

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

MAY 15, 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	(A)
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. Oaths of Office for returning Council Members. City Secretary Brenda Rutt administered the Oaths of Office to returning City Council Members:

Galen Mansee – Mayor
Sharon McClure - Alderwoman, Position 1
James Osteen – Alderman, Position 3

5. Election of Mayor Pro Tem. Nominations were solicited from Council for the position of Mayor Pro Tem. Alderman McGill motioned to elect Bill McGahen as Mayor Pro Tem for the May 2018-May 2019 term. Alderwoman McClure 2nd. The vote was all in favor.
6. Persons desiring to appear before City Council: Greg and Teresa Hinojosa received a stop work order for 15450 Shady Oaks because their building permit expired. Mrs. Hinojosa told Council that Hurricane Harvey has not been their friend, that they have had a problem with contractors, and they even had a contractor steal from them. They are 93% finished. Their custom kitchen cabinets are being built on site. The custom-made baseboards and crown molding have been installed. Once the cabinets are finished, the sinks and faucets, which are at the house, will be installed. The cabinets, baseboards, trim, etc., have all been made on-site and that is one reason why it is taking so long. Mrs. Hinojosa believes they will be finished with construction in 60 days. They have had to fire two cabinets contractors at this point. Mayor Mansee asked if they were currently living in the garage apartment. Mrs. Hinojosa said they are living in the apartment, which is 2,200 square feet. Chief Wethington

issued a stop work order because the last building permit expired three months ago, and he wanted the Hinojosas to come in and inform City Council about the status of construction. Alderwoman McClure asked when the Hinojosas started building the house. The building permit was issued in January 2015. Mr. Hinojosa said that his step-father passed away last month which has also caused delays with construction. The Hinojosas are anxious to get into their house. Mr. Hinojosa said that 60 days is a realistic time frame. Alderman Osteen said a lot of the situation has been out of their control due to the hurricane and other factors. Alderman Osteen asked the Hinojosas if they can control the situation at this point? Mr. Hinojosa said they have told the contractor that he needs to finish as quickly as possible and the contractor should be done in 40 days. Alderman Osteen asked Mr. Hinojosa if he has put any penalties in place if the contractor does not finish in 40 days. Mr. Hinojosa said he has not put any penalties in place because he does not want to make the contractor mad and have him not finish the job. Alderman McGill thanked the Hinojosas for coming in to talk to Council and let Council know what is happening. Chief Wethington will lift the stop work order for 60 days. Chief Wethington asked the Hinojosas to come to the next Council meeting in June to update Council on the status. Bill Berger recommended that it be put on the agenda for the next council meeting.

7. Presentation by the Montgomery County Veteran's Memorial Commission regarding Veterans Memorial Park. Jimmie C. Edwards, III, USMC Ret. is the Chairman of the Commission. Mr. Edwards served in the Marine Corps and he was hit by a rocket and lost both legs. He was a State Representative in the 1970's for five terms and was also a County Judge. He currently lives in Cut-N-Shoot. Mr. Edwards informed Council that the Commission is building a new memorial at I-45 and Highway 105 in Conroe. The current memorial was built in 1974, it is very small, and it is inaccessible because there is no available parking. The Commission is looking for a \$12.5 million partner to complete the project. The Commission is trying to get all 15 cities in Montgomery County to endorse the project. He would like the City to sign a resolution endorsing the Memorial Park. Every veteran in Montgomery County will be able to have their name inscribed at the Park. The Park will be an educational center with tours available. There will be a statue for every war that our country has been in. Mr. Edwards read the proposed resolution to Council. Bill Berger asked if residents of Montgomery County who have relatives who are veterans, but do not reside in Montgomery County, would be eligible to have their names inscribed at the Park. Mr. Edwards said that veterans do not have to be from or live in Montgomery County to be included. The names of veterans will be placed on poles at the park. He said a lot of work has been done already and the park is visible from the freeway. Mr. Edwards requested that the resolution be placed on City stationery. Mr. Edwards said that Commissioner Charlie Riley has been very supportive of the Memorial Park. Alderman McGill motioned to adopt the resolution supporting the Memorial Park. Alderman Osteen 2nd. The vote was all in favor.
8. Public Hearing - A public hearing regarding changes to Ordinance O-2014-258, Flood Plain Prevention Ordinance. Alderman Osteen asked if FEMA had any suggested changes to the proposed ordinance. Terry Rutt asked if there are any new requirements for building in the 500-year floodplain. City Secretary Rutt said FEMA has not requested any changes and there are no requirements in the proposed ordinance for building the 500-year flood plain.
9. Approval of Ordinance No. O-2018-258. Alderwoman McClure motioned to approve Ordinance O-2018-258 as amended. Alderman Osteen 2nd. The vote was all in favor.

10. Public Hearing - A public hearing regarding adopting a golf cart ordinance. Mayor Mansee suggested requiring a \$50 registration fee and an annual \$25 renewal fee. Alderman Osteen asked if an inspection will be required every year. Chief Wethington will do the inspections each year. Terry Rutt said that most golf carts do not have headlights, which is one of the requirements in the ordinance. Chief Wethington said the carts must have headlights, tail lamps, reflectors, parking brakes, review mirror, and a slow-moving vehicle emblem mounted on the back of the cart. Terry Rutt asked if the carts can be gas or electric. Chief Wethington said the carts can be gas, electric or propane. Four-wheelers will not be allowed on the roads; that is State law. City Attorney Baldwin requested that the penalty amount be changed from \$250 to \$500. Alderman McGill asked where Chief Wethington got the draft of the ordinance. Chief Wethington said it is a combination of multiple ordinances. State law restricts the use of Mules and Gators on public roads; however, police officers can drive them on public roads. Bill Berger asked if a safety course will be required to obtain a permit. Chief Wethington said a course will not be required; however, each driver must have a valid Texas driver's license. Alderman Osteen asked about the penalty being imposed per day instead of per incident. Bill Berger recommended a \$100 registration fee and a \$50 a year renewal fee instead of \$50 and \$25.
11. Approval of Ordinance No. O-2018-330. Alderman Osteen motioned to approve Ordinance O-2018-330, as amended. Alderman McGill 2nd. The vote was all in favor.
12. Council reviewed the minutes of the April 17, 2018 General Meeting. City Secretary Rutt read the corrections that were submitted. Alderman Osteen motioned to approve the minutes, as amended. Alderwoman McClure 2nd. The vote was all in favor, with Alderman McGill abstaining due to being absent.
13. Appoint Carolyn Cox as Municipal Court Judge for the term ending May 2020. City Secretary Rutt explained that the term of office for an appointed Municipal Judge is the same as the Mayor. Alderman Osteen motioned to reappoint Judge Carolyn Cox as the Municipal Court Judge for the term ending May 2020. Alderman McGill 2nd. The vote was all in favor.
14. Status of new home construction projects within the City and requests for permit applications. Planning & Zoning Commission member James Schexneider said the slab has been poured for the house being built at 15905 Wagon Wheel. City Secretary Rutt has requested a special meeting to review an application for an addition at 16907 Wagon Wheel. James Schexneider asked about the culvert that was put in on Wagon Wheel. City Secretary Rutt said the builder who purchased the property was given permission to clear brush and put in a culvert; however, they have not turned in a building application, so no trees can be removed at this time. No action required.
15. Chief Wethington reported on the status of properties having ordinance violations. There are no other properties with pending violation. No action required.
16. Status of Public Works projects and activities. Director Terry Rutt said there is no activity to report. No action required.
17. Financial statements for April 2018. Mayor Mansee said that Alderman McGahen wants to change the name of the Regions checking account to Road Fund. Mayor Mansee said we would have to pass a resolution to change the name because we would be taking money out of the general fund and restricting the use of those funds. We cannot simply change the

name of the account. Alderman McGill said we should just put the amount to be spent on roads in the budget instead of changing the name of the account. Alderman McGill believes the City has been very frugal and is financially sound. He commended everyone for doing a good job and he believes the City is on the right track. Bill Berger asked if we know how much is past due in ad valorem taxes. Terry Rutt asked if we still have a collection company going after past due traffic tickets. City Secretary Rutt said she will check with the County about past due accounts and that we do have a collection agency for outstanding warrants. Chief Wethington said we also have a reserve officer who is working on warrants. Alderman McGill asked about the large expenses for the City Center on the financial statements. City Secretary Rutt explained that the entire A/C unit had to be replaced. No action required.

18. Reports:

- a. Chief of Police: Passed out the monthly statistics report. Chief Wethington informed Council that Corporal Phillip Hughes applied for the Leadership Command College and he was accepted as a Corporal, which is almost unheard of. The college consists of 11 courses, similar to the FBI academy, and teaches officers how to be a leader in policing. Chief Wethington reported that Corporal Hughes was offered a job with Harris County Precinct 4 that paid a lot more; however, he chose to stay in Stagecoach. Chief Wethington said police departments should always have someone that could step in and take over if something happens to the chief. Chief Wethington said we presently have a lot of officers with health issues. Chief Wethington said Corporal Hughes is becoming a very good officer for our City. Alderman McGill congratulated Corporal Hughes. Bill Berger informed Council that Charlie Thacker is in the hospital. Chief Wethington said Charlie suffered a stroke and fell, breaking two ribs, but that is he doing well.
- b. Flood Plain Administrator: No report.
- c. P & Z Commission: No report.
- d. City Attorney: City Attorney Baldwin is working on a gun ordinance. The problem she is having is defining what a gun is in the ordinance. She said Bacliff, Texas has a good firearm ordinance that she can follow; however, she needs to know what types of weapons we want to restrict. Alderman McGill said Council needs to share ideas with each other and come up with some bullet points before the next Council meeting. Alderman McGill said a lot of people in the city shoot BB guns, bow and arrows, pellet guns, etc. He believes those types of weapons should be allowed. City Attorney Baldwin said she needs some parameters from Council so she knows what Council wants. City Attorney Baldwin is going to order a code of ordinances book from Franklin Legal Publishing. City Secretary Rutt asked City Attorney Baldwin to send a copy of the Bacliff firearm ordinance so Council can mark it up. City Secretary Rutt suggested having an ordinance that bans hunting in the city limits on less than 10 acres. Alderman Osteen asked, isn't it already illegal to launch something at someone else's property? Chief Wethington said we really do not need a firearm ordinance; just an ordinance banning hunting. Terry Rutt asked about shooting into a berm on his property. Chief Wethington said there is no guarantee you are not going to shoot over the berm and hit someone or someone's property. James Schexneider said you are supposed to have 10 acres to set up a shooting range on your property. Alderman Osteen asked if we are going to write a firearm ordinance, an anti-hunting ordinance, or both? Terry Rutt would like to have a firearm ordinance in place. City Attorney Baldwin will prepare a draft of an ordinance. Alderman Osteen said he will send City Attorney Baldwin a copy of a document he drafted in college.

- e. City Secretary: No report.
 - f. Aldermen: Alderman Osteen congratulated Corporal Hughes.
 - g. Mayor: Mayor Mansee asked how many people have received their appraisal notices. Mayor Mansee said there were some errors on properties in the City that have been corrected by the appraisal district.
19. There being no further business, Alderman McGill motioned to adjourn the meeting at 8:44 p.m. Alderman Cooley 2nd. The vote was all in favor.

Brenda Rutt

Brenda Rutt, City Secretary-Treasurer-Court Clerk

