

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

FEBRUARY 20, 2018 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	(A)
	Bill McGahen	(P)
Attorney:	Janice Baldwin	(A)
Secretary:	Brenda Rutt	(P)
Chief of Police:	Mike Wethington	(P)

3. The Invocation was given by Jim Cooley and the Pledges of Allegiance to the United States flag and the Texas flag were said.
4. Persons desiring to appear before City Council: Chris Little said that he appreciates everything the City's employees do. Mr. Little addressed Council about gun and hunting laws. He said that Alderman McGahen had inquired about gun laws in effect in the City at the November Council meeting. Mr. Little printed off a copy of State gun laws currently in effect for unincorporated areas. Montgomery County has an ordinance restricting the discharge of firearms on lots less than 10 acres and the County has also passed a bow and arrow ordinance. Neither of those ordinances apply to the City because we are incorporated. Mr. Little said that currently there are no laws prohibiting hunting in Stagecoach. One of Mr. Little's neighbors was shooting a rifle into the lake and the bullet hit Mr. Little's property. Air rifles are not included in the State's definition of guns and Mr. Little would like the City to pass an ordinance which would also prohibit air rifles. Mr. Little would like the City to pass an ordinance prohibiting hunting and firing guns within our City limits. Chief Wethington said that under the laws that are currently in place, a person can be charged with reckless and deadly conduct for firing a weapon in the city limits. Chief Wethington reported that we recently wrote a citation to a resident for a noise violation because he was firing guns on his property. Chief Wethington said that we can enforce what is reasonable and prudent. For example, hunting on less than acre is not reasonable. Chief Wethington said that the City can follow County law. It is up to the police officer to decide whether or not charges will be filed in a situation. Mr. Little suggested following the County's ordinances with regard to hunting and firearms and passing our own ordinances. Chuck Evans believes that State law says you cannot hunt within 300 feet of a residence. Corporal Hughes asked about what

the charge would be for firing a weapon near a residence and Chief Wethington said that the charge can be upgraded to deadly conduct. Terry Rutt asked about shooting into a berm – is that deadly conduct? Terry Rutt said we should exclude pellet guns from any ordinance that we pass. Mr. Little said there was a thread on Nextdoor.com about guns and hunting and many residents are confused as to whether or not they are allowed to discharge firearms and/or hunt in Stagecoach. Mr. Little believes we should ban hunting in Stagecoach. Mayor Mansee said we will take the matter under advisement and put it on a future agenda.

Paul McCormick addressed Council about Ordinance 68. He said the ordinance is not being enforced. The barndominium residents are being allowed to park on the street. Chief Wethington said he wants the residents to finish construction of the house as soon as possible. Once construction is finished, the residents will also have to move the storage containers in front of the residence. Chief Wethington showed Council pictures of what the barndominium currently looks like. Mr. McCormick said other residents on Silver Spur are constantly complaining. Mr. McCormick said fire trucks would not be able to get down the street due to the number of vehicles parked on the road. Chief Wethington said he has had many conversations with Bobby Cooke regarding vehicles parked on the road. Mr. Cooke will not be running his business out of the house and his employees will not be parking at the house. Mr. Cooke has promised to repair the easements on both sides of the road once construction is finished. Mr. McCormick said the Cookes clear cut the property and then burned trees and tires for three weeks. Chuck Evans said the structure does not resemble the plans that were submitted to Planning and Zoning. Mayor Mansee said there were not any elevation drawings submitted. Terry Rutt asked what happens when someone does not build according to the plans submitted. Chuck Evans has never spoken to DPIS about what they are inspecting but he believes they are only inspecting to code. Alderman Cooley said DPIS verified that his accessory building slab was built according to his plans. Chuck Evans said it has happened before that the structure built bears little resemblance to what was submitted. Alderman McGahen said all structures need to be built according to the plans submitted. Bill Berger said Ordinance 68 does not require that a structure is built to plan. Sergeant Lee said that type of situation would be a civil matter and not a police matter. Chuck Evans suggested that when there is an allegation that a structure is not being built according to the plans, then we need to have an inspection done to verify whether or not it is being built to plan. Bill Berger said if it is not in the ordinance, we cannot enforce a penalty. Chuck Evans said he can modify Ordinance 68 requiring structures to be built according to a majority of the plan and to require a compliance inspection. Terry Rutt suggested having an inspection prior to issuing a certificate of occupancy. Chuck Evans will submit a revised Ordinance 68 for review by Council at a future Council meeting.

5. Council reviewed the minutes of the January 16, 2018 General Meeting. City Secretary Rutt read the corrections that were submitted. Alderwoman McClure motioned to approve the minutes, as amended. Alderman McGahen 2nd. The vote was all in favor, with Alderman Cooley abstaining.
6. 2016 Infrastructure Project Application (DR-4272). City Secretary Rutt informed Council that the CDBG-DR application has been completed by GrantWorks and will be available for review until February 28, 2018. The application will be submitted to the State on February 28, 2018. No action required.
7. Status of new home construction projects within the City and requests for permit applications. Planning & Zoning Commissioner Chuck Evans stated that an incomplete

application for a new residence was submitted. City Secretary Rutt said the Hinojosas have 30 days to finish construction of their residence. No action required.

8. Chief Wethington reported on the status of properties having ordinance violations. A citation was issued for a noise violation. Several illegal signs have been removed from the right-of-ways. An arrest was made on Stagecoach warrants. Mayor Mansee asked about the status of 16419 Old Coach. Officers Hughes and Lee are going to issue a citation to the resident for a septic violation. Mayor Mansee told Council about the trash pile at 16722 Cimmaron. The property owner is working on cleaning it up, but he told Mayor Mansee that he needs longer than seven days. Terry Rutt asked about trash near 14419 Stagecoach Road and Chief Wethington said he believes that has been cleaned up. No action required.
9. Status of Public Works projects and activities. Director Terry Rutt reported that no projects have been done due to the weather. Chris Little said he plans on killing the taro (elephant ears) and tallow trees along the lakes. Alderman McGahen asked Mr. Little to go down Tomahawk as well for the tallow trees. Mr. Little has an herbicide that will kill the tallow trees and another one to kill the elephant ears. Mr. Little said the creek is packed in solid with taro. He will work on getting rid of them. Mr. Little said that you must have a license for the herbicide he uses to kill the tallow trees. Mayor Mansee said that we need to plant the tree that was purchased last year at the City Center. No action required.
10. Financial statements for January 2018. Mayor Mansee reviewed the budget and we are pretty much on track. No action required
11. Reports:
 - a. Chief of Police: Passed out the monthly statistics report. Chief Wethington stated that there is a lot of criminal activity all around us. Our officers had to escort a meth user out of the city this week. Chief Wethington asked the residents to keep their stuff locked up; out of sight, out of mind. He reminded our citizens that we are surrounded by five trailer parks. Chief Wethington also told our residents to beware of gypsies; this is the time of year they usually show up. Linda Kienzle asked if Chief Wethington is going to put out another letter to the residents. Sharon McClure asked about the recent theft in the City and Chief Wethington said it is still under investigation.
 - b. Flood Plain Administrator: No report.
 - c. P & Z Commission: Commissioner Evans said we need to update the Codes in Ordinance 68 by resolution. Mayor Mansee asked for that to be placed on the March agenda.
 - d. City Attorney: Not present.
 - e. City Secretary: City Secretary reported that the election will be cancelled because all the candidates are unopposed. Resident Aaron Bush said he would like to get involved; possibly on the Planning & Zoning Commission. Commissioner Evans believes Ordinance 68 sets out five members for Planning & Zoning, but since we are revising the ordinance anyway, we can change that to five or more. Terry Rutt asked about how we inform people about council meetings. He thinks we need to start putting out signs reminding people about the meetings on the weekend before each meeting.

f. Aldermen: Alderman Osteen asked about the location of the septic system on the Kraatz lot. City Secretary Rutt said the septic system is on the other side of the house, not on the side where the lot will be divided.

g. Mayor: No report.

12. There being no further business, Alderman Osteen motioned to adjourn the meeting at 8:12 p.m. Alderman Cooley 2nd. The vote was all in favor.

Brenda Rutt

Brenda Rutt, City Secretary-Treasurer-Court Clerk

