

**AMENDED
OFFICIAL MINUTES OF THE CITY COUNCIL
LAGO VISTA, TEXAS
JUNE18, 2015**

BE IT REMEMBERED that on the 18th day of June, A.D., 2015, 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:

CALL TO ORDER, CALL OF ROLL, INVOCATION AND PLEDGE OF ALLEGIANCE

Randy Kruger	Mayor	Melissa Byrne Vossmer	City Manager
Darrel Hunt	Mayor Pro Tem	Danny Smith	Police Chief
Ron Smith	Council Member	David Harrell	Development Services Director
Rodney Cox	Council Member	Sandra Barton	City Secretary
Jason Shoumaker	Council Member	Gary Graham	Engineer, Walker Partners
D'Anne Gloris	Council Member	Starr Lockwood	Accounting Manager
Dale Mitchell	Council Member	Barbara Boulware Wells	City Attorney

Mayor Randy Kruger called the Regular Meeting to order and recognized that all Council Members were present. Also, present, Librarian, Parks and Rec Department and Street Department. Reverend Dale Chrisman with Trinity Anglican 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 may have varied.

PUBLIC COMMENTS

Diane Roulette, 21490 Coyote Trail, appeared to express her concerns regarding missing items from her mailbox and has notified the post office and police department. She also expressed concerns regarding possible code violations and cleaning up her street. Council member Dale Mitchell and City Manager, Melissa Byrne Vossmer addressed these concerns and provided a brief overview of the process for our Code Enforcement.

Karen Marshall, with Pedernales Electric Coop appeared to invite all to the PEC annual meeting on June 20, 2015.

Bland Robinson and Leigh Robinson appeared and to express concerns regarding picking up trash cans where residents have moved away, and regarding the decision from POA and access to Bar-K Park. The Mayor and Councilmember Jason Shoumaker addressed these items.

Jane Brunclik, 21815 Tallahassee, appeared to express her concerns regarding an article she read about problems with the city's wastewater treatment plant. Mayor Kruger advised that the city has a response to this issue on our website and addressed these concerns. Council members Mitchell and Shoumaker also addressed this concern.

PRESENTATION

1. Receive and discuss monthly update on Water Treatment Plant #3 by Shay Ralls Roalson, PE, HDR.

Shay Ralls Roalson appeared and provided the update for the Council and addressed questions from Council.

2. Overview of FireWise Pilot Project by James Leblanc.

James Leblanc presented an oral and visual power point presentation and addressed any questions from Council and citizens. He also thanked Council member Ron Smith, the FireWise organization, the Fire Chief, ESD 1 and the Street Department. Lago Vista Jim also thanked the crew, City Manager and everyone involved.

CONSENT AGENDA

3. Approval of the following minutes:
April 16, 2015 Special meeting
May 19, 2015 Special meeting
May 21, 2015 Regular meeting

On a motion by D'Anne Gloris, seconded by Dale Mitchell, the Council unanimously approved the minutes of the
April 16, 2015 Special meeting;
May 19, 2015 Special meeting and;
May 21, 2015 Regular meeting.

ACTION ITEMS (action and/or a vote may be taken on the following agenda items):

4. Discussion, consideration, action if any, re: Resolution No. 15-1611; A Resolution by the City Council of the City of Lago Vista, Texas approving termination of water conservation measures.

City Manager, Melissa Byrne Vossmer, addressed the Council to provide a brief overview of the proposed Resolution which recommends changing the water restriction from Stage 2 to Stage 1. Council member Ron Smith presented a power point presentation which contained information of lake levels and information from LCRA.

On a motion from Dale Mitchell, seconded by D'Anne Gloris, the Council voted unanimously to approve Resolution No. 15-1611 changing water restriction from Stage 2 to Stage 1, effective immediately.

5. Discussion, consideration, action if any re: Ordinance No. 15-06-18-01; An Ordinance of the City Council of the City of Lago Vista, Texas, Amending Appendix A, Fee Schedule, Article 6.200 Utility related fees, to modify Section 6.200 Utility rates and fees; providing a savings clause; providing a severability clause; and, providing an effective date.

City Manager, Melissa Byrne Vossmer, addressed the Council to provide a brief overview of the proposed ordinance and recommends approval. Following a discussion by Council, on a motion from Mayor Randy Kruger, seconded by D'Anne Gloris, the Council voted unanimously to approve Ordinance No. 15-06-18-01 reducing the monthly fee rate from Ten dollars (\$10.00) to Five dollars (\$5.00) per month.

6. Discussion, consideration, action if any re: Ordinance No. 15-06-18-02; Finding acquisition of a public utility easement serves the public convenience and necessity and that said Property will be acquired for a public use, namely the Raw Water Line, Barge, and Raw Water Facilities Project; finding that all appropriate and necessary pre-acquisition requirements set forth in Chapter 21 of the Texas Property Code have been met; and, authorizing the use of eminent domain proceedings as set forth in Chapter 21 of the Texas Property Code regarding a 2.286 acre tract, more or less, out of a 6.91 acre tract located in Travis County, Texas owned by James Otwell, as further described in the attached proposed Ordinance for this item.

City Manager, Melissa Byrne Vossmer advised the Council that this item is on the agenda to be discussed in Executive Session and the City Attorney will have updated information at that time and recommends that this item be voted on after the executive session. On a motion from Darrel Hunt, seconded by Rodney Cox the Council unanimously voted to table this item until after Executive Session.

7. Discussion, consideration, action if any re: Consider approval of a plan to construct a deck at the Temporary Pro Shop located on Highland Lakes Golf Course.

City Manager, Melissa Byrne Vossmer, addressed the Council and provided a brier outline of the proposed plan to build a deck at the temporary Pro Shop on Highland Lakes Golf Course. Following a discussion by Council and on a motion by Darrel Hunt, seconded by Jason Shoumaker, the Council voted 5 ayes (Jason Shoumaker, Darrel Hunt, Randy Kruger, Dale Mitchell and D'Anne Gloris) to 2 nays (Ron Smith and Rodney Cox) to authorize the transfer of \$5223.00 towards the project and include two family memberships to the contractor to build the deck and the roof.

WORK SESSION

8. Discussion and action if appropriate concerning Joint meeting with LVPOA and Bar K boat Ramp.

The Council discussed the outcome and items that were discussed at the joint meeting with LVPOA. No further action taken at this time.

9. Departmental Reports – Ron Smith requested that prior history comparison be provided regarding permits.
 - A. Airport
 - B. Municipal Court
 - C. Utility Department
 - D. Street Department
 - E. Development Services
 - F. Police Department

- G. Library
- H. Golf Course
- I. Finance

10. Reports/Minutes from City Boards, Committees and Commissions

- a. May 14, 2015 Planning and Zoning Commission Regular Meeting minutes
- b. KLVV Monthly Report
- c. Report on Veterans Park – City Manager provided a brief overview of the monument project and received comments from Council. The City Manager and Parks and Rec department instructed to coordinate a Town Hall meeting to hear more comments from citizens.
- d. Update on restaurant/Hotel development – Rodney Cox stated that he, Jason Shoumaker and the City Manager did meet with Mr. Otwell on two occasions and Mr. Ottwell did express his willingness to help the City to bring the development at Highland Lakes to its completion. They will bring a proposal to next meeting for Council’s input and hopefully have a more concrete plan at the following meeting.

FUTURE MEETINGS

11. Consider schedule and items for future Council meetings.

D’Anne Gloris requested an item to appoint someone to the Airport Advisory Board.

Jason Shoumaker requested an agenda item regarding sidewalks.

EXECUTIVE SESSION

12. At 8:58 p.m. Mayor Kruger announced that the Council will convene into executive session pursuant to Sections 551.071, 551.072 and/or 551.074 Texas Government Code, and/or Section 1.05, Texas Disciplinary Rules of Professional Conduct regarding:

- a. Consultation with attorney to deliberate the acquisition of real property and possible use of eminent domain proceedings as set forth in Chapter 21 of the Texas Property Code regarding a 2.286 acre tract, more or less, out of a 6.91 acre tract located in Travis County, Texas owned by James Otwell.
- b. Consultation with attorney regarding claims or possible claims arising in Cause No. D-1-GN-13-002224, James Otwell v. City of Lago Vista, filed in the 98th Judicial District in Travis County, Texas;
- c. Consultation with attorney regarding claims or possible claims arising in Cause No. D-1-GN-15-000294, James Otwell v. Brian Atlas, Villa Montechino LP and City of Lago Vista, filed in the 98th Judicial District in Travis County, Texas;
- d. Consult with legal counsel regarding standards and criteria for City Manager’s performance evaluation.

ACTION ITEMS

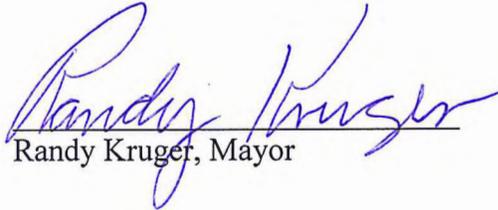
13. At 11:27 p.m. the Council reconvened from executive session into open session to take action as deemed appropriate in the City's Council's discretion regarding:

- a. On a motion by Dale Mitchell, seconded by Darrel Hunt the Council unanimously voted to approve Ordinance No. 15-06-18-02 with a caveat that the entire acreage of 6.91 be considered and not just the 2.289 acre tracts.
- b. No action taken regarding claims or possible claims arising in Cause No. D-1-GN-13-002224, James Otwell v. City of Lago Vista, filed in the 98th Judicial District in Travis County, Texas;
- c. No action was taken regarding claims or possible claims arising in Cause No. D-1-GN-15-000294, James Otwell v. Brian Atlas, Villa Montechino LP and City of Lago Vista, filed in the 98th Judicial District in Travis County, Texas;
- d. No action taken regarding standards and criteria for City Manager's performance evaluation. The City Manager was given a very good evaluation.

ADJOURNMENT

Mayor Randy Kruger adjourned the meeting at 11:31 p.m.

Respectfully submitted,


Randy Kruger, Mayor

ATTEST:


Sandra Barton, City Secretary

On a motion by Council Member Jason Shoumaker, seconded by D'Anne Gloris, the above and foregoing instrument was passed and approved this 15th day of October, 2015.