

**OFFICIAL MINUTES OF THE CITY COUNCIL  
LAGO VISTA, TEXAS  
APRIL 1, 2010**

**BE IT REMEMBERED** that on the 1<sup>st</sup> day of April, A.D., 2010, the City Council held a Regular Meeting and Public Hearing at 6:45 P.M., at City Hall, 5803 Thunderbird, in said City, there being present and acting the following:

Randy Kruger	Mayor	Bill Angelo	City Manager
Darrel Hunt	Mayor Pro Tem	Frank Robbins	Assistant City Manager
Richard Bohn	Council Member	Danny Smith	Police Chief
Pat Dixon	Council Member	Christina Buckner	City Secretary
Dale Mitchell	Council Member	Zach Padgett	Golf Course Director
Bob Bradley	Council Member	Aleyda Grek	Financial Assistant
D'Anne Gloris	Council Member		

Mayor Kruger called the Regular Meeting to order and recognized that all Council Members were present.

The numbering below tracks that of the agenda, whereas the actual order of consideration varied, primarily for the convenience of the guests.

**CITIZEN INQUIRY:**

Shirley Davis with the Northshore Heritage and Cultural Society presented a historical marker which will mark the location of the first community center in Lago Vista. She stated there are ongoing discussions between the POA and the City with regard to placement of the marker but it will be located near the campgrounds. She announced they are hoping to have it in place and have an unveiling ceremony on the 8<sup>th</sup> of April to kick-off the 25<sup>th</sup> anniversary of the City.

**PUBLIC HEARING:**

1. The City Council conducted a public hearing to obtain the views of the citizens regarding renewal of an ordinance establishing a curfew for minors within the City of Lago Vista.

City Manager Bill Angelo stated this ordinance regulates the time children should be off the streets. He stated it is routinely considered every 3 years and a public hearing is required to discuss whether or not it should remain in effect.

D'Anne Gloris stated as parent of two teenagers she thinks this is a very reasonable ordinance and curfew is good for all of our kids.

Pat Dixon stated he has concerns with the ordinance based on principle.

A member of the audience questioned what Pat Dixon's principle is.

Pat Dixon stated the principles upon which our nation was founded was one of Liberty, which means you should be able to make your own decisions as long as you don't do harm to someone else. The principle behind a curfew ordinance is even though you haven't done harm, government can interfere in your life. He stated he understands there is a concern in this community due to repeat juvenile offenders in the past. In his opinion, that is the fault of Ronny Earl. The district attorney should be held accountable for not doing their job.

Ed Tidwell referred to Section 8 on page 3 of the ordinance asking if there were answers to those questions.

Police Chief Danny Smith stated since January 1, 2008 there have been only 11 offences for curfew violations, which suggests there is a lot of voluntary compliance. Of those 11, only 3 violations just encompassed curfew, the other 8 included additional charges such as criminal mischief, minor in consumption of alcohol or tobacco, etc. He stated as far as the practicality of enforcing the ordinance, they have basically encountered no problems. His officers use adequate discretion and the ordinance does have several different avenues for minors to be out after hours such as in conjunction with a job, with parents' permission, school events, etc. With regard to the impact on crime statistics, he stated, without ability to go back with a records management system and compile them it is difficult to give an actual number but, in his opinion, the curfew ordinance helps with crime statistics.

Ed Tidwell questioned Chief Smith, in his opinion, would things change if this ordinance weren't renewed.

Chief Danny Smith stated, in his opinion, yes.

Dale Mitchell questioned whether this has been discussed with the school and whether they support it.

Chief Danny Smith stated yes.

Shirley Davis asked whether warnings were generally issued or whether penalties are involved.

Chief Danny Smith stated generally it is a ticket able offense and it is within the officers' discretion whether to issue a ticket or a warning.

**PRESENTATION:**

2. The City Council received a report on the audit for the fiscal year 2008-2009 from Keith Neffendorf of Neffendorf, Knopp, Horry & Doss, P.C. On a motion by Richard Bohn, seconded by D'Anne Gloris, the Council unanimously approved Resolution 10-1458 accepting from Neffendorf, Knopp, Horry & Doss, P.C., the audit for the fiscal year 2008-2009.

**CONSENT AGENDA:**

3. On a motion by Pat Dixon, seconded by Bob Bradley, the Council unanimously approved the following minutes:  
March 9, 2010 City Council Budget Work Session  
March 16, 2010 City Council, P&Z, Building Committee, and Board of Adjustment training  
March 18, 2010 City Council Regular Meeting and Executive Session

**ACTION ITEMS:**

4. On a motion by Darrel Hunt, seconded by D'Anne Gloris, the Council unanimously approved Resolution 10-1459 amending the Five Year Capital Improvement Plan to include an additional project entitled Highland Lakes Golf Course Acquisition and Improvements in the amount of \$800,000.00.
5. On a motion by Darrel Hunt, seconded by Richard Bohn, the Council unanimously adopted Ordinance 10-04-01-01 pursuant to Vernon's Texas Codes annotated, Local Government Code, Chapter 102, Section 102.007(b) providing for amendments to Ordinance No. 09-09-17-02 for the fiscal year beginning October 1, 2009 and ending September 30, 2010; amending the 2009-2010 budget to provide for appropriations to support the acquisition of and improvements to the Highland Lakes Golf Course.
6. On a motion by D'Anne Gloris, seconded by Darrel Hunt, the Council unanimously approved Resolution 10-1460 re-appointing Jim Wood as an alternate member to the Airport Advisory Board with a term expiring March, 2012.

**WORK SESSION:**

7. The Council discussed the possibility of the City of Lago Vista requesting removal of the Rusty Allen Airport from the National Plan of Integrated Airport Systems (NPIAS) with the understanding that the airport will remain in the Texas Airport System Plan (TASP.)

Bill Angelo reported the FAA has denied construction of hangers proposed at the airport because they didn't fully comply with their standards for national airports. He stated the Texas Department of Transportation Aviation Division recommends removal from the federal airport system plan and continuation in the Texas plan. He stated this has been discussed with the airport POA and they are 100% behind it. He stated the airport will still follow TxDot rules. He stated the only disadvantage is that the airport will no longer be eligible for federal funds.

There was a brief discussion by Council. It was the consensus of the Council that Rusty Allen Airport be removed from the National Plan of Integrated Airport Systems (NPIAS) and that the City move forward with this.

Bill Angelo stated this will be an action item on the next Council agenda.

8. The Council discussed the process and methods of disposing of City owned lake property.

Bill Angelo stated this has been discussed several times before and a public hearing was held several weeks ago which resulted in a request to look at ways to lower the price of the property. He stated there are basically two ways to do this; reduce the price per square foot or reduce the size of the property.

There was a lengthy discussion by Council regarding selling smaller pieces of property to owner, considering the creation of a POA having ownership of the property, lease purchase of the property, and the city's liability with regard to these matters.

It was the consensus of the Council that they would like to see the price of the property be at \$0.05 per square foot and that the parcels not be divided.

9. The Council discussed schedule for recognizing volunteers on City committees and commissions.

Dale Mitchell suggested that 5 to 10 minutes be set aside once a month at the beginning of a Council meeting to recognize the volunteers of various committees. He stated there would be no cost to the City unless we chose to have cookies and coffee.

It was the consensus of the Council that this was a good idea and that the Council liaisons work it out with their committees.

10. The City Manager updated the Council on the following:

a. Commercial Development

- received notification from bankruptcy court regarding Town Centre, motion to dismiss approved, basically same as Chapter 7, gives note holder opportunity to foreclose

b. Residential Development

- received proposed future funding agreement from TxDot on improvements to 1431 requested by Hines group, working an agreement, will be on upcoming agenda
- TxDot awarded bid for the Hollows 1431 improvements, wrote check to TxDot for over \$1,000,000.00 last week, money was received from the Hollows several years ago and we earned interest on the money

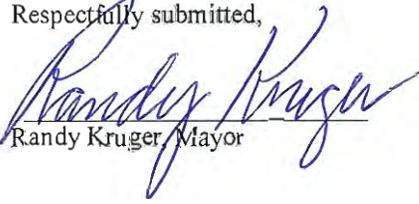
c. Swimming Pool

- pool is opening next week and will be open every weekend in April and May, full time operations begin first of June
- D'Anne Gloris recognized Alan Haire for organizing a special hour for special needs persons to use the pool
- Bill Angelo complimented Dave Stewart for his work at the pool stating he is an excellent project manager

11. The Council scheduled items for future Council meetings.

Mayor Kruger adjourned the meeting at 8:15 p.m.

Respectfully submitted,



Randy Kruger, Mayor

ATTEST:



Christina Buckner, City Secretary

On a motion by Council Member Darrel Hunt, seconded by Council Member Pat Dixon, the above and foregoing instrument was passed and approved this 15<sup>th</sup> day of April, 2010.