

MINUTES OF REGULAR MEETING

July 12, 2017

SHENANDOAH CITY COUNCIL

1. CALL TO ORDER (0:03)

Mayor Wheeler: Good evening. We will call to order the Wednesday, July 12th, 2017, regular meeting for the City of Shenandoah.

2. CALL OF ROLL (0:19)

Mayor Wheeler: If at all we look around and see everybody is here.

3. PLEDGE OF ALLEGIANCE (0:22)

Mayor Wheeler: If you all would stand with me, we will start the Pledge of Allegiance.

Participants: 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."

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

4. INVOCATION (0:54)

Mayor Wheeler: If you all like to remain standing with me, I have a guest speaker for our invocation tonight; former Councilman John Houston is going to give us a quick prayer.

John Houston: Stay with me if you please. Father, it is because of You that we gather here. We know that You are in control of all. We lift You up and we ask You for guidance. We ask You for direction. Most of all, we want to give thanks as to where You have allowed us to live, this wonderful country, this incredible state of Texas, this amazing city; Shenandoah. Thank You for who You are and we can absolutely trust in that. We just want to watch and walk and believe that what we do is through You. Thank You for this night and our time together, and the residents of the city. It's Your name, I pray. Amen.

5. CITIZENS FORUM (1:46)

Mayor Wheeler: Thank you, John, we appreciate that. We are going to move to item five which is Citizens Forum. A couple of things real quick, we have an agenda item on the agenda tonight for Executive Session. I'm going to move that up to directly after item five. Just so that everyone is aware of it, that once Citizens Forum is over, we will go into Executive Session. We're going to keep it very short because I'm determined not to keep you all sitting out here waiting on us. Hopefully, we can knock some stuff out that will make the agenda actually go faster later.

Having said that, we'll move into item five. Citizens are invited to speak for three minutes on matters relating to city government, relating to agenda or none-agenda items. Speakers are asked to stand up, approach the podium, give their name and address before sharing their comments. Keep in mind we can't deliberate with you, but we do hear your comments and we appreciate them. Also, we will need to make sure that we limit it on the three minutes so that everybody gets their opportunity to speak. Having said that, we will start with Mr. Darrell Frazier.

Darrell Frazier: Good evening, Council. As a professional pilot and air traffic controller, I enjoy being in control of the situation. That was my profession. I see a teacher, two auto industry professionals, a civil engineer, a medical professional - a medical in the medical business - and a software

professional. Those are your professions and your specialties. There is no way on God's green earth I would want to be in charge of the daily operations of our police department or the city secretary position. That is his job. I say his as a city administrator. It was Chip Vansteenberg's, it was Paul Fredericksen's, it was Ron Bourbeau's and others' of the past.

And the city administrator that someday replaces the current one that sits over there right now. These next few thoughts are not only mine but of numerous residents that are here and not here tonight. What is being proposed on the chain of command, would change over 50% of who the employees answer to. This is not in the best interest of the city. For reading the agendas tonight, this appears to be a hip shot. This has not been discussed previously, at least not in an open meeting. You should not be involved in the daily operations of the city. Leave that to the professionals in their field. Stop trying to run the city and start governing the city. Thank you.

Mayor Wheeler: Thank you, Darryl. Next up is Liane Strigin.

Liane Strigin: Hello, I'm Liane Strigin. I came today to talk about tax dollars. I noticed the item about the Toddler Park fence. There's already a natural barrier there, I'm concerned because all toddlers and young children need to be directly supervised by their parents. There is no fence or anything you can build that is more effective than parents monitoring their children.

My children love going to the park. They are still riding bikes with training wheels, they ride in the big oval around and around and around, and they will do that for 30 minutes non-stop. I'm very thankful I don't have to run around and chase them. I can watch them all the way around the oval which is a wonderful blessing, especially since our city has no sidewalks.

Shenandoah Drive, we pass probably five, six, seven cars and I'm just going from the second entrance to Enchanted Drive like a block. We have children waiting for school buses in the street, especially in the winter, that's not real safe. They wanted my child to be in the middle of a block being picked up on the school buses. I said no because it's too dark, too many cars, and there's no sidewalk. There was a rental house that was-- who knows who was going to move in there? I didn't feel comfortable with it.

We want to talk about making our children safer, our students, our young children, our elderly, any pedestrians, I think we need sidewalks. I think that would make a significant difference in the safety of our citizens. I don't think the fence you're proposing to build is going to make my children any safer. I just wanted to say that.

I also want to say I think the best financial decision the city has ever made in the last 10 years was hiring Greg Smith. I'm thankful for the incredible amount of money he saved our city and me. Greg Smith is highly qualified, he's highly effective as a city administrator. I think you should continue to be the city administrator for all city employees and partners. I'm thankful for his fiscal responsibility in spending for our city, and his forethought to have a significant reserve fund available for emergencies. I think he should continue in his role as he currently is.

For the record, I'm also against any government subsidized water rates, I think our rates are the lowest in the area by far. We don't have low-income housing. I don't see any reason why the city and tax payer money would go to pay towards people's water bills. Also in regards to realtor signs, if the signs for realtors change than I think it should change for all financial sale advertising including garage sales. House sales are fine in Shenandoah, I don't think we need to change the signage. But if it does, I think it should change for all sign advertising that's for limited time financial events. I think they should all get the same treatment. If you change it for realtor signs, I think you should change it for garage sales too. Thank you very much.

Liane Strigin: Thank you.

Mayor Wheeler: Next up, Mr. Wally Westbrook. Where's Wally? There's Wally.

Wally Westbrook: Hi, my name is Wally Westbrook, 29105 Cedarwood. I did not rehearse this with Darrell, but whenever I read the minutes of the agenda or what the agenda was, I began thinking how can this really be effective having people report to the Council? Who on the Council is going to be the one they report to? Is it everyone? If we have a question, which one of you all are going to be able to be called? In my opinion, because I know most of everybody here on the Council, I've already told them I think there is only one person that would qualify to do this job, it would be the one that's not working.

All of the rest of you are working every day. That would be my friend Charlie. I don't know if he wants that total responsibility. I had a building company right next door for a long time. We built a good number of homes. I had a superintendent here-- three here, one in Dallas. There's no way that I would have wanted those people that work for me bring their grievances to me because I was the big-picture guy, kind of like y'all are, Greg reports to you all. I just think that we got it going in the wrong direction to take these responsibilities that the city administrator has had.

The other this is this honest election will-- there is division, there was division before the election. The election's behind us, so we're all working for the benefit of the city. That's what we're supposed to be working for. The former Council were friends of mine, this council are friends of mine. You all have heard that from both sides. I'm rooting for this council carry the city forward.

Most of us in here claim to be Christians, why don't we actually act like it and try to figure out how we can work together? I know that people don't like Greg, not everybody likes Greg. Some of us do, some of us don't. But you know what, he's our city administrator and I think we ought to try to support him and let him continue to do his job because he is the most qualified in here to lead this city in this capacity. Thank you.

Mayor Wheeler: Thank you, Wally. Next up, David Houston. I apologize, I got something in my throat.

David Houston: Thank you. My name is David Houston, I live in Oak Ridge North. I haven't seen the agenda so I'm not going to talk about that. But I'm going to talk about-- I'm a representative of the Houston Police Bicycle Relay Team. A little bit background of the team. We've been and together for 36 years raising money for leukemia and lymphoma research. We've raised over \$6,000,000 and pedaled, not motorcycles, we've pedaled about 80,000 miles at that time. This year we went to Montreal, Canada.

There's three kinds of people that make a team successful. The first kind is the bike riders, and that's nothing more than a bunch of overweight cops or retired cops that are willing to put on spandex in public, and ride a bicycle. I qualified for that for 19 years. The second kind of person is someone that drives the cars behind us and does all those other things that bike riders can't do while they're on the bike.

My brother, John, has been doing that for the last five years. The third kind of person that is necessary for a successful bike ride is the police escorts that we have to have to get through some of the congested traffic. I understand that Montgomery County has a traffic issue. The third kind of person then is the Shenandoah Police Department.

I'm here to thank, personally and formally, thank the Shenandoah Police Department for their willingness to provide escort for the bicyclists through Rayford, the service road, and on north a little bit, without their help—so with Chief Shaw, I want to personally thank him and those escort guys that helped us. They were a tremendous help to us. They assisted us navigating through there. I just wanted to thank these guys formally. Because the police don't get enough thank you, so I want to thank these guys right now.

Mayor Wheeler: Thank you, Mr. Houston. We'll get to hear from our third Houston tonight. Last but not least, Jana Houston. Come on up, Jana.

Janeu Houston: Thank you. Mayor, Council, city staff, I would like to talk about some previous city council meetings. On April 12th-- By the way, I'm Janeu Houston, I live at 502 Hickory Ridge Drive. On April 12th, Council Member Raymaker challenged a council member who is no longer sitting on Council, to abstain from casting a vote on an issue that Council Member Raymaker perceived to be a conflict of interest. That perceived conflict pertained to a real estate transaction.

On May 24th, Council Member McLeod recused himself from a vote regarding ratification of expenses for the CISD natatorium as he is an employee of the Conroe Independent School District. Also on May 24th, all members of the current city council discussed the renewal of a lease for office space on city premises with LANDology LLC. While no data was publicly presented, it was reported that LANDology may conduct business with the city.

The general tenor of council discussion, therefore, sounded alarm due to a perceived conflict of interest in favor of LANDology over other Shenandoah businesses. On June 28th, during council inquiry, Council Member Raymaker asked for a change to the sign ordinance to allow realtors to place multiple open house signs on the days that open houses are held. Council Member Fletcher also asked for this to be considered as a future agenda item. On June 28th, there was no mention of any possible conflict of interest by any council member or council members' associates.

This brings us to tonight's discussion of item 16D. We believe it is incumbent upon council to openly and transparently discuss one, their previous and current business associates who conduct real estate business in Montgomery County. Both Council Members Fletcher and Raymaker may wish to provide details of their business dealings and possible conflicts of interest.

Two, it is requisite to discuss the property for sale at 104 East Silver Wood Ranch Estates, MLS listing 62530994/15. This house is offered, here you can see on the screen, for just under \$500,000 and on har.com, H-A-R.com, Council Member Raymaker is the listing agent. On a different website, this house has been stated that it's been listed for over 80 days, and I will point out that I am presenting, for the record, this is a listing in question. There's not really a problem, we're talking about changing ordinances or sign ordinances, it's about, as we discussed with Council Member McLeod, conflicts of interest.

Finally, tonight, if it is council's true intent to promote equality and to discourage discrimination in the city's governmental practices, tonight's discussion should also include the following points. In a previous council meeting, Council Member Raymaker requested that all city employees undergo an annual background check. City council members are employed by the city, therefore, the logical application is that council members should also have an annual background check. In the interest of honesty and transparency, those background checks should be publicly posted for the citizens to view.

Lastly, in the previous city council meeting, Councilman Raymaker instructed the city administrator to provide a summary of every single meeting in which the administrator finds himself. This dictate

gives the city administrator 48 hours from the time of the meeting, to report to council. Today, the city administrator, tomorrow the city secretary and the chief of police. Tonight, all proposed organizational charts in the packet show Shenandoah residents at the top. Therefore, we believe it is sensible to also direct council members to post all their meetings both on and off site on an online calendar. These postings do not violate the Open Meetings Act as they can be facilitated through the city communications director. Thank you for your time.

Mayor Wheeler: Thank you, Ms. Houston. As usual with our council meetings, we will have another citizen's forum at the end of the meeting, so if you didn't get a chance to sign up and you want to speak, feel free to fill out one of these. Turn it in to Kathie and we'll get you on that agenda item at the end of the meeting, and get you a chance to be heard.

6. Presentation of the Texas Comptroller Transparency Star Award for Debt Obligations to the Finance Department. (18:47)

Mayor Wheeler: With that, we are going to move into item seven, or I'm sorry, we're going to move in to the next item, item six, which is the presentation of the Texas Comptroller Transparency Star for Debt Obligation to the Finance Department. This is a presentation only and then we'll go into our executive session.

Mr. Smith: Council, if we can get Council in front, and then Jennifer and finance to come up. This is the Transparency Award for Debt Obligation. According to the State Comptroller's Office, to date, we are the only city in Montgomery County that has this award and only one of 45 in the State. I want to commend--all of our accounting staff for what they've done, and let's get a picture for this. While we're taking the picture, Lisa Wasner is the staff accountant. She's done most of the work, if not all of the work, for this award, so I want to also thank her.

EXECUTIVE SESSION (20:39)

Mayor Wheeler: The City Council will recess the regular meeting and go into closed executive session at 7:22 on matters relating to possible pending litigation, attorney-client privilege. I promise we'll try to keep this short. I don't like keeping you folks out here waiting on us. That's for sure.

Mayor Wheeler: Okay. We will resume the regular meeting at 7:53. We recessed the executive session and no action was taken.

7. Consideration regarding surplus equipment. (24:11)

Mayor Wheeler: We will move into item seven, which is consideration regarding surplus equipment.

Mr. Smith: Council, as you can see in the agenda report, we listed the current practices for the city on how we deal with surplus property. The processes is it is brought to the City Council., and then the City Council approves that surplus item being disposed of. We take, basically, four different ways that we can get rid of the information sealed bid, auction online or regular auction house, traded-in if it's a vehicle or sell it through inter-local agreement. Those are the four methods that we use. There could be some differential on some property if it is a seized property or something that the police department has to do differently based off of how that property was received.

Councilmember Bradt: Have you had any issues at all, Greg with any of these processes to date?

Mr. Smith: No, we've not. More commonly, we've been using, for the vehicles, especially the police vehicles, we've used inter-local agreements. The most everything else, I think for the past two years,

we've had great success with eBay, which is a state-approved method of disposing surplus property. The good thing about eBay is, we're allowed to set a minimum bid. If they do not give us a minimum bid, then it is not sold.

Councilmember McLeod: I like that. Bill, questions. Can we stipulate what agencies might be eligible to bid? One of my thoughts and the reason I brought this up was to look particularly for some of our higher dollar item tractors and police vehicles and such that a preference be given to Montgomery County agencies. Basically, entities that would be our neighbors, people we would work with closely with, that those entities be given a priority status. I don't know if that was a--

Mr. Ferebee: I will have to look up if there's any prohibition. Right now, I know of no prohibition for that. We typically have just sold to the highest bidder, but I will look that up and confirm.

Councilmember McLeod: Okay. One thought. Again, it's an issue of keeping everything out there in the clear, but to say, one of my thoughts, again, this is just discussions, so they're just ideas and if anyone else has ideas feel free, basically, post them on our personal website, declare Montgomery County agencies, but the first process, pick a certain amount of time, 14 days, take some sealed bids, open the bids and go from there.

At that point, if nobody in Montgomery County is interested, then we can open it up to whatever the process. Obviously, the first question is, can we do the first part in legal perspective? It's just an idea that help out our neighbors, people we work with closely on a day-to-day operations and also to put the bids in through a process, it keeps everything out there.

Mr. Ferebee: I will look that up.

Councilmember Bradt: Greg, what's the procedure for advertising these surplus items? How do we notify anybody in Montgomery County or Waller County or--?

Mr. Smith: Typically, with the police vehicles, they will put it on one of the police list serves, telling people that we have the vehicle available and what the equipment is. We have sold one police car on eBay and it actually did end up going to Montgomery County constable for that. The police vehicles, I think one went to Angleton PD, one went to Coldspring PD. Is that correct, Raymond?

Chief Shaw: One went to Angleton, one went to Coldspring, Magnolia got two of them--

Mr. Smith: Constable's got one.

Chief Shaw: Constable's got one.

Councilmember Bradt: They're police entities that are buying these because a police vehicle, you just can't sell that vehicle to anybody.

Mr. Smith: That's correct.

Chief Shaw: They only can go to a first responder.

Mr. Smith: Yes. On the other vehicles, is a toss-up. We've done some trade and some on eBay. We have found that eBay is getting us considerably more money than trading the other vehicles in. Thanks.

Councilmember McLeod: Excellent. This is the point of discussion to see if Council had any thoughts on this. That's just some of my thoughts.

Councilmember Raymaker: I was curious that when we post on eBay, that item, is it published anywhere on our website so that a resident would know about it?

Mr. Smith: Yes.

Mayor Wheeler: Good. Anybody else? All right.

8. Consideration regarding the Montgomery County Appraisal District 2018 budget. (29:49)

Mayor Wheeler: Moving on, item eight, Consideration Regarding Montgomery County Appraisal District 2018 budget. This is a discussion only.

Mr. Smith: Council, staff sent this out to all of the council for your review. Mike sent in several questions with the questions Mike asked. I've determined it was probably in the best interest to put this on an agenda. So let council ask any additional questions so we can get the answer from the appraisal district. As you can see, all of Mike's questions, the answer is from the appraisal district are included in the budget packet.

Councilmember Bradt: Well, I put this all in a Excel spreadsheet and did the percentages of their increase and it appears that all is they did was look at the revenue, plug that into the bottom line of expenditures and just rolled it whatever back up. Example, books and reports as a 23.98% increase in spending. Appraisal review board is a 31.76%, 33% of education, 6,739% in equipment maintenance. It's just and their contingencies up 67%, so I'm curious on how they do that.

Councilmember McLeod: Yes, I mean, I think--

Councilmember Bradt: And I'll share this with anybody that-- Go ahead.

Councilmember McLeod: I think we do need to acknowledge there probably needs to be some increase for MCAD. We've had quite a bit of building, we certainly need some additional appraisers. They proposed five, but we're looking at a significant increase in personnel cost even for existing employees that far exceeds the 3% increase in budget. You check the math and you know it's way up there.

Councilmember Bradt: Salaries are up 10.85%, benefits are up 19.53%.

Councilmember McLeod: My overall cost was about 18% and I wasn't sure if I missed a number on a page. That's in existing personnel cost. That's not the new hires and that's really my concern. We have to acknowledge there's additional properties, law does say they have to physically put eyes on properties in order to fairly appraise them, we all understand the responsibility. So this is not just a go slam people because the dollars went up, this is a, have we taken a serious look at where the costs are and can we bring these costs in line?

And that's a concern I have and that's why I raise some of these questions because I think they're questions at first blush are questions the residents would be asking us. And so that's-- we know what our share is, we know why it's there, but I think the overall increase, even for existing personnel, is just excessive. I want MCAD to take a hard look at that.

Councilmember Raymaker: Yes, so we're being asked to pay 16% more to hire more staff so we can be taxed more. The County only needs to put eyes on your building once every three years, everything else is just a multiplier and is it even constitutional to continue to tax people on-- the only time I can realize a capital gain is on the sale.

Councilmember McLeod: Well that's a whole different topic, a whole different discussion.

Councilmember Raymaker: Relevant!

Councilmember McLeod: But that's-- they have to abide by state law and we recognize that, but I think what they're asking for is well beyond maintaining compliance with state law.

Councilmember Raymaker: And I'm concerned that we're going start taxing our people out of their houses. So we have a lot of people that are in fragile financial positions, and to keep on getting a tax increase all the time just ridiculous.

Councilmember McLeod: I just want to bring these questions up and I know we don't have to--

Councilmember Raymaker: They were good questions, Mike.

Councilmember McLeod: --deal with them right now, but something I think is worth everybody thinking about.

Councilmember Bevers: What's the timeline to reject this? As a body?

Mr. Smith: Kathie can you-- you had a conversation with them, so could you answer that?

Ms. Reyer: Yes. There's a public hearing, August 24th, I want to say off the top of my head, I believe it's in that budget document. After that time, they'll send us a notification and then we'll have a period of time to accept or reject.

Councilmember McLeod: Is there -- that we should send them a letter-- I mean I'm just going to throw this out there, send them a letter to encourage them to take a harder look at this budget.

Councilmember Raymaker: You betcha.

Councilmember Bevers: My opinion is that this first, their proposal is so outrageous that I don't think a letter would be appropriate. I think an outright rejection would be appropriate.

Councilmember McLeod: I'm okay with that and that's my question is, since you brought up the timeline and the draft budget, and I think we have to have like 80% rejection, is that correct, in order to have it?

Ms. Reyers: 80%.

Councilmember McLeod: 80% of the taxing entities have to reject it. So that means all the MUDs have to reject it, all the cities have to reject it. It might be even though we don't have to say anything until the 24th, it might be something we want to go ahead and say before that meeting. And I just-- that's a word.

Councilmember Bevers: Well, we can't take action on it tonight.

Councilmember McLeod: We can't take action on tonight but if we want to--

Councilmember Raymaker: We can have that resolution drafted--

Councilmember McLeod: For the next meeting.

Councilmember Raymaker: -ready to act on it.

Councilmember Bradt: You want to bring it back to the next meeting?

Councilmember McLeod: I'm looking for the--

Mayor Wheeler: Do we want to bring back resolution or do we want to bring back rejection?

Councilmember Raymaker: Is it a resolution rejecting?

Councilmember Bradt: Resolution of opposition? Yes, that's what I would.

Councilmember McLeod: We can't formally reject at this point to my understanding, is that correct?

Ms. Reyer: Correct.

Councilmember McLeod: You can't formally reject because we're just being kind of given an advance notice. We can have a resolution that says we're opposed to this increase.

Mayor Wheeler: So do we want Greg to put that on the agenda for next meeting and vote on it?

Councilmember McLeod: Yes, yes. I'll make-- I'll ask for that.

Councilmember Bradt: I'll second.

Mr. Smith: Can be done.

Mayor Wheeler: Okay, perfect.

9. Consideration regarding closing the water/sewer bank account. (36:26)

Mayor Wheeler: We will move on to item nine, which is consideration regarding closing the water sewer bank account. I think Lisa is going to take this one, maybe?

Mr. Smith: I'm sorry, I was writing down on what to do. This is just a cleanup account from when we went to pooled cash. There was outstanding checks that we had to let clear from when we went to pooled cash, and sat down the other bank accounts. So this one is just formalizing what the action previous Council took on pooled cash.

Mayor Wheeler: Okay well it's discussion only item we didn't put the consideration and possible action, so I'm assuming we can't vote on this.

Councilmember Bradt: If we can bring it back up. We need to bring it back up.

Councilmember Raymaker: How many bank accounts are left after this?

Ms. Calvert: I'm sorry?

Councilmember Raymaker: How many bank accounts are--

Ms. Calvert: Once we close this, we will have the pooled cash account and MDD, and the Land Trust account but we don't have a board to act on that.

Councilmember Bevers: What do you mean we don't a board for that?

Mr. Smith: All the board members of the--

Ms. Calvert: The Land Trust, yes, are separate.

Mr. Smith: The Land Trust has just been dormant, and the Council has not acted on creating a new board for the Land Trust.

Mayor Wheeler: So do we want staff to bring this back next meeting so we can vote on it?

Councilmember McLeod: Yes.

Councilmember Bradt: Is that an action item?

Mayor Wheeler: Not an action item tonight, so yes. So staff, if you can put this back on the agenda to come back next meeting is an action item you vote on it. Does anybody have any more questions about it? No? Okay.

10. Consideration regarding an RFP for auditing services. (38:09)

Mayor Wheeler: Item 10, consideration regarding an RFP for auditing services.

Participant: Well let Jennifer explain this one to you.

Jennifer: So every four or five years, we go up for RFP for auditing services. We have used BrooksCardiel for four years. The City Administrator and I spoke about it, and we had a discussion and we decided to go out for RFP again. We did receive several bids, Belt—sorry, forgot the name on that. Belt Harris Pechacek was the lowest bid however-- on the face of that, however, when you look at the cost per hour ratio because Brooks Watson which is formerly BrooksCardiel, offered more hours for the audit, then the cost per hour is more cost-effective if we go with them.

They are our previous auditors. There is documentation out there that says you don't change auditors just for the sake of having a second set of eyes. You can see on the agenda form that even when with our four years with BrooksCardiel, we did have numerous people look at or work on our audit, so it wasn't the same people every year. The time it takes to reintegrate a new auditor will eat up probably, I can't even imagine, 20, 30 hours, it just depends on the auditor that comes in.

So we recommend staying with Brooks Watson because of the cost per hour ratio and their experience with the city. They're always responsive. We email, they respond back very quickly. They're local. Brooks Watson and Weaver are the only ones-- Weaver's located out of Conroe, Brooks Watson is here in The Woodlands, so they're local. Belt Harris Pechacek are down in Houston, that's our recommendation. And Louis Breedlove with Brooks Watson is here if you have questions for him.

Mayor Wheeler: Do I have a motion?

Councilmember McLeod: That's a consideration.

Ms. Calvert: Discussion only.

Mr. Smith: There's just discussion presenting it, then we'll bring it back.

Mayor Wheeler: You're right, just kidding. Okay, any other discussion?

Councilmember Raymaker: I would throw in that they've been very cooperative and work with me as well as-- in terms of explaining things about the City's file.

Councilmember Bradt: I'll make a request to Greg to put it in the next agenda as an action item.

Mayor Wheeler: Anybody else?

11. Consideration regarding National Night Out and Halloween Safe Street. (41:04)

Mayor Wheeler: Okay we'll move on to item 11 then, which is consideration regarding National Night Out and Halloween Safe Street. This is also a discussion only.

Mr. Smith: Raymond?

Chief Shaw: National Night Out, we're going to hold it the public works building again, seems to work out for us every year that we've had it there. Halloween Safe Streets, we've included a map, it's going to include approximately 97 homes in the back of the Valley --Thornwood, Maplewood, let me get to the map so I can name off all the streets for you. It should be listed in there.

Councilmember Bradt: Cedarwood, Maplewood, Driftwood, Thornwood, Cherrywood.

Chief Shaw: There you go. That's what we're looking at. So we'll block all that off, keep the traffic off of them for two hours and do our thing again, just like we do it every year and that's it.

Mr. Smith: Council, one other thing, the date for National Night Out chief is requesting be Monday instead of the typical Tuesday night because of Texas Municipal League.

Councilmember McLeod: Are we looking at using the park at all for Safe Streets? It seems to connect both areas.

Councilmember Raymaker: I've definitely had requests that the National Night Out be in the park. Is there a reason that we don't do it in the park?

Chief Shaw: The facilities has just always been up here. We can consider that if that's what the Council would like. Would Council like to move it to the park?

Mayor Wheeler: This is a discussion only, so if you guys want to-- You can voice your opinion sure. Anybody have a opinion on that?

Councilmember Raymaker: Sometimes it's a little noisy when you're at the feeder road out and about, so it might be a little bit nicer atmosphere.

Councilmember McLeod: That's a good point.

Chief Shaw: Because we can use the parks, the pool. We'll have to get with the church and the school and use our parking over there. We can still make it work.

Councilmember McLeod: That's where it used to be held, until we had the new--

Chief Shaw: I mean we got the big green area, so we can just close off the parking to the park and get the all first responders pulled in there. We can still use the park.

Councilmember Raymaker: I was just looking for the feasibility, I didn't know why we were moving a lot--

Chief Shaw: We just didn't because of the restrooms at the Public Works building and say that we're open to either one, I like the park. But we have to-- we have the restrooms and everything up here. We had the parking lots right here, the building with HealthSouth and--

Councilmember Bradt: Inclement weather, is that a factor?

Chief Shaw: It's going to be--

Councilmember Bradt: It's going to be worse at the park if we—

Councilmember McLeod: We have the pavilion.

Councilmember Bradt: Well I'm just saying, that's looking for the downside as well as the pros.

Chief Shaw: With the food, nobody's sitting down, it was the building over here, they could get inside the building, we had the fans and everything.

Mayor Wheeler: Okay, anything else?

Councilmember McLeod: Actually, my question was for Safe Streets, you got two pieces right into the park, was there a plan to offer a walk through the park?

Chief Shaw: Correct --

Councilmember McLeod: Kind of let them loop around.

Chief Shaw: In that way the kids can play a little bit too and gives them a break from just trick-or-treating if they wanted to.

Councilmember McLeod: Run off some of that sugar.

Councilmember Bevers: Good luck with that.

Chief Shaw: And it also gives us a chance to show off the park, the park's really a nice area. I don't think we've ever had it back there, as long as I've been here, we've never had it back there, so that's a good--I want to move it around a little bit.

Councilmember McLeod: I mean the restroom access would be good for people trick-or-treating too.

Chief Shaw: That's correct.

Councilmember McLeod: I'm loving Safe Streets, I think it's fantastic, it's one of the hallmarks of Shenandoah.

Chief Shaw: And it brings in people. You saw the crowds last year, so it's very popular. Just let me know what you decide about National Night Out, we'll make it work.

Mayor Wheeler: Anybody else? No? Moving on to item--

Mr. Smith: Council, for point of clarification. We will need to bring back the streets for Safe Streets, so you can officially say the streets are closed for that event. You'll see the Safe Streets back on the next agenda to declare these streets closed during that time.

Mayor Wheeler: Sounds good.

12. Consideration and possible action regarding revisions to the following policies: (46:50)

- a) Hiring Practices (3.01 – 3.03)
- b) Criminal Background Checks (3.07)
- c) Communication policy (2.09)
- d) Chain of Command policy (2.10)
- e) City organizational chart

Mayor Wheeler: Okay, item 12, consideration and possible action regarding revisions to the following policies. I'm going to read these all and then we will come back and do it one at a time. A, hiring practices, B, criminal background checks, C, communication policy, D, chain of command policy and E, City organizational chart. So we will start with A, hiring practices. Do you have a motion?

Councilmember McLeod: I'll make a motion to approve the change in hiring practices as listed in the agenda for the 14-day minimum posting.

Councilmember Bradt: Second.

Mayor Wheeler: I have a motion by Council McLeod, I have a second by Councilman Bradt, do we have any discussion?

Councilmember Raymaker: Do we have to do anything that's like a contract to hire?

Councilmember McLeod: Well we do temp work, but I'll let Greg handle this.

Mr. Smith: We've not done any contract for hire in the past, we've not had a need to, but we do use temp services in some situations. And if you're referring that to as contract as hire, then yes we have done that.

Councilmember Raymaker: We get to try them out a little bit before hiring.

Mr. Smith: We have done that, yes.

Councilmember Fletcher: Do they charge an additional fee for that when we hire their employee?

Mr. Smith: Yes. They roll up their benefits and their fees into it, and it is almost a wash by the time you take in consideration insurance and the other benefits such as retirement. Hiring a temp or hiring a full-time employee typically, has come very close to a wash.

Councilmember Fletcher: No, I mean, does the employment service, if we hire the employee they've sent us, do they charge us with a placement fee?

Mr. Smith: Yes, if it's within a certain period of time. If you keep them temp for each one's a little bit different, let's say six months, and then you decide to keep them, they do not charge you that fee. But it's based off of the term of the employee.

Mayor Wheeler: Okay so we have a motion, we had a second, any more discussion?

Councilmember McLeod: This was really just to clear up some things, put some things in the policy. Again, better transparency, make sure everybody's on the same page.

Mayor Wheeler: Okay, all in favor?

Council: Aye

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

Mayor Wheeler: We'll move to item B, which is criminal background checks. Do I have a motion?

Councilmember McLeod: I make a motion, we table this item until we figure out how to handle the findings for all the employees. I think that's a critical standpoint and we talked about it last time. I remember who brought it up, somebody brought it up, what if something comes out, stolen identity, that employee shows up have multiple arrest and whatever and it's not that employee, that's still now available for open records. That's going to be a black mark on that employee even after we get it resolved. It's still part of their permanent record until that stuff and you can say, "Hey, I got it sorted out," but if somebody comes along and asks was there ever a negative finding on the criminal report--

Councilmember Bradt: Second.

Councilmember McLeod: What's that? Second, I'll second.

Mayor Wheeler: No, you made the motion. We need a second so we can get to discussion. Does anybody have a second?

Councilmember Bradt: I'll second.

Mayor Wheeler: Okay.

Councilmember McLeod: Sorry about that.

Mayor Wheeler: No worries, all good points though.

Councilmember McLeod: There you go, all right.

Mayor Wheeler: Do we have any more discussion? Okay, we have a motion by Councilman McLeod, we have a second by Councilman Bradt. All in favor.

Council: Aye.

Mayor Wheeler: Any opposed? Motion to table section b of item 12 passes 5-0.

Mayor Wheeler: We will move to 12-C, which is communication policy. Do I have a motion?

Councilmember Bradt: So moved.

Councilmember McLeod: For what?

Councilmember Bradt: For approval, as written.

Councilmember McLeod: Second.

Councilmember Bevers: There's two policies that are written.

Councilmember McLeod: That's what I was -- the one that's in the fancy colors.

Councilmember Bevers: I'm the one that had proposed some of these revisions. I have not had an opportunity to meet with Bill, I would like to see this tabled.

Mayor Wheeler: Yes, I agree I think this is a good first pass, we all got a chance to look at it, I don't know that we've had a chance to visit with the city attorney about it.

Councilmember Bradt: Okay, I rescind my motion.

Councilmember Raymaker: I'll second Byron.

Mayor Wheeler: Byron's had a motion to table. Councilman Bevers, Councilman Raymaker seconded, do we have any discussion about that? All in favor.

Council: Aye.

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

Mayor Wheeler: I'm actually going to lump in chain of command policy and city organizational charge, those actually are very similar together, so D and E, chain of command, city organizational chart, do I have a motion?

Councilmember Bradt: Table.

Councilmember McLeod: I second.

Mayor Wheeler: You just made one. We have a motion by Councilman Bradt, we have a second by Councilman McLeod, do we have any discussions? All in favor.

Council: Aye.

Mayor Wheeler: Motion to table chain of command and city organizational chart--

Councilmember Fletcher: Nay. You didn't ask for nay.

Mayor Wheeler: I didn't ask for nay, you're right. I thought I heard five aye's.

Councilmember Fletcher: No, you did not.

Mayor Wheeler: Passes 4-1, with Councilman Fletcher being the one nay –

13. Consideration and possible action regarding revisions to the purchasing policy. (53:12)

Mayor Wheeler: Okay, item 13, consideration and possible action regarding revision to the purchasing policy.

Mr. Smith: Council this was originally put on last agenda by myself to discuss and get clarification from the city council for routine items that are over \$15,000 and what procedure does the council want to see on those particular ones.

As you can see in the agenda report, things that are under contract trash service, city attorney fees, items like that, that are under contract as well as regular utility bills, and some items that could exceed \$15,000 depending on how each department does their own purchase order.

That was the intent, if I remember correctly, two council members wanted to bring up the entire policy for discussion. Staffs' initial attempt was to address those purchases and I think council asked for more discussion.

Councilmember Bevers: My intent of asking for more discussion was simply I thought that was -- if clarification needed to happen to the purchasing policy than we should actually revise the policy. I don't have any proposed changes.

I read the policy, I thought it was clear but I wouldn't know that there wasn't -- the policy wasn't included in the agenda pack. We might be better off tabling it until it can be included. I don't know if the rest of the council had a chance to get the policy.

Councilmember Raymaker: From a software perspective, there are some cases where the audit trail looks lost at least the one time that I saw the system, it would look like one person approved all the steps.

If there's a way that we can tweak the software to be able to say that, "Okay, this director initiated and then it got approved by the city administrator for instance." That should still remain in the audit trail.

Ms. Calvert: I have spoken with the software company and there is another -- right now we're doing approval levels and we can switch to approval paths that would not allow that override unless -- it wouldn't override other approvals but if I wasn't available, Greg can approve for me but that would be in extenuating--

Councilmember Raymaker: Should probably wait until you get better.

Ms. Calvert: Not always, but no, the approval paths should clear that up.

Mayor Wheeler: If we're going to keep having that discussion we probably need to have a motion first.

Councilmember Bevers: I'm move to table it.

Councilmember Fletcher: I'll second.

Mayor Wheeler: We have a motion by Councilman Bevers to table, we have a second by Councilman Fletcher. Do we have any discussion? Any more discussion?

Mr. Smith: Council I have one clarification. Do you want staff to come back with some recommendations from the questions that we have from a staff level next time as well?

Councilmember Bradt: I think that'd be advisable, I mean \$15,000, if it's a purchase of something new I can see that but if it's a bill that comes in that exceeds that, I don't see why we have the restriction as such, so yes.

Mr. Smith: Okay, thank you.

Councilmember McLeod: You gave us some good examples but what are some very specific -- if you could just list these are items that we would like to handle in a regular routine manner. Those would be totally excluded from--

Mr. Smith: We'll put those in there.

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

Council: Aye.

Mayor Wheeler: Any opposed? Motion to table item 13 carries 5-0.

14. Consideration and possible action regarding assessment of the following committees: (57:12)

- a) Charter Committee
- b) Parks & Recreation Committee
- c) Internet Committee
- d) Special Event Center Committee
- e) Policy Committee

Mayor Wheeler: Item 14, consideration and possible action regarding assessment of the following committees. Once again we probably ought to take these one at a time. We will start off with charter committees.

Councilmember Bevers: Mayor, I'm the one that asked for a review of the committees. If you would allow, I'd like to ask a couple of questions before, I don't have a particular motion at this time. Feel free to force me to move.

Councilmember McLeod: I'm going to make a motion we table just to get a motion on the table, just to follow protocol.

Councilmember Bevers: Second.

Mayor Wheeler: We have a motion by Councilman McLeod, we have a second by Councilman Bevers and I bet we're going to have some discussion.

Councilmember Bevers: I think we should look at what the charge the council has given to each of these committees. What is it that we are asking from the committee? As a way of example, the parks and rec committee, I think this committee should focus on big picture improvements such as do we need a dog park, what other additional parks do we need, and instead it seems the committee has been asked to opine on things that I think our staff should be really leading the charge on such as whether or not we need a fence or whether or not the pavilion reservations and rules are the right way from the operational stand point.

I think we should step back and look at maybe making a more clear charge to the committees.

Councilmember Bradt: Is there even a charge.

Councilmember McLeod: We talked about not having committees with no formation, by laws, any -- that may make a good point. Clear instructions.

Councilmember Bevers: I can't answer Charlie's question. I don't know if there is a charge.

Councilmember Bradt: I don't know if there is a charge, that's a good point is what I'm saying, I agree with you. Is there a charge?

Mr. Smith: No, the city council has not set up a charge for each one of the committees. Byron's look or example of the parks and the rec committee, it has transitioned you are absolutely correct.

When it was first set up it was to help us with the re-design and the implementation of the main park renovation, re-modeling. What do we want to do? How do we want to do it? And that was their focus.

As well, there was a committee of the pool that was focused on the exact same situation but dealing strictly with the pool then the park committee worked on the toddler park specifically. At that point in time then the pool committee was basically done with their work because the pool renovations were complete. The park committee was done and previous council merged the two together into a parks and recreation committee instead of having them independent and then yes, they were used to facilitate changes in the park. Specifically, park rules dealing with the pavilion and running the pavilion as well as a fence at the toddler park.

They came back with recommendations since those two, they have not met. That has been a transformation coming up with a charge and a path for what we want them to work on is probably a really good idea led by the council to say what you want this committee to do and then we give them their charge and that's what they focus on.

Doesn't mean that the charge couldn't be changed as the needs change and development changes that you couldn't change their charge if you needed to but the use of, again, like what Byron said, the park committee did look at the Veteran's Memorial Park briefly, counseled in, acted on not doing anything with it.

It went dormant at this point in time. It's still there but it's dormant so coming up with a charge would not be a problem.

Councilmember Bradt: We could get input from the committee chair as well if they so desire. Myself, charter committee I think has a charge that they're going in the right direction. I think going ahead with that parks and recreation we brought up.

Internet committee whether or not we're doing internet for the home or not or how that's coming on. Special events committee. We need to appoint people to that and get that going and the policy committee needs to be reworked as well. That's my opinion.

Councilmember McLeod: Yes, I think these committees are actually, I think these are positive things. I know charter committee, there's been some discussion. Maybe we're 10 maybe we're 15, who knows how many years.

At some point, we will reach a point of needing to decide if would like to go to home rule. Even if we don't. Even if we decide to stay, I think it's nice to have some individuals having regular and routine discussions about how they feel like they should be governed because even that's useful feedback.

Parks and Recreation committee to have a committee that's large enough of residents. Again, this is where I see these committees, at least the Charter, Parks and rec and Special Events as a way, it's another way for residents to talk, to express their views back to council.

I'm particularly pleased with how some of those committees are going even if a specific -- We're not there. I do agree that we should probably come up with charges and ways for them to communicate.

Councilmember Bevers: I'll disagree a little bit on the Charter Committee. If we think we're 10 years or more away from needing or being able to have a charter, I think that we're asking a group of residents to meet monthly and come up with a draft charter 10 years in advance where we don't know what the legislature will do between now and then.

We don't know what our community will really look like between now and then. I think it's too much if we think the ability to become a home-rule city is far out.

Councilmember Raymaker: Yes, I'll concur with Byron that we're so far away with the charter that I'd like to see the work product that they've done and maybe take a look at that and then put it to bed then for a while until we're able a little closer.

Councilmember McLeod: Maybe we meet less frequently or is that one thought?

Councilmember Bevers: Well, I mean one thought is that if we get a draft charter basically through the doorstep, where it's ready to be approved and we table it for 10 years, we'll have 50% of the community change over between now and then.

Councilmember McLeod: We've seen that in the last 10 years.

Councilmember Bevers: Absolutely. Those new community members didn't get a chance to have input in that process. I've looked at our projections. I do think we're further away than we have officially projected.

Maybe a different charge for the Charter Committee but I don't think at this point a monthly meeting is a fair use of our residents.

Councilmember McLeod: Maybe we change it from a charter to long-term community vision. I'm just throwing stuff out here.

Councilmember Fletcher: I don't think we need to create a committee to create a committee.

Councilmember McLeod: But you're -- you're moving towards a goal of you know this is coming.

Mayor Wheeler: I'm curious. Just out of curiosity. Really not challenging. I'm just curious how we came up with the 10-year number.

Councilmember Bevers: I've repeated what--

Councilmember McLeod: I was throwing points out there --

Mayor Wheeler: Okay. I was--

Councilmember McLeod: Some estimates have us in two to three years being ready to go to charter. Some people say five years. If as Byron points out it's going to be much beyond five years. Then are we ready for charter? I think that's the point.

Councilmember Bevers: We have a projection that shows us around 6,000 residents in five years. Greg, correct me if I'm wrong. I was on the Charter Committee. Full disclosure there. When I looked at the last census that we had, the average persons per household was significantly different from what the census reported to what the city is estimating. Even if you split that difference plus the additional growth--

Mayor Wheeler: What were they?

Councilmember Bevers: I don't have that in front of me. It was to the tune of, I think four people per house compared to 2.3 or 2.5. It made a big difference applied across a thousand homes.

Even if you split the difference between the census average person per house and the numbers that we were projecting, we were still beyond what it appeared we know is going to develop.

It'd take development that's not on the books right now to get there. I'd be up for taking a look at those projections again. Until then, I just don't see it being a viable use of time.

Councilmember Bradt: Myself I'd still like to see the product that they're coming up with.

Councilmember McLeod: Yes, I think I would agree.

Councilmember Raymaker: Yes. Let's let them finish off the product and-

Councilmember Bradt: I'm not discounting what you said.

Councilmember Raymaker: -and then we'll make a decision and to terminate the committee until another time.

Mayor Wheeler: We really only focused on Charter Committee out of all these. Is there any other discussion topics for any of the other committees?

Councilmember McLeod: Like I said last time we had this, the Internet Committee is really just -- We're going to be done one way or the other. I'm really hoping to be done by now.

Councilmember Bevers: Yes. I thought we had solved the Internet Committee.

Councilmember McLeod: Yes, I thought so too.

Councilmember Bevers: The Policy Committee I'd like to basically disband until we decide we need it. Just let the council as a whole consider new policies and then the Special Events Center Committee, I prefer that we wait until budget workshop when we discuss the special event committee.

Councilmember McLeod: Discuss the committee. Parks and Recreation.

Councilmember Bevers: I'd like to see it charged, developed for that one specifically.

Councilmember McLeod: I agree with that.

Councilmember Raymaker: I'll go a little further on the special events. What I hear from folks is that they just don't have the appetite for it right now.

Councilmember McLeod: I think that's why we're going to discuss it at the budget workshop.

Mayor Wheeler: What did we say about Internet Committee? Mike, you said that basically this --

Councilmember McLeod: Leave it alone. It's going to dissolve itself in -- hopefully, quickly.

Mayor Wheeler: You guys are going to have to help me with what you want to have as a motion here because as of right now, we have a motion on the table. We have a motion to table by Councilman McLeod with a second by Councilman, Bradt, I believe. Is that right?

Councilmember Bradt: No.

Mayor Wheeler: No? Who's seconded? Councilman Fletcher seconded.

Mayor Wheeler: Somebody did something.

Councilmember McLeod: I'm going to rescind the motion to table so we can start taking some actions. Byron, why don't you make the motion on the charter. What are you going to say about charter?

Councilmember Bevers: Well, if you're going to ask me to make a motion, I would move that we table the Charter Committee. Any changes to the Charter Committee until we can maybe dive into the projections or draft projections further.

Councilmember McLeod: I'll second that.

Mayor Wheeler: We have a motion to table a charter committee by Councilman Bevers with a second by Councilman McLeod. Do we have any discussion?

Mr. Smith: Council, I have a clarification from a staff stand point. When you say table do you want them to stop working until we produce the work product that we have so far, or do you want to allow them to continue to work?

Councilmember Bevers: When is the next meeting?

Mr. Smith: It'll be in August.

Councilmember Raymaker: I would say stop and just compile that work product.

Councilmember Bevers: I would anticipate they would be able to address this before the next meeting and we could officially decide, but I would tend to agree with Councilman Raymaker.

Mayor Wheeler: As of right now, I've got a motion to the table. Any more discussion? All in favor?

Council: Aye.

Mayor Wheeler: Any opposed?

Councilmember Bradt: Nay.

Mayor Wheeler: The motion carries 4-1 with Councilman Bradt being the one nay.

Mayor Wheeler: B - The Parks and Recreation Committee.

Councilmember McLeod: I was going to make a motion that I guess we're going to instruct staff to come up with a charge for the Parks and Recreation Committee.

Mayor Wheeler: I have a motion by Council McLeod for staff to come up with a charge for the Parks and Recreation Committee. Do I have a second?

Councilmember Fletcher: I second.

Mayor Wheeler: I have a second by Councilman Fletcher. Do we have a discussion?

Councilmember Bradt: Shouldn't the Council come up with the charge and not staff?

Mayor Wheeler: Yes, Council Bradt. I think you should. Great idea.

Councilmember Bradt: I'd be glad to be on the committee.

Mayor Wheeler: I think that's a great idea. We can work with the staff to do that. I don't think we have to make a motion about it. We can work with the staff to come up with the charge. We're just basically coming up with the charge at this point.

Councilmember Bradt: Well, the motion was to have the staff do it.

Councilmember McLeod: Staff in conjunction with the committee?

Mayor Wheeler: That's a good point.

Councilmember Fletcher: With the council, not the committee.

Mayor Wheeler: Do you want to amend your motion?

Councilmember McLeod: I want to amend my motion. The staff in conjunction with the council come up with the proposal for a charge for the Parks and Recreation Committee.

Councilmember Fletcher: I second.

Mayor Wheeler: Councilman Fletcher seconds. Any more discussion? All in favor?

Council: Aye.

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

Councilmember McLeod: Make a motion to maintain the Internet Committee in its current status.

Councilmember Bradt: I second.

Mayor Wheeler: I have a motion by Councilman McLeod and a second by Councilman Bradt. Do we have any discussion? All in favor?

Council: Aye.

Mayor Wheeler: Any opposed?

Councilmember Raymaker: Abstain.

Mayor Wheeler: The motion carries 4-0 with Councilman Raymaker abstaining.

Mayor Wheeler: D - Special Events Center Committee.

Councilmember Bevers: I move that we -- I don't know the right word here. I move that we delay any further committee meetings until we can discuss the special events center at the budget workshops.

Mayor Wheeler: I have a motion by Councilman Bevers. Do we have a second?

Councilmember Bradt: To table or to defer it?

Mayor Wheeler: To suspend any future meetings until after budget workshop.

Councilmember Fletcher: I would second that.

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

Councilmember Bradt: We've got several hotels involved in this to -- personnel. Their time is valuable as well.

Councilmember McLeod: When's the next meeting scheduled?

Mr. Smith: At this point in time, one hotel representative is no longer with the hotel in Shenandoah. The other one has not attended the last three meetings. From the hotel standpoint, I think we're in no rush for that.

As far as the citizens and the other entities it's the Conroe Independent School District, Memorial Hermann Hospital and then our one resident. We have talked to them several times.

We've not met for several months waiting for the legislation to pass or not pass because we were getting at that point. I think the laying of it till the budget workshop is not going to be a problem at all.

Mayor Wheeler: Very good. Excellent. We had a motion and a second. Any more discussion? All in favor?

Council: Aye.

Mayor Wheeler: Any opposed?

Councilmember Raymaker: Abstain.

Mayor Wheeler: The motion carries 4-0 with Council Raymaker abstaining.

Mayor Wheeler: E - Policy Committee.

Councilmember Bevers: I move to dissolve the Policy Committee.

Councilmember Raymaker: Second.

Mayor Wheeler: I have a motion by Councilman Bevers. I have a second by Councilman Raymaker. Do we have any discussion?

Councilmember McLeod: Greg, can you explain the jobs of the Policy Committee?

Mr. Smith: Basically, what the policy committee did was if there was a question on the policy, it was a two-member council that I would seek input for on interpretation or changes to a potential policy.

That was the set-out and the charge of what the policy committee was for. If there was an unusual request where a policy was not clear, I did not want to make the decision without the council input. Those two council members gave staff guidance.

Mayor Wheeler: In the absence of that, now we're saying, "Greg, we need to come to the whole Council." Which is fine if it's something that can wait two weeks. Were there situations that required something that day?

Mr. Smith: The policy addresses that. The policy itself addresses if a situation needs to be addressed right then, I have the authority to make a decision on that.

Mayor Wheeler: Do we have a motion and a second? Any more discussion? All in favor?

Council: Aye.

Mayor Wheeler: Any opposed?

Councilmember Bradt: Nay.

Mayor Wheeler: The motion carries 4-1. Councilman Bradt is the one nay. Moving on to Item 16 which is the consideration of possible action regarding revisions to the sign ordinances.

Councilmember McLeod: We're actually on 15.

15. Consideration and possible action regarding appointments to the following committees:
(1:16:44)

- a) Charter Committee
- b) Parks & Recreation Committee
- c) Internet Committee
- d) Special Event Center Committee
- e) Policy Committee

Mayor Wheeler: Yes. Now we need to move to 15 which is basically the same thing. Consideration and possible action regarding appointments to the following committees. We're holding the Charter Committee. We're leaving the Internet alone. We're waiting until budget disbanding the Policy Committee. Really, the only committee we need a change to is Parks and Recreation and we only need one position. Appointments for Parks and Recreation Committee. Do I have a motion?

Councilmember McLeod: Do you want it? I make a motion that Councilman Bradt is appointed to the Parks and Recreation Committee.

Mayor Wheeler: Do I have a second?

Councilmember Raymaker: I second.

Mayor Wheeler: All in favor?

Council: Aye.

Councilmember Bradt: Abstain.

Mayor Wheeler: Motion carries 4-0-1. That was Councilman McLeod made the motion and Councilman Raymaker made the second.

16. Consideration and possible action regarding revisions to the Sign Ordinance: (1:17:50)

- a) Memorial Hermann Hospital
- b) Real estate directional signs

Mayor Wheeler: Now, we move on to 16. Consideration and possible action regarding revisions to the sign ordinance.

Mr. Smith: Council, we'll take them two different ones. A. is an amendment to the sign ordinance for Memorial Hermann. Since we have a lot of new council members and a lot more residents here, I'd like to take just a minute and go over the history of the Memorial Hermann sign ordinance.

It is its own independent ordinance outside of the signed ordinates. The reason for that is there is no way that a hospital of that size with providing that many services could fall underneath our sign ordinates.

Back in 2012, on a recommendation of the city attorney, we created an independent sign ordinance for the hospital. You see some really simple changes to the sign ordinance.

You have an attachment that lists all the signs any time they do a major change. They have to bring the signs back but the modifications are one, to allow temporary construction signs to be approved at a staff level. This has been an ongoing issue with a lot of their remodelings.

They want to change an arrow that says temporary entrance because of this, they have to bring that back to the City Council. We are requesting, as well as the hospital, that that be allowed to be done at the staff level.

Number two is allow monument signs. The monument sign itself is not changing just the face and the message. If it says, "Professional Office Building 3." And they want to change the arrow to go a different way or change the name of the building from, "Professional Office Building 3." To "The Shenandoah Office Building 3."

Just the face change can also be approved at the staff level not requiring coming back to the City Council. If they're changing the size, the location, or anything else other than just the face of the sign, it would have to come back to the City council for approval.

Signs on hospital property that has the words "The Woodlands" or "Woodlands" shall have the City of Shenandoah logo on it. We just want to continue to keep that consistency and the outlining that all modifications to the hospital wards must be approved by the City Council of the City Shenandoah as well as the appeal will be heard by the city council.

Those are basically the changes that we are requesting. You see a large document that outlines all the signs. This has been a major undertaking for the hospital because they have changed sign companies since 2012.

Having this is something that we felt was very critical. There are occasionally things that come up. The word "emergency" -- if state law changes in those signs have to be so many inches big that that gives them the ability to just change that without coming back to the city ordinance or city council to meet that.

We do have a representative from the hospital as well as the sign company if you have any specific questions for either one of them. I can tell you we've been working on this, Bill for 90 days. Does that sound, about right? Well for six months.

I think you see all of the signs in your packet if you'd like to go over or ask any questions individually.

Councilmember Bradt: I would like to make a motion. We approve, I remember 15A only as a presented by -- 16A, I'm sorry.

Councilmember McLeod: I will second that, to get us going.

Mayor Wheeler: I have a motion by Council Bratt. I have a second by Councilman McLeod. Do we have any discussions?

Councilmember McLeod: Yes, I've got a couple questions. One right now we define temporary. The temporary signage seems to last a long time and we've had a lot of being defined as temporary seems to take quite a long time and my understanding right now is temporary signage associated with a particular construction contract, in other words, all the signs saying that we're building this new building but they've got dozens of signs all over the campus that are considered temporary that are associated with that building. How do we handle that? Other than a CO, do we – certificate of occupancy or completion do we put time frames on signs that are called temporary? Because otherwise, those signs don't appear to hold up to some of our other sign ordinances.

Mr. Smith: Great question and with the hospital, it's a little bit different because of their type of projects that they do. When you build an entire professional office building, that project can take 18 months.

The thought process of allowing it to be a staff level is, we would set the temporary status with the hospital and the contractor to have a time with the temporary. They're not up there indefinitely.

Councilmember McLeod: There's always going to be construction. Memorial Hermann is going to be constantly undergoing construction. My concern is this sign they go, "Okay, that was temporary for this project we are going to put the same sign, exact same sign in the same exact spot."

It doesn't really meet our sign ordinances for this project and that same sign can sit there for years just moving projects.

Mr. Smith: No, we would not allow that from a staff standpoint and the hospital has done a really good job in working with the city in getting the signs allocated in the right location which could have been different from previous times.

Councilmember McLeod: One of the concern I guess, it's probably only that one sign, it's on page 345, I would like to see a contrast a little more consistent. It's the black and white. See if I can pull it up here.

Mr. Smith: I can explain that sign. The black and white checkered sign.

Councilmember McLeod: Yes, that one.

Mr. Smith: That sign was actually approved and was forced to be, if I am not mistaken, if my memory serves me correctly, that sign was approved by the Woodlands Development Corporation to follow the signage along I-45 frontage road to match some of the other signs in that area that have the same look.

The hospital, while it's located inside the city limits of Shenandoah, they also have to get their signs approved by the Woodlands. That was the reason for that. It was a consistent look of The Woodlands signs that are along that section of I-45.

Councilmember McLeod: Finally, is this going to apply to existing signs or are existing signs going to be grandfathered under some previous rules?

Mr. Smith: No. What this ordinance does is it shows all the previous signs and as they were and what they are proposing them to look like now. The new signs are all addressed here.

If they are not addressed in this document then they will have to come back to the city council unless they are a temporary sign.

Councilmember Raymaker: All these temp signs, they are strictly limited to the property of the hospital.

Greg: Yes sir.

Mayor Wheeler: Anybody got anything else?

Councilmember Bradt: What you're saying then Greg, there are no off premise signs. How does this ordinance address off premise signs?

Mr. Smith: The council did approve one off premise sign and that sign was going in the median along Pincroft because there was confusion with another hospital that opened up an emergency room. That emergency room actually had incidents where people thought they were going to Memorial Hermann and going to a true emergency room and actually ended up across the street.

They wanted to put that sign in the median to direct people to the emergency room. That sign has not been constructed, the other hospital is actually gone out of business and may not be a relative anymore but they do have one off premise sign that has been approved by the city council to go in the median.

Actually, it's two of them, to go in the median within the city limits and it is primarily to only direct to the emergency room access.

Mayor Wheeler: Anything else? Okay. We had motion and a second we had a discussion. Any more discussion? All in favor?

Council: Aye.

Mayor Wheeler: Any opposed? Motion to approve carries 5-0 on section A.

Mr. Smith: Council, if I can make one other statement on Section A. Memorial Hermann may have signs not located within the city limits that we cannot regulate. You could see some other signs for Memorial Hermann that are actually in not in our jurisdiction that we cannot regulate.

I just want to make that known to the council. As you may see other signs not in our city limits that are associated with Memorial Hermann but we have no jurisdiction over those signs.

Mayor Wheeler: Fair enough. Moving on to B, 16B which is real estate directional signs.

Mr. Smith: Council you see the draft that was discussed last meeting that council asked us to come back with a draft dealing with directional signs. There are a couple blanks that we need council to give us some direction on but the language reads, open house directional sign is defined as a temporary ground sign no larger than what council wants to approve...square feet contain the words Open House with a directional arrow. Each open house is allowed (blank) number of signs that may be placed in the right of way or on private property with written permission from the property owner.

Open house directional signs may be placed 30 minutes prior to the open house and must be removed 30 minutes after the open house. No signs may be allowed between 8:00 PM and 7:00 AM.

Any of this language can be changed by the council, this was just staff's first stab at the language for this request to change by council.

Councilmember Raymaker: I like what you put together. I would say no more than one-

Mayor Wheeler: Are we in motion?

Councilmember Raymaker: It's discussion only.

Mayor Wheeler: What's that?

Councilmember Raymaker: It's discussion only.

Mayor Wheeler: No, it says consideration and possible action regarding revision of sign ordinance.

Well, the packet doesn't match but that's what the agenda says. Just motion to table or something then we have a discussion.

Councilmember Raymaker: Well, I'll motion to table because there are things that we need to figure out around the size of the signs.

Mayor Wheeler: We have a motion my councilman Raymaker. Do we have a second?

Councilmember Bradt: Second.

Mayor Wheeler: Second by Councilman Bradt.

Councilmember Raymaker: Now, I like what you put together, I'm thinking in terms of just one directional sign. Where this came from originally was a resident in the reserve, sent me an email, my city email saying that, "Hey I can't have more than--"

At that time, we didn't have an open house sign that you could have on the lot along with the for-sale sign. Subsequently, we did change that but there was no way for anybody to know otherwise that the open house was taking place in the reserve.

That was the reason that I brought it up. I don't hold open houses in Shenandoah, I don't recommend open houses personally to my clients but that's just me.

Mayor Wheeler: My biggest concern and I said this from the beginning with these directional signs is where they are going.

Councilmember McLeod: We're talking about putting them in there right away.

Well, that's what we're saying but I just don't know that a real estate agent or somebody who's a for sale by owner or somebody of that nature is going to take the time to figure out exactly where right away is, where an easement is and not somebody's private property and from somebody who live in a corner, I get people all the time who want to put stuff in my yard.

There's something about coming around that bend that they think, "Look there's a nice big green space, we'll put something in that yard." I come home and I got something in my yard.

I'm worried we start getting into these directional signs and we're going to have people putting signs in our resident's yards. That's going to be one of those unintended consequences that we're going to hear about later on down the road.

Mr. Smith: To answer your question, how many? It's numerous. You can have a real estate agent, a open house on any street can have anywhere between one to five. Open house on Shenandoah Drive could have one place at the intersection of I-45 and Shenandoah Drive.

They could place one at Research Forest and Savannah, Research Forest and Holly Hill. Holly Hill and Shenandoah Drive, Savannah and Shenandoah Drive and it could be at the back of Shenandoah Drive and you could have five of them.

An open house in Silverwood, those are pretty easy because they're probably just going to put them on Wellman Road and there'll be just one facing that area. It truly depends on where the open house is.

If you go along any of the sub divisions on Grogan's Mill, they're probably going to put one but Shenandoah Valley they're multiple and as well as Tuscany Woods they do multiple. I think that has been my observation for the past several years.

When you limit them to one, I think it's going to become also an enforcement issue for the police department because if there happens to be two or three open houses at the same time which does occur which sign goes with which open house because we're not wanting them to permit them.

I appreciate the trying to limit it. I think enforcement of the limit is going to be difficult for the police officers if not impossible because they would have to go to every open house and say where your open house signs are at to know which one they are.

Some real estate agents do a great job and put the address of the open house on their sign, most of them don't. I think we also need to look at it from an enforcement standpoint to make it easy for the police department to enforce it if we do allow it.

Councilmember McLeod: I think from a sign perspective and my opinion is we say things that "what you permit you promote," or "what you allow you encourage" and when we start allowing signs in the city right of way, OK an open house sign. What kind of different signs. We got a resident point out, we've allowed signs for one particular type of event an open house, why don't we allow garage sales signs in right way. Do we keep track--

Mayor Wheeler: Birthday party signs.

Councilmember McLeod: What's that?

Mayor Wheeler: Birthday party signs. Wedding reception. You've got to think of every possible solution.

Councilmember McLeod: My perspective for right of way is if it's not a city event it doesn't go in right away. We spent some money and I think we've now taken within one step now we've taken two.

We've got some nice city signs to promote the city events in very specific locations but I'm also concerned about the police. Do you really want our police's job looking at a sign going well that's 8:00 o'clock, whose sign, is it? Do they have their one sign or is there two signs?

Is this their second sign? It's their extra signs. We have that one up pick. We are allowed to leave the one sign. In this day and age with GPS and maps and these things and listings where you can go right online and find the house, get clean and clear directions. I don't see the necessity of it and I don't see the benefits outweighing any of the cons.

Councilmember Raymaker: How many other bandit signs then are we picking up for open houses at this point?

Chief Shaw: We got most of our realtors now pretty much trained but on weekends before between 10 and 15. They're doing pretty good now. Greg knows because we talk a lot on the weekends but when you drive through the city now that's one thing about us, you don't see any bandit signs or anything. It looks really clean here. You drive down Rayford Road and you know what it looks like.

Councilmember Raymaker: I spent a night picking up bandit signs.

Chief Shaw: They do spend a lot of nights and a lot of mornings early picking up bandit signs.

Mayor Wheeler: We had a motion and we had a second. Any more discussion?

Councilmember Bradt: I call for the vote.

Councilmember Bevers: What was the motion?

Mayor Wheeler: To table.

Councilmember Raymaker: Thank you though. I never heard a metric on the open house signs before. That's good to know.

Mayor Wheeler: Any more discussion? All in favor?

Council: Aye

Mayor Wheeler: Any opposed.

Councilmember McLeod: Nay

Mayor Wheeler: Motion to table carries 4-1. Councilman McLeod is the one nay.

17. Consideration and possible action regarding landscape design at the David Memorial Drive – Phase I extension. (1:36:22)

Mayor Wheeler: Item 17. Consideration and possible action regarding landscape design at the David Memorial Drive phase one extension.

Mr. Smith: Counsel, at this time I'll turn it over to Derek and the design team.

Derek Wind: I guess we can wait until Byron gets back but I will go ahead and introduce Lloyd Lentz, he's with the LMA Design. He helped us with the landscaping design for the roundabout and the extension going up to the Sam Moon property and stopping there.

As you remember you had some questions on different aspects of the designs and we had asked him to come here and give a small presentation and then answer any questions. I'll give it to Lloyd.

Lloyd Lentz: Thank you Derek. Mayor, Council. Thank you for the opportunity to actually come before you make a little presentation and answer the questions. Just a little bit of background and first I also want to introduce my associate Viviana Rodriguez who's been instrumental in this project.

We started it at the very beginning of this and also looked at the detention pond area. We have a good overview of that area. In developing this design, we had a few criteria that we followed.

Low maintenance. We want to put something in that looks nice but does not require a lot of maintenance. There is turf in the medians because there needs to be basically but elsewhere we've tried to keep it to where you're not doing a lot of mowing and lot of maintenance.

Can you zoom in a little bit on the actual roundabout if so? Is that possible? If it's not then that's okay. What we've got in the exhibits that you have is some photographs that depict some of the materials and things that were doing but the thing that I really wanted to do is in the actual roundabout itself is to create something that can be a landmark.

What we've called for there's going to be a little wall it's about two-feet high to protect the tree from traffic driving through the roundabout but also elevated a little bit for a little bit more visibility.

The wall, you'll see a graphic to the left side of the screen there. It's just a basically precast concrete block that's stackable. Nothing fancy but attractive. Inside the traffic circular, I'll just saying the area around the perimeter that's already stamped concrete that's already there and we have an image of that. It's just a very dark stamped concrete.

What we're wanting to do is be complementary. We're not trying to dominate or hide or anything any of the existing facilities. You have a stamped concrete around the edge then we have some plantings and boulders between the low wall and the stamped concrete and we're really just trying to create some themes and some repetition and the grass is a native grass, it's Gulf Coast Muhly and you can see in the fall it has color.

Working with the boulders is really thematic in terms of the color working with the wall and it provides a little discouragement for people hitting the wall, but that's not really the intent and you do have boulders in other entrances into your residential developments so that's an overall thematic element for the city. In the center of the roundabout we're calling out for a multi trunk live oak. We actually have a picture of what the live oak is going to be about-- Be close to the size and character at the time of installation. Ultimately, we want it to be a big large, very attractive, multi-trunk oak that becomes a landmark so the other roundabout with oak tree or whatever we want to call it.

But, we want it to be -- I'm going to call it a passive landmark not an architectural element, but something that blends in and can also then contributes to the identity whenever the detention pond is developed. It has-- We've studied that as having the potential as recreation amenity as well. On each of the three medians that surround or define the roundabout we have Crepe Myrtles. We have two kinds the predominant Crepe Myrtle is red, okay? And, we have them in groups because we want to have little color impacts, okay? So that we don't string it out.

We put them in groups and it's like having windows in columns and windows and columns. That's what we're doing there. Further to the right and which is going to be to the north, we were asked to coordinate with the developer for that property that's immediately north of the roundabout. So I contacted that landscape architect they are really in the conceptual phase in fact he had more questions than I did. But, they had wanted to show Shumard live oaks and some white Crepe Myrtles in the median there, but we've got some underground utilities there, namely drainage.

We don't want to put any large trees there. That's one of the reasons we don't have large trees in the medians is that we need to respect the underground utilities. However, bracketing the proposed entrance into that property we've changed from red crepe myrtles to white crepe myrtles so that it will be-- It will help set off and announce that entryway. We want to do something simple, but elegant and permanent and something that's a long-term asset and identity to the city. With that turn it over to any questions you might have.

Councilmember Bradt: A question on the live oak that you're proposing in the circle, with all the lime stabilization for the concrete is that?

Lloyd Lentz: In the circle there shouldn't be a lot or much lime stabilization, but also what we've got is we're requiring the contractor to bring in the top, I don't know whether six inches or foot, but we've got that to where they've actually left the medians down so we're bringing in new soil. But, that's the other reason is to build that wall and set the tree up a little bit higher to make sure we've got good soil that we're working with. We're not planting it in the lime because that's-- We all know what happens then, okay?

Councilmember Bradt: That's why I asked.

Lloyd Lentz: Yes, no tree.

Councilmember McLeod: What's the warranty on that tree?

Lloyd Lentz: The warranty is going to be one year. That's what I think your standard warranty. We're going by the standard general conditions. We want to make sure it's planted well and that a good quality tree is selected. Now, all the other plant materials are container grown and so you can really do them any time. This tree will probably have been grown on a tree farm. I'm not real big on going out in the woods and collecting trees simply because you don't know how well the root system is developed. That's something that working with the contractor and I'm familiar with the contractor that is the low bidder and that we've recommended.

They're good guys and we can count on them with your view and input to make sure they get a tree that we want because we don't want a run-of-the-mill tree. That's one of the reasons I didn't want a single trunk tree. We wanted something that will grow into and have a lot of character.

Councilmember Raymaker: This -- with a live oak like that will it ever possibly break through the retaining wall? I don't know the characteristics of the tree.

Lloyd Lentz: It will be a long time, okay. What's going to happen is we've got some drain, I'm going to call it a French drain along the back of the wall. It's going to grow out, but it's also going to grow down. It will have some surface roots. But the time that it ever does that is almost say never. I'm going to say 20 to 30 years and then by that time it may be time to do some rework in there anyway. But, I want to say for the foreseeable future, no.

Councilmember Bradt: Any provisions for deep root feeding or water right now for this tree?

Lloyd Lentz: Everything is irrigated, okay? This tree has its own separate source. It's an automatic system so it has its own station. If we need to run it slow, slow trickle, longer duration we're not-- It's not on the same schedule as the grass or the Crepe Myrtle something like that.

Councilmember Raymaker: Yes. I saw on the print that it had a bubbler which I thought was interesting because I didn't think that you used the term bubbler in Texas, but--

Lloyd Lentz: I won't go into a whole lot of discussion, but bubblers are good and that they're good for a lot of reasons and one of them is you can actually see them work. If you turn on the system there's drip is used more and more, but you can't really see it working, okay so bubblers are good.

Mayor Wheeler: Anybody got anything else? Thank you, sir.

Lloyd Lentz: Thank you.

Mayor Wheeler: Thank you for your presentation. Thank you for coming. Okay. This is consideration and possible action. We would be taking action as to whether or not to approve this landscaping design. If someone wants to show motion for--

Councilmember Fletcher: I motion that we approve.

Councilmember McLeod: I'll second.

Mayor Wheeler: We have a motion by Councilman Fletcher. We have a second by Councilman McLeod. Do we have any discussion? All in favor?

Council: Aye.

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

Lloyd Lentz: Thank you.

Mayor Wheeler: Yes, sir, thank you.

18. Consideration and possible action to adopt the following resolution (1:47:03)

RESOLUTION OPPOSING LONE STAR GROUNDWATER CONSERVATION DISTRICT'S PROPOSED RATE INCREASE FOR 2018.

Mayor Wheeler: Item 18, consideration of possible action to adopt the following resolution, for resolution opposing Lone Star Groundwater Conservation Districts proposed rate increase for 2018.

Councilmember Bradt: Make a motion we approve as the legal has drafted it up. I asked for some more stronger language and I think it's there.

Councilmember McLeod: Second.

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

Mayor Wheeler: No, okay. All in favor?

Council: Aye.

Mayor Wheeler: Any opposed? Motion carries 5-0. My only discussion is thank you, Bill for helping with that.

19. Consideration and possible action to adopt the following resolution: (1:47:47)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHENANDOAH, TEXAS, APPOINTING NEW MEMBERS OF THE SHENANDOAH CIVIC CLUB BOARD.

Mayor Wheeler: Item 19, consideration of possible action to adopt the following resolution, resolution of the City Council of the city of Shenandoah, Texas appointing new members of the Shenandoah Civic Club Board. Is there any motion?

Councilmember Raymaker: I'm trying to bring it up.

Councilmember McLeod: Charlie would you be willing to serve?

Councilmember Bradt: I'd be glad to, but I can't move.

Councilmember McLeod: I make a motion to appoint Charlie Bradt as one of the council member representatives to the Shenandoah Civic Club board.

Councilmember Bevers: Second.

Mayor Wheeler: Okay.

Councilmember Bradt: One at a time is what we're going to do--

Mayor Wheeler: I guess we're going to do them one of the time.

We have a motion by Councilman McLeod. We have a second by Councilman Bevers, any discussion? Other than Councilor Bradt you said you are willing to serve.

Councilmember Bradt: Yes.

Mayor Wheeler: I appreciate that. Any more discussion?

Councilmember Raymaker: I thought one of the desires that we might have is that for the Civic Club to rather report to all of us that the chair would come and present things to us as a body instead of having the two representatives similar to the other committees.

Councilmember McLeod: I think we can do that. I think that's a different discussion. This is really just getting council members on there.

Mayor Wheeler: I don't know that it limits the chair from coming and doing that very same thing.

Councilmember McLeod: I think that's worthwhile. I think it's a different point. It's-- If you want to talk about that next meeting we can. But --

Councilmember Fletcher: We're on discussion now?

Mayor Wheeler: Yes, we are.

Councilmember Fletcher: I apologize my computer is locked up here so I can't see what's there, but I thought there's going to be a discussion on the appointment of those current members of the Civic Club that have been nominated. Do we accept them as that nomination without Council being appointed? I can at this point.

Mayor Wheeler: Yes, so we have a list of who's currently on there now and then they're the Shenandoah Civic Club members shall consist of two council members and seven non-council members. So what tonight's agenda item was to figure out who those two council members were.

Councilmember Fletcher: And appoint those who have been-

Mayor Wheeler: And to formalize the other seven spots.

Mr. Smith: That's correct, the agenda is written to where you could put the two council members on there as well as appoint the entire board of the seven non-council members. If you don't appoint two council members, you can still appoint the other seven members.

Councilmember Fletcher: I would have moved-- I would rescind the motion and I would move that we will vote the seven members that have been nominated to serve at this point.

Councilmember Raymaker: I second that.

Mayor Wheeler: Well, it was Mike's motion to put Charlie on.

Councilmember Raymaker: Ted's made another move.

Councilmember Bradt: No-

Mayor Wheeler: So we can vote off Mike's motion.

Councilmember Fletcher: The only reason I'm saying that is that we've eliminated discussion topics tonight and that was one of them.

Mayor Wheeler: Yes, we can vote on Mike's motion and you all can deny it and turn it down or Mike can rescind the motion unless Mike wants to keep it.

Councilmember McLeod: I'd rather keep it even if we can- We can modify this resolution. Correct?

Councilmember McLeod: So we can modify this resolution to only have one council member. Is that correct?

Mr. Ferebee: Or just appoint one tonight -

Councilmember McLeod: Just appoint one tonight and leave the other one open. So I'll make the motion as part of my motion to appoint Charlie Bradt that we also only appoint one tonight and the rest of the board as listed.

Mayor Wheeler: We can-- I don't know that we even have to go that far into it, we just don't appoint another one.

Councilmember McLeod: Say it that way.

Councilmember Bevers: By approving the resolution we are approving the seven recommendations from-

Mayor Wheeler: Yes, that's correct.

Councilmember Raymaker: For 19B, I thought we're talking about 19A.

Mayor Wheeler: There is just a 19.

Mr. Ferebee: There is not a 19 -- it was not a B.

Councilmember Raymaker: I am looking at my pack I still have an A and a B.

Mayor Wheeler: Might have a previous one or something. Draft agenda.

Okay, so right now on the table, we have a motion to appoint Councilman Bradt to the Civic Club with an amendment to approve the resolution which includes the other seven members leaving one spot for one council member blank as of right now. Do we have any more discussion?

Councilmember Bevers: Is there anybody that's would be willing to serve in the other spots?

Councilmember Fletcher: I'll serve in the other spot till we get settled in.

Councilmember Bradt: Amend the motion-

Mayor Wheeler: Would you like to amend the motion to put that on there?

Councilmember McLeod: So I amend the motion to include Ted.

Councilmember Bevers: I second that.

Mayor Wheeler: Okay. So now we have a motion to have Councilman Bradt and Councilman Fletcher both filling the council member spots on the Civic Club as well as approving the other seven members as presented. Do we have any more discussion? All in favor?

Council: Aye.

Mayor Wheeler: Any opposed?

Councilmember Raymaker: Abstain.

Mayor Wheeler: Motion carries 4-0-1 -- Councilman Raymaker abstains.

20. Consideration regarding water plant #4 funding and water rates. (1:54:07)

Mayor Wheeler: Okay, item 20. Consideration regarding water plant #4 funding and water rates.

Mr. Smith: Council, we can go ahead and delve into this tonight, if you want to. But with the closeness to the budget workshop, I still think with all the different thoughts that have been going on that this is probably better to wait until the budget workshop and just get into it from the beginning and try to resolve it during the budget workshop since we are so close. I'm prepared and willing to go through any discussions you want to tonight but all it's the council's decision.

Councilmember McLeod: I'll make a motion to table.

Mayor Wheeler: There's no possible action. Just discussion only but yes, I agree with you Councilman McLeod. I think we might as well just table and do this at the budget workshop.

Councilmember Raymaker: Yes and I think we need to mention that the MDD is funding part of this.

Mr. Smith: Yes, the MDD board. Ritch, do you want to since you're chairman of the board?

Mayor Wheeler: Yes, the MDD voted and agreed to fund 350, it was originally 250 and it got 350 quick. So the MDD has approved funding 350,000 dollars of water plant number four. Okay, so we'll pick this discussion back up at budget workshop.

21. Consideration regarding the City Administrator meeting summaries. (1:55:40)

Mayor Wheeler: Item 21, consideration regarding the city administrator meeting summaries.

Councilmember Bevers: I move to table.

Councilmember Bradt: Second.

Mayor Wheeler: Councilman Bradt beat you to it. So we have a motion by Council Bevers, we have a second by Councilman Bradt. Any discussion? All in favor?

Council: Aye.

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

22. CITIZENS FORUM (1:56:03)

Mayor Wheeler: And that brings us to item 22 which is our second citizens' forum. So we have Ms. Heather Muller. Are you the only person who signed up to come speak -- I'm sorry. Is there any other Muller? There she is. You have three minutes to address this on agenda or non-agenda items. Obviously, we can't deliberate but we do appreciate your comments.

Heather Muller: True. Yes, I appreciate for giving me an opportunity to just read this to you real quickly. So really I just want to talk to you more about what was coming up on the agenda about the committee's and the civic club. And it brought these things to my mind and just for you to be thinking about. I'm glad a lot of it got tabled and then you can keep thinking about it. In my mind civic engagement beyond elected or appointed officials contributes to the health of our community. And again, specifically, as it relates to the committees and the Civic Club, this council is clearly struggling to really understand its role which makes sense because it's new as you figure out where everybody stands, how this works. So I appreciate that. I appreciate your vigor and your excitement to get things moving. But as leaders in this community and as those people that are elected by the citizens of this community, I would ask that you might take a step back to assess what that role is and what your influence and your impact is and the decisions that you're making.

You have to understand where you need to lead in this community and where you need to allow the residents to be empowered to drive decision-making. And the committees and the city civic club are some of those opportunities for residents to be able to drive those decisions. It seems like this council, especially since many of you are new, don't really have the institutional knowledge at this point to be able to be putting some of the things on the agenda that you've been putting on the agenda.

And I just again ask -- or give a little bit of permission that it's okay for you guys to take time to be thoughtful and to be a little bit more selective in what you choose to take total control over and what you choose to allow to give to us or your own constituents to control a little bit more. So the two things I think that matter right now that are on your table are the Civic Club and those committees or the Charter Committee as it relates to the Civic Club.

Not in its entire history but for the recent past, it's been exclusively resident driven with the support of staff that has the institutional knowledge to help support us in being successful. And then I don't know if that institutional knowledge exists within this council today to be able to help support us in Civic Club in being successful. And the other committee that I participate in is the Charter Committee, which is primarily residents driven but it's also supported by staff -- that legal support to help us be successful as well. So just as you're making those decisions, you're putting all these things on the agenda. Again I really appreciate how motivated you are to move things make things positive

for this community. I just ask you to take a step back to think, slow down a little bit. It's okay for you to take the time to really figure out what do we need to take a hold of and really drive and what do we need to leave in the hands of the residents or support them in? Thanks.

Mayor Wheeler: Thank you very much.

23. City Administrator's Comments (1:59:54)

Mayor Wheeler: Okay, we will move into item 23 which is city administrators' comments.

Mr. Smith: Council, I have just a couple. First one we had a great meeting with the University of Mary Hardin–Baylor today. Mayor, and Jennifer and I as well as Dr. Hines met with their president, athletic director, president's wife and the associate athletic director that actually helped directly put in the bid. We spent probably a good four hours with them at the launch as well at the actual stadium. I think it's exciting, the attitude that they have towards this championship is in direct line with the vision that the city had with that championship. And we are extremely excited with the working relationship.

I think Richard and Jennifer may be able to add if you have any specific questions on that, but we're quite a ways away from it and we are already starting the planning process to make it one of the best ever. They feel that, just like staff does and I think the council does, this is a chance. This is a great opportunity. For 25 years, it's been in the same city and we're going to be the first city they are at after that. So it was great to see the enthusiasm with the University of Mary Hardin–Baylor.

On another note, I was notified last night that we have been awarded the 2018 SCAC golf championship for next spring. We felt confident that we would get it and they actually want to-- Will be getting on a regular rotation with us. And they were also as an entire conference was excited that the Special Events Center legislation passed. Actually, many of you may or may not know that when Representative Keough came, he actually talked to the Commissioner of the SCAC and built a report and actually the Commissioner offered representative Keough that he would come back to Austin and help testify for that legislation. So he was excited to hear that the legislation passed.

So the only other thing I would like to say is our thoughts and prayers need to go over to our neighbors with Oak Ridge as all council. And I think most people here know Oak Ridge had an officer critically injured on I-45 two days ago. He is doing well, he's resting well and recovering from the hospital. Last time I talked to Vicky Rudy, I'm thinking that still the case, correct? So keep him in our thoughts and prayers and his family because he will have a long road ahead of him. And that is all I have.

Mayor Wheeler: Thank you, Greg.

24. Council's Inquiry

Mayor Wheeler: We'll move into item 24 which is councils' inquiry. Start with Councilman Raymaker.

Councilmember Raymaker: Start down there, because he started with me last time.

Mr. Smith: I'm sorry Council I've got two more things, I apologize. At your station, we put the pending agenda items for future on your station. Please let us know if we have missed anything and then we'll start going. The second one is the joint meeting schedule in the Doodle that everybody participated on and I can tell you that as of right now I believe Tuesday, October, excuse me,

Tuesday, August the 1st, everybody with the exception of one member from the MDD board can be present.

So it would be my recommendation that Council concurs that we will send out notification that we will have the joint meeting of the Planning and Zoning Commission, the MDD board and the City Council on Tuesday, August the 1st at 7:00 PM.

Councilmember McLeod: I am good with that.

Mr. Smith: Okay. Sorry for those last two.

Councilmember Bradt: First I'd seen this and I thought this was like an excellent way to do that.

Mr. Smith: Thank you.

Mayor Wheeler: So we'll be starting off with Councilman McLeod.

Councilmember McLeod: I'm good this time.

Mayor Wheeler: Okay. There you go. Councilman Bradt.

Councilmember Bradt: I am good. We need a dust pan and a broom, and clean up what we got.

Mayor Wheeler: Councilman Bevers.

Councilmember Bevers: No

Mayor Wheeler: Councilman Fletcher.

Councilmember Fletcher: I'm good as well.

Mayor Wheeler: Councilman Raymaker.

Councilmember Raymaker: I have several. The lot next to Sunningdale is seriously over grown. What can we do to encourage that non-Shenandoah property owner to do something about it?

Mr. Smith: We can certainly make friendly phone calls to ask them to address that but as a legal aspect there's absolutely nothing we can do but we will reach out to the property owner and see if we can't get some cleanup done on that lot.

Councilmember Raymaker: A county contact as well or?

Mr. Smith: Yes. We can also turn it over to the commissioner.

Councilmember Raymaker: I also had a citizen contact me about feeling it was a little difficult to sign up for the automated bill pay. Said well, I can do Entergy and I can do Centerpoint in five minutes but I have to do a whole lot of lifting to make it happen for my water bill. So could you just maybe just explain what the process is for that or we maybe can make that better?

Mr. Smith: I'll let Jennifer.

Ms. Calvert: It's a module built through Incode. They basically have to get on there and sign, create an account. I don't know, we can talk with them. I know that there's some updates coming through.

So we can talk with them to see if there's any updates coming through that will make the process a little bit easier and I can report back to you on that.

Councilmember Raymaker: Right now you have to send in a voided check or something or? That's what the resident was under the assumption.

Ms. Calvert: To create the account online?

Councilmember Raymaker: Yes.

Ms. Calvert: No.

Mr. Smith: I think there's two things. If you want it drafted from your account then yes, you do have to send in proof of your routing number and account number.

Ms. Calvert: But if you want to create the account online and just pay via credit card online you can do that.

Councilmember Bradt: No, he wanted--

Ms. Calvert: I'm sorry.

Councilmember Bradt: He wanted-

Ms. Calvert: Auto drafted?

Councilmember Bradt: Auto drafted, yes that is right.

Ms. Calvert: Yes, auto drafted you just-- There's a form that you can fill in and you just send an avoided check or deposit slip and we can get it created that way.

Councilmember Raymaker: And then for the for the credit card transaction fees --

Ms. Calvert: If they do it, there is no credit card transaction fee for residents.

Mr. Smith: So Council for the record, the Council adopted many years ago that we do not charge any credit card handling fee for residential utility bills.

Councilmember Raymaker: Also as we're going into budget workshop, I wanted to investigate the viability and options for reducing the Shenandoah ad valorem tax for residents especially totally exempting seniors, handicapped and disabled families with the goal of long term eliminating all the residential ad valorem taxes for the City of Shenandoah. Just to check into the viability and how we might go about doing that.

Councilmember Bradt: We have to still...we'd have to still maintain our sinking and interest fund.

Councilmember Raymaker: It just for a discussion also to get on the future again or at the budget-

Councilmember McLeod: Budget workshop.

Councilmember Raymaker: Also came up in the process of putting out agenda items. At least to me, it came across as a misconception that we have to do these items up here now rather than having an email format. That's not true.

Mayor Wheeler: No, that is true, that wasn't a misconception, you're correct.

Councilmember Raymaker: I didn't understand that to be that way because now we're 14 days ahead and this council voted down 10 days in advance as being too difficult for staff to do.

Mayor Wheeler: Not 14 days in terms of getting an agenda packet out. We're talking about 14 days in terms of if you want to put an agenda item, then yes and your only reason why is because it gives everybody the opportunity in open council to number one, second if someone else wants to have an agenda item. Number two, we're all aware of what each other is putting on the agenda so that we don't have multiple email requests from multiple council members that are stacking up agenda items on the agenda.

Councilmember Raymaker: Yes and I would request that we still be allowed to send that. But if you want to have the cutoff being the close of business Monday after we have the weekend to reach out and touch base with our constituents, I think that would be a workable solution. But to have to come up with them right here now and have planned them out before doesn't give me any chance to present anything that would be from any feedback that I got from the citizens.

Mayor Wheeler: Well, I guess my I guess my thought process on that is you're getting feedback over the last two weeks and then when you come to council, this meeting then you're presenting what you would like to see on a future agenda.

Councilmember Raymaker: To me, it's too limiting. So if we can make that an agenda topic so we can openly discuss this and decide how we would rather do it rather than just kind of coming across.

Mayor Wheeler: We can discuss it, and I'm open to discussing it. I'm not trying to run control up here, but at the end of the day the agenda is the 'mayor's to manage', so to speak. That's all I'm trying to do because I'm trying to keep them from having 30-35 agenda items on there.

Councilmember Raymaker: Yes, I understand that you're trying to do that, I'm just thinking that to have to come up with them right here now, perhaps out of something that came out of this meeting is perhaps too aggressive.

Mayor Wheeler: Okay. I appreciate your viewpoint on that.

Councilmember Bevers: I'd be up for talking about that in the future.

Mayor Wheeler: Okay, we can certainly have a discussion about it.

Councilmember Raymaker: Also, I would like to still get the resolution out there for those three way stop signs at Wellman and Grogan's Mill, and the south on-- Heading south on Grogan's Mill onto Research. At least come up with a resolution if there's a study that has to take place after that. I think that we can still follow up, perhaps it's making the request and the county's going to run the study. I don't know, just to let them know that we have an issue that I'd rather not wait for. Say us to do a study or for us to pay to do that study.

Mr. Smith: Ron, as it stands right now, I'm drafting a letter, it is being signed by the mayor since it was an elected body decision requesting that study be done. As well, we have reached out and have attended to the meeting set up with Commissioner Noack in The Woodlands Township on the other intersection improvement that you were requesting. I believe that meeting is set for August 1st as well. We have worked on both of those since the intersection at Grogan's and Research is in dual jurisdictions, we felt it was better to try to have a face to face instead of just blindly sending a resolution.

If you want a resolution, we could certainly bring both of those back up, but both of those issues are being addressed as the council requested. If you want to do a resolution, I have no problems drafting up a resolution.

Mayor Wheeler: I do a little bit, actually. I can tell you from personal experience just over the last couple of days at visiting with Commissioner Noack, he's not going to respond, I don't think very well, to a strongly worded resolution as opposed to going to sit down and have a conversation with him. He's a very down to earth level-headed guy, you need to sit in front of him and have a conversation. I think sending a resolution, we're going to start it off on a bad foot.

Councilmember Raymaker: Are you taking point on that?

Mayor Wheeler: Yes, I'm going to be at that meeting he's talking about.

Councilmember Raymaker: Then lastly, this'll also be for the budget workshop, but just so that we have it accounted for. We'd be creating an RFP for HR consulting services to find the best practices for the city.

Mr. Smith: That's no problem, put it on the agenda for specifically to discuss for the budget workshop. Kathie and I are working on creating the budget workshop agenda. We will send that draft agenda out hopefully middle of next week. Listing out all the items so we make sure we capture everything that council wants to discuss, and give us plenty of time to get agenda items, make sure everybody knows what we're talking about.

Mayor Wheeler: Perfect. Nothing else?

Councilmember Raymaker: And lastly, I have nothing else.

Mayor Wheeler: Okay. Well, the only thing I have is once again I appreciate all the residents coming tonight, appreciate your comments, their insistence for them. We're going to get these meetings shorter, folks, I promise. We're going to get them pared down a little bit where we can get you the information as quickly as possible and get you back home. I think once we get through budget workshop, that'll help a bunch. Want to recognize former Councilman Houston, appreciate you being here tonight. I saw former Councilmen Teague and Frazier. Two former mayors, Mayor Watts and we had Mayor Stevens. Good turnout, I really appreciate you folks coming, and appreciate your comments.

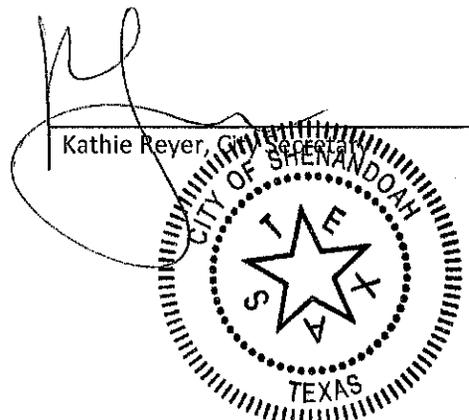
EXECUTIVE SESSION (2:14:57)

Mayor Wheeler: At this time we're going to move into executive session, matters regarding litigation, and we well adjourn the regular session at what time do we have here, we have 9:44.

Mayor Wheeler: Okay. We resume the regular meeting at 10:37. For the record, no action was taken in executive session. At this point we will adjourn. Good night, folks.

The meeting was adjourned at 10:37pm.

SUBMITTED BY:



DATE APPROVED:

August 23, 2017

A handwritten signature of Mr. Ritchey Wheeler is written over a horizontal line. Below the signature, the text "Mr. Ritchey Wheeler, Mayor" is printed.