festival permit be secured by the festival sponsors, and require that the permit application include all information on all vendors participating. There was general consensus that holding the sponsor/organizer responsible for coordinating the permit would be less labor-intensive for city staff.

There was a discussion of whether there should be a distinction for events based on whether they are held on public or private property. In Llano and Marble Falls, City Manager Ken Nickel advised, the cities will waive the requirement for the individual peddler permits, so long as the event is properly permitted. Generally, there was agreement that the Event itself should be permitted, and not the individual peddlers/vendors participating.

On city property or on private property, for an event that is not city-sponsored, there should be a bond required. Possibly a half million dollar bond, or a bond based on a 'scale' considering factors such as 'length of the event (any activities after dark)', whether alcohol will be allowed at the event, number of participants expected to take part, etc. These factors could be considered and possibly cause a larger bond to be required. City sponsored events will be covered by the city's liability insurance.

There was a discussion of encouraging community events, especially those organized by non-profit groups. Council doesn't wish to overburden sponsors/organizers.

City attorney Young will bring the proposed ordinance back on a future agenda for additional 'workshopping'.

No formal action was taken.

- b. Discuss, consider and possibly take action related to proposed Ordinance #690 updating/amending Ordinance #661 from March 2015, to modify definition of 'minor re-plat' to allow City Manager signature approval on re-plats of waterfront properties, or properties with 'fill area' which are no larger than four lots. (*city manager ken nickel*)

City Manager Ken Nickel introduced the item and provided the staff report. Ord. #661 allowed the city staff to 'streamline' the re-plat approval process by granting the City Manager administrative approval authority on minor re-plats.

At the March 22, 2016 Regular City Council Meeting, Council Member Holland Requested that the council consider modifying the current ordinance (#661) that allows the City Manager to approve certain minor re-plats. Council Member Holland suggested that signature authority be expanded to allow City Manager to sign off on minor re-plats with 'fill area' or 'lakefront', so long as they were still no larger than four lots and were not otherwise complicated.

Mr. Young has brought the proposed Ordinance #690 to City Council for this modification.

Council Member Holland made a motion, and Council Member Morren seconded, to approve, as presented, Ordinance #690.

Mayor Brugger noted that it is sometimes helpful to have an extra pair of eyes to look at re-plats of this nature.

Mayor Brugger read the Ordinance caption:

Ordinance No. 690

**“Administrative Approval of Minor Plats
and Replats for Waterfront Property”**

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, AMENDING CHAPTER 32 (SUBDIVISIONS), OF THE CITY OF GRANITE SHOALS CODE OF ORDINANCES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

Motion carried by a vote of 6-1, as presented. Ayes: Hisey, King, Tanner, Dillard, Holland and Morren. Nay: Brugger.

- c. Discuss, consider and possibly take action related to the appointment of members to Boards And Committees. *(City Secretary Simpson)*

City Secretary Elaine Simpson introduced this item and presented the staff report. There is only one application for consideration of appointment to a Board Or Committee and it is from Celia Escamilla, who is a member of the Highland Lakes Master Naturalists and has applied for the open position for the Parks Advisory Committee.

	Parks advisory committee 1 vacancy
1	
2	Wolf S. Williams

3	Seth Smith - Chair
4	Brad Williams - Vice Chair
5	Nelly Griffin
6	Katie Logan
7	Advisory Capacity - Council Member Shirley King
8	Diana Marichalar
9	Britany G. Dooley
	Not fewer than 4 members, no more than 9 and four is a quorum

Council Member Tanner made a motion, and Mayor Pro Tem King and Council Member Morren both seconded, that Celia Escamilla be appointed to the Parks Advisory Committee. Motion carried unanimously by a vote of 7-0.

10. Exec. Session:

The City Council will convene in Executive (Closed) Meeting as authorized by Texas Government Code. Executive Session Pursuant To Section 551.071 Of The Texas Open Meetings Act (Consultation With Attorney) To Seek And Receive Legal Advice From The City's Legal Counsel Relating To Personnel Matters."

Mayor Brugger recessed the open meeting and called the executive session to order at 7:25 pm. Mayor Brugger adjourned the executive session and called the regular open meeting back to order at 8:32 pm.

11. Any action resulting from executive session.

No action resulting.

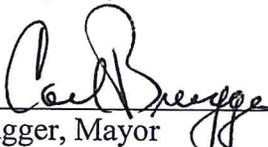
12. Future meetings and agenda items

- o Review agenda calendar
- o Identification of future agenda items

13. Adjournment

With no further business, and no objections from Council, Mayor Brugger adjourned the meeting at 10:15 pm.

Approved by City Council on the 26th of April, 2016

By: 
 Carl Brugger, Mayor

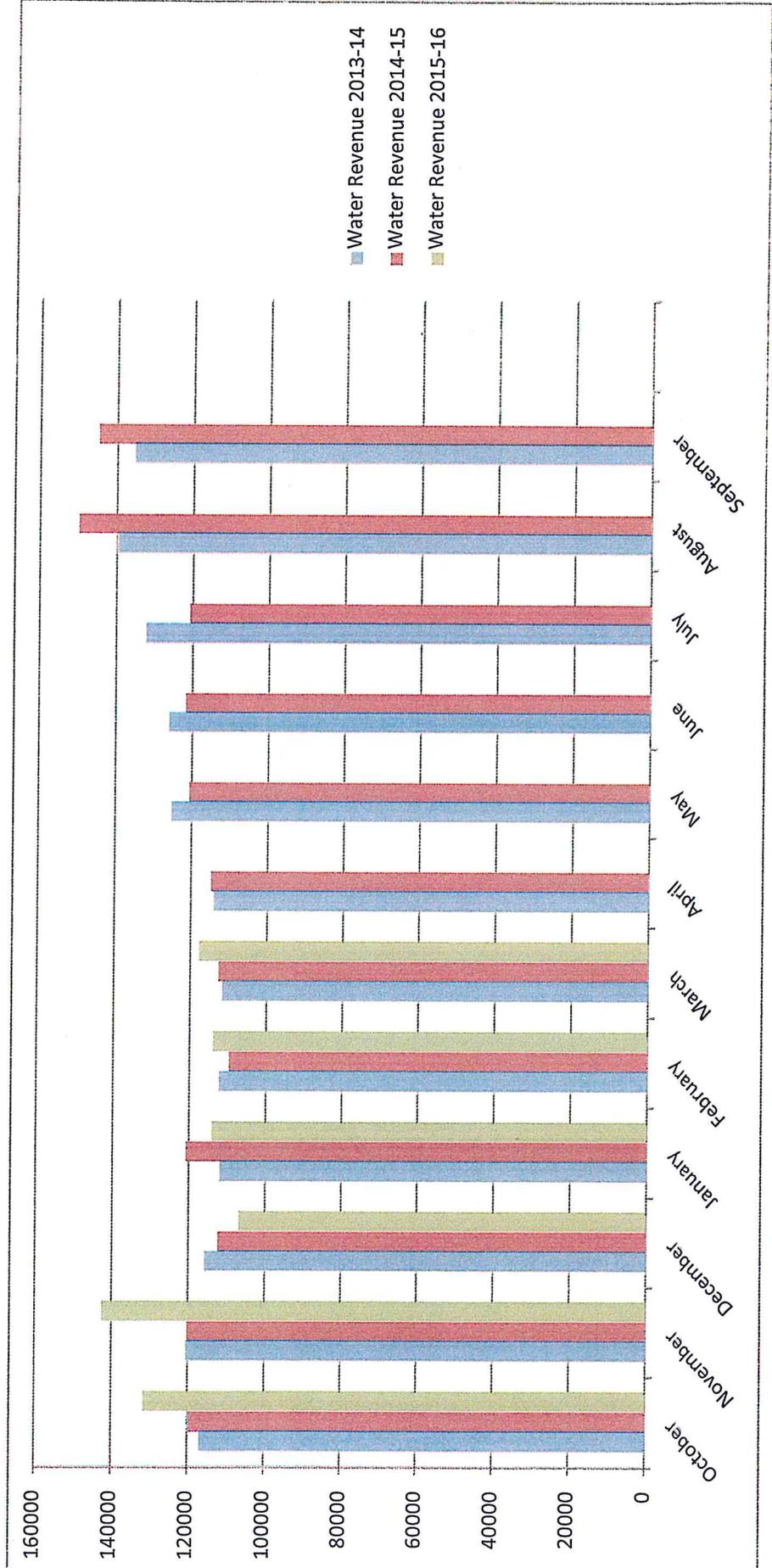
Attest:

Elaine Simpson
Elaine Simpson, City Secretary



City of Granite Shoals Water Revenue

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
FY:2015-16	131711	142551	106896	114153	113934	117708						
FY: 2014-15	119817	120374	112449	120889	109814	112646	114862	120668	121729	120781	149812	144744
over/under	11894	22177	-5553	-6736	4120	5062						
% Difference	9.03	15.56	-5.19	-5.90	3.62	4.30						
FY 2015-16: 6 month Revenue Total:				\$726,953								
												4.26



Note: July 2015: AMR Install Begins
 September 2015: AMR Install Complete