

MINUTES  
REGULAR MEETING  
November 26, 2019

A Regular Meeting was held by the Grey Forest City Council of the City of Grey Forest, Texas on November 26, 2019 at 6:31 p.m. in the Grey Forest Council Chambers, 18502 Scenic Loop Road, Grey Forest, Texas.

**The following members present to-wit:**

Mayor Phillip Howard	Council member Sean Skaggs
Council member Susan Darst	Council member Geri Poss
Council member Kimberly Verity	Council member Jennifer Nottingham

**Staff Present:**

Chief Rene Rodriguez	Assistant to City Secretary Joni Baker
Sgt. Scott Ristow	

**Citizen's Present:**

Don Reddout	Irene Scharf
Madeline McCloskey	David Givler
Kathleen McCloskey	Mitch Thornton

**Call to Order – City Council Regular Session**

Mayor Howard called the regular meeting to order at 6:31 p.m.

**Opening Pledge of Allegiance to the Flag of the United States**

(Mayor Howard)

**Consent Agenda Items**

**Minutes** – Consideration and/or action regarding the approval of the minutes of the Regular City Council Meeting of October 2, 2019. Mayor Howard asked for a change on pg. 3, 2<sup>nd</sup> paragraph, 8<sup>th</sup> line down to reflect “rescind” instead of “resend”. Pg. 3, 3<sup>rd</sup> paragraph, 3<sup>rd</sup> line down to reflect “of” instead of “or”. Mayor Howard recognized Council member Nottingham who asked for a change to Pg. 1, under Agenda Item No. 1, 2<sup>nd</sup> paragraph, 2<sup>nd</sup> line down to reflect “providing” instead of “proving”. Pg. 1, under Agenda Item No. 1, 3<sup>rd</sup> paragraph, the quotes should stop on the 6<sup>th</sup> line down after “welfare”. *Mayor Howard recognized Council member Verity who moved to approve the minutes as amended and was seconded by Council member Nottingham. The vote was unanimous with Council members Skaggs, Darst and Poss voting for and no one voting no. Motion passed.*

### **Hearing of Residents**

Mayor Howard recognized the following who spoke:

- Irene Scharf spoke regarding the Grey Forest Drive project and stated she would like to know the width of the roadway and sidewalks. Will trees be cut. What's going on with the tagged and numbered trees on Grey Forest Drive. Will fences have to be moved and if so at who's expense. Home building continues in Canyon Mist on regular basis that does a lot of damage to our roads. When the City allowed this subdivision, which is not in Grey Forest, were provisions made for homeowners in Canyon Mist to pay their fair share of road maintenance and upgrades.
- Mitch Thornton spoke regarding the Variance Meeting and stated he would like to see things be fair across the board equally for everybody. He is ok with Airbnb rentals, but thinks we are opening ourselves up to businesses. He thinks that if we are going to allow businesses which is what they are, then we have to look at allowing all businesses or no businesses at all.

**Mayor Announcements** – None.

### **October 2019 Monthly Financials**

Mayor Howard stated we are just getting started with the October 2019 Financials. Mayor Howard recognized Council member Darst who asked on Pg. 1, Line E-11-G, Madla Park Operation Expenses, why is it already at 25% of budget. Council member Nottingham stated she didn't know as the Board hasn't received a Financial Report. Council member Darst asked on Pg. 2, Line 127A, School Crossing Guard, what did we use 50% of the budget for. Mayor Howard stated lights at the school bus stop and we still have to do the crosswalk. Council member Darst asked on Pg. 4, Line 413A Police Training, what have we already used half of the budget for. Mayor Howard stated Sgt. Scott Ristow and Chief Rene Rodriguez went to training. Council member Darst asked on Pg.4, Line 509, Worker's Compensation, did we have something happen or is it part of a policy. Mayor Howard stated it's for premiums.

**Council/Staff Announcements** – None.

**Committee Announcements/Reports** – None

### **Grey Forest Community Board (GFCB) Update**

Mayor Howard recognized Madeline McCloskey who announced the Holiday Event with a Potluck Dinner will be on December 7<sup>th</sup> at 5:00 p.m. at the Community Center. They finished the final planting of the last 17 trees. Plaques/tags will be coming in. Laurie Hawkins volunteered to water 30 plus trees for the next year. She will fill a large pump tank with water from the Fire Department. GFU helped plant trees and set T-posts. Protective fencing was put up to protect the trees from deer.

### **Senator Frank L. Madla, Jr. Natural Area Update**

Council member Nottingham announced the following:

- With permission from Ron Green, Council member Nottingham provided Council a letter of Ron Green's resignation along with emails which negatively targeted certain Council members.
- Mayor Howard stated it's not appropriate to put private conversation targeting certain Council members into official record.
- The Board did not have a quorum on November 24<sup>th</sup>, so they met on November 19<sup>th</sup>.
- Chair of the Board, Ron Green resigned. Storms Duthie agreed to step up as Chair.
- They are focusing on the March 21<sup>st</sup> Fundraiser
- Carrier Air Conditioning removed mud daubers out of the system at the cottage.

### **City Events and Announcements**

**Saturday, December 7<sup>th</sup> at 5:00 pm**

#### **Holiday Event and Potluck Dinner**

Community Center

### **Board of Adjustment Update**

Public Hearing was held November 18, 2019 to consider a Request for Variance to the City Zoning Ordinance from Scenic Springs. The Request for Variance was denied.

### **Police Department Activity Report**

Chief Rene Rodriguez announced the October 2019 Monthly Report.

- 1113 hours worked, 4941 miles driven, 324 calls for service, summons 27/23 (citations), 36 total traffic stops and 13 warnings.
- Will continue follow-up calls on June 1<sup>st</sup> as part of the Knock & Talk Program.
- New Misdemeanor Summons has been finalized and pending being ordered/delivered.
- Resident Authorization Form has been finalized giving officers more ability to check outer premises of residences.
- Chief Rodriguez/Sgt. Ristow attended Class C Family Violence Reporting on 10/15/19.
- Deputy Chief Francis attended the Annual TCOLE Training Coordinator One-Day Conference in Corpus Christi on 10/21/19.
- Sgt. Ristow attended an Advanced Certification Training Seminar in Round Rock from 11/04/19 to 11/08/19.
- Started preliminary discussions with the technology expert for replacement of computer systems using grant funds.

### **Public Works Announcements**

Mayor Howard provided the following announcements:

- Public Works continues trimming rights-of-ways and chipping.

- Road work continues on Scenic Loop Road. Hope to start striping next week depending on the weather.
- Striping the parking lot across from City Hall.

**GFU Utility Announcements** – None.

**Fire Department Report**

Don Reddout provided the announcements of the October 2019 Department Incident Report.

- There were 4 calls for service for the month of October 2019; 1 Assist the Public and 3 Medical. Average Response Time 0.25 minutes. Average Personnel 4.25.
- Site work on the new Fire Station should be finished this month. They hope to pour cement in the middle of December.

**New Business** – None.

**Unfinished Business**

**1. Presentation by the City Engineer on Proposed Schedule for Construction Involving Grey Forest Drive**

Mayor Howard recognized City Engineer, David Givler with Givler Engineering who gave a presentation on construction involving Grey Forest Drive.

David Givler provided Council a map for the repairs at Hillside Drive and Grey Forest Drive. David Givler stated the original pavement is multiple layers of seal coat or chip seal with a layer of thick oil and rock compacted in it. This works well in parts of the City with higher elevations. Higher elevations are rock so there's not a lot of soil to cause problems. The closer you get to the creeks, the deeper the soil gets and becomes problematic with expansive characteristics so when they get wet, they swell and dry, then shrink. The pavement sitting on top of it creates a lot of stress and it will crack quickly. This area is near the creek with traffic from Grey Moss Inn and the point of entry into the City. The street is an average of 12-13 feet wide and basically one-way. Chances are high that wheels of a vehicle are riding right on or very close to the edge of the pavement. This is the weakest part of the pavement and contributes to the short life span. Base and subgrade have been compromised by moisture and tree root penetration. This begins potholes. There are different approaches; chip and seal can be used if the foundation is good. In this case, the foundation has been compromised. If you continue to go that route, you will have a weak foundation with a tendency of more rapid cracking. The total project is roughly 600 feet. It's in the FEMA 100-Year Flood Plain with the impact of water on the pavement. Highwater pressure builds up underneath and when the water level drops in the flood plain, the pressure is still underneath and cannot get out which lifts the pavement. Due to pavements aging, it's a good time to catch it before this happens. He's proposing within the flood plain to use concrete to give a stable pavement that will last 50 years or more. Weep holes are placed in it to keep the pressure from building up. Asphalt pavement cross-sections could be used outside the flood plain. It would have 2 inches of Type D hot mix asphalt with possible Type B hot mix which has more structural strength frequently seen on residential roads. The pavement has changed since

the last testing. The right-of-way is very narrow around 30 feet, typical is 50-60 feet. They are challenged to contain everything in the right-of-way. Not only the street but the utilities and possible drainage issues. He's proposing 20 feet wide in order to allow traffic to pass more safely and provide more protection for the edge of the pavement. They are looking at whether utility poles need to be moved. Standard minimum road width is 9 feet which provides not much room to pass. They will provide suggestions to the City on these items so the City can decide how they want to proceed. They will give a preliminary design. The City will be able to come back and tell them what's wrong with it. They will accommodate the City and get the project the City needs. He will not go out to bid until Council authorizes it. This is a starting point. They plan to start the Preliminary Phase in February 2020. From that, they will take comments from the City to finish a detailed final design that is ready to go out for bid in May 2020. The State requires the bid to be advertised 2 times in the City paper of record. They will evaluate the bids that come in and give Council their recommendation on which bidder to select. Then it will be up to the City to select who's best for the project. They would like to have construction completed by the end of the fiscal year. The Construction Phase is expected to start around August 2020. There was further discussion and questions to David Givler. David Givler provided details to the questions.

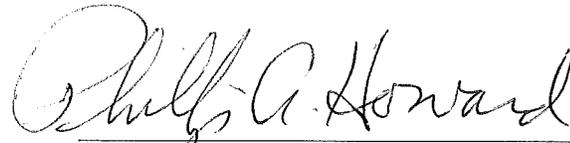
**2. Discuss and Act on Ordinance No. 236 Amending the Grey Forest Code of Ordinances by Adopting Chapter 15 Streets, Sidewalks, and Other Public Places for the Purpose of Right-of-Way Management for Wireless Network Providers**

Mayor Howard stated this goes back to the installation of network nodes that gives authority to the various providers to come in and use our rights-of-ways. The City can't prohibit them from coming in but can regulate it. Mayor Howard stated the ordinance came from Helotes. The only difference is the Design Manual was removed. Ryan Henry advised Design Manuals are very complex. Unless you have an engineer on staff that understands it, it is best to simply remove its references. This causes the regulation to be more generalized and it works well enough without one. He's hesitant to have Council adopt a manual that they do not know much about. Council member Verity stated she not only wants to control what they are doing but what it looks like. Council member Darst stated the original version of this Ordinance and Design Manual came from CPS in partnership with the Suburban Cities. They wanted to draw up a comprehensive plan. We can't prohibit them, but we can make sure what the design looks like. Mayor Howard stated if Council wants a Technical Manual, you need to understand that technology changes and as it changes, we will have to be constantly updating. Council member Verity stated she doesn't think we need a manual; we just need a say as to what it looks like. She thinks that can be accomplished by putting in some sort of verbiage. Adopt it from another City that has a quaint atmosphere. She doesn't want to control their technology; just what the technology looks like in our City. There was discussion that once the ordinance is passed, there needs to be a permitting process because we have 30 days to respond. Council member Darst stated she would like to revisit this annually or biannually. Mayor Howard proposes that we adopt the proposed ordinance, so we have something in place and then go back to the City Attorney and have him add language regarding aesthetics. Council member Poss agrees that we need to have control of the design. Mayor Howard stated he proposes Council adopt the ordinance and asked if there

was a motion. Council member Nottingham stated she would like this revisited. *Mayor Howard recognized Council member Nottingham who made the motion to adopt Ordinance No. 236 and revisit in January to discuss and put into effect the aesthetic portion of the Ordinance. The motion was seconded by Council member Darst. The motion was unanimous with Council members Verity, Skaggs and Poss voting for and no one voting no. Motion Passed.*

**Adjournment**

As there was no further business, Mayor Howard adjourned the meeting at 7:54 p.m.



Phillip A. Howard, Mayor

ATTEST:



Shannan Kinsley, City Secretary