



City Of Granite Shoals  
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MEETING MINUTES  
CITY OF GRANITE SHOALS, TX  
REGULAR CALLED CITY COUNCIL MEETING  
CITY HALL, 2<sup>ND</sup> FLOOR COUNCIL CHAMBER, GRANITE SHOALS, TX  
TUESDAY, AUGUST 23, 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  
Anita Hisey, Council Member, Plc. 1  
Shirley King, Council Member, Plc. 2  
Eric Tanner, Council Member, Plc. 3  
Tom Dillard, Mayor Pro Tem  
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

2. Mike Mitchell of the Granite Fellowship 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.*

- Nomination Period for the 2017 John Rinehart Memorial Award for Outstanding Community Service, June 30<sup>th</sup> through September 30<sup>th</sup>, applications available at City Hall and on the city website at <http://www.graniteshoals.org/DocumentCenter/View/687>
- September 5, 2016 – Labor Day – City Offices closed.
- September 7, 2016 Bluebonnet Café in Marble Falls - Fish Fry for Marble Falls EMS.
- Burnet County Citizens Emergency Management Training Classes begin 9/15.
- Upcoming Council Meetings: September 7<sup>th</sup>; Special Meeting Public Hearings on the Tax Rate and the Budget, September 13, 2016; Reg. City Council Meeting, and September 16, 2016 (Friday); Special Called Meeting to adopt Budget/Tax Rate.

Mayor Brugger explained that he would request a postponement for the Work Session related to Elm Creek Drainage on tonight's agenda if needed in the interest of time.

City Manager Nickel made all 'Items of Interest' announcements, except the one related to the upcoming CERT class. Mr. Jim Davant, 310 S. Shorewood, Granite Shoals, TX: CERT class #8 is starting September 15, 2016. So far Burnet County has 15 students enrolled, and they need 25 to make a class. This training is not for First Responders, it is for citizens.

Susie Hardy; Streets and Water Advisory Group (SWAG) – Chair: SWAG met on August 1, 2016 and discussed ideas related to implementing large truck fees in the city limits, to generate revenue to maintain and improve the roads. Would like to start with utility trucks, Honey Dippers, Allied Waste, school buses and cable TV trucks. These trucks are causing great wear and tear on the streets. SWAG would like to see a policy that eventually incorporates 18-wheelers.

Michael Steenbergen, 2208 Belaire Drive, Granite Shoals, TX 78654: He discussed his ideas for Solar Energy to be researched for Granite Shoals. He volunteered to study the feasibility of roof tops, carports, tennis courts and a solar farm. Discusses the 'pros.' of Solar Energy. Proposes that some Council Members join him on the solar research group.

## 5. MANAGEMENT REPORTS

### a.) City Manager

- Fences / Fence Ordinance update

After a two-hour discussion of fences at their last meeting, the P & Z Commissioners did not come to a firm decision. They are working on some concepts and will make recommendations to City Council after their September meeting.

- b.) Assistant City Manager
  - Paving Project 2016 - update

Assistant City Manager Smith discussed the plans for this year's Paving Project. The paving project will begin tomorrow, the rains have been a slight challenge but we are on schedule.

- c.) City Secretary
  - Election(s) Update(s)

On November 8, 2016, the City will have two Special Elections: Referendum and Bond Elections.

Referendum Election, Ord. 680 is at the Translators now, being translated into Spanish.

Bond Election:

The Ordinance passed last night, Ordinance 698, for the Bond Election listed Valley View as a 'Road' not as a 'Lane'. This typographical error will be corrected on the Ordinance before Mayor Brugger signs it.

On the next Regular Meeting agenda the election notices will be on the Consent Agenda for signature by the Council Members.

6. PUBLIC HEARING(S):

- A. Consider the City of Granite Shoals proposed Fiscal Year (FY) 2016-2017 budget. (*Finance Director Wendy Gholson/City Manager Ken Nickel*)
  - a. Hear Presentation, as Council desires.
  - b. Hold a Public Hearing
  - c. Announce date for Council to hold the next Public Hearing is Wednesday, September 7<sup>th</sup>, and to consider taking action to adopt. Friday, September 16, 2016 at 6 PM at City Hall, 2<sup>nd</sup> Floor, Council Chamber.

Mayor Brugger opened both Public Hearing agenda items.

Mayor Brugger called the Public Hearing on Budget to order at 6:18 PM

Mayor Brugger adjourned the Public Hearing on the budget at 7:31 PM

Mayor Brugger announced that the next (second and last) Public Hearing on the Budget will be held September 7, 2016. Then the Council will consider adoption of Ord. to adopt the budget at a Special Meeting on Friday, September 16, 2016 at 6 PM here in Council Chambers.

Finance Director Gholson made her updated Budget presentation and the Council considered it page by page, starting with the priorities of City Council.

Mayor Brugger recessed the meeting for a break from 7:32 PM to 7:44 PM.

B. Consider a proposed property (ad valorem) Tax Rate for 2016 for the City of Granite Shoals at \$0.53718/\$100 valuation, as discussed at the August 15, 2016 Special Called Budget Meeting. (*Finance Director Wendy Gholson/City Manager Ken Nickel*)

- a. Hear Presentation, as Council desires.
- b. Hold a Public Hearing
- c. Announce date for Council to consider taking action to adopt.

Mayor Brugger announced that the next (second and last) Public Hearing on the Tax Rate will be held September 7, 2016. Then the Council will consider adoption of Ord. to adopt the Tax Rate at a Special Meeting on Friday, September 16, 2016 at 6 PM here in Council Chambers.

Mayor Brugger called the Public Hearing on Tax Rate to order at 7:45 PM

Mayor Brugger adjourned the Public Hearing on the Tax Rate at 8:47 PM

Ms. Angela Jaworski, 702 Shorewood Drive, Granite Shoals, TX: Expressed her dissatisfaction with the \$50,000 proposed in the budget for city staff members to get approximately 3% raises. She noted that this money could go to street maintenance.

Glynis Smith, Highlander News: Requested that Council clarify her understanding that the 3% possible raises reflected in the budget are not Cost of Living raises, they are only for use for merit raises, as has been customary for the City Manager to do the last few years. Council verified that this is correct.

Ms. Laura Campbell, 206 E. Bluebriar: Asked if there are any plans for new businesses to come to the City. There was a brief explanation from City Manager Nickel that the budget being proposed has no allocations for Economic Development for incentives or travel. He also clarified for the audience that there are no new businesses scheduling to come to the city. Susie Hardy dispelled a rumor that the Post Office on N. Phillips Ranch had an interested buyer. Mrs. Hardy, as the Realtor representing the property, stated that this was not true.

The City Council discussed that at their meeting the night before, they had considered the rate of \$0.53718/\$100 valuation. This is also known as 'Alternative #5' or the 'Bare Minimum Budget rate'. This rate would provide for a budget with only \$1,500 in the City Manager's contingency fund. This is the only amount he would have to fix any air conditioning units or any other issue.

At the end of the Special meeting last night, some City Council members asked Mr. Nickel to compose a budget that he would feel more comfortable with, that he would consider more sufficient and realistic.

City Manager Nickel and Finance Director Gholson proposed a new rate, called 'Alternate #6'. At this rate, the City would not end the year with a negative balance. It would demonstrate continued support for building the fund balances.

Alternate #6 also included plans to not pay the grant administrators their fee for applying for the Texas Parks and Wildlife Outdoor Recreation grant (\$25,000) until after Oct. 1, 2017.

Proposed Changes	Amount	M&O Rate	I & S Rate	Chg to Current		CHANGE to Fund Balances				
				Total Rate	Rate	General	I&S	Rest. Park	TOTAL	
Current Rate:		\$ 0.29200	\$ 0.22870	\$ 0.52070						
Effective Rate:		\$ 0.30440	\$ 0.22870	\$ 0.53310						
Rollback Rate:		\$ 0.32870	\$ 0.22870	\$ 0.55740						
Not to Exceed Tax Rate:		\$ 0.32850	\$ 0.22870	\$ 0.55720	\$ 0.03650					
Utilize I&S Fund Balance to buy-down tax rate	\$ (38,108)	\$ -	\$ (0.01000)	\$ 0.54720	\$ 0.02650					
Delay hiring Parks employee for 6 months	\$ (21,100)	\$ (0.00554)	\$ -	\$ 0.54166	\$ 0.02096					
Eliminate Council Attendance at TML Conference	\$ (2,000)	\$ (0.00052)	\$ -	\$ 0.54114	\$ 0.02044					
Increase Revenue for sale of fire truck	\$ (10,000)	\$ (0.00262)	\$ -	\$ 0.53852	\$ 0.01782					
Increase Election Expense	\$ 5,500	\$ 0.00144	\$ -	\$ 0.53996	\$ 0.01926					
Utilize I&S Fund Balance to buy-down tax rate	\$ (13,069)	\$ -	\$ (0.00278)	\$ 0.53718	\$ 0.01648					
<b>Alternative #5 (Workshop)</b>		<b>\$ 0.32126</b>	<b>\$ 0.21592</b>	<b>\$ 0.53718</b>	<b>\$ 0.01648</b>	\$ 18,812	\$ (51,177)	\$ (45,400)	\$ (35,492)	
Eliminate I&S buy-down	\$ 13,069	\$ -	\$ 0.00278	\$ 0.53996	\$ 0.01926		\$ (38,108)		\$ (22,423)	
Offset fire truck revenues with new equipment	\$ 10,000	\$ 0.00262	\$ -	\$ 0.54258	\$ 0.02188					
Increase contingency to \$10,000	\$ 8,500	\$ 0.00223	\$ -	\$ 0.54481	\$ 0.02411					
Increase fund balance reserves	\$ 9,100	\$ 0.00239	\$ -	\$ 0.54720	\$ 0.02650	\$ 27,912			\$ (13,323)	
Delay acceptance/action of Park grant to FY2018	\$ 25,000	\$ -	\$ -	\$ 0.54720	\$ 0.02650			\$ (20,400)	\$ 11,677	
<b>Alternative #6</b>		<b>\$ 0.32850</b>	<b>\$ 0.21870</b>	<b>\$ 0.54720</b>	<b>\$ 0.02650</b>	\$ 27,912	\$ (38,108)	\$ (20,400)	\$ 11,677	

Alternative #6 would allow the city to end the year with a positive fund balance. It would increase the proposed tax rate to be considered from the 'bare minimum' of \$0.53718 to \$0.54720 per \$100 valuation. This rate is still lower than the 'Not To Exceed' rate, as published at \$0.55720/\$100 valuation.

The Council considered Alternatives #5 and #6. The majority agreed that Alternative #6 would provide a more realistic budget, with the \$10,000 in the contingency fund, and the allowance of the Fire Department to purchase equipment with the proceeds of the sale of the old backup Fire Engine. Council Member King expressed concern regarding the delay of the payment to the Grant Administrators.

Mayor Brugger closed item #6 at 9:07 PM.

## 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. Approve City Council minutes from August 9, 2016; Regular Meeting.
- b. Approve City Council, August 15, 2016 Special Called Meeting and Budget/Tax Rate Workshop minutes.
- c. Approve proposed Ordinance #688, approving modifications and updates to policies and procedures related to Granite Shoals Police Reserves.
- d. Approve the recommendation of Wildlife Advisory Committee to declare a seat vacant on the Committee.

Mr. Michael Steenbergen, 2208 Belaire Dr., Granite Shoals, TX 78654: Noted that he did not like the way the meeting minutes were being composed.

Mayor Brugger pulled item b.) from the Consent Agenda.

Mayor Pro Tem Dillard motioned, and Council Member Tanner seconded, to approve, as presented, Consent Agenda items a.), c.) and d.). Motion carried unanimously by a 7-0 vote.

City Attorney Young explained what is legally required to be in the meeting minutes and noted that the meeting minutes contain all the legally required information.

Mayor Brugger motioned, and Mayor Pro Tem Dillard seconded, to approve, as presented, item b.) from the Consent Agenda, *Approve City Council, August 15, 2016 Special Called Meeting and Budget/Tax Rate Workshop minutes*. Motion carried by a unanimous 7-0 vote.

#### 8. REGULAR AGENDA ITEMS

- a. Discuss, consider and possibly take action related to renewal of contract for Fire Protection/Financial Support with Burnet County. (*City Manager Ken Nickel/Fire Chief Austin Stanphill*).

Ken Nickel disseminates the updated/corrected copies of the contract received from Judge Oakley's Office today.

Mayor Brugger motioned to approve the renewal of contract for Fire Protection/Financial Support with Burnet County, as presented at the dais tonight. Motion carried by unanimous vote of 7-0.

- b. Discuss, consider and possibly take action related to Resolution to authorize application for Local Park Grant through the Texas Parks and Wildlife Department and authorizing City Manager Ken Nickel to sign all documents for the grant application. (*City Manager Ken Nickel*)

Council Member Tanner motioned, and Mayor Pro Tem Dillard seconded, to approve, as presented, Resolution to authorize application for Local Park Grant through the Texas Parks and Wildlife Department and authorizing City Manager Ken Nickel to sign all documents for the grant application. Motion carried unanimously by a 7-0 vote.

- c. Discuss, consider and possibly take action related to a proposed Ordinance 697 prohibiting drilling and mining or the reopening of any abandoned well or mine in any public park located within the city limits of Granite Shoals, TX. (*City Manager Ken Nickel*)

Mayor Brugger requested that City Attorney Brad Young prepare an updated version of this 'Sample' Ordinance that was provided to us from Mr. Burrus at the Municipal Grant Service. Mayor requested that this Ordinance be formatted to appropriately reference the Granite Shoals City Code of Ordinances. These updated versions were placed at the Council members places.

City Manager Nickel explained that this was required for the Texas Parks and Wildlife Grant that the city is currently planning to apply for.

There was a short discussion that Council did not wish this Ordinance to prohibit someone from drilling for water (the City) on the Municipal Complex property if that is needed. City staff clarified that this is not for all city property, just designated parkland property.

There was a short discussion related to the desire of Council that normal construction of authorized features continue to be allowed in the parks. They did not wish this Ordinance to prevent someone from drilling a hole for a wall, pole or sign, etc.

The Council generally agreed on the following modifications to the proposed Ordinance:

Addition of section c.) under the heading for Section II.

*(c) Drilling shall not be construed to prevent bona fide construction techniques not related to extraction of minerals or water. ”*

Mayor Pro Tem Dillard motioned to approve proposed Ord. 697, with modification/addition as added 'c.' under Section II, and Council Member Tanner seconded.

Mayor Brugger read the Ordinance caption:

**ORDINANCE NO. 697**

***“Prohibiting Drilling or Mining in City-Owned Park Land”***

***AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS AMENDING CHAPTER 26 OF THE GRANITE SHOALS CODE OF ORDINANCES (PARKS AND RECREATION) TO ADD A NEW ARTICLE IV (PROIHBITED ACTIVITY), PROVIDING FOR THE PROHIBITION OF DRILLING AND MINING OR THE REOPENING OF ANY ABANDONED WELL OR MINE IN ANY PUBLIC PARK LOCATED WITHIN THE CITY OF GRANITE SHOALS, TEXAS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; A SAVINGS CLAUSE; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING***

Motion carried unanimously by a vote of 7-0.

9. Workshop Items

Review information, discuss and consider drainage issues related to Elm Creek:

Issues related to: plans for future public infrastructure projects, Federal Emergency Management Agency (FEMA) Floodplain area(s), Lower Colorado River Authority (LCRA) regulations and to access to creek: private property, rights-of-way, easements, etc.

This Workshop was postponed to the next meeting, in the interest of time.

10. Executive Session(s)

A. *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 Election questions.*

B. *Executive session pursuant to sections 551.074 of the Texas Open Meetings Act (Personnel Matters): Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the following public employees: City Manager Ken Nickel and City Secretary Elaine Simpson.*

Mayor Brugger recessed the Open Meeting and went into Exec. Session at 9:27 PM.

Mayor Brugger adjourned the Exec. Session and reconvened the Open Meeting at 10:20 PM.

Any action(s) resulting from Executive Session(s).

There was no action taken resulting from the Executive Sessions.

11. Written Reports

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

12. Future agenda Items

- o Review Agenda Calendar
- o Identification of future agenda items

Frank Reilly Executive Session on the September 13, 2016 Reg. City Council meeting.

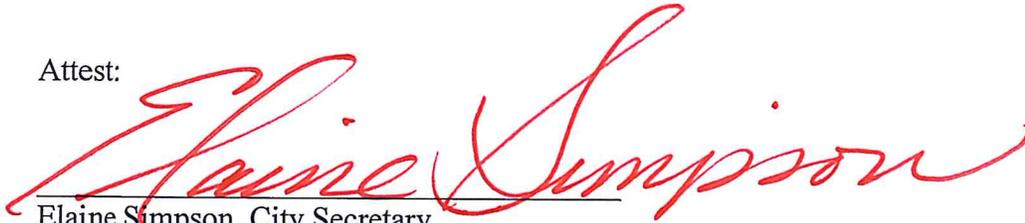
13. Adjournment

With no further business, and no objections from Council, Mayor Brugger adjourned the meeting at 10:26 PM.

Approved by City Council on the 27th of September, 2016

By:   
Tom Dillard, Mayor Pro Tem

Attest:

  
Elaine Simpson, City Secretary