

**OFFICIAL MINUTES OF THE CITY COUNCIL
LAGO VISTA, TEXAS
MAY 5, 2016**

BE IT REMEMBERED that on the 5th day of May, A.D., 2016, the City Council held a Special Called 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 and PLEDGE OF ALLEGIENCE

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

Mayor Dale Mitchell called the Regular Meeting to order and recognized that all Council Members were present except Rich Raley and Jason Shoumaker. Mayor Mitchell introduced the new Golf Manager Mark Cote. Also, present in the audience; Laura Fowler, Public Works Administrative Assistant. Councilman Shoumaker arrived at 6:43 p.m.

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

CITIZEN COMMENTS

Larry Russell, 20914 Oak Dale Dr. made comments about landscape requirements or zoning being more conducive to water conservation.

Kathryn Whitener asked Council if there was a resource to help make ordinances that have been passed easier to understand. Melissa Vossmer stated that the city has been talking about doing an overview of Council actions and a general report.

PRESENTATIONS

1. Update on progress of Tessera from Darlene Louk, Director of Hines.

Darlene Louk appeared and presented the Council with a slideshow and oral update including: Staff has been working with them on the next Phase and working with Development Services on future lots. The builders are experiencing increased activity, sales and marketing efforts are continuing to increase traffic. They have added one custom builder and are looking to add additional custom builders.

Mayor asked how many building permits total Tessera has pulled from the City from the start. Melissa Vossmer requested the numbers and stated that since October of 2014, they have pulled 50 permits for a single family residence and as of today, the number of house that have received certificates of occupancy is 46.

Councilman Tidwell asked if that was on pace, Darlene responded that they are on pace with their builder contracts and their projections in a general term. At this point they are fourteen lots behind.

Councilman Cox asked that she expand on her comments regarding increased activity. She stated they are working with builders to increase traffic to the models and through the print and digital campaigns and work with builder boost to get realtors out to the Lago Vista area and Tessera.

ACTION ITEMS

5. Consideration and action with respect to Resolution No. 16-1645 by the City Council of the City of Lago Vista, Texas Directing Publication of Notice of Intention to Issue Certificates of Obligation; Providing for a Public Hearing and Notice Thereof with Respect to the Issuance of Such Certificates of Obligation as Required by the City's Home Rule Charter; providing an effective date; and containing other matters relating to the subject.

Tom Lawrence and Clayton Chandler appeared to provide information and answer questions. Tom Lawrence provided numbers including a tax rate analysis for both the \$1,726,000 and the \$2,000,000. He provided financing numbers for a fifteen year and twenty year and the impact on the tax rate and provided an updated calendar of events for meeting dates and publications. Mayor Pro Tem Smith asked Melissa if we had head room in the budget or how much we have for O&M versus how much we have for debt. Tom stated that the twenty year would give the city more flexibility but provided the fifteen year if we could get a lower rate. Tom stated that if it could be done perfectly he would love to do a private placement of a twenty year issue, or seventeen or eighteen, whatever he could work out with a lender that makes them satisfied and get a decent enough rate. A public market would probably be more punitive in terms of the interest rate. Tom stated because of the way our debt is, he thinks it would be better at twenty years.

Councilwoman Smith asked if it would be a better deal to take some of the low amounts of CIP projects out of the \$1,726,000 and do those as their own financing. Tom stated that until he knows the exact amount he would not know how it would impact the tax rate.

The Council and Staff discussed the list of proposed CIP projects and Melissa updated the Council regarding revisions to the list from the budget passed in September.

Doug Casey made comments regarding what the City of Lago Vista has to offer including a safe place, excellent school district and parks for residents. He stated that the City does not promote itself enough.

Mayor Mitchell proposed that the Council go down line item by line item and vote as to whether or not they are funded by the CO.

Mayor Pro Tem Smith motioned to approve the Bronco project, seconded by Mayor Mitchell. After further discussion by Council, Mayor Pro Tem Smith withdrew his motion and Mayor Mitchell withdrew his second.

Councilman Cox motioned that the Council table the CIP project funding to the July meeting and move forward on some of the safety related issues out of the general fund reserves with the understanding that the correct documentation will be filed to pay ourselves back.

Councilman Shoumaker seconded this motion. Voting in favor: Shoumaker, Tidwell, R. Smith, S. Smith and Cox. Voting in opposition: Mitchell. Motion passed.

3. Discussion and consideration of Ordinance No. 16-05-05-02; An Ordinance of the City of Lago Vista, Texas repealing Ordinance No. 08-08-07-02 which adopted a Comprehensive Master Plan, providing for the amendment of the plan, and providing for related matters; findings determining that the meeting at which this Ordinance is passed is open to the public as required by law.

David Harrell, Development Services Director provided a brief background overview and advised that the Planning and Zoning Commission recommended unanimously to approve this ordinance with the Comprehensive Plan.

Mr. Sefco appeared and provided a brief summary and overview of the proposed Comprehensive Plan.

The Public Hearing is still open.

Jill Rowe, appeared and made comments regarding how to best handle the use of the resort property and requested that it be changed from residential to commercial and included in the Comprehensive Plan.

Caroline Hale asked about Ms. Rowe's what Ms. Rowe's credentials were. Also, had comments regarding a possible fund raiser for the ballfield shade.

After no further comments, and a motion by Councilman Shoumaker, seconded by Councilman Tidwell, the Council voted unanimously to close the Public Hearing at 8:47 p.m. Motion passed.

On a motion by Councilman Shoumaker, seconded by Councilman Cox, the Council voted unanimously to approve Ordinance No. 16-05-05-02 with the following changes: to change what's currently listed as residential properties identified during the public comments section as office commercial and also the property to the west of Tessera between the water and Hines Development. Motion passed.

4. Discussion and consideration of Ordinance No. 16-05-05-03; An Ordinance of the City of Lago Vista, Texas, amending Chapter 14, Zoning, Exhibit A, Part III, Zoning Districts, Section 6, Supplementary Requirements, Subsection 6.35, Livestock, Poultry and Pets, and Part IV, administration and enforcement, Section 18.20, applicability and uses and structures requiring a Special Use Permit (SUP), Item L, and Chapter 2, Animal Control, Article 2.200, Animal Control generally, all of the Lago Vista Code of Ordinances, and adding provisions relating to definitions, regulations concerning chickens as well as distances of chickens from private residences and public buildings in new Section 2.238; providing a savings clause, effective date, and open meetings clauses; and providing for related matters.

City Attorney, Barbara Boulware-Wells addressed Council and provided an overview of the SUP (Special Use Permit) process that is currently in place that would allow chickens to be permitted in certain areas. The parameters would be established in that Special Use Permit. The process being discussed today would take the process out of the zoning category and allow it to be something that anybody without a permit, would be able to avail themselves up. Barbara advised Council that the Planning and Zoning Commission voted unanimously to not make a recommendation for support of an amendment to the SUP process until they get more feedback from Council as to some of the parameters.

City Staff instructed to inform anyone who asks about chickens that they are allowed to go through the SUP process.

Council provided parameters to City Attorney to amend the proposed Ordinance and Councilman Tidwell will also assist.

On a motion by Councilman Shoumaker, seconded by Councilman Tidwell, Council voted unanimously to table Ordinance No. 16-05-05-03 until the next regularly scheduled Council meeting on May 19.

6. Consider approval of Resolution No. 16-1649; Authorizing the City Manager to sign the LCRA Community Development Partnership Program Grant Agreement.

On a motion by Councilman Cox, seconded by Councilman Shoumaker, the Council voted unanimously to approve Resolution No. 16-1649 as presented. Motion passed.

WORK SESSION

7. Discussion on notification program on City activities.

David Harrell, Development Services Director addressed Council and provided a brief overview of notification services current used such as Community Event Sign, the newsletter, radio, the City website, Facebook and Twitter. He stated that based on the data acquisition from the Comprehensive Plan, email was a preferred method of communication. The City is currently working on an electronic sign and reviewing locations through an internal staff committee.

Chief Danny Smith gave a brief overview of the text notification program in place for emergency notification. Melissa Vossmer stated the biggest challenge is getting people to sign up.

Council and staff discussed different options. No action taken.

8. Discussion on Signage issues.

David Harrell, Development Service Director addressed Council and advised that it may be time to review the signage standards as they have not been reviewed since 2009. David suggested forming a Committee consisting of Staff and representatives from the Chamber and Dirt Cheap Signs to see what they can do to strike a balance between esthetics to our community and advertising our businesses.

David Nelson addressed the Council with comments regarding signage at his business and thinks signage needs to be revisited.

Council agreed with forming a Committee and bring back at the August 4 Council meeting after presenting to the Building Committee.

Council also suggested allowing variances for local businesses regarding signage.

PUBLIC HEARING

2. Discussion and consideration of Ordinance No. 16-05-05-01; An Ordinance of the City Council of the City of Lago Vista, Texas adopting the updates to the Land Use Assumptions and Capital Improvements Plan and approving the imposition of changed Impact Fees through a Public Hearing concerning amending Ordinance No. O-29-14 and Table 1, set out in Appendix "A," Sec. 6.100, Code of Ordinances of Lago Vista; providing Open Meeting and effective date provisions; and providing for related matters.

On a motion by Councilman Shoumaker, seconded by Councilman Cox, the Council voted unanimously to close the Public Hearing at 10:05 p.m.

On a motion by Councilwoman Smith, seconded by Councilman Shoumaker, the Council voted unanimously to adopt Ordinance No. 16-05-05-01; establishing the water impact fee at \$3,000 per LUE and wastewater impact fee at \$2,115 per LUE and findings: (1) That the Report was consistent with State Law and good engineering practices (2) That the underlying impact fee calculations were reasonable and useful for City purposes and (3) That the methodology used in the calculation of the water wastewater fees were in good condition.

FUTURE MEETINGS

9. Consider schedule and items for future Council meetings.

Mayor Pro Tem Smith requested that on the next Council agenda, the Firewise results report. The chicken Ordinance and Reimbursement Resolution.

Melissa's list includes the initial report updating the water/wastewater rate study plan for year 2.

The sign variance for Sun Hardware.

The Council Economic Development Sub-Committee.

Appointments to the Parks and Recs Advisory Committee.

Updated PEC Franchise.

At the June 2nd meeting: The complete review and rewrite of the Employee Handbook.

Mayor Pro Tem Smith volunteered to work with Staff and Melissa will notify Councilman Raley.

EXECUTIVE SESSION

10. At 10:16 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:

1. Consultation with legal counsel regarding real property and possible issues and questions related to acquisition, sale or lease.
2. Consultation with legal counsel regarding past and future contracts with vendor for Lago Vista Golf Course restaurant.
3. Consultation with legal counsel regarding Highland Lakes PDD, Highland Lakes Golf Course and possible issues and questions related to acquisition, sale or lease of property thereunder.
4. Consultation with Legal Counsel regarding alternative economic development programs or incentives for new business concerns.
5. Consultation with attorney regarding claims or possible claims related to easements, public utility easement and/or public property existing between Lots 1CA, 1CB, 12M-A and 18M, Travis Plaza, Lago Vista, Texas.

11. 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:

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

No action taken

2. Consultation with legal counsel regarding past and future contracts with vendor for Lago Vista Golf Course restaurant.

No action taken

3. Consultation with legal counsel regarding Highland Lakes PDD, Highland Lakes Golf Course and possible issues and questions related to acquisition, sale or lease of property thereunder.

No action taken

4. Consultation with Legal Counsel regarding alternative economic development programs or incentives for new business concerns.

No action taken

5. Consultation with attorney regarding claims or possible claims related to easements, public utility easement and/or public property existing between Lots 1CA, 1CB, 12M-A and 18M, Travis Plaza, Lago Vista, Texas.

No action taken

ADJOURNMENT

Mayor Dale Mitchell adjourned the meeting at 11:13 p.m.

Respectfully submitted,



Dale Mitchell, Mayor

ATTEST:



Sandra Barton, City Secretary

On a motion by Mayor Pro Tem Ron Smith, seconded by Council Member Rodney Cox, the above and foregoing instrument was passed and approved this 16th day of June, 2016.