

MINUTES OF REGULAR MEETING

January 22, 2020

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 Gristy, Councilmember Fletcher and Councilmember Raymaker. City Administrator Kathie Reyer, City Secretary Courtney Clary, City Attorney William Ferebee, Finance Director Lisa Wasner, Police Chief Raymond Shaw, Communications Manager Debbie Pilcher, CVB Director John Mayner, and IT Manager Chris Grizzaffi 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.

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

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 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.

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INDIVIDUAL CONSIDERATION

7. Update regarding mobility projects from Bleyl Engineering.

John Bleyl with Bleyl Engineering commended Ms. Reyer, Mr. Peart and Kenny

Eickelberg for their help with the project. Mr. Bleyl had the following updates:

• **Intersection Improvements I-45 at Research Forest Dr./Tamina Rd**

Met with TxDOT on December 12, 2019 and they are on board with the project and Bleyl Engineering has been authorized to move forward with the final design. The project design will take about one year with TxDOT. The third quarter of 2021 is the anticipated time to begin construction.

• **Home Depot Driveway Modifications**

Proposed new driveway with the extension of the existing right turn lane to the east on Tamina, and existing driveway to be removed once new driveway is in place. Discussions are ongoing and this will be a summer construction schedule.

• **Research Forest Dr. Right Turn Lane**

Has been submitted to Commissioner Noack's office and has been approved to move forward.

• **David Memorial Drive Extension**

Multiple meetings have taken place and a lot of progress has been made. Anticipated to have 30% of plans sent to staff and to county for review sometime in February.

• **Right turn Lane on Grogans Mill Going South to Research Forest Dr.**

This project is not in Shenandoah city limits but will affect the residents. Bleyl Engineering completed their portion of the project for the county. The advertisement for construction bid scheduled for February 19, 2020. The project is completely funded by the county.

8. Discussion and possible action regarding the 2019 annual financial report.

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

COUNCILMEMBER BRADT MADE A MOTION TO ACCEPT THE ANNUAL FINANCIAL REPORT, COUNCILMEMBER FLETCHER SECONDED. THE MOTION CARRIED 5/0.

9. Presentation of a final report regarding the proposed zoning amendment for a special use permit for a Medical Services: General. The proposed zoning amendment is for 1500 Research Forest Drive, Suite 120, Shenandoah, Texas (IV Bars of The Woodlands).

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Ms. Reyer stated that the business will have medical waste, which requires a permit. She stated that there are 25 locations nationwide and that they will have qualified staff on hand. Ms. Reyer added that the Planning and Zoning Commission recommended approval.

10. Public hearing regarding the proposed zoning amendment for a special use permit for a Medical Services: General. The proposed zoning amendment is for 1500 Research Forest Drive, Suite 120, Shenandoah, Texas.

Mayor Wheeler opened the public hearing at 7:33 p.m.

With there being no citizens wishing to speak, Mayor Wheeler closed the public hearing at 7:34 p.m.

11. 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 MEDICAL SERVICES: GENERAL FOR 1500 RESEARCH FOREST DRIVE, SUITE 120, SHENANDOAH, TEXAS; PROVIDING FOR A PENALTY IN THE AMOUNT OF \$2,000 FOR VIOLATIONS THEREOF; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

COUNCILMEMBER GRISTY MADE A MOTION TO ADOPT AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR MEDICAL SERVICES, COUNCILMEMBER BRADT SECONDED. THE MOTION CARRIED 5/0.

12. Presentation of MDD report.

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

13. Presentation of a proclamation announcing Arbor Day 2020.

Mayor Wheeler presented a proclamation proclaiming April 24, 2020 as National Arbor Day. The annual celebration, tree giveaway, and plant share would be held on March 7, 2020 in Shenandoah.

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

AN ORDINANCE OF THE CITY OF SHENANDOAH, TEXAS, PROVIDING FOR THE HOLDING OF A

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GENERAL ELECTION TO BE HELD ON MAY 2, 2020, FOR THE PURPOSE OF ELECTING THREE (3) CITY COUNCIL MEMBERS, MAYOR, AND POSITIONS 1 AND 5; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTIONS.

COUNCILMEMBER FLETCHER MADE A MOTION TO ADOPT AN ORDINANCE PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 2, 2020, COUNCILMEMBER RAYMAKER SECONDED. THE MOTION CARRIED 5/0.

15. Discussion and possible action regarding the Election Services Agreement and Joint Election Agreement with Montgomery County for the May 2, 2020 City General Election.

COUNCILMEMBER FLETCHER MADE A MOTION TO APPROVE THE ELECTION SERVICES AGREEMENT AND JOINT ELECTION AGREEMENT WITH MONTGOMERY COUNTY FOR THE MAY 2, 2020 CITY GENERAL ELECTION, COUNCILMEMBER MCLEOD SECONDED. THE MOTION CARRIED 5/0.

16. Discussion and possible action to approve a change order for the Pinecroft waterline project.

COUNCILMEMBER RAYMAKER MADE A MOTION TO APPROVE A CHANGE ORDER FOR THE PINECROFT WATERLINE PROJECT, COUNCILMEMBER FLETCHER SECONDED. THE MOTION CARRIED 5/0.

17. Discussion and possible action to approve a proposal for final design of the Home Depot driveway and Research Forest right turn lane projects.

COUNCILMEMBER GRISTY MADE A MOTION TO APPROVE A PROPOSAL FOR FINAL DESIGN OF THE HOME DEPOT DRIVEWAY AND RESEARCH FOREST RIGHT TURN LANE PROJECTS, COUNCILMEMBER BRADT SECONDED. THE MOTION CARRIED 5/0.

18. Discussion and possible action to approve the purchase of trucks from the Public Works/Water Sewer equipment replacement fund.

COUNCILMEMBER FLETCHER MADE A MOTION TO APPROVE THE PURCHASE OF TRUCKS FROM THE PUBLIC WORKS/WATER SEWER EQUIPMENT REPLACEMENT FUND, COUNCILMEMBER GRISTY SECONDED. THE MOTION CARRIED 5/0.

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19. Discussion and possible action to approve charges for the Stagg Bowl.

COUNCILMEMBER MCLEOD MADE A MOTION TO APPROVE AN EXPENDITURE FOR THE 2019 STAGG BOWL, COUNCILMEMBER RAYMAKER SECONDED. THE MOTION CARRIED 5/0.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY 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 2020; 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.

COUNCILMEMBER BRADT MADE A MOTION TO ADOPT AN ORDINANCE AUTHORIZING PARTICIPATION WITH OTHER ENTERGY SERVICE AREA CITIES IN MATTERS CONCERNING ENTERGY TEXAS, INC. AT THE PUBLIC UTILITY COMMISSION OF TEXAS IN 2020; 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, COUNCILMEMBER MCLEOD SECONDED. THE MOTION CARRIED 5/0.

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

COUNCILMEMBER FLETCHER MADE A MOTION TO RATIFY THE ACCOUNTS PAYABLE FOR DECEMBER, 2019, COUNCILMEMBER GRISTY SECONDED. THE MOTION CARRIED 5/0.

22. Non-Action Items.

The following budgeted items were authorized by the City Administrator, per Council approval:

- 2019-2020 Catahoula Well Expenses - \$64,400.00

23. CITIZENS FORUM

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

24. City Administrator Updates – Monthly Reports.

Ms. Reyer presented the following updates:

- The water main break at the Pinecroft waterline replacement area was repaired quickly having limited impact on businesses in that area
- Annual curb repairs set to begin the week of January 27, 2020
- A Sergeant with the Shenandoah Police Department was injured on duty and was receiving treatment for his injuries
- The Shenandoah Police Department received an Excellence of Service Award from Home Depot for their loss prevention efforts. This is in addition to the recognition of Detective Sergeant Joel Gordon for his work with loss prevention at Home Depot

25. COUNCIL'S INQUIRY

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Councilmember raymaker stated that he filed his application for the May 2, 2020 election.

Councilmember Fletcher wanted to send prayers to Sergeant Brockhoeft and his family and wished him a speedy recovery. Councilmember Fletcher added that police officers have difficult jobs and are not guaranteed to make it home. He stated that he appreciated the police department and thanked Detective Sergeant Gordon, and all SPD officers, for their hard work.

Councilmember Gristy stated that he attended the George Mitchell Memorial Highway dedication on January 17, 2020 and that the ceremony had a great turnout.

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Councilmember McLeod stated that staff was working on gathering information for upcoming 2020 Census. He also urged residents to visit the city's website to take the curb painting survey, and he wanted to make residents aware that CISD would be looking to rezone school locations in the future. Councilmember McLeod also reminded residents that February 13, 2020 was the first day to sign up for the Shenandoah Sharks swim team.

Mayor Wheeler urged residents to attend both the May 2, 2020 election at City Hall and to participate at the annual David's Dream Run event. He added that Coffee with Cops was scheduled for March 7, 2020, which would be the same date as the Arbor Day celebration, the Montgomery County Safety Expo was scheduled for March 28, 2020, and that the Easter Egg Hunt was scheduled for April 4, 2020.

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 recessed the regular meeting to move into executive session at 7:56 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
 - ii) Government Code § 551.071. Consultation with Attorney; Pending Litigation
 - Denton Dam Agreement
 - iii) Government Code § 551.087. Deliberation Regarding Economic Development Negotiation
 - PILOT Agreement with Memorial Hermann
- a) Consideration and if determined appropriate, take action resulting from the item(s) listed

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under Executive Session.

Mayor Wheeler resumed the regular meeting at 9:12 p.m. and stated for the record that no action was taken in executive session.

COUNCILMEMBER FLETCHER MADE A MOTION TO APPROVE THE PILOT AGREEMENT WITH MEMORIAL HERMANN REFLECTED THE CORRECTED REDLINE DOCUMENT, COUNCILMEMBER MCLEOD SECONDED. THE MOTION CARRIED 5/0.

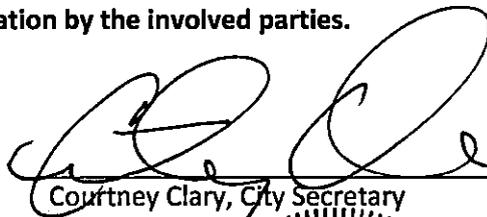
There being no further business, Mayor Wheeler adjourned the meeting at 9:13 p.m.

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.

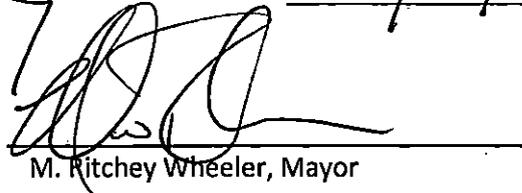
SUBMITTED BY:



Courtney Clary, City Secretary

DATE APPROVED:

02/26/2020



M. Ritchey Wheeler, Mayor