

**OFFICIAL MINUTES OF THE CITY COUNCIL
LAGO VISTA, TEXAS
APRIL 20, 2017**

BE IT REMEMBERED that on the 20th day of April, A.D., 2017, 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	Kenneth Reneau	Interim City Manager
Ron Smith	Council Member	Sandra Barton	City Secretary
Ed Tidwell	Mayor Pro Tem	Barbara Boulware-Wells	City Attorney
Kevin Sullivan	Council Member	David Harrell	Dev. Services Dir.
Stephanie Smith	Council Member	Danny Smith	Police Chief
Suzanne Bland	Council Member	Gary Graham	Interim PW Director
Mark Tippetts	Council Member (Via Skype)	Starr Lockwood	Finance Director

Mayor Mitchell called the regular meeting to order and recognized that all Council Members were present. Other Department Heads present: Dave Street and Meredith Kuntzsch. Rev. Ken Lowry, Living Waters Church provided the Invocation and Mayor Mitchell led the Pledge of Allegiance.

CITIZEN COMMENTS: In accordance with the Open Meetings Act, Council is prohibited from acting or discussing (other than factual responses to specific questions) any items not on the agenda.

Rev. Ken Lowry invited everyone to the March for Jesus on Saturday April 22 at 10:00 a.m. Michael Panter , 20722 Camel Back St., asked the Council to consider a golf course assessment fee.

Laura Rarity, 5901 Lakeshore Dr., voiced her concerns regarding the odor problem on Lakeshore Drive at the Turner pump station.

PRESENTATIONS

2. Presentation by Communications and Marketing Supervisor regarding update on 2017 Lago Fest activities.

Meredith Kuntzsch gave an oral update of progress made in preparation for the 2017 Lago Fest taking place on May 27, 2017 beginning at 1:00 p.m. to 9:00 p.m. She also provided and overview of planned activities, sponsors and vendors and addressed questions from Council.

4. Discussion, review and action on awarding a bid on Veterans Memorial Park.

Marley Porter appeared and provided to Gary Graham, three signed construction documents for the project.

He addressed questions from Council regarding the project design and costs.

Richard Bohn, Chairperson of the Veteran's Memorial Advisory Committee also addressed questions from Council.

President of the Lions Club spoke about the club's proposed donation for a monument but is not sure where their donation stands at this time because of the design change but is not trying to hold up the project in any way.

On a motion by Councilwoman Bland, seconded by Mayor Pro Tem Tidwell, the Council voted unanimously to direct the City Manager to award the bid on the Veteran's Memorial Park in the amount of \$46,992.

1. Presentation by Carl Dieckmann on proposed trails project.

Sheryl Speckmann, Chair of the Parks and Recreation Advisory Committee provided some background information of the proposed project. Carl Dieckmann appeared and provided a power point presentation and an overview of the proposed trail project and to request the City's help and support for the project. He is requesting a portion of land in the Cedar Break effluent area owned by the City and wants a letter of commitment from the City.

Barbara Boulware-Wells addressed questions and concerns from Council.

No action taken. This item will be placed on a future agenda for action.

7. Discussion and consideration of Resolution No. 16-1696; A Resolution by the City Council of the City of Lago Vista, Texas to approve an update to the Library Long Range Plan.

Jan Steele, Librarian appeared and provided a brief overview of the proposed plan and Library accomplishments and recommends approval.

Sheryl Speckmann also provided a brief oral overview of the proposed plan.

On a motion by Councilman Sullivan, seconded by Councilwoman Bland, the Council voted unanimously to adopt Resolution No. 16-1696 as presented.

PUBLIC HEARING AND ACTION

3. Conduct a public hearing on an Ordinance of the City Council of the City of Lago Vista, Texas, amending Ordinance 16-05-05-02, 2030 Lago Vista Comprehensive Plan in order to reduce residential density standards; providing a savings clause; providing a severability clause; and, provide an effective date.

- Staff Presentation-

David Harrell provided a brief outline of the proposed amendment. He advised Council that the Planning and Zoning Commission recommended approval at their March 30, 2017 meeting and addressed questions from Council.

- Open Public Hearing-

The Public Hearing was opened at 8:58 p.m. Stephen Curik asked for clarification about the proposed amendment. No further comments from citizens.

- Close Public Hearing-

The Public Hearing was closed at 9:03 p.m.

- Council Discussion-

No further discussion by Council.

- Consideration and action regarding Ordinance No. 17-04-20-01; an Ordinance of the City Council of the City of Lago Vista, Texas, amending Ordinance 16-05-05-02, 2030 Lago Vista Comprehensive Plan in order to reduce residential density standards; providing a savings clause; providing a severability clause; and, provide an effective date.

On a motion by Councilman Smith, seconded by Councilman Sullivan, the Council voted unanimously to approve Ordinance No. 17-04-20-01 as presented.

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

5. Discussion, review and action concerning a proposal by Alan Plummer & Associates to perform the engineering services needed to bring the Hollows water quality facilities into conformance with the Highland Lakes Watershed Ordinance as administered by LCRA and as required by the June, 2013 Centex Settlement Agreement.

Gary Graham, Public Works Directors, provided a brief overview of the needed services and addressed questions from Council. There are \$192,000 in funds available as a part of the settlement agreement. \$100,000 of additional funds were approved as part of the 2017 Certificates of Obligation sole by the City for this purpose.

On a motion by Councilman Sullivan, seconded by Councilman Smith, the Council voted unanimously to instruct the City Manager to execute the contract for the engineering services as proposed.

6. Discussion, review and action concerning new costs for water and wastewater line extension work performed by or for the City.

Gary Graham, Public Works Director gave a brief overview of the proposed updated schedule of costs and addressed questions from Council.

On a motion by Councilman Sullivan, seconded by Mayor Mitchell, the Council voted unanimously to direct City Staff to bring back an ordinance documenting this new rate structures.

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.

8. Approval of the following minutes:

January 26, 2017 Special Called meeting;
 February 2, 2017 Special Called meeting;
 Councilman Sullivan had questions and requesting these minutes be removed from the consent agenda and be reviewed by the City Secretary.
 February 9, 2017 Special Called meeting;
 February 16, 2017 Regular meeting and
 March 2, 2017 Special Called meeting

10. Approval of Resolution No. 17-1698; A Resolution by the City Council of the City of Lago Vista, Texas approving the Parks and Recreation Master Plan.
11. Approval of appointment of Police Chief to act as City Manager in absence of City Manager.

On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Tidwell, the Council voted unanimously, with the exception of Councilwoman Bland, to approve the minutes from January 26, February 9, February 16, March 2 and items 10 and 11 on the consent agenda.

9. Approval of Resolution No. 17-1697; A Resolution by the City Council of the City of Lago Vista, Texas authorizing the creation of a Pilot Residential Incentives Program to address vacant single family residential Lots within the City.

Councilwoman Bland was not present for this agenda item.

David Harrell, Development Services Director gave a brief overview of the proposed Resolution and the pilot program and addressed questions from Council.

Gary Graham addressed a question regarding a backlog of taps and service connections.

Keith Billington, made comments in favor of this pilot program.

On a motion by Councilwoman Smith, seconded by Councilman Sullivan, the Council voted five ayes (Tidwell, Sullivan, R. Smith, Mitchell and S. Smith) to one nay (Tidwell) to adopt Resolution No. 17-1697 as presented.

12. Approval of a contract with Aramark Uniform Service to provide uniforms for City Staff.

Gary Graham, gave a brief overview of the proposed contract and recommends approval.

He also addressed concerns from Councilwoman Smith.

On a motion by Mayor Pro Tem Tidwell, seconded by Councilwoman Bland, the Council voted unanimously to approve the contract with Aramark Uniform Service to provide uniforms for City Staff to include the Allied merchandise and services.

WORK SESSION

13. Departmental Reports

- A. Development Services – Mayor Pro Tem Tidwell requested an update on code enforcement in the Coyote Trail area.

- B. Golf Course – Councilman Sullivan had questions regarding adding to a future agenda on May 4 and would like the legal size snapshot added to the report.

- C. Library Report

- D. Municipal Court Report

- E. Police Department

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

- a. January 26, 2017 DRAFT Planning and Zoning Commission minutes

- b. February 1, 2017 Airport Advisory Board minutes
- c. February 8, 2017 Parks and Recreation Advisory Committee minutes
- d. February 23, 2017 DRAFT Planning and Zoning Commission minutes
- e. February 28, 2017 Veteran's Memorial Advisory Committee minutes
- f. March 8, 2017 DRAFT Parks and Recreation Advisory Committee minutes
- g. March 13, 2017 Veteran's Memorial Advisory Committee minutes
- h. March 16, 2017 DRAFT Planning and Zoning Commission minutes

FUTURE MEETINGS

15. Consider schedule and items for future Council meetings.

Councilman Sullivan requested an agenda item regarding the Turner Lift Station, forming an Economic Development Committee.

Councilwoman Bland requested an action item on the trail conservancy and golf course funding.

Mayor Mitchell would like to recognize those who participated in the Trash Off.

EXECUTIVE SESSION

16. At 10:13 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 concerning process and options for obtaining replacement for City Manager and Public Works Director.
- B. Consultation with Legal Counsel concerning upcoming Legislative Session and possible items for consideration by Legislature.
- 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. Pending litigation pertaining to Cause No. D-1-GN-17-000994, *Lawrence Levy v. Dale Mitchell, Mayor of the City of Lago Vista*, Travis County 201st Judicial District Court.
- E. Consultation with Legal Counsel concerning possible real estate acquisition, management or divestiture and attendant matters thereto.

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

17. At 11:12 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 concerning process and options for obtaining replacement for City Manager and Public Works Director.

On a motion by Councilwoman Bland, seconded by Councilman Sullivan, the Council voted unanimously to direct the acting City Manager to move forward with the Firm that was spoken about in finding a replacement for the Public Works Director.

B. Consultation with Legal Counsel concerning upcoming Legislative Session and possible items for consideration by Legislature.

No action taken.

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. Pending litigation pertaining to Cause No. D-1-GN-17-000994, *Lawrence Levy v. Dale Mitchell, Mayor of the City of Lago Vista*, Travis County 201st Judicial District Court.

No action taken.

E. Consultation with Legal Counsel concerning possible real estate acquisition, management or divestiture and attendant matters thereto.

No action taken.

ADJOURNMENT

Mayor Dale Mitchell adjourned the meeting at 11:14 p.m.



Respectfully submitted,


Dale Mitchell, Mayor

ATTEST:


Sandra Barton, City Secretary

On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Tidwell, the above and foregoing instrument was passed and approved this 18th day of May, 2017