

The Regular City Council Meeting of November 27, 2018 was called to order at 6:30 p.m.

MAYOR

Phillip Howard

OTHERS

Shannan Kinsley
Chief David Bejar
Jay Shipley
Don Reddout

COUNCILMEMBERS

Susan Darst
Jennifer Nottingham
Geri Poss
Lynn Tiner
Kimberly Verity

Mayor Howard declared a quorum with all Council members present. The meeting was started with the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes of the May 22, 2018 Regular City Council Meeting were reviewed. Council member Nottingham stated on Page 2, under Committee Announcements/Reports, 7 lines down, for clarification the record should reflect "Council member Howard" instead of "him" so that it reads "Mayor Reinhard authorized Council member Howard". In addition, same paragraph, 9 lines down, change "He" to also reflect "Council member Howard". Page 2, under the Grey Forest Community Board Update, last line of the paragraph, change where it states, "by Jennifer's house" to reflect "at the Hilltop Bridge". Page 2, under Public Works Announcements, 2nd line down, add the word "can" and remove "that they need" so that it reads "so the guys can secure the equipment in it". Mayor Howard asked for a motion to approve the minutes. Council member Tiner made a motion to approve the Regular City Council Meeting Minutes of May 22, 2018 as amended. The motion was seconded by Council member Darst and passed unanimously.

The minutes of the June 26, 2018 Regular City Council Meeting were reviewed. Mayor Howard asked for a motion to approve the minutes. Council member Verity made a motion to approve the June 26, 2018 Regular City Council Meeting Minutes as written. The motion was seconded by Council member Darst and passed unanimously.

The minutes of the July 19, 2018 City Council Budget Workshop Meeting were reviewed. Council member Nottingham stated on Page 1, under Agenda Item No. 1, down 6 lines, the word "from" should reflect "for". Same paragraph, 20 lines down, the record should reflect "shop" instead of "workshop". Same paragraph, 21 lines down, add the word "staff" so that it reads "Public Works staff". Mayor Howard asked for a motion to approve the minutes. Council Nottingham made a motion to approve the July 19, 2018 City Council Budget Workshop Meeting Minutes as amended. The motion was seconded by Council member Tiner and passed unanimously.

PRESENTATIONS BY CITIZENS AND VISITORS - None.

MAYOR ANNOUNCEMENTS/FINANCIAL REPORTS

Mayor Howard introduced the City's newest employee, Joni Baker. He stated she was hired to fill the part-time Assistant to City Secretary position. Joni has been working on the minutes which is allowing us to catch up on other work that needs to be done. Mayor Howard stated the October 2018 Monthly Financials are not available due to software issues. Shannan Kinsley stated the City currently uses QuickBooks 2007. This version is no longer supported so we will need to upgrade to a newer version. She has backed up all of the data. Once we buy the new program, QuickBooks will help transfer the data. Mayor Howard stated this will meet our auditor's wishes of being online with QuickBooks. It will add greater security and all the information will be stored off site. Mayor Howard stated he and Shannan will be attending the Public Funds Investment Act Training on December 6th & 7th. It's being held in San Antonio. This act governs the investment of public funds in Texas and requires the adoption of an investment policy. Designated investment officers of government entities are required to complete approved training hours every two years. Mayor Howard stated he has started the hiring process for the next Chief of Police. The City policy and procedure manual states the Mayor is responsible for recommending the appointment of new employees and Council confirms the

appointment. He has asked Council member Darst, Council member Poss and Chief Bejar to join him on an interview committee for the Chief of Police position. They received 27 applicants. Chief Bejar reviewed them; made the first cut and they will interview 7 of the applicants. They want to make sure the applicant understands this position is for the Chief of Police but they are also a Patrol Officer as well as Emergency Management. They will begin the interview process early December and bring someone on the first part of January so they will have 30 days overlap to train with Chief Bejar. Mayor Howard stated the City of Grey Forest Code of Ordinances is ready to be sent to Franklin Legal Publishing. Ron Reinhard has provided his markups from when he was Mayor and Shannan has gone through hers. It should be sent out this week. Once the updates are made, we will get a new code back for Council to adopt.

COUNCIL/STAFF ANNOUNCEMENTS – None.

COMMITTEE ANNOUNCEMENTS/REPORTS – City of Grey Forest Road Improvement Subcommittee.

Mayor Howard stated a preliminary sketch of Grey Forest Drive was completed. The City Engineer and surveyor came out to walk Grey Forest Drive and Sherwood Trail to confirm the nature of the property. They are finalizing those findings at this time.

GREY FOREST COMMUNITY BOARD (GFCB) UPDATE

Mayor Howard stated Madeline McCloskey is not present. Council member Tiner stated the Halloween Party was a big success. The next event will be the 12th Night Celebration. Mayor Howard stated they also held the Fall Fest/Veterans Celebration. He stated Madeline is doing a great job building success going forward. Council member Nottingham stated the December 8th Christmas event is being taken off the calendar because Helotes has something big going on.

SENATOR FRANK L. MADLA, JR. NATURAL AREA UPDATE

Council member Nottingham stated the Madla Board is working towards a new roof on the cottage. They have an estimate around \$9,000. The fundraisers this year will go towards the new roof. In January, they are having a Wine Tasting to be paired with food at Grey Moss Inn. There is room for 60 people and tickets are \$125 each. They continue to work on the March 23rd Annual Fundraiser.

BOARD OF ADJUSTMENT UPDATE

Shannan Kinsley stated the Board of Adjustment met on November 5, 2018 to consider a variance to the Building Code that requires a hand railing on the front steps to a new home. The homeowners did not like the appearance of a hand railing on their front stairs. The homeowners are going to provide the City a letter taking full responsibility for a variance to the Building Code and releasing the City from any liability. The Board of Adjustment approved the variance contingent upon the City Attorney's approval of the letter releasing the City from all liability. If approved by the City Attorney, the homeowners will be exempt from installing a hand railing on the front stairs.

POLICE DEPARTMENT ACTIVITY REPORT

Chief Bejar reviewed the October 2018 Monthly Activity Report. There were 194 calls for service, 975 hours worked, 5377 miles driven, 87 traffic stops, 96 summons issued of which 7 were for trucks and 7 warnings issued.

PUBLIC WORKS ANNOUNCEMENTS

Jay Shipley stated they had an incident in the middle of the night where a tree was hit. Public Works, Police and Fire worked together to get it cleaned up very quickly. He wanted to thank the Police and Fire Department for helping out. Public Works is finishing up chipping this week on Scenic Loop Road. They are working on pot holes and continuing to clean out storm debris along the creek.

GFU UTILITY ANNOUNCEMENTS

Mayor Howard stated there is no one present to report.

FIRE DEPARTMENT REPORT

Don Reddout stated there were 4 calls for service in the City for the month of October 2018; 3 assist EMS and 1 public service call. The Average Response Time was 4 minutes.

UNFINISHED BUSINESS:

1. MAYOR'S UPDATE ON THE ALAMO AREA REGIONAL RADIO SYSTEM (AARRS) PROPOSED INSTALLATION OF A RADIO TOWER

Mayor Howard stated in Council's packet is a letter from the City of San Antonio where they have decided to withdraw their proposal for the Alamo Area Regional Radio System in the City of Grey Forest. During the negotiation, he suggested they utilize Scenic Canyon as a radio tower site but the City of San Antonio stated that land couldn't be used as the area is protected by a conservation easement. After reviewing all elements of the City's counter-proposal, the City of San Antonio found that they couldn't absorb the significant costs related to it and have withdrawn their proposal.

NEW BUSINESS:

2. DISCUSSION ON AND CREATION OF POLICY AND PROCEDURE FOR THE USE OF THE CITY'S MARQUEE

Mayor Howard stated Council member Nottingham and Council member Darst asked for this item to be placed on the agenda. Council member Nottingham stated we need to know who can put information on the marquee. She firmly believes that anybody who has anything to do with this area that could benefit us, should have the option to advertise on the marquee if there is nothing else on there. Council member Darst stated we need to be transparent as to what the rules are. If there is a set of rules, then they need to be clearly stated so that everybody knows what they are. Mayor Howard stated in the past, the marquee is primarily used for City business and then things that are sponsored by the City. For example, the Madla Park fundraiser would go on the marquee because its money raised to maintain City property. Council member Nottingham stated the City spent a year supporting the Scenic Loop-Boerne Stage Alliance and trying to figure out how to get it up and running. Now that it is up and running they can't advertise meetings on the City marquee, does this mean we no longer support them. Mayor Howard stated the alliance is a separate stand alone organization from the City. Some things the City agrees with and others we don't. For example, the City may agree with certain points and can join the alliance to support things like Dark Skies. One of the things the City can't address is what goes on inside Helotes. One of the objectives the alliance has is Scenic Loop Road to Bandera Road; we don't want to interfere in another City's business. The objectives of the overall organization are within other jurisdictions. The alliance has registered with the City of San Antonio to represent a neighborhood which is basically political lobbying. Council member Nottingham stated the alliance is only going to benefit the City. Their goal is to keep Scenic Loop Road from being overwhelmed with development. The City agrees with that so why aren't we supporting them in allowing them to advertise meetings. A lot of our citizens are members and supportive of the alliance. Council member Poss stated maybe we need to list out approved use because it sounds like there are a lot of things that are customary but have never been written down. Policies and procedures outlining it may be helpful. Council member Darst stated she personally thinks being transparent and open about what our standards and rules are only makes us stronger. She would like to see them written down so that there is no question or perception of subjectivity. In this scenario, we are on uncharted territory so let's take the opportunity and get a collective decision on how we want to proceed with it. Council member Tiner stated he agrees with Council member Darst. It's an opportunity for clarity. Mayor Howard stated he will put something together to be placed in City Policy and Procedures and bring it back to Council next month.

3. DISCUSS AND ACT ON RESOLUTION REPURPOSING THE SWIMMING HOLE AND NAMING IT

Mayor Howard stated Resolution No. 003-18 of the City of Grey Forest, Texas closes for authorized swimming, the former Scenic Loop Playground Club, Inc.'s "Swimhole" (Pool) now owned by the City of Grey Forest, Texas and names it. Council member Tiner stated he thinks this first needs to go to the Grey Forest Community Board (GFCB) as he doesn't remember discussing this. Mayor Howard stated it was discussed and the GFCB doesn't have the responsibility for the City's liability. Council member Nottingham stated she doesn't think this was discussed. Council member Verity stated she recalls discussing it. They talked about calling it the Creek instead of the Swimhole. Mayor

Howard stated this was discussed at a previous City Council Meeting. Council referred it to the GFCB to discuss and come up with a recommendation. The GFCB discussed it at a couple of meetings. Madeline McCloskey basically came back and said there is really nothing that they can do to the pool per TCEQ regulations. Mayor Howard stated while the GFCB manages the property, they are not the one that has the ultimate responsibility for liability; that falls on the City. Council member Tiner stated we already have signs down there that say swim at your own risk. Council member Nottingham stated we have a Board in place to manage the property and they should be aware of what's being considered. Mayor Howard stated the GFCB has discussed this. This whole thing came about when someone came up with the idea of putting City water in the swimhole. He then contacted TCEQ and they advised you can't put chlorinated water in it. The City owns the pool. If somebody is going to get sued, it will be the City, not the GFCB. Council member Poss stated the Board discussed wanting to put water in the swimhole but realized they were not going to be able to put chlorinated water in there. The last time this was discussed, there was a concern if the signs were adequately worded to keep us from being liable and we were going to seek legal advice on that. Mayor Howard stated the resolution doesn't change anything. We already have swim at your own risk so this just put teeth into what we are saying. Then we need to come up with a name so that people aren't referring to it as a swimhole. Once the resolution is passed, we can find out what signs are needed. Council member Nottingham stated her problem is out of respect for the Board that we put in place to manage the property. They can put it on their next agenda to make sure this is okay with them and give them the opportunity to come up with a name. Council member Verity stated she doesn't have a problem with the resolution because technically nothing is changing other than we might call it something other than the swimming hole. She is concerned with how the citizens of Grey Forest are going to see this and might feel we are taking something away from them. Council member Poss stated it makes sense that we need to take care of our liability and she doesn't think anybody has a problem there. She doesn't want people to feel like their swim hole has been taken away from them. It is something that is nostalgic and very important. It comes down to perhaps we need to rethink the name. Mayor Howard stated they don't have to name it tonight. He wants to get settled the fact that they are all on board with going ahead and doing this. Right now, having a piece of material that says swim at your own risk means nothing. Council member Darst stated she completely agrees with the spirit of this. It took sixty years for this conveyance to happen. She would like to take it back to the Board and give them one more opportunity to make a recommendation with Council being the final authority. Council member Tiner stated he'd like to wait until the next Council Meeting. Mayor Howard asked for a motion to direct the Mayor to write the Chair of the GFCB a letter asking for their input on the naming of the area/dam so that Council can act on implementing the resolution on December 18, 2018. Council member Darst made the motion to direct Mayor Howard to send a letter requesting the Grey Forest Community Board provide a recommendation on the proposed Resolution No. 003-18 in addition to providing suggestions for renaming the area for the December 18, 2018 Regular City Council Meeting. The motion was seconded by Council member Verity and passed unanimously.

There was no further business. Mayor Howard asked for a motion to adjourn. Council member Poss made the motion to adjourn. Council member Tiner seconded the motion. The Regular City Council Meeting was adjourned at 8:02 p.m.

These minutes were written/recorded by Shawana Kinsley.

These minutes were approved as written amended on the 26 day of March, 2019.

Signed: Phillip A. Howard

Phillip A. Howard, Mayor