

MINUTES OF REGULAR MEETING

January 26, 2022

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, Councilmember Escoto, Councilmember Fletcher 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 Troy Dunlap, CVB Director John Mayner, IT Manager Chris Grizzaffi, and Communications Manager Debbie Pilcher 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 all members were present.

3. PLEDGE OF ALLEGIANCE

4. INVOCATION

Mayor Wheeler gave the invocation.

5. CITIZENS FORUM

Responses to inquiries are limited by state law to a recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision by Council shall be limited to a proposal to place the subject on the agenda of a future meeting.

Russ Michaels – To hear citizen comments, please click [HERE](#)

Frank Powell – To hear citizen comments, please click [HERE](#)

Esther Lum – To hear citizen comments, please click [HERE](#)

Ray Orsak – To hear citizen comments, please click [HERE](#)

6. COUNCIL'S INQUIRY

Pursuant to Texas Government Code Sect. 551.042, the Mayor and Council Members may inquire about a subject not specifically listed on this Agenda. Responses are limited to a recitation of existing

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policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place the subject on the agenda of a future meeting.

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

INDIVIDUAL CONSIDERATION:

7. Introduction of new employee.

Ms. Reyer introduced Community Development employee, Christopher Haver.

8. Presentation of a proclamation declaring April 19, 2022 as Arbor Day.

Mayor Wheeler presented a proclamation declaring the nationally recognized date for Arbor Day as April 29, 2022.

9. Presentation – 2021 annual financial report.

To view the presentation, please click [HERE](#)

10. Discussion and possible action to adopt the 2021 annual financial report.

COUNCILMEMBER RAYMAKER MADE A MOTION TO ADOPT THE 2021 ANNUAL FINANCIAL REPORT, COUNCILMEMBER FLETCHER SECONDED. THE MOTION CARRIED 5/0.

11. Discussion and possible action to approve a new banking institution.

COUNCILMEMBER BRADT MADE A MOTION TO TABLE THE AGENDA ITEM AFTER BOTH CONSULTANTS WERE UNABLE TO ATTEND THE MEETING, COUNCILMEMBER RAYMAKER SECONDED. THE MOTION CARRIED 5/0.

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

AN ORDINANCE OF THE CITY COUNCIL OF SHENANDOAH, TEXAS, AUTHORIZING PARTICIPATION WITH OTHER ENTERGY SERVICE AREA CITIES IN MATTERS CONCERNING ENTERGY TEXAS, INC. AT THE PUBLIC UTILITY COMMISSION OF TEXAS IN 2022; AUTHORIZING THE HIRING OF LAWYERS AND RATE EXPERTS; AUTHORIZING THE CITY'S PARTICIPATION TO THE FULL EXTENT PERMITTED BY LAW AT THE PUBLIC UTILITY COMMISSION OF TEXAS; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE.

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COUNCILMEMBER RAYMAKER MADE A MOTION TO ADOPT AN ORDINANCE AUTHORIZING PARTICIPATION WITH OTHER ENERGY SERVICE AREA CITIES IN MATTERS CONCERNING ENERGY TEXAS, INC. AT THE PUBLIC UTILITY COMMISSION OF TEXAS IN 2022, COUNCILMEMBER FLETCHER SECONDED. THE MOTION CARRIED 5/0.

13. Discussion and possible action regarding additional funding for the cantilevered cover for police vehicles.

COUNCILMEMBER MCLEOD MADE A MOTION TO APPROVE ADDITIONAL FUNDING FOR THE CANTILEVERED COVER FOR POLICE VEHICLES, COUNCILMEMBER ESCOTO SECONDED. THE MOTION CARRIED 5/0.

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

AN ORDINANCE OF THE CITY OF SHENANDOAH, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 7, 2022, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) CITY COUNCIL MEMBERS, POSITIONS 1 AND 5; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTIONS.

COUNCILMEMBER BRADT MADE A MOTION TO ADOPT AN ORDINANCE PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 7, 2022, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) CITY COUNCIL MEMBERS, POSITIONS 1 AND 5, COUNCILMEMBER FLETCHER SECONDED. THE MOTION CARRIED 5/0.

15. Discussion and possible action to approve the following agreements with Montgomery County for the May 7, 2022 City General Election:

- Election Services Agreement
- Joint Election Agreement

COUNCILMEMBER FLETCHER MADE A MOTION TO APPROVE THE ELECTION SERVICES AGREEMENT AND THE JOINT ELECTION AGREEMENT FOR THE MAY 7, 2022 CITY GENERAL ELECTION, COUNCILMEMBER MCLEOD SECONDED. THE MOTION CARRIED 5/0.

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16. Discussion and possible action to approve 2022 first quarter budget amendments.

COUNCILMEMBER MCLEOD MADE A MOTION TO APPROVE THE 2022 FIRST QUARTER BUDGET AMENDMENTS, COUNCILMEMBER BRADT SECONDED. THE MOTION CARRIED 5/0.

17. Discussion and possible action to adopt the minutes of the October 27, 2021 regular meeting.

COUNCILMEMBER ESCOTO MADE A MOTION TO ADOPT THE MINUTES OF THE OCTOBER 27, 2021 REGULAR MEETING, COUNCILMEMBER MCLEOD SECONDED. THE MOTION CARRIED 5/0.

18. Discussion and possible action to ratify the accounts payable for December, 2021.

COUNCILMEMBER BRADT MADE A MOTION TO RATIFY THE ACCOUNTS PAYABLE FOR DECEMBER, 2021, COUNCILMEMBER FLETCHER SECONDED. THE MOTION CARRIED 5/0.

19. CITIZENS FORUM

Responses to inquiries are limited by state law to a recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision by Council shall be limited to a proposal to place the subject on the agenda of a future meeting.

Mayor Wheeler stated for the record that there were no citizen's wishing to speak.

20. City Administrator Updates.

Ms. Reyer provided the following updates:

- The Holly Hill Trails Park groundbreaking was set for January 29, 2022 at 10:30 a.m.

21. COUNCIL'S INQUIRY

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Councilmember McLeod requested that the newsletter be posted online when it is sent out to residents. Councilmember McLeod also suggested an additional line be added with the reserve balance to see what funds are available.

Councilmember Fletcher stated that false comments were made during Citizens Forum regarding a Shenandoah officer, the police department, and the City Attorney. Councilmember Fletcher stated that the gentleman who spoke was asked to contact the Texas Rangers regarding his request for an internal investigation and was not denied by the police department or the City Attorney. Councilmember Fletcher stated that the statements made were not entirely true. He finished by thanking Ms. Wasner for her hard work in continuing to keep the City transparent.

Councilmember Raymaker stated that he too felt that the negative comments made during citizens forum were intended to bully a superior officer at the City.

Councilmember Escoto stated that he agreed with Councilmember Fletcher statements and that he was appalled by the comments that were made and that he wanted the residents to know that the comments made lacked all of the information.

Mr. Ferebee stated that Montgomery County had already investigated the allegations that were made, and that in response to the request for an internal investigation, the City requested that the request be taken to the F.B.I. or to the Texas Rangers to have them perform the investigation.

Mayor Wheeler thanked Ms. Wasner and staff for their hard work on keeping the City transparent. He also asked the residents not to believe every claim made during citizens forum and urged residents to research and ask questions if statements are made that cause doubt.

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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 move into executive session at 7:49 p.m.

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

- i) Government Code Sec. §551.071. Consultation with Attorney
 - Township fire services agreement
 - ii) Government Code Sec. §551.087. Deliberation Regarding Economic Development Negotiations
 - Use of ARPA Funds
 - iii) Government Code Sec. 551.071. Consultation with Attorney; Pending Litigation
 - Former Building Official
- a) Consideration and if determined appropriate, take action resulting from the item(s) listed under Executive Session.

Mayor Wheeler reconvened the regular meeting at 8:37 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 8:38 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.

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

SUBMITTED BY:



Courtney Clary, City Secretary

DATE APPROVED:



M. Ritchey Wheeler, Mayor

