

The Regular City Council Meeting of December 18, 2018 was called to order at 5:30 p.m.

**MAYOR**

Phil Howard – Absent

**COUNCILMEMBERS**

Susan Darst  
Jennifer Nottingham – Mayor Pro Tem  
Geri Poss  
Lynn Tiner  
Kimberly Verity

**OTHERS**

Shannan Kinsley  
Chief David Bejar  
Ann Mabry  
Don Reddout  
Kathleen McCloskey  
Trish Terrazas  
Madeline McCloskey  
Kelly Luckett  
Thomas Crick  
Mitch Thornton  
Sean Skaggs  
Mick McKamie  
Rene Rodriguez

Mayor Pro Tem Nottingham declared a quorum with all Council members present. The meeting was started with the Pledge of Allegiance.

**ANNOUNCEMENT OF RETIRING INTO EXECUTIVE SESSION AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY) AND 551.074 (PERSONNEL)**

Mayor Pro Tem Nottingham made the announcement of retiring into Executive Session as authorized by the Texas Government Code, Section 551.071 (Consultation with Attorney) and 551.074 (Personnel).

**1. MOTION BY CITY COUNCIL TO RETIRE INTO AN EXECUTIVE SESSION AS STATED ON THE POSTED AGENDA AND DISCUSSION OF: A) LITIGATION OF EDWIN SCHARF AND IRENE SCHARF V. THE CITY OF GREY FOREST B) MAYOR’S NOMINATION FOR NEW POLICE CHIEF**

Council member Darst made the motion to retire into Executive Session as stated on the posted Agenda for discussion of the litigation of Edwin Scharf and Irene Scharf v. the City of Grey Forest and the Mayor’s nomination for new Police Chief. The motion was seconded by Council member Tiner and passed unanimously with 5 YES and 0 OPPOSED.

Mayor Pro Tem Nottingham retired the meeting into Executive Session at 5:33 p.m.

**ADJOURNMENT OF EXECUTIVE SESSION**

The Executive Session was adjourned at 6:37 p.m.

Mayor Pro Tem Nottingham reconvened the Regular City Council Meeting at 6:40 pm.

**APPROVAL OF MINUTES**

The minutes of the August 28, 2018 Regular City Council Meeting were reviewed. Council member Darst made the motion to approve the August 28, 2018 minutes as written. The motion was seconded by Council member Tiner and passed with 4 YES and 1 OPPOSED by Council member Verity as the motion was passed before she finished reviewing the minutes.

Mayor Pro Tem Nottingham stated the September 10, 2018 and September 25, 2018 minutes are not ready for Council approval.

## PRESENTATIONS BY CITIZENS AND VISITORS

Mayor Pro Tem Nottingham stated she has several emails to be read into the record and read aloud the following:

The email from Margaret Martin states she will be unable to attend tonight's meeting to ask the Council to please consider allowing the Scenic Loop-Helotes Creek Alliance to post pending meetings on the City's marquee. She's aware that this is not a City endeavor but the future actions of outside governmental organization's rules and regulations concerning Scenic Loop and the Creek will affect all citizen's in Grey Forest.

The email from John Silantien states he's a citizen of Grey Forest and a member of the Scenic Loop-Helotes Creek Alliance and would like the SL-HCA General Meetings posted on the marquee.

The email from Tim Santy states as a citizen of Grey Forest and a member of the Scenic Loop-Helotes Creek Alliance, he asks that the City of Grey Forest allow the organization to use the marquee to post SL-HCA General Meeting Information.

The email from Donna Gottwald states as a member of the Scenic Loop-Helotes Creek Alliance she supports the posting of notices of meetings on the Grey Forest marquee.

The email from Ginger Burkholder states she lives in Grey Forest because of the natural beauty of the trees, creeks and although diminishing, the darker sky and lower development density. In just ten years she has resided here, she has seen these things being put at risk by encroaching development which seems not to value these things which draw people out here in the first place. For that reason, she has become an active participant in the Scenic Loop-Helotes Creek Alliance and the Water/Greenspace Committee, a sub-group of this organization newly recognized by the City of San Antonio. If our own city government and community council also values these things, the natural beauty of the area and if there is truly power in numbers, then it stands to reason that Grey Forest would want to participate as actively as is feasible.

Thomas Crick was present at the meeting and stated he would like to ask the City Council to consider letting the Scenic Loop-Helotes Creek Alliance use the City marquee to announce its meetings. He has recently become involved with the alliance and use of the marquee to announce meetings would help them get more people involved.

Kelly Luckett was present at the meeting and stated it would be helpful to have the meetings of the alliance posted on the marquee. As a member as well, it's difficult to always get emails even though we all sign up for them. Since the City posts a lot of different things, she doesn't see any reason why this would be an issue.

Kathleen McCloskey was present at the meeting and stated she's a member of the Scenic Loop- Helotes Creek Alliance and thinks we need to put the meeting notices up on the marquee. We put up public service announcements, burn bans and other types of announcements. We need to let the neighbors know when the meetings are.

Madeline McCloskey was present at the meeting and stated she thinks the things we put on the marquee are a public service that we do for our community. With City business taking precedence, if they could use the marquee to give support to the alliance, then she thinks it's a good thing because it is a public service announcement. It would also be a good idea to allow individuals renting the Community Center for events that are open to the entire community to use the marquee as a good way to get the event out to citizens.

**MAYOR ANNOUNCEMENTS/FINANCIAL REPORTS**

Shannan Kinsley stated the financials are not available. QuickBooks has been installed and she continues to work on updating the financials.

**COUNCIL/STAFF ANNOUNCEMENTS** – None.

**COMMITTEE ANNOUNCEMENTS/REPORTS** – None.

**GREY FOREST COMMUNITY BOARD (GFCB) UPDATE**

Madeline McCloskey stated they have the Twelfth Night celebration coming up. The Grey Forest Community Board (GFCB) voted to support the naming of the dam as “The Grey Forest Dam”. Then information surfaced that it had a different name a long time ago of “Deep Springs”. They will be putting this back on the GFCB Agenda to keep the name of “Deep Springs”. Mayor Pro Tem Nottingham stated Council can accept the resolution this evening that names the dam the “Grey Forest Dam”. Once the GFCB votes on renaming it, they can bring the resolution back to Council to amend it and rename as the “Deep Springs Dam”.

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

Mayor Pro Tem Nottingham stated they are accepting auction donations for the fundraiser on March 23, 2019. It’s being held at La Hacienda and tickets are \$75.00. The guest speaker will discuss Land Management and Ecohydrology. They are also having a Wine Tasting and Pairing at Grey Moss Inn on January 17, 2019. The tickets are \$125.00 each. Funds raised will go towards a new roof on the Beckmann Cottage. The Madla Board had a Board member resign. The Board will discuss advertising for the replacement at the December 30<sup>th</sup> Board Meeting.

**BOARD OF ADJUSTMENT UPDATE** - None.

**POLICE DEPARTMENT ACTIVITY REPORT**

Chief Bejar reviewed the November 2018 Monthly Activity Report. There were 97 calls for service, 942 hours worked, 5067 total miles driven, 85 traffic stops, 101 summons issued with 9 being trucks and 4 warnings issued.

**PUBLIC WORKS ANNOUNCEMENTS** – None.

**GFU UTILITY ANNOUNCEMENTS** – None.

**FIRE DEPARTMENT REPORT**

Don Reddout stated there were 6 calls in the City for the month of November; 3 EMS and 3 other than medical. The average response time was 3.50 minutes and average personnel 2.33. They sent two firefighters and a truck to the California fires. They were primarily backing up stations that didn’t have staff because they were out fighting fires. They will be reimbursed by FEMA for everything.

**NEW BUSINESS:**

**2. DISCUSS AND ACT ON LITIGATION OF EDWIN SCHARF AND IRENE SCHARF V. THE CITY OF GREY FOREST**

Council member Darst made the motion to proceed as discussed in Executive Session. The motion was seconded by Council member Tiner and passed unanimously with 5 YES and 0 OPPOSED.

### **3. DISCUSS AND ACT ON MAYOR'S NOMINATION FOR NEW POLICE CHIEF**

Council member Poss made the motion to approve Rene James Rodriguez, the Mayor's Nomination for the new Police Chief. The motion was seconded by Council member Verity and passed unanimously with 5 YES and 0 OPPOSED. Council member Darst stated she was part of the interview process and received some impressive resumes. It was a very hard decision, but clear decision and they are very confident in the selection. Council member Poss stated she was involved as well, and the competition was tough. Rene Rodriguez thanked Council for the opportunity and stated he looks forward to getting to know everyone personally. He will be shadowing Chief David Bejar beginning January 1<sup>st</sup> until his retirement on the 31<sup>st</sup>.

### **UNFINISHED BUSINESS:**

### **4. DISCUSS AND ACT ON RESOLUTION NO. 003-18 CLOSING FOR AUTHORIZED SWIMMING, THE FORMER SCENIC LOOP PLAYGROUND CLUB, INC.'S "SWIMHOLE" (POOL) NOW OWNED BY THE CITY OF GREY FOREST AND NAMING IT THE GREY FOREST DAM**

Mayor Pro Tem Nottingham asked Madeline McCloskey to give input on the resolution for the Grey Forest Community Board (GFCB). Madeline McCloskey stated it's good to clear the City from liability. People have always swum at their own risk, so it doesn't seem like much is going to change. Council member Poss stated she's fine with it since we are still going to allow people to swim at their own risk; it just won't be authorized swimming. Council member Darst stated the spirit of the conveyance was that the City would take over the land and invest in it in a way that SLPC couldn't because of manpower and resources. The emphasis was to care for the land. She is very sensitive to the spirit of the conveyance and is careful in using the word closing. Mayor Pro Tem Nottingham stated we are only closing it for authorized swimming; if you want to swim there, we are not going to stop you, but we are not going to promote it as a swimming pool. Mayor Pro Tem Nottingham asked for a motion. Council member Tiner made the motion to accept the resolution with the change of the name at the next Council Meeting. Mayor Pro Tem Nottingham stated we are accepting the resolution contingent that the GFCB changes the name and sends it back to Council to rename at the January meeting. Council member Poss stated Council can vote on the resolution; changing the name doesn't need to have a contingency. If the GFCB wishes to change the name, they can bring it back to Council. The resolution is from a legal standpoint stating there is no authorized swimming. Council member Tiner withdrew his motion. Council member Poss made a motion to accept Resolution No. 003-18 as written. The motion was seconded by Council member Tiner and passed unanimously with 5 YES and 0 OPPOSED. Mayor Pro Tem Nottingham stated the GFCB meets on the first Thursday of the month. She requested the renaming be placed on the next Council Meeting Agenda.

### **5. DISCUSS AND ACT ON AMENDMENT TO THE CITY OF GREY FOREST CITY COUNCIL POLICIES, PROCEDURES, AND RULES OF ORDER FOR CITY MEETINGS TO INCLUDE PROCEDURE FOR USE OF THE CITY MARQUEE**

Mayor Pro Tem Nottingham stated it was discussed at the last Council Meeting that we don't have a written policy on use of the City marquee. Council member Verity stated from what she recalls, Mayor Howard stated the marquee is used for City business and his concern with the Scenic Loop-Helotes Creek Alliance using the marquee is that the City may support some of their goals but not necessarily all of them. If the City puts the meetings on the marquee, you are rubber stamping all the things the organization does. Council member Darst stated she understands without question that everyone here supports what the alliance is trying to do with preserving the roadways. Council may support the preservation of Scenic Loop Road but where the water gets muddy is when the goals are outside the jurisdiction of Grey Forest. If you look at the bylaws of the alliance,

they're about preserving the canopy, traffic, vegetation and dark skies which we support but it becomes political when the organization is reaching out to different people in Bexar County. Mayor Pro Tem Nottingham stated the alliance is looking for ways to relieve traffic. The traffic on Scenic Loop Road continues to get worse and worse. A lot of our citizens belong to the organization and it's just giving them notice of meetings. She doesn't see it as rubber stamping everything the alliance does just by putting notice on the marquee of a meeting. Council member Poss stated she believes Mayor Howard's focus for the marquee is anything that benefits the citizens of Grey Forest. It does benefit citizens to drive by and see that there's a meeting however the idea is to make sure it represents Grey Forest. Anything we put on the marquee needs to be something that we stand behind because it will be associated with us. She thinks Mayor Howard was trying to stay out of any political issues that may offend Helotes or any other entity. Council member Darst stated whatever Council decides, we need to be fair, transparent and make sure the rules apply to everybody. Mayor Pro Tem Nottingham asked for a motion. Council member Verity made the motion to approve the City Council Policies and Procedures as amended. The motion was seconded by Council member Darst and pass with 4 YES and 1 OPPOSED by Mayor Pro Tem Nottingham.

There was no further business. Mayor Pro Tem Nottingham adjourned the Regular City Council Meeting at 7:33 p.m.

These minutes were written/recorded by Shawuan Kinsley.

These minutes were approved as written ~~amended~~ on the 23<sup>rd</sup> day of April, 2019.

Signed: Phillip A. Howard

Phillip A. Howard, Mayor