

MINUTES OF REGULAR MEETING

October 26, 2022

SHENANDOAH CITY COUNCIL

The meeting was called to order by Mayor John G. Escoto at 7:00 p.m. City Council members present, Councilmember McLeod, Councilmember Bradt, Councilmember Pollard, 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 Troye Dunlap, Community Development Director Jackie Thompson, CVB Director John Mayner, IT Manager Chris Grizzaffi, and Communications Manager Debbie Pilcher were also present.

1. CALL TO ORDER

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

2. CALL OF ROLL

Mayor Escoto stated for the record that Councilmember Fletcher was absent and excused from the meeting.

3. PLEDGE OF ALLEGIANCE

4. INVOCATION

John Bleyl 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.

Charley Ballmer – To hear citizen comments, please click [HERE](#)

Janeu Houston – To hear citizen comments, please click [HERE](#)

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

INDIVIDUAL CONSIDERATION:

6. Presentation of L.E.C.O.P awards.

Director of Training for the Texas Police Chief Association, Chief Gentry, presented awards

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to Lieutenant Joel Gordon and Lieutenant Jake Reuvers for their completion of the Law Enforcement Command Officer Program.

7. Presentation of the monthly MDD report.

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

8. Presentation of the annual pool report.

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

9. Discussion and possible action to approve the closure of Silverwood Ranch Drive for a block party.

COUNCILMEMBER BRADT MADE A MOTION TO APPROVE THE CLOSURE OF SILVERWOOD RANCH DRIVE FOR A BLOCK PARTY ON NOVEMBER 6, 2022, COUNCILMEMBER POLLARD SECONDED. THE MOTION CARRIED 4/0.

10. Discussion and possible action to authorize purchases from the equipment replacement fund.

COUNCILMEMBER RAYMAKER MADE A MOTION TO AUTHORIZE PURCHASES FROM THE EQUIPMENT REPLACEMENT FUND AS PRESENTED, COUNCILMEMBER MCLEOD SECONDED. THE MOTION CARRIED 4/0.

11. Discussion and possible action regarding city entrance sign design.

COUNCILMEMBER MCLEOD MADE A MOTION TO AWARD DESIGN SERVICES TO LANDOLOGY FOR \$28,000, COUNCILMEMBER RAYMAKER SECONDED. THE MOTION CARRIED 4/0.

12. Discussion and possible action to approve a contract for the pool rehabilitation project.

COUNCILMEMBER MCLEOD MADE A MOTION TO AWARD A CONTRACT FOR POOL REHABILITATION AT THE MARY PAT CASE POOL TO TEXAS POOL EXPERTS (BEYOND BLUE POOLS) FOR \$29,998, COUNCILMEMBER RAYMAKER SECONDED. THE MOTION CARRIED 4/0.

13. Consideration and possible action to approve a preliminary plat for Adriatic Café.

COUNCILMEMBER POLLARD MADE A MOTION TO APPROVE A PRELIMINARY PLAT FOR

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ADRIATIC CAFÉ, COUNCILMEMBER MCLEOD SECONDED. THE MOTION CARRIED 4/0.

14. Presentation of a Planning and Zoning Commission preliminary report regarding a Special Use Permit for a Wine and Malt Beverage Retail (On-Premises) Permit for Crawfish Café located at 8850 MetroPark Drive, Suite 100.

Ms. Thompson stated that Crawfish Café was requesting a Special Use Permit (SUP) to allow for a Special Use Permit for a Wine and Malt Beverage (On-Premise) Permit and that the request did not include an application for a late hours permit.

15. Public hearing regarding proposed Special Use Permit for a Wine and Malt Beverage Retail (On Premises) Permit.

Mayor Escoto opened the public hearing at 7:49 p.m.

Mayor Escoto closed the public hearing at 7:50 p.m.

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

AN ORDINANCE OF THE CITY OF SHENANDOAH, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 102, GRANTING A SPECIAL USE PERMIT FOR A WINE AND MALT BEVERAGE (ON-PREMISE) PERMIT FOR CRAWFISH CAFE LOCATED AT 8850 METROPARK 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 MCLEOD MADE A MOTION TO ADOPT AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 102, GRANTING A SPECIAL USE PERMIT FOR A WINE AND MALT BEVERAGE (ON-PREMISE) PERMIT FOR CRAWFISH CAFE LOCATED AT 8850 METROPARK DRIVE, SUITE 100, COUNCILMEMBER POLLARD SECONDED. THE MOTION CARRIED 4/0.

17. Presentation of a Planning and Zoning Commission preliminary report regarding a variance to City of Shenandoah Zoning Ordinance allowing for encroachment of pool equipment within the side building setback for 136 McKinley Landing Lane.

Ms. Thompson stated that the request was for a variance to allow for the encroachment of pool equipment within a 4' side building setback line that would permit placement of pool equipment within the left side building setback.

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18. Public hearing regarding a variance to City of Shenandoah Zoning Ordinance allowing for encroachment of pool equipment within the side building setback.

Mayor Escoto opened the public hearing at 7:53 p.m.

Mayor Escoto closed the public hearing at 7:54 p.m.

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

AN ORDINANCE OF THE CITY OF SHENANDOAH, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 102, TO APPROVE A VARIANCE TO THE CITY OF SHENANDOAH ZONING ORDINANCE PROVIDING FOR ENCROACHMENT OF POOL EQUIPMENT INTO A SIDE BUILDING SETBACK LINE FOR 136 MCKINLEY LANDING LANE, SHENANDOAH, TEXAS; PROVIDING FOR A PENALTY IN THE AMOUNT OF \$2,000 FOR VIOLATIONS THEREOF; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

COUNCILMEMBER BRADT MADE A MOTION TO ADOPT AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 102, TO APPROVE A VARIANCE TO THE CITY OF SHENANDOAH ZONING ORDINANCE PROVIDING FOR ENCROACHMENT OF POOL EQUIPMENT INTO A SIDE BUILDING SETBACK LINE FOR 136 MCKINLEY LANDING LANE, COUNCILMEMBER RAYMAKER SECONDED. THE MOTION CARRIED 4/0.

20. Discussion and possible action to adopt the following Resolution:

A RESOLUTION SETTING A DATE, TIME, AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SHENANDOAH, TEXAS, AND AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SUCH PUBLIC HEARING.

- a) 1.00 acre tract owned by the City of Shenandoah
- b) 0.998 acre tract owned by the City of Shenandoah
- c) 1.878 acre tract owned by the City of Shenandoah

COUNCILMEMBER MCLEOD MADE A MOTION TO ADOPT A RESOLUTION SETTING A DATE, TIME, AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SHENANDOAH, TEXAS, AND AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SUCH PUBLIC HEARING, COUNCILMEMBER POLLARD SECONDED. THE MOTION CARRIED 4/0.

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21. Discussion and possible action to adopt the minutes of the August 24, 2022, September 14, 2022 and the September 28, 2022 regular meetings.

COUNCILMEMBER BRADT MADE A MOTION TO ADOPT THE MINUTES OF THE AUGUST 24, 2022, SEPTEMBER 14, 2022 AND THE SEPTEMBER 28, 2022 REGULAR MEETINGS, COUNCILMEMBER POLLARD SECONDED. THE MOTION CARRIED 4/0.

22. Discussion and possible action to ratify the accounts payable for September, 2022.

COUNCILMEMBER RAYMAKER MADE A MOTION TO RATIFY THE ACCOUNTS PAYABLE FOR SEPTEMBER, 2022, COUNCILMEMBER BRADT SECONDED. THE MOTION CARRIED 4/0.

23. Civic Club updates.

Charley Ballmer provided the following updates:

- Stadium Night and the Garage Sale went well
- The Neighbors Helping Neighbors group participated with the Trash Bash event and were incredibly helpful
- Actively collecting addresses on social media for trick-or-treating to see which homes will be handing out candy
- The 25th Annual Lighting of The Angels event will be held November 29, 2022
- Luminary preparation supplies will be available December 10, 2022 for the lighting of the luminaries on Christmas Eve

24. City Attorney updates.

Mr. Ferebee stated that a temporary restraining order (TRO) and temporary and permanent injunctions lawsuit filed by Frank Powell, a non-resident attorney, went to trial. Mr. Ferebee stated that the TRO was denied early on and that he had recently discovered that the injunctions, both temporary and permanent, were denied by the judge. He added that all that was left to do was to determine whether the city would recover attorney fees.

25. City Administrator updates – Monthly Reports.

- David Memorial Extension to 242 Project moved forward with the Woodlands Township committing \$500,000 in partnership funding, the City of Conroe committing funds through their CIP, and Montgomery County funding was expected to be finalized at the

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next Commissioners' Court meeting

- The I-45/Research Forest Intersection Project received five million dollars in federal pass-through funding from Montgomery County
- The Research Forest/Grogan's Mill Intersection Project was expected to begin in November
- Ms. Reyer thanked those involved moving the projects forward including Bleyl Engineering, City Attorney, Public Works Director and Project Manager, Finance Director, former mayor Ritch Wheeler, Mayor Escoto, Commissioner Charlie Riley, City Council and Municipal Development District
- CVB Director John Mayner recently participated on the H-GAC panel for Rural Towns and Downtown Revitalization and also participated on "Between the Trees" interview with J.J. Hollie
- The Fall Trash Bash was a huge success. Ms. Reyer thanked Charley Ballmer and Neighbors Helping Neighbors for their assistance
- The Halloween Parade was scheduled for October 31, 2022 at 5:00 p.m.

26. 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 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.

Councilmember Raymaker stated that he was appreciative of all the hard work put in to get all of these projects moving forward.

Councilmember Pollard thanked Ms. Reyer for her part in getting all the projects moving forward. He also shared that a family festival was to be held at Metropark the upcoming weekend and he invited residents to attend and show support to the businesses there.

Councilmember Bradt also thanked Ms. Reyer and everyone involved with all the working parts of the big projects that would be moving forward.

Councilmember McLeod requested that residents contact Charley Ballmer to provide their address if they were interested in participating with trick-or-treaters in the neighborhood and

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suggested that residents wrap things up around 9:00 p.m. Councilmember McLeod also requested that staff begin moving forward with setting up the Halloween Committee to prepare for next year's event.

Mayor Escoto shared his appreciation for everyone involved in getting all the big projects off the ground and moving forward.

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.

There being no further business, Mayor Escoto adjourned the meeting at 8:19 p.m.

ADJOURN

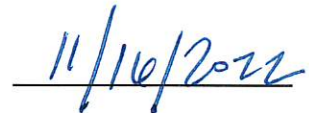
The Council may vote and/or act upon each of the items listed on this Agenda. One agenda item will be discussed at a time unless logic and practical consideration allow similar topics to be considered together for purposes of convenience and efficiency. The Council may retire into executive session concerning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

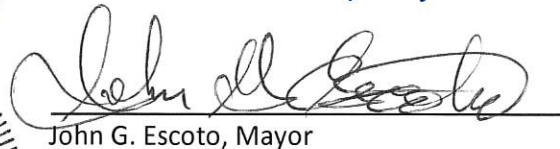
Any discussion item on the City Council agenda permits City Council to question the involved parties or receive a presentation by the involved parties.

SUBMITTED BY:


Courtney Clary, City Secretary

DATE APPROVED:


11/16/2022


John G. Escoto, Mayor

