City Of Granite Shoals
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# MEETING MINUTES
# CITY OF GRANITE SHOALS, TX
# REGULAR CALLED CITY COUNCIL MEETING
# TUESDAY, MAY 10, 2016
# 6:00 PM

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

1. Mayor 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

Absent:
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
Chief Gary Boshears, Police Department
Wendy Gholson, Finance Director
Frank Reilly, Municipal Court Judge

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.*

- May 17, 2016 – Special City Council meeting to conduct Election Canvass, 6 PM downstairs conference room of City Hall.
- May 21, 2016 – Household Hazardous Waste Collection for Burnet County 9 AM-1PM – Marble Falls High School
- May 21, 2016 – *Hill Country Humane Society* (formerly: Christ-Yoder Animal Shelter) *Open House* – 11 AM to 4 PM
- May 30, 2016 – Memorial Day – City Offices are closed.
- June 18, 2016 – Town Hall Meeting, Deer Management, Fire Hall 9 AM -11 AM
- June 30, 2016 – Open Government Training for Board and Committee members. 6PM

Mr. BJ Henderson, 601 E. Briarway, Granite Shoals, TX: Stated that he owns this property on Briarway which he would like to begin renting out as Short Term Vacation Rental. He expressed his desire to receive a 'waiver' from the Ordinance that prohibits Short Term Vacation rentals in the City (which is codified in the City Code as Zoning Chapter 40. Section 40-26). Although the family has owned the property since before the passage of the No Short Term Rental Ordinance in 2012, they have not rented it for Vacation Rental. Mr. Henderson noted that he is aware the Short Term Rental prohibition issue was a 'hot topic', but he would like to be placed on a future agenda to have his property considered for 'Grandfathering'.

5. Presentations, Reports and Recognitions

- Quarterly Report for Granite Shoals Municipal Court: *Judge Frank Reilly*

Judge Reilly provided the Quarterly Report for Jan. – Mar. 2016. He explained that the number of open cases in January at the beginning of the quarter was 1,075. There were a total of 119 new cases filed during this report period. The number of cases closed through court disposition this report period was 315. Total Open cases number is currently 879. There were 32 warrants issued during the report period and 40 were executed (served). The 'Warrant Round Up' cleared approximately 28 cases.

- Final Report from 50th Anniversary Committee: *Committee Chair Jackie English*

The Committee had a 'Wrap-Up Meeting' for debriefing and documentation on Thursday after the event. Overall, the event was very successful. It wasn't perfect but the things that weren't perfect have provided us with lessons learned which will serve as advice for the next Committee that attempts a major event. By the number of Fun Runners we had, the number of cars parked at the venue, the number of hot dogs eaten and some 'un-official' metrics, we believe the event

had between 800-1000 people on Saturday. On Sunday, there were more than 200 people for the City-Wide Worship Service.

The event had a $10,000 budget. It exceeded the budget but until all invoices are processed we do not have an exact cost amount. The exact amount of the overage is not yet calculated, but we believe most stems from unexpected city staff overtime of about $7,000. The Finance Director will prepare a request for a budget amendment when the invoices are processed.

Many attendees mentioned how they would like to see Granite Shoals do a signature festival each year. Leo Manzano was thrilled with the Fun Run, the turn-out we had and especially all the young people who participated.

We prepared an itemized list of suggestions/lessons learned. Next event should have more shade (rented). The City Hall campus is an excellent venue for a Special Event, but we have few shade trees.

There was an extended discussion of the success of the Fun Run, the Music Festival, the History of the City exhibit and the other activities. Council thanked Chair English and the Committee members for their stellar work.

- Presentation regarding Youth Archery Lessons in the City: *Mr. David Tripp*

Mr. David Tripp, 327 Oak Ridge Trail in Kingsland, TX. He explained that he was about to retire from my teaching career with the Marble Falls ISD, which was a second career after some police work. He is now starting a basic Bow Archery Lessons class for youth in this area. He discussed this with the City Manager and is currently on a 'trial period' holding classes on the City Hall campus to the South of the City Hall, not far from the Christmas Decoration storage shed. It is in the open area near the finished slab. The class area is set up to face away from the Hike and Bike trail. The main function of the class is to teach safety. The bows are lightweight, and size/age appropriate for youth students.

He carries a liability policy of 1 million dollars. His students sign waivers before they can join. At the last class there were 11 students and one parent. Ages are from 8 years old to 40 years old (the parent from Saturday).

He explained he would like to hold 4 more lessons this Spring and then resume with a new class in the Fall.

- Wendy Gholson, Finance Director: City of Granite Shoals Second Quarter Financials and Investment Report.

She discussed the 8 page report page by page and fielded questions. She noted that the budget year is 50% gone. The only things that are lagging behind are things like Sales Tax and water sales, which should pick up in the busier summer months. The property tax relief sales tax didn't begin accumulating until December, so it may not make the projected budget amount.

There was a discussion of the rainy weather this winter and Spring, and the possible effects this could have on the utility revenue. She assured that the amount for payments for the new Smart Meters (Automated Meter Readers) was built into the budget, so there is no concern at this time regarding having the revenue to cover those payments.

She noted on the Investment report that we maintain a one-day weighted maturity for our investments.

6. Management Reports

a.) City Manager

- Report on City-Wide Clean Up Day held April 30, 2016: We had approximately 152 vehicles come through. Seventeen dumpsters were filled. It was very successful. There was a traffic back up for approximately 20 minutes on North Phillips Ranch Road, which is very typical for these events.
- Training update – City Manager: upcoming professional development opportunities. There is an annexation class upcoming which Ken and City Attorney Young will both attend.
- Teacher Appreciation report: May 6, expressed appreciation for the Highland Lakes Elementary School teachers. Police Officer John Ortiz, Chief Gary Boshears, Ken and Municipal Court Judge Frank Reilly all took part in the Teacher Appreciation Day recently. These staff members helped act as a 'substitute teacher' for a few hours in the morning to allow the Elementary teachers to eat a catered breakfast and attend an awards ceremony.
- Marble Falls ISD involvement opportunity – Coalition regarding substance abuse prevention be coordinated by Superintendent Dr. Allen. Ken Nickel and Gary Boshears invited to participate, also Council Member Tanner.
- Wildlife Viewing Station proposal/discussion – May 4, 2016. Group of naturalists wish to begin discussions about possibility of having a wildlife viewing station at Quarry Park. Mr. Freddy Franks is a member of this group. He was the Master Naturalist who assisted the City in the past provide Parks and Wildlife with environmental studies necessary to get grants for Quarry Park. These are early talks and are in the very preliminary stages.
- Granite Shoals Ord. 220, adopted October 27, 1985. This ordinance was passed 31 years ago, levying liens on properties improved at the time. Ordinance contained an 8% per annum interest charge on these liens. Mrs. Hanson, 2201 Belaire Drive, was required to pay $7,000 + for a 31 year old lien placed on the property Mr. Hanson inherited from his (grand)father. The property was in the grandfather's name when the lien was placed, but when Mr. Hanson purchased it from his own father, in 1996, they did not know there was an unpaid lien. Recently, in order to clear the title to the property, Mr. and Mrs. Hanson had to pay the 8% interest over the course of the 31 year old levy, which began as a $750 paving lien. City staff will do research into this issue and return with an update for City Council about these old liens.

Ken also reported that his neighbor has a drone that flew over the recent 50th Anniversary

Party and took video footage. It is hoped the neighbor will also take some footage of the Hike and Bike Trail.

b.) Assistant City Manager

- Water System Update – process for obtaining permission from TCEQ to remove portions of the water plant which are no longer in operation. Recently the SWAG discussed this issue. The SWAG members will assist the City staff draft a letter to address some concerns of citizens about the water intake area of the water plant. The 'Old Water Plant' is not abandoned. Many components at this site are still part of the water treatment plant and are under the city's license. The SWAG and city staff may attempt to compose a map for the restricted areas to dissuade trespassers.
- Verizon contract for water tower space lease update. City staff was recently contacted by a subcontractor for Verizon asking to make modifications to the agreement. We rejected his requested modifications because it involved more equipment than we believe appropriate for placement on the water tower. We currently have contract for 6 antennae and one microwave dish. The request was to add three more antennae.

c.) City Secretary

- Elections Update - May 7, 2016 City of Granite Shoals General and Special Elections. The 'unofficial' tabulation reports was available May 7th evening and was posted as required. There are a couple of deadlines still to come. Thursday the 12th is the deadline for overseas ballots to be received by Elections Administrators office in Burnet. We have 13 FPCA ballots sent overseas, 3 City of Granite Shoals/MFISD, 6 MFISD only, 1 City of Burnet/BCISD and 3 BCISD only. There are no Granite Shoals provisional ballots. But, because of the 5PM Friday deadline for the ID provisional ballots, the Early Voting Ballot Board will not meet until Monday the 16th at 9AM to process the remaining ballots and they will finalize the election as soon as they are finished. The County will send us the official canvassing materials as quickly as possible Monday when this is all complete, and it will be available, of course on Tuesday the 17th for the Canvass.

- Human Resources Update
  - Animal Control Officer with Peace Officer License

Posted March 23, 2016 | Open Until Filled

  - Police Officer - Patrol Officer

Posted May 10, 2016 | Open Until Filled

  - Street / Park Department Part-Time Summer Help

Open until filled. Minimum age 18.

- Board and Committee update. Airport Advisory Committee meets 5-12-2016. Wildlife Advisory Committee met 5/4/2016 and set Town Hall Meeting on Deer issue for 6-18.

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 April 26, 2016.
b. Approval of nomination of Granite Shoals Municipal Judge Frank Reilly to serve as City's representative on Board of *Williamson-Burnet Counties Opportunities* ("WBCO").
c. Approval to schedule the *Granite Shoals Annual Volunteer Appreciation Reception* for Tuesday, June 28, 2016, from 5:00 PM to 6:00 PM, before the regular City Council meeting.

Motion by Council Member Hisey, seconded by Mayor Pro Tem King, to approve, as presented, all items on the Consent Agenda. Motion carried by a unanimous vote of 6-0.

8. PUBLIC HEARING

Re-plat application of Cody Foster, of Cuplin and Associates, on behalf of James Maddox and Brenda Davis, owners of property at 134 W. Newcastle Drive, Granite Shoals, TX, to combine six lots, being lots 644-650 of the Greencastle section of Sherwood Shores, for future construction.

a. Hear applicant presentation.
b. Hear City staff and Planning and Zoning Commission recommendations, respectively.
c. Hold Public Hearing.
d. Discuss, consider and possibly take action on the application.

Mayor Brugger opens the Public Hearing at 7:23 PM

Mayor Brugger closes the Public Hearing at 7:25 PM

Mr. Cody Cuplin from Cuplin and Associates, presented the applicant report. He explained that this was a relatively straightforward re-plat combining six lots in order for the owners to build new outbuilding.

City Manager Nickel noted that the Planning and Zoning Commission recommended approval, as does city staff.

Mayor Brugger made a motion, and Council Member Dillard seconded, to approve the application of Cody Foster, of Cuplin and Associates, on behalf of James Maddox and Brenda Davis, owners of property at 134 W. Newcastle Drive, Granite Shoals, TX, to combine six lots, being lots 644-650 of the Greencastle section of Sherwood Shores, for future construction. Motion carried unanimously with a vote of 6-0.

*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 the appointment of members to Boards and Committees. *(City Secretary Simpson)*

City Secretary Simpson reported that there are no applications for consideration of appointment at this time. Mayor Brugger noted that the Parks Committee should be listed as having a vacancy, because Mayor Pro Tem is a Council Advisor and not a voting member. The agenda communique (staff cover sheet) for this standing item will be corrected.

There was no action taken.

b. 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, April 12, 2016 and April 26, 2016 City Council meetings. *(City Attorney Young)*

Mayor Brugger notes the most recent discussion of this proposed ordinance can be found in the agenda packets in the Council meeting minutes from April 26th. Mayor Brugger notes that he believes all requested updates and modifications have been incorporated into this version of the proposed ordinance which is before City Council tonight.

The City Council requested one modification to the proposed Ordinance, to give City Manager more discretion to determine an applicant for a Special Event Permit could 'waive' the liability insurance requirement. This section of the ordinance is Sec. 10-106 and is letter 'd.'. Council determined they preferred the following wording:

*(d) The City Manager may waive or reduce the insurance requirement for special events that will not involve increased risk to the public and that satisfy one or more of the following requirements: the permittee is a 501(c)(3) nonprofit corporation; the event will involve fewer than 50 attendees; the permittee provides proof of adequate existing insurance; or the event will be confined to a single tract of property.*

It was noted that for an event that may, in the City Manager's opinion pose increased risk, the City Manager might increase the amount for the required insurance.

Council Member Dillard made a motion, and Mayor Pro Tem King seconded, to approve, as modified tonight, Ord. 687. Mayor Brugger read the Ordinance caption for Ord. 687.

***ORDINANCE NO. 687***

***"Special Events Ordinance"***

***AN ORDINANCE AMENDING CHAPTER 10 (BUSINESSES AND BUSINESS REGULATIONS) OF THE CODE OF***

***ORDINANCES OF THE CITY OF GRANITE SHOALS BY ADDING A NEW ARTICLE V, "SPECIAL EVENTS," AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.***

Vote on the motion, carried unanimously by a 6-0 vote.

*City Council recess at 7:40 PM for break.*

*City Council reconvenes at 7:55 PM.*

c. Discuss, consider and possibly take action related to proposed modifications to the Ordinance for Non-Conforming Structures as discussed at April 12, 2016 and April 26, 2016 City Council meetings. *(City Attorney Young)*

City Attorney Brad Young disseminated a red-line version of the proposed Ordinance showing the proposed modifications. This version should have all the issues previously discussed amended as per City Council. There was a discussion of Eaves and Overhangs. No additions or renovations may be built which will create new, or enlarge existing encroachments into setbacks. There was a discussion of the creation of the Waterfront Overlay Zoning District. Council discussed the 10 foot setback from shoreline restriction incorporated into this ordinance. When Beaver and Webb Isle are re-annexed, there will be non-conforming structures on the islands. There was a brief review of the height limitations for boat docks.

The Council discussed that the Planning and Zoning recommended language is also included in this version.

There was a brief discussion related to questions submitted by Mr. Jim Davant via email earlier in the day regarding his non-conforming structure.

The Council Members removed a section of the proposed ordinance which would have allowed for homes to have no restrictions on how close eaves could be on side yards.

Mayor Brugger made a motion, and Council Member Tanner seconded, to send this draft of the Non-Conforming Ordinance to the Planning and Zoning Commission for them to hold their Public Hearing and make a recommendation. The City Council will then hold a Public Hearing and consider recommendations. Motion carried unanimously by 6-0 vote.

d. Discuss Public Infrastructure / Arterial Roads improvements, including results of Special Election held May 7, 2016, possible Town Hall Meeting and grants. *(Mayor Brugger)*

It was noted that both Sales Tax propositions passed on May 7, 2016. This means that there will be 1 cent for Streets Maintenance and 1 cent Sales tax going toward General Fund starting Oct.1, 2016.

City Manager Ken Nickel noted that now that the City's big birthday event is over, staff will focus time toward finding a grant writer willing to work with us to apply for the USDA Rural Development grant. Council Member Tanner has volunteered to assist with this effort, as well. We have set the goal date of June 10th for city staff to have the description of the project to the USDA Rural Development Department.

The Town Hall for the city citizens to discuss this grant and these infrastructure plans will probably be held in September.

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 regular meeting at 8:55 PM. Mayor Brugger called to order the Executive Session at 8:57 PM.

Mayor Brugger adjourned the Executive Session and reconvened the Regular Open Meeting at 9:12 PM.

Any action resulting from Executive Session.

There was no action resulting from the Executive Session.

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

Mayor Brugger suggested the following schedule for City Council direct reports to be evaluated this summer:
Annual Reviews of:

- Ken Nickel, City Manager
- Elaine Simpson, City Secretary
- Brad Young, City Attorney
- Frank Reilly, Municipal Court Judge

Suggested Steps

1. May 11, (Wednesday) Mayor to issue request for self-appraisals to CM, CS, CA & MCJ.
2. May 23, (Monday) Self-appraisals are due back to Mayor.
3. May 24, (Tuesday) Hold executive session – distribute self-appraisals and appraisal forms.
4. June 2, (Thursday) Individual council members return their CM & CS appraisals to mayor for compiling.
5. June 14, (Tuesday)
    a. Hold executive session for council to review/change compiled CM & CS appraisals.
    b. Discuss term of City Manager contract renewal.
    c. Individual council members CA & MCJ appraisals due to Mayor for compiling.
6. June 28, (Tuesday)
    a. Hold executive session appraisal review with Ken Nickel & Elaine Simpson.
    b. Review/change compiled CA & MCJ appraisals.
7. July 12, (Tuesday) Hold an executive session appraisal review with Brad Young & Frank Reilly.

12. Adjournment

With no further business, and no objections from Council, Mayor Brugger adjourned the meeting at 9:29 pm.
Approved by City Council on the 24th of May, 2016

By: Carl Brugger
Carl Brugger, Mayor

Attest: Elaine Simpson
Elaine Simpson, City Secretary