



City Of Granite Shoals
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MEETING MINUTES
CITY OF GRANITE SHOALS, TX
REGULAR CALLED CITY COUNCIL MEETING
TUESDAY, APRIL 26, 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 6:00 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
Tom Dillard, Council Member, Plc. 4
Todd Holland, Council Member, Plc. 5
Mark Morren, Council Member, Plc. 6

City Staff Present:

Ken Nickel, City Manager
Peggy Smith, Assistant City Manager
Brad Young, City Attorney
Elaine Simpson, City Secretary
Captain Gary Boshears, Police Department

2. Pastor Tomas Dominguez of 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.

- April 30, 2016 – City Wide Clean Up Day – bring water bill and photo id.
- May 7, 2016 – Election Day for City Elections
- May 17, 2016 – Special City Council meeting to conduct Election Canvass.
- May 21, 2016 – Household Hazardous Waste Collection Day for Burnet County: This will be held 9 AM to 1 PM at Mustang Stadium – they will accept hazardous wastes at this collection event that we cannot accept at City Wide Clean Up Day.
- Mayor reads Proclamation from Horseshoe Bay congratulating Granite Shoals on 50th Anniversary.

Mr. Roy Settlemyre: Spoke regarding his concerns that his neighborhood, Green Valley, was illegally annexed 11 years ago.

Mayor Brugger reads Proclamation from Horseshoe Bay congratulating Granite Shoals on our 50th Anniversary.

See Exhibit ‘A’ to these meeting minutes.

Mayor Brugger reads Proclamation expressing gratitude to the members of the Granite Shoals Faith Alliance for the stellar job that they did in conceiving, planning, and conducting the City Wide Worship Service of Thanksgiving and Hope on April 24, 2016.

From the Mayor of the City of Granite Shoals, Texas

PROCLAMATION

Glory Shoals Faith Alliance



WHEREAS, the city of Granite Shoals enjoyed 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, this event was conceived, planned, promoted, coordinated and presented by the Granite Shoals Faith Alliance also known as the Glory Shoals Faith Alliance; and

WHEREAS, this event was attended by more than 200 residents from churches and neighborhoods all across the city; and

WHEREAS, this event was part of the city’s “50th Anniversary Weekend” activities and was held under the same tent that shaded the music performers the day before; and

WHEREAS, the pastors of the Faith Alliance provide leadership for not only the ministries of our churches, but for the community as a whole; and

WHEREAS, the *Worship Service of Thanksgiving and Hope* included music, prayer and teaching from a variety of our citizens: children, elders, men, women and speakers of English and of Spanish; and

WHEREAS, the members of our community sang together, prayed together and considered the nature of the challenges facing our families, our schools and our community health and well-being; and

WHEREAS, the pastors of the Glory Shoals Faith Alliance prepared and presented this event which allowed us to ponder the achievements and challenges overcome in the last 50 years, the opportunities present today, and a vision for our future;

NOW, THEREFORE, I, Mayor Carl Brugger, with and on behalf of the City Council do, on this 26th day of April, 2016, hereby proclaim that the Granite Shoals Faith Alliance contributes not only to our meetings and our events, but to our daily lives as we work to strengthen our community, together.

Carl Brugger, Mayor

As a surprise to city staff, Mayor Brugger proclaimed -

Office of the Mayor City Of Granite Shoals



Proclamation

Expressing Thanks and Gratitude to City Employees

WHEREAS, the citizens of Granite Shoals celebrated our 50th Anniversary 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; and

WHEREAS, the 50th Year Bash weekend events were planned, coordinated and led by the 50th Anniversary Committee, but the events could not have been implemented without the onsite support of the City's office staff, Police, Fire, Utility and Streets and Parks Departments personnel; and

WHEREAS, the logistics of pre-event setup inside City Hall and the surrounding grounds, directing traffic, shuttling citizens and visitors, providing food and drinks at the event was executed seamlessly; and

WHEREAS, Saturday's 50th Year Bash started at 8:00 A.M. and finished at 7:00 P.M., and Sunday's Worship Service of Thanksgiving and Hope started at 11:00 A.M. and finished at 1:00 P.M., requiring city employees to arrive before events started and not leave until after events were finished; and

WHEREAS, the Mayor and the City Council recognize that employees 'went above and beyond' in support of the City's Anniversary Celebration, and did so with a supportive and welcoming attitude toward all who attended, exceeding the already high expectations that the Council holds for City Manager Ken Nickel and his staff; and

WHEREAS, the Mayor and City Council wish to express their thanks and gratitude;

NOW, THEREFORE, I, MAYOR CARL BRUGGER, with and on behalf of the City Council, on this 26th day of April, 2016, hereby proclaim that 50th Anniversary weekend of April 23 and 24, 2016, was a smashing success, in part because of the involvement of City employees.

Mayor Carl Brugger

5. Management Reports

a.) City Manager

- 50th Anniversary Bash – Review: The 50th Year Bash went exceeding well. One event that was held at the Bash was archery lessons booth. Mr. David Tripp wishes to come to speak to City Council at an upcoming meeting about holding lessons on city property.

Ken thanked all the vendors from Saturday and noted that there will be a ‘Debrief and Document’ meeting of the 50th Anniversary Committee which will be held April 28th. From this meeting will come a list of lessons learned, and the Committee’s chair, Jackie English, will provide this information in a presentation to City Council at the May 10th City Council regular meeting.

- City Wide Clean Up Day for Spring 2016: April 30, 2016 8 AM to 12 Noon.
- May 21, 2016 – Burnet County Household Hazardous Waste Collection in Marble Falls.
- Upcoming Town Hall meetings. There will be two Town Hall meetings held in the near future. One will be the Town Hall meeting called by the Wildlife Advisory Committee to discuss the deer management ‘pilot program’. The other is the Town Hall meeting to allow the City Council to update residents about the status of the Road Infrastructure (Arterial Roads) Project.
- Update on project for potential building of soccer fields near elementary school. I recently discussed this project with Dr. Allen and he reports that Marble Falls ISD legal department now has the project under review. We are still optimistic.

b.) Assistant City Manager

- LCRA community development partnership program – Check presentation 4/20/2016

There is a picture in the Highlander today of the check presentation ceremony. This water reclamation grant will go to put drain spouts on City Hall, and both tennis court buildings. This will be for the irrigation of wildflower and butterfly gardens.

c.) City Secretary

- Elections Update – Election Day May 7th, Canvass Meeting scheduled May 17, 2016, Early Voting April 25 – May 3, 2016: Approximately 43 voters have voted yesterday in person or have voted by Mail as per the daily report for yesterday. May 17th meeting for canvass will be held downstairs to accommodate P&Z Commission meeting in the Council Chamber at the same time.
- Human Resources Update

There are three positions open at this time. Part-Time position in Streets and Parks for Summer Help/Laborer, Administrative Assistant/Receptionist at City Hall and Animal Control Officer.

6. 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 April 12, 2016.

Council Member Dillard made a motion, and Council Member Morren seconded, to approve the Consent agenda item, as presented. Motion carried by a unanimous vote of 7-0.

7. SPECIAL WORKSHOP ITEM

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(s) February 23, 2016 and April 12, 2016. *(City Manager Ken Nickel)*

The Council discussed that they have discussed this topic at several meetings and have concentrated their discussions on general principles and larger issues. Mayor Brugger suggested that they review specifics of what has been agreed to so far in the meetings.

It is agreed that there needs to be firm definition of 'new construction' incorporated into the non-conforming ordinance.

Mayor noted that the meeting minutes from April 12th meeting are in tonight's agenda packet. They list on page 8 the 5 things that the Council has previously agreed to:

- 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).*

The Council then discussed the motion from the previous Planning and Zoning Commission meeting, noting that the Commissioners have made an excellent first pass at this non-conforming issue. Granite Shoals Planning and Zoning Commission discussed this issue at their Regular Meeting of April 21, 2016. The consensus of the P&Z Commissioners is that they would like Council to direct them to hold Public Hearings on the following proposed modification to the Zoning Ordinance related to Non-Conforming Structures:

Any structure that is built before July 28, 2015 that is solely in violation due to overhangs/eaves encroaching into a public utility easement, front, side or back yard setbacks, will be considered a conforming structure. Any remodel/modification/addition to such structure with overhangs/eaves encroaching into a public utility easement, front, side or back yard setbacks will be built with new eaves/overhangs extending no closer to the property line than the existing eaves/overhang. Motion made by Commissioner Scott, 2nd by Commissioner Fletcher. Motion carried by unanimous 4-0 vote.

It was discussed that the Commissioners had considered at length the issue of ‘continuing and enlarging’ an encroachment situation. By choosing to focus on the ‘distance from the property line’ the Commissioners attempted to allow modifications that do not enlarge the encroachment. There was an extended discussion of the ramifications if the encroaching structure is not ‘parallel’ with the property line. This consideration was given to City Attorney Young to work up options.

There was an extended discussion of the City creating a new zoning district for lakeside homes, and adjust modify the setback regulations, or alternatively, creating an ‘overlay’ zoning district for the lakeside homes which would add to the zoning restrictions of R-1 by modifying the setback requirements. There was a discussion of the City Council adopting a blanket release of setbacks and easements. It was noted that often in the city, the odd-shaped lots are on the waterfront, so these are the lots most likely to have encroachment issues. Mr. Young noted that pre-existing deed restrictions would still apply to the properties.

There was a brief discussion of the issues which could be caused by lakefront houses being built closer than 10’ apart. Issues of access for the lawn care workers, construction workers, and basic safety related to fire codes was discussed.

There was a brief discussion of the drainage issues which might be created by homes being closer together.

The Council discussed ‘fixing’ the Non-Conforming Ordinance and noted their desire to see it go through the process of Public Hearings at P&Z and City Council and adoption as an amending ordinance. It was discussed that the P&Z Commissioners are currently reviewing the entire Zoning Ordinance (Chapter 40 of the City Code) and will not be ready to present the entire Chapter 40 recommended modifications at this time. The P&Z is currently reviewing the Fencing section of the R-1 Zoning District.

The questions remain whether the exemption for the eaves will be expanded for the slab.

There was a short discussion of the city-wide violations of the property maintenance ordinance, and the controversy created when the code enforcement officers enforce setback regulations at one property while there are existing 'eyesores' at others.

City Attorney Young took for action to research options for zoning districts, overlays, blanket release ordinances and other suggestions as discussed tonight and return with these options to the next City Council meeting.

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

8. REGULAR AGENDA ITEMS

- a. Discuss, consider and possibly take action related to bids received on April 8, 2016 in response to Resolution #507 which authorized city staff to solicit bids for the sale of two lots of city owned property on Hill Drive. *(City Manager Ken Nickel)*

City Manager Nickel introduced this item and presented the staff report. City Council adopted Resolution #507 at their regular City Council meeting of March 22, 2016. This Resolution authorized city staff to advertise for bids for the sale of two lots of city owned property on Hill Drive. The city staff also indicated to City Council that there was some surplus personal property to be sold at bid which would be listed on the same bid notice.

The bid notice ran in the Highlander News on Friday, March 25, 2016.

On April 8, 2016, at the 3:00 PM deadline for bids, there were two sealed bids which had been timely received. Both bids were on the two properties. There were no bids received on the surplus property items.

Bids were received from:

- Dennis Soto: \$2,477.00 per lot.
- Jason Brady: \$2,500.00 per lot.

The bid opening was attended by City Manager Ken Nickel, City Secretary Elaine Simpson and bidder Mr. Dennis Soto.

City staff recommendation is to accept the bid of Mr. Brady.

Council Member Tanner made a motion, and Council Member Hisey seconded, to accept the bid(s) of Mr. Jason Brady for \$2,500 each for 2 lots, on Hill Drive, for a total of \$5,000.

Mayor Brugger read the detailed property descriptions:

Two city-owned properties on Hill Drive:

Lot 1. Burnet Central Appraisal District describes property as:

Property ID: 9102, Geo ID: 03610-0000-00738-000
Legal Description: S3610 Castle Hills section of Sherwood Shores, Lot 738
Situs Address: Hill Drive

Lot 2. Burnet Central Appraisal District describes property as:
Property ID: 9103, Geo ID: 03610-0000-00739-000
Legal Description: S3610 Castle Hills section of Sherwood Shores, Lot 739
Situs Address: Hill Drive

Motion carried unanimously by a 7-0 vote.

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

Kitty Gunn applied for consideration of appointment to the Beautification Advisory Group (BAG).

Council Member Dillard made a motion, and Council Member Tanner seconded, to appoint Kitty Ann Gunn to the BAG. Motion carried unanimously by a 7-0 vote.

- c. 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 and April 12, 2016 City Council meetings. *(City Attorney Young)*

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

There was some background noted from the previous meeting (April 12, 2016):

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.

He noted that tonight's version was modified as per the requests last month. He prefaced the new version with the following list which will hopefully clarify the question of when this Ordinance will be applicable:

... "By way of illustration, here are some examples of the types of events that would or would not be covered by the ordinance:

1. Circus – Yes
2. Rodeo – Yes
3. Farmers' Market – Yes
4. Carnival – Yes
5. Outdoor music festival – Yes
6. Outdoor craft fair sponsored by local charity – yes
7. On-location filming of a movie or television show –yes
8. Privately sponsored fishing tournament - yes
9. Granite Shoals 50th Anniversary Bash – No (because city-initiated and city-sponsored)
10. Christmas by the Highway – No (because city-initiated and city-sponsored)
11. Elementary school field day – No (because school district-initiated and school-district sponsored)
12. Wedding reception in a tent on a church parking lot (No, because private party held on private property)
13. Christmas outreach – No (because indoor event wholly contained on property specifically suited for the event)
14. Roddick Foundation youth tennis tournament (no, because adult-supervised sports recreational event for children)
15. A political demonstration in a location other than a street – No"

There was an extended discussion of which events the City should require get 'a permit', versus which type events should get a permit and also be required to get 'liability insurance'. There was a discussion of the amounts of liability insurance required. The version of the Ordinance tonight set this amount at \$500,000, reduced from \$1M. City sponsored events would be covered by the city's insurance and would not require any additional insurance.

There was a discussion of appropriate scenarios when exceptions might be made to the insurance requirement such as the following: hardship exemption? Existence of adequate property owners insurance for the venue (as a church would normally have)?

There was discussion, but no consensus regarding indoor versus outdoor events, and events which might have both components.

There was a brief discussion of whether this entire ordinance was truly needed at this time due to the number of events held which would require a permit of this type. This ordinance was suggested to get Granite Shoals 'ahead of the game' by having this type of Special Event permit in effect for the future when we need it. There was a question discussed related to the complexity of drafting this ordinance and administrating it versus value of the having Special Events permit in effect for the relatively small number of events which would be included.

Mr. Young took for action to make modifications to the proposed Ordinance as discussed tonight and bring back for Council consideration at the next meeting.

9. 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 regular meeting at 8:03 PM. Mayor Brugger called to order the Executive Session at 8:15 PM.

Mayor Brugger adjourned the Executive Session and reconvened the Regular Open Meeting at 8:48 PM.

Any action resulting from Executive Session.

There was no action resulting from the Executive Session.

10. Written Reports

- a. Code
- b. Fire
- c. Streets / Parks
- d. Police

11. Future Meetings and Agenda Items
 - o Review Agenda Calendar
 - o Identification of future agenda items
12. Adjournment

With no further business, and no objections from Council, Mayor Brugger adjourned the meeting at 9:00 pm.

Approved by City Council on the 10th of May, 2016

By: Carl Brugger
Carl Brugger, Mayor

Attest:

Elaine Simpson
Elaine Simpson, City Secretary





CITY OF HORSESHOE BAY

PROCLAMATION

City of Granite Shoals 50th Anniversary

WHEREAS, the original City of Granite Shoals was comprised of various sections of the large platted subdivision called Sherwood Shores which was created from the Phillips, Naumann and Ebeling ranches in 1962; and

WHEREAS, the City of Granite Shoals was incorporated May 9, 1966 and residents voted to adopt a home rule charter to govern the City in November, 2005; and

WHEREAS, the City was developed as a lake resort but is now a residential, resort and retirement community that has grown to a population of 5025; and

WHEREAS, the City of Granite Shoals will be celebrating its 50th Anniversary of incorporation Saturday, April 23, 2016;

FURTHERMORE, let it be known that the Mayor and Council, residents and employees of the City of Horseshoe Bay does hereby congratulate the City of Granite Shoals, its Mayor, Council, residents and employees on the 50th anniversary of the City.

NOW THEREFORE, I, Stephen T. Jordan, Mayor of Horseshoe Bay, Texas, do hereby set my hand to authorize this official Proclamation.

ISSUED THIS, THE 19th DAY OF April, 2016.

CITY OF HORSESHOE BAY, TEXAS

Stephen T. Jordan
Stephen T. Jordan, Mayor

Attest:

Teresa L. Moore
Teresa L. Moore, TRMC
City Secretary

