



City Of Granite Shoals
2221 N. Phillips Ranch Road
Granite Shoals, TX 78654

Phone (830) 598-2424 fax (830) 598-6538
www.graniteshoals.org

MEETING MINUTES
CITY OF GRANITE SHOALS, TX
REGULAR CALLED CITY COUNCIL MEETING
TUESDAY, DECEMBER 15, 2015
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
Mark Morren, Council Member, Plc. 6

Absent:

Todd Holland, Council Member, Plc. 5

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. Pastor 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.

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.

Council Member Tanner announced he had scheduled a meeting for Marble Falls ISD representatives to come to City Hall 12/16/2015 for a meeting about partnering for park improvements with the City and members of the Faith Alliance. At the next Council meeting, there will be a report on this meeting.

There were no citizen comments.

5. Updates, Presentations or Reports:

- Bond Counsel for the City of Granite Shoals; Richard Donoghue with the firm McCall, Parkhurst & Horton LLP: Introduction/Discussion of possible bond issue in 2016 for Public Improvements/Road Improvements. Also, discussion of proposed Reimbursing Resolution which is Item 8.a. Proposed Resolution #503.

Mr. Donoghue explained that he and his firm worked with the City on the project to finance this City Hall in 2010. The firm practices exclusively in bonds. They are prepared to assist the City for either a May 2016 or a November 2016 election. Item 8.a. on tonight's agenda is Resolution #503 and is for the City to reimburse itself for any costs up to \$100,000 related to this project for Road Improvements. The IRS requires that the City state in advance that they intend to reimburse themselves from bond proceeds for bond counsel and financial advisor.

- Mayor Carl Brugger: Awards from 2015 Christmas Lighting Contest.

Mayor Brugger awards the 1st and 2nd Prize awards to the winners of the 2015 Christmas Light Contest.

1. Mr. and Mrs. Estaban Ramirez, 2003 Prairie Creek, won first place. \$100
2. Ms. Tammy Martinka, 1118 N. Shorewood, won second place. \$50

- Jason Brady; Chair of Granite Shoals Wildlife Advisory Committee :
Update on the activities of the Committee and discussion of options for deer management programs for consideration of City Council.

Chair Brady spoke to provide an update on the activities of the Committee and the discussion of options for deer management programs for consideration of City Council. He requested that City Council provide some direction. He briefly discussed the results of the recent 'deer census' conducted in August. He then outlined some potential options for deer management programs which have been identified by the Committee. The Committee has not devised detailed time-lines or cost estimates for any of the program options at this time; due to the number of options.

The Committee asks City Council for direction regarding which option to investigate further/pursue.

There will be a Joint Meeting of Granite Shoals Wildlife Advisory Committee with the City Council at the regular City Council meeting on January 26th in a workshop setting during the Council's regular meeting.

<http://www.newsy.com/videos/the-deer-population-is-out-of-control-so-communities-are-culling/#.VmSDmoeGYEc.mailto>

On the agenda cover sheet, the above link was provided to a news story regarding the scope of the deer overpopulation situation nationally. The agenda packet also contained a recent newspaper article from the Daily Tribune (online Picayune newspaper) from December 1, 2015 which deals with this topic on a regional scale.

Chair Brady read his report into the record.

*Chair Jason Brady – Granite Shoals, Texas - Wildlife Advisory Committee (WAC)
Presentation to City Council – 12/15/2015*

The WAC was formed as an advisory committee to the council. That being said, we the WAC have taken up the task to advise the Council of the options that are present to control the urban white-tailed deer population of the City.

The deer survey results are as follows: (results see pg. 3.) The numbers indicate that there needs to be approximately 585 deer removed.

The Texas Parks and Wildlife Department (TPWD) biologists have informed the Committee that the first priority should be to begin to track the deer-related accidents and deer/human conflicts/incidents to help track our progress. We would request that the police dispatch create a method to track accidents and incidents reported to the city involving deer, and that the animal control/public works departments track the number of carcasses removed from the roadways. These are standard statistics which are regularly tracked by other cities as they formulate and conduct deer management programs.

The reasonable methods of control that are available are:

- 1. Do nothing: Pros: cost nothing and not labor intensive. Cons: gains nothing, opportunity cost –deer population continues to grow.*
- 2. Trap transport process (roughly \$150/animal) per last conversation with Mr. Bond (estimated total cost \$87,750). Pros: contractor conducts program as a 'turnkey' project & is an efficient (proven) program that has been instituted in other nearby cities. Con: Too expensive – 29x the budget allotted to the WAC.*
- 3. Archery program (Would consist of education, volunteers (many of them very skilled), many moving parts, planning and organization)
A. pilot program on private and public lands (not parks) with a very select # of participants to test the program in year 1.*

B. program restriction of Antlerless deer permit issued by TPWD (Absolutely no Antlered deer to be harvested)

Pros: Program can/could be implemented with little funding, can utilize many volunteers with skill in bow-hunting who live in this area and harvested animal can be given directly to citizens to be processed as desired.

Cons: Ordinance would have to be amended to allow the bow-hunting in the city limits; the education program required would need to be comprehensive (to combat false rumors that it is 'open season' for bow-hunting in the city and false rumors that there will be hunters in the city parks). Would require time, labor and volunteers to coordinate, organize and conduct. Deer could run after being hit, leaving the official 'hunt' areas to die. This program would be designed and conducted by Granite Shoals WAC, so we would have no other cities to provide guidance. It is unknown how much guidance TPWD could provide. Unknown liability for the City depending on how tags were assigned from TPWD.

4. City-owned trap transport process program. Volunteers provide labor for trapping/netting program. Pros: No injured deer leaving the 'trap area'. Cons: Costs: Traps cost between \$4000.00 and \$6500 each, trapping usually done at night (difficult to get volunteers at night?), no deer can be released – if a fawn or antlered deer is caught, they must be harvested. There may be large number of animals trapped at one time, and all must be kept in edible condition (overnight?) under State Law – cannot 'waste' animal meat, this leads to meat processing fee involved. Trapping 500+ deer would be very labor intensive. Like #3, this program would be designed and conducted by Granite Shoals WAC and City personnel and associated volunteers: no guidance available from any other cities, and unknown amount of guidance from TPWD.

5. Youth hunt program. This is a new idea/concept. The incorporation of youth volunteers might be something to use in conjunction with the archery program, if it is pursued in the future. Pros: Get youth involved. Cons: many variables and unknowns since this program would be built/dependent upon the success of another program.

We were stified by the above options because we have little direction to focus on. I believe we need one of the above to focus our efforts on instead of trying to attain every variable for every option, with our limited resources.

Every option presents its own set of challenges to hurdle, but the WAC needs a direction to focus on, that being said we would like the council to seriously consider, and or approve the WAC to move forward with option 3.

We know there will be questions and hurdles, and we may not have all the answers at this time but we will value every concern. I am happy to answer any question that I can at this time, or you are welcome to gather your questions and we can work thru them in our workshop on January 26th.

The Deer Census report is attached to these meeting minutes as Exhibit 'A'.

On December 15th morning, city staff received an email from local resident (and former Wildlife Advisory Committee member Dennis McCoy) detailing his thoughts on Chairman Brady's presentation for tonight (text of which was included in the agenda packets). A copy of this email was provided to all the Council Members at the dais before the meeting began.

City Manager Ken Nickel took for action to research what kind of tracking might be done of deer/vehicle accidents and number of deer carcasses picked up by city departments.

The following points were stressed:

- This will not be a 'one and done' program. Once the deer management program is adopted, there will need to be a deer census done each year, which, along with the 'tracking' statistics, should help guide the effort from year to year.
- If netting/trapping is done, 10% of the deer caught would have to be prepared for autopsy at Texas A&M, in order to keep current statistics statewide for 'Chronic Wasting Disease'. If the City sets a goal of removing 586 deer, this will be about 58 will need to be processed for A&M.
- At this time, the Committee recommends further investigation of option #3, the archery program. The Committee did not and could not answer every question about every option at tonight's report, but at the Joint Special Called Workshop meeting on January 26th, the Committee and Council will be able to discuss option #3 in more detail. Chair Brady and Council Member Holland have discussed this proposed archery program with the Wildlife Biologists at the Texas Parks and Wildlife Department, as well as the local game warden. The Committee wants to have the Game Warden and local law enforcement involved in all plans that the Committee might make regarding any archery program. The Texas Parks and Wildlife representatives, the Game Warden and local law enforcement representatives have been consulted and the Committee will rely on guidance from all during any deer management program.
- The archery program could be started as a small 'pilot project'. Probably could not harvest 586 deer the first year utilizing just a few hunters.

The City Council wished for the Committee to return with information in detail related to option #3 archery program to include:

- Integration of the Non-Feeding Ordinance (prepared by City Attorney Young earlier this year) into the larger deer management plan.
- Ordinance to establish the deer management program.
- Modifications required to the Firearms Ordinance – City Code Sec 24-19 – that will be needed to allow for a pilot program based on archery use within the city limits. This cannot open the doors for other firearms usage, or free-for-all hunting in the city by people not in the pilot program.
- Proposed locations for 'hunt areas' – public only or public and private? Liabilities involved with each.
- Proposed methodology for notifying property owners near proposed 'hunt areas'.
- Could this be non-public or private area? i.e. MUD district property, Texas Granite Property?

- Options for donations of venison: Food Bank, list of locals, etc. Is there a meat processor who will process donated venison for free?
- Education program for citizens.
- Archer 'qualifying' trials. Design? Oversight?

Mayor Brugger explained that he wanted the details on Where, Who, How, When, How Often, What and many other details investigated in order for the Council to consider related to option #3.

Kelly Misfeldt, 303 E. Bluebriar: was recognized and he listed several concerns related to a proposed archery program. His concerns included: safety of residents, property values, homeowners insurance issues if the city approves bow hunters in the neighborhoods, disposal of non-edible portions of the 586 carcasses and deer running outside the hunt area and dying on private property.

Council agreed by consensus that they would like to discuss, in detail, all the concerns brought up tonight about option #3 at their Joint Special Workshop on Jan 26th.

6. Management Reports

a.) City Manager

- Park grants update. 2 grants still open. One only needs the last payment to the subcontractor to be processed, then can be closed.
- Committee meetings in December. No more committee meetings in December. 50th Anniversary Committee met today and is considering moving the date of the 2016 50th Birthday Bash up one week, in order to accommodate the schedule of Leo Manzano. The Committee desires that Manzano attend the Fun Run held in conjunction with the event. He cannot do the last weekend in April, but can do the 23rd and 24th. P&Z Commission and Parks Committee, respectively, are not meeting in December. 50th Anniversary will meet again in January. The Board of Adjustments will meet January 11th. The Wildlife Advisory Committee has not scheduled a meeting in December as yet.
- Staff activities – December 17, 2015, 11:00 am-1:30 pm Employee Appreciation Party At The Fire Hall/Christmas party.
- Resolution next month to declare certain city vehicles and equipment as surplus property and declare them eligible for sale. There are public safety vehicles as well as two items from utility department, which will be sold at auction or scrapped.

b.) Assistant City Manager

- AMRS / smart meters – installing fixed base and receivers.
- Christmas by the highway (recap): successful event which got good coverage in the *Highlander News*.
- LCRA drought fee – future removal of pass-through fee – this is on hold until written confirmation can be received from LCRA board that the drought fee is going to be removed from our LCRA raw water bills.

c.) City Secretary

- Open Government updates: The Attorney General has updated the handbooks for Open Meetings and Public Information Laws.

<https://texasattorneygeneral.gov/og/open-government-related-publications>

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 December 1, 2015.

City Secretary Elaine Simpson explained that she had been asked to make the following change to the December 1 minutes on page 10 (32/76). The second to the last paragraph starts, "There was a long discussion" To this paragraph, the Mayor asked her to please add. "The council decided to lengthen the E. Granitecastle - Sherwood Forest Dr. collector to include Woodland Hills. The council also added Kings Circle, Valley West and Kingswood as collectors. See exhibit B."

Please redo the attachment to show the four changes in red.

These changes were made to the official copy of the meeting minutes that were signed by Mayor Brugger.

Council Member Dillard made a motion, and Mayor Pro Tem King seconded, to approve the meeting minutes, with Mayor Brugger's requested modifications, as read by the City Secretary. Motion carried by a unanimously by 6-0 vote.

8. Regular Agenda Items

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

- a. Discuss, consider and possibly take action related to proposed Resolution #503 the reimbursement resolution for city expenses related to a possible Road Improvements Bond. (City Manager Ken Nickel)

City Manager Nickel introduced the item and presented the staff report. He referenced Mr. Donoghue's presentation from earlier in the evening. He explained that this Resolution is to get pre-approval for paying not to exceed \$100,000 for items listed in Exhibit 'A'.

Mayor Brugger clarified that these costs would be reimbursed from bond proceeds if bonds passed for these costs incurred before the bond election.

RESOLUTION NO. 503

RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE
CERTAIN EXPENDITURES

...

Exhibit 'A'

Constructing, improving, extending, expanding, upgrading and/or developing City streets, intersections, drainage, sidewalk and other traffic improvement projects and related costs and purchasing any necessary right-of-way therefor, including for Phillips Ranch Road, and the payment of professional services in connection therewith including legal, fiscal and engineering fees.

Mayor Brugger made a motion, and Council Member Tanner seconded, to approve, as presented, Resolution #503. Motion carried unanimously by a 6-0 vote of City Council.

- b. Discuss, consider and possibly take action related to entering into a contract for engineering services with KC Engineering, Inc., for possible road improvement projects. *(City Manager Nickel)*

City Manager Nickel introduced the item and provided the staff report. At the last City Council meeting held Dec. 1, 2015, the City Council appointed the financial advisor who will work with us on the possible projects of improving roads in 2016. At tonight's meeting, the Council will consider retaining Greg Haley, with KC Engineering for engineering services. The Council is beginning to put a solid 'team' together for this project. City Managers negotiated with Mr. Haley for this contract which is \$7,220 for the items listed in the scope of work. Mr. Haley attended the Town Hall meeting on Road Issues on November 14th and spoke as an expert about the engineering facet of the issues(s) discussed. He has driven the arterials in the city and is familiar with the issues that citizens have reported to City Council. He is a retiree from TXDOT with extensive experience in road building/maintenance/engineering in the local area. He is now with the KC Engineering firm.

There was a brief discussion related to the amount of work on drainage study that was included in this contract. It was determined that Council wanted a specific reference to drainage study for Prairie Creek road to be included in the Scope of Work description.

Council Member Morren made a motion, and Council Member Tanner seconded, to approve the contract, contingent upon the inclusion of a 'drainage study' for Prairie Creek, with KC Engineering. Motion carried unanimously by a 6-0 vote.

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

There were no applications for consideration of appointment to Boards or Committees.

There was no action taken on this item.

9. WORKSHOP ITEMS

TO DISCUSS SALES TAX OPTIONS

- a. Workshop to discussion all options available to the City for the May 7, 2016 Election related to consolidating sales tax levy for General Fund uses and the impact of HB 157.

Mayor provided Council members copies of information with options for 're-allocation' formulas to consider. This information is Exhibit 'B' to these meeting minutes.

Mayor reminded the Council that they discussed HB 157 back in July. At that time, there seemed to be general consensus that re-allocating the Sales Tax currently levied, and increasing the amount to the maximum allowed amount of 2%, and placing it all in the General Fund seemed to be most appropriate. The benefit of HB 157 being that it would allow for Sales Tax to be put into the General Fund directly, instead of being in restricted funds. This flexibility would allow City Councils to budget the Sales Tax according to the priorities each year.

Mayor Brugger offered some alternate options for putting before the voters a proposal to put 1% in General Fund and 1% in Street Maintenance. A 'pro' of this option is that the citizens would see the continued commitment of the City to Road improvements. A 'con' of this option is that the Street Maintenance tax will still require re-authorization every few years. There was discussion that a "con" of local sales tax options being subject to legislative changes in two years and at that point any local flexibility with the options could be further restricted which would apply to any options requiring future renewal such as the street maintenance.

Mayor Brugger offered another option #2, for putting before the voters a proposal that would put 1% in the General Fund, .50 in the Street Maintenance Fund and .50 in the Property Tax Relief Fund. The cons would be the need to reauthorize the Street Maintenance Tax periodically and keep the Property Tax Relief Sales Tax with its complexity.

The Council continued to discuss the pros and cons of Mayor's two options, as well as an option to have 1.50 go to General Fund and .50 go to Street Maintenance.

There was no consensus among the Council Members related to which option would be best. They determined to hold another workshop to discuss HB 157 and Sales Tax options at their next meeting on January 12th, in order to know what ballot language to put on the ballot when calling

the May 7, 2016 Special Election for Sales Tax reallocation. Ordinance to Order the Special Election is currently scheduled for January 26, 2016.

There was no action taken.

TO DISCUSS PUBLIC IMPROVEMENTS

- b. Road Improvements Workshop (follow-up workshop from Dec. 1st.)
 - 1. Recap of Town Hall meeting held 11/14/2015 at Fire Hall.
 - 2. Update 2016 Multiyear Improvement Plan
 - 3. Update Proposed Arterial and Collector Road Prioritization.
 - 4. Discuss Financing options including but not limited to bond(s), grant(s), fees, assessments or other.

Mayor Brugger provided all Council members with a copy of an email showing a link to see the Comprehensive Traffic plans for several cities in this region. He noted that Granite Shoals is probably more similar to Wimberley than to the other cities in the review. Council will review the transportation plans for select cities as provided by City Attorney Brad Young (via email). Council Member Tanner will draft a 'plan' for addition to the comprehensive plan for transportation issues; this will contain definitions of arterials, collectors, neighborhood streets. City Manager And Mayor Brugger will meet with representatives of USDA Rural Affairs and Economic Development Department at State of Texas to research if there are any available grants for road projects. They will report back at January 12th meeting.

Mayor Brugger noted the meeting minutes of Dec. 1st meeting had very detailed treatment of the last Road Improvements Workshop. He also noted the changes which were made and approved to specify Council desires for the additional collector streets.

There was another discussion of the potential benefits of putting any kind of 'Road Improvements' Bond to the voters at the November 2016 election. There will be high turnout due to the State and Federal races. Also, asking the voters to vote on the question of reallocating Sales Tax at the same election as asking for consideration of a Road Improvement Bond package might contribute to voter confusion.

The action items for the city staff and Council members resulting from this workshop discussion were: review the financial numbers in tonight's agenda packet as provided by City Manager Nickel. Look at the Comprehensive Traffic plans from the other cities at the link. Council Member Tanner will work on his definitions and short and long-term ideas for traffic plan, and Mayor and City Manager will take meetings to discuss if there are any possible grant opportunities available. The Council will review the modified contract with KC Engineering including the Prairie Creek drainage items. The Council will hold another workshop on Road Issues at the next City Council meeting.

c. Park Improvements Workshop (follow-up workshop from Dec. 1st.)

1. Concept of selling Park #11 to finance, or partially finance, other Park System Improvements
2. Old City Hall property, 400 N. Phillips Ranch Road: options for improving and 'repurpose-ing' property.
3. Park #1 – Community Center. Options for property.
4. Soccer and Baseball facilities.
5. Election Measure language options.

Mayor prepared a handout for this workshop that was provided to all the Council Members at the dais at the beginning of the meeting. It is attached to these meeting minutes as Exhibit 'C'. This handout showed a map of the Park #11 area from the Burnet Central Appraisal District website, and also had the letter from Don and Sally Bryant, regarding this workshop, that they requested be read into the meeting minutes.

December 14, 2015

*Pertaining to Park 11 in Granite Shoals
Dear Mayor and City Council,*

Since we will not be able to attend the meeting on December 15th, we are writing this so that it could be read before the City Council and then be entered into the minutes.

We have heard there has been discussion about selling part or all of Park 11 for other park needs. We feel that this park is one of the reasons that people bought in this area. Not everyone has their own waterfront so they use this park for recreation and viewing. Other families come to fish off this park. We also purchased another piece of land that is off water and were happy that it had a view of the water because of this park. We were originally told by city council that the parks were given to the city with the stipulation that they could not be sold. Why has this now changed? And if this selling of Park 11 proceeds as planned, will this then put other parks in jeopardy of being sold?.

If the City Council proceeds with the plan to sell the park, part or whole, since it consists of three 50ft. lots; we want assurance that all neighbors in this park area that own land will be notified in a timely manner so that their voices are heard, just as if an owner was asking for a variance on property through the Board of Adjustment.

Don and Sally Bryant live at 2824 Lakeview Lane, near Park 11.

Mayor Brugger reviewed some of the topics from the last Parks Issues Workshop for the benefit of Council Member Morren who was absent. Mayor stressed that there is general agreement that there should be a complete plan before any property is considered to be put to the voters for

consideration of selling. Mayor Brugger discussed the handout that he made, including discussing the possible value of Park #11. The Council discussed that the City has owned this park since 1973 and the only improvements have been the installation of a seawall in 2008.

Mayor Pro Tem noted that she would not be in favor of any sale of park land without at least a Resolution from the City Council to establish that Park #11 is the only park (or park portion) that would be considered for potential sale. If a solid plan for Park System improvements is composed, and a compelling need to sell Park #11 can be established to pay for those improvements, then only Park #11 should be in consideration.

Kelly Misfeldt, 303 E. Bluebriar Drive, expressed his concerns that this park is used and enjoyed more by the residents of the city than the City Council and city staff are aware of. He noted that he sees residents at this park, regularly, swimming, picnicking and fishing.

Council discussed further the need for a plan, for a long-term plan, and for priorities and a plan of action to be devised before any discussion is timely for selling Park #11 or parts thereof. That this is an asset that the City has and there is no rush to do anything with it. It is not depreciating.

Council decided to discuss the parks again in another workshop then turn the issue over to the Parks Committee for research and recommendations.

10. Written Reports (November)
 - a. Code Compliance
 - b. Fire
 - c. Parks and Streets
 - d. Police

Reviewed. There were no questions.

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

Council wishes to hold a second workshop regarding Sales Tax options. It will be held at the 1/12/2016 Regular City Council meeting.

12. Adjournment

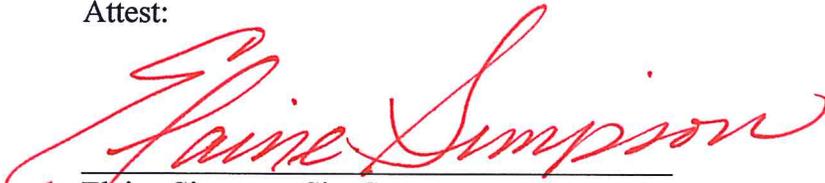
With no further business, and no objections from Council, Mayor Brugger adjourned the

meeting at 10:08 pm.

Approved by City Council on the 12th of January, 2016

By: 
Carl J. Brugger, Mayor

Attest:


Elaine Simpson, City Secretary