

**OFFICIAL MINUTES OF THE CITY COUNCIL
LAGO VISTA, TEXAS
AUGUST 4, 2011**

BE IT REMEMBERED that on the 4th day of August, 2011 the City Council held a Joint Public Hearing at 6:30 P.M., at City Hall, 5803 Thunderbird, in said City, there being present and acting the following:

Randy Kruger	Mayor	Bill Angelo	City Manager
Bob Bradley	Mayor Pro Tem	Frank Robbins	Assistant City Manager
Dale Mitchell	Council Member	Danny Smith	Police Chief
Darrel Hunt	Council Member	Christina Buckner	City Secretary
D'Anne Gloris	Council Member		
Ron Smith	Council Member		

Mayor Kruger called the Joint Public Hearing to order and recognized that all Council Members were present except Richard Bohn.

Jim Guy, Chairman
Jim Moss
Bob Besett
Linda Lee
Tara Griffin
Paul Smith
Blaine Standiford

Jim Guy recognized that all members of the Planning and Zoning Commission were present except alternate Joe Gudka and a quorum exists.

PUBLIC HEARINGS:

- I. Mayor Kruger stated the purpose of the public hearing is to receive citizen input on an amendment to a Commercial Resort Master Plan and a conditional use permit for one or more boat ramps, parking and related facilities on about 33.22 acres located on Lake Travis near the intersection of Santa Monica Avenue and Highland Lakes Blvd.

Mayor Kruger opened the floor for comments from the Council and Commission.

Dale Mitchell questioned whether Cardinal Avenue was a proposed street that the developer never put in.

Frank Robbins stated he didn't know what the situation was, but Cardinal is one of two named streets that were platted, probably by NRC, and never paved.

D'Anne Gloris stated this was voted on once before as it was originally presented. She stated that even though there was a connection to Highland Lakes Drive, that was not part of the original proposal for the platting. She stated the main objection was not the rezoning but the fact that it was connecting to Santa Monica rather than Highland Lakes Drive. She stated the original proposal was denied due to the connection to Santa Monica.

Darrel Hunt agreed.

Jim Guy questioned the meaning of "city sponsored request" in Frank Robbins's memo.

Frank Robbins stated the City was approached for safety purposes and due to the continuing interest of people in the community for a boat ramp. He stated the City is working with the property owner, so it is a City sponsored request, and the property owner has indicated he's not planning on building any of the improvements that might be approved as part of this conditional use permit. The City is working with property owner to come to some terms but that won't happen until the Council decides on the zoning. He stated the City believes there's a need in the community for a boat ramp and it's a great time to build it.

Jim Guy questioned whether the ramp will be owned by the City or by a third party.

Frank Robbins stated the details on that have not been worked out and won't be until the Planning and Zoning Commission and Council are compatible with what can be built. He stated at this point they are asking for input as to what can be built, or whether it should be built at all, and then they would get back with the property owner to determine what facilities the public could use.

Jim Guy, referring to a reference that the property would be leased from the owner to the City, questioned whether there was some thought of charging for accessing the boat ramp.

Frank Robbins answered in the affirmative.

Jim Guy questioned whether it would be open to the public.

Frank Robbins answered in the affirmative, stating the issue is that the City does not have a public boat ramp.

Mayor Kruger opened the floor for comments from the audience.

Rise' Johns, of 20925 Waterside Drive, spoke in opposition to the request. She stated she understands the City's need for a public boat ramp but expressed concerns with regard to this particular parcel of land. She stated unlike the other two ramps in Lago Vista, which are in coves, this is on the main body of the lake and she believes it would be a safety issue. She stated there is a shelf there, that if people are not experienced boaters, might have issues getting boats back up that ramp. She expressed concerns with Santa Monica being an access point as it is a very narrow street. She stated the number one issue on the Travis County bond program is improving ramps at Dink Pearson and Arkansas Bend which are at the end of public roads. She expressed concerns with regard to traffic coming through Lago Vista and down Highland Lakes and possibly Santa Monica. She stated she spoke with Commissioner Huber regarding the proposed bond and the Commissioner indicated the ramps were her number one priority for the bond issue.

Walter Wendlandt, owner of several rental properties in Lago Vista, stated this property was owned by NRC and the use of it was deeded to property owners in Lago Vista as a park. He stated when NRC went bankrupt, Erinswood Developers acquired the property and Mr. Beadles bought it from them. He stated the deed to Mr. Beadles provided that all the preceding instruments were of record and the restrictions and advantages still applied. He stated if you own property in Lago Vista you have a small interest in this 32 acres and it was to be used for park purposes. He stated Mr. Beadles would like to claim this property by adverse possession. He stated he is an attorney and he will contest Mr. Beadles until he's dead. He stated he spoke with Bill Angelo a few years ago and was asked to contribute two lots he owns (between Santa Monica and this tract) for a City park to be used for ball fields. Mr. Wendlandt stated he agreed but wanted some conditions because he has tenants across the street. The conditions included that the access be where Santa Monica comes into Highland Lakes Drive, that the City hire a professional park planner, that a permanent sanitary facility be installed and maintained by the City, that the lights be turned off after 10:00 p.m., that no overnight parking be allowed, and that there be a 25 foot setback from Santa Monica. He stated this is less than 1/2 mile from the POA boat ramp which is in a cove and ideal for a boat ramp. He stated it is not being used very much and expressed concern with regard to spending a lot of money for an additional boat ramp. He stated he is not in objection to a park, but he is not sure if a boat ramp is necessary in this area. He stated he believes the joint jurisdiction between the City and the POA is unnecessary. He stated he would like to have only one government agency for the entire city and recommended hiring an expert municipal attorney for an opinion on how the situation might be changed. He requested that no decision be made about the park until this is decided. He stated property taxes can be deducted, whereas POA dues cannot, stating if the parks were under control of the City the citizens would only have to pay one time.

Cavitt Wendlandt deferred to his father Walter Wendlandt.

Vernon Reher, of 20921 Waterside Drive, concurred with Rise' Johns and expressed his concern with regard to having a boat ramp at this location.

William Summers, of 20303 Government Cove, stated he moved here because there was a POA and the citizens have a certain power that doesn't exist anywhere else. He stated the citizens get respect here and they don't have to live on the water and can access the entire lake. He expressed concerns with regard to increased traffic. He stated he didn't understand the need for another boat ramp but stated if it is needed the City should own it. He questioned whether this would require another police officer to police the additional traffic and increased trash. He asked why this is such an important issue for the City to accomplish.

Mayor Kruger stated it is not necessarily an important issue to the City. He stated the property owner has made a request and they're following through on that request as they would with any other property owner. He stated the City is not endorsing this and noted they voted it down last time.

Bill Wilson, of 20925 Waterside Drive, stated non-locals coming for recreation have a lack of respect for our area. He expressed concerns with regard to traffic, trash and noise. He stated there are major boating safety problems with that area as the lake there is narrow, especially when the lake is down. He stated Arkansas Bend can be used for a boat ramp and suggested the City and POA consider charging for Emerald Bend.

Mayor Kruger stated that Arkansas Bend is not useable at this time.

Bill Wilson stated it could be extended, just as Mr. Beadles wants to extend a new boat ramp into the water.

Rise' Johns stated it is admirable that the City bought the Highland Lakes and Lago Vista golf courses. She stated, with the number one priority on the new bond issue being Dink Pearson and Arkansas Bend, and the fact that the City and all government entities are struggling with budgets, she does not see the value of taking on another project with the two projects the City has already taken on.

Daniel Carr, of 20951 Waterside, spoke in opposition to the request expressing concerns with regard to boat and road traffic, safety, and noise.

Joe Trak, owner of lot 21205 Santa Monica, stated he came to this hearing neutral but after listening to everyone can vouch for them stating, as-is, there is a lot of vandalism on Santa Monica. He stated he comes to Lago Vista every couple of weeks to clean up trash and his for sale signs get destroyed. He stated public access will increase these issues and the City will need to add police protection or some kind of security for the property as well as the people who are going to be there. He questioned whether it was justified and expressed concerns with regard to safety.

Robert Blanchard, of 21303 Santa Madrina, expressed concerns with regard to traffic, safety and trash, especially on the side streets. He stated Lago Vista is a beautiful city with the exception of billboards as you drive in.

Bill Wilson stated a lot of people come stay at rental places that bring their boats and they get POA privileges through their rentals.

D'Anne Gloris stated this property could have been developed by the POA and it could have been another park just like Bar K or Emerald Bend with a boat ramp or even a marina. She stated she would be reluctant to spend any City money on a public boat ramp, especially since one is planned through Travis County, however, she has no issue with considering it if someone wanted to develop one privately.

Terri Spadt, of 21313 Cardinal Avenue, questioned whether the boat ramp would be located in her cove.

Mayor Kruger stated the proposal suggests three alternative access points and three alternative boat ramps.

Frank Robbins displayed the locations on a map.

Terri Spadt expressed concerns with regard to noise, traffic, and trash and stated there are a lot of unsafe boaters out there. Terri Spadt stated she would not be opposed to a park but a boat ramp would be a safety issue and create traffic and trash.

Bob Bradley questioned the different cost estimates on page 6.

Frank Robbins stated the estimated costs include paving the dedicated right-of-way and the drive to a potential ramp location to get a ballpark figure.

William Summers questioned whether turning lanes and intersection improvements would be made if this were approved and whether a traffic study would be done.

Mayor Kruger stated typically they do but they are a long way from that.

Bob Bradley stated he is concerned that when the lake is low, as it is now, and it is one of only two ramps open, people will come.

Jim Moss, stated the memo from staff that talks about the potential lease is not clear, and questioned whether the City would build the ramp.

Bill Angelo stated there is no point in talking about a lease at this time if the Planning and Zoning Commission and Council are not in favor of the land use.

Jim Moss questioned a statement in the memo that states this is a City sponsored request.

Mayor Kruger stated that was a poor choice of words in his opinion. He stated the City is not sponsoring anything and the only thing the City is looking at is where to put public parks. He stated there is a demand in the community for public parks and the POA is limited to only POA members. He stated there is a possibility that the City could look at this for some sort of park. He stated the expenditures of putting in a ramp or a road is way beyond the City's means. He stated, more than likely, the Council will not consider doing this in this particular area.

Bill Angelo stated the word sponsored does not mean the City is endorsing it, it just means we put it on the agenda.

D'Anne Gloris clarified that she would not endorse financing of a project but that she would consider this as a land use because it's already zoned as a land use. She stated her main concern previously was not the use but the access, which has been solved. She stated she would be supportive of this for a private individual expending private funds.

Darrel Hunt stated the Economic Development Alliance is actively looking for a motel to move to the city and one of the triggers for a motel is access to the lake which the city does not have. He stated hopefully Arkansas Bend takes care of this, but it is unknown whether the bond will pass. He stated his approach is trying to facilitate getting a motel/hotel to Lago Vista.

Dale Mitchell questioned whether the EDA has done a study relating to what kind of traffic we would expect to see of public people bringing boats to Lake Travis to use a public ramp.

Darrel Hunt stated the EDA has not.

Mayor Kruger stated the Planning and Zoning Commission will consider this at a public meeting next Thursday and will come back to Council with a recommendation and at that point Council will make a determination. He stated no action will be taken tonight.

2. Mayor Kruger stated the purpose of the public hearing is to receive citizen input regarding rezoning about .34 acres located at 9201 Bar K Ranch Road which is across the street from the intersection of Bar K Ranch and White Cloud, from R-1A, single family, to R-AA, restricted single family with aircraft.

Mayor Kruger opened the floor for comments from the Council and Commission.

D'Anne Gloris stated this is a rezoning of the property that abuts the airport property. She stated lot 9201 is in between two other R-AA zoned properties. She stated the original intent was that this lot be zoned R-AA, but at the time the developer was re-platting and rezoning all the other lots to R-AA, this particular lot was embroiled in legal matters so it didn't get rezoned. She stated it has now been purchased and the owners have an airplane and they would like their home lot to have the same enjoyment as the lots on either side of them and are requesting the same zoning.

Mayor Kruger stated it was his understanding that they have permission to use someone else's property for access.

D'Anne Gloris stated they have access to Bob Mickey's property on the north side. She stated this was discussed at the Airport Advisory Board meeting and their general consensus was that this was the intention of all of the abutting lots.

Mayor Kruger stated no opposition was received to the request.

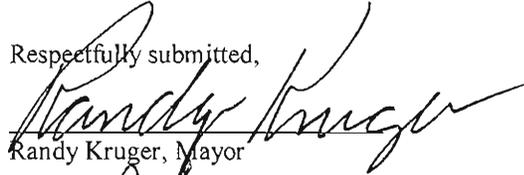
D'Anne Gloris stated the Airport POA would like them to join the POA.

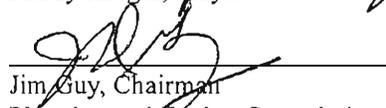
Mayor Kruger opened the floor for comments from the audience. There were no comments from the audience.

3. Mayor Kruger stated the request to rezone about .7891 acres located at 21309 Paseo de Vaca, which is about 200 feet south of the intersection of Paseo de Vaca and Broken Bow, from R-1B, single family, to Planned Development District (PDD) for a community center, card room and assembly/meetings has been withdrawn.

There being no further comments, Mayor Kruger closed the Joint Public Hearing at 7:28 p.m.

Respectfully submitted,


Randy Kruger, Mayor


Jim Guy, Chairman
Planning and Zoning Commission

ATTEST:


Christina Buckner, City Secretary

On a motion by Council Member Bob Bradley, seconded by Council Member D'Anne Gloris, the above and foregoing instrument was passed and approved this 15th day of September, 2011.

The above and foregoing instrument was passed and approved by the Planning and Zoning Commission on the 13th day of October, 2011.