

The Calm after the Storm...

by Kat Rowoldt

Inhale.
Exhale.
Repeat.

Once again.
Inhale. Exhale. Repeat.

We can breathe now. What a
local election season we had!



Ngan Ho, with the **San Angelo Standard Times**, caught this moment as I was sharing with Frank Carter the final numbers from the last box counted, declaring him the winner with 2/3rds of the vote.

Those first ten minutes after the polls closed as we awaited the posting of the early voting returns were so stressful. Both Carter camps were rooting for one another. In fact, Lane Carter and his wife, Paige, stopped by Frank's gathering before heading to theirs at Peppercorn Grill. As the votes came in, once we knew where Frank was standing, the second question was how is Lane doing. Remember folks - they may be Carters - but they are not related in the natural - just in the fight.

This post-primary, run-off election has been brutal. The battle was happening everywhere from Facebook to the streets. But when it was all said and done, the citizens of San Angelo, in great numbers, turned out to give voice to their desires. Bottom line: Citizens have NOT been happy with how things have been going in our wonderful little community. We are ready for change. We are ready for someone to stand up and fight for us and our community - to recapture the uniqueness of what makes us "Snangelo!" We don't want to look like, act like, or be like all the other places we have chosen NOT to live.

That's an important note. We choose to live here. Many of us were born here and moved off for a season, but we returned. Many wonderful people discovered San Angelo through business or military time here and chose to return for retirement. We are here by choice! We want what we have here that we can't find anywhere else. So handle us with care. We are unique. We are special.

As the coming days roll out, we need to consider how we move forward. If this truly is a sign of things to come, of citizens crying out for their voice to be

heard and the bureaucrats to be silenced, then we need to make sure we have a proper footing and plan in advancing.

One of the things that must be put on the table and discussed now that the election is over, is the accountability of those who are seated on Council and the employees of the city. OK - everyone put on your steel toe boots - I'm going to step on toes by presenting FACTS/TRUTH to you. Are you ready?

I will be one of the first to applaud the creativity of the numerous signs we have seen around town. Bravo! Great job! Liz, I absolutely loved it!

- Liz Puts Out Fires
- Korona Formally Endorses Liz
- Roses are Red, Violets are Blue, Please Vote for Liz, and We Will Too (*my personal favorite*)
- Liz is Good Insurance
- etc., etc.



But... There is just ONE, maybe TWO, maybe THREE major problems with these signs. They do not align with Texas Election Code for signage, nor do they pass the Portable Sign Code in San Angelo. State and City violations - but where were the City Permit - Permit Enforcement people. Oh... maybe City Council people get a pass on following sign ordinances.

After several days of enjoying the creativity behind the signs, something hit me, and it wasn't a brick. I remembered sitting through a City Council meeting where these portable signs were the HOT topic of the meeting. As I began digging back through notes and files, I was shocked that it was actually two years ago that this topic had been on the agenda - TWICE.

It was originally on the agenda on June 3, 2014, and reviewing my video footage of the meeting, it was amazing to hear Charlotte Farmer and Liz Grindstaff describing the portable signs as "visual clutter." That expression was used numerous times in their debate on the subject. Al Torres, with the City, had brought before Council a proposal to allow portable signs:

- be used 180 days, instead of just 90 days per year
- giving an option for 1 angled sign for corners, instead of requiring 2 signs for both directions
- and giving language to a housekeeping feature that was on the books which require sign companies to post a sign large enough to be seen from the street with the permitted dates (which is still not being followed)

In that meeting, Johnny Silvas was out, and when they voted they had a tied vote, 3-3. Liz, Charlotte, and Marty Self voting against the changes on the sign ordinance. Voting for the changes were Don Vardeman, Mayor Dwain Morrison, and Rodney Fleming. That tied vote forced the item to be placed on the next agenda when hopefully they would have a full seven members present.

June 17th rolled around and this time Marty Self was out and Johnny Silvas had returned. Immediately after the agenda item was presented, Charlotte Farmer made a motion to deny and it was seconded by Liz Grindstaff (and she jokingly third-ed and fourth-ed). That motion failed with a 2-4 vote and then Johnny Silvas moved to approve as presented; extending the 90 to 180 days, giving the one sign option on corners, and language to enforce permitted dates on signs.

After additional discussion, including Kristin Oliver, the owner of Rent-A-Sign company speaking, Liz continued to talk about how the signs "clutter communities" and we don't want to be like "those" communities. The video footage can quickly be reviewed on the city's link, beginning at 35:24 spot: <https://www.youtube.com/watch?v=XaEu3Ceh6Ug>

The vote rolled around again and it passed 4-2. Liz and Charlotte were shot down in the hopes of stopping this "visual clutter" by all the guys.

I wanted to pull the minutes from that meeting to share with you, but it just so happens that they are missing on the city website. The minutes are there for the meeting on the 3rd of June and the first meeting in July - but these are missing.

But here is the agenda item as it was listed:

22. First Public Hearing and consideration of introducing an Ordinance amending Chapter 12, Exhibit "A" (Zoning Ordinance) of the Code of Ordinances, City of San Angelo AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 12, ENTITLED "PLANNING AND DEVELOPMENT," ARTICLE 12.600, ENTITLED "SIGN REGULATIONS," MORE PARTICULARLY BY AMENDING SECTION 12.604, ENTITLED "ON-SITE REGULATIONS," IN ORDER TO ALLOW FREESTANDING SIGNS TO BE PLACED AT AN ANGLE ON LOTS AT THE INTERSECTION OF TWO STREETS; AMENDING SUBSECTION 12.606, ENTITLED "PORTABLE SIGNS," IN ORDER TO EXTEND THE PERIOD A PORTABLE SIGN MAY BE PLACED FROM NINETY (90) DAYS TO ONE HUNDRED AND EIGHTY (180) DAYS, AND TO REQUIRE AN IDENTIFYING LABEL INDICATING THE EXPIRATION DATE OF A PORTABLE SIGN; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (Presentation by Building Official Al Torres)

In reviewing the posted portable sign ordinance on the City's website, item (H) lists: **Portable sign advertisement must be related to goods or services being provided at the location.** *Hmm.... Was Liz a goods or service being provided at that location?* I think not. So why was Code Enforcement not doing their job?

"Oh but Kat, they were political signs? That's not the same thing!"

Portable signs are not political signs. Political signs have their own set of regs and standards set by the State - and they are VERY EXPLICIT.

ELECTION CODE

TITLE 15. REGULATING POLITICAL FUNDS AND CAMPAIGNS

CHAPTER 255. REGULATING POLITICAL ADVERTISING AND CAMPAIGN COMMUNICATIONS

Sec. 255.001. REQUIRED DISCLOSURE ON POLITICAL ADVERTISING. (a) A person may not knowingly cause to be published, distributed, or broadcast political advertising containing express advocacy that does not indicate in the advertising:

(1) that it is political advertising; and

(2) the full name of:

(A) the person who paid for the political advertising;

(B) the political committee authorizing the political advertising; or

(C) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate.

(b) Political advertising that is authorized by a candidate, an agent of a candidate, or a political committee filing reports under this title shall be deemed to contain express advocacy.

(c) A person may not knowingly use, cause or permit to be used, or continue to use any published, distributed, or broadcast political advertising containing express advocacy that the person knows does not include the disclosure required by Subsection (a). A person is presumed to know that the use of political advertising is prohibited by this subsection if the commission notifies the person in writing that the use is prohibited. A person who learns that political advertising signs, as defined by Section 255.007, that have been distributed

do not include the disclosure required by Subsection (a) or include a disclosure that does not comply with Subsection (a) does not commit a continuing violation of this subsection if the person makes a good faith attempt to remove or correct those signs. A person who learns that printed political advertising other than a political advertising sign that has been distributed does not include the disclosure required by Subsection (a) or includes a disclosure that does not comply with Subsection (a) is not required to attempt to recover the political advertising and does not commit a continuing violation of this subsection as to any previously distributed political advertising.

(d) This section does not apply to:

- (1) tickets or invitations to political fund-raising events;
- (2) campaign buttons, pins, hats, or similar campaign materials; or
- (3) circulars or flyers that cost in the aggregate less than \$500 to publish and distribute.

(e) A person who violates this section is liable to the state for a civil penalty in an amount determined by the commission not to exceed \$4,000.

If they are political signs, where was the PAID FOR BY information? Also there is one other requirement:

Sec. 255.007. NOTICE REQUIREMENT ON POLITICAL ADVERTISING SIGNS. (a) The following notice must be written on each political advertising sign:

"NOTICE: IT IS A VIOLATION OF STATE LAW (CHAPTERS 392 AND 393, TRANSPORTATION CODE), TO PLACE THIS SIGN IN THE RIGHT-OF-WAY OF A HIGHWAY."

(b) A person commits an offense if the person:

- (1) knowingly enters into a contract to print or make a political advertising sign that does not contain the notice required by Subsection (a); or

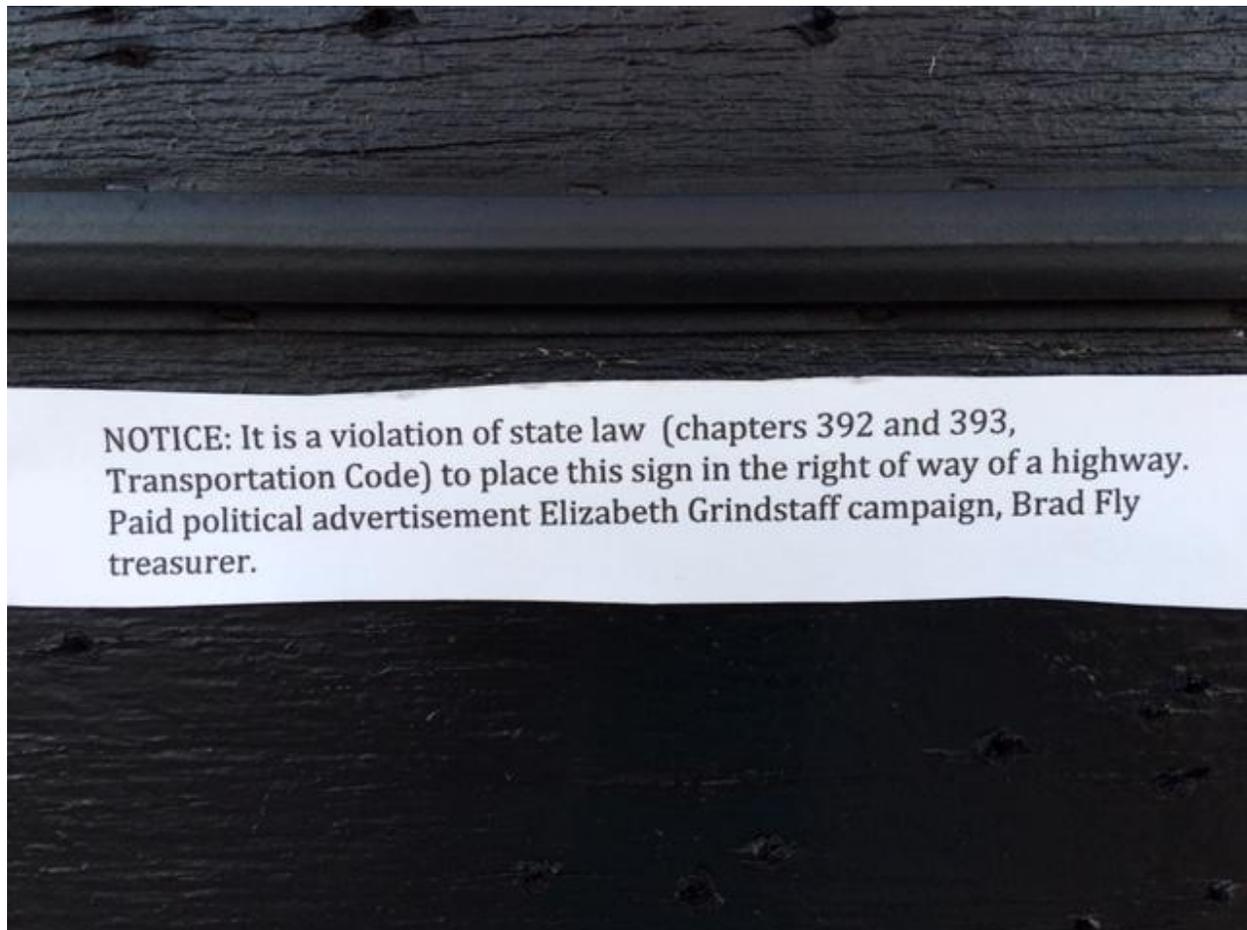
(2) instructs another person to place a political advertising sign that does not contain the notice required by Subsection (a).

(c) An offense under this section is a Class C misdemeanor.

(d) It is an exception to the application of Subsection (b) that the political advertising sign was printed or made before September 1, 1997, and complied with Subsection (a) as it existed immediately before that date.

(e) In this section, "political advertising sign" means a written form of political advertising designed to be seen from a road but does not include a bumper sticker.

After several days, maybe a week, on the streets without this notice, finally a little note began to be attached to these signs.



So...before it was all said and done, maybe the signs squeaked into state compliance - but still not into local portable sign ordinance. The purpose of this article is to address this issue before it happens again. It was a very creative advertising ploy - but one that is outside of our local ordinances.

So this round of local elections are in the books! Thank God! But now as we move forward they leave us with a few things to ponder.

- Council representatives should be very mindful of our ordinances, they are not exempted from them like our National Congress often rules themselves, even if it's a darling idea!
- Why did our City Code Enforcement not address this issue when it was blatantly spread around the city? Can you imagine what our city would look like if all the local candidates covered our city doing this? Talk about "visual clutter!" And yes, a few were driving hazards, blocking the view of oncoming traffic when pulling out of businesses.

So it's a new day. We have three new members on the City Council: Harry Thomas, Bill Richardson, and now Lane Carter will join them. They each have a three year term that we have entrusted to them as our representatives. Only one of them is a Snangeloan by birth! ...but each by choice!

Over the next few months we will see a new Council personality reflected as the new members begin to voice their positions on the various topics that will come before them. It is only six months before the election cycle starts again, as we prepare to vote in four new members to complete the transition. These four members will be serving a four year term.

- SMD 2 - Marty Self - rumor has it he may not run again.
- Mayor - Dwain Morrison - he reports that he is done - forked and ready to go home
- SMD 4 - Lucy Gonzales - completing her first term - we will see what she plans to do
- SMD 6 - Charlotte Farmer - rumor has it she may be thinking of running for the Mayor's position

We could have a totally new Council this time next year. San Angelo - our voices are so important now - more so than ever before. We are loaded with debt - have a police station to build or redo - infrastructure that must be tended to - and are always in want of water. Let's seek some responsible, conservative minded folks to fill these positions that are going to be vacated.

The Carters - Councilman Lane Carter, and Chief Frank Carter, will be sworn in on Tuesday, July 12th, at 8:30 a.m. at the McNeese Convention Center after the

votes are canvassed during the City Council meeting. The public is welcomed to attend.

Until next time....

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