

City of Woodcreek City Council Meeting

July 12, 2017; 6:30 p.m.

Woodcreek, Texas

NOTICE/AGENDA

This notice is posted pursuant to the Texas Open Meetings Act (Vernon's Texas Codes Ann. Gov. Code Chapter 551). The Woodcreek City Council will hold a Council Meeting on July 12, 2017, at 6:30 p.m. at Woodcreek City Hall, 41 Champions Circle, Woodcreek, Texas at which time the following items will be considered:

- 1. Call to Order**
- 2. Invocation**
- 3. Pledge of Allegiance:**
 - A. To the Flag of the United States of America**
 - B. To the Great State of Texas**
- 4. Roll Call**
- 5. Public Comments:** Members of the Public may sign up at the City Council meeting to address the City Council. Comments will be limited to three (3) minutes per speaker.
- 6. Citizen Communications:**
- 7. Report Items:**
 - A. DPW Monthly Report (Director of Public Works Frank Wood)**
 - B. Treasurer's Report for June 2017 (City Treasurer Gene Golembiewski)**
 - C. City Manager's Monthly Public Report (City Manager Brenton Lewis)**
- 8. Consent Agenda: All the following items are considered self-explanatory by the Council and may be acted upon with one motion. There will be no separate discussion of these items unless a Councilmember or Citizen so requests. For a Citizen to request removal of an item from the Consent Agenda, a written request must be completed and submitted to the City Manager.**
 - A. Approval of the Minutes of the City Council meeting of June 14, 2017**
 - B. Approval of Treasurer's Report for June 2017**
- 9. Regular Agenda**
 - A. Consider and Take Appropriate Action on How to Handle Trailer Issues. (City Manager Lewis)**
 - B. Consider and Take Appropriate Action to Amend the Sign Ordinance to Prohibit Feather Flags. (City Manager Lewis)**
 - C. Consider and Take Appropriate Action to Apply for Tree City USA Designation. (City Manager Lewis)**
 - D. Consider and Take Appropriate Action on Inspections of Various Properties at Time of Change of Resident. (City Manager Lewis)**
 - E. Consider and Take Appropriate Action on Declaring OKI MC361 Copier as Surplus Prior to Disposal. (City Manager Lewis)**

- F. Discussion Regarding the November 2017 Election Calendar
- G. Executive Session as Authorized by Section 551.072, Related to Real Property Matters. (City Manager Lewis)

10. Adjourn

Executive sessions held during this meeting will generally take place in the City Manager's office, at the discretion of the City Council.

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials:

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

The City of Woodcreek is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call the City Secretary's Office at 512-847-9390 for information. Hearing-impaired or speech-disabled persons equipped with telecommunications devices for the deaf may call 7-1-1 or may utilize the statewide Relay Texas program at 1-800-735-2988.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

I certify that the above notice was posted on the 7th day of July 2017 at 12:15 p.m.

By: Brenton B. Lewis

Brenton B. Lewis, City Manager

**City of Woodcreek City Council Meeting
June 14, 2017; 6:30 p.m.
41 Champions Circle
Woodcreek, Texas**

Minutes

1. **Call to Order:** Mayor Eskelund called the meeting to order at 6:30 p.m.
2. **Invocation**
3. **Pledge of Allegiance**
 - A.) To the Flag of the United States of America
 - B.) To the Great State of Texas
4. **Roll Call. Present:** Mayor Eric C. Eskelund, Mayor Pro Tem Nancy Britner, Councilmember Bill Scheel, Councilmember Jerry Moore, Councilmember Aurora LeBrun, City Manager Brenton B. Lewis, City Attorney Roger Gordon, Director of Public Works Frank Wood, City Treasurer Gene Golembiewski, Assistant Administrator Linda Land, City Clerk Barbara Grant. **Absent:** Councilmember Judy Brizendine.
5. **Public Comments:** Sybil Patterson spoke in support of realtors, problems with deer, and desire to be able shoot her BB gun in her back yard; Linda Germain reserved comment for Item 9-F; Shannon Du Plessis (9-A); Brent Pulley (9-A); Terrence Stephens reserved comments for Items 9-A and 9-D; Terry Eldridge said the City has too many rules, particularly the impervious cover, which she fears will prevent her from building a backyard kitchen; Mike Abkowitz withheld comment for Item 9-I; Lou Joseph reserved comment for Item 9-I; and Lyn Joseph reserved comment for Item 9-I.
6. **Citizen Communications: General:** Kathy Maldonado presented a written request to address the Council about non-conforming structures, Item 9-F.
7. **Report Items:**
 - A. Director of Public Works Wood presented his Monthly Report.
 - B. City Treasurer Golembiewski reported year-to-date revenues of \$417,970.00 and \$257,883.00 in expenditures.
 - C. City Manager Lewis presented the Monthly Public Report.
8. **Consent Agenda:**
 - A. **Approval of the minutes of the Regular Woodcreek City Council meeting of May 10, 2017.**
 - B. **Approval of Treasurer's Report for May 2017.**

Mayor Pro Tem Britner moved to accept the Consent Agenda in its entirety. The motion was seconded by Councilmember Moore, which passed with a vote of 4-0-0.
9. **Regular Agenda**

- A. Consider and Take Appropriate Action to Adopt an Ordinance Amending the Code of Ordinances as it Relates to Lighting. Brent Pulley and Shannon DuPlessis, representing the Wimberley Dark Skies Initiative, encouraged the Council to pass the Dark Skies Ordinance.** After discussion, Councilmember Moore moved to adopt an ordinance to amend Chapter 156 Zoning of the Code of with the exception of Section 156.048. The motion was seconded by Councilmember LeBrun, which passed with a vote of 4-0-0.
- B. Consider and Take Appropriate Action Approval of Waste Connections, Inc.'s Request for an Annual Consumer Price Index Price Adjustment.** After discussion, Councilmember Scheel moved to approve Waste Connection, Inc.'s request for an Annual Consumer Price Index Price Adjustment. The motion was seconded by Councilmember Moore, which passed with a vote of 4-0-0.
- C. Consider and Take Appropriate Action to Approve of the Preliminary Budget Calendar for the Fiscal Year 2017-2018.** After discussion, Councilmember LeBrun moved to approve the Preliminary Budget Calendar for Fiscal Year 2017-2018, with the consideration of calendar adjustments to allow for maximum participation by Councilmembers. The motion was seconded by Councilmember Moore, which passed with a vote of 4-0-0.
- D. Consider and Take Appropriate Action on Inspections of Various Properties at time of Change of Resident.** After discussion, Mayor Pro Tem Britner moved to table consideration of Inspections of Various Properties at time of Change of Resident to the July Council Meeting. The motion was seconded by Councilmember LeBrun, which passed with a vote of 4-0-0.
- E. Consider and Take Appropriate Action on City of Woodcreek Annexation Plan.** After discussion, Councilmember LeBrun moved to instruct staff to begin preparing information to begin discussion with property owners who may be impacted by the City's future annexation plans. The motion was seconded by Councilmember Moore, which passed with a vote of 4-0-0.
- F. Consider and Take Appropriate Action on Draft Ordinance as it Relates to Non-Conforming Structures.** Cathy Maldonado presented a petition to Council representing opposition to the non-conforming portion of the ordinance imposed on homeowners at the time of sale of their property. Linda Germain, a realtor, spoke about the delays in sales of property.

Mayor Pro Tem Britner moved to eliminate Item F-2(E) Impervious Cover of front yard. The motion was seconded by Councilmember Moore, which passed with a vote of 4-0-0.

Mayor Pro Tem Britner moved to change 156.102 (F)(4) from 1985 to year 2000. The motion was seconded by Councilmember Moore which passed with a vote of 4-0-0.

Mayor Pro Tem Britner moved to repeal section 156.102 (F)(1)" non-conforming use, shall terminate upon the sale, conveyance, rental or change in land use of the property, except as hereafter provided and except for those structures listed in division (F)(2) below, which allows for certain non-conforming uses to be amortized, with the non-conforming use being terminated after a specified amount of time. The termination date of any non-complying structure shall be set so as to provide the owner with a reasonable opportunity to recoup or recover the owner's investment in the structure", and any

sections in conflict herewith. The motion was seconded by Councilmember Moore, which passed with a vote of 4-0-0.

G. Consider and Take Appropriate Action on Municipal Court Clerk Position.

After discussion, Councilmember Moore moved to authorize Staff to solicit for Contract Municipal Court Clerk and review by Council Committee. The motion was seconded by Mayor Pro Tem Britner, which passed with a vote of 4-0-0.

H. Consider and Take Appropriate Action on Amending Ordinance No. 17-228

Limited Use of Certain Weapons Within the Woodcreek City Limits. After discussion, Mayor Pro Tem Britner moved to amend Ordinance No. 17-228 Limited Use of Certain Weapons within the City of Woodcreek to allow the discharge or firing of an air rifle, air gun, or other air or gas propelled weapon. The motion was seconded by Councilmember Moore, which passed with a vote of 3-1-0. Councilmember Scheel voted Nay.

I. Discussion Regarding Special Use Permit for Camp Young Judaea, and

Permitting of Future Development. City Attorney Gordon's recommendation to the Council was to identify a subcommittee and task that subcommittee with opening a dialogue with the Camp to discuss a global comprehensive land use plan that would address the long-term future of their expansion plan. Terrence Stephens expressed his desire to have advance notice of a Camp fireworks displays. Lou Joseph asked for an explanation of Special Use Permits; he said he was told the landing strip would always be a buffer zone between the Camp and the homes on Doolittle Drive; and expressed his concern for tree damage caused by trucks. Lyn Joseph said the Camp was much smaller when they purchased their homes and that enlarging the facility would impact their neighborhood and property values. Mike Abkowitz, Vice President of Camp Young Judaea Board of Directors, said the camp currently serves 575 campers over several long and short summer sessions and wishes to be able to increase that number to 750, over time. He added that the Camp also serves as a retreat center solely for non-profit, faith-based groups. Mayor Eskelund urged Frank Silberlicht to set a meeting date as soon as possible. No action was taken by the Council.

Council Recessed and Convened in Executive Session at 8:55 p.m.

J. Executive Session as Authorized by Section 551.074, Related to Personnel Matters. Discussion, Review and Possible Action on the Annual Performance Evaluation of the City Manager.

Council Reconvened in Open Session at 9:25 p.m.

10. Adjourn There being no further business, Mayor Eskelund adjourned the meeting at 9:27 p.m.

Eric C. Eskelund, Mayor

Brenton B. Lewis, City Manager

Treasurer's Report

For the Period: October 2016 - June 2017

Percent Complete: 75%

	2016-2017			2015-2016			Y/Y Monthly Comparison		
	YTD	Budget	%	YTD	Budget	%	Jun 2017	Jun 2016	Difference
	2	4		3	2		2	3	
	YTD_Activity '2016-17'IA:J			YTD_Activ '2015-16'IA:J			MTD_Activi	MTD_ActivityIA:J	
Revenue									
3000 Ad Valorem Tax Revenue	225,991	240,000	94%	205,627	214,500	96%	3,656	3,927	(272)
3005 State Sales Tax Revenue	33,987	40,000	85%	30,771	43,000	72%	4,350	3,285	1,065
3010 Mixed Beverage Tax & Fees Rev	848	1,500	57%	419	1,330	31%	350	-	350
3020 Electric Franchise Fee Revenue	24,036	34,000	71%	20,995	30,000	70%	-	-	-
3030 Cable Services Franchise Rev	25,469	35,000	73%	23,153	31,220	74%	-	-	-
3040 Water Service Franchise Revenue	82,687	91,200	91%	79,225	87,750	90%	-	-	-
3050 Disposal Service Franchise Rev	10,649	14,000	76%	10,513	13,830	76%	-	-	-
3060 Telephone Franchise Revenue	977	1,500	65%	1,019	1,550	66%	-	-	-
3070 Golf Course Franchise Revenue	-	500	0%	-	500	0%	-	-	-
3080 Reimbursements	-	400	0%	-	-	n/a	-	-	-
3080 Reimbursements	260	400	65%	10	-	n/a	-	-	-
3090 Development Revenue	-	-	n/a	13,127	14,000	94%	-	880	(880)
3090.01 Residential	9,395	7,800	120%	-	-	n/a	1,540	-	1,540
3090.02 Commercial	-	5,150	0%	-	-	n/a	-	-	-
3090.03 Other	2,288	1,050	218%	-	-	n/a	-	-	-
Total 3090 Development Revenue	11,683	14,000	83%	13,127	14,000	94%	1,540	880	660
3095 Sign Fees	765	300	255%	-	300	0%	210	-	210
4000 Interest Income	3,067	4,000	77%	3,212	4,000	80%	347	361	(14)
4010 Other Revenue	3,006	3,010	100%	29	1,050	3%	1	4	(3)
4015 Oak Wilt Containment	-	-	n/a	-	-	n/a	-	-	-
4020 Municipal Court Revenue	-	1,000	0%	140	150	93%	-	-	-
4040 Donations Received	5,000	5,000	100%	-	5,000	0%	-	-	-
4050 General Fund Transfer	-	-	n/a	-	-	n/a	-	-	-
Total Revenue	428,425	485,410	88%	388,240	448,180	87%	10,454	8,458	1,996
Expenditures									
5000 Personnel Services	-	-	n/a	-	-	n/a	-	-	-
5000.01 Salaries and Wages	97,144	135,060	72%	75,910	103,300	73%	11,312	9,262	2,050
5000.02 Expense Reimbursement Allowance	900	-	n/a	-	-	n/a	100	-	100
5000.03 City Manager Vehicle Reimbursem	6,263	8,350	75%	3,567	5,500	65%	696	417	279
5000.05 Elected Official Pay	630	840	75%	490	700	70%	70	70	-
5000.20 Payroll Tax Expense	-	-	n/a	6,906	9,300	74%	-	696	(696)
5000.20 Payroll Tax Expense	8,265	11,590	71%	6,906	9,300	74%	933	696	237
5000.40 Retirement	3,115	5,100	61%	2,525	4,000	63%	351	310	41
5000.50 Direct Deposit Expense	-	130	0%	95	130	73%	-	9	(9)
5000.51 Health Insurance Stipend	-	1,200	0%	25	400	6%	-	25	(25)
Total 5000 Personnel Services	116,316	162,270	72%	89,519	123,330	73%	13,462	10,788	2,673
5500 Office Expenses	-	-	n/a	-	-	n/a	-	-	-
5500.05 Bank Fees & Charges	-	-	n/a	33	-	n/a	-	-	-
5500.10 City Hall Maintenance / Repairs	2,516	2,500	101%	1,614	20,000	8%	74	1,285	(1,211)
5500.30 IT & Radio Expenses	889	7,500	12%	4,946	7,000	71%	340	2,805	(2,465)
5500.40 Newsletter	-	-	n/a	-	750	0%	-	-	-
5500.50 Office Supplies	1,597	3,500	46%	2,984	3,800	79%	148	244	(95)
5500.60 Postage & Shipping	791	1,620	49%	1,005	2,000	50%	-	27	(27)
5500.61 Printing & Reproduction	3,368	4,000	84%	2,493	4,000	62%	274	380	(107)
5500.70 Storage Rental	694	1,250	56%	1,110	1,100	101%	103	456	(353)
5500.80 Software & Subscriptions	3,210	-	n/a	-	-	n/a	400	-	400
Total 5500 Office Expenses	13,065	20,370	64%	14,186	38,650	37%	1,339	5,197	(3,858)
6000 Professional Services	-	-	n/a	-	-	n/a	-	-	-
6000.01 Audit Expense	10,905	9,000	121%	6,600	6,600	100%	-	-	-
6000.10 Codification	361	1,000	36%	687	1,200	57%	222	-	222
6000.11 Contract Labor	417	6,750	6%	5,237	7,500	70%	-	632	(632)
6000.15 Engineering	6,690	10,000	67%	1,850	1,850	100%	60	-	60
6000.20 Legal Expenses	-	25,000	0%	2,226	25,000	9%	-	-	-
6000.20 Legal Expenses	14,440	25,000	58%	14,780	25,000	59%	2,625	-	2,625

	2016-2017			2015-2016			Y/Y Monthly Comparison		
	YTD	Budget	%	YTD	Budget	%	Jun 2017	Jun 2016	Difference
6000.30 IT Services	7,001	-	n/a	-	-	n/a	-	-	-
6000.40 Accounting	7,801	-	n/a	-	-	n/a	715	-	715
Total 6000 Professional Services	47,614	51,750	92%	29,154	42,150	69%	3,622	632	2,990
6500 Area Care/Maintenance	-	-	n/a	-	-	n/a	-	-	-
6500.01 Deer Removal	225	2,500	9%	900	1,500	60%	-	75	(75)
6500.15 Mowing	1,945	5,500	35%	1,725	5,500	31%	1,085	1,430	(345)
6500.20 Oak Wilt Containment	-	1,000	0%	-	2,000	0%	-	-	-
6500.21 Outdoor Beautification	3,314	30,000	11%	10,862	12,000	91%	-	400	(400)
6500.25 ROW Tree Trimming	-	10,000	0%	935	1,500	62%	-	160	(160)
6500.30 Street Maintenance	43,057	43,100	100%	3,075	26,000	12%	-	-	-
6500.31 Street Signs	1,253	1,200	104%	602	1,000	60%	158	-	158
6500.35 Storm Damage Reserve	-	7,000	0%	-	-	n/a	-	-	-
6500.40 Tree Limb Pick-Up	5,200	5,200	100%	9,675	8,900	109%	-	6,045	(6,045)
Total 6500 Area Care/Maintenance	54,994	105,500	52%	27,774	58,400	48%	1,243	8,110	(6,867)
7000 Other Operating Expenses	-	-	n/a	-	-	n/a	-	-	-
7000.01 Ad Valorem Tax Expense	1,409	2,000	70%	1,411	2,000	71%	-	577	(577)
7000.02 Building Inspections	6,755	5,500	123%	6,345	10,000	63%	330	885	(555)
7000.03 Code Compliance	8	1,500	1%	-	1,500	0%	-	-	-
7000.04 Dues & Membership	2,460	1,800	137%	1,481	1,700	87%	100	800	(700)
7000.05 Election Expense	3,113	3,200	97%	2,592	2,600	100%	-	-	-
7000.10 Depreciation Expense	-	-	n/a	-	-	n/a	-	-	-
7000.15 Meeting Expense	1,015	1,600	63%	1,294	1,800	72%	160	-	160
7000.20 Public Notices	792	1,500	53%	1,208	1,800	67%	99	77	22
7000.30 Travel & Vehicle Exp Reimb.	2,391	4,000	60%	326	750	43%	1,168	-	1,168
7000.40 Training & Prof Development	2,629	5,000	53%	1,219	2,000	61%	-	-	-
Total 7000 Other Operating Expenses	20,573	26,100	79%	15,876	24,150	66%	1,857	2,340	(483)
7500 Utilities	-	-	n/a	-	-	n/a	-	-	-
7500.10 City Hall Utilities	-	-	n/a	1,987	2,600	76%	-	355	(355)
7500.10 City Hall Utilities	2,046	2,700	76%	1,987	2,600	76%	236	355	(119)
7500.20 Outdoor Utilities	-	-	n/a	2,772	3,600	77%	-	794	(794)
7500.20 Outdoor Utilities	2,677	3,600	74%	2,772	3,600	77%	274	794	(519)
7500.30 Telephone & Internet	2,452	3,000	82%	2,189	3,000	73%	240	487	(248)
Total 7500 Utilities	7,175	9,300	77%	6,948	9,200	76%	750	1,636	(886)
7600 Insurance	2,908	2,910	100%	2,514	2,550	99%	-	-	-
8020 Municipal Court Costs	-	-	n/a	-	-	n/a	-	-	-
8020.20 MC Judge	2,750	3,500	79%	2,600	3,400	76%	250	850	(600)
8020.25 Misc. Court Costs	965	1,000	97%	735	750	98%	200	-	200
8020.30 Prosecutor	-	2,400	0%	-	-	n/a	-	-	-
8020.40 State Comptroller Costs	-	500	0%	106	-	n/a	-	-	-
8020.41 Supplies	77	200	39%	-	-	n/a	-	-	-
8020.60 Traffic Enforcements	14,170	28,000	51%	21,255	36,000	59%	-	-	-
Total 8020 Municipal Court Costs	17,962	35,600	50%	24,696	40,150	62%	450	850	(400)
9077 General Fund Accrual	-	-	n/a	-	-	n/a	-	-	-
Unapplied Cash Bill Payment Expenditure	-	-	n/a	-	-	n/a	-	-	-
Total Expenditures	280,606	413,800	68%	210,667	338,580	62%	22,723	29,553	(6,830)
Net Operating Revenue	147,818	71,610	206%	177,573	109,600	162%	(12,269)	(21,095)	8,826
Other Revenue									
4019 Proceeds from Capital Leases	-	-	n/a	-	-	n/a	-	-	-
8500 Capital Improvement Income	-	-	n/a	-	-	n/a	-	-	-
Other Expenditures									
8500.25 Capital Improvement Expense	-	-	n/a	725	-	n/a	-	-	-
9001 Capital Lease Principal	-	-	n/a	12,818	-	n/a	-	-	-
9002 Interest on Capital Lease	-	-	n/a	-	-	n/a	-	-	-
9074 Other Capital Outlay	-	-	n/a	-	-	n/a	-	-	-
9800.01 Capital Expenditures - CY	7,640	12,610	61%	-	-	n/a	-	-	-
9800.1 Capital Project Expenditures - FY	-	-	n/a	-	-	n/a	-	-	-
9800.11 2017 Street Improvements	58,800	-	n/a	-	-	n/a	14,400	-	14,400
9800.02 Other Miscellaneous Expenditure	-	-	n/a	-	750	0%	-	-	-
Reconciliation Discrepancies	(0)	-	n/a	-	-	n/a	-	-	-
Net Other Revenue	(66,440)	(12,610)	527%	(13,543)	(750)	1806%	(14,400)	-	(14,400)
Net Revenue	81,378	59,000	138%	164,030	108,850	151%	(26,669)	(21,095)	(5,574)

Reconciliation to Income Statement

	2016-2017			2015-2016			Y/Y Monthly Comparison		
	YTD	Budget	%	YTD	Budget	%	Jun 2017	Jun 2016	Difference
9800.02 Other Miscellaneous Expenditure	(66,440)			-			(14,400)		
Net Revenue	147,818			164,030			(12,269)		

The City of Woodcreek
STATEMENT OF FINANCIAL POSITION
As of June 30, 2017

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1000 Operating - Broadway 9628	218,848.85
1003 Municipal - Reg Acct#7223	31,106.07
1003.1 Municipal Court Petty Cash	100.00
1006 PEG - #5467	17,776.56
1010 Petty Cash	-41.00
1020 Investment Account - Class 0001	26,124.01
1021 Reserved Funds - Broadway 4573	478,225.53
1022 Crockett National Bank	224,770.43
1023 Pioneer Bank #6151	202,402.82
Total Bank Accounts	\$1,199,313.27
Accounts Receivable	
1120 Delinquent Taxes Receivable	9,288.75
Total Accounts Receivable	\$9,288.75
Other Current Assets	
1121 Allowance for Uncollectible	-464.43
1122 Due to/from HOT Account	52.00
1123 Employee Cash Advance	0.00
1150 Due From Capital Project Funds To Operating	58,800.00
Total Other Current Assets	\$58,387.57
Total Current Assets	\$1,266,989.59
Fixed Assets	
1200 Office Furniture / Equipment	34,566.84
1225 Land	37,850.00
1226 Building & Improvements	109,708.00
1227 Street Pavement	144,126.00
1228 Street Improvements 2017	58,800.00
1240 Accumulated Depreciation - All	-19,261.00
Total Fixed Assets	\$365,789.84
Other Assets	
1250 Deferred Revenue	-15,678.59
Total Other Assets	\$ -15,678.59
TOTAL ASSETS	\$1,617,100.84
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
1900 Accounts Payable	34,594.38
Total Accounts Payable	\$34,594.38

	TOTAL
Other Current Liabilities	
2000 Payroll Tax Payable	3,565.14
2001 Federal Withholding Payable	0.00
2020 State Unemployment Liability	33.48
2021 Accrued Wages Payable	2,608.53
2030 TMRS Payable	0.00
2100 WVWA / LCRA Grant	445.45
Expenditures	
2105 Capital Development Grant	21,325.00
2105.1 Augusta Park Proj Expenditures	-1,707.50
2110 Direct Deposit Liabilities	-3,739.35
2200 Security Deposits	0.00
2300 Sales Tax Revenue Overpayment	533.38
2400 Due To Operating From Capital Project Funds	58,800.00
Total Other Current Liabilities	\$81,864.13
Total Current Liabilities	\$116,458.51
Total Liabilities	\$116,458.51
Equity	
9998 Opening Balance Equity	533,846.43
9999 Retained Earnings	818,977.56
Net Revenue	147,818.34
Total Equity	\$1,500,642.33
TOTAL LIABILITIES AND EQUITY	\$1,617,100.84

City Manager Monthly Public Report from June 10th, 2017 to July 5th, 2017 for the July 12th, 2017 Council Meeting

Staff was in attendance at a portion of the on-site meetings concerning the under mining of the dam that houses the sewer main and force main that exits and enters the City at Tremont Trace. Aqua Texas was on site and will be reviewing the situation.

The 2030 Committee and Blue Ribbon Roads Committee have been meeting often as they address the future of Woodcreek and the repair/re construction of the roads respectively.

Permits - Trees – 12
 Deck – 1
 Single-family Home – 1
 Guest quarters/fence – 1
 Certificate of Occupancy – Multi-family – 1
 Temporary Certificate of Occupancy – Multi-family – 1

Replats - 2

Site Development Plan and Concept Plan – 1 incomplete

Development Agreement – 1 incomplete

Ordinance Violations - Construction – 1
 Health & Safety – 5 (2 resolved)
 Dead Trees – 2 (1 resolved)
 Light – 1
 Parking – 2 (1 resolved)
 Fence – 1
 Trailer, treehouse – 1 - resolved

Stop Work Orders - 5

Public Info. Requests - 3 (3 resolved)

Council Meeting Date: 07/12/2017

AGENDA ITEM COVER SHEET

Subject/Title:

9. A. Consider and Take Appropriate Action on How to Handle Trailer Issues.

Item Summary:

This agenda item is to discuss the current trailer ordinance and the enforcement of the same. The current code states the following:

§ 156.060 PARKING.

(A) All owners, tenants or occupants of any residence used for residential purposes shall be required to park their vehicles in garages, carports or driveways. No such vehicle, trailer or recreational vehicle shall be parked on a street or within any property unless same is not visible. Parking of buses, commercial vehicles, trailers, boats, motor homes, RVs, campers, jet skis and the like is prohibited, except on a temporary basis. *TEMPORARY* shall be defined as not exceed five days in any 30-day period.

(B) It shall be unlawful for anyone to store vehicles not in operating condition in open view for more than seven days. Such vehicles must be stored in completely enclosed buildings or removed to an authorized storage area. Since streets are narrow and provide limited parking area, residential off-street parking requirements are essential. Each dwelling unit shall have a hard surface driveway, providing a minimum of three off-street parking areas, each area measuring ten feet by 20 feet.

Staff has been enforcing the ordinance on a complaint basis with the following steps:

1. Receive a complaint
2. Investigate the Complaint by physically being on-site and photographing the trailer with a date stamp
3. Return to site after 5 days have elapsed to determine if the trailer remains and has not been moved. Photograph trailer with date stamp
4. Return to City Hall to prepare red card with notice of violation
5. Return to site and place red card on trailer

If another trailer is sighted in the area or the complaint trailer staff will begin the process with the one that is sighted during the other investigation. The question does rise if the trailer was actually on site for the total of 5 days without interruption. Several trailers remain at residences, but no complaints have been received.

Staff canvassed the City streets of Augusta Drive, Augusta Lane, Brookhollow Drive, Champions Circle, and Woodcreek Drive and noted eight (8) trailers were parked and could be seen from the street.

Photographs or the types of trailers are on the backside of this document.



Financial Impact/Financial Information:

N/A

Comments/Recommendation

Staff requests direction on the continuing enforcement of the parking ordinance and any recommended amendments.

Submitted By:

Brenton B. Lewis, City Manager

Council Meeting Date: 07/12/2017

AGENDA ITEM COVER SHEET

Subject/Title:

9. B. Consider and Take Appropriate Action to Amend the Sign Ordinance to Prohibit Feather Flags

Item Summary:

This agenda item is to discuss the use of feather flags within the City and the ETJ. The current City Code does not list feather flags as not being allowed. Therefore, they are not restricted. City staff have received numerous complaints regarding the feather flags at the apartment complex, however a post on Nextdoor Woodcreek stating persons should contact the City Hall to complain about the flags received several comments that the flags should remain. The Section of the Code that refers to signage is 152.40 through 152.44

Financial Impact/Financial Information:

Enforcement costs if Ordinance is changed to prohibit feather flags

Comments/Recommendation

Direction to staff to prepare an amending ordinance to prohibit feather flags or to take no action

Attachments:

None

Submitted By:

Brenton B. Lewis, City Manager

Example of Feather Flags



Council Meeting Date: 07/12/2017

AGENDA ITEM COVER SHEET

Subject/Title:

9. C. Consider and Take Appropriate Action to Apply for Tree City USA Designation.

Item Summary:

This agenda item is to discuss and take appropriate action on pursuing a Tree City USA designation. The Tree City program is administered by the Arbor Day Foundation and The Tree City USA program has been greening up cities and towns across America since 1976. It is a nationwide movement that provides the framework necessary for communities to manage and expand their public trees. More than 3,400 communities have made the commitment to becoming a Tree City USA. They have achieved Tree City USA status by meeting four core standards of sound urban forestry management: maintaining a tree board or department, having a community tree ordinance, spending at least \$2 per capita on urban forestry and celebrating Arbor Day. There are currently only 84 cities in Texas with the designation.

Staff has received comments from new residents that when they visited Woodcreek they knew they wanted live in the community because of the tree stock.

Financial Impact/Financial Information:

The City would commit \$2.00 per capita or about \$3,000 per year to urban forestry and celebrating Arbor Day. That commitment would be covered through the existing beautification budget, therefore there would not be an additional expense.

Comments/Recommendation

Direction to staff to prepare an ordinance to create a Tree Board and to begin the application process to become a Tree City USA, or no action.

Attachments:

Tree City Information Packet, Sample Ordinance, Application

Submitted By:

Brenton B. Lewis, City Manager



Tree City USA[®]

Take Pride in a Greener Community

You have seen the signs along the road and perhaps a Tree City USA flag flying at city hall in other communities. Towns and cities that have received their Tree City USA recognition take pride in this distinction. And the people who live there enjoy the valuable benefits of having a greener, healthier community.

Tree City USA is a national recognition program that began in 1976 and is sponsored by the Arbor Day Foundation in partnership with the U.S. Forest Service and National Association of State Foresters. By meeting four fundamental standards, an incorporated municipality of any size can qualify.

Applying for the Tree City USA award is easy and the recognition is outstanding. There are now thousands of communities that proudly receive roadside signs, fly the flag of Tree City USA and – knowing the value of participation – renew their application every year.

Whether you are a business leader, a community official, or simply a citizen with an interest in trees, you are invited to visit arborday.org/TreeCityUSA for more information and to apply for recognition on behalf of your community.

“Tree City USA is a great way to get the community involved in green space. A community that feels involved will take better care of their environment.”

— Alison Litchy, Fort Smith, AR

Why Your City Should be a Tree City USA Community

“With emphasis today on the environment, residents need to know the importance of trees and the importance of the care of those trees.”

— Bernard Whitely, Velda Village Hills, MO

WHY YOUR CITY SHOULD BE A TREE CITY USA COMMUNITY

The Tree City USA program provides direction, assistance, and national recognition to your community. It's the framework for a healthy, sustainable urban forestry program in your town. By becoming a Tree City USA your community is ensuring that its trees will benefit your community in many ways:

Reduce costs for energy, stormwater management, and erosion control. Trees yield three to five times their cost in overall benefits to the city.

Cut energy consumption by up to 25 percent. Studies indicate that as few as three additional trees planted around each building in the United States could save \$2 billion annually in energy costs.

Boost property values across your community. Properly placed trees can increase property values from 7 – 20 percent. Buildings in wooded areas rent more quickly and tenants stay longer.

Build stronger ties to your neighborhood and community. Trees and green spaces directly correlate to greater connections to neighbors.

Honor your community and demonstrate your commitment to a healthier environment through Arbor Day celebrations and Tree City USA recognition.

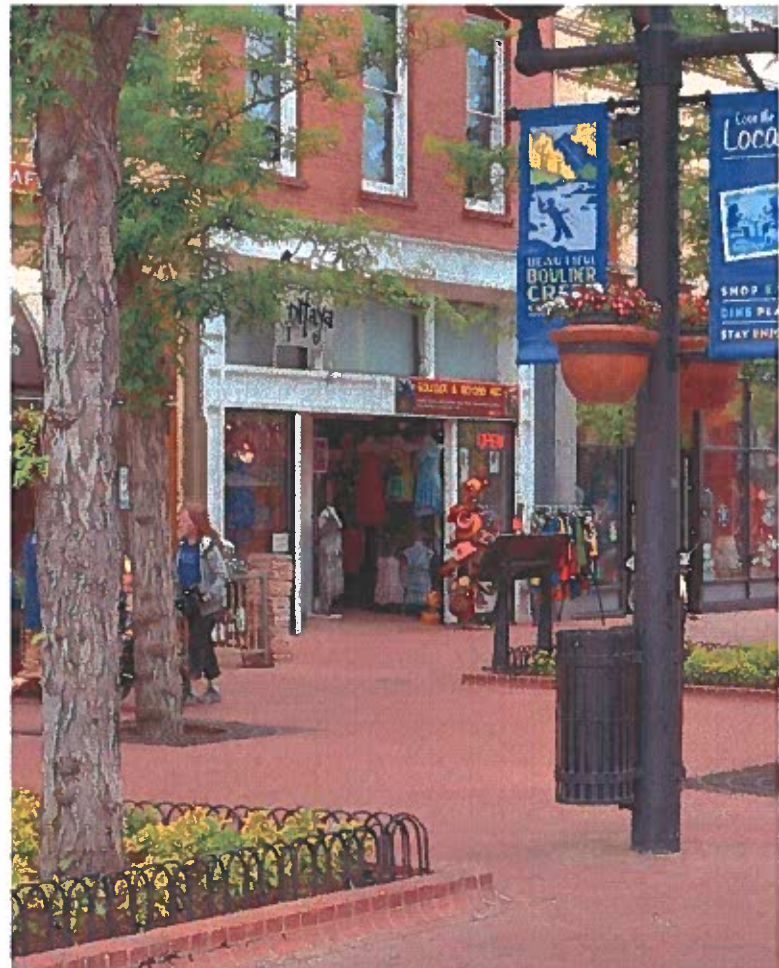
Use the framework for action provided by the four core standards as a way to begin caring for city trees. Some communities regularly enhance urban forest management through improved ordinances, innovative programs, and increased emphasis on planting and care.

Educate people living in your city about the value of trees and the importance of sustainable tree management. Annual participation as a Tree City USA community provides this opportunity and makes it easier to engage individuals and organizations through the city. Tree City USA status can also create a strong working relationship with your state forestry agency and other groups.

Increase community pride. Participation in the Tree

City USA program helps residents feel good about the place they live and work. Annual recognition shows visitors and prospective residents that trees, conservation, and the environment are important to your community.

Gain publicity with recognition materials. Tree boards, parks departments, public works officials, and volunteers are recognized for the valuable work they provide to the community. Many communities share their Tree City USA recognition across city departments and with elected officials, students, and business leaders.



Why Community Trees are Important

Trees along our streets and in parks have been treasured since the earliest days of settlement. Unmatched beauty, and cooling shade are still important, but there is more.

ENVIRONMENTAL SERVICES

A modest investment in community trees has a big pay-back. Studies show that for every dollar invested, there is often a four or five dollar annual return in environmental services, not to mention that green infrastructure is the only part of a city's infrastructure that actually appreciates in value over time.

- Trees clean the air, absorbing pollutants that trigger asthma attacks and other health problems.
- Trees absorb carbon dioxide and provide life-giving oxygen.
- Shade from trees cools the urban landscape.
- Water vapor given off through transpiration adds to the cooling influence of trees.
- Stormwater runoff can be reduced by tree canopies by as much as 65 percent, reducing flooding and the need for expensive facilities.



TREE CITY USA®

The Four Standards

These are the simple but important requirements for becoming eligible to be named a Tree City USA.

1. A tree board or department
2. A tree care ordinance
3. A community forestry program with an annual budget of at least \$2 per capita
4. An Arbor Day proclamation and observance

FINANCIAL BENEFITS

Much depends on the nature of the neighborhood, but real estate professionals report that houses with adjoining healthy trees and pleasant landscaping can contribute as much as 20 percent to the property value.

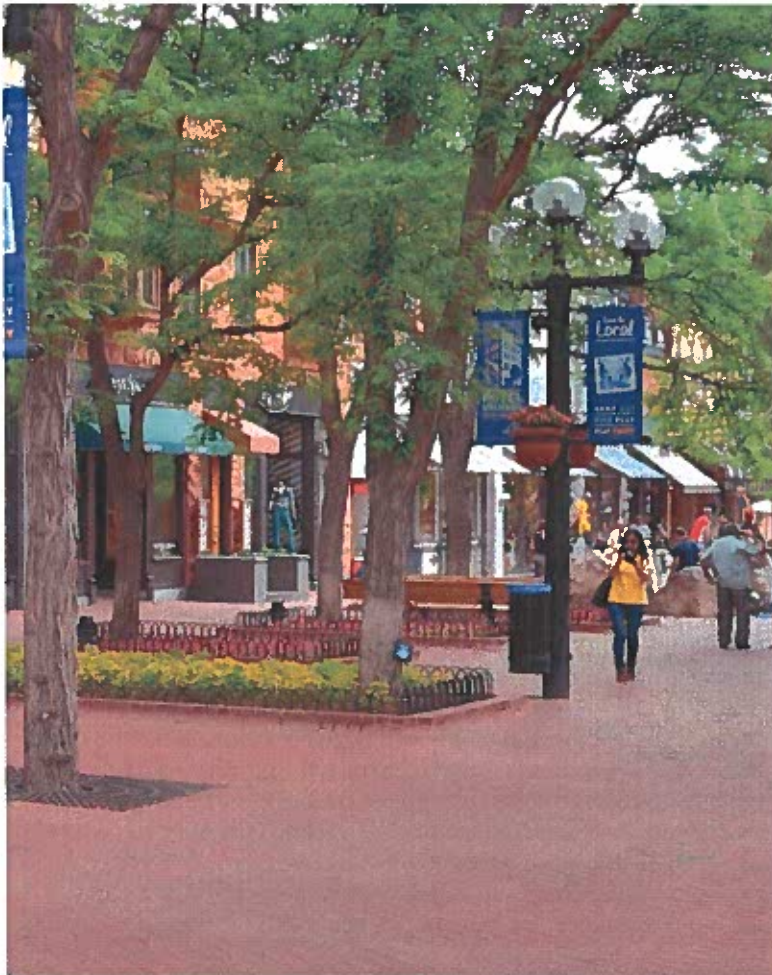
- In some cases, a single tree has raised the value by 9 percent compared to similar houses without such tree.
- Scientists with the U.S. Forest Service report that a tree planted today on the west side of a house can reduce energy bills by 3 percent in only five years and by 12 percent annually in 15 years.

PUBLIC HEALTH BENEFITS

Research has consistently shown the positive impact trees have on people, including worker satisfaction, students' ability to concentrate, faster healing time for hospital patients, and lower blood pressure among senior citizens. Their presence has even been found to reduce crime by providing inviting places that promote positive social interaction.

In summary, the growing volume of research says that trees:

- facilitate mental restoration.
- reduce depression, anger, anxiety, mental fatigue, and stress.
- focus attention and improve concentration.
- encourage healthful, outdoor activity for the young and old.





Fundamental Components of Tree City USA

The benefits enjoyed by communities that receive Tree City USA recognition usually include a more organized and effective approach to the care of their trees. In fact, that is exactly what the four standards are intended to encourage – a systematic, continuous tree care program.

STANDARD 1: A TREE BOARD OR DEPARTMENT

Larger cities usually have a department or other government official that is responsible for tree care. These communities meet Standard 1. The benefit of Tree City USA recognition will enhance recognition of the department's efforts and perhaps even help at budget time.

The formation of a tree board often stems from a group of citizens. In some cases a mayor or city officials have started the process. Either way, the benefits are immense. Involving residents and business owners creates wide awareness of what trees do for the community and provides broad support for better tree care.

STANDARD 2: A TREE CARE ORDINANCE

City ordinances reflect the values of a community. That is, they speak about what its residents believe are worth protecting to create or maintain their quality of life and an en-

vironment that is both safe and pleasant. Trees are certainly worthy of this formal attention for the common good.

A public tree care ordinance encourages beautification, air cooling and purification, noise abatement, property value enhancement, and all the other attributes of trees in cities of all sizes. It also enables city government to prevent and control destructive insects and diseases, avoid unnecessary costs and liability from hazardous trees and tree-related accidents, and protect residents from unscrupulous or careless operators.

Length of the ordinance does not matter. It should be kept simple, clear, and tailored to the needs of your community. A tree ordinance is an important tool for proper tree care — delegating authority to a board or department and establishing protection and regulation for public trees. There are plenty of models and help available to create a tree ordinance. For more information, see Tree City USA Bulletin No. 9 or visit arborday.org/bulletins and navigate to the resources for Bulletin No. 9. But above all, remember that the ordinance is modified to serve in your situation.

**STANDARD 3:
A COMMUNITY FORESTRY PROGRAM
WITH AN ANNUAL BUDGET OF AT
LEAST \$2 PER CAPITA**

As pointed out earlier, most communities probably already spend at least \$2 per capita. Also, community trees — when cared for — can actually save money. A managed program can ensure benefits that surely outweigh costs. It does require dollars to plant and keep trees in healthy condition, but this should not be a barrier to becoming a Tree City USA. Even the smallest communities have found ways to raise needed funds:

- City budget (always a high priority).
- Local donations, often through adopt-a-tree or memorial tree programs.
- Including trees as part of public works or downtown revitalization projects that receive state or federal money.
- Assistance from the utility company.
- A donor-established trust with principal used for trees.
- Federal grants, often passed through to communities from the state forester's office.
- State funds from special license plates or tax return checkoffs.
- Tree donations from local nurseries or retail outlets, especially in late autumn.

Tree City USA Bulletin 34 and its supplemental resource library at arborday.org/bulletins provide additional ideas.

The importance of this tree-planting holiday provides an excellent opportunity to educate about trees and tree care.

**STANDARD 4:
AN ARBOR DAY PROCLAMATION AND OBSERVANCE**

Arbor Day began in 1872 as the idea of founder J. Sterling Morton, a Nebraska farmer and newspaper editor. Since then it has spread to every state in the nation and many countries overseas. Most importantly, it has been the initial inspiration for generations of children who grew into adults who love trees and care about the environment.

The importance of this tree-planting holiday provides an excellent opportunity to educate about trees and tree care. It also creates pride within the community and can help garner public support for the city's entire urban forestry program.

Part of the fun of Arbor Day is creating something that will be enjoyed by the whole community. Here are some of the ways Tree City USA communities are making the celebration memorable. More help is available at arborday.org/celebrate.

- Involving school children, Scouts, church groups.
- Combining with an art and craft festival.
- Sponsoring contests for young people and adults (art, crafts, essays, best landscaping, etc.).
- A "Tree of the Year" contest.
- Presentations by celebrities.
- Honoring individuals who have made important contributions.
- Theatrical or musical performances.
- Food from nature-cooking demonstrations.
- And, of course — planting trees!



Myths and Truths about Tree City USA

Many communities fail to take advantage of Tree City USA recognition because of misconceptions about the program. Here are the perceived obstacles and the facts.

MYTH: We don't know much about trees ...

TRUTH: If this is true, it is a very good reason to pursue Tree City USA status! There is plenty of assistance available and a network of people who are passionate about the role trees play in every community. Help will be provided in forming a tree board if that's what you need. Materials are available to help you plan an Arbor Day celebration. Even a suggested proclamation for the mayor to read will be sent. You can be sure that you will learn and grow, and your entire community will benefit from it.

MYTH: We can't afford it ...

TRUTH: We think you can. First of all, there are no application or membership fees. Even the award materials are complimentary. Other services are part of what your state forestry department contributes. As for the \$2 per capita required, you are probably already spending this much on tree care. For example, in even the smallest of cities, if an employee removes a tree that fell during a storm or that appears dangerous, labor and equipment costs count. And if volunteers help plant trees, their time and expenses can count, too. Of course, the goal of this standard is to have community tree care be part of the local budget, but even without that, most communities already meet this standard.

MYTH: People in our community view trees as a frill or nice to have, but that's about all ...

TRUTH: This is probably because they don't understand that trees not only lend beauty to our communities, they provide benefits such as cleaner air and water, lower energy costs, stormwater retention, and a host of others. There are also numerous proven public health and economic benefits. Living in a Tree City USA community usually instills a sense of pride among the residents and opens opportunities for education about the benefits of a healthy tree canopy. With a little understanding, trees become viewed not as a frill but as a necessary and profitable part of the city infrastructure.

MYTH: Another ordinance just means more restrictions and more bureaucracy ...

TRUTH: A tree ordinance is needed for systematic and continuous care of your community's public trees – and public safety. However, there is no single ordinance that fits every community. Some might be lengthy and detailed, but others are very short. The ordinance should fit the needs of the community.



MYTH: Our community is too small ...

TRUTH: If there was genius in the founding of the Tree City USA program, it was in the requirement that qualifying expenditures are on a per capita basis. This provides a level playing field for communities ranging from New York City with its population of more than 8 million people to Sibley, North Dakota, and its 28 residents.

“The real advantage to the designation is it speaks to the rest of the world about who you are as a community and what you value in your world.”

— Steve Ayers, Camp Verde, AZ

HOW TO EARN TREE CITY USA RECOGNITION

1. Get Your Community Interested

— Find Allies and Partners



2. Contact Your State Urban and Community Forestry Coordinator



3. Work Together to Fulfill the Four Tree City USA Standards



4. Celebrate Arbor Day!



5. Submit your Application

Communities that receive Tree City USA recognition receive support that helps make the celebration easy to plan and conduct. Here is some of what you will receive in your first year:

- Two road signs.
- A 4' x 6' Tree City USA flag.
- Beautiful wall plaque.



With a bit of organizing, virtually any community — large or small — can qualify for Tree City USA recognition. The end result will be safer community trees, better informed citizens, and a higher quality of life for residents and businesses.

MYTH: We lack leadership ...

TRUTH: This thought may be the number one obstacle to achieving Tree City USA recognition. On the other hand, it takes only one motivated individual to get the ball rolling. Maybe that person is you. Whoever starts the Tree City USA process usually finds that there actually is support from others. It may be the mayor, a council member, a park staffer, or someone else affiliated with the city. Or, it may be another resident or two who share the desire to move forward. In searching for supportive individuals, you might start with other organizations such as a Garden Club, civic group, business associations, or just a group of friends. Kindred spirits are out there.

MYTH: No one here wants the responsibility of taking care of trees ...

TRUTH: Ouch! This attitude can hurt in more ways than one. Not only can citizens be injured, it is also a plaintiff lawyer's dream. Cities have the responsibility for public safety. Tree City USA standards help communities be more aware not only of the duty of care owed to citizens and visitors, but how to make conditions safer down the road.

MYTH: There is no Arbor Day celebration (or proclamation) in our community ...

TRUTH: Arbor Day is one of the nation's oldest celebrations. The first one was in 1872 and the idea spread quickly to all states in the nation. If your community doesn't have an Arbor Day celebration of some kind, it's time to start. Countless numbers of adults can trace their earliest memories of stewardship to an Arbor Day celebration at school. Ways to celebrate can be as simple as a brief ceremony and planting a new tree near city hall, the library, a home for the elderly, or some other public or private building. For ideas and a copy of a proclamation that can be read at the ceremony, see the Celebrate Arbor Day section online at arborday.org/celebrate.

It's Time to Get Recognized

“Becoming a Tree City USA is a way to make your community stand out. It shows you're dedicated to the management of your urban forest and strive to provide a beautiful landscape to the residents you serve.”

— Mike Fraider, Alsip, IL



TREE CITY USA®: *Your Community Is Ready*

As the first step in helping your town or city become a Tree City USA community, an important person for you to contact is the urban and community forestry coordinator in your state forester's office.

Visit arborday.org/coordinators for your contact's information and a directory list of all states.

Your state coordinator is the resource for beginning your Tree City USA application. He or she will have answers to your questions and will be more than happy to help your community become a Tree City USA.



How to Apply

Simplicity is one of the principles of the Tree City USA application and annual recertification process. Experience has shown that getting started as a Tree City USA often results from a single individual or a small group taking the lead. Here is all you have to do:

A Talk with the person in your community currently responsible for trees (city forester, park superintendent, public works director, etc.). Also discuss with your mayor, city manager, city clerk, a key council person, or whomever else in your city government should be informed and whose support you will need.

B Go to portal.arborday.org. The Tree City USA application can easily be completed online.

C The application is normally completed by the city forester or other person responsible for trees, or the tree board chair. Once your application is submitted, it's reviewed at a state level and then it will be reviewed by the Arbor Day Foundation at a national level. To learn more about applying and your state's deadlines visit arborday.org/treecityusa.

The sample ordinance was designed for use in Midwestern communities of average population. The ordinance that your community ultimately develops should be designed to fit its specific needs.

**SAMPLE
CITY
TREE ORDINANCE**

Be it ordained by the City Commission of the City of:

(City) _____

(State) _____

Section 1. Definitions

Street trees: "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the City.

Park Trees: "Park Trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the City, or to which the public has free access as a park.

Section 2. Creation and Establishment of a City Tree Board

There is hereby created and established a City Tree Board for the City of:

(City) _____

(State) _____

which shall consist of five members, citizens and residents of this city, who shall be appointed by the mayor with the approval of the Commission.

Section 3. Term of Office

The term of the five persons to be appointed by the mayor shall be three years except that the term of two of the members appointed to the first board shall be for only one year and the term of two members of the first board shall be for two years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term.

Section 4. Compensation

Members of the board shall serve without compensation.

Section 5. Duties and Responsibilities

It shall be the responsibility of the Board to study, investigate, council and develop and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan will be presented annually to the City Commission and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the City of:

(City) _____

(State) _____

The Board, when requested by the City Commission, shall consider, investigate, make finding, report and recommend upon any special matter of question coming within the scope of its work.

Section 6. Operation

The Board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

Section 7. Street Tree Species to be Planted

The following list constitutes the official Street Tree species for:

(City) _____

(State) _____

No species other than those included in this list may be planted as Street Trees without written permission of the City Tree Board.

SMALL TREES	MEDIUM TREES	LARGE TREES
Apricot	Ash, Green	Coffeetree, Kentucky
Crabapple,	Hackberry	Maple, Silver
Flowering (sp)	Honeylocust	Maple, Sugar
Golden Rain Tree	(thornless)	Oak, Bur
Hawthorne (sp.)	Linden or	Sycamore
Pear, Bradford	Basswood (sp.)	Sycamore, London
Redbud	Mulberry, Red	plantree
Soapberry	(fruitless, male)	Cottonwood
Lilac, Jap. Tree	Oak, English	(Cottonless,
Peach, Flowering	Oak, Red	male)
Plum, Purpleleaf	Pagodatree,	
Serviceberry	Japanese	
	Pecan	
	Birch, River	
	Osageorange	
	(Male,	
	thornless)	
	Persimmon	
	Poplar, White	
	Sassafras	

** Please note: The above species are offered as size-class examples only and may not be suitable for planting in your area. Please check with local sources to develop a species list for your area.*

Section 8. Spacing

The spacing of Street Trees will be in accordance with the three species size classes listed in Section 7 of this ordinance, and no trees may be planted closer together than the following: Small Trees, 30 feet; Medium Trees, 40 feet; and Large Trees, 50 feet; except in special plantings designed or approved by a landscape architect.

Section 9. Distance from Curb and Sidewalk

The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes listed in Section 7 of this ordinance, and no trees may be planted closer to any curb or sidewalk than the following: Small Trees, 2 feet; Medium Trees, 3 feet; and Large Trees, 4 feet.

Section 10. Distance from Street Corners and Fireplugs

No Street Tree shall be planted closer than 35 feet of any street corner, measured from the point of nearest intersecting curbs or curblines. No Street Tree shall be planted closer than 10 feet of any fireplug.

Section 11. Utilities

No Street Trees other than those species listed as Small Trees in Section 7 of this ordinance may be planted under or within 10 lateral feet of any overhead utility wire, or over or within 5 lateral feet of any underground water line, sewer line, transmission line or other utility.

Section 12. Public Tree Care

The City shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

The City Tree Board may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect or other pest. This Section does not prohibit the planting of Street Trees by adjacent property owners providing that the selection and location of said trees is in accordance with Sections 7 through 11 of this ordinance.

Section 13. Tree Topping

It shall be unlawful as a normal practice for any person, firm, or city department to top any Street Tree, Park Tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than

three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this ordinance at the determination of the City Tree Board.

Section 14. Pruning, Corner Clearance

Every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of eight feet (8') above the surface of the street or sidewalk. Said owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light or interferes with visibility of any traffic control device or sign.

Section 15. Dead or Diseased Tree Removal on Private Property

The City shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The City Tree Board will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within sixty days after the date of service of notice. In the event of failure of owners to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal on the owners property tax notice.

Section 16. Removal of Stumps

All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

Section 17. Interference with City Tree Board

It shall be unlawful for any person to prevent, delay or interfere with the City Tree Board, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any Street Trees, Park Trees, or trees on private grounds, as authorized in this ordinance.

Section 18. Arborists License and Bond

It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating, or removing sweet or palm trees within the City without first applying for and procuring a license. The license fee shall be \$25 annually in advance; provided, however, that no license shall be required of any public service company or City employee doing such work in the pursuit of their public service endeavors. Before any license shall be issued, each applicant shall first file evidence of possession of liability insurance in the minimum amounts of \$50,000 for bodily injury and \$100,000 property damage indemnifying the City or any person injured or damaged resulting from the pursuit of such endeavors as herein described.

Section 19. Review by City Commission The City Commission shall have the right to review the conduct, acts and decisions of the City Tree Board. Any person may appeal from any ruling or order of the City Tree Board to the City Commission who may hear the matter and make final decision. **Section 20. Penalty**

Any person violating any provision of this ordinance shall be, upon conviction or a plea of guilty, subject to a fine not to exceed \$ _____

TREE CITY USA® APPLICATION

Select one: First Time Applicant OR Recertification



TREE CITY USA status is awarded for work completed by the community during the calendar year. Please contact your State Urban Forestry Coordinator for your state's deadline, mailing address and any additional information required by your state. The common deadline is December 31 but can vary by state. Completed applications with attachments can be mailed to your State Urban Forestry Coordinator. To apply online and for additional information, please visit portal.arboday.org.

Community Information

Community Name (as it should appear on recognition materials) _____

Community Website _____

Mayor or Equivalent

First Name _____ Last Name _____

Professional Title _____

Address _____

City _____ State _____ Zip Code _____

Email Address _____

Phone Number (ex. 402-473-9553) _____ Fax Number _____

City Forestry Contact: Person who is responsible for completing and answering questions about this application.

First Name _____ Last Name _____

Professional Title _____

Address _____

City _____ State _____ Zip Code _____

Email Address _____

Phone Number (ex. 402-473-9553) _____ Fax Number _____

Standard ①: Tree Board or Department

Frequency of Tree Board Meetings: Weekly Bi weekly Monthly Quarterly Semiannually Annually

Chairperson: If your city or town has a Tree Board, list your chairperson or head board member. If your city or town doesn't have a Tree Board, list your city department or manager.

First Name _____ Last Name _____

Professional Title _____

Address _____

City _____ State _____ Zip Code _____

Email Address _____

Phone Number (ex. 402-473-9553) _____ Fax Number _____

Other Tree Board Members or Staff

First Name _____ Last Name _____

First Name _____ Last Name _____

First Name _____ Last Name _____

First Name _____ Last Name _____

If additional Tree Board members are needed, please attach.

OVER

– Page 1 of 2 –

Standard ②: A Community Tree Ordinance

Date Current Tree Ordinance was established _____

NEW Applicants (required): Current ordinance is attached.

RECERTIFICATIONS: Our ordinance as last submitted is unchanged and still in effect.
 Our ordinance has been changed. The new version is attached.

Standard ③: A Community Forestry Program with an Annual Budget of at Least \$2 per capita

Community Population _____	To review program standards and application resources, visit arborday.org/treecity .
Tree Planting and Initial Care	\$ _____
Tree Maintenance	\$ _____
Tree Removals	\$ _____
Management	\$ _____
Utility Line Clearance	\$ _____
Volunteer Time	\$ _____
Other (please explain)	\$ _____
Total Community Forestry Expenditures	\$ _____

Please attach Annual Work plan (if required by your state) and supporting budget documents.

Trees Planted _____ Trees Pruned _____ Trees Removed _____

Standard ④: Arbor Day Observance and Proclamation

Date of observation _____

Please attach program of activities, photos, and/or news coverage. Attach Arbor Day Proclamation.

Mayor or Equivalent Signature	Title	Date
--------------------------------------	--------------	-------------

Application Certification To Be Completed By The State Forester:

Community: _____

The above named community has made formal application to this office. I am pleased to advise you that we reviewed the application and have concluded that, based on the information contained therein, said community is eligible to be certified as a Tree City USA community, having in my opinion met the four standards required for recognition.

State Forester Signature	Title	Date
---------------------------------	--------------	-------------

Mail completed application with requested attachments to your state forester no later than December 31 (unless your state has instituted a different deadline.)



Council Meeting Date: 07/12/2017

AGENDA ITEM COVER SHEET

Subject/Title:

9. D. Consider and Take Appropriate Action on Inspections of Various Properties at Time of Change of Resident.

Item Summary:

This agenda item is to discuss and take appropriate action on implementing the inspection of various properties at time of change of resident. The original discussion came about from concerns about rental properties not meeting the basic health and safety codes. Staff provided a sample ordinance to be reviewed by Council and to be discussed at this meeting. Major concerns of enacting an ordinance include ensuring an acceptable turn around in the inspection time period, enforcement with compliance from landlords, and public acceptance of the program. Currently, the City is complaint driven, and react quickly to the complaints.

Financial Impact/Financial Information:

Expense: Cost of enforcement Revenue: Registration fees

Comments/Recommendation

No Recommendation

Attachments:

None

Submitted By:

Brenton B. Lewis, City Manager

Council Meeting Date: 07/12/2017

AGENDA ITEM COVER SHEET

Subject/Title:

9. E. Consider and Take Appropriate Action on Declaring OKI MC361 Copier as Surplus Prior to Disposal.

Item Summary:

This agenda item is to discuss and take appropriate action declaring the OKI MC361 copier surplus and authorizing staff to dispose of the unit by selling it by public bid. The unit is no longer needed since the main copier has been changed out with a color unit. The change occurred because the city was able to exchange the Xerox copier for a newer and better model with less operation costs compared to the old Xerox and OKI copiers combined.

Financial Impact/Financial Information:

Reduction in Operating Costs

Comments/Recommendation

Declare the OKI MC361 surplus

Attachments:

Submitted By:

Brenton B. Lewis, City Manager

Council Meeting Date: 07/12/2017

AGENDA ITEM COVER SHEET

Subject/Title:

9. F. Discussion Regarding the November 2017 Election Calendar.

Item Summary:

This agenda item is to update the Council on the election calendar for the November Election. Positions that will be on the ballot are the Mayor and two council positions with the incumbents being Mayor Eskelund, Bill Scheel and Judy Brizendine for the Council seats. Dates for filing for the election are from July 22, 2017 to August 21, 2017 at 5:00 PM. The order of the election has to occur on or before August 21, 2017 therefore it will be on the August 9th, 2017 meeting, drawing for positions on the ballot, if necessary, will occur on the 23rd or 24th of August 2017, and the election will be held on November 7th, 2017.

Financial Impact/Financial Information:

Cost of election

Comments/Recommendation

None

Attachments:

N/A

Submitted By:

Brenton B. Lewis, City Manager

