

MINUTES OF REGULAR MEETING

May 24, 2017

SHENANDOAH CITY COUNCIL

1. CALL TO ORDER (1:04:16)

Mayor Wheeler: All right, we'll call to order, the May 24th Regular Meeting of the City of Shenandoah Council.

2. OBSERVE A MOMENT OF SILENCE – EDDIE BOYDE (1:04:28)

Mayor Wheeler: We are to start off by observing a moment of silence for former mayor, Eddie Boyde. If you would please join me.

Mayor Wheeler: Okay. Thank you for that. We, of course, thank former mayor Eddie Boyde for his service. Thoughts and prayers are with his family.

3. CALL OF ROLL (1:05:07)

Mayor Wheeler: Called the roll and we noticed that everyone is here tonight.

4. PLEDGE OF ALLEGIANCE (1:05:11)

Mayor Wheeler: For the Pledge of Allegiance, we are lucky enough to have one of our fellow neighbors from Imperial Oaks, Boy Scout Ethan O'Neal Kober. He's going to come help us do the Pledge of Allegiance. Ethan, come on up to the podium if you would please sir. If you'd all like to stand with us. Ethan, we'll start with the Pledge of United States.

Ethan O'Neal Kober: Please follow me in the Pledge of Allegiance.

Audience: I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Mayor Wheeler: The Texas Pledge.

Ethan O'Neal Kober: Please follow me in the Texas Pledge.

Audience: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

Mayor Wheeler: Thank you, Ethan, we appreciate it. Thank you for being here.

5. INVOCATION (1:06:28)

Mayor Wheeler: If you'd all like to stay standing with us, I'd like to give us an invocation.

Lord, we just like to say thank you. Thank you for being who you say you are. Thank you for loving us unconditionally, for forgiving us, for giving us grace. For loving us perfectly even though we are imperfect. Oftentimes our imperfect shows in the way we act and the way we treat one another when we're in meetings like tonight. I just want to say that we need your guidance, we need your help, we need your strength to help us open our minds and our hearts to each other, and listen to each other's opinions and each other's thoughts. Guide us to make the best decisions. It's in your son's name we pray. All God's people said.

Audience: Amen.

6. CITIZENS FORUM (1:07:16)

Mayor Wheeler: Please be seated. Okay, we'll move into Item six which is citizen's forum. Citizens are invited to speak for three minutes on matters relating to city government, agenda or non-agenda items. I only had one person – no, I'm sorry, I do have two. I got a second person signed up, so I have two people who signed up to speak. First up is Ms. Hepburn.

Ms. Hepburn: Good evening all. This is the same thing that Mike has brought for the city to look at our human resource and offering to pay for the employees to overtime for jury duty. Standard practice is not. Even through the United States Department of Labor, it says that hours worked over 40 is due for overtime, that's how you calculate overtime. Jury duty states; time spent on jury duty is not time worked for purpose of the FL hours, so it would not count toward overtime. I just wish that you all would look at that before you put that into the handbook. Thank you.

Mayor Wheeler: Thank you, Ms. Hepburn. Alex Warmath. Next up.

Mr. Warmath: I just want to thank the City Council for your work and effort. Tonight, I'd specifically like to thank Jean and Darrell and John Houston for the amount of energy and effort they put in during their term for our city. All their good works, all their dedication, and all their hard works and extra time that they've worked for us the citizens in this community.

I appreciate that greatly for their efforts and their good works, and the level which they've raised the bar for future city councilman to work for and to shoot for in terms of the progress our city has made. I want to thank the three of them specifically. I want to thank the City Council for your great work for our community.

Mayor Wheeler: Thank you, Mr. Warmath. Okay. Those were the only two folks who signed up to speak. But as you well know, we do have a second citizen's forum at the end, so if you want to speak, feel free to turn in the card to Kathie and we'll get you on the second citizen's forum.

7. Presentation of badges to Detective Sergeant Joel Gordon and Sergeant Courtney Pullen.
(1:09:42)

Mayor Wheeler: With that, we'll move into Item seven, which is presentation of badges to Detective Sergeant Joel Gordon and Sergeant Courtney Pullen. I believe, Chief--

Mr. Smith: We're going to do Sergeant Detective Gordon first.

Mayor Wheeler: We will be doing Detective Sergeant Joel Gordon first.

Mr. Smith: We can have Joel and his wife come up.

Mayor Wheeler: Next will be Courtney Pullen.

Mr. Smith: Council if we can, there's a lot of family members with both Joel and Gordon; their parents, in-laws, and family, so if we can take a couple minutes to let them all come up front and take a couple pictures while they're here.

Mayor Wheeler: Absolutely.

Mr. Smith: Both of you want to come up take some family pictures, we'd love for you to be able to.

While they're taking pictures, I'll tell everybody who's here. With Courtney, it is her husband Josh Pullen who is a Sergeant with Texas DPS. As well as their two boys Joseph and Hunter. Her mom and dad, Douglas and Patricia Wind. As well as her mother and father-in-law Tammie and Kevin Pullen. Kevin Pullen is retired Lieutenant, Texas Ranger.

With Joel, it is his mother and father Keith and Lynn Jordan. As well as his wife Wendy of thirteen years. Keith is a retired HPD officer, with 37 years of experience with the HPD.

Mayor Wheeler: Once again Joel and Courtney, congratulations and obviously well deserved. We appreciate you very much.

8. Swearing in of new Councilmembers, Position 2, 3, and 4. (1:13:02)

Mayor Wheeler: Okay. With that, we'll move into Item eight, which is swearing in of new council members, Position II, III, and IV. We'll start off with Position II.

Mayor Wheeler: Okay. Raise your right hand. Repeat after me. I Ted Fletcher-

Ted Fletcher: I, Ted Fletcher-

Mayor Wheeler: -do solemnly swear-

Ted Fletcher: -do solemnly swear-

Mayor Wheeler: -that I will faithfully execute-

Ted Fletcher: -that I will faithfully execute-

Mayor Wheeler: -the duties of the office,

Ted Fletcher: -the duties of the office,

Mayor Wheeler: -of City Council Position Two -

Ted Fletcher: -of City Council Position Two -

Mayor Wheeler: -of the City of Shenandoah,

Ted Fletcher: -of the city of Shenandoah,

Mayor Wheeler: -Texas-

Ted Fletcher: Texas,

Mayor Wheeler: -to the best of my ability, so help me God.

Ted Fletcher: -to the best of my ability so help me God.

Mayor Wheeler: Congratulations brother.

Mayor Wheeler: All right. Bevers is in the audience? Ted, you will take your position on the dais.

Mayor Wheeler: Okay. I, Byron L. Bevers--

Byron Bevers: I, Byron L. Bevers--

Mayor Wheeler: -do solemnly swear-

Byron Bevers: -do solemnly swear-

Mayor Wheeler: -that I will faithfully execute the duties-

Byron Bevers: -that I will faithfully execute the duties-

Mayor Wheeler -of the office of the City Council-

Byron Bevers: -of the office of City Council-

Mayor Wheeler -Position Three -

Byron Bevers: -Position Three,

Mayor Wheeler -of the City of Shenandoah, Texas-

Byron Bevers: -of the City of Shenandoah, Texas,

Mayor Wheeler -to the best of my ability-

Byron Bevers: -to the best of my ability,

Mayor Wheeler -so help me God.

Byron Bevers: -so help me God.

Mayor Wheeler: Congratulations.

Mayor Wheeler: All right, last but not least, come on up Charlie. I should have done Ted last.

Mayor Wheeler: Okay. I, Charlie Bradt-

Charlie Bradt: I, Charlie Bradt-

Mayor Wheeler -do solemnly swear-

Charlie Bradt: -do solemnly swear-

Mayor Wheeler -that I will faithfully execute-

Charlie Bradt: -that I will faithfully execute-

Mayor Wheeler: -the duties of the office-

Charlie Bradt: -the duties of the office-

Mayor Wheeler -of City Council-

Charlie Bradt: -of City Council-

Mayor Wheeler -Position Four -

Charlie Bradt: -Position Four -

Mayor Wheeler -of the City of Shenandoah, Texas-

Charlie Bradt: -of the City of Shenandoah, Texas,

Mayor Wheeler -to the best of my ability-

Charlie Bradt: -to the best of my ability-

Mayor Wheeler -so help me God.

Charlie Bradt: -so help me God.

Mayor Wheeler Congratulations brother.

Female Speaker: I think I brought my camera.

Male Speaker: I did that.

Mayor Wheeler Okay. Now, we will vacate the dias.

Female Speaker: Right.

Councilmember Bevers: Mayor, is it okay if I say something?

Mayor Wheeler: Absolutely.

Councilmember Bevers: Darrell, you served for eight years in this seat, and I really appreciate your service. You accomplished a lot of things that you should be proud of. Three that come to mind, are the Shenandoah Valley Infrastructure Project, finishing that. The getting us out of the ESD, as well as the scholarship committee, so thank you very much.

Mayor Wheeler: Yes. Along to that, I'd like to thank all three of you for your service to the city. We appreciate it. We appreciate each and every one of you for sure.

9. Consideration and possible action to appoint the Mayor Pro-tem. (1:18:14)

Mayor Wheeler: Okay, let's move into Item nine, unless anybody else has anything they'd like to add.

Moving to Item nine, consideration and possible action to appoint the mayor pro tem. If you look on your agenda item, with Councilman Frazier stepping down, we will need a mayor pro tem to serve for one year. I have talked to Councilman Bradt about this. He is willing to accept my nomination, if you will, so I am calling for a motion.

Councilmember Raymaker: I make the motion to nominate Charlie Bradt to be mayor pro tem.

Councilmember Bevers: I second.

Mayor Wheeler: Do we have any discussion? I'd just like to say that, with Charlie having served as mayor previously, I'm looking forward to your help and guidance. I appreciate you being up here, and I appreciate your input and your advice.

Charlie Bradt: I'll be glad to be. I'll serve you well.

Mayor Wheeler: All in favor?

Council: Aye.

Mayor Wheeler: Any opposed? Motion carries 5-0. Okay. Let's move to Item 10.

10. Discussion and possible action to adopt the following Resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHENANDOAH, TEXAS, PROVIDING FOR THE APPOINTMENT TO FILL THE POSITION OF PLACE THREE (3) ON THE SHENANDOAH PLANNING AND ZONING COMMISSION.

Mayor Wheeler: Move to item 10. Discussion and possible action to adopt the following resolution. The resolution of the City Council of the City of Shenandoah, Texas, providing for the appointment to fill the position of Place III on the Shenandoah Planning and Zoning commission.

Council, will you all give me just a second here. I don't believe in the agenda. If I remember correctly, we did not have Mr. Galatas' name in there. With Councilman Bradt being elected to councilor, obviously we have to replace his position of Planning and Zoning. I have once again asked for Bob Galatas, who lives here in the city. I'm probably pronouncing your name wrong, Bob, I apologize. I don't usually call you by your last name. He's here if you have any questions for him.

Mayor Wheeler: Looking for a motion.

Councilmember Bradt: So moved.

Mayor Wheeler: Second?

Councilmember Fletcher: I'll second.

Mayor Wheeler: Any discussion?

Councilmember McLeod: Can I ask questions?

Mayor Wheeler: Sure. Absolutely. He's here.

Councilmember McLeod: What's your thought on late hours?

Mr. Galatas: Sure.

Mayor Wheeler: Bob, do you mind approaching the podium maybe and just come introduce yourself.

Councilmember Bradt: The thing is, though I'm vacating the position, I'd like to say that you've got a very great group of people in Planning and Zoning. They'll serve the city well, and are very devoted, and they really care very much about the City of Shenandoah.

Mr. Galatas: I'm looking forward to it.

Mayor Wheeler: Would you give the council just a tiny bit of background on yourself?

Mr. Galatas: I grew up in Conroe. I went to Conroe High. I grew up in River Plantation. I went to Texas A&M; I went to South Texas College of Law. I've lived here all my life. I have a wife and two kids. We've lived in Shenandoah now for five years.

Mayor Wheeler: Coming up on five years. Any other questions? Thank you Bob.

Mr. Galatas: Thank you.

Mayor Wheeler: Okay. We have a motion and a second. Any more discussion? All in favor?

Council: Aye.

Mayor Wheeler: Any opposed? Motion carries 5-0. Thank you Bob.

11. Discussion and possible action regarding to adopt the following Resolution: (1:21:42)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHENANDOAH, TEXAS APPOINTING MEMBERS TO THE BOARD OF DIRECTORS OF THE SHENANDOAH MUNICIPAL DEVELOPMENT DISTRICT.

Mayor Wheeler: Item eleven, discussion and possible action regarding to adopt the following resolution. The resolution of the council of the City of Shenandoah, Texas. Appointing members to the board of directors of the Shenandoah Municipal Development District.

We are looking for a motion. If you will notice in your agenda packet, I believe that Councilman Frazier nominated new Councilman Bradt, so that is what's on the agenda packet.

Councilmember Bradt: I'd like to make a motion we nominate Byron Bevers.

Councilmember Raymaker: Second.

Mayor Wheeler: Any discussion? Got a motion and a second. All in favor?

Council: Aye.

Mayor Wheeler: Any opposed? Motion carries 5-0.

13. Discussion and possible action to adopt the following Resolution: (1:22:53)

A RESOLUTION OF THE CITY COUNCIL OF SHENANDOAH, TEXAS, IN SUPPORT OF A PROPOSAL BY ENTERGY TEXAS, INC. REGARDING THE APPLICATION OF ENTERGY TEXAS INC. TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY TO CONSTRUCT MONTGOMERY COUNTY POWER STATION IN MONTGOMERY COUNTY IN PUBLIC UTILITY COMMISSION OF TEXAS DOCKET NO. 46416.

(This item was taken out of order)

Mayor Wheeler: Item thirteen, discussion and possible action to adopt the following resolution. A resolution of the City Council of the City of Shenandoah, Texas in support of a proposal by Entergy Texas, Incorporated, regarding the application of Entergy Texas Incorporated to amend its certificate of convenience and necessity to construct Montgomery County power station in Montgomery County in Public Utility Commission of Texas, docket number 46416.

Mr. Ferebee: That's Item thirteen mayor.

Mayor Wheeler: Did I skip one?

Mr. Ferebee: You did, but that's fine.

Mayor Wheeler: I did skip one. I skipped 12.

Mr. Ferebee: But you can, you can--

Mayor Wheeler: I'll circle back to 12. Yes, it messed me up when I switched from one page to the next. Still looking for a motion.

Councilmember McLeod: Hello. I'll make a motion to approve the resolution, as written.

Mayor Wheeler: Do we have a second?

Councilmember Bradt: Second.

Mayor Wheeler: Do we have some discussion?

Councilmember Bevers: I'd like to say something. A few years ago, we had several jurisdictions pass resolutions in support of something in our city without asking for our opinion, I'm talking about the flyover at Research Forest. I would like to see us table this, until Montgomery County and the City of Conroe have had a chance to consider this resolution, because we didn't like it when it was done to us.

Councilmember McLeod: I agree with that. With that, I will make a motion to table this. I withdraw my motion.

Mayor Wheeler: Well, the only thing I'll say about that is, is if I'm not mistaken, in the presentation that Entergy gave us at the last council meeting, I thought he said that he had already talked to Conroe.

Councilmember McLeod: Willis, right.

Mayor Wheeler: Talked to Willis, talked to Conroe, talked to Montgomery.

Councilmember Bevers: Willis has passed it. Greg, correct me if you have more up-to-date information, but the commissioner's court nor City of Conroe have considered this.

Councilmember McLeod: But it's in Willis' jurisdiction, right?

Councilmember Bevers: I'm not sure if it's in Willis' ETJ or Conroe's.

Councilmember McLeod: Okay.

Mr. Smith: Byron, you are correct, to our knowledge. Neither Conroe nor Montgomery County has approved the resolution. The City of Willis has passed a resolution.

Mayor Wheeler: The actual site is in the City of Willis?

Mr. Smith: I can't speak to the exact site. I think it's in the ETJ. I believe Byron is correct. I do not know if it's Willis' and Conroe. Also to Byron's point, he's absolutely correct. This city had resolution of support for projects in our jurisdiction with no notice to this city and we fought diligently to stop those two projects after resolutions were passed by other entities.

Councilmember McLeod: Yes, it's a good point.

Mayor Wheeler: We don't have anybody from Entergy, do we? I didn't see Doug or Allan. Nope. Okay. We had a motion, we had a second. You retracted your motion. Who did, Mike?

Councilmember McLeod: I did.

Mayor Wheeler: You want to file a new--?

Councilmember McLeod: No. Make a motion to table this until we hear back from City of Conroe and commissioner's court.

Mayor Wheeler: Do we have a second?

Councilmember Bevers: I second.

Mayor Wheeler: All in favor?

Council: Aye.

Mayor Wheeler: Any opposed? Okay. The motion carries 5-0 to table approving the resolution.

Councilmember Bradt: Until it's addressed by Conroe.

Mayor Wheeler: Right. Greg, we'll ask you just to bring it back on the agenda at a time that we know Conroe and Willis have addressed it.

Mr. Smith: Yes, sir.

12. Discussion and possible action to adopt the following Resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHENANDOAH, TEXAS DESIGNATING THE AUTHORIZED CHECK SIGNERS FOR THE CITY OF SHENANDOAH BANKING ACCOUNTS WITH WELLS FARGO BANK AND TEXPOOL AND AUTHORIZING ALL OTHER NECESSARY SIGNATURES TO VALIDATE BANKING RESOLUTIONS WITH WELLS FARGO BANK AND TEXPOOL.

(This item was taken out of order)

Mayor Wheeler: Thank you. Okay, we'll circle back to 12. Discussion and possible action to adopt the following resolution; The resolution of the City Council, the City of Shenandoah, Texas, designating the authorized check signers for the City of Shenandoah banking accounts with Wells

Fargo and TexPool, and authorizing all other necessary signatures to validate banking resolutions with Well Fargo Bank and TexPool.

Councilmember Bevers: Moved.

Mayor Wheeler: Second?

Councilmember Bradt: Second.

Mayor Wheeler: Any discussion?

Councilmember McLeod: Just one thing. I did spell out my name for legal documents, so this needs to be Michael McLeod, not Mike.

Mayor Wheeler: Duly noted. Any more discussion? All in favor?

Council: Aye.

Mayor Wheeler: Any opposed? Motions carries 5-0, and it does say Michael McLeod, so what do you think?

Councilmember McLeod: Oh, it says Michael in the actual signature page, so hopefully that's--

Mayor Wheeler: Yes, the resolution says Mike, so we'll need to change it.

14. Discussion and possible action regarding changing vendors for repairs to the clarifier at the wastewater treatment plant.

Mayor Wheeler: Okay. Item fourteen; discussion and possible action regarding changing vendors for the repairs to the clarifier at the wastewater treatment plant. I think you guys were here at the last meeting when you all probably noticed all the changes.

Mr. Smith: Or do you want me to give a brief summary before?

Mayor Wheeler: Probably a good idea.

Mr. Smith: Okay. As council -- excuse me, in previous council, we had an emergency situation at the sewer plant when the clarifier went down. We did go up for prices for that, and we took what at the time appeared to be the lowest price with the fastest delivery time. After they pulled the clarifier, they were unable to repair it.

That contractor was unable to complete the repairs. We then went to the next lowest bid which is EI Squared which is actually the only contractor in this area that can do those repairs. The price actually went down, but, the lead time has increased by five weeks. This is actually more of a ratification to change the vendor to EI Squared.

Councilmember Bradt: Greg, the clarifier hasn't been down for that length of time?

Mr. Smith: Yes. Clarifier has been down longer than that. Clarifier went down Friday before the meeting, or the Thursday before the meeting that we approved the repairs to the first vendor. We do have two clarifiers, so the plant obviously hasn't been down, but we are operating off of our back-up clarifier.

Councilmember Bradt: I move we approve it.

Mayor Wheeler: Do we have a second?

Councilmember Raymaker: Second.

Mayor Wheeler: Any discussion?

Councilmember McLeod: Well, we've already started this in motion, correct?

Mr. Smith: Yes, this is a ratification about changing the vendor.

Councilmember McLeod: Okay. Make sure we're good there.

Councilmember Bevers: Joseph, when is it scheduled to be complete?

Mr. Peart: I got word from El Squared today that the parts were shipped last Thursday. They hope to get them tomorrow or Friday, and then they'll begin the rebuild -- and they said a three-week timeline for rebuild and installation.

Mayor Wheeler: Any more discussion? Okay, so we had a motion by Councilman Bradt, a second by Councilman Raymaker. I'm sorry Kathie, I hadn't been doing a good job of that.

Mayor Wheeler: All in favor?

Council: Aye.

Mayor Wheeler: Any opposed? Motions carries 5-0.

15. Discussion and possible action regarding revisions to the employee policy manual. (1:30:30)

- a) Body Art/Tattoos
- b) Communication/Chain of Command
- c) Jury Duty

Mayor Wheeler: We'll move into Item fifteen; discussion and possible action regarding revisions to the employee policy manual. We're going to do these one at a time. Let's start with A, which is body art/tattoos. Do we have a motion?

Councilmember McLeod: I make a motion to approve the modifications for the body art/tattoos.

Mayor Wheeler: Do we have a second?

Councilmember Bradt: I'll second.

Mayor Wheeler: We have a motion by councilman McLeod, we have a second by Councilman Bradt. Do we have a discussion?

Councilmember Fletcher: I'd like to see one change to that if we can talk about a change. If we could change from committees to department heads. I don't think we need to form a committee to look at somebody's tattoo. I think our department heads are fully capable of being able to determine what's appropriate and what's not.

Councilmember Raymaker: What was the old policy on body art?

Mr. Smith: All body art had to be covered. No tattoos were allowed to be visible.

Councilmember Raymaker: How does allowing tattoos support all the previous items towards professional attire?

Mr. Smith: As you recall, this was brought up by a council member who wanted to modify the policy to allow body art. I have said from the beginning of this that I'm not in favor of having body art visible. I think we changed it to allow tattoos on the fingers. But to keep up with society and the different type of employees, it was asked that we look at it. We went back and talked to all the employees about it, and the recommendations that you see in front of you came from the majority of the city employees.

The reason for the committee, Ted, was to give a difference of opinion. I think as a whole, probably most of the department heads are not in favor of body art, where I've not asked individually. The employees actually, the ones that came up with the idea of the committee, and that committee would consist of both male and female tattooed and non-tattooed employees. That's why the committee was done that way. It was recommendation done by the actual employees themselves.

But there's absolutely no problem with your suggestion of letting the four department heads make the determination. Then again, if the employee or the new employee wants to appeal that, then it would come to the City Council.

Mayor Wheeler: I think the intent based on some of the previous meetings and discussions that we had was that, sometimes people who don't have tattoos get locked into whether or not a person should have them. Culturally, I think there's – it's pretty obvious there's been a shift, it's more and more acceptable, and so where one person may say, "I don't believe in tattoos" that doesn't necessarily mean I'm right just because I don't have one. It may be okay for somebody else to have one.

I think the intent behind having the committee of a couple employees that had tattoos versus a couple employees that didn't have tattoos, was to try to give a balanced and fair viewpoint. I like your idea. The downside of that is, when you go back to a department head, now you just have one person again, and so if that one person doesn't agree, then--

Councilmember Fletcher: Well, I would say that the department heads would be--

Mayor Wheeler: All of them? Okay, misunderstood.

Councilmember Fletcher: Not just one, but all of them.

Mr. Smith: Yes. That's the way I understood it. There would be, Jennifer, Joseph, Raymond and Kenny, would be the committee of four.

Councilmember Raymaker: I'd be comfortable with that.

Mr. Smith: I have no problem with that.

Mayor Wheeler: Byron?

Councilmember McLeod: I like that change as well.

Mayor Wheeler: Charlie?

Councilmember Bradt: Yes. I like it, yes.

Councilmember McLeod: Who will make that motion? Well, I'll make a motion to amend to make the four department heads the determining voice on that. I did want to address it. My concern or my reason for bringing us forward to create a more unified policy. It wasn't necessary to rush something down. But we've been scrambling to keep up. Generally speaking, it was all body art had to be covered at all times, except -- well, at least we hired some people with body art, and oops somebody got married and decided to put a wedding ring on the finger that's a fairly common thing to do these days.

It's one of these like, we're not really enforcing it, and it made more sense to say, "Let's consider that from, again, a holistic perspective instead of going back and patchwork ordinances together and policies. I think this is a reasonable thing, obviously. Six months from now if it's a total disaster, then we may need to make some modifications to it. I hope not. I think it's a reasonable compromise that lets people live and still maintain a professional work environment.

Mayor Wheeler: Thank you, Mike. Okay. We have a motion to approve the revision to the employee policy manual, A, body arched tattoos with the change that, where it states, "a committee comprised of four employees" it will say, "a committee comprised of four department heads." That motion moved by Councilman McLeod. Do we have a second?

Councilmember Fletcher: Then, the second sentence under that, where it says -- disagrees with the committee, that would be the department heads there as well.

Councilmember McLeod: Agreed.

Mayor Wheeler: Okay.

Councilmember Fletcher: I second.

Mayor Wheeler: We have a second by Councilman Fletcher. Any more discussion? All in favor?

Council: Aye.

Mayor Wheeler: No opposed? The motion carries to 5/0. All right, we'll move to B, which is, Communication/Chain of Command.

Mr. Smith: Council, this change just gives better clarification of what is and is not allowed. It also enhances the ability for council to have conversations with staff, as well as staff to present ideas to the City Council. The first change is the old policy when dealing with an employee, had a request matter to be considered by the City Council by submitting an item in writing to his or her supervisor who'll forward the communication to the city administrator.

It then had the line, which is now deleted, it said, "Final decisions as to what is brought forward to the City Council from staff are determined by the city administrator." That is now deleted and replaced with, "City administrator will replace the item on a future City Council agenda. The employee will be required to present the item to the City Council." It is encouraging employees that have ideas that they want to present to the City Council, it now will be presented without any question.

It doesn't say the next meeting, strictly because of scheduling conflicts that could happen with the employee, or time it takes to get the information together for the city council, so that's why it doesn't say the next meeting. It's just to give the employee some time to get just information-supporting documents gathered to present to the council.

Councilmember Bradt: You could say the future people--

Mr. Smith: Yes, that's what it says.

Councilmember Bradt: Right. Well, I know that. But I mean, that's not what I'm saying. I guess, it's okay.

Mr. Smith: Second paragraph, it just states that employees are to refer the public and the media to the city administrator or designee, obviously, we now have communication specialists, so I will be designating Debbie to handle the more non-routine controversial items that are outside the scope of an employee's normal duty.

The department head gets a normal call from the media, and it is in their normal scope of duty. They are allowed to talk to the media without question, always have been. That's not a change, it's just adding a designee.

The last one is dealing with city councils. The word "shall" have been replaced with "can" in the sense that will now read, "Members of City Council can deal with city officers and the employees are subject to the direction and supervision of the city administrator. The employees have informed the employee's supervisor or city administrator if the council member discusses or makes inquiries about anything not pertaining to his or her dealings with the city as a resident or business owner" It also add previously that all council communication to employees were to go through the city administrator. That has been removed.

The last is a deletion of, "Employee's contact with the members of the City Council is limited during working hours to that authorized by the employee's supervisor, completely eliminated to where it doesn't matter if they are on duty or off-duty. They are allowed to have contact with the City Council.

Mayor Wheeler: Okay. Do I have a motion?

Councilmember McLeod: I'll make a motion to accept these revisions to 2.09.

Mayor Wheeler: Councilman McLeod made a motion to accept. Do I have a second?

Councilmember Bradt: I'll second.

Mayor Wheeler: Councilman Bradt made a second. Do we have a discussion?

Councilmember Fletcher: We do.

Mayor Wheeler: I figured we might.

Councilmember Fletcher: I guess the question I have is regarding City Council and that paragraph in specific where it says the employee must inform the employee supervisor or city administrator on anything that's -- other than has to do with them being a resident or business owner. Obviously, we're not instructing them to make changes in their job, but if we just have a simple inquiry -- well, I

guess I'm not sure in that terminology - what's the premise behind that. Can somebody explain that?

Mr. Smith: Sure, I can. The premise is that the employees all work for the city administrator in the city. The department heads have -- all of those appointments have to be approved by the City Council. It is just to keep the supervisor informed of questions. I'll give you a really good example. If three council members ask the exact same question, and I don't know the three of you have that exact same question, maybe there is an issue and I don't know about the issue. If I'm-

Councilmember Fletcher: I'm sure we'll bring it up at that point.

Mr. Smith: Well, potentially yes. But the three of you can't talk about it, so you may not know that two other people have had the exact same issue. Because if the three of you have talked about it, then you could potentially have open-meetings violation. It is only to the fact of keeping everybody informed of issues that are not related to you individually or as a business owner that's located in the city.

Councilmember Raymaker: I think we need to address how staff has to have safe access to council members so that they can bring things to light and allow us to do additional oversight. If they always have to report back that they had a conversation and that becomes a career-limiting move for them depending on how many people they might talk to, I could see where it wouldn't be a safe environment for them to approach us at all.

Mayor Wheeler: But if you look at the other paragraph that we changed, it's a safe environment because anybody if they have suggested or wants to, they can bring it to the City Council, it must be placed on the agenda. In addition, every employee has a right as a citizen to contact a member of the City Council during non-working hours, or make a presentation during City Council. It is a safe environment for employees to raise questions and concerns to this council.

Mayor Wheeler: Byron, I'll be curious about your take on this being a former employee.

Councilmember Bevers: I do think that the policies still need some work. One thing in particular I'd like to see is that, Mayor, you, me - direct - are explicitly able to meet directly with departments heads about budget issues. There are a few other items. I actually drafted the proposed change.

The front two pages are clean copy. The back two pages are red-line copy. There are some significant changes, so we may not want to address this tonight and push it off to another meeting. But, there should be enough copies for Greg, Bill and Kathie as well.

Mayor Wheeler: I'll say this; I don't know that we need to -- Charlie is already digging into it, but unless you all want to try to sit and read this and without giving it any thought try to--

Councilmember Raymaker: Make the motion to table this one --

Mayor Wheeler: Yes. It would be probably better off tabling. I will say that in light -- as you're reading this and as you're thinking about this in between now and the next time this comes on the agenda -- well -- I agree with everything that's been said so far. I also do as you all know, probably in my military background, I also believe in the chain of command. I just think we need to keep that in mind when we're talking about circumventing that chain of command in any way. I'm not saying we are, but, just keep that in the forefront of your minds when we're thinking about this. Okay, so do we have a motion to table then?

Councilmember Raymaker: I made one.

Councilmember Fletcher: I'll second.

Mayor Wheeler: Any discussion?

Councilmember Bevers: Can we have it for action at the next meeting in our just discussion which has been discussed several times?

Councilmember McLeod: I would like to see that. We've talked a little bit about it tonight, and we talked about it at the previous council meeting. I think we can certainly make it an action item. We talked about it beforehand. The major change really was the one paragraph there, right, at the end. However, it requested--

Councilmember Bevers: That's one of the big changes, yes.

Councilmember McLeod: I do like that the employees who strongly encourage -- I would like to see this brought forward as action item at the next meeting. Motion and second to table.

Mayor Wheeler: Okay, so we have a motion and second to table. Any more discussion? All in favor?

Speakers: Aye.

Mayor Wheeler: That motion was by Councilman Raymaker. The second was by Councilman Fletcher. The motion carries 5-0. Let's move to jury duty.

Mr. Smith: Council, this one was brought up by council as well, that any employee regardless of their schedule to work or not to work, will be paid if they serve on a jury, whether it's related to the job or not related to this job. As well, this also now makes jury duty hours worked in consideration of their salary.

Ms. Hepburn has raised the question a couple times. I will let Bill give a legal opinion, but basically this policy is greater than the minimum requirements which is allowed under the state and federal statutes to exceed. You cannot go below. Bill, I'll let you get into legal aspect of it.

Mr. Ferebee: Well, the legal aspect of it is, time spent on jury duty is not time worked for purposes of Fair Labor Standards Act. You get paid, but in terms of calculating hours for overtime, City Council or the city is not required to count that as overtime. I believe as the policy is written, we would count that as overtime. The city is certainly able to pay more than the law requires, just not less.

Right now, if we had an employee on jury duty, Monday, Tuesday, Wednesday, eight hours a day for three days, and say Joseph had some emergency at the wastewater treatment plant and that employee worked 12 hours Thursday and Friday, you would not have to pay him overtime, Mayor, because it's over eight. But, you would not have to pay him overtime for the four hours each.

The way this policy is written, the city would pay him overtime for those, in my example, four hours each. But with all due respect to Ms. Hepburn, there's no prohibition against the city paying overtime. It's your option; you can if you wish.

Councilmember Bradt: Bill if they're at a county court, will not the county pay them for their services of jury?

Mr. Ferebee: 12 hours a day.

Councilmember McLeod: Here's the thing; so we pay them their full salary. The regular salary if they're on duty; that's our current policy?

Mr. Smith: Yes, sir.

Councilmember McLeod: We pay them for the hours they serve.

Mr. Smith: If I can interrupt -- if they're scheduled to work. If they are not scheduled to work and it is on their day off, they do not get paid.

Councilmember McLeod: The real concern, or the two concerns -- and I agree. It's been a pretty odd case where a police officer is going to be put on any sort of criminal jury regardless of the crime, regardless of it. That's our number one concern, is you have a night shift officer who is putting in four or five, six eight-hour days, and a jury in a squad car at night.

The flipside is in the night shift work. It has a very rare situation. It probably isn't -- there's not a lot of opposition to it. Maybe we just are not allowed a spot for it. Maybe we just take it down and put a comment to a supervisor that says -- if you're aware, and this is my concern, is if you are aware that you have an individual on jury duty and yet they've already been scheduled for shift, make every effort to not have that happen. That's part of what this policy is going to--

Mayor Wheeler: No offense to Ms. Hepburn, I greatly appreciate the research that you've done, and I greatly appreciate the fact that you've tried to make sure that we stay within the limits of the law on this. What I'll say to that is, we've only had -- Ms. Hepburn has been the only opposing views. I wouldn't say that there's not a lot of support, I'd say that she did some hard work and some research and she came up with some ideas. I appreciate that.

I'm just not interested in asking an employee on their day off to go serve jury duty because that's not a day off, and then not giving them that overtime pay when they put in overtime hours. To me, it's fundamentally -- as I said, yes, I think we can do it. Maybe we are not obligated to do it, and I can appreciate that but we can do it, and I think it's the right thing to do.

Councilmember Raymaker: How frequently does this ever happen?

Mr. Smith: Talking with all the police officers we have, which is about 25, three police officers in their lives have been called to a civil jury trial. In my eight years here, Ron, I cannot think of one instant where we have had on duty officer report to jury duty on their day off. I wasn't made aware of it during the time, so it could have happened and I just wouldn't made aware of it.

Mayor Wheeler: But it could be other employees as well. It doesn't have to be a police officer.

Mr. Smith: Well, except for the fact that all of our other employees work Monday through Friday, eight to five, and that's typically when juries work. Juries typically don't work after five and on weekends. All of our other employees except for our police officers, are Monday through Friday, eight to five.

Councilmember Bevers: And our water sewer operators.

Councilmember McLeod: Water sewer. I was going to say that.

Mr. Wheeler: But they are not on a rotating schedule. Water and sewer operators are not on a rotating schedule. They work Monday through Friday eight to five, unless something's changed. Joseph, is that correct?

Mr. Peart: We do have weekend duty that they split up, so they come in for four hours on Saturday and Sunday. They work that out, usually Mondays and Fridays, they'll take a shorter day.

Mr. Smith: Okay, so they do flex their time for either Friday afternoon or Monday morning for those four hours.

Mr. Peart: Yes.

Mr. Smith: Okay.

Councilmember McLeod: This is another way to protect your employees.

Mayor Wheeler: That's my point. My point is, we're all talking about how minimal this is going to be impact-wise, so if it's going to be a minimal impact-

Councilmember McLeod: Minimal impact, why not do it? Let's do it.

Mayor Wheeler: -so that the one case it doesn't affect that one employee that says, "Man, I can't believe I had to work all week long and then on my one day off, I had jury duty." I think it should be pretty rare that it happens. It won't cost us a lot of money, and I think to that one employee it will make a lot of difference. That's my thoughts.

Councilmember Raymaker: Agreed.

Mayor Wheeler: I'm still calling for a motion then.

Councilmember McLeod: Our motion is for the jury duty modifications. I make a motion.

Mayor Wheeler: Motion by Councilor McLeod. Do we have a second?

Councilmember Raymaker: I second.

Mayor Wheeler: We have a second by Councilor Raymaker. Any more discussion? All in favor?

Council: Aye.

Mayor Wheeler: Any opposed? Motion carries 5-0. Okay.

16. Discussion and possible action regarding appointments to the sick pool committee.

Mayor Wheeler: We move on to Item sixteen, which is discussion and possible action regarding appointments to the Sick Pool committee. Do I have a motion?

Councilmember McLeod: I'll make a motion to appoint the new employees as recommended for Sick Pool committee.

Mayor Wheeler: Motion by Councilor McLeod. Do we have a second?

Councilmember Bradt: I second.

Mayor Wheeler: We have a second by Councilman Bradt. Do we have any discussion?

Councilmember Raymaker: Yes. Just, if you could explain for us then how the Sick Pool operates.

Mr. Smith: Sure. The Sick Pool was started many years ago, and the hours that are in the Sick Pool are donated by the city employees. The City Council, if I remember correctly, did match the first two years of donation by the employees. An employee, if they have injury or illness that takes them out of work for an extended period of time, that they can apply to the Sick Pool, which is a committee of their peers, to receive pay up to one third of the pool's available hours.

It's an open enrollment every January, and you must donate in that calendar year, to be eligible to receive the Sick Pool. It is a pool of hours that has been donated by the city employees into this pool that is controlled by the city employees on who gets them.

There are some certain criteria; PTO usage, have they donated? It cannot be workers' comp related injury. They cannot have received any workers' compensation for it, and then they can apply to Sick Pool. We've already had two employees apply, and both employees were granted Sick Pool hours during those two situations.

Councilmember Raymaker: It's not operated as a brokerage? You don't buy time; it's strictly donated time?

Mr. Smith: Yes, sir.

Councilmember Bradt: There isn't a buy out?

Mr. Smith: No.

Councilmember Bradt: Right. Okay.

Mr. Smith: Employees in January, they'll just sent a voluntary. If you want to donate you can, if you don't, there's no requirement to. If you do not, then you are not eligible for that year. I believe right now, there's over 3,000 -- about 3000 hours in the Sick Pool.

Councilmember McLeod: That's impressive.

Councilmember Bevers: How are those committee members chosen?

Mr. Smith: They typically have been chosen by department heads and myself. If you noticed, there are no department heads on there. That was one of the things that we originally set up. It was to be managed by the peers. Kathie and I serve it just as, from an administrative standpoint, neither one of us are voting members.

Councilmember Bevers: If I'm really hearing right, the one thing that stood out to me is that the police department only has about 25% of this committee. I think that's unbalanced based on a number of employees.

Mr. Smith: If we want to change it based off the numbers of employees, I have zero issue. I don't think anybody would. It was set up to have equal distribution amongst all employees not to create a division within the city, based off of the size of the departments.

Councilmember Bevers: I would like to see a greater balance.

Mayor Wheeler: Anybody else?

Councilmember McLeod: Would you suggest we increase the size, add more positions? We've got two administrator, one CVB, one water sewer, two police, out of our four departments.

Councilmember Bradt: How many more officers were you thinking in that ratio?

Councilmember McLeod: Add another officer to the mix, would--

Councilmember Bevers: I'm not sure. I haven't-

Councilmember McLeod: Done the math?

Councilmember Bevers: -thought it all way out.

Mr. Smith: Public works has two, PD has two, finance to front desk court has one, CVB has one, and admin has one.

Councilmember Bradt: This agenda item we're approving the appointments that are on the--

Councilmember Bevers: Yes.

Mr. Smith: Yes, just the bottom. We can certainly bring this back with a different committee in the future if we want to. We just wanted to have a full committee in the event something happened.

Councilmember Raymaker: How often does the committee meet?

Mr. Smith: Only as needed. If there's no need, then the committee does not meet.

Councilmember McLeod: Position six is still--

Mayor Wheeler: Stays the same.

Councilmember McLeod: -stays the same. Okay.

Councilmember Bevers: If something were to happen, could the committee as it stands now take a vote?

Mr. Smith: We'd have less than 50%, because the policy is against having-

Councilmember McLeod: The Raymond department?

Mr. Smith: -Raymond, as it now stands, he's the department head, so you're down to four-- we have the committee.

Councilmember McLeod: We can modify it.

Councilmember Bevers: Does the policy require 50% of the entire committee or 50% of those--?

Mr. Smith: I don't think we wrote the policy specific on how many committee members had to be present to handle it.

Councilmember McLeod: Could I suggest we vote on this tonight and then circle back and create a change, just so we can have in case something comes up, it covered. I mean, by the time we get back, probably no votes will even need to have been taken. But, hopefully nobody needs any, those hours just keep building, because I don't.

Mayor Wheeler: Then, if we don't have any more discussion, then we have a motion and a second. All in favor?

Council: Aye.

Mayor Wheeler: You're abstaining?

Councilmember Bevers: No. I was waiting for the next question.

Mayor Wheeler: Any opposed?

Councilmember Bevers: Nay.

Councilmember Fletcher: Nay.

Mayor Wheeler: Okay, so motion carries 4-1.

Councilmember Fletcher: 3-2.

Mayor Wheeler: What? Did somebody else say nay?

Councilmember Fletcher: Yes.

Mayor Wheeler: Ted did. Okay. Sorry, motion carries 3-2. I thought I heard you say, "Aye" Ted. You didn't vote both ways, did you?

Councilmember Fletcher: No, not so.

Mayor Wheeler: Okay, motion carries 3-2.

17. Discussion and possible action regarding the office space lease with LANDology, LLC.

Mayor Wheeler: Item seventeen; discussion and possible action regarding the office space lease with LANDology.

Councilmember Bradt: I make a motion we approve the lease with LANDology.

Mayor Wheeler: Okay. Councilman Bradt, motion. Do we have a second?

Councilmember Bevers: Second.

Mayor Wheeler: Councilman Bevers, second. Do we have a discussion?

Councilmember Raymaker: I was wondering, by leasing out the space, if we're not denying citizens the access to a room within the city, where they can have some meetings and activities. That by giving it out to LANDology, that we're denying citizens that?

Mayor Wheeler: I can answer that question and tell you that, every time I've asked for room in the city we found it. This room is typically available. We have three other conference rooms? Is that right?

Councilmember Bradt: The big one in the back.

Mayor Wheeler: The big one in the back. The boardroom right here, and then there's the other conference room. We've got a lot of empty space is the--

Councilmember Fletcher: I think it's referring specifically to actually having a community center that our residents can utilize and take advantage of, and ultimately, that space would be ideal for that. However, with this current lease agreement, there's a 90-day clause, so we can give them a 90-day out to say, "We want to utilize this space." It gives them 90 days to move out. We can modify that to 60 days, and still give them plenty of time to move out, if that's what we decided to do.

Mayor Wheeler: Yes. If at some point down the road we wanted to make some civic community center like what you're proposing, it would take 90 days to get that off the ground anyway, so by the time we vote on it, remodel, whatever.

Councilmember Raymaker: We're already covered under the 90 days?

Mayor Wheeler: Yes, I think so.

Councilmember McLeod: I think so. What is it, a year extension?

Mayor Wheeler: Yes.

Mr. Smith: Yes. It's a 12-month extension. Ron, to answer your question, there is a large room directly behind PD that we do use. The sewing club meets there every Monday morning. It's a large empty room, as well as the garden club of this area. I don't know what their actual name is, is of the Woodlands or whatever; they also meet in that room.

We do have a large community room that's just an open space that we do not set up chairs. For a little bit of history, the back area was discussed, turning it into a community room several years ago, and at that time the council did not. There is separate access from back there. We can separate it and keep individuals in that community room, not when we're around city hall if the council chooses to do that.

But, everything you've said is correct. I would say, if we want to change the notice to 60 days, we would probably have to renegotiate the lease, because changing that term is not in what we have discussed for the extension, but it is 12 months with a 90 days' notice. It would take us much longer than 90 days to come to agreement and get anything done.

Councilmember McLeod: I was opposed to this the first time it came up. I think there's a significant conflict of interest. We do business with this company. Having this company in the building, this close, interacting with city staff, whether or not it does, it certainly creates an appearance of possible conflict of interest.

I also don't think it's particularly useful to have -- you're basically creating a public relationship with a private company. Having them in our office space in a public tax-payer-funded office space, I find to be not the best situation here. We also have these individuals moving about the building. They're

not restricted to that little area; they've also been in other parts of the building. I find that to be not acceptable for my opinion.

Councilmember Raymaker: I agree. Also, is that rate competitive to what office space would be going for around here? I don't know.

Mr. Smith: It's comparable, yes. Actually at the time, it might have been a little bit low when we first started it. But with the access that they had to the building, it was determined to be a fair and acceptable rate. Actually since this was done, rents for office's space in this area have gone down, so I still think it is a fair and reasonable rate for this space.

Mayor Wheeler: Do we have any more discussion?

Councilmember Bevers: I'm not a huge fan of this either, but also don't -- with the lease expiring in June, I think that's too quick to pull the rug out from under him. We have the 90-day clause, so that they'd be okay moving forward, but they shouldn't be surprised if they get a 90-day notice.

Mr. Smith: I'll notify them. If that's what council want's notified, I will notify them of that.

Mayor Wheeler: Any more discussion? All in favor?

Councilmember Bevers: Aye.

Councilmember Bradt: Aye.

Councilmember Fletcher: Aye.

Mayor Wheeler: Any opposed?

Councilmember Raymaker: Nay.

Councilmember McLeod: Nay.

Mayor Wheeler: Motion carries 3-2. All right.

18. Discussion and possible action regarding ratification of expenses for the CISD Natatorium.

Mayor Wheeler: Item 18; discussion and possible action regarding ratification of expenses for the CISD Natatorium. Need a motion too. You're all going to make me say that every time, aren't you? Just for fun.

Councilmember McLeod: Even though this is a ratification of expenses I already explained that I will be recusing myself from this and the discussion.

Councilmember Bradt: Well, let's get a motion on the table.

Mayor Wheeler: You motion to approve?

Councilmember Bradt: Yes.

Mayor Wheeler: Councilman Bradt motions to approve. Do we have a second?

Councilmember Raymaker: I second.

Mayor Wheeler: Councilman Raymaker gives us a second. Do we have a discussion?

Councilmember Bevers: Is this the first time the council is seeing this as an expense? I'm not sure every budget item is an expense.

Mr. Smith: I'm not understanding your question?

Councilmember Bevers: Has council previously approved this expense in the form of a purchase order or other--?

Mr. Smith: It did not come to council as approval. It was I guess in essence approved in the budget, when the budget was approved for this year, because the NCAA had a lump sum. Obviously, to have a swimming and diving championship, you have to have a pool. We did not know the cost until after the event. They did not invoice us until after the event.

Councilmember Raymaker: How does that happen?

Mr. Smith: I'm sorry?

Councilmember Raymaker: How does that happen?

Mr. Smith: What do you mean?

Councilmember Raymaker: We don't know even a ball park what they're going to charge?

Mr. Smith: We had a ball park, but we didn't have a final until afterwards, because of the staffing and number of hours at the event. Yes, we did have a general idea and it was listed, recall in the budget for--

Councilmember Bevers: Was there a purchase order approved for this?

Ms. Calvert: Yes. Yes, there was a purchase order for this.

Councilmember Bevers: Thank you.

Councilmember Fletcher: Does the CISD usually require payment for this in advance?

Mr. Smith: They waived that requirement for the city.

Councilmember Fletcher: Wouldn't they know what the cost was at that point?

Mr. Smith: They would have known the base cost.

Councilmember Fletcher: I'm assuming that's when the purchase order was approved?

Ms. Calvert: Yes. We had an estimate of, I think, of \$44,000. That was, I believe, based on our conversation with Coach Long, using the 2015 rental invoice as a guide.

Councilmember Fletcher: Can you get a copy of the purchase order for us?

Mayor Wheeler: Any more discussion -- well, we're not in discussion yet. Do we have a motion on the floor?

Councilmember Bradt: I made a motion.

Mayor Wheeler: You made the motion. We don't have a second. Oh, Raymaker seconded. Okay, so, any more discussion?

Councilmember Raymaker: Did you want to table this to get ahold of that?

Councilmember Fletcher: No, we don't need to table. I just want a copy of it.

Councilmember Raymaker: Just making sure.

Councilmember Fletcher: Yes. There's no reason to carry things over.

Mayor Wheeler: Okay. We have a motion and a second. All in favor?

Council: Aye.

Mayor Wheeler: Any opposed? None, so motion carries 4-0, with Councilman McLeod recusing himself. Is he around? Mike, you can come back in now. All right.

19. Ratify the accounts payable for the month of April 2017.

Mayor Wheeler: Item 19; ratify the accounts payable for month of April, 2017. Just for you all, I'm looking for a motion.

Councilmember Bevers: Moved.

Councilmember Fletcher: Second.

Mayor Wheeler: Councilman Bevers motions. Councilman Fletcher seconds. Any discussion?

Councilmember Raymaker: Yes. An item for 4/12, there's council meal for \$285, can we get an explanation for that?

Mayor Wheeler: We'll leave that one up to you Jennifer.

Ms. Calvert: Which item? Okay.

Councilmember Raymaker: It's a council meeting meal 3/22. Its payment date of 4/12.

Mr. Smith: I don't know who it was to, I can pull in invoices and see. Typically, council meetings meals run anywhere between \$250 and \$300 depending on where we go.

Councilmember Raymaker: Do we need to keep on doing this?

Mayor Wheeler: I mean, that would be the second meeting, so that was -- that'd be the second Wednesday, so it would have been workshop meeting, it would have been standard meal.

Councilmember Raymaker: I'm just asking that maybe we have an agenda item to not continue provide that.

Mayor Wheeler: We can certainly talk about it at budget workshop. Duly noted. Any other discussion? Okay, so we have motion and a second. All in favor?

Council: Aye.

Mayor Wheeler: Any opposed? Motion carries 5-0.

20. Approve the minutes of the regular workshop meeting on March 8, 2017, the regular meeting on March 22, 2017, the regular workshop meeting on April 12, 2017 and the regular meeting on April 26, 2017.

Mayor Wheeler: Item 20, is approve the minutes of the regular workshop meeting for March 8, the regular meeting on March 22nd, the workshop meeting on April 12, and the regular meeting on April 26th. I have a question about this one. How is the current council going to approve minutes for a meeting that they weren't there?

Councilmember McLeod: I had the same question.

Mr. Ferebee: There's two ways. Number one, you can rely on the council members that were on the council before, Councilman Raymaker, Councilman McLeod. The other three can say, "I trust that they've read and those are correct" and the other council members if we choose I guess can abstain from a vote.

But, if you attended one of -- and I didn't keep track of the new council members who may have attended any of those or not, then certainly even though you were in the audience, if you were present you can review them and see if they comport to your memory of what happened at the meetings.

Mayor Wheeler: Kathie, these minutes already have the changes that we'd already talked about, or we would be approving them with other changes? Unless if somebody has got any other changes that we need to talk about.

Councilmember McLeod: I sent some changes to Kathie since these have been published. Yes. I've spoken briefly, since we're on topic and can't be too far off, but, to look at a way to collaboratively edit this, so the council can see not only your edits but ours.

As it is right now, we're going to get the minutes as soon as possible, as soon as we get the transcript. It's emailed out to you. Make whatever changes you need to make. You send them back to Kathie. The idea is, she would integrate them. One possibility, we'll see with Chris and bring him, involve him. If there's another solution, they will let us basically make the edits and everybody says, "Yes, this shared document, its good" and Kathie can then take that, add into the minutes for approval.

Mayor Wheeler: Okay.

Councilmember Bevers: I like the idea in theory. I think that had to be on public forum to meet the--

Mr. Ferebee: Correct. All right. Yes, to change our current--

Councilmember McLeod: We'll add that to the next meeting, so we can discuss that, and we'll -- between now and then, we'll work with Greg and Kathie to explore some possibilities.

Councilmember Bradt: Changes were submitted before.

Councilmember McLeod: How to make the changes. I don't have any significant changes to 4/12, 3/08 or 4/22. They're having some minor changes submitted. I don't know how you ratify these without seeing the changes, right?

Mr. Ferebee: If there is still changes to be made, I would recommend that you delay voting on these until the next meeting.

Councilmember McLeod: Okay. I'll make a recommendation that we table all of these until the next meeting. I know we're getting a little long. We do have some out there published for the public to see. I think we're being transparent, but we also are trying to work towards a longer-term solution towards transparency.

I mean, this is out there. All we're doing is we're not ratifying these as the official minutes yet. People can see what we're doing. We're just saying, we need to make some minor changes before we make it our official, and that's why I'm recommending we table this.

Councilmember Raymaker: I second.

Mayor Wheeler: Any discussion on that?

Mr. Smith: I have one clarification question. They are published, but they're only published in this document?

Mayor Wheeler: Right.

Mr. Smith: Do you want them published as unofficial minutes where all the other minutes are currently published?

Councilmember McLeod: I don't think so.

Mayor Wheeler: No.

Mr. Smith: Okay. I just want to make sure.

Councilmember Fletcher: Is the audio already up?

Councilmember McLeod: That's the other question. Is the audio published?

Ms. Reyer: No, not yet. We're working on the space issue.

Councilmember McLeod: Okay. We're getting there. We're making progress.

Mayor Wheeler: Okay. Any more discussion on tabling?

Councilmember Bevers: Bill, is there a timeline that we need to approve minutes by?

Mr. Ferebee: There's not a strict timeline. But, in reality, certain people depend upon the approval of minutes as action that has been formally taken, so we need to get these approved. It doesn't have to be tonight. But yes, we need to get on with it.

Mayor Wheeler: If you know which -- I only had one, so if you know which ones that you need to add, we can approve it with those revisions.

Councilmember McLeod: I email the Word document in red lines, so I don't have that on me.

Mayor Wheeler: Who did you email to, Kathie?

Councilmember McLeod: Yes.

Mayor Wheeler: Today?

Councilmember McLeod: Yes.

Mayor Wheeler: Okay. We have a motion and a second table, all in favor?

Council: Aye.

Mayor Wheeler: Any opposed? Motion carries 5-0. We're going to get long in the tooth on these minutes when they come up, so we just have to make sure you stay on top. You've got to read your minutes, and we got to get them approved. All right.

21. CITIZENS FORUM

Mayor Wheeler: Let's move into Item 21, which is citizen's forum. I don't think anybody turned anything to speak, did they Kathie? No? Okay.

22. City Administrator's Report

Mayor Wheeler: From there, we will move into Item 22, which is the city administrator's report.

Mr. Smith: I have none, sorry.

Mayor Wheeler: What's that? You don't have you anything?

Mr. Smith: No, sir.

Mayor Wheeler: Oh, okay. That's quick.

23. Council's Inquiry

Mayor Wheeler: Then we move down to Item 23, which is council inquiry. We'll start with Councilman Raymaker.

Councilmember Raymaker: We did this dance last year about getting the agenda items finalized about 10 days out in advance of the meeting, and I'd like to propose that to be a possible agenda item for another meeting.

Mr. Smith: Yes, sir.

Councilmember Raymaker: Are we going to continue using workshops, the format that we had? At first, I didn't like them, but I came to appreciate them because of the closeness we had before --

Mr. Smith: That's completely up to this council. We'll take direction from the council or we'll -- how do you guys want to handle it?

Councilmember Bevers: I'd like to see that on the first June-

Councilmember Fletcher: Agenda.

Councilmember Bevers: - including the start time for the workshop meeting.

Councilmember Raymaker: Also in the future, I'd like to have our department heads speaking to us as well on a monthly basis, to give you report, so that we get to know more about you and get to participate, we get to know how you can play.

Councilmember Fletcher: I'd like to see that also.

Councilmember McLeod: I agree with that.

Councilmember Bradt: I agree with that.

Mayor Wheeler: Raymond loves microphones.

Mr. Shaw: I'm all in.

Councilmember Raymaker: After this, there won't be a problem.

Mayor Wheeler: You got anything else? Okay. Councilman Fletcher?

Councilmember Fletcher: I don't have anything tonight.

Mayor Wheeler: Councilman Bevers?

Councilmember Bevers: Thank you. The policy manual item was very specific about three items. I would like to see us discuss the entire policy manual at the first June meeting.

Councilmember Fletcher: I would agree with that as well.

Councilmember Bevers: Then, Greg, you sent us an email this afternoon with the current status of your goals. I would like to see us have an opportunity to discuss those in the coming meeting to make sure we're on the same page.

Mayor Wheeler: Anything else?

Councilmember Bradt: Except for me.

Mayor Wheeler: Councilman Bradt.

Councilmember Bradt: I've got an email from Greg. He gave a request for an additional street light for 503 Blue Ridge.

Mr. Smith: Yes, sir.

Councilmember Bradt: How do we handle those, or how does Council handle those? It's a general question.

I did look at the street. I did not talk to Mr. Sheffield, but I do see the large gap on Blue Ridge. I think it's in the other end that's going to need it, and I'm sure there is others. My question is, how do we handle that kind of request?

Mr. Smith: This is the first request of this nature that has come here. We did have one light that I addressed in one of those follow-up emails with one of the council members, I forget which one it was. When we were finishing up the project, we did another one I believe on Rosewood mid-block. It was always scheduled to be there, but the tree cover, it was recommended not to.

The vendor actually modified the pole and put the solar panel an additional X amount of feet above the light. If you actually look at that one, you'll see the difference in the mechanism. If you want to, we'll put it as an agenda item, and it's handled on an individualized case-by-case request.

Councilmember Bradt: Do we have any replacements in this current budget or--?

Mr. Smith: No, Sir.

Councilmember Bradt: This would be an exception.

Mr. Smith: It would be an additional light.

Male Speaker: It would be an additional light. We're this close to budget term right now; could we not visit that in budget time?

Mr. Smith: Yes, sir.

Councilmember Bradt: I think that would be more applicable than doing a one-off, and also we'll look at other areas with the patrol men's help.

Mr. Smith: I will have them get us a list of recommended areas.

Councilmember Bradt: Then I'll contact him and--

Mr. Smith: I'll create a capital project form for the recommended additional street lights based off of what patrol says, and then we can discuss them from there.

Councilmember Bradt: Again in the budget or--?

Mr. Smith: Yes, during the budget review.

Mayor Wheeler: Anything else?

Councilmember Bradt: No, thank you.

Mayor Wheeler: Councilman McLeod.

Councilmember McLeod: I just want to reiterate my thanks to the previous council members for all their hard work and their service to our community over many years, and to welcome our new council members to this task.

Mayor Wheeler: All right, I'll go last. Same thing. First of all, I'd like to welcome the three new Council members. I appreciate you throwing your hat in the ring and stepping up to serve. I greatly appreciate the three previous council members coming off the dais and their service over the many years for the city. I don't know that we could say that enough.

Newly-elected officials workshop, I highly encourage the three of you all to attend the newly-elected officials workshop. Kathie can get you information on that; very educational and can keep us all from making any more mistakes than we need to. I'd also like to talk about an email that I got from a resident, that specifically noted Officer John Ferrand and one other officer-- they didn't know exactly who the other officer was or didn't state it anyway -- and went out their way to talk about the excellent police work that our Police Department did.

It's nice to hear from residents. When we do and we get an email like that, I'm going to publicly acknowledge it, because I appreciate their hard work. Thank you, Raymond, for your crew. John, hopefully we can find out who the other officer was, so they can get credit too. But, I appreciate that email.

Then lastly, I'd like to thank all the residents for showing up. This was a great show tonight, really appreciate the involvement. I appreciate you all knowing what's going on in your city and look forward to seeing you on many council meetings. With that, we are going to move--

Councilmember Raymaker: Mayor, one more thing. In terms of the budget workshop, so you guys have some additional time to think about it. I'd like to see some kind of agenda item, where we expand the horizon of the budget to at least three years, so we have some visibility of what's going to be taking place in future years. That's it.

Mayor Wheeler: Councilman Bevers, you have something else?

Councilmember Bevers: Yes. I spoke to Greg and Bill about this last week. But, Bill, do you see any reason as a former employee, or other reasons about me that I should abstain from the discussion in executive session?

Mr. Ferebee: As you and I discussed, Byron, not at this time. I mean, if something comes up, I would notify you.

Councilmember Bevers: Thank you.

Mayor Wheeler: Perfect.

Councilmember McLeod: I do have something else too.

Mayor Wheeler: Yes, sorry. Now we're all talking.

Mayor Wheeler: Keep on going. Kind of anticlimactic here, but that's all right.

Councilmember McLeod: Right, I'm sorry.

Mayor Wheeler: You all just thought you were going home.

Councilmember McLeod: Exactly. I do want to talk about jobs and job policies, and we can bring this up for discussion at the next meeting. But I'd like to make sure that any and all jobs that the city advertises is posted publicly for at least 14 days before we hire., I'd like to see that brought up this brought up next meeting. All right, that's all.

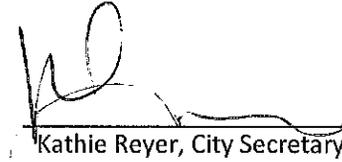
EXECUTIVE SESSION

Mayor Wheeler: Okay. With that, we will move into executive session. According to Texas Open Meeting Act, Chapter 551, Texas Government Code as follows: deliberation regarding real property and pending litigation; attorney/client privilege, Hou-Scape versus the City of Shenandoah. Consideration, if determined appropriate, take action resulting from the items listed under executive session. We will move into executive session at 8:21. Again, thanks everybody for coming.

Mayor Wheeler: Okay. We'll resume the regular meeting at 9:05. For the record, no action was taken in executive session. With that, we will adjourn.

Meeting adjourned at 9:05pm.

SUBMITTED BY:


Kathie Reyer, City Secretary

DATE APPROVED:

June 28, 2017


M. Ritchey Wheeler, Mayor

