

**OFFICIAL MINUTES OF THE CITY COUNCIL
LAGO VISTA, TEXAS
DECEMBER 20, 2012**

BE IT REMEMBERED that on the 20th day of December, A.D., 2012, the City Council held a Regular Meeting 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
Richard Bohn	Council Member	Danny Smith	Police Chief
Darrel Hunt	Council Member	Christina Buckner	City Secretary
Dale Mitchell	Council Member		
Ron Smith	Council Member		
D'Anne Gloris	Council Member		
Ed Tidwell	Council Member		

Mayor Kruger called the Regular Meeting to order and recognized that all Council Members were present. Thomas Mowlam, worship leader with St. Peter's Episcopal Church, gave the Invocation and Mayor Kruger led the Pledge of Allegiance.

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

CITIZEN INQUIRY: none

CONSENT AGENDA:

1. On a motion by Richard Bohn, seconded by Ed Tidwell, the Council unanimously approved the following minutes:
December 6, 2012 Special Meeting and Executive Session

ACTION ITEMS:

2. On a motion by Darrel Hunt, seconded by D'Anne Gloris, the Council unanimously adopted Ordinance 12-12-20-01 amending the Zoning Ordinance and the Official Zoning Map by rezoning about 2.5 acres of property, Lot 33, Section 1, Lago Ranchos, from the C-2 Zoning District to the R-2 Zoning District; and providing for related matters.
3. On a motion by Darrel Hunt, seconded by D'Anne Gloris, the Council unanimously approved a request from Joseph M. Wostal Sr. for a 6 month extension of a fence permit at 21447 Coyote Trail.
4. On a motion by Darrel Hunt, seconded by Ed Tidwell, the Council unanimously adopted Ordinance 12-12-20-02 pursuant to Vernon's Texas Codes Annotated, Local Government Code, Chapter 102, Section 102.007(b) providing for amendments to Ordinance No. 12-09-20-01 for the fiscal year beginning October 1, 2012 and ending September 30, 2013; amending the General Fund and the Capital Improvement Fund budget, as set forth in "Exhibit A" attached to the Ordinance.
5. On a motion by Richard Bohn, seconded by Ron Smith, the Council unanimously approved Resolution 12-1563 authorizing Mayor Randy Kruger; Council Members Richard Bohn, Darrel Hunt, Dale Mitchell, Ronald Smith, D'Anne Gloris and Ed Tidwell; City Manager Bill Angelo; City Secretary Christina Buckner; and Accounting Manager Starr Lockwood to have signature authority to co-sign checks on behalf of the City.
6. On a motion by D'Anne Gloris, seconded by Richard Bohn, the Council unanimously approved Resolution 12-1564 declaring December 24, 2012 a Holiday for City Employees.

WORK SESSION:

7. The City Manager updated the Council on the following:
 - a. Commercial Development
 - Bill Angelo reported it appears that Cabo Lago is owned by a bank and he has been in contact with a realty firm representing them. He has been providing them information relative to what has been approved and what hasn't. He reported that two payments were made into the park fund totaling \$75,000. He stated that is unusual because the final plat was not approved. He stated zoning and a preliminary plat were approved but they never submitted the final plat and the parkland dedication fees are normally paid when the final plat is considered. He reported they are in compliance with regard to removing buildings. He stated he did not know if the taxes were up to date. Darrel Hunt suggested providing them with a copy of the hotel feasibility study. Bill Angelo stated they are looking at doing condominiums not a hotel but it wouldn't hurt to provide them with that information.
 - b. Residential Development
 - There is a brouhaha between Brian Atlas and Mickey Redwine. Brian revealed his changed plans for his subdivision (Montechino) at an open house event he had and Mickey Redwine asked for copies of the drawings to be sent to his attorney. Brian Atlas refused to do so. Brian Atlas's architect agreed to provide the documents but has not yet. Mickey Redwine is claiming he his going to file suit against Brian Atlas. Bill Angelo reported that he spoke with Brian Atlas and informed him that if his changes

are in compliance with the settlement agreement the city will look fairly favorably on that, but if they are not in compliance with the settlement agreement then he can't see the city approving them. He stated the city has no desire to get into another lawsuit on that subdivision and spend another \$300,000 to \$400,000. He stated the city will be receiving additional documentation from Brian Atlas but haven't received anything at this point that our attorneys can rule on as to whether or not it's in compliance with the settlement agreement. Richard Bohn asked whether Brian Atlas is still participating in the 400,000 gallon tank. Bill Angelo stated Brian Atlas is trying to hold off on participating in that. He stated it could save him a few hundred thousand dollars if he participated in the sewer line and the tank.

- Mayor Kruger reported they are still in communication with Jonestown and Pulte with regard to the servicing of the Jonestown portion of The Hollows with sewer services. He stated he thinks it will resolve itself in a short period of time.
- Have had discussions with Bob Eckert and Matt Ridgeway regarding interest in building additional houses in the area of Bison Trail and Bullock Cove. He stated there are eight people looking to construct houses in that area. D'Anne Gloris asked whether this was helped along by the water extension. Bill Angelo stated it did help but one property they were looking at today would make more sense to serve coming down Bronco Lane and will cost about \$69,000 to extend water and sewer so the property owner is considering installing a well and septic system instead. Bill reported he will talk to them about rebates. He stated some of the best views in the community are in that area and one of the hopes in doing the airport water line was to stimulate development there.
- Have completed the Alfalfa line down a good portion of Alfalfa and are in a position to provide the paving for that. The cost estimate is \$49,000. He was hoping to wait until we do the major overlays and tie it all together, but it might be a show of good will to the folks down there if we do the paving now. Mayor Kruger questioned where the funding for that will come from. Bill Angelo stated it is coming from WULA and Centex. Dale Mitchell asked whether that includes the stretch between where we're going to put the pump station and the end of the cul-de-sac. Bill Angelo stated no, there is a major problem there because that road is not in the right-of-way. He stated the property owners on the south side would have to buy property on the north side to replace that right-of-way so we can keep the road where it is and some fences need to be moved and a portion of a building encroaches on that right-of-way. Dale Mitchell questioned that Steve Frick has been maintaining a road that wasn't in the right place. Bill Angelo responded in the affirmative and noted that the utility pole is in the middle of the real road. Dale Mitchell asked whether they have been informed of this. Bill Angelo stated Bill Brown has and he thinks Steve Frick has also. Mayor Kruger questioned the status of the easement or acquisition for the lift station. Bill Angelo reported he received an email from the city attorney today requesting a map and they have the documents, however BBT doesn't want it to be an easement they want to give the city a deed.

c. PID Activity

- PID activity has been very quiet the last week or two.
- Ron Smith questioned whether there will be any major milestones in the next year or two. Bill Angelo stated TxDOT will be bidding out the improvements to 1431 in the next month or two and construction will start shortly thereafter; they're still working on the engineering plans for water and sewer and we're pretty close to total agreement with their plans; we're planning to start construction on the part they're helping to fund on Dawn Drive and we'll be ordering pipe in the next few days. He stated he will try to provide the Council with a schedule.
- Mayor Kruger questioned whether the \$300,000 the city received was for sewer. Bill Angelo stated yes it was for sewer lines. Mayor Kruger asked whether that ties into the other line that goes into the Hollows. Bill Angelo stated yes it will tie in to the Hollows line at Valley View and Dawn Drive and they will take it back around the Overlooks and down to the plant. It is being upsized from a 10" to an 18" sewer line to accommodate Tessera. Mayor Kruger questioned whether that has to be complete for the Hollows line to get to the plant. Bill Angelo stated yes.

8. The Council scheduled items for future Council meetings.

9. Reports:

Report from the Emergency Services District concerning monthly activity;
Report from the Airport Manager concerning monthly aviation activity;
Report from the Municipal Court concerning monthly court cases, fines and revenues;
Report from the Utility Department concerning water usage and sewer plant treatment capacity;
Report from the Street Department concerning monthly activity of street patching, crack seal program, landscaping, mowing, traffic control, and drainage maintenance;
Report from the Building Department concerning number of permits issued for the fiscal year to date and the calendar year to date;
Report from Code Enforcement;
Report from the Police Department concerning violations for the fiscal year to date;
Report from the City Manager concerning revenues and expenditures for the fiscal year to date;
Report from the Library regarding monthly activities;
Report from the Golf Course

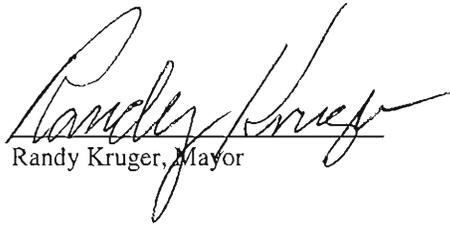
Mayor Kruger adjourned the meeting at 7:44 p.m.

Respectfully submitted,

ATTEST:



Christina Buckner, City Secretary



Randy Kruger, Mayor

On a motion by Council Member Darrel Hunt, seconded by Council Member Richard Bohn, the above and foregoing instrument was passed and approved this 3rd day of January, 2013.