

CITY OF STAGECOACH
CITY COUNCIL GENERAL MEETING
E.S. Williams City Center
16930 Boot Hill Road
Stagecoach, Texas 77355

MARCH 21, 2017 MEETING MINUTES

State of Texas
County of Montgomery
City of Stagecoach

1. Mayor Galen Mansee called the meeting to order at 7:00 p.m.
2. The roll call was taken with the following persons present (P), absent (A), or late arrival (LA):

Mayor:	Galen Mansee	(P)
Aldermen:	Sharon McClure	(P)
	Jim Cooley	(P)
	James Osteen	(P)
	Mark McGill	(P)
	Bill McGahen	(P)
Attorney:	Janice Baldwin	(P)
Secretary:	Brenda Rutt	(P)
Chief of Police:	Mike Wethington	(P)
3. The Invocation was given by Janice Baldwin and the Pledges of Allegiance to the United States flag and the Texas flag were said.
4. Persons desiring to appear before City Council: Jimmy Cones appeared before Council about a Stop Work Order issued for construction of an accessory building. He thought he would be able to be on the agenda but Mayor Mansee informed him that all agenda items must be posted 72 hours before the meeting.
5. Council reviewed the minutes of the February 21, 2017 General Meeting. Alderman McGahen motioned to approve the minutes as presented. Alderman McGill 2nd. The vote was all in favor with Alderman Osteen abstaining due to being absent at the February meeting.
6. City Secretary Rutt presented the Certification of Unopposed Candidates for the May 6, 2017 City General Election and requested Council to cancel the 2017 General Election. City Secretary Rutt reported that Alderman Position 2 – Jim Cooley, Alderman Position 4 – Mark McGill, and Alderman Position 5 – Bill McGahen, are all unopposed and the election can be cancelled.
7. Cancel the General Election for Saturday, May 6, 2017. Council reviewed the Certification of Unopposed Candidates and Alderman McGahen motioned to cancel the General Election scheduled for Saturday, May 6, 2017. Alderman Osteen 2nd. The vote was all in favor.
8. Presentation of racial profiling report for 2016, as prepared and submitted by the Chief of Police. Chief Wethington read the report that has been submitted to the State and is posted online on the Texas Commission on Law Enforcement's website. No action necessary.

9. Status of new home construction projects within the City and requests for permit applications. Planning & Zoning Commissioner Chuck Evans reported that two applications were approved this month for a carport and an RV carport. City Secretary Rutt reported that the Hinojas are still working on their house and are ready to call for an electrical and mechanical inspection. No action required.
10. Chief Wethington reported on the status of properties having ordinance violations. A Stop Work Order was issued for construction at 14326 Stagecoach Road. The officers once again removed many illegal signs for the sale of the house on Indian Springs Trail. We have not been able to catch the person putting out the signs so we may have to mail a citation to the property owner. No action required.
11. Status of Public Works projects and activities. Public Works Director Terry Rutt reported that some road patching was done on Deer Creek Way, Silver Spur and Surrey Lane. The repair at the corner at Deer Creek Way appears to be holding up. Director Rutt would like to purchase another ton of asphalt this Fall to repair the corners of the roads that are dropping off and to repair where the sides of some roads are failing. Director Rutt asked for the officers to please write tickets to people who are driving in ditches, especially people on 4-wheelers and golf carts. Mayor Mansee said the County did a good job cutting back the brush on Stagecoach Road. The tree in front of the Roshto's house still needs to be cut back because it is hanging over the road. Chief Wethington said 15 loads of base and concrete rip rap were donated to the City and they were placed on the spillway at Lake Apache. Chief Wethington reported that a construction company on Butera Road may donate a lot of dirt to us for the spillway. Chief Wethington said he would like to put at least 20 more loads on the back of the spillway and then put a base on top of that. No action required.
12. Financial statements for February 2017. Mayor Mansee said the income and expenses are right in line with the budget so far. Mayor Mansee passed out a report on the flood expenses and insurance proceeds. We have not received any FEMA money yet but we have submitted everything to the State and we are hopeful that we will receive a check soon. He only put the down payment for the 2016 Tahoe on the flood report. Alderman McGahen said that that flood might not have been a bad deal financially but it was in every other way. Mayor Mansee said that ServPro donated their services to the City and a lot of the furniture that was donated as well. Mayor Mansee would like to put an item on the agenda in April regarding the flood proceeds. No action required.
13. Reports:
 - a. Chief of Police: Passed out the monthly statistics report. Chief Wethington welcomed Phillip Hughes as our third full-time officer. Chief Wethington said he has not felt so relaxed in a long time since Robert and Phillip started with the department. He was able to take several days off and just relax. Chief Wethington also welcomed Jim Cooley as a reserve officer. He said that Officer Cooley had an interesting first day because he participated in a local warrant roundup. Terry Rutt said he has noticed a big difference in police coverage on Stagecoach Road and it has cut down on speeding. Mayor Mansee reported that there was an article in the *Potpourri* about Gary Frakes and the Stagecoach Police Department. The article said the lawsuit went all the way to the U.S. Supreme Court but that court declined to hear the case and the trial court and appellate court had ruled in our favor. Chief Wethington explained that former Officer Ott responded to the scene of an accident near Mr. Frakes' residence. Mr. Frakes came to

the scene with a shotgun that he refused to put down. Officer Ott called for backup, the officers took the gun away from Mr. Frakes. They put Mr. Frakes in the back of a police car for approximately 15 minutes. Mr. Frakes claimed his civil rights were violated by being handcuffed and detained in the car. Officer Ott and a Montgomery County Constable were both named in the lawsuit.

- b. Flood Plain Administrator: No report.
 - c. P & Z Commission: No report.
 - d. City Attorney: City Attorney Baldwin stated that she will be going to Prosecutor school tomorrow. She reminded Council that the case in which a special prosecutor will need to be appointed is still pending in the Municipal Court. She said the other side is probably going to ask for a trial on the matter. City Attorney Baldwin cannot be the prosecutor for that case because she represents one of the parties in a related matter.
 - e. City Secretary: City Secretary Rutt said that Council members and other City staff and volunteers are invited to the Mud Bug Bash on April 7, 2017 at ServePro.
 - f. Aldermen: Alderman McGill complimented the Chief and his officers. Alderman McGill said the overall police presence in the City is much better and that speeding is down. Alderman McGill said that he appreciates Officers Hughes, Lee and Cooley joining the department. Alderman McGahen asked about children driving off-road vehicles. He said that several young children have been driving a UTV down Tomahawk, usually on the weekends. Terry Rutt said he has seen the kids driving on the streets around dusk. Alleine McGahen reported that they are driving around 50 mph down Tomahawk. Alderman McGahen said that the dogs seem to be staying in their yards; however, the Mulkey's dog, Poseidon, still gets out and chases cars sometimes. Alderman McGahen reported that the Hinojasas were burning trash last Friday night. He said that it was mostly brush but there might have been some construction material as well. Sgt. Lee reported that he and Cpl. Hughes responded to a shots fired call last week. A resident was firing an AR15 gun with a suppressor down the creek. The bullets were whizzing by the Stewarts' house on Tomahawk. The resident had put the gun away before the officers arrived on scene. City Attorney Baldwin will check to see what State and County laws cover discharging firearms in the City. The resident could have been charged with deadly conduct or reckless endangerment. Terry Rutt asked about the sonic booms that have been going off. Cpl. Hughes reported that people are shooting tannerite targets at Lazy Acres. Alderman McGahen also reported that his neighbor is putting cardboard and Styrofoam on his burn pile. He has not seen his neighbor burning it but it is on the burn pile. Alderman McGahen said he thinks we have a good City Attorney.
 - g. Mayor: No report.
14. There being no further business, Alderman Cooley motioned to adjourn the meeting at 7:45 p.m. Alderwoman McClure 2nd. The vote was all in favor.

Brenda Rutt

