

## MINUTES OF REGULAR MEETING

June 26, 2019

### SHENANDOAH CITY COUNCIL

The meeting was called to order by Mayor M. Ritchey Wheeler at 7:00 p.m. City Council members present, Councilmember McLeod, Councilmember Bradt and Councilmember Raymaker. City Administrator Kathie Reyer, City Secretary Courtney Clary, City Attorney William Ferebee, Finance Director Lisa Wasner, Public Works Director Joseph Peart, Police Chief Raymond Shaw, and Community Development Manager Jackie Thompson were also present.

1. CALL TO ORDER

Mayor Wheeler called the meeting to order at 7:00 p.m.

2. CALL OF ROLL

Mayor Wheeler stated for the record that Councilmember Gristy was absent and excused from the meeting.

3. PLEDGE OF ALLEGIANCE

4. INVOCATION

Mayor Wheeler gave the invocation.

5. CITIZENS FORUM

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Carl Kolvig: To view citizens comments, please click [HERE](#)

Robert Shock: To view citizens comments, please click [HERE](#)

6. COUNCIL'S INQUIRY

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**INDIVIDUAL CONSIDERATION**

7. Presentation of a final report regarding proposed zoning amendment for a special use permit for a Mixed Beverage (On-Premise) Permit. The proposed zoning amendment is for 1620 Research Forest, Suite 100, Shenandoah, Texas 77381.

Ms. Thompson stated that the Planning and Zoning Commission recommended approval and that the permit was not a late hours permit.

8. Public hearing regarding proposed zoning amendment for a special use permit for a Mixed Beverage (On-Premise) Permit. The proposed zoning amendment is for 1620 Research Forest, Suite 100, Shenandoah, Texas 77381.

Mayor Wheeler opened the public hearing at 7:10 p.m.

Mayor Wheeler stated for the record that there were no citizens who wished to speak and closed the public hearing at 7:11 p.m.

9. Discussion and possible action to adopt the following Ordinance:

AN ORDINANCE OF THE CITY OF SHENANDOAH, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 102, SO AS TO A SPECIAL USE PERMIT FOR MIXED BEVERAGE PERMIT FOR FIRST WATCH LOCATED AT 1620 RESEARCH FOREST DRIVE, SUITE 100, SHENANDOAH, TEXAS; PROVIDING FOR A PENALTY IN THE AMOUNT OF \$2,000 FOR VIOLATIONS THEREOF; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

COUNCILMEMBER RAYMAKER MADE A MOTION TO ADOPT AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 102, SO AS TO A SPECIAL USE PERMIT FOR MIXED BEVERAGE PERMIT FOR FIRST WATCH, COUNCILMEMBER BRADT SECONDED. THE MOTION CARRIED 4/0.

10. Discussion and possible action to adopt the following Ordinance:

AN ORDINANCE OF THE CITY OF SHENANDOAH APPOINTING A CITY ATTORNEY.

COUNCILMEMBER FLETCHER MADE A MOTION TO ADOPT AN ORDINANCE APPOINTING

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WILLIAM C. FEREBEE WITH STEPTOE & JOHNSON PLLC AS THE CITY ATTORNEY, COUNCILMEMBER RAYMAKER SECONDED. THE MOTION CARRIED 4/0.

11. Discussion and possible action to approve the TMLIRP exposure rate.

COUNCILMEMBER MCLEOD MADE A MOTION TO APPROVE THE TMLIRP EXPOSURE RATE, COUNCILMEMBER BRADT SECONDED. THE MOTION CARRIED 4/0.

12. Discussion and possible action to approve delinquent water write offs.

COUNCILMEMBER BRADT MADE A MOTION TO APPROVE DELINQUENT WATER WRITE OFFS, COUNCILMEMBER RAYMAKER SECONDED. THE MOTION CARRIED 3/1 WITH COUNCILMEMBER RAYMAKER AS THE OPPOSING VOTE.

13. Discussion and possible action regarding the residential permit fee schedule.

COUNCILMEMBER FLETCHER MADE A MOTION TO APPROVE THE RESIDENTIAL PERMIT FEE SCHEDULE, COUNCILMEMBER MCLEOD SECONDED. THE MOTION CARRIED 4/0.

14. Discussion regarding Council budget requests.

Ms. Wasner stated that the requests made by Council were listed in the agenda packet. Ms. Reyer stated that any duplicates shown were similar requests made by Council.

Councilmember Fletcher stated that his request for a Shenandoah Fun Card was meant to give back to residents. He stated that all residents, including those who do not see the benefits of lower property taxes such as Oak Haven and Sunningdale residents, would have the ability to use the funds on the cards at local City businesses.

Councilmember Raymaker stated that his Wellman Underground Electrical Loop request was a resurrection of an item discussed previously. He stated that his request regarding the Police Directives was meant to update, review and refresh the departments directives manual.

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Councilmember Raymaker added that historically, Council had not looked at this, and that he felt it was necessary for due diligence. Councilmember Raymaker's final request for a citywide Recycling Program was meant to update current pricing and logistics with Republic.

Councilmember McLeod stated that his request for a Local Promotions Fund was intended to attract visitors and promote shopping and restaurants in the City that would not be eligible for CVB funding, but instead would utilize the talents of CVB staff for local promotions. Councilmember McLeod clarified that the goal would not focus on getting visitors into hotels, but instead towards branding Shenandoah as a local shopping and restaurant destination, which would benefit the City as a whole. He offered some suggestions such as a food truck festival and a fun 1950's theme throughout the City as ways to bring visitors to the City. Councilmember McLeod stated that his request for Cedarwood Drainage Improvements was meant to improve surface drainage for Cedarwood to prepare for future use and prevent mosquito breeding. Councilmember McLeod stated that his request for Pool Improvements would focus on the North and South sides of the pool. He stated that North side improvements would improve the greenspace and drainage of the area, and that South side improvements would focus on the concrete and steel grate in the middle of the greenspace. Councilmember McLeod's final request regarding the 2020 Census would focus on getting the most participation possible and to make sure maps are updated with the Census Bureau.

15. Discussion and possible action to approve an easement agreement with Christ Community School.

COUNCILMEMBER RAYMAKER MADE A MOTION TO APPROVE AN EASEMENT AGREEMENT WITH CHRIST COMMUNITY SCHOOL, COUNCILMEMBER MCLEOD SECONDED. THE MOTION CARRIED 4/0.

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16. Discussion and possible action for park design at the north end of Holly Hill Dr.

COUNCILMEMBER MCLEOD MADE A MOTION TO APPROVE A PROPOSAL FROM LANDODOLOGY FOR DESIGN SERVICES FOR A PARK DESIGN AT THE NORTH END OF HOLLY HILL DRIVE, COUNCILMEMBER RAYMAKER SECONDED. THE MOTION CARRIED 4/0.

17. Discussion and possible action to approve Change Order No. 2 for the Ed English Sewer Upsizing Project.

COUNCILMEMBER BRADT MADE A MOTION TO APPROVE CHANGE ORDER NUMBER TWO FOR THE ED ENGLISH SEWER UPSIZING PROJECT, COUNCILMEMBER MCLEOD SECONDED. THE MOTION CARRIED 4/0.

18. Discussion and possible action for adding pickleball court markings to the existing tennis court.

COUNCILMEMBER MCLEOD MADE A MOTION TO APPROVE THE ADDITION OF PICKLEBALL MARKINGS TO THE EXISTING TENNIS COURTS, COUNCILMEMBER FLETCHER SECONDED. THE MOTION CARRIED 4/0.

19. Discussion and possible action to adopt the following Ordinance:

ORDINANCE OF THE CITY OF SHENANDOAH, TEXAS APPROVING THE RATES PROPOSED BY CENTERPOINT ENERGY RESOURCES CORP., d/b/a CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS ("CENTERPOINT" OR "COMPANY") COMPANY'S GAS RELIABILITY INFRASTRUCTURE PROGRAM ("GRIP") FILING MADE WITH THE CITY ON MARCH 28, 2019; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, AND DECLARING AN EFFECTIVE DATE.

COUNCILMEMBER MCLEOD MADE A MOTION TO ADOPT AN ORDINANCE APPROVING THE RATES PROPOSED BY CENTERPOINT ENERGY'S GAS RELIABILITY INFRASTRUCTURE PROGRAM, COUNCILMEMBER FLETCHER SECONDED. THE MOTION CARRIED 4/0.

20. Discussion and possible action to approve the minutes of the June 12, 2019 regular meeting.

COUNCILMEMBER BRADT MADE A MOTION TO APPROVE THE MINUTES OF THE JUNE 12, 2019 REGULAR MEETING, COUNCILMEMBER RAYMAKER SECONDED. THE MOTION CARRIED 4/0.

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21. Discussion and possible action to ratify the accounts payable for May, 2019.

COUNCILMEMBER FLETCHER MADE A MOTION TO RATIFY THE ACCOUNTS PAYABLE FOR MAY, 2019, COUNCILMEMBER BRADT SECONDED. THE MOTION CARRIED 4/0.

#### 22. CITIZENS FORUM

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Mayor Wheeler stated for the record that there were no citizens wishing to speak.

#### 23. City Administrator Updates.

Ms. Reyer presented the following updates:

- CenterPoint completed the repairs on Wellman Road
- There would be a traffic light instillation at Pinecroft and Medical Plaza Drive. The repairs were expected to take around one month to complete
- The 12 solar streetlights in the commercial areas were connected to the grid and all that was left was for Entergy to install and activate the meters
- The splash pad at the park was struck by lightning and was no longer functioning. Steps to repair it were in the works
- The Tamina water valve leak repair costs would be on the next agenda for Council approval
- The police department audit went well, and the department was complimented for doing a great job following the proper procedures
- The police department was assisting other agencies in the prescription fraud case
- Kathie Reyer, Lisa Wasner, and Jackie Thompson completed the TML Leadership Training and other staff members were expected to attend the following year

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Councilmember Raymaker requested to have another councilmember take his place on as the Shenandoah representative on the Houston-Galveston Area Council general assembly. He also requested to see audio posted online for the Planning and Zoning Commission meetings. Mayor Wheeler suggested speaking with members of the Planning and Zoning Commission and then having Council vote on it. Councilmember Raymaker also requested that the Municipal Development District meetings be streamed on YouTube like the Council meetings. Mayor Wheeler and Councilmember McLeod suggested first hearing from board members before making a final decision.

Councilmember Fletcher wanted to remind residents that the Independence Celebration was schedule for Saturday, June 29, 2019, from 10:00 a.m. to noon. He added that the event would start at the pool and move to the park and that he was looking forward to participating in the dunk tank event.

Councilmember Bradt requested that the land at the North end of Holly Hill be called a nature trail rather than a park to clear up any confusion among residents. Ms. Reyer added that it was the residents who voted for the park's location in that area.

Councilmember McLeod congratulated the Sharks for being undefeated and winning the championships and added that children on the team worked hard for their victory.

Mayor Wheeler stated that he too was looking forward to the Independence Day Parade. Mayor Wheeler stated that Steve Toth would try to attend and asked that residents attend the

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event to meet their House Representative. He also thanked the Civic Club members for all their hard work putting the event together.

#### EXECUTIVE SESSION

*Public notice is given that the City Council may elect to go into Executive Session at any time during the meeting in order to discuss any matters listed on the Agenda when authorized by the provisions of the Open Meeting Act, Chapter 551 of the Texas Government Code, to receive advice from legal counsel, to discuss matters of land acquisition, personnel matters or other lawful matters that are specifically related to items listed on this Agenda. Prior to any such closed session, the Mayor, in open session, will identify the agenda item to be discussed and the Section or Sections of Chapter 551 under which the closed discussion is authorized.*

Mayor Wheeler stated for the record that Council would adjourn to executive session at 8:30 p.m

Executive Session – According to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code as follows:

- i) Government Code § 551.074. Personnel Matters;
  - City Administrator Evaluation Procedure
  
- a) Consideration and if determined appropriate, take action resulting from the item(s) listed under Executive Session.

Mayor Wheeler reconvened the regular meeting at 10:17 p.m. and stated for the record that no action was taken in executive session.

There being no further business, Mayor Wheeler adjourned the meeting at 10:18 p.m.

#### **ADJOURN**

***The Council may vote and/or act upon each of the items listed on this Agenda. One agenda item will be discussed at a time unless logic and practical consideration allow similar topics to be considered together for purposes of convenience and efficiency. The Council may retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act.***

**Any discussion item on the City Council agenda permits City Council to question the involved parties or receive a presentation by the involved parties.**

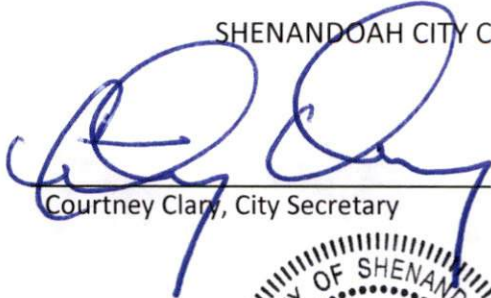


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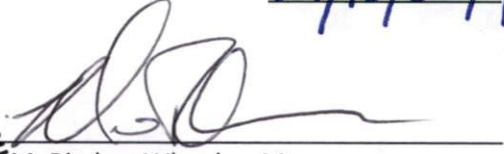
SUBMITTED BY:



Courtney Clark, City Secretary

DATE APPROVED:

07/10/2019



M. Ritchey Wheeler, Mayor