

The Public Hearing of December 22, 2015 was called to order at 6:00 p.m.

MAYOR

Ron Reinhard

OTHERS

Chief David Bejar

Chris Mikel

Don Darst

Tom Haberman

Ed Scharf

Tom Crick

Kyle Cunningham

COUNCILMEMBERS

Lou Hoffman

Don Nettle

Jennifer Nottingham

Mitch Thornton

Lynn Tiner

Mayor Reinhard declared a quorum with all Councilmember's present.

PUBLIC HEARING

THE CITY OF GREY FOREST, CITY COUNCIL SERVING AS THE PLANNING AND ZONING COMMISSION WILL PRESENT ADOPTION OF A PROPOSED AMENDMENT TO ZONING ORDINANCE NO. 45B THAT ESTABLISHES THE CITY INTO TWO DISTRICTS FOR THE PURPOSE OF ZONING AND CLASSIFYING ALL LAND WITHIN THE CORPORATE LIMITS AS SINGLE FAMILY DWELLING AND PROVIDING FOR A PENALTY. ALL INTERESTED PARTIES WILL BE GIVEN THE RIGHT TO APPEAR AND BE HEARD ON THE ADOPTION OF THE PROPOSED AMENDMENT TO ZONING ORDINANCE NO. 45B

Mayor Reinhard called the Public Hearing to order at 6:02 p.m. He stated the Public Hearing is to consider amendments to Ordinance No. 45B that regulates zoning. Ordinance No. 45B was last modified in 2004. Copies are available for citizens to review. Any amendments to the Zoning Ordinance require a Public Hearing. The Public Hearing is a time for members of the public to express any thoughts and/or concerns. Mayor Reinhard stated he would like to open the floor to those present for public comments. Don Darst stated he read the Amendment to Ordinance No. 45B and would like to commend Council for working hard on this for such a long period of time. Don Darst stated one of the things he really likes about the amendment is the City bringing the Districts into similar compliance with setbacks and other regulations allowing smaller properties to make improvements. This is going to encourage smaller lots to follow the permit process and be compliant with City regulations. Additionally, he likes the lighting requirements and impervious coverage requirements. Don Darst stated these are good changes and thanked Council for their hard work. Councilmember Nottingham stated she would like to also thank and credit Don Darst, as a lot of the ideas and wording in the amended ordinance came from Don Darst when he was in office. Mayor Reinhard stated the foundation is from what Don Darst put together and Council added to it. Mayor Reinhard stated Council has had several Workshops and long discussions on the amendment. He asked Council for comments. Councilmember Nottingham stated she is concerned with development on the east side of the City, District A, on the smaller lots. She's mentioned before that Council should consider putting something in place to control the lot sizes in the ETJ. There was no further Council or citizen comments.

Mayor Reinhard adjourned the Public Hearing at 6:12 p.m.

REGULAR COUNCIL MEETING

Mayor Reinhard called the Regular Council Meeting to order at 6:12 p.m.

APPROVAL OF MINUTES

The minutes of the October 27, 2015 Regular Council Meeting were reviewed. Councilmember Hoffman stated on Page 2, under Council/Staff Announcement, 2nd paragraph, 8 lines down, the first sentence where it states "retreats", the record should reflect "re-treats". In addition, same line second sentence, the word "retreat", you can leave off the "re" and have the record reflect just "treat". The motion to approve the minutes as amended was made by Councilmember Nottingham, seconded by Councilmember Hoffman and passed unanimously.

PRESENTATIONS BY CITIZENS AND VISITORS

None.

MAYOR ANNOUNCEMENTS/FINANCIAL REPORTS

Mayor Reinhard reviewed the Monthly Financials. He stated expenses are in line with where they should be. We're ahead on income as we've received the first of two payments from GFU which is the majority of our income. He doesn't see anything out of line. There will be a budget discussion later in the meeting for the Madla Park and SLPC Operations Line Items.

COUNCIL/STAFF ANNOUNCEMENTS

Councilmember Nottingham stated she doesn't have any updates for the Madla Board. There's a Board Meeting this coming Sunday at 6:00 p.m. It's open to the public and everyone is welcome. Chief Bejar stated the Madla cottage had a window broken. It looks like someone used a sling shot to throw a small rock through the window. Storms Duthie was notified and had the window fixed. The modem for the park cameras went out and was replaced. The gate to the Scenic Loop Road entrance had to be fixed at least three times. Someone is taking the gate off the hinge. Chief Bejar stated they are going to put a game camera in that area to try and see who's doing it.

POLICE DEPARTMENT ACTIVITY REPORT

Chief Bejar reviewed the November 2015 Monthly Activity Report. There were 104 calls for service, 925 hours worked, 4985 miles driven, 53 traffic stops, 38 summons issued, 1 arrest and 21 warnings issued. Chief Bejar stated he would like to brief Council on activity the Police Department has had over the past week and a half. Chief Bejar stated someone who they believe lives just outside the City, has been contacting prostitutes through a website. The Police Department had three incidents where a prostitute and her escort/pimp were found by Officer Ambriz. One incident they found the escort/pimp in the truck of the car with a loaded pistol. They are looking into filing on him for unlawfully carrying a weapon. A couple nights later, a car was stopped with a male that's on parole for narcotic violations and a female that has a felony warrant for an escape out of a Colorado facility. The female was arrested and the male was escorted out of town. The following night, a car was stopped again with a male and female. They had narcotic paraphernalia and the male had a fake pistol. The paraphernalia was confiscated. They admitted to being in communication with someone in the area through the internet. Chief Bejar stated the next day the Police Department contacted the individual they suspected is communicating with these individuals and he denied it. They expressed their concern to this individual and there hasn't been any activity since then. Chief Bejar stated he would like to credit Officer Ambriz for being aware and catching the activity. Chief Bejar stated an individual that had just robbed a bank was spotted in the City. We were able to catch him off of Babcock Road and hold him until San Antonio got there.

PUBLIC WORKS ANNOUNCEMENTS

Chris Mikel reviewed the November 2015 Monthly Activity Report. Public Works continues to work on tree trimming, road work, mowing/weedeating, citizen's brush chipping, animal control and regular upkeep of the City/Madla Park. Public Works along with the assistance of Matt Galvan, cut up a large Cypress Tree in twelve foot that several citizens were concerned about. It was over 40 feet long and was wedged in the creek. The stump was probably 60 inches or more in diameter and is still there.

GFU UTILITY ANNOUNCEMENTS

Mayor Reinhard stated the utility continues to do well and operations are good.

FIRE DEPARTMENT REPORT

Mayor Reinhard stated the Fire Department Report has been provided. He stated there's no one present this evening but there were seven calls in the City for the month of November 2015, three EMS and four other than EMS.

NEW BUSINESS:

None.

UNFINISHED BUSINESS:

1. DISCUSS AND ACT ON AMENDMENT TO ZONING ORDINANCE NO. 45B ESTABLISHING THE CITY INTO TWO DISTRICTS FOR THE PURPOSE OF ZONING AND CLASSIFYING ALL LAND WITHIN THE CORPORATE LIMITS AS SINGE FAMILY DWELLING AND PROVIDING FOR A PENALTY

Mayor Reinhard stated a Public Hearing was held earlier this evening on proposed Amendments to Zoning Ordinance No. 45B. The Public Hearing is for members of the public to express any thoughts and/or concerns. Mayor Reinhard stated once the ordinance is amended, it will be sent to Franklin Legal Publishing to be included in the Code of Ordinances. The motion to accept Amendment to Zoning Ordinance No. 45B and adopt as written was made by Councilmember Nottingham, seconded by Councilmember Tiner and passed unanimously.

2. DISCUSS AND ACT ON AMENDMENT TO ORDINANCE NO. 164 PROTECTING THE PUBLIC HEALTH AND PROMOTING THE PUBLIC WELFARE BY ESTABLISHING RULES AND REGULATIONS REGARDING OAK WILT AND PROVIDING FOR FINES FOR VIOLATION UPON CONVICTION

Mayor Reinhard stated Amended Ordinance No. 164 establishes rules and regulation regarding Oak Wilt. This ordinance was updated a couple of months ago but in reviewing it, Laurie Hawkins along with input from our Municipal Judge, is recommending a couple of additional minor changes. Mayor Reinhard stated the recommendation is under Section B(5), Trimming prohibited during certain months be extended to the last day of June. In addition, Section C(1) Penalty, add any "property owner" that allows a person or business to provide services and fails to perform as described in Paragraph B, Scope, shall be punished by a fine. The motion to approve Amended Ordinance No. 164 was made by Councilmember Nottingham, seconded by Councilmember Thornton and passed unanimously.

3. DISCUSS AND ACT ON AMENDMENT TO ORDINANCE NO. 216 PROHIBITING THROUGH TRUCK TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF GREY FOREST

Mayor Reinhard stated Ordinance No. 216 Prohibiting Through Truck Traffic was passed at the November Council Meeting. The Municipal Judge who enforces the regulations had some concerns with the language and wanted to run it by our City Attorney. Mayor Reinhard stated with review by our City Attorney and the Municipal Judge, they recommended changing the ordinance to reference heavy trucks. Heavy trucks are defined as a gross vehicle weight in excess of 26,000 pounds. The light truck definition was removed. They added a Proof of Destination clause where a written verification must be provided. The Prohibition clause was added giving clarity that no person shall operate heavy trucks on any municipal street. The Penalty Provision added a provision on the mental state, whether intentionally, knowingly, recklessly or with criminal negligence. Mayor Reinhard stated the Municipal Judge has some concerns regarding providing an alternate route as you can't impede commerce without giving an alternate route. The Municipal Judge will continue to look into this but feels if the recommended changes are made, he will be able to enforcement the ordinance. Mayor Reinhard stated our City Attorney didn't look into the commerce side of this but feels based on traffic, the ordinance is enforceable if the provided recommendations are made. There was further discussion on enforcement of the proposed ordinance. Mayor Reinhard stated if Council is in agreement with the recommended changes, he recommends Council pass the ordinance; publish it and we move forward putting the specifics in place. Chief Bejar will continue to work with TXDOT and Bexar County on the appropriate wording for the signs and locations giving notice to the trucks to turn around. The motion to adopt Ordinance No. 216 Prohibiting Through Truck Traffic as amended was made by Councilmember Hoffman, seconded by Councilmember Nettle and passed unanimously.

4. DISCUSS AND ACT ON LEASE WITH EMERGENCY SERVICES DISTRICT NO. 8

Mayor Reinhard stated they've been working on the proposed Lease Agreement with Emergency Services District 8 for awhile now. The Lease Agreement is for ninety-nine years with rental of \$100 per year. Lessee has the option to extend the lease for an extended term of fifty years. Improvements and maintenance of their improvements will be at the cost of ESD No. 8. The Health and Safety Code states they technically own those improvements however there are provisions if

the lease terminates, we can negotiate the sale, purchase, transfer or they could grant the improvements to the City. There was discussion on what would happen if ESD No. 8 ceased to exist. Mayor Reinhard stated he believes Section 775 has a cease to exist clause that it would fall under. Mayor Reinhard stated the Lessee is responsible for routine maintenance and repair on the existing building. However, if there is Capital Maintenance, Replacement and Repairs over \$4,000 on the existing building, it's the City's responsibility, as Lessor to handle the replacement. Mayor Reinhard stated the use of the building is solely for the furtherance of its purposes as an Emergency Services District. Lessee may at its own cost, install equipment and fixtures. Lessee is solely responsible for operations and costs arising out of the use of the premises including liability, casualty and other appropriate insurance. The City will insure the existing structure only. Section 5.2 Capital Maintenance was readdressed. There was discussion on Capital Maintenance in excess of \$4,000 and there being no adjustment for inflation. The \$4,000 threshold right now might be significant but with inflation over ninety-nine years and possibly an additional 50 years, that \$4,000 in ninety-nine years isn't going to buy much. Council agreed they would like to further address Section 5.2 for an inflation adjustment. Mayor Reinhard stated he will bring Section 5.2, Capital Maintenance back to our City Attorney to address. .

5. DISCUSS AND ACT ON BUDGET AMENDMENTS FOR MADLA PARK AND SLPC OPERATIONS

Mayor Reinhard stated when the budget is prepared each year, restricted funds are accounted for separately as they must be used for specific items. This allows the money to be available for only that expense account. When the budget was prepared and approved, the Madla Park funds were not broken out and should've been. The expense line only included what the Madla Park Board estimated their expenses to be and didn't include the projected income or the existing bank balance. Mayor Reinhard stated the amendment includes funds that are currently on hand and the projected income. The expense line item then reflects that balance. Councilmember Nottingham stated the Madla Board is looking for transparency. Mayor Reinhard stated all the restricted fund accounts should be handled the same way. The accounting needs to be consistent. Mayor Reinhard stated in addition, Scenic Loop Playground (SLP) Community funds will be handled as restricted funds. At the time the budget was approved, we didn't know what to budget. One of the things the Scenic Loop Playground Club (SLPC) has done is given the City \$7,000 to be applied as restricted income towards the cost of a new roof on the Clubhouse. In addition, looking at last year's rental income, we're projecting \$1,200 in rentals. The amendment includes the projected income. Expenses include the projected income plus \$20,000 in the approved City budget. The motion to approve the Amended Fiscal Year Budget for October 1, 2015 to September 30, 2016 as presented was made by Councilmember Thornton, seconded by Councilmember Nettle and passed unanimously.

6. DISCUSS STATUS OF ESTABLISHING THE SCENIC LOOP PLAYGROUND (SLP) COMMUNITY BOARD

Mayor Reinhard stated he wrote a letter that was sent out to citizens informing them of the transition with SLPC. He complimented City Council and the SLPC Board for working closely together. The letter asked citizens interested in serving on the Scenic Loop Playground (SLP) Community Advisory Board to submit a resume/letter of interest. After the letter was mailed, he realized there was not a deadline for submittals. After the holidays, he would like to place on the marquee a deadline of January 15th. After the resumes are received, he will form a small sub-committee to review the resumes and bring a proposed recommendation back to Council for consideration. We've received three resumes so far. Mayor Reinhard stated the Council Representative also needs to be appointed. He received interest from a couple Councilmember's. This will be a Council decision. Mayor Reinhard stated he hopes to get this done by the January Council Meeting so the Board can be appointed and begin working on things.

7. DISCUSS AND ACT ON SCENIC LOOP PLAYGROUND (SLP) COMMUNITY BUILDING REPAIRS

Mayor Reinhard stated it was previously discussed that the roof on the Scenic Loop Playground (SLP) Community Clubhouse needs to be repaired. Scenic Loop Playground Club (SLPC) Board had some quotes prior to the transition with the City. Lumber is being donated by Braundera. He's asked for updated quotes for a standing seam roof. SLPC Board has already provided \$7,000 towards the replacement of the roof. Mayor Reinhard stated depending on when the quotes are received, Council may want to get together for a Special Council Meeting to get this moving. There was discussion of authorizing the Mayor to make the decision if the cost doesn't exceed a certain dollar amount. The motion to authorize the Mayor to move forward with a roof contract when quotes are received in an amount not to exceed

\$15,000 was made by Councilmember Nottingham. The motion was seconded by Councilmember Tiner and passed with 3 YES and 2 OPPOSED by Councilmember Thornton and Councilmember Hoffman. Councilmember Hoffman stated his reason for opposing the motion is if we're looking at getting the SLP Community Advisory Board up and running by mid January, he would like to have the Board involved in the first improvement project. Mayor Reinhard stated if the quotes exceed \$15,000 or he has any questions on the quotes, he will bring this item back to Council.

8. DISCUSS UPDATE ON DEER AND OTHER WILD ANIMAL CITIZEN CONCERNS

Mayor Reinhard stated Councilmember Hoffman has provided an article on managing overabundant deer. Councilmember Hoffman stated Susan Beavin provided him a contact of an individual who is knowledgeable in this filed. He was able to speak with an individual named Richard who is willing to come out and speak with Council regarding management of the deer population. Richard expressed Council may want to consider a Closed Session since this subject can be controversial. Mayor Reinhard stated management of deer and wildlife in the area would not qualify for a Closed Session. Councilmember Hoffman stated he doesn't want to eradicate the deer but thinks we have a problem. Councilmember Hoffman stated if Council would like, he can contact Richard again and let him know Council can't hold a Closed Session but is interested in him coming out to speak with the citizens on wildlife in small communities. Councilmember Nottingham stated Richard is well versed in coyotes also. She'd also like to see the pigs addressed. Councilmember Hoffman stated he will contact Richard and see if it's something he's interested in doing. He got the impression that Richard wanted the initial discussion to be with City Council.

There was no further discussion. Mayor Reinhard adjourned the Regular Council Meeting at 8:16 p.m.

These minutes were written/recorded by Shawwan Kinsley.

These minutes were approved as written/~~amended~~ on the 23 day of February, 2016.

Signed: Ronald G. Reinhard
Ronald G. Reinhard, Mayor