

The Regular Council Meeting of February 23, 2016 was called to order at 6:30 p.m.

**MAYOR**

Ron Reinhard

**OTHERS**

Chief David Bejar

Chris Mikel

Susan Darst

Gigi Duke

Madeline McCloskey

Laurie Hawkins

Jeff Waldrop

Myra Monaco Hanson

Susan Beavin

Jeff English

Don Reddout

Kathleen McCloskey

Brenda Reinhard

Ed Scharf

Barbara Coulter

Ted Coulter

Freda Hoffman

Irene Scharf

Murry Hughey

Tom Haberman

Lorna Main

Shawn Main

Bunny Bacchetta

Joe Bacchetta

**COUNCILMEMBERS**

Lou Hoffman

Don Nettle

Jennifer Nottingham

Mitch Thornton

Lynn Tiner

Mayor Reinhard declared a quorum with all Council members present.

The minutes of the December 22, 2015 Public Hearing and Regular Council Meeting were reviewed. The motion to accept the minutes as presented was made by Council member Thornton, seconded by Council member Tiner and passed unanimously.

Mayor Reinhard stated the minutes of the January 26, 2016 Regular Council Meeting are in the process of being completed and will be placed on the next agenda.

**PRESENTATIONS BY CITIZENS AND VISITORS**

Mayor Reinhard stated this is time for citizens/visitors to comment and share with Council any thoughts, ideas or concerns. Although there can be no discussion, Council can ask for clarification.

Barbara Coulter stated she would ask to defer to New Business, Agenda Item No. 3.

Ted Coulter stated he would like to defer to New Business, Agenda Item's No. 4 and 5.

Freda Hoffman stated she would also like to defer discussion.

Jeff Waldrop stated he understands there's discussion about allowing alcoholic beverages on SLPC property. He doesn't know where it's all coming from or how much of it is true but if it indeed is true, he would certainly hope that Council and the powers at be consider not allowing it. He sees it as a potential liability. That we may be inviting the liability when you don't need to. As it is, there's enough potential for liability as a City and this is just one more thing that could come into play. He just doesn't see leaving the door open for that possibility. From a personal standpoint, he backs up to the property and just assumes to not have all night revelry going on infused by potential alcohol. Jeff Waldrop stated he asks and hopes that Council will take this into consideration.

Irene Scharf stated her comments refer to New Business, Agenda Item No. 5, serving on multiple Boards'. Two members of the newly formed City Community Board are also still serving as members of the SLPC Board. The question has risen whether or not it is good practice for the same people to serve on both Boards. Her remarks tonight concerning this issue focuses on whether it's good policy and practice and in no way is intended to disparage any citizen who is currently serving on both boards. In her opinion, the conflict of interest argument is valid and should be judiciously considered by Council. In addition, how the City set up the Community Board also lends creditable information to the issue. First, two Councilmembers of the selection committee, were non SLPC members so all of the citizenry could be represented. Second, long term serving members/officers of SLPC despite their expertise and knowledge of the properties, were essentially disqualified from serving because they were considered bias and being incapable of contributing to the new direction. Third, the selection committee chose the least bias applicants to serve on the Community Board, in her opinion, meaning those who had been least involved with SLPC over the years. It seems clear to her that the City wanted a distinct separation between the two entities and two Boards from the very beginning. Now, the overlapping of Board members between the two Boards seems contrary to the stated goal of representing all the citizens. It also perpetuates the thought that a select group of individuals are trying to manipulate and control both Boards as was done in the selection process. If the two overlapping Board members vacated one of their current



positions, it would allow other citizens an opportunity to play a more decisive role in their community. Irene Scharf stated we need everyone's ideas and ensure all the citizenry is being represented moving forward, not just a select few.

Ed Scharf stated he was the original presenter of the Resolution to cede SLPC property to the City. The purpose was to expect better protection, improvement and maintenance of the properties. As a member of the clubs transition committee and an obligation to better facilitate the transfer, he feels a commitment to comment on the first meeting of the new City Community Board. To him, the Community Board sounded more like a reconstituted club board rather than a new City Board charged with going in a new direction. As much time as the Board spent on singling out clubhouse policies like serving liquor on the premises, 24 hour clubhouse rentals and who/how the history of the club should be written, frankly, this seemed like putting the cart before the horse. These may be issues that should be addressed at some point in time, but only after the priorities are addressed first. The priorities that he had expected to hear from this initial session were to identify the park and property. Does the City Board have an inkling as to the property changes since the club obtained the property some 85 years ago. Do they know where the encroachments are and are they developing a plan to address them. Are they addressing a Master Plan envisioned for the property to best serve the needs and wishes of the citizens. Should the Board have started with a survey of the citizens to gather their input. Ed Scharf stated the SLPC Board will continue to exist should the City fail in its primary duties for the properties and the reversion of the property clause in the Warranty Deed need to be pursued. The club will also continue to have a roll in the community by offering interesting programs and events as it's so successfully done in the past. The club activities will continue to inform, enlighten and educate the citizens on issues that will confront us all in the future.

### **MAYOR ANNOUNCEMENTS/FINANCIAL REPORTS**

Mayor Reinhard reviewed the Monthly Financials. He stated we are about a third of the way into the budget year. Income is ahead of schedule but that has to do receiving half of the revenue for the year from GFU which is the largest part of City income. Expenses are in line with where we should be. The Public Safety Fire Contract with ESD No. 8 is at 58% but that's because we pay quarterly in advance. Mayor Reinhard stated we are on track and he doesn't see anything out of the ordinary.

Mayor Reinhard stated for a number of years, he feels the Council Meetings have been run in a fairly orderly way. In going through some of the procedures in place, he would like to see Council update the Rules of Order. He's prepared a proposed new Rules of Order based on procedures currently in place along with some new things based on Rosenberg's Rules of Order.

Councilmember Hoffman asked Mayor Reinhard if there any sub-committees pending. Mayor Reinhard stated there are no sub-committees pending.

### **COUNCIL/STAFF ANNOUNCEMENTS**

Councilmember Nottingham stated she has nothing to report on WIAC.

### **SCENIC LOOP PLAYGROUND (SLP) COMMUNITY ADVISORY BOARD UPDATE**

Mayor Reinhard stated as mentioned, the City Community Board was recently formed and had an initial meeting. Laurie Hawkins was appointed Chairperson and is present this evening to give an update. Laurie Hawkins stated the Board had its first meeting and it was well attended by the public. They started to identify their short and long term goals. They're in the process of determining priorities for the property. They are trying to set up a creek walk. They've set up a workshop with the SLPC Board on Wednesday, March 2<sup>nd</sup> at 7:00 p.m. at the Scenic Loop Playground (SLP) Clubhouse to look at the existing policies and procedures. Councilmember Hoffman asked why not a weekend workshop. He stated SLPC has typically held workshops on the weekends to get maximum participation from the community. Why is the workshop scheduled for the middle of the week at 7:00 p.m. Laurie Hawkins stated the focus was basically to try and get members of both Boards present for a workshop. They determined this was the best day. Councilmember Hoffman stated he thought the discussion was to hold a Community Workshop, it wasn't stated it would be with just the SLPC Board. Laurie Hawkins stated they do want to have a Community Workshop. They want input on how all citizens in the community feel about the property and what they would like/expect to see. However, because the SLPC Board has ran the property for so long, they wanted to sit down with the Board specifically and gather information from the people that



have the most experience. Then with that, they want to further gather information from the community, not just in a workshop but at public meetings as well to get their input.

### **SENATOR FRANK L. MADLA, JR. NATURAL AREA UPDATE**

Councilmember Nottingham stated they have a prescribed burn scheduled for this coming Friday, February 26<sup>th</sup>. College students from Trinity had a prescribed burn about two years ago at the Madla Park and it was really successful. They wanted to come back out and do it again, this time bringing burn boxes which has to do with collecting data. Unless it's a red flag day, they plan to start around noon and the Fire Department will participate. The Madla Board has a park cleanup scheduled for Saturday, March 12<sup>th</sup> from 8am to 11am. Their fundraiser is April 9<sup>th</sup> from 4pm to 7pm at Scenic Loop Café with guest speaker George Veni. There will be good food and a silent auction. Tickets should be available for purchase online at [www.madlapark.org](http://www.madlapark.org). Councilmember Nottingham stated the Madla Board meets this coming Sunday, February 28<sup>th</sup>. It's an Open Meeting and they encourage all interested to attend.

### **POLICE DEPARTMENT ACTIVITY REPORT**

Chief Bejar reviewed the January 2016 Monthly Activity Report. There were 58 calls for service, 917 hours worked, 5143 miles driven, 62 traffic stops, 40 summons issued, 4 arrests and 25 warnings issues. The 4 arrests were misdemeanor violations for ordinance violations. Chief Bejar stated he's presenting to City Council the 2015 Annual Racial Profiling Report. The report includes the number of times the Police Department has made a stop and doesn't necessary reflect all the citations issued. There were 511 Citations Only, 0 arrest only and 2 for both (citation/arrest) for a total of 513. Of the 513; there were 19 African, 7 Asian, 345 Caucasian, 133 Hispanic and 9 Middle Eastern. Race was known prior to stop for 2 and not known for 511. A search was conducted on 7 of the 513 citations. Of the 7 searches, 2 consented to the search and 5 didn't consent. Chief Bejar stated The 2015 Racial Profiling Report was filed online with TCOLE on February 3, 2016 and with City Council on February 23, 2016.

### **PUBLIC WORKS ANNOUNCEMENTS**

Chris Mikel reviewed the January 2016 Monthly Activity Report. Public Works continues to work on tree trimming, citizens brush chipping, road work, animal control and regular upkeep of the City. They spent a lot of time focusing on potholes and road repairs during the month of January.

### **GFU UTILITY ANNOUNCEMENTS**

Jeff English stated he's presenting to City Council a map that is a combination of about eight years of work that started in an effort to digitalize the gas and water utility into a geographic information system so they could precisely locate all their lines, pipes, meters, valves and other pertinences on the utility that are scattered over about 700-710 square miles of service area. The utility is fast approaching 50 years old. When they first started this project, they were literally looking at plans and maps drawn on napkins and other pieces of paper back from the very first days of the utility. The federal government is eventually going require all utilities in the nation to have a digital map based system in the event of a disaster or national emergency where you have a way to go back and begin to rebuild your footprint. Jeff English stated there may be some errors, he can't say it's 100% precise but he can say it's 100% better than other utilities in the country. As of February 16<sup>th</sup>; they were complete with all the key valves, meters and purchase points within two feet. In cases were incomplete, they can locate the valves, etc. in the field when working on the lines. Jeff English stated they started the year with 31 fulltime employees and ended with 30. They ended the year with 565 new customers which is 20 customers more than the previous year. Today, they have almost 15,000 customers. They're almost double where they were in 2003. They have excellent safety records. They've made a 100% on their Railroad Commission Safety Inspections for the fourth year in a row and are very proud of that. The inspections are random and you can't prepare for them. The water utility is very conservative. The water is tested independently and then sent on to the state for review. The Fire Department does a good job at flushing the hydrants. Jeff English stated the conclusion for the 2015 period is he thinks the utility will report almost identical earnings as last year. They didn't borrow any money for construction purposes and have good projects coming up in 2016.

### **FIRE DEPARTMENT REPORT**



- Don Reddout stated there's a slight discrepancy on the report and ask that you scratch the one no response call. The total calls for the month is five; one EMS and four non-medical. The response time is 1.67 minutes. He stated they are using a new program and are trying to work out some glitches.

## **NEW BUSINESS:**

### **1. CONSIDER AND ACT ON RESOLUTION NO. 001-16 APPROVING SUBMISSION OF A GRANT APPLICATION FOR EQUIPMENT PURCHASE TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION**

Mayor Reinhard stated Officer Lalo Gutierrez has been working on a grant for approximately \$36,000 to purchase equipment, specifically radios and its related equipment. It looks pretty promising. Chief Bejar stated Officer Lalo Gutierrez, on his own initiative took a class to learn how to write up this grant. The grant is through the Office of the Governor. The Governor's Office requires a Resolution from City Council authorizing the Mayor to apply for and accept the grant on behalf of the City. Chief Bejar stated the current radios have a life expectancy of about 5-7 years and they're at that point. In addition, the current radios use a patch system for communication so they have pretty bad reception. One of the problems they have now is when you call into dispatch; it goes through two patches before you get through. The new radios would eliminate the patch system. Councilmember Hoffman asked what kind of inventory control the City has on this kind of equipment. Chief Bejar stated the officers check the radios in/out at the beginning/end of each shift. The motion to approve Resolution No. 001-16 authorizing the Mayor to submit the grant application for an equipment purchase was made by Councilmember Nottingham, seconded by Councilmember Thornton and passed unanimously. Chief Bejar stated the grant will be submitted by Friday, February 26<sup>th</sup>.

### **2. DISCUSS AND ACT ON SETTING A DATE FOR MEET THE CANDIDATES RECEPTION**

Mayor Reinhard stated several years ago, the City began having a candidate's reception to give citizens the opportunity to get to know the candidates and ask questions. This year we have an exciting election. We have one position that has two candidates and two positions that have three candidates each. Mayor Reinhard stated we encourage everyone to vote and one of the ways we do that is to get people interested in the candidates. It was Council's consensus to schedule the Annual Meet the Candidates Reception for Sunday, April 17<sup>th</sup> from 2-5p.m. at the Scenic Loop Playground (SLP) Community Clubhouse. Mayor Reinhard stated the City will the this information out to the candidates and citizens.

### **3. DISCUSS EMPLOYEE HANDBOOK FOR THE CITY OF GREY FOREST**

Mayor Reinhard stated the employee handbook is for discussion only and there will be no action this evening. As Council may recall, back in August 2015, the City and GFU switched to a personnel management company, SWBC Professional Employer Services to handle payroll and other human resource items. The policies and procedures the City had in place where either out of date or we didn't have a policy. SWBC provided the City and GFU an Employee Handbook template. GFU has already edited and approved theirs. The Employee Handbook provided to Council is specifically tailored for the City and is pretty comprehensive outlining job performance evaluations, holidays, vacation/sick time, etc. Councilmember Hoffman stated when the Mayor sent him the proposed Employee Handbook, he was fortunate to speak with Barbara and Ted Coulter and found out that this is what they did in their careers. They were kind enough to look over the information and blew him away with some of their great suggestions/questions. He suggested they sign up for citizens to be heard to offer their expertise. Councilmember Hoffman stated he recommends incorporating their input into the Employee Handbook and suggests Council listen to their expertise. Barbara Coulter stated the proposed Employee Handbook looks like a good general guideline. There are a few things that Council could implement to make it better and a little more user family. There are some things that have been omitted and can easily be included. Ted Coulter stated it's important to be consistent in an Employee Handbook. The proposed handbook has good things in it but has some areas that could be cleaned up. For instance, you need to take into account room for the City to grow, addressing grievances, wages, etc. Barbara and Ted Coulter stated they would be more than happy to offer their time and recommendations to improve the Employee Handbook. Mayor Reinhard stated in addition to the recommendations offered, there are certain items Council needs to address such as holidays, carryover vacation time limitations and sick leave. We need to find a way to handle situations where employees are already over the limits proposed in the Employee Handbook. There was lengthy discussion on areas to review in the handbook and what



- Council would like to see. Mayor Reinhard stated he would like for Council to review the Employee Handbook in detail and provide him any input. In addition, he would like to sit with Barbara and Ted Coulter to get their recommendations and provide Council a clean copy for Council to review before the next Council Meeting.

#### **4. DISCUSS SCENIC LOOP PLAYGROUND (SLP) COMMUNITY ADVISORY BOARD SECRETARY APPOINTMENT CRITERIA**

Mayor Reinhard stated Councilmember Hoffman asked for this item to be placed on the Agenda. Councilmember Hoffman stated he asked for this item to be placed on the Agenda for discussion and action but he was declined as an action item. He stated at the first Scenic Loop Playground (SLP) Comm. Meeting, Madeline McCloskey agreed to be the Secretary for the time being. Jennifer Nottingham pointed out to her that it's a lot of work and they should try to eventually find someone else. Councilmember Hoffman stated he disagrees that it's a lot of work. He doesn't think it is fair that someone is asked to be Secretary basically to just sit there and take notes. It's not fair to ask someone to participate but not have a vote on what's going on. He's been on Boards and the Secretary himself in the past and it's not difficult. It's taking minutes, not a transcript, that's a whole different item. Councilmember Hoffman stated he is asking that it be acted on that the ordinance read the Board shall appoint a Secretary that will be a member of the Board. Councilmember Nottingham stated the ordinance is written and if they have a Board member who is willing to be the Secretary that's fine. If there's someone from the community that volunteers and would like to be the Secretary, that's also fine. It should be up to the Board to appoint the Secretary as the ordinance states. Ted Coulter states he is of the same mind that if someone is going to give their time to the community as a volunteer, they should be a full voting member of the team. Laurie Hawkins stated it's nice to have the option to pursue either a Board member or a person outside the Board. She stated sometimes it's nice to have a Secretary that's not a voting member because then they can actually communicate effectively and freely with all the members of the Board because they are not under the same rules/regulations of the Open Meetings Act. Freda Hoffman stated Madeline McCloskey does great minutes. Councilmember Thornton stated he can see both sides of. If it was him personally as a Board member, he'd have a hard time trying to keep up with the discussion and take minutes but if a Board member is willing to do it, he doesn't see an issue with that either. Councilmember Tiner stated he can also see it go either way. He would have a hard time trying to keep up with what's going on, writing it down and then voting. Councilmember Nettle stated if a non Board member volunteers to be the Secretary, he feels that demonstrates their commitment to the Board. Mayor Reinhard stated the Board is subject to the Open Meetings Act. If the Secretary is a voting Board member, it puts restrictions and limitations on communication. Allowing someone from outside the Board, allows more to get involved. Mayor Reinhard stated the question is if Council wants to regulate this. The ordinance would need to be amended during an action item which he can place on the next City Council Agenda. Councilmember Hoffman stated he was looking at this as an issue of fairness and obviously Council has no interest. Mayor Reinhard stated he appreciates the thought.

#### **5. DISCUSS PROPOSAL TO RESTRICT SLPC OFFICERS FROM SCENIC LOOP PLAYGROUND (SLP) COMMUNITY ADVISORY BOARD MEMBERSHIP**

Mayor Reinhard stated Councilmember Hoffman asked for this item to be placed on the Agenda. Councilmember Hoffman stated he asked for adiscussion and action but again was declined an action item. He stated in November 2015, Council passed Ordinance No. 215 establishing the SLP Comm. Supervisory Board. It was revealed at the January 2016 Meeting that the Mayor selected the subcommittee that came up with the nominees for the Board. It was not realized until last month's meeting that two people appointed to the SLP Comm. Board were also members of the SLPC Board. Councilmember Hoffman stated he looked at the Warranty Deed and it appears to him that the SLPC Board is going to become more or less a watchdog to make sure the SLP Comm. Board and City lives up to its end of the bargain. In his logic, it defies logic that you would have people on both Boards. If you have people on the SLPC Board saying the City is not living up to its expectations and also have the same people serving on the SLP Comm. Board, obviously the SLP Comm. Board is going to defend their own actions or inactions. The City needs to take the higher ground. Councilmember Nottingham stated she thinks Council appointed the SLP Community Advisory Board and should stand by them. If the previous SLPC Board has an issue, they can request the resignation from that Board and get new officers. Councilmember Thornton stated if there are people interested in the SLPC Board, he doesn't have a problem with that Board asking their Board members to step down. Councilmember Nettle stated his perspective was that the SLPC Board was going to continue to exist as a social club, not a watchdog. Susan Darst stated she serves as VP on the



SLPC Board and never once has it been mentioned that they were going to exist as a watchdog. Ted Coulter stated if the City doesn't meet the expectations in the Special Warranty Deed, the land goes back. There's no signature page for the City on the Special Warranty Deed and it's recommended to have one. The focus is to find active and the right people in the community. Laurie Hawkins stated members of SLPC by majority vote ceded the property to the City. Part of the memberships concerns with the new City Board was that they would keep the spirit and intent of SLPC in their further dealings by holding true to the Constitution/By Laws. The new appointments are in line with the continuation. Jeff Waldrop stated SLPC's biggest concern was liability, not the viability of the club itself. Madeline McCloskey stated she suggests the SLPC Board put this on their agenda and see what the members want. Shawn Main stated to avoid confusion, the City should get color coded hats to see who's serving who and they can make unbiased choices. Mayor Reinhard stated he thinks this is a good discussion. He recognizes the concern and sees how it could conceptually be a conflict. Mayor Reinhard stated between the deed restrictions and covenant, there are measures in place where City Council would have to make the distinction if SLPC Board felt the City was in violation. His big concern is the years of division between the City and SLPC. Freda Hoffman stated now everyone is part of the SLP Community. There have never been enough volunteers and this will bring a bigger pool of people to get involved. The City needs to try to get more people involved. Mayor Reinhard stated at this point, the City will leave it up to the SLPC Board and membership to determine what restrictions they want to make on their end. The City will continue to keep it open to all land owning citizens. If it continues to be a concern, we can place the item on an agenda to further discuss.

### **UNFINISHED BUSINESS:**

#### **6. DISCUSS AND ACT ON SETTING DATE FOR A WORKSHOP TO DISCUSS THE CITY ENGINEER STREET SURVEY REPORT**

Mayor Reinhard stated City Engineer, David Givler has provided the City a detailed Engineered Street Survey Report. Council has discussed having a Workshop with David Givler to present the results and start the discussion of where we go from here. There was discussion on the availability of Council. It was Council's consensus to set up a workshop contingent on David Givler's availability for either Thursday 03/17, Sunday 03/20 or before the Council Meeting on Tuesday 03/22. Mayor Reinhard stated we will notify Council when it's been scheduled.

#### **7. UPDATE ON ENFORCEMENT OF ORDINANCE NO. 216 PROHIBITING THROUGH TRUCK TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF GREY FOREST**

Mayor Reinhard stated Ordinance No. 216 Prohibiting Through Truck Traffic was passed by Council in December 2015. Chief Bejar stated he's ordered two signs to place on both sides of the City limits. He's been trying to work with the County to get signs on their right-of-ways to give the trucks advance notice and an opportunity to turn around. The County was supposed to get back with him last week but they didn't. As soon as the signs come in, he will work with Chris to install them. Once they are installed, they will start issuing warnings for about a month and then issue citations. Chief Bejar stated he will continue to get with the County and hopefully they will work with us.

#### **8. DISCUSS STOP SIGNS ON SCENIC LOOP ROAD**

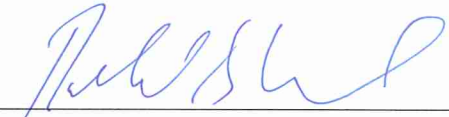
Mayor Reinhard stated Lou Hoffman asked for this item to be placed on the Agenda. Lou Hoffman stated Council received a petition from citizens with 87 signatures. Council has addressed the no through truck traffic but has yet to address the stop signs. It's been on the agenda of a couple of times with no action taken. Councilmember Hoffman stated the petition was signed by 87 people and Council shouldn't just cherry pick what part we choose to enforce. Stop signs are not permanent. If they don't work, they can be removed. Councilmember Nettle stated stop signs could possibly be a good way to slow down vehicles and discourage people to come through the City. Councilmember Tiner stated it could possibly slow down traffic but he doesn't know what it will when trying to get out at the cross streets. Councilmember Nottingham stated she thinks it would make a difference if the speed limit on Scenic Loop Road was lowered. Chief Bejar stated one of the studies he read states stop signs are not good at controlling speed. The morning traffic could become an issue and traffic could get backed up. Myra Hanson stated she would have a hard time getting out her driveway on Scenic Loop Road. The traffic comes around that corner so fast, it would be hard to see. Brenda Reinhard stated she's concerned the traffic would back up. At Babcock, the traffic backs up every morning and afternoon. Gigi Duke stated she would like to see Council look into a roundabout to keep traffic going. Susan Darst

\* stated she's concerned stop signs would impact the integrity of the roads by stopping and accelerating. Irene Scharf  
\* stated she's concerned stop signs would pollute the air with exhaust with the stopping/starting of vehicles.  
\* Councilmember Thornton stated if Council determines to move forward with stop signs, he would suggest starting with just one at Scenic Loop Road and Sherwood Trail. There was further lengthy discussion. Councilmember Hoffman stated if Council determines not to move forward with installation of stop signs, they owes the citizens who filed the petition an explanation. Mayor Reinhard asked Chief Bejar to set up a traffic study on Scenic Loop Road and the cross streets. Once the data is received, he will place bring back the information to Council.

There was no further discussion. Mayor Reinhard adjourned the Regular Council Meeting at 9:07 p.m.

These minutes were written/recorded by Shannan Kinsley.

These minutes were approved as written ~~amended~~ on the 24th day of May, 2016.

Signed:   
Ronald G. Reinhard, Mayor