

**MINUTES  
CITY OF GREY FOREST, TEXAS  
GREY FOREST COMMUNITY CENTER  
18249 SHERWOOD TRAIL  
HELOTES, TX 78023  
JANUARY 26, 2021 – 6:30 pm.**

Minutes of the City Council Meeting of January 26, 2021, 6:30 PM.

**City Council Present:** Mayor Charles M. Thornton, Mayor Pro Tem Susan Darst, Council Member Jennifer Nottingham, Council Member Sean Skaggs, and Council Member Kimberly Verity. Absent: Council Member Geri Poss.

**Staff Present:** Chief Deputy Frank Francis, Sgt. Scott Ristow, Sgt. Gary Russell, Officer Raymond Yee, Facilities Manager Don Reddout, Asst City Attorney Sonya Herrera, and Linda S. Zartler.

**Registered/Recognized Citizens/Guests:** Joyce and Paul Trappe, Mandie Waldrop, Kathy Waldrop, Harmony Standard, Becke Locke, Louis Baeten, Madeline McCloskey, Laura Chaffee, and Susan Beavin.

**I. CALL TO ORDER**

Mayor Thornton called the City Council to order at 6:31 PM.

**II. ROLL CALL**

Mayor Thornton declared a quorum present with all members present, with the exception of Council Member Poss.

**III. PLEDGE OF ALLEGIANCE AND INVOCATION**

The meeting commenced with the Pledge of Allegiance.

**IV. PRESENTATION BY CITIZENS AND VISITORS**

Mayor Thornton opened the floor for presentations by citizens and visitors. Ms. Laura Chaffee addressed the City Council and read a letter from the Grey Forest Community Board, Volunteer Playground Committee. The letter identified the process of the Committee in recommending the playground be built with natural materials. Additionally, she noted the type of playground equipment, and the desire to include seating and shade. The best location for the playground equipment and shade was determined to be between the baseball backstop and parking lot.

**V. ANNOUNCEMENTS/ REPORTS/ MAYOR AND CITY EMPLOYEES**

- a) Mayor Announcements - None
- b) Council/Staff Announcements – None
- c) Committee Announcements/Reports
  - i) Mayor's Road Advisory Committee- consensus for a Special Workshop

Mayor Thornton called upon Council Member Nottingham. Council Member Nottingham commented that there was a desire by Council to further the discussion on the presentation of

the Mayor's Road Advisory Committee. Questions arose as to how to move the process along. Mayor Thornton suggested that an agenda for the meeting be developed and then dates secured with Council's consensus.

**d) Grey Forest Community Board Update**

Mayor Thornton called upon Ms. Madeline McCloskey. Ms. McCloskey commented that some exciting developments have occurred in planning the playground. Ms. Chaffee continued the presentation by informing the City Council of the opportunity with UTSA students in designing the playground for the GFCB. A discussion ensued regarding the scope of project with UTSA.

**e) Senator Frank L. Madla Natural Area Update**

Mayor Thornton called upon Council Member Nottingham who spoke on behalf of the Madla Board. Council Nottingham noted that the Board is continuing to work on the permits for photographers. The Board is currently accepting donations of boulders to assist with traffic control in the Park. Additionally she commented that, a prescribed burn planned prior to March 1st, but it is dependent on certain conditions. A concern was expressed by Council Member Verity on the return of the warblers effecting the burn. This will be considered if the burn moves forward. Additionally, the Board has new trail makers. It is hopefully that these markers will last longer than previous trail markers.

**f) Board of Adjustment Update – None**

**g) Police Department Monthly Report**

Mayor Thornton called upon Chief Deputy Frank Francis. Chief Deputy Francis presented the Racial Profiling Report for 2020. He noted that new information has been added regarding quantifying the percentages of the stops by category. He briefed the City Council on the highlights of the report.

Sgt Scott Ristow came forward and introduced new Sergeant, Sgt. Gary Russell. Sgt. Jesse Ambriz retired the first of the year. Sgt Ristow continued with the presentation of the November and December 2020 Activity Reports. A discussion ensued regarding COVID, COVID grants and the purchase of a new patrol vehicle.

**h) Public Works Monthly Report – None**

**i) Fire Department Monthly Report**

Mayor Thornton called on Facilities Manager Don Reddout. Mr. Reddout presented the Fire department Activity Report for October, November, and December, 2020. Mr. Reddout informed the City Council that the new station was complete, and they have occupied the station as of today. Half the crew will be located at the new station, and they will divide up the equipment, as necessary. The Council was reminded that the Fire Department has achieved new ISO rating of 2, from a rating of 6.

**j) Grey Forest Utilities Update – None**

**VI. PUBLIC HEARING**

**a) Public Hearing to receive comments and consider an amendment to Section 9.01 of Article 14.02 of the Grey Forest Code of Ordinances to clarify the definition of "Existing Grey Moss Inn" use.**



Mayor Thornton opened the Public Hearing at 7:06 PM.

No comments were received.

Mayor Thornton closed the Public Hearing at 7:07 PM.

**THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:**

**VII. CONSENT AGENDA**

- a) Approval of Minutes:**     October 29, 2020  
                                     November 10, 2020  
                                     November 18, 2020

Mayor Thornton notified the City Council that there were revised minutes at their places for October 29, 2020 and November 10, 2020, with the revisions highlighted for their review.

MOTION WAS MADE BY COUNCIL MEMBER NOTTINGHAM TO APPROVE THE MINUTES AS PRESENTED. MAYOR PRO TEM DARST SECONDED THE MOTION. COUNCIL VOTED 4-0. MOTION PASSED.

**VIII. NEW BUSINESS**

- a) Discuss and take possible action on a proposed amendment to Section 9.01 of Article 14.02 of the Grey Forest Code of Ordinances to clarify the definition of "Existing Grey Moss Inn" use.**

Mayor Thornton reminded the City Council and audience of the recommendation to clarify the definition of "existing Grey Moss Inn" use, with suggested amendments by the City Attorney and by Mr. Louis Baeten's attorney. Mayor Thornton referred the Council to the revised ordinance distributed at the Planning & Zoning Commission meeting.

MOTION WAS MADE BY MAYOR PRO TEM DARST TO APPROVE ORD. NO. 2020-001; AN ORDINANCE CLARIFYING THE ZONING DEFINITION OF THE EXISTING GREY MOSS INN USE, AMENDING SECTION 3 OF 14.02.001 OF THE CITY OF GREY FOREST CODE OF ORDINANCES. MOTION WAS SECONDED BY COUNCIL MEMBER SKAGGS. COUNCIL VOTED 4-0. MOTION PASSED.

- b) Discussion and take possible action on Resolution No. 2021-01 An Order for Election for May 1, 2021 General Election.**

Mayor Thornton reminded the City Council of the upcoming General Election and informed the Council that the City Attorney has prepared an Ordinance to call for the Election.

MOTION WAS MADE BY MAYOR PRO TEM DARST TO APPROVE ORD. NO. 2020-002; AN ORDINANCE ORDERING A GENERAL ELECTION IN THE CITY OF GREY FOREST, TEXAS, TO BE HELD ON MAY 1, 2021 FOR THE ELCTION OF THREE COUNCIL MEMBES FOR PLACE ONE (1), PLACE THREE (3), AND PLACE FIVE (5), THE TERM OF SUCH OFFICES TO BE FOR TWO (2) YEARS, TERMINATING WHEN THEIR SUCCESSORS RE ELECTED AND QUALIFIED; AND ESTABLISHING PROCEDURES FOR SAID GENERAL ELECTION. COUNCIL MMBER NOTTINGHAM SECONDED THE MOTION. COUNCIL VOTED 4-0. MOTION PASSED.

**c) Discussion and take possible action on the various bank accounts of the City of Grey Forest, Texas, and the Senator Frank L. Madla Jr. Natural Area Board of Directors accounts.**

Mayor Thornton addressed the issue of the various bank accounts of the City of Grey Forest, their purpose and intent. He suggested to the City Council that a simplified system could be established with dissolving the many bank accounts but remain accounting for the necessary revenues and expenditures. A discussion ensued regarding the legal requirements for the accounts and how the city should move forward.

Ms. Sonya Herrera, Asst. City Attorney proposed that the City Council postpone further action with the items, until such time a Resolution could be prepared dissolving the accounts with direction provided on the placement of the funds.

**d) City Council will receive an update from the City Attorney regarding the status of an ordinance to regulate and manage wireless networks in the public right-of-way (\*small cell node overlay district\*). City Council may discuss and take possible action on the proposed ordinance.**

Mayor Thornton called upon Ms. Herrera to present a summary of the proposed ordinance on small cell regulations. Ms. Herrera reviewed a brief history of past actions with the City Council on the ordinance. The City Council discussed the impact of small cell nodes within the City. Ms. Herrera explained why regulations should be in place to protect the City. She added a correction language for page 1 (A) Purpose" to read "procedures for the placement of node support pole in the public rights of way and network nodes....".

MOTION WAS MADE BY COUNCIL MEMBER VERITY TO APPROVE ORD. NO. 2021-003; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREY FOREST, TEXAS AMENDING THE GREY FOREST CODE OF ORDINANCE BY ADOPTING CHAPTER 16 STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES FOR THE PURPOSE OF RIGHT-OF-WAY MANAGEMENT FOR WIRELESS NETWORKS. MOTION WAS SECONDED BY MAYOR PRO TEM DARST. COUNCIL VOTED 4-0. MOTION PASSED.

**e) Discussion and take possible action on Resolution 2021-02, A Resolution amending the City of Grey Forest Employee Handbook, Section Benefits; Holiday Pay, with the addition of two paid holidays Martin Luther King Day and Veterans Day.**

Mayor Thornton briefed the City Council on the proposed Resolution offering two additional holidays for the employees of the City. He noted that following Martin Luther King Day, he compared the City's offered holidays with surrounding cities to find that the City of Grey Forest was not competitive with offered holidays.

MOTION WAS MADE BY COUNCIL MEMBER NOTTINGHAM TO APPROVE RES. NO. 2021-02R, A RESOLUTION AMENDING SECTION BENEFITS; HOLIDAY PAY OF THE EMPLOYEE HANDBOOK, ADOPTED BY THE CITY COUNCIL ON MARCH 22, 2016 TO INCLUDE TWO NEW HOLIDAYS, MARTIN LUTHER KING DAY AND VETERANS DAY. MOTION WAS SECONDED BY MAYOR PRO TEM DARST. COUNCIL VOTED 4-0. MOTION PASSED.

**IX. UNFINISHED BUSINESS**

**a) Motion to un-table the proposed Sign Ordinance. Tabled at the City Council meeting of November 10, 2020.**



MOTION WAS MADE BY MAYOR PRO TEM DARST TO UNTABLE THE PROPOSED SIGN ORDINANCE. MOTION WAS SECONDED BY COUNCIL MEMBER NOTTINGHAM. COUNCIL VOTED 4-0. MOTION PASSED.

**b) Discuss and take possible action on the proposed Sign Ordinance, an Ordinance establishing Chapter 15 – Sign Regulation in the Code of Ordinance of Grey Forest, Texas**

Mayor Thornton called upon Ms. Herrera to continue with the discussion on the proposed Sign Ordinance. Ms. Herrera reminded the City Council that a revised Ordinance is being presented, with a tweak in the language on signage due to the zoning clarification on the Grey Moss Inn.

Council Member Nottingham raised questions on several sections of the proposed Ordinance. Mayor Thornton suggested that Council may wish to hold a workshop and develop a thorough understanding of the regulations that would be imposed.

MOTION WAS MADE BY COUNCIL MEMBER NOTTINGHAM TO POSTPONE THE PROPOSED SIGN REGULATION ORDINANCE UNTIL A MEETING CAN BE HELD TO REVIEW THE DETAILS IN THE PROPOSED ORDINANCE. MOTION WAS SECONDED BY COUNCIL MEMBER VERITY. COUNCIL VOTED 4-0. MOTION PASSED.

**X. EXECUTIVE SESSION**

Mayor Thornton called the City Council into Executive Session at 8:02 PM. and directed all those requested to participate in the Executive Session to remain with the Council.

**A) City Council will receive an update from the City Attorney regarding litigation between the City of Grey Forest, Texas and Edwin and Irene Scharf pursuant to Texas Local Government Code – Section 551.071 Litigation (consultation with legal counsel).**

**b) City Council will receive an update from the City Attorney regarding pending litigation between the City of Grey Forest, Texas, and Shannan Kinsley pursuant to the Texas Local Government Code Section 551.071 (consultation with legal counsel).**

The City Council reconvened into open session at 9:04 PM.

MOTION WAS MADE BY MAYOR PRO TEM DARST TO MOVE FORWARD WITH AN APPEAL IN THE MATTER OF CITY OF GREY FOREST, TEXAS VS EDWIN AND IRENE SCHARF, AS ADVISED BY LEGAL COUNSEL DURING THE EXECUTIVE SESSION. MOTION WAS SECONDED BY COUNCIL MEMBER NOTTINGHAM. COUNCIL VOTED 4-0. MOTION PASSED.

MOTION WAS MADE BY COUNCIL MEMBER VERITY TO AUTHORIZE THE MAYOR TO SPEND UP TO \$5000.00 IN COMBINATION WITH THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL IN THE MATTER OF CITY OF GREY FOREST, TEXAS VS SHANNAN KINSLEY. MOTION WAS SECONDED BY MAYOR PRO TEM DARST. COUNCIL VOTED 4-0. MOTION PASSED.

**XI. GENERAL ANNOUNCEMENTS & FUTURE AGENDA ITEMS REQUESTED - NONE**

**XII. ADJOURNMENT**

The City Council adjourned at 9:08 PM.

These minutes were approved/amended on 26 day of February, 2021.

APPROVED:

  
Charles Mitchell Thornton

ATTEST:

  
City Secretary