City Of Granite Shoals
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MEETING MINUTES
CITY OF GRANITE SHOALS, TX
REGULAR CALLED CITY COUNCIL MEETING
CITY HALL, 2ND FLOOR COUNCIL CHAMBER, GRANITE SHOALS, TX
TUESDAY, OCTOBER 25, 2016
6:00 PM

Before this meeting was held, a reception was held in Eric Tanner's honor to thank him for his service on City Council 2011-2016 and to wish him well in future activities.

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
Tom Dillard, Mayor Pro Tem
Anita Hisey, Council Member, Plc. 1
Shirley King, Council Member, Plc. 2
Jim Davant, Council Member Plc. 3
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
Josh Katz for Brad Young, City Attorney
Elaine Simpson, City Secretary

2. Randy Taylor of the First Baptist Church of Granite Shoals 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.

- Volunteers Wanted for Granite Shoals Volunteer Fire Department.
- 3 Part-Time positions for Firefighter/EMT for the Granite Shoals Fire Department.
- ***Early Voting for Nov. 8th Elections*** – Monday, October 24th – Friday, November 4th
- ***October 28, 2016; Friday*** – *Public Safety Day at Highland Lakes Elementary School.*
- ***Fall Festival*** – Presented by the Granite Shoals Faith Alliance – **updated location Veterans Park** – October 30, 2016. 1 PM – 5 PM
- ***Veterans Celebration*** – November 5, 2016; Saturday, Veterans Park at 11:00 AM – the veterans will be honored and the John Rinehart Memorial Award for Outstanding Community Service will be presented. Student musicians from MISD schools have been invited. The program is not finalized.
- ***November 8, 2016 City of Granite Shoals Special Elections*** – Election Day polling places will be open 7 AM to 7 PM.
- ***December 2, 2016 Friday, Christmas By The Highway 'Lighting Ceremony'*** 6 PM

There were no citizen comments.

5. **MANAGEMENT REPORTS**

a.) Assistant City Manager

- City Wide Clean Up – Ken thanked the volunteers who assisted on 10/15, there were 14 dumpsters filled, and more than 60 boxes of paper shred securely by the Condor Documents Shred Mobile.
- City Hall Projects: The roof repair is progressing on schedule. The side walls on the second floor patio have been stuccoed. Next a new mat will be installed and new deck flooring.
- Veterans Day Celebration, November 5, 2016.
- Lower Colorado River Authority (LCRA) Update – The LCRA has announced they will be lowering the lake in January of 2017. Since this is an unexpected announcement from the LCRA, the Council did not budget for any park boat dock repairs in this current budget.
- Community Development Block Grant (CDBG) updates – Peggy Smith explained that for the 2016 CDBG grant, the ad went into today's Highlander for Requests for proposals from Grant administrators. On Friday, October 28th, the other ads will be published.

b.) City Secretary

- Elections Update:

There will be voter information sheets from the City of Granite Shoals placed as inserts into the Wednesday, October 26th *Picayune*, and the Friday, October 28th issue of *The Highlander*. This page is in English and Spanish and gives basic information about both the Referendum Election and Special Road Bond Election.

The Highlander has published the required Notice for the Bond Election in two issues.

Burnet County published the Sample Ballot in *The Highlander* (copy is in tonight's agenda packet).

Ord. #680 will be published, in its entirety, since it was sent to the voters by Referendum. It will print in *The Highlander*, in English and Spanish on 10/25/2016 and on 11/1/2016.

- Human Resources Update

The new police officer, Leon Ingersoll, started with the City on 10/12/2016.

The city has 3 vacancies for Part-Time Firefighter/EMTs.

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. Approve October 11, 2016; Regular City Council meeting minutes. With corrections to page 7 to clarify table information.
b. Approve Resolution #514 adopting FEMA Hazard Mitigation Plan update, as reviewed every five years.
c. Approve Resolution #515 to update the signature cards for the city's bank accounts.
d. Approve Resolution #516 to update the signature cards for the city's TEXPOOL accounts.
e. Approve Resolution #517 to re-adopt the city's Investment Policy.
f. Ratify the city's current Finance Policy / Finance Goals as originally passed as Resolution 446.

Council Member Jim Davant pulled item 'f.' for separate consideration.

City Secretary Simpson explained that per request of Mayor Brugger, page 7 of the October 11, 2016 Council meeting minutes was modified to make the chart more understandable. The modified page is at each of the Council members places at the dais tonight.

Mayor Pro Tem Dillard motioned, and Council Member King seconded, to approve and adopt all items on the consent agenda, as presented, except item 'f.', and with item 'a.' adopted 'as corrected'. Motion carried by a unanimous vote of 7-0.

Council Member Davant requested some clarification regarding the current finance policy and how well the city was progressing toward meeting the goals for budget reserves.

Finance Director Wendy Gholson explained that during the recent budget meetings, the staff estimated that the budget reserves would be an estimated 70 days in the General Fund, and 99 days in the Utility Fund.

Council Member Davant motioned, and Council Member King seconded, to adopt, as presented, consent agenda item 'f.' to ratify the city's current Finance Policy (Res. 446). Motion carried unanimously by a 7-0 vote.

7. REGULAR AGENDA ITEMS

a. Discuss, consider and possibly take action related to possible adoption of proposed Ordinance # 704 adopting the 2015 International Residential Code (IRC), Chapter 11 and the 2015 International Energy Conservation Code (IECC). *(Assistant City Manager Smith)*

Assistant City Manager Smith explained that this item is basically a housekeeping item, because Governor Abbott has signed HB 76 into law. In order for the city to be compliant with State Law, we must adopt these Energy Conservation Codes. These will not cause any conflicts with the building, electrical, plumbing codes which are now in effect. These codes deal with new construction regarding the energy conservation requirements, only.

Mayor Brugger motioned, and Council Member King seconded, to approve Ord. #704, and adopt the 2015 International Residential Code (IRC), Chapter 11 and the 2015 International Energy Conservation Code (IECC).

Mayor read the Ordinance caption. *Ordinance No. 704*
"Adopting 2015 International Energy Conservation Code"
AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, AMENDING CHAPTER 8 (BUILDINGS AND BUILDING REGULATIONS), ARTICLE II (TECHNICAL CODES), SECTION 8-33 (ENERGY CONSERVATION CODE ADOPTED) 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 with a unanimous 7-0 vote.

b. Discuss, consider and possibly take action related to making appointments to Boards or Committees. *(City Secretary Elaine Simpson)*

City Secretary Simpson explained that no applications had been received for any of the vacancies on the city Boards or Committees.

There was no action taken.

c. Review information from staff and discuss policy related to making Board and Committee appointments. *(City Secretary Elaine Simpson)*

City Secretary Simpson began to read a comment card submitted via email earlier in the day to staff and all City Council members.

The Council discussed as a point of order that previously they had agreed by consensus not to read any emails into the record of a Council meeting unless the person, or his/her representative, was present in person at the meeting to read the comment.

Council members asked counsel to review Resolution 362 – City Council meeting rules of decorum and compose a section to add as an amendment to the Resolution to address this policy so that it could be applied uniformly.

City Secretary Simpson explained that at the September 27th City Council meeting, per request of Council Member Holland, she had presented some information to the Council related to the appointment processes for all the City Boards and Committees. This was provided in Excel Chart format. This chart listed the Committee, the ordinance that created it, and the description of the make-up of the Committee and the length of terms.

She explained that since she came in 2013, the Council has promoted and filled vacancies on the Committees as they occurred. There has not been a formal 'Board and Committee appointment period'.

Information was provided by staff related to the pros and cons of having a formal appointment period every year, versus continuing to fill vacancies as they present themselves.

City Secretary Simpson noted that she had received some information from her counterparts in Boerne and in Horseshoe Bay regarding their processes. These cities have a formal Board and Committee appointment period each year.

Councilman Holland explained that he had some concerns regarding the Committees, including lack of volunteers and need for fresh ideas in leadership.

There was an extended discussion of the nature of the Boards and Committee members and their valuable service to the Council and city. It was noted that the city staff normally does not make recommendations to Council regarding appointments.

There was an extended discussion of methods to assure that the best leaders could attain the leadership positions on the Committees. Perhaps the Committee members could make their recommendation and Council could ratify the appointment of the officers.

There was an extended discussion of how to improve the appointment process to prevent citizens from applying for Committees for which they had a likely 'conflict of interest', or if they had a pending case before the Committee (i.e., Board of Adjustments/P&Z). Secretary Simpson suggested modifying the application form to ask applicants up front if they had any current issues which might tend to affect their objectivity if they are appointed.

There was a discussion related to the desire to appoint diverse voices and opinions to the Committees. The Committees won't function correctly unless there is sincere dissent and difference of opinion from time-to-time.

Mayor Pro Tem Dillard attempted to narrow the scope of the discussion, to address only the problems that are identified.

There was general agreement on the City Council that many Committee members are appointed and turned loose without sufficient information. Other than Open Meetings Law Training, they do not get any guidance related to the workings of the city. Having an annual 'Volunteer Interest Meeting' to introduce the citizens to the respective Committees could be an option. Having the Committee Chairs meet with the Mayor on an annual basis might also give them helpful insights regarding budgeting, planning and etc. Meeting with the Mayor and learning what the expectations of Council are could be very helpful to committee members, especially new ones.

There was a brief discussion of the city staff's work on promoting the Committees. The vacancies on the Boards and Committees are posted on Facebook and the city website, printed in *The Highlander*, posted on the bulletin boards and sometimes printed on the utility bills. Secretary Simpson agreed that a flyer that gives information regarding all the Committees could be composed and distributed at the literature rack at City Hall.

The Council drafted a list of 9 bullet points that they are interested in pursuing regarding this issue.

1.) That there be an annual 'Re-appointment time' to formally appoint and re-appoint members.
2.) That the application for citizens to complete for consideration of appointment to Boards/Committees, have added a section to address potential 'conflict of interest' issues.
3.) That committee members will recommend their Chair and send that recommendation to City Council for approval annually.
4.) That the Committee Chair will be responsible for coordinating the members and getting new applications completed for those interested in being re-appointed. The Chair will bring these to City Council.
5.) Each Committee should have a member to act as Secretary and provide clerical support so that city staff doesn't have to provide this.

6.) The Council should have clear expectations for Committees, their officers, and their Chairs, respectively, and these should be communicated.
7.) There should be an annual meeting with the Mayor.
8.) Each Committee should set annual goals.
9.) There should be an annual 'Committee Information Night' held approximately 60 days before the annual '(Re)-Appointment Night'.
9.) b. City staff should publicize the committees more and the vacancies as they occur. Applications should be accepted at all times, even if there is no vacancy. Applications should be kept 'on file'. There should be a flyer designed to promote all the Committees.

The Council gave general direction to Mr. Katz to work with Mr. Young and bring this item back at a later meeting with these recommendations incorporated into an amending Ordinance.

There was no formal action/vote on this item.

8. **EXECUTIVE SESSION:**

A. 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 employee: City Secretary Elaine Simpson.

B. 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 receive legal advice from the city's legal counsel relating to SOAH DOCKET NO. 47-16-4527, *JP Wilson v. Granite Shoals Police Department,* in the State Office of Administrative Hearings, Cause No. C4820, *City of Granite Shoals v. Josh Patrick "JP" Wilson*, in the Burnet County Court at Law, and related matters.

C. Any action resulting from Executive Session(s)

Mayor Brugger recessed the Open Meeting at 7:44 PM.
Mayor Brugger adjourned the Executive Session and reconvened the Open Meeting at 8:21 PM.

A. No action was taken.
B. Mayor Brugger motioned, and Mayor Pro Tem Dillard seconded, to authorize the City Attorney to file for injunctive relief against J. P. Wilson. Motion carried unanimously by 7-0 vote.

9. **WRITTEN REPORTS**

a. Code

b. Fire
c. Parks
d. Police
e. Streets / Utilities

The Council members praised the staff reports for their detail.

10. **FUTURE AGENDA ITEMS**
    - Review Agenda Calendar
    - Identification of future agenda items

11. **ADJOURNMENT**

With no further business, and no objections from Council, Mayor Brugger adjourned the meeting at 8:32 PM.

Approved by City Council on the 8th of November, 2016

By: _____
Carl Brugger, Mayor

Attest:

_____
Elaine Simpson, City Secretary