

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

MARCH 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	(P)
	Bill McGahen	(P)
Attorney:	Janice Baldwin	(P)
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: Mark Paulson presented a bid for new signage throughout the city. City Secretary Rutt said that the street signs have been the responsibility of the Civic Club; however, no one has time to repair and/or replace the signs and many of them are in bad shape. Barbara Hejazi suggested having the residents adopt a street sign. She said she would be willing to "adopt" the street sign for Shady Oaks and pay to have a new sign installed. Alderman McGahen asked if the signs would be reflective at night. Mr. Paulson said he would have to see if that could be done. Mayor Mansee said he is fine with getting bids for signage if the signs are similar to the current signs. Mark Paulson showed pictures of a proposed mock up to Council. Each sign would be \$90 - \$50 for an 8-foot pole and \$20 for each sign. The wood signs would be epoxied and should have a 15-year life span. The signs can hang from the posts like the way they do now. The \$90 price does not include installation. The signs would be 6 feet above the ground; the current signs are about 4 to 5 feet high. City Secretary Rutt will present the bid to the Civic Club for consideration.
5. Council reviewed the minutes of the February 20, 2018 General Meeting. City Secretary Rutt read the corrections that were submitted. Alderman McGahen questioned the clear cutting that was done at the barndominium property and that there were burning tires on the property for three weeks. He questioned why the police officers did not stop that from happening. Chief Wethington said the property was not clear cut; trees were removed to put in a pond. Chief Wethington does not believe any tires were burned and the burning of trees is allowed. Chief Wethington said the property owner packed the tires full of sand and

he is using them as a berm. Chief Wethington said that only pine trees were removed and the tires were on the property before the Cookes moved in. Alderman McGahen said people are not supposed to cut trees. Chief Wethington said the property owner was allowed to put in a pond. Chief Wethington said everyone on Silver Spur has been upset with the barndominium; however, the owner has promised to fix everything once construction is completed. Mr. Cooke has purchased another property where he will be operating his business. Alderwoman McClure motioned to approve the minutes, as amended. Alderman Cooley 2nd. The vote was all in favor, with Alderman McGill abstaining.

6. City Secretary Rutt presented the Certification of Unopposed Candidates for the May 5, 2018 City General Election and requested Council to cancel the 2018 General Election.
7. Cancel the General Election for May 5, 2018. Council reviewed the Certification of Unopposed Candidates and Alderman McGahen motioned to cancel the General Election scheduled for May 5, 2018. Alderman Osteen 2nd. The vote was all in favor.
8. Presentation of racial profiling report for 2017, as prepared and submitted by the Chief of Police. Chief Wethington presented the report to Council. He stated that this is the last year that the department will be able to do Tier 1 reporting. Due to a change in the law as of January 1, 2018, we must issue written warnings for every stop (we can no longer give verbal warnings), and we will have to report additional data on future reports. No action necessary.
9. Review proposed changes to Ordinance 68, Planning & Zoning Ordinance. P&Z Commissioner Chuck Evans said only three changes are of substance: non-traditional structures, shipping containers, and compliance inspections.

Enable City Council to review plans and assess impact to the community when a new construction request is made for a non-traditional type of residence. Commissioner Evans proposed revising the Ordinance to have non-traditional structures approved by City Council. City Attorney Baldwin said having Council approve non-traditional type structures may create a problem. City Attorney Baldwin said the wording is very subjective and broad. Commissioner Evans does not want to have a residential design committee like they have in The Woodlands and other neighborhoods. Mayor Mansee asked if we have examples of what other cities have done regarding barndominium type structures. Bill Berger asked so what if the language is too broad? City Attorney Baldwin said the City could be sued. City Attorney Baldwin said the City can impose as many restrictions as we want; however, we need to be more specific. Alderman McGahen asked what language should be used for this paragraph. City Attorney Baldwin said we could just say metal exterior buildings and barndominiums are not allowed. Commissioner Evans said P&Z is open to whatever changes Council wants to make. Mayor Mansee believes the elevation drawings need to be approved by P&Z. City Attorney Baldwin said the City needs to decide what is necessary to protect property values. City Attorney Baldwin asked if we want a certain percentage of the structure to be masonry or do we just want to prevent metal siding on residences? We cannot control the style, but we can control how the structure is built and what materials are used. Terry Rutt said barndominiums are basically manufactured homes because they are a kit that is assembled onsite. Alderman Osteen said we should consider forbidding the types of structures that we know we do not want to be built in the City and put more power in the hands of P&Z for approval of elevation. City Attorney Baldwin said we are better off just saying what we do not want, like barndominiums and metal buildings. Alderman Osteen asked what if P&Z does not approve a project because they think it is ugly? City Attorney

Baldwin said in that case the property owner can appeal the decision to City Council. Commissioner Evans is okay with that as long as it is spelled out in the ordinance. Alderwoman McClure said she has seen some barndominiums that are beautiful and are not made with metal siding. Alderman McGill suggested simply saying that non-traditional styled houses are not allowed. P&Z can say no to a non-traditional style house and the property owner can appeal that decision to Council. Alderman Osteen asked what happens if someone buys property before the new ordinance is passed. Can we still deny someone from building a barndominium? City Attorney Baldwin said the deciding factor is what ordinances are in effect when the plans are submitted; it does not matter when they purchased the land.

Address the temporary and permanent use of shipping containers for storage within the city. Alderman McGill asked how many shipping containers are currently in the city. Chief Wethington said that Pearl von Schmidt has a shipping container that has been covered to look like a storage shed, Barbara McNew has a small shipping container in her backyard that is not visible from the street, and the Cookes have three temporary shipping containers that are to be removed once construction on the house is finished. Mrs. McNew's house is going to be sold and we can require that the shipping container is removed when the house is sold. Alderman McGill asked what if he wanted to use a shipping container as workshop on a temporary basis, such as a year or more. Commissioner Evans said that would not be allowed unless the container is made to look like an accessory building. Commissioner Evans said the ordinance already prohibits the use of shipping containers as a residence because we do not permit modular or mobile homes.

Formalize the right of the city to perform plan compliance inspections to ensure that what is being built is consistent with the submitted/approved plans. Commissioner Evans said that currently the City does not have a way to make sure structures are being built according to plans submitted. Mayor Mansee said the Ordinance needs to require elevation drawings. Alderman McGill said we should include the elevation requirement in the section requiring architectural drawings. Alderman McGahen wants the proposed language "by the company of its choosing" changed to "the company of the City's choosing." Alderman Osteen asked if the City must pay for the compliance inspection. Commissioner Evans said it is P&Z's intent for the City to pay for the inspection, unless the structure is found to not be in compliance. The inspection would only be necessary if the City believes the structure is not being built according to the approved plans.

Update the list of City adopted minimum building code cycles. The NEC is being updated from 2014 to 2017; IRS from 2012 to 2015; and IBC from 2012 to 2015. We are updating the Building Codes. The State has adopted NEC 2017, so we should also adopt the latest version.

City Secretary Rutt explained that we must conduct a public hearing on the ordinance, publish a notice of hearing in the newspaper, and then the ordinance can be adopted at the next council meeting. City Secretary Rutt will send out the revisions to the Ordinance before the meeting. Alderman Osteen thanked Commissioner Evans and the P&Z members for all their efforts in revising the ordinance. No action required.

10. Driving golf carts on public streets. Chief Wethington said he will have some information at the next council meeting. He has three different examples that he is reviewing right now. No action required.

11. Status of new home construction projects within the City and requests for permit applications. Planning & Zoning Commissioner Chuck Evans had to leave early. City Secretary Rutt reported that an accessory building was approved for the Aguilar's at 14708 Stagecoach Road. The people building the new residence across the street from the City Center have not turned in all their documents. No action required.
12. Chief Wethington reported on the status of properties having ordinance violations. A septic company was out at the Kelly's house at 16419 Old Coach Road today repairing their septic system. No action required.
13. Status of Public Works projects and activities. Chief Wethington reported that the steering column on the tractor has been repaired. Director Rutt mowed the City Center. Chief Wethington will be rebuilding the entry sign on Walnut Creek. The sign will be built with steel posts. Chief Wethington reported that he will start replacing culverts on the weekends; he has been waiting for the ground to dry out before starting any projects. The backhoe is working; all broken cylinders have been replaced. No action required.
14. Financial statements for February 2018. No action required.
15. Reports:
 - a. Chief of Police: Passed out the monthly statistics report.
 - b. Flood Plain Administrator: No report.
 - c. P & Z Commission: No report.
 - d. City Attorney: City Attorney Baldwin is working on drafting a firearm and hunting ordinance.
 - e. City Secretary: City Secretary Rutt said that Lt. Sells has invited Council to the Mud Bug Bash on April 6, 2018 at ServePro.
 - f. Aldermen: Alderwoman McClure said our officers do a very good job and she wants everyone to remember that our officers also have their own personal issues they must deal with.
 - g. Mayor: No report.
16. There being no further business, Alderman McGill motioned to adjourn the meeting at 8:33 p.m. Alderman Osteen 2nd. The vote was all in favor.

Brenda Rutt

Brenda Rutt, City Secretary-Treasurer-Court Clerk

