

**OFFICIAL MINUTES OF THE CITY COUNCIL
LAGO VISTA, TEXAS
JUNE 16, 2016**

BE IT REMEMBERED that on the 16th day of June, A.D., 2016, 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

Dale Mitchell	Mayor	Melissa Byrne Vossmer	City Manager
Ron Smith	Mayor Pro Tem	Danny Smith	Police Chief
Stephanie Smith	Council Member	David Harrell	Development Services Director
Rodney Cox	Council Member	Sandra Barton	City Secretary
		Gary Graham	Public Works Director
		Barbara Boulware-Wells	City Attorney

Mayor Dale Mitchell called the Regular Meeting to order and recognized that all Council Members were present except for Councilman Raley and Councilman Tidwell. Other Staff members present, Starr Lockwood Finance Director, Mark Côté Golf Manager and Jan Steele, Librarian. Reverend Judy Loehr with United Methodist lead the Invocation and Mayor Mitchell led the Pledge of Allegiance.

The numbering below tracks that of the agenda, whereas the actual order of consideration may have varied.

PUBLIC COMMENTS

Cindy Gerke, 21002 S. Ridge St., Lago Vista, addressed the Council with concerns regarding the water averaging method for the sewer rates. She would like the Council to consider making an exception in her case because in January she went through a great expense to have all the sod removed from the front and side yards and placed rock in her yard instead. She would also like the Council to have a policy that rewards people in taking measures to conserve water.

Helen and Bill Brown addressed Council with comments regarding storage of vehicles and the road conditions on Alfalfa. Mayor Mitchell advised that the Comprehensive Plan contains annexation of Alfalfa.

John Tugle expressed that he is open to annexation.

1. City Secretary to administer the Statement of Officer and Oath of Office to newly appointed Council Member Kevin Sullivan.

The City Secretary administered the Statement and Oath to appointed Council Member, Kevin Sullivan. He then took his place on the dais.

PRESENTATIONS

2. Presentations and request for funds from area art, culture and tourism organizations.

- a. Lago Vista & Jonestown Area Chamber of Commerce & CVB

Elaine Hughes appeared and spoke about what the Chamber will be using the requested funds for which are the Visitor Center and Tourism advertising. They are requesting \$48,000.

- b. Friends of Balcones Canyonlands National Wildlife Refuge
Jane Brunclik appeared and thanked Council for the past donations and spoke about what the Refuge offers, spoke about the visitors they attract and what they will be using the requested funds for. They are requesting \$7,000.
 - c. Hill Country Singers
Ginger Halsted, appeared and thanked the Council for past support and spoke about attracting younger performers and their upcoming fundraiser on July 23. They are requesting \$4,000.
 - d. Lake Travis Music Theatre, Inc.
Judy Loehr appeared thanked Council and said they are their biggest supporter. She spoke about the advertising they do, the people they attract and their Rising Star program to attract younger people. They are requesting \$12,000.
 - g Lago Vista 4th of July Celebration
Larry Hagler appeared and said the cost continues to go up every year. At this time, this year the fireworks will be done from a cul de sac in Montechino. They are requesting \$15,000.
 - h. Lago Vista Players
June Freeman appeared and thanked Council for the previous years' support. She spoke about the participants that come in from outside of Lago Vista. The requested funds go towards advertising, production costs such as lights, sets, costumes and storage of these items. They are requesting \$5,000.
 - i. Other requestors not listed above
Bill Phipps appeared and provided some background of the Education Foundation. This is the first year that they are requesting funds. They are requesting \$ 2,000.
3. Receive and discuss monthly update on Water Treatment Plant #3 by Shay Ralls Roalson, PE, HDR and Gary Graham, PE, Public Works Director.

Gary Graham, Public Works Director provided the update on the Water Treatment Plant #3. He stated that there has not been a lot of activity in the past month. It is not online because one of the two water pumps motor burned up. We were advised that it was a manufacture defect and will be covered under the warranty. He is hopeful that two weeks from now the Water Treatment Plant will be online. The Plant is able to work if one pump goes down, but because the one burned up, he was unsure whether it was a manufacture defect or some other problem that the second pump might have also.

CONSENT AGENDA

All matters listed under Consent Agenda, are to be considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

4. Approval of the following minutes:

May 5, 2016 Special called meeting;

On a motion by Mayor Pro Tem Smith, seconded by Councilman Cox, the Council voted unanimously to approve the May 5, 2016 minutes as presented. Motion passed.

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

5. Discussion and consideration and possible action regarding Resolution No. 16-1656; A Resolution by the City Council of the City of Lago Vista, Texas cancelling the Regular City Council meeting scheduled for July 21, 2016.

City Manager, Melissa Byrne Vossmer provided a brief overview of the agendas for the July and August meetings.

Mayor Pro Tem Smith motioned to approve Resolution No. 16-1656 as presented. The motion was seconded by Councilman Sullivan. Councilwoman Smith asked if cancelling a regular meeting better than cancelling a special meeting. Melissa Byrne Vossmer said that if we do that, then the budget will not be delivered to Council for another two weeks after July 7. Mayor Mitchell advised that if we adopt this Resolution tonight, Council call a special meeting for July 21 or any other date if needed.

Voting in favor; Sullivan, R. Smith, Mitchell and S. Smith. Voting in opposition; Cox. Motion passed.

6. Discussion and Approval of an Electronic Device Use Policy for the City of Lago Vista.

David Street, IT Manager said there were no real changes from when he presented to Council at the June 2 Council meeting.

On a motion by Councilman Cox, seconded by Councilwoman Smith, the Council voted unanimously to approve the Electronic Device Use Policy as presented. Motion passed. Melissa advised Council that a hard copy will be put in their boxes because there is an acceptance sheet that must be signed.

7. Discussion and Consideration of Council Liaison assignments to Boards, Committees and Commissions.

Melissa Byrne Vossmer, City Manager advised Council that this was put on the agenda in hopes of having a Liaison to the newly formed Parks and Recreation Advisory Committee and to talk about assignments with the joining of a new Council Members. Councilwoman Smith advised that she would like to put the Library back up for the taking as she is unable to attend the meetings during the work week. Councilman Sullivan volunteered to be the Library Liaison as well as the Parks and Recreation Advisory Committee Liaison with Councilwoman Smith as a backup to attend the Parks and Recreation Advisory Committee meetings if Councilman Sullivan is unable to attend.

8. Discussion, Consideration and possible action authorizing the City Manager to Execute a Contract with JW Properties for Broker Services in the Sale of City Property Located at 18001 Marshall's Point Dr.

On a motion by Councilman Cox, seconded by Councilman Sullivan, the Council voted unanimously to authorize the City Manager to execute a contract with JW Properties as presented. Motion passed.

Councilman Sullivan asked if once the property has a contract, does it come back to Council. Melissa advised that any decisions concerning the property will be brought back to Council. Jacqueline Wittmuss, Broker with JW Property appeared to answer any questions/concerns from Council.

WORK SESSION

9. LVGC Clubhouse Restaurant Report.

Mark Cote, Golf Course Manager provided an update of the restaurant operations and status of the repairs needed at the Lago Vista Clubhouse.

Councilman Cox advised Council that he would recommend taking the recommendations from Mark and in 60 days the City may do another RFP which includes beer and wine sales.

10. Overview of Automatic Meter Reader Program.

Gary Graham, Public Works Director advised Council about some issues regarding the current automated reading water meters and addressed questions from Council.

RG3, the current manufacturer, has made an offer to replace all of the registers for \$139,470.10, which should reduce the number of failures.

11. Infill/Redevelopment of Residential Incentives Program.

David Harrell, Development Services Director provided the Council with an oral overview.

Councilman Cox would like any policy to contain information regarding notifying anyone about the upfront costs. Council provided David with some direction for developing a policy.

12. Departmental Reports

- A. Airport Report

- B. Development Services – Councilwoman Smith requested a code enforcement report stating if the people receiving notices are repeat offenders and if the offenders are renters or the owners of the property.

Mayor Pro Tem Smith requested reports or data that may show a trend of the areas getting citations.

- C. Financial Report – Mayor Pro Tem asked if the water sales have been down.

- D. Golf Course Report

- E. Library Report

- F. Municipal Court Report

- G. Police Department

- H. Public Works Reports

- a. Street Department
- b. Utility Department (Water/Wastewater Services)
- c. Water Loss Report
- d. Water/Wastewater Treatment

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

- a. November 23, 2015 Impact Fee Advisory Committee meeting minutes
- b. March 31, 2016 Planning and Zoning Commission minutes
- c. April 7, 2016 Planning and Zoning special called meeting minutes
- d. April 12, 2016 Impact Fee Advisory Committee meeting minutes
- e. April 19, 2016 Planning and Zoning special called meeting minutes
- f. May 5, 2016 Planning and Zoning special called meeting minutes
- g. May 10, 2016 DRAFT Golf Course Advisory Committee meeting minutes – Councilwoman Smith asked for clarification of item 2C regarding the signage, Melissa provided clarification.
- h. May 12, 2016 KLVB meeting minutes
- i. June 9, 2016 KLVB Bullet Report

FUTURE MEETINGS

14. Consider schedule and items for future Council meetings.

- July 7 meeting: FY16/17 Budget
- CAPMetro final report
- Employee Handbook
- Water/Wastewater rates study
- CIP closeout
- PEC Franchise agreement
- Infill policy draft
- 6 month report from Golf Course Advisory Committee.

EXECUTIVE SESSION

15. At 9:22 p.m. the Council convened into Executive Session pursuant to Sections 551.071 (Advice of Counsel), 551.072 (Real Property), 551,074 (Personnel), Texas Government Code and Section 1.05 Texas Disciplinary Rules of Professional Conduct regarding:

- A. Consultation with legal counsel regarding real property and possible issues and questions related to acquisition, sale or lease.
- B. Consultation with legal counsel regarding contractual claims or possible claims or charges, contractual modifications, and questions related thereto.
- C. Pending or threatened litigation pertaining to Cause No. D-1-GN-16-002483, *Brian Atlas v. City of Lago Vista*, Travis County 200th District Court.

D. Consider, conduct and discuss the City Manager's performance evaluation.

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

16. At 11:34 p.m. the Council reconvened from Executive Session into open session to take action as deemed appropriate in City Council's discretion regarding:

A. Consultation with legal counsel regarding real property and possible issues and questions related to acquisition, sale or lease.

No action taken

B. Consultation with legal counsel regarding contractual claims or possible claims or charges, contractual modifications, and questions related thereto.

On a motion by Councilman Cox, seconded by Councilman Sullivan, the Council voted unanimously for Councilman Cox and the City Attorney to take direction as discussed in Executive Session and talk with the parties to reach an agreement.

C. Pending or threatened litigation pertaining to Cause No. D-1-GN-16-002483, *Brian Atlas v. City of Lago Vista*, Travis County 200th District Court.

No action taken

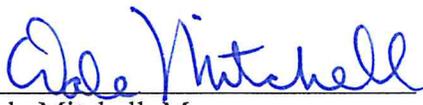
D. Action pertaining to City Manager performance evaluation.

No action taken

ADJOURNMENT

Mayor Dale Mitchell adjourned the meeting at 11:35 p.m.

Respectfully submitted,


Dale Mitchell, Mayor

ATTEST:


Sandra Barton, City Secretary

On a motion by Councilman Tidwell, seconded by Councilman Cox, the above and foregoing instrument was passed and approved this 7th day of July, 2016.