

The Workshop Meeting of March 22, 2016 was called to order at 6:00 p.m.

**MAYOR**

Ron Reinhard

**COUNCILMEMBERS**

Lou Hoffman

Don Nettle

Jennifer Nottingham

Mitch Thornton

Lynn Tiner

**OTHERS**

Chief David Bejar

Chris Mikel

Susan Beavin

Gigi Duke

Susan Darst

Marjorie Mautz

Laura Chaffee

Madeline McCloskey

Steve Cook

L. David Givler

John Chaffee

Andy Vyverman

Bonnie Vyverman

Sue Peavy

Mark Peavy

Brenda Reinhard

Ted Coulter

Barbara Coulter

Dana Jacobson

Kay McCloskey

Mandie Waldrop

Freda Hoffman

Don Reddout

Tom Haberman

Kathy Waldrop

Phil Howard

Jerry Dobbs

Murry Hughey

The March 22, 2016 Workshop Meeting was called to order at 6:00 p.m.

Mayor Reinhard declared a quorum with all Councilmembers present. City Engineer, David Givler is present this evening to discuss the Street Survey performed. We have approximately \$55,000 in the budget this year for road repairs. In addition, we need to begin planning for next year. He asked David Givler to give Council several scenarios based on what we have available this year and the needs noted in the survey. In addition, to start planning for next year, a recommendation on the immediate needs moving forward. David Givler stated the study was formed on the existing conditions of the streets and drainage. It involved taking core samples, drive/walk the streets, talk to City staff, residents and sent out a citizen questionnaire to make sure all perspectives were seen. The emphasis was on the streets. There's about six and a half miles of road and approximately six to seven million dollars' worth of capital improvements and repairs. It's a challenge to set priority when you're looking at repairs of six to seven million dollars on a \$50,000 to \$100,000 budget. With that being the reality of it, he would consider safety first. Maintenance and getting the longest life out of the streets and infrastructure would follow. Then you have the different issues people who live here have to work around. The study breaks the costs down by street. He's provided four scenarios based on a \$50,000 to \$100,000 budget. Scenario 1 is on a \$50,000 budget and emphasizes on safety issues. There's a dam downstream on Scenic Loop Road near Grey Moss Inn that collects debris and holds the water levels up contributing to flooding. It would be a significant safety enhancement if the dam was removed and drainage improved. The dam doesn't fall under TCEQ prevue, but it's always good to notify them of what you are doing. The dam is located in the FEMA Flood Plain and would need to be coordinated with San Antonio River Authority. Scenario 1 also includes stretches of repair on Bluebonnet and Sherwood Trail. Scenario 2 focuses on a \$50,000 budget on just streets. It includes repair from Hilltop Drive to Park and then Lakeshore Drive to Park. Scenario 3 is based on a \$100,000 budget. It emphasizes safety again with removal of the dam and repairs to Cedar Crest which has a stretch the fire engine can't make. Scenario 3 also includes repairs on an area receiving complaints on Lakeshore Drive. Scenario 4 is based on a \$100,000 budget. It focuses on just streets receiving a lot of complaints. It includes repairs to Requa Road and Sherwood Trail. David Givler stated because the City uses surface treatment to the streets, you don't see the typical failure patterns that you see on asphalt streets. Typically what he saw, is our streets are wearing down in places until the base is exposed. Once you get that far, the pavement needs to be cut and put back with a new surface. You need to seal it before it wears down and exposes the base. Some of the pavement was in good shape, but there was a lot of unaddressed cracks needing investment before it deteriorates. It's cheaper to care for a street that's in good shape, then to repair a street that's already cracked. You can double the life of a street with preventative treatment. There was discussion on using concrete versus asphalt. David Givler stated concrete is an approach the City can take but it's more expensive. The typical road life for asphalt is 20-25 years. Concrete you can easily get 50-75 years. There was discussion on the possibility of bike lanes. It was noted Council is not promoting bike lanes, only asking if they are even feasible. David Givler stated if that's something Council wants to pursue, it needs to be studied and consider working with the Regional Mobility Authority to get funding. Mayor Reinhard stated the next process would be for Council to form a plan. Walking the streets might be a helpful exercise. He thanked David Givler for the information and coming out.

Mayor Reinhard called a short recess at 6:45 p.m. The Regular Council Meeting of March 22, 2016 was called to order at 6:50 p.m.

**APPROVAL OF MINUTES**

The minutes of the January 26, 2016 Regular Council Meeting were reviewed. Councilmember Nettle stated on page 5, Agenda Item No. 7, three lines down, after the word "once", the word "get" should be removed. The same paragraph, seven lines down

towards the end of the sentence, the record should reflect “discussed” rather than “disused”. Councilmember Tiner stated on page 8, first paragraph, eight lines down, the record should reflect “can work with” moving over the word “with”. The motion to approve the January 26, 2016 Minutes as amended was made by Council member Nettle, seconded by Council member Thornton and passed unanimously.

Mayor Reinhard stated the February 23, 2016 Minutes will be reviewed at the next Council Meeting.

### **PRESENTATIONS BY CITIZENS AND VISITORS**

Mayor Reinhard stated this is an opportunity for citizens and visitors to address Council. Council can ask for clarification but no discussion. Because there’s a very long agenda, please keep it to a three minute presentation.

Mandy Waldrop stated she would like to applaud the Mayor and Council for passing an ordinance on no through truck traffic but would like to ask that Council not put aside the other part of the petition regarding stop signs. The cut through traffic inundating our City is largely ineffective. Stop signs are the only way to make Scenic Loop less convenient to commuters. It’s crucial to the safety of the citizens of Grey Forest that stop signs be placed at the three intersections mentioned in the petition. Stop signs will allow safe entry onto Scenic Loop Road and force commuters to acknowledge the speed limit change. Mandy Waldrop stated she asks that the Mayor and Council not deny the Scenic Loop Road neighbors the chance for peace and quiet enjoyed daily by others.

Freda Hoffman stated she would like to address the alcohol issue again. A lot of people continue to ask questions like where is this coming from, who wants it, how is this going to benefit the City. Alcohol hasn’t been allowed on club property since the existence of the club. She doesn’t understand, along with many other people, why change it. There’s a liability issue. Grey Forest is a family oriented town, how is alcohol going to fit in with that. We are now looking at an open carry policy. You can’t prohibit firearms on City property unless it’s City Council, voting or court. Someone could have alcohol and be carrying a firearm. The City has Ordinance 45B, Ordinance 215 and our Master Plan in effect that contradicts alcohol and what it could bring to our community. We need to focus on things like ADA compliant restrooms and designated handicapped parking. Freda Hoffman asks Council tonight to please take this off the table and put an ordinance in place that prohibits alcohol on City property.

Laura Chaffee stated she’s here tonight on the same issue but her side is that she’s tired of rumors and innuendos that go around the City. People don’t go to the meetings, don’t have the facts and spread rumors. The Board has on the rental agreement no alcohol. That’s how it stands right now. Why are citizens running around screaming about alcohol when the agreement already says, no alcohol. The Board decided to send out a survey to all citizens on what their priorities are for the Scenic Loop Playground property. Included in the survey is a questionnaire asking citizens if they think alcohol should be allowed point blank, with restrictions or completely prohibited. The Board decided whatever the citizens want, is what they will recommend to Council. She’s lived in Grey Forest since 1984 and has seen this happen over and over. People make phone calls, send out emails, don’t have the facts and stir up trouble. Laura Chaffee stated she was happy when she thought SLPC was going away, all its ever done is split the City.

Don Reddout stated he would like to handout some brochures. As some may know, he’s on the Board of the Trinity Glen Rose Groundwater Conservation District. This is a new brochure that they recently came out with. They also have a new webpage that’s been redesigned. It shows some of their accomplishments. They continue to educate and try to get people to conserve water.

Ted Coulter stated he too, would like to address the issue of alcohol. Unfortunately, he remembers a party at the clubhouse where alcohol was consumed. A citizen of Grey Forest came down and said they were being noisy, loud, and was corrupt. They were right. What that citizen didn’t realize, there were probably fifteen very drunk men, all carrying firearms without a license to carry. Ted Coulter stated he believes the issue is, if you allow alcohol anywhere in the City, what are the ramifications, who can get hurt and how bad it can get. The answer is it can get very bad.

Barbara Coulter stated she will pass.

Tom Haberman stated he would like to thank the Mayor and Council for passing the no through truck ordinance. He thanks each one of them for putting in the time to be on Council and for doing what they do. As long as he’s lived in this small town, it has been split up into three camps: SLPC, City and Volunteer Fire Department. He doesn’t understand why we have to be in three camps. Most of them have a vested interest in all three organizations and he doesn’t understand the rank of them. We’re now coming upon a new period with the talk of alcohol. This should come down to who’s going to run the club, the City or SLPC. The City owns the property. SLPC should continue to exist; he’s certainly still willing to pay dues and didn’t think SLPC was being eliminated when the land was given to the City. Tom Haberman stated on another topic, he thinks it’s a mistake to have citizen’s

comments at the beginning of the meeting and then later in the meeting, the topic is discussed. He would like to encourage Council to have some sort of an open discussion on any topic as they are considered.

Kathy Waldrop stated she agrees with a lot of what Tom and Laura said in that; she had certainly hoped to put behind us the differences between the City and SLPC. She urges Council to be mindful of the club and considerate to the feelings of the people who have worked for decades to protect the property. They continue to protect the property and she doesn't understand why those people are so obviously absent from the new City Board. She doesn't understand why there is question about how the Board was arrived at; it should be a fairly simple process. The way it was done, creates distinction and question in people's minds. That causes opinions and aggravation that perpetuates the problem we're trying to put behind us. She agrees with the concern of allowing alcohol. She's concerned for the safety of the citizens and that it will bring issues. Kathy Waldrop stated she would hope Council's judgment reflects these concerns.

Phil Howard stated he was President of a Homeowner's Association that allowed alcohol at their clubhouse. If you rented the clubhouse and were going to serve alcohol, you had to hire a Police Officer. He sees this no different than the City of San Antonio serving alcohol at the Convention Center. The clubhouse is an extension of your home. As for guns and alcohol, the concealed hand gun law states, you can't consume alcohol if you're carrying a weapon. If someone consumes alcohol and carries a weapon, they're breaking State Law. On traffic control, erecting stop signs creates additional traffic and increased congestion. When proceeding from the stop sign, you accelerate and create greater pollution. On restricting heavy duty trucks, he understands the concerns but you need to look at the bigger picture. You're either going to embrace change and help shape that change; or you're going to block everything and not have a say. You want to keep your friends happy. Phil Howard stated Bexar County has invested a lot of money leading up to Grey Forest, if we continue to push traffic away and not let them through, they'll end up using eminent domain.

#### **MAYOR ANNOUNCEMENTS/FINANCIAL REPORTS**

Mayor Reinhard reviewed the Monthly Financials. He stated they are in line with where they should be. Our City Auditor will present the annual audit later this evening. Mayor Reinhard stated he attends a meeting with Bexar County Judge, Nelson Wolff and Mayors from other Suburban Cities. They are trying to influence the SAWS Board to allow the Suburban Cities to nominate the Board of Trustee's as members of the 26 Bexar County Suburban Cities. There's an initiative going forward on anti-idling air quality. They are trying to educate people so that you're not running your engine when you have to. There's an Oak Wilt initiative to protect the trees and increase education. They are pushing for Bexar County to hire someone full time that will be dedicated to Oak Wilt.

Council member Hoffman asked Mayor Reinhard if there are any sub-committees pending. Mayor Reinhard stated there are no sub-committees pending.

#### **COUNCIL/STAFF ANNOUNCEMENTS**

None.

#### **SCENIC LOOP PLAYGROUND (SLP) COMMUNITY ADVISORY BOARD UPDATE**

Mayor Reinhard stated Laurie Hawkins is traveling this week and asked Councilmember Nottingham to provide a report. Council member Nottingham stated the Supervisory Board is requesting a name change to help differentiate the City Board from the SLPC Board. They are sending out an introductory letter to the entire Grey Forest Community. It includes a questionnaire to help the Board better understand what the community would like for the property. The letter should be going out this week. It's one of many public outreach efforts they are planning. They hope to get as much feedback as possible. They will be hosting an ice cream social at the clubhouse on May 15th at 3:00 p.m. Please come out to discuss the property and meet your neighbors. They continue to work on limiting the cities liability and work on the rules of operation. The meetings are Open Meetings held on the first Thursday of each month at 6:00 p.m. Everyone is welcome to attend. The meetings are normally held at the clubhouse unless there's a scheduling conflict.

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

Council member Nottingham stated the Madla Board is having a fundraiser on April 9<sup>th</sup> from 4-7 p.m. Tickets are \$75 or \$100 for a patron ticket. It's being held at Scenic Loop Cafe. George Veni is the cave guru and will be the featured speaker. There will be drinks, hors d'oeuvres and a silent auction. She would like to thank Brenda Reinhard for putting the silent auction together. They hope to see everyone there. They try to have a fundraiser at least every six months to be self-sufficient. Brenda Reinhard stated they've already received a lot of good, quality items and are still accepting donations. Council member Hoffman stated there are walls being stored at the Public Works building. He was told it's from a building that was taken down at Madla Park. If the walls do belong to Madla Park, do they have room to store it on that property. Susan Beavin stated it's the old historic building that was taken down. Councilmember Nottingham stated they will make every effort to do something with it. Council member Hoffman stated he's glad to report that the old police cruiser and a couple trucks near the Public Works building were finally removed. He was taken back by the conditions up the hill.

### **POLICE DEPARTMENT ACTIVITY REPORT**

Chief Bejar reviewed the February 2016 Monthly Activity Report. There were 62 calls for service, 953 hours worked, 4985 miles driven, 45 traffic stops, 39 summons issued and 10 warnings issues.

### **PUBLIC WORKS ANNOUNCEMENTS**

Chris Mikel reviewed the February 2016 Monthly Activity Report. Public Works continues to work on tree trimming, citizens brush chipping, road work, regular upkeep of the City/Madla Park and assisted with the prescribed burn at Madla Park. Council member Hoffman asked Chris Mikel how he gets electricity up at the Public Works building. Chris Mikel stated they use the generator. Council member Hoffman asked Chris Mikel how long has there been a sink and water heater at the building, but no water. Chris Mikel stated that's how it's been since he was hired. Murry Hughey stated it's been like that for about six years.

### **GFU UTILITY ANNOUNCEMENTS**

Mayor Reinhard stated the utility continues to do well. The wells are in good shape. The Annual Meeting is coming up and Council will be receiving invitations.

### **FIRE DEPARTMENT REPORT**

Don Reddout stated there was a total of five calls in the City for the month of February. One call was cancelled, two medical and two other than medical. The average response time was 5.5 minutes. Council member Hoffman asked Don Reddout why the Fire Department still has the old blue fire truck. Don Reddout stated they go back/forth whether to get rid of it. Council member Hoffman stated it concerns him as the driver side window is broken out. Additionally, they have vehicles up there that he understands are used for training. If you look at the sharp edges of some of the vehicles, he's concerned a kid will go up there and could get hurt. He asked if it's feasible for the ESD to build a protective fence for these types of things. Don Reddout stated they do use the vehicles for training. He can present the concern to the ESD at the next Board Meeting. In addition, he will see how soon he can get the vehicles removed.

### **NEW BUSINESS:**

#### **1. CONSIDER AND APPROVE RESOLUTION NO. 002-16 OF THANKS AND APPRECIATION TO SCENIC LOOP PLAYGROUND CLUB FOR A DONATION TO THE CITY**

Mayor Reinhard stated as part of the transition of property, Scenic Loop Playground Club recognized the roof on the clubhouse needed to be replaced and made a very generous donation of \$7,000 towards its repair. The City sincerely appreciates their generosity and would like to pass a resolution of thanks and appreciation. Councilmember Nottingham made the motion to approve Resolution No. 002-16 of thanks and appreciation to the Scenic Loop Playground Club for a donation of \$7,000 toward the replacement of the roof of the Scenic Loop Playground Community Club. The motion was seconded by Councilmember Tiner and passed unanimously.

**2. CONSIDER AND APPROVE RESOLUTION NO. 003-16 OF THANKS AND APPRECIATION TO JERRY DOBBS AND BRAUNDERA YARD & HARDWARE, INC. FOR A DONATION TO THE CITY**

Mayor Reinhard stated Jerry Dobbs and Braundera Yard & Hardware, Inc. donated all the lumber that was required for the roof replacement at the clubhouse. It was an extremely generous and thoughtful donation. We appreciate their donation and would like to pass a resolution of thanks and appreciation. Councilmember Thornton made the motion to approve Resolution No. 003-16 of thanks and appreciation to Jerry Dobbs and Braundera Yard & Hardware, Inc. for a donation of all lumber needed for the replacement of the roof of the Scenic Loop Playground Community Clubhouse. The motion was seconded by Councilmember Tiner and passed unanimously.

**3. DISCUSS AND ACT ON THE CITY OF GREY FOREST, TEXAS ANNUAL FINANCIAL REPORT WITH SUPPLEMENTARY INFORMATION FOR THE YEAR ENDED SEPTEMBER 30, 2015**

Steve Cook stated he's provided Council a Preliminary Report. The internal operations as far as processing receipts and payments is done well and very efficient. There's a good set of internal controls and the internal controls are executed. When he talks about internal controls, there's a procedure for the way you buy things, pay for things, sign checks and the way things are properly approved and recorded into the general ledger. Council receives financial reports at each Council Meeting and the numbers on those are good. More importantly, the City actually does what the internal controls ask you to do. There was no changes in the numbers and the City did a good job staying close to the budget. There was one accounting change on page 20 and 21, regarding employee's retirement program under TMRS. There was a rule that passed about two years ago that went into effect with this report. Essentially what it said is that most people that have pension funds, whether a municipality or not, are not reporting potential liabilities in their pension funds. What happens is you pay in your money, an actuarial calculates it and they come up with a number. The actuarial makes assumptions on inflation, return on the investment and those kinds of things. That's how they reach a number so there will be adequate funds when your employees retire. What's happened is, it's just a number and not even a real number. There's a fictitious fund out there and then the one where the real money is. They're not the same so the accounting people came in and said we really need to put that on the financial statements. What this means is that if some catastrophic event happened, your pension plan is upside down and it's a liability. The accounting powers have said we're required to report it and it can't be discussed. So what it does is zap your fund balance and that is not good. Your fund balance is your retained earnings, net worth and you want it to go up. He had to rewrite all the footnotes to be in compliance. All the numbers came from the actuarial. The footnotes for the pension are based on 2014. That's the right number. The actuarial information is a year behind. This is a generally accepted accounting principal requirement. Steve Cook stated again, the day to day operations are good. Good internal control. You have good adherence to the budget. It's always a pleasure coming out because things are neat and staff can always get their hands on the documents you ask for. Every year, he picks something out of the ordinary to do. This year, he's looking at computer systems and taking tours of the facilities. That has to do with liability. The City has backup procedures in place. Since computers do break, it's important to backup off site and the City does that. Secondly, he toured the facilities with Chris Mikel. You have to make sure what you're accounting for is really there. To be fiscally responsible, another thing you want to do is make sure that things are not in dire need of repair. He was very happy this evening to hear, Council is talking to the City Engineer about streets. Council member Thornton made the motion to approve the City of Grey Forest, Texas Annual Financial Report with Supplementary Information for the Year Ended September 30, 2015. The motion was seconded by Council member Nettle and passed unanimously.

**4. DISCUSS AND ACT ON CITY OF GREY FOREST CITY COUNCIL POLICIES, PROCEDURES AND RULES OF ORDER FOR CITY COUNCIL MEETINGS**

Mayor Reinhard stated over the past couple of years, Council has followed Roberts Rules of Order. What he did was take some of the existing Grey Forest policies, TML rulings and Rosenberg's Rules of Order which is specifically designed for parliamentary procedures to put together a Policy and Procedures Manual. He asked our City Attorney to verify it meets the Texas Local Government Code regulations. Mayor Reinhard stated Council member Hoffman has

provided recommended changes for Council to discuss. Recommendation; Section 2.2, Office of the Mayor Pro Tem. The existing policy states the Mayor Pro Tem will be rotated among all Council members. The proposed policy appoints the Mayor Pro Tem every year. Council member Hoffman stated he looks at this like training grounds. As we get more interest in the elections, we may see more personnel changes in the future. The existing policy allows a rotation for different Councilmembers to act and learn the position of Mayor Pro Tem. Mayor Reinhard stated the Mayor Pro Tem has signature authority so it would be difficult to rotate among all Council members. Additionally and more importantly, the Texas Local Government Code specifies that the Mayor Pro Tem's term is for one year. This change needs to be made to be in compliance with State Law. Recommendation; Section 3, City Council Meetings to add a statement that "Councilmembers should be cognizant of brevity, pertinence and conciseness with their discussions in order to not make the meeting laborious or boring for their constituents in attendance". Council consented to adding the recommendation but change the word "constituents" to "citizens". Recommendation; Section 3.4.2.1, Agenda Preparation to add a statement that "The Mayor is required to put on the agenda an item submitted by two or more Councilmembers". Council consented to adding this statement with the removal of "or more". You have to be careful not to have discussion by more than two Councilmembers, you risk the possibility of violating the Open Meetings Act. Recommendation; Section 3.4.2.1, Agenda Preparation to add the statement "All new or old business agenda items shall be listed as discuss and act or consider and approve. If after discussion no action is deemed necessary at that time or ever the item may be tabled pending further research which would result in its being re-listed in the future as old business, or a motion of no further action will be voted on". Council member Hoffman stated he requested this because he thinks it's a time waster when you put something on the agenda as discuss only. With this, you're in the position that you may or may not act on it. Council has worked on some ordinances for many years. Council consented to adding only the first sentence and dropping off the actions sentence because there could be many other actions taken that are not listed. Recommendation; Section 3.4.2.2(5), Agenda Contents to add "The Mayor will announce any pending or upcoming committees and their members". Council consented to this addition. Council member Nottingham asked why we continue to have a Fire Department Report, it belongs to the ESD. Council member Nettle stated he thinks it's a good idea to still have the Fire Department Report. It updates Council on all public safety issues in the City. Recommendation; Section 3.4.2.2(6), Agenda Contents to reflect "These items will only be discussion with action". Referring to the change made earlier under 3.4.2.1(3). Recommendation; Section 3.4.2.2(7), Agenda Contents to reflect "The items must be specifically described in the agenda and will only be discussion with action". Referring again to the change made earlier under 3.4.2.1(3). Mayor Reinhard asked City Attorney, Dana Jacobson if has any issues with the changes/additions discussed. Dana Jacobson stated he doesn't have a problem with them, its clarification and acceptable. Council member Nettle made the motion to approve the City of Grey Forest, City Council Policies, Procedures, and Rules of Order for City Meetings. The motion was seconded by Council member Thornton and passed unanimously.

#### **5. DISCUSS AND ACT ON CONTRACT FOR ELECTION SERVICES BETWEEN THE BEXAR COUNTY ELECTIONS ADMINISTRATOR ON BEHALF OF BEXAR COUNTY AND THE CITY OF GREY FOREST**

Mayor Reinhard stated Bexar County is in the processing of getting the contract to us. This item will carry over to the April Agenda.

#### **6. DISCUSS AND ACT ON APPOINTMENT OF AGENT DURING ELECTION PERIOD IN THE CITY SECRETARY'S ABSENCE TO PERFORM THE DUTIES PROVIDED BY CHAPTER 31, SECTION 31.22 TO MAINTAIN OFFICE HOURS OF ELECTION AUTHORITY**

Mayor Reinhard stated every year during the election period, there are mandatory office hours required by the City Secretary. The office must be open for a minimum of three hours per day during regular business. Situations can happen where the City Secretary is unable to make it in. We are requesting to appoint Belinda McCall as agent during the election period should we run into that situation and she can be a backup. Council member Tiner made the motion to appoint Belinda McCall as Agent during the election period in the City Secretary's absence to perform the duties

provided by Chapter 31, Section 31.22 to maintain office hours of election authority. The motion was seconded by Council member Nottingham and passed unanimously.

#### **7. DISCUSS AND ACT ON SETTING DATE FOR ANNUAL JUNK DAY**

Chris Mikel stated he was looking at scheduling Annual Junk Day for Saturday, May 14<sup>th</sup>. It was discussed that there are no special events or holidays that weekend. The motion to schedule the City of Grey Forest Annual Junk Day for May 14<sup>th</sup> beginning at 8:00 a.m. was made by Council member Hoffman, seconded by Council member Nottingham and passed with 4 YES and Councilmember Thornton not voting as he stepped out for a minute.

#### **8. DISCUSS AND ACT ON EMPLOYEE HANDBOOK FOR THE CITY OF GREY FOREST**

Mayor Reinhard stated as discussed at the last Council Meeting, the City needs an Employee Handbook that states the policies on how employment is handled. He would like to thank Barbara and Ted Coulter for their contribution and for working closely with him to put this together. He incorporated many of their recommendations into the handbook. We may have to amend the handbook in the future to add a dispute resolution policy. He didn't have enough time to get that done. He's reviewed it carefully with SWBC and they are perfectly comfortable with what's being presented. The vacation policy in the handbook was changed so that upon leaving the City, vacation time is payable for accrued time if a two week notice is given. If you are terminated with cause, the vacation time is not payable. Sick leave is not paid upon termination for any reason. The handbook presently doesn't have an index. It's going to take time put the index together. Mayor Reinhard stated if Council is willing to allow him to add the index to the handbook with no content change, he will put the index together and add it when completed. Council member Hoffman made the motion to accept the Employee Handbook for the City of Grey Forest in its current form and to allow the Mayor to add an index with no content change. The motion was seconded by Council member Nettle and passed unanimously with all Council members present.

#### **9. DISCUSS AND ACT ON AMENDING ORDINANCE NO. 215 TO CHANGE THE REFERENCES FOR THE "SCENIC LOOP PLAYGROUND COMMUNITY" TO THE "GREY FOREST COMMUNITY" WITH THE SUPERVISORY BOARD HENCEFORTH TO BE REFERRED TO AS THE "GREY FOREST COMMUNITY BOARD"**

Mayor Reinhard stated there's been discussion that it's very confusing to differentiate the Boards when referencing the Scenic Loop Playground Community Board and the SLPC Board. The City Board has requested to change the name from "Scenic Loop Playground Community" to the "Grey Forest Community" to keep that distinction. This is the only change made to the ordinance. Council member Nottingham made the motion to Amend Ordinance No. 215 to change the references for the "Scenic Loop Playground Community" to the "Grey Forest Community" with the Supervisory Board henceforth to be referred to as the "Grey Forest Community Board". The motion was seconded by Council member Hoffman and passed unanimously.

#### **10. DISCUSS AND ACT ON BOARDMEMBER APPOINTMENTS AND REAPPOINTMENTS TO THE SENATOR FRANK L. MADLA, JR. NATURAL AREA BOARD OF DIRECTORS**

Mayor Reinhard stated there's several action items needed on this. Frank Madla resigned from the Madla Board in February due to professional commitments he has to focus on. Although he still plans to be very active with the Madla Park, he won't be able to make the Board Meetings. The Board will make a recommendation to Council this evening to fill that position. Mayor Reinhard explained that when the Madla Board was created, Council appointed a very good Board, all volunteers and community minded. Once the Madla Park opened and they transitioned into the maintenance of the park, the Board should have been reappointed every June. The Board is appointed in cycles and reappointment was not done. There's several action items to address. All the current Board members with the exception of Frank Madla, are interested and willing to continue serving on the Board. The Board is recommending reappointment of these Board members so they will have a valid Board. Mayor Reinhard stated we want to make sure this doesn't happen

again. He's working on putting administrative controls in place so we know on a monthly basis what needs to be addressed, appointed, etc. Typically, if a Board member is interested in continuing to serve on a Board, it's recommended to Council that they be reappointed. The Board of Adjustment is handled in this fashion. Council member Hoffman stated he would like to see mechanics put in place that would make an announcement of an available or open position. He's optimistic that we're seeing a lot more energy and interest in the community. Interested candidates should be given an opportunity and Council should be made aware of the interest. Mayor Reinhard stated he would recommend that Council consider the Madla Board's recommendation this evening. They would then have a valid Board. Ordinance No. 180 could be amended in the future to include a process where interested parties are solicited. The reappointments this evening would be for three terms expiring in 2017 and three expiring in 2018. Terms expiring June 1, 2017 are Susan Beavin, Kyle Cunningham and Storms Duthie. Council member Thornton made the motion to reappoint Susan Beavin, Kyle Cunningham and Storms Duthie to serve on the Madla Board with terms expiring June 1, 2017. The motion was seconded by Council member Tiner and passed unanimously. Terms expiring June 1, 2018 are Don Darst and Ron Green. Council member Nettle made the motion to reappoint Don Darst and Ron Green to serve on the Madla Board with terms expiring June 1, 2018. The motion was seconded by Council member Thornton and passed unanimously. Mayor Reinhard stated the language in the ordinance is a little ambiguous for the Council Board position. It's not clear if that position needs to be reappointed every year. Councilmember Nottingham currently holds that position and will continue to serve. Council may want to look at amending the ordinance in the future to be clearer. Mayor Reinhard stated Frank Madla resigned and the Board received an interested candidate, John Chaffee. He's been a resident of Grey Forest for more than 30 years. Participating in the community as a former member of City Council and volunteering at the Madla Park work days. He's provided his skills as a photographer to promote the beauty of the Madla Park, as well as being the webmaster of the MadlaPark.org website. Mayor Reinhard stated the Board feels John Chaffee would be a valuable addition to the Board and recommends Council appoint him to fill Frank Madla's open position with a term expiring June 1, 2018. Council member Hoffman asked why Ordinance No. 180 creating the Madla Board has seven Board members and the Grey Forest Community Board only has five. Mayor Reinhard stated it's the way the Board was set up at the time. It was approximately a 1.2 million dollar project. Because the property was outside the City, Council felt at least one Board member should be from outside the City and it's just the way the Board was formed. When the Grey Forest Community Board was established, there was discussion on seven versus five Board members and most people wanted a smaller Board. Council member Nettle made the motion to appoint John Chaffee to serve on the Madla Board with a term expiring June 1, 2018. The motion was seconded by Council member Tiner and passed unanimously.

#### **11. DISCUSS AND ACT ON SETTING A DATE FOR A WORKSHOP TO REVIEW THE CITY OF GREY FOREST CODE OF ORDINANCES**

Mayor Reinhard stated we have been working with Franklin Legal Publishing to develop a Code of Ordinances for the City. It's quite lengthy and as mentioned earlier, there are some things out of date that need to be corrected. He had a few questions for Franklin Legal Publishing on the process to continue maintaining the Code. They advised him the longer you wait and more changes you make, it's harder to finalize. Council member Nottingham has made a recommendation on trying to get it reviewed over the next four months. Council member Nottingham stated her reason for spreading it out like this was to try and review it at the Council Meetings, instead of one long Workshop. Mayor Reinhard stated we will carry this over to the next Council Meeting as recommended.

#### **12. DISCUSS A QUESTION REGARDING THE ADVISORY COMMITTEE RECOMMENDING THE SLP COMMUNITY BOARD BOARDMEMBER CANDIDATES FOR CITY COUNCIL ACTION IN RELATION TO THE TEXAS OPEN MEETINGS ACT**

Mayor Reinhard stated there were allegations that the City violated the Texas Opening Meetings Act in relation to the committee that made recommendation for Board appointment to the SLP Community Board. Council passed an ordinance in December that is very specific in how Board member candidates would be solicited. The ordinance states

the Mayor is to solicit resumes. The Mayor shall select two City Council members to serve with the Mayor as a committee to recommend to Council, four candidate Board members from the submitted resumes. The committee will make a recommendation for the initial four candidate Board members to City Council at a Regular City Council Meeting. City Council will vote on the appointment of each candidate Board member. If City Council does not approve the appointment of a candidate, then the committee will submit another candidate from the submitted resumes until all four positions are appointed. Mayor Reinhard stated on January 17, 2016, he requested Council member Thornton and Council member Tiner be on the advisory committee to review the resumes and make a recommendation to City Council in compliance with Ordinance No. 215, Section 2.4(c)(2). On January 24, 2016 the committee met. The advisory committee did not constitute a quorum and the meeting was not posted as an Open Meeting. At the January 26, 2016 Regular City Council Meeting, the advisory committee submitted to City Council their recommendation. It was clearly stated that this is a recommendation for appointment. City Council is the body that will consider and make the Board member appointments. Council could approve or not approve any of the recommended candidates. City Council voted in an Open Meeting that evening; four in favor of the recommendations and one opposed. Mayor Reinhard stated because of the allegations raised and the seriousness of the situation, he asked the City Attorney to review the process and provide a legal opinion on the allegations that the advisory committee violated the Open Meetings Act. Mayor Reinhard read aloud the City Attorney's opinion stating; "In order to have a meeting of a governmental body, a quorum must be present. Quorum means a majority of a governmental body, unless defined differently by applicable law or the charter of the governmental body. Texas Government Code Section 551.001(6). As there are five voting Council members and only two, Councilmember Thornton and Councilmember Tiner, were present at the review of the resumes, there was no quorum. Members of a government body meeting in numbers less than a quorum are not subject to the Texas Open Meetings Act, Texas Government Code Ann. 551.001. However, there may be exceptions: a committee or subcommittee appointed by a governmental body and granted authority to supervise or control public business or public policy may itself fall within the definition of governmental body. Even a committee or subcommittee without formal control over public business or public policy may be deemed a governmental body subject to the Act if its decisions are in fact rubber stamped by the parent body. In this case, the advisory nature of the subcommittee's recommendations was made clear in Section 2.4(c) of the ordinance, in the January 24, 2016 letter to the nominees and in Mayor Pro Tem Thornton's public statement at the Council Meeting that the recommendations were just that: recommendations. In addition, the nominations passed by a 4-1 vote, making it very difficult to characterize the Council's actions as a rubber stamp. City Attorney Conclusion: Given the totality of the circumstances, it does not appear that there was any violation of the Texas Open Meetings Act in the actions of the subcommittee". Council member Hoffman stated there was a discussion the other night, at a separate meeting and the Mayor talked about the fact that you get the answer you want by how you ask the question. From that discussion, he asked the Mayor for the record of what he asked the City Attorney. The Mayor came back to him with per our attorney, you have no authority to request this information. The Mayor then asked for the City Attorney to be present this evening. He finds it kind of extraordinary especially in light of reading the City Council policies, should they go into a Closed Meeting with the City Attorney, he as a Council member, along with all of Council would be in that meeting. Dana Jacobson advised Council member Hoffman that he is correct that all of Council would be privy to the Closed Meeting. Regarding the statement that you don't have the authority to request the information is not correct, Council member Hoffman has the authority to request the information; however, the Mayor doesn't have to agree. Council member Hoffman stated it may be okay by the letter of the law, but he read the part about rubber stamping as the people who were in the know, rubber stamped the vote on the recommendation. Council member Nettle and himself were not in the know and voted no. It was noted the record should reflect the vote was actually 3 YES and 2 NO by Councilmember Nettle and Councilmember Hoffman. The minutes of that meeting reflect the correct vote. Council member Hoffman stated this is all about transparency and we wouldn't be discussing this if it was handled in an open fashion. Mayor Reinhard stated Council member Nottingham was not aware of the committees meeting and it was not discussed with her. Other than her asking who was on the committee because she was interested in being on it, she knew nothing. Once the committee had their recommendation, he did notify the recommended candidates so they could attend the Council Meeting. Dana Jacobson stated the idea of the term "rubber stamp", in this particular case, had to do with appointments by an entire City Council where no one ever got an opportunity to have any other input. City

Council simply for years and years, he believes it dealt with judges, every time appointments were brought up, City Council just said yes. The complaint of the judges was that City Council never gave them the opportunity to give input or have any say. In this case, the court was talking about “rubber stamping” as the City Council not simply as a matter of course, making all the appointments/reappointments and never really looking into it. This is actually the only case that says that particular thing and he hopes this clarifies it for Council member Hoffman. Council member Hoffman stated he understood that beforehand. It’s mostly the interpolation, like he said, the ones who were in the know, are the ones who approved the Board appointments. Council member Hoffman asked Dana Jacobson, to be completely clear again, is he entitled to see how the Mayor asked and precipitated the question to him. Dana Jacobson stated he may ask the Mayor to provide the information, but the Mayor doesn’t have to provide it. As part of a particular matter, all of the outline, calendar and facts set out in the opinion came from the Mayor. So basically, the Mayor gave him what happened and asked, was there an Open Meetings Violation as there’s allegations that there were. He based his legal opinion off the facts provided.

### **13. DISCUSS AND ACT ON PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY**

Mayor Reinhard stated this has been a topic this evening. We’ve heard what several citizens have had to say. At this time, he’d like to have Council discussion on the topic. Councilmember Hoffman stated the desire for alcohol to be served at the clubhouse has never been an issue in the eighty plus year history of SLPC. It’s only come up since the City took over the property. SLPC ceded the property to the City because it could not afford liability insurance. While the City may be able to provide liability insurance for the property, it doesn’t make sense to allow alcohol on City property when we know it will increase the chances of liability issues. Under the new Texas Law, a City can’t ban guns from being carried by properly licensed individuals on City property except in those places where court is being held. Therefore, if we allow alcohol on City property, there’s a good chance it will be consumed by licensed carrying citizens. Under TABC Rules, it takes a fee of \$10.99 for an online two hour course to become a qualified TABC bartender. If a lawsuit resulted, would a qualified TABC bartender have the resources that a plaintiff would be going after. The deep pocket rules would take over and the City would be on the hook. Where does the City get most of its money, GFU. Council member Nettle stated we should remember the primary function of SLPC is a social club, not alcohol. He thinks it’s a real liability issue and why would the City consider taking on that extra burden. If he could be guaranteed that the clubhouse would only be available to citizens, he might not feel as uncomfortable with it but it’s open to the public and you don’t know what kind of people are coming in. Council member Nettle stated he doesn’t think alcohol on City property is a good idea and it’s time this is put to rest. Council member Tiner asked the Board what are the current rules for alcohol at the clubhouse. Susan Darst stated the former SLPC Agreement does not state “no alcohol”. The new City Board is working on a comprehensive, enforceable rental policy. The question was raised, do we prohibit alcohol or allow it and that’s what started this discussion. She did not rewrite the rental agreement; when she became clubhouse director, it was what was given to her by the President at that time. Laura Chaffee stated she is not pushing for alcohol; all she’s pushing for is that citizens get to be heard. This has been thrown out of context; the rental agreement states no alcohol. Council member Tiner stated the agreement already states no alcohol. Let the citizens speak and go from there. Ted Coulter stated when he was President of the club ten or so years ago, alcohol was forbidden in the contract. He doesn’t know what happened to that contract, but it continued into Lou Hoffman’s Presidency. Freda Hoffman stated when she was clubhouse director; the rental agreement stated no alcohol. Yes, when she brought the trash out to be emptied, there was alcohol in the trash but it doesn’t make it right to change the rules just because you didn’t get caught. Council member Thornton stated for years and years, only so many people decided to be a part of SLPC for whatever reason. Now, as a City entity, everyone is involved. He thinks the questionnaire should go out to the citizens and let them decide. Additionally, there are safeguards you can put in place to assure a safe atmosphere. He doesn’t care either way but likes to voice the devil’s advocate opinion. Council member Nettle stated the citizens that have been involved and interested in SLPC for many years, did decide not to have alcohol. If you send out a canvass to the general public, there’s a lot of people that would approve of alcohol but don’t care about the impact it has on the City or SLPC. Council

member Nottingham stated the club came to the City and asked us to take control of the property. Council did that and put forth a Supervisory Board. The Board is sending a survey to get comments from all of the citizens, not just a few citizens. She would prefer to wait until the Board gets the results of the survey and see how the majority of our citizens feel. Mayor Reinhard stated the questionnaire states; it's the basic premise that the consumption of alcohol of any sort should be prohibited on most City property. The question at hand is; allowing or not allowing the consumption of beer and wine. Whether Council prohibits or allows the consumption of alcohol, they will need to pass an ordinance stating their decision for the police to enforce. Mayor Reinhard stated the agenda item is an action item; to prohibit the consumption of alcoholic beverages on City property and would like to entertain a motion. Council member Nettle made the motion that Council passes an ordinance prohibiting the consumption of alcohol on all City property. The motion was seconded by Council member Hoffman. The motion failed with 2 YES and 3 OPPOSED by Council member Tiner, Council member Thornton and Council member Nottingham. Mayor Reinhard stated he recommends we put this on the next Council Meeting Agenda as he hopes to have the questionnaire/surveys back.

**14. DISCUSS AND ACT ON SENDING LETTERS OF APPRECIATION FROM THE CITY TO GREY FOREST CITIZENS WHO HAVE RECENTLY MADE RECOMMENDATIONS FOR IMPROVEMENTS IN REGARD TO RESTRICTING THROUGH TRUCK TRAFFIC, STOP SIGNS, SCENIC LOOP ROAD CLEANUP, AND EMPLOYEE HANDBOOK**

Mayor Reinhard stated some Grey Forest citizens recently made recommendations to Council for improvements to our City. Council member Hoffman asked for this to be placed on the agenda. Council member Hoffman stated he didn't write up the actual letters but would be happy to do so. He would like to recognize the following: Mandy Waldrop and her son Charlie for initiating and circulating the petition for stop signs and no through truck traffic for Scenic Loop Road; Dr. Tom Haberman for his research and work in drawing up the no through truck ordinance that was eventually adopted by Council; Matt Vyverman for initiating communication with Bexar County that resulted in their cleaning up of debris accumulated along Scenic Loop Road and under the Menchaca bridge from the flood last November; and Ted/Barbara Coulter for utilizing their career expertise to review the City proposed Employee Handbook. Council member Nottingham made the motion to send these letters of appreciation from the City. The motion was seconded by Council member Tiner and passed unanimously. Mayor Reinhard stated he will write the letters of appreciation.

**15. DISCUSS AND ACT ON A RESOLUTION TO MAKE CITIZENS AWARE OF AND ACT TO REMEDY ON THEIR PROPERTY OR REPORT TO THE CITY ANY SANITATION OR STANDING WATER SITUATIONS THAT MIGHT PROMOTE MOSQUITO LARVAE IN LIGHT OF THE RECENT ZIKA VIRUS THAT IS INCREASINGLY THREATENING THE TEXAS AREA**

Mayor Reinhard stated this is an item Council member Hoffman asked to be placed on the agenda. Mayor Reinhard stated he suggests a newsletter be mailed making citizens aware of sanitation or standing water situations that might promote mosquito larvae in light of the recent Zika virus that is increasingly threatening the Texas area. Council member Nottingham stated it would be helpful if the newsletter included information on things like mosquito dunks. For information purposes, Bexar County is spraying for mosquitoes in the unincorporated part of Bexar County. It was discussed that mosquito dunks could be placed in the standing water in the creeks. Council member Hoffman stated we have bigger problem than just writing a newsletter. In June 2009, the City mailed a letter to Mr. Hensley regarding his property. It was from the City Health Inspector saying this is basically a condemned property. In addition, active mosquito breeding was found in containers of standing water. That was 2009 and nothing has been done since. Council member Thornton stated this individual recently passed away. He's attempted to contact the Probate Judge. Mayor Reinhard stated this is getting off topic. This property is not specifically related to the agenda item. Council member Hoffman stated he's appalled that no follow-up has been done since 2009. Council member Thornton made the motion to send a newsletter to citizens increasing awareness and call them to action. The motion was seconded by Council member Nettle and passed unanimously.

**UNFINISHED BUSINESS:**

**16. UPDATE ON ENFORCEMENT OF ORDINANCE NO. 216 PROHIBITING THROUGH TRUCK TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF GREY FOREST**

Chief Bejar stated they've placed the no through truck traffic signs up at both ends of the City. They are issuing warning citations. Letters were sent to the trucking companies in the area notifying them of the ordinance. Citations will be given starting April 1<sup>st</sup>. They've already seen a decrease in truck traffic. He's still getting the run around from Bexar County on putting warning signs up. He hasn't given up and will continue to try and work with them. In addition, Helotes is not willing to allow warning signs on their streets. The ordinance pushes traffic right into Helotes and they're not happy with that. TXDOT has been contacted and they've taken Scenic Loop Road off the heavy truck route.

**17. DISCUSS AND ACT ON STOP SIGNS ON SCENIC LOOP ROAD**

Mayor Reinhard stated this has been a discussion for several months. We've heard from some of our citizens that they would like three stop signs along Scenic Loop Road to decrease traffic in the City. Chief Bejar stated he's provided to Council, a study he found online that made some generalizations regarding the successes and failures of all way stop signs. The study determines the following: stops do not control speed; compliance is poor at unwarranted stops and increases speed from intersections; safety of pedestrians is decreased; and stop signs increase noise in the vicinity of an intersection. Chief Bejar stated he's only pointed out a few of the items listed in the study. In addition, our Municipal Judge would like to verify if a traffic study is needed to enforce. There's concern of traffic backing up during peak hours. In addition, the concern of emergency vehicles coming and going if the traffic is backed up. Council member Hoffman stated the study addresses mostly speeding although, number 16 of the study states; multi-stops can reduce cut-through traffic volume. The study Chief Bejar presented shows that stop signs can be effective. Going back to the petition from citizens, he would hope initiate this effort. Council member Nettle stated he would like to diminish the traffic but is concerned it will increase noise and the trade off is not beneficial enough. Councilmember Tiner stated this sounds like it may be more of a problem than it's worth. He'd consider a traffic study. Council member Thornton stated what the cost of a professional traffic study. The traffic study speaks more against unwarranted stop signs than for them. Council member Nottingham stated she feels stop signs will create more problems than it will solve. She would rather investigate lowering the speed limit or the feasibility of a roundabout. She's afraid it will slow emergency services down. She wouldn't have a problem with a traffic study. Mayor Reinhard asked Chief Bejar if he will look into what a traffic study costs. Chris Mikel stated he looked at placement for stop signs and at Sherwood Trail; it would need to be right in front of the fire hydrant. At Grey Forest Drive; it would be right in front of the flood gates and mailboxes. Council member Hoffman made the motion to table this pending more investigation. The motion was seconded by Council member Nettle and passed unanimously.

There was no further discussion. Mayor Reinhard adjourned the Regular Council Meeting at 9:55 p.m.

These minutes were written/recorded by Shannan Kinley.

These minutes were approved as written amended on the 28<sup>th</sup> day of June, 2016.

Signed:   
Ronald G. Reinhard, Mayor