

**Minutes of Special Joint Meeting of the Building Committee
and the Planning and Zoning Commission
City of Lago Vista**

Date of Meeting: May 9, 2013

Attending:

Building Committee Members Present: Hugh Scott Cameron, Robert Durbin, Mike Beal, Rodney Cox and Gerald Fenley.

Planning and Zoning Commission Members Present: Tara Griffin, Jim Moss, Paul Smith, Bob Besett, Jr., Richard Brown and Vernon Reher.

Others Present-Assistant City Manager Frank Robbins, Council member Dale Mitchell and Development Services Secretary Sherry McCurdy.

The Meeting was called to order by Tara Griffin, Chairperson of the Planning and Zoning Committee at 7:50 P.M. at the City Municipal Building, 5803 Thunderbird, Lago Vista, Texas

1. Discuss Trash and Recycling Cart Regulation and Give Staff Direction.

Frank Robbins explained that the Building Committee met previously and made a recommendation to the City Council that was not accepted. Frank explained the background material in the packet that had been presented to the Planning and Zoning Commission and the Building Committee members.

Robert Durbin suggested the term "in so far as possible" be struck from the ordinance. He stated if the City is going to tell people to conceal the containers, the word concealed needs to be defined. Chapter 6 and Chapter 6.85 need to have times inserted.

Rodney Cox stated he could see regulating concealment for new construction. He voiced concern about asking existing homes to conceal their containers out of concern that whatever was used to screen them would look bad in 6-9 months. Asked where do you hide trash cans?

Dale Mitchell read from research that Lisa Marie Contaldi sent had supplied from the Austin Ordinance. Dale stated The Overlook does a good job of concealing containers and that the City Council maybe looking for a masonry requirement.

Gerald Fenley explained several specifications from the Lakeway ordinance.

Mike Beal specified that the Building Committee did not bring this topic up.

Bob Besett questioned who did?

Dale Mitchell explained that he had brought it up at a City Council Work Session. He read from the current ordinance "should be concealed from view from a public street" which he thinks is enforceable by the Code Enforcement Officer.

Gerald Fenley asked that "should not be visible from the golf course" also be added.

There was a discussion about current code enforcement issues not being addressed.

Frank Robbins stated the City of Lago Vista is enforcing ordinances. He explained that we only have one Code Enforcement Officer and that she is also the Building Official which makes her "plate full". He reminded everyone that we are a complaint driven Code Enforcement Department.

Rodney Cox added if we mandate the people to something we have to tell them what we want them to do.

Paul Smith questioned if you own property that is a through street or a corner lot, do you have to conceal from both streets? He also questioned why people have not built a screen if the ordinance has been in affect

Bob Besett suggested that we give recommendations to the citizens and they would be receptive to following them.

Mike Beal explained one of the approaches was to take a phased approach. Start with requiring the containers be removed from the street to somewhere near the house. A lot of ordinances not enforced.

Jim Moss stated that there are some locations that people can not get into the garage, cannot screen from the street and still get to the container and that most screening will be a fence and then you have to get a permit for a fence. Does not believe the people that are promoting this will get the results they expect without a concrete ordinance stating how concealing the containers has to be done. Does not think people should have to come in and get a building permit. Current ordinance regulates that larger accessory structures have to match the home. If have to screen containers you have to either comply with fence ordinance and the concealment might have to be compatible with architecture of house.

Tara Griffin stated being a complaint driven code enforcement, if no one complains then we can't enforce the ordinance. She believes we should focus on education and suggested striking "in so far as possible" from the ordinance. Being complaint driven some will get written up and others will not depending on who their neighbors are.

There was a discussion concerning curbs, curb appeal, why the containers have to be blue and propane tanks.

Vernon Reher said that he would not put his car in the driveway so his garbage cans can go in the garage. He is concerned that elderly neighbors that have to take the cans behind the house would be dangerous.

A discussion followed regarding the possibility of a full time Code Enforcement Officer, legal fees that could be associated with citing people for not concealing their cans, how the motion could be worded, communicating to the residents whatever decision is made and the difficulty of enforcing concealment for cans at existing homes.

There was a discussion about the previous recommendation from the Building Committee and that it was focused more on working with the current ordinance. Also discussed were possible legal costs associated with trying to enforce residents concealing their trash cans.

Mike Beal suggested that the city start enforcing 6.85 of the ordinance on days when trash is not being collected and then could see how much of a problem is left.

On a motion by Paul Smith and seconded by Vernon Reher the Planning and Zoning Commission voted unanimously to table the discussion.

No members of the Building Committee voted on the motion.

3. ADJOURN

The meeting was adjourned at 9:00 PM.



~~Tara Griffin~~, Planning & Zoning Commission Chair

Jim Moss

Vice Chair



Mike Beal, Building Committee Vice Chair