

**OFFICIAL MINUTES OF THE CITY COUNCIL
LAGO VISTA, TEXAS
JULY 16, 2015**

BE IT REMEMBERED that on the 16th day of July, 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
D'Anne Gloris	Council Member	Gary Graham	Engineer, Walker Partners
Dale Mitchell	Council Member	Starr Lockwood	Accounting Manager
		Barbara Boulware Wells	City Attorney

Mayor Randy Kruger called the Regular Meeting to order and recognized that all Council Members were except Jason Shoumaker. Also, present, Librarian, Jan Steele, Fire Chief and members of ESD. Reverend Judy Loehr 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

Betty Houghton, 20907 Twisting Trail, who serves on the Lago Vista Golf Course Advisory Committee, appeared to express her concerns on behalf of herself, Kevin Sullivan regarding the decision made by the Council regarding spending money to cover the deck at Highland Golf Course instead of improvements to the golf course. She also advised the Council of issues on the cart path and the bridge.

Susan Nelson Ascott, Camille Court, address the Council regarding some traffic issues on Dawn Drive.

PRESENTATION

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

Katy Walker, Civil Engineer with HDR appeared and provided the update for the Council and addressed questions from Council.

2. Presentations and request for funds from area art, culture and tourism organizations.
 - a. Bob Billington with the Lago Vista & Jonestown Area Chamber of Commerce & CVB requested \$48,000.

- b. Sharon Mackett with Friends of Balcones Canyonlands National Wildlife Refuge requested fund for the Songbird Festival held in April in the amount of \$5,500.
- c. Nancy Meierhoff with Hill Country Singers requested \$3,500.
- d. June Freeman with Lago Vista Players requested 5,000.
- e. No one appeared on behalf of North Shore Heritage and Cultural Society, Inc.
- f. Judy Loehr with Lake Travis Music Theatre, Inc. requested \$10,000.
- g. No other requestors not listed above appeared.

No action taken on this item at this time.

PUBLIC HEARINGS

- 3. ***PUBLIC HEARING*** Consideration by the City Council of a conditional use to allow for an increase in height from 18’ to 20’ for a 1,925 (55’ x 35’) square foot partially constructed building (RV Storage) in accordance with Chapter 14, Article 14.100, Section 6.10 (B)(4)(d).

The public hearing was opened at 7:17 p.m. David Harrell AICP Director gave a brief overview of the proposed request and provided the Council with background information. Staff does recommend approval. The Planning and Zoning Commission heard this request at its meeting on July 9, 2015 and with a vote of 4 to 0, recommends approval of the request. Ira Weasman, the project manager appeared to address any questions from Council. Keith Billington with Silverton Custom Homes appeared and expressed that he would like variances of this type to be allowed. After no further comments, the public hearing was closed at 7:29 p.m.

- 4. Discussion, consideration, action if any regarding a request of a conditional use to allow for an increase in height from 18’ to 20’ for a 1,925 (55’ x 35’) square foot partially constructed building (RV Storage) in accordance with Chapter 14, Article 14.100, Section 6.10 (B)(4)(d).

Following a brief discussion, Darrell Hunt motion to approve the request for conditional use to allow for an increase in height to 20’ as requested. The motion was seconded by D’Anne Gloris. Voting in favor; Hunt, Kruger, Mitchell, Gloris and Cox. Voting in opposition; Smith. Motion carried.

CONSENT AGENDA

- 5. Approval of the following minutes:
 June 18, 2015 Regular Meeting
 June 22, 2015 Special Called meeting

On a motion by D’Anne Gloris, seconded by Rodney Cox, the Council unanimously voted to approve the minutes of the
 June 18, 2015 Regular meeting; and
 June 22, 2015 Special called meeting

Dale Mitchell requested that the title of each agenda item be listed in the minutes.

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

6. Discussion, consideration, action if any regarding Resolution No. 15-1612; A Resolution to approve submission of an application for construction of pedestrian and bicycle safety improvements to the Texas Department of Transportation's Transportation Enhancement Program administered by the Capital Area Council of Governments.

David Harrell, AICP Director addressed the Council to provide a brief overview of the proposed Resolution which allows the City to submit an application to CAPCOG which administers the TXDOT Transportation Enhancement Program and also the City will commit to a matching amount equal to thirty percent (30%) of the total amount of funds requested, plus the cost of project engineering and program management. City Manager, Melissa Byrne Vossmer introduced Mr. Gandolf Burris, who appeared to provide a brief overview of the proposed resolution, a time frame for the application, and address any questions from Council. On a motion from D'Anne Gloris, seconded by Rodney Cox, the Council voted unanimously to approve Resolution No. 15-1612 as presented.

7. Discussion, consideration, action if any regarding Resolution No. 15-1613; An Interlocal Agreement between the City of Lago Vista and the Travis County Emergency Services District (ESD) #1 to provide a fire code official and fire code enforcement services for the city.

David Harrell, AICP Director provided a brief overview and background of the proposed resolution. The Fire Chief also addressed Council to provide additional information and address questions from Council and City Manager, Melissa Byrne Vossmer. On a motion from Darrell Hunt, seconded by Dale Mitchell, the Council voted unanimously to adopt Resolution No. 15-1613, authorizing the City Manager to sign and interlocal agreement for services as between the City of Lago Vista and Travis Co. ESD #1.

8. Discussion, consideration, action if any regarding Ordinance No. 15-07-16-01; An Ordinance amending Chapter 5, Article 5.100, Section 5.101 adoption of International Fire Code, Code of Ordinances, in order to adopt the 2012 Edition of the International Fire Code; adopting certain appendices to same; providing for fees to be payable for permits, approvals and inspections; requiring a permit or approval for certain hazardous uses and activities; providing for civil penalties for violations; providing for administration of the Fire Code and authorizing the Fire Chief and his/her designee to administer and enforce the code; authorizing entry onto property to conduct inspections; authorizing stop work ordinances for work performed in violation of the Fire Code; providing for appointment of an appellate body and for appeals from decisions of the Fire Chief; repealing Article 5.300, Fire Marshal, 5.400 fireworks and 5.500, outdoor burning; providing for severability and an effective date.

David Harrell, AICP Director presented the Council with a brief overview of the proposed Ordinance. Barbara Boulware-Wells, City Attorney, addressed questions from Council regarding the codes and appeals. The Council discussed. On a motion from Darrel Hunt, seconded by Rodney Cox the Council unanimously voted to adopt Ordinance No. 15-07-16-01 as presented.

9. Discussion, consideration, action if any regarding Pedernales Electric Cooperative Franchise Agreement.

City Manager, Melissa Byrne Vossmer, addressed the Council and provided a brief overview of the proposed agreement and after speaking with PEC requests approval of an extension of the franchise agreement as it stands right now through the end of the calendar year. PEC is working on a standardized franchise agreement for the service area and continues to make payments. This action requires action on Ordinance No. 15-07-16-02.

On a motion by Dale Mitchell, seconded by Ron Smith, the Council voted unanimously to approve Ordinance No. 15-07-16-02 granting an extension to the franchise agreement.

10. Discussion, consideration, action if any regarding Retail Recruitment & Retention – Buxton.

City Manager, Melissa Byrne Vossmer, gave a brief overview of the agreement and recognized Lisa Hill-McCay, Vice President of Buxton who was present. City Manager also recognized the Chamber of Commerce who committed \$5,000 a year for three years for a total of \$15,000; Duke with Tessera has committed \$2,500 a year for three years for a total of \$7,500, Cedar Park Regional Medical Center who committed \$2,000 the first year and Alex Tan who committed \$10,000 a year. Ms. Hill-McCay gave a brief overview of the services provided by Buxton and addressed questions from Council. Keith with the Chamber of Commerce addressed the Council with comments in support of this agreement.

On a motion from Darrel Hunt, seconded by D’Anne Gloris, the Council voted unanimously to approve execution of the contract with Buxton for retail recruitment.

WORK SESSION

11. Update and discussion concerning LCRA actions and other Lake Travis water issues.

Councilman Ron Smith provided a presentation regarding the update from LCRA.

12. Departmental Reports

Councilman Dale Mitchell asked why the utility reports provided went all the way back to 1999. Staff will work on cleaning up the reports for next month. Councilman Rodney Cox asked about a Blue Poly class action lawsuit.

- A. Municipal Court
- B. Water/Wastewater Department
- C. Street Department
- D. Development Services
- E. Police Department
- F. Library
- G. Golf Course

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

Councilman Cox commented that the Council was not aware of the reports regarding safety issues at the golf courses. Council discussed the safety issues. No action taken at this time.

- a. May 14, 2015 Planning and Zoning regular meeting minutes
- b. June 11, 2015 KLVB meeting minutes
- c. KLVB Report 09July15
- d. June 15, 2015 Charter Review Committee minutes
- e. June 29, 2015 Charter Review Committee DRAFT minutes
- f. June 9, 2015 Golf Course Committee DRAFT minutes

FUTURE MEETINGS

14. Consider schedule and items for future Council meetings.

Mayor Kruger suggested revisiting the Dawn traffic hazard situation, possibly a work session item.

EXECUTIVE SESSION

15. At 8:56 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;

ACTION ITEMS

16. At 10:38 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. 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.

No action taken.

- b. 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;

No action taken.

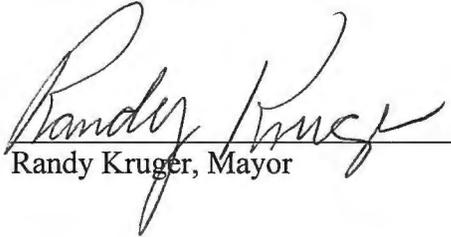
- c. Claims or possible claims arising in Cause No. D-1-GN-15-000294, James Otwell v. Brian Atlas, Villa Montechino LP and City of Lago Vista, filed in the 98th Judicial District in Travis County, Texas.

No action taken.

ADJOURNMENT

Mayor Randy Kruger adjourned the meeting at 10:40 p.m.

Respectfully submitted,


Randy Kruger, Mayor

ATTEST:



Sandra Barton, City Secretary

On a motion by Council Member Dale Mitchell, seconded by Jason Shoumaker, the above and foregoing instrument was passed and approved this 20th day of August, 2015.