

**OFFICIAL MINUTES OF THE CITY COUNCIL  
LAGO VISTA, TEXAS  
SEPTEMBER 21, 2017**

**BE IT REMEMBERED** that on the 21<sup>st</sup> day of September, 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	City Manager
Ed Tidwell	Mayor Pro Tem	Danny Smith	Police Chief
Ron Smith	Council Member	Sandra Barton	City Secretary
Kevin Sullivan	Council Member	Barbara Boulware-Wells	City Attorney
Stephanie Smith	Council Member	Gary Graham	PW Director
Mark Tippetts	Council Member (Via Go to Meeting)	Starr Lockwood	Finance Director
		Roy Jambor	Dev. Svcs. Director

Mayor Mitchell called the regular meeting to order and recognized that all Council Members were present except for Suzanne Bland. Staff present: Dave Street, Mark Cote and Meredith Kuntzsch. Rev. David Hintze, Christ our Savior Lutheran 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.

None

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

4. Discussion, consideration, action if any, regarding Ordinance No. 17-09-21-04; An Ordinance of the City Council of the City of Lago Vista, Texas, amending Appendix A, Fee Schedule, Article 1.000 General and Administrative Fees, to modify Section 1.100(d) Administrative Fees; Article 3.000, Building related fees to modify Section 3.100, Building Permit Fees and 3.300 Street Cut Permit fees; Article 4.000 Business related fees, to modify Section 4.1, Signs; Article 6.000, Utility related fees, to modify Sections 6.100, Impact and Tap fees, and 6.200, Utility rates and fees; Article 7.000, Zoning fees to add Annexation/Disannexation fees; Article 9.000 Annexation fees to remove such fees in that section; Article 10.000, Parks and Recreation fees to modify 10.200, Golf Course fees; providing a savings clause; providing a severability clause; and, providing an effective date.

Kenneth Reneau provided a brief introduction and outlined specific fees that were amended. Council and Staff discussed the golf fees and rates in depth.

On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Tidwell, the Council voted four (4) ayes (Sullivan, Tidwell, Mitchell, Ttppetts) to two (2) nays (R. Smith, S. Smith) to adopt Ordinance No. 17-09-21-04 with the adjustment that the Snowbird rate should be \$275 and \$375, not \$200 and \$300.

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

1. A. Consider approval of Ordinance No. 17-09-21-01, An Ordinance of the City of Lago Vista, Texas adopting a Budget for the Fiscal Year beginning October 1, 2017, and ending September 30, 2018; appropriating the various amounts thereof, and repealing all Ordinances or parts of Ordinances in conflict therewith; and providing for an effective date.

Mayor Mitchell stated that two Public Hearings were held on the Budget, one on September 7 and one on September 14.

Councilman Sullivan had questions regarding the beginning balance in the golf fund and the utility fund. Starr addressed these questions.

Mayor Pro Tem Tidwell had a question regarding the City Secretary budget regarding funds for TML. City Secretary addressed this question and stated that the funds are actually taken from the Administration budget.

Councilman Tippetts asked for clarification of the amount being subsidized to the golf course budget in the amount \$555,130. Starr stated this was correct. He also asked if there was a way that Council could stipulate that the golf course does not go over this amount. This can be stipulated in the Ordinance language.

Councilman Sullivan suggested that Council have Public Hearings when it reaches a certain amount in the budget.

Mayor Pro Tem Tidwell asked how many other departments are allowed to go over budget without coming to Council for an amendment. Starr explained that he only went over his budget at the pro shop, it's the revenue side that is not generating enough to meet the bottom line.

Gina Williams, 20703 Deede Drive, made comments regarding the course conditions at Lago.

David Williams, 20703 Deede Drive, made comments regarding membership fees.

Enrique Lopez, 6002 Lynn Ln, made comments regarding the amount subsidized.

Starr made the suggestion that Council base the trigger on the revenue side as opposed to the expenditure side.

On a motion by Councilman Sullivan, seconded by Councilman Tippetts, the Council voted four (4) ayes (Mitchell, Tippetts, Sullivan, Tidwell to two (2) nays (R. Smith, S. Smith) to approve Ordinance No. 17-09-21-01 with the following stipulation and amendment to the City's Fiscal Year 2017-2018 Budget:

The Council will have a status meeting with regard to the golf budget in the second meeting in January, April and July of next year. Motion passed.

- B. Consider ratification of the portion of the FY 2017/18 budget reflecting an increase in property tax revenues.

On a motion by Mayor Mitchell, seconded by Councilman Sullivan, the Council voted unanimously to ratify the portion of the FY 2017/18 budget reflecting that increase in the property tax revenues and there is an increase in the property tax revenues of approximately \$275,566 because the appraised value of the properties increased from \$740 million to \$782.5 million between years 16/17 and year 17/18. Motion passed.

2. Consider approval of Ordinance No. 17-09-21-02, An Ordinance of the City of Lago Vista, Texas levying Ad Valorem Taxes for use and support of the Municipal Government of the City for the Fiscal Year beginning October 1, 2017 and terminating September 30, 2018; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid.

On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Tidwell, the Council voted unanimously to approve Ordinance No. 17-09-21-02 as presented.

5. Discussion, consideration, action if any, regarding Ordinance No. 17-09-21-05; An Ordinance by the City Council of the City of Lago Vista, Texas, regulating the City rights-of-way by wireless network providers; approving a design manual for the installation of network nodes and support poles; approving a pole attachment agreement; providing City procedures, time periods and fees for applications for permits; adopting a public right-of-way management ordinance and annual rental rates; providing indemnity for the City; providing repealing, savings, and open meetings act clauses; providing an effective date.

Barbara Boulware-Wells, City Attorney provided an oral overview of the proposed Ordinance and exhibits and addressed questions from Council. She used about six different templates and picked different things out of each.

On a motion by Councilman Smith, seconded by Councilman Sullivan, the Council voted unanimously to approve Ordinance No. 17-09-21-05 as presented. Motion passed.

3. Discussion, consideration, action if appropriate, regarding Ordinance No. 17-09-21-03; An Ordinance of the City Council of the City of Lago Vista, Texas pursuant to Vernon's Texas Codes Annotated, Local Government Code, Chapter 102, Section 102.007(b) providing for amendments to Ordinance No. 16-09-29-01, for the Fiscal Year beginning October 1, 2016 and ending September 30, 2017; amendments to said Budget by Department are set forth in "Exhibit A" attached to this ordinance.

The Council discussed this item briefly. No action taken at this time.

## **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.

6. Approval of the following minutes:

August 5, 2017 Special Called meeting;  
August 10, 2017 Special Called meeting;  
August 17, 2017 Regular meeting; and  
August 26, 2017 Special Called meeting



Mayor Mitchell submitted changes to the City Secretary as noted:

The August 5 minutes; “add Mayor not present at meeting”

The August 10 minutes; top of page 372, correct the vote from “4 ayes to 3 ayes” to “4 ayes to 3 nays” and page 376 correct to “Mayor Pro Tem Tidwell adjourned meeting”

Councilwoman Smith asked that on August 5, change wording to clarify that Stephanie Smith was absent as opposed to arriving late.

On a motion by Mayor Pro Tem Tidwell, seconded by Councilman Sullivan, the Council voted unanimously to approve the above minutes with the amendments as stated above.

## WORK SESSION

### 7. Discussion regarding Jonestown ETJ.

Mayor Mitchell advised that Mayor Powell and City Manager, Ron Wilde, of Jonestown met with Melissa Vossmer and Mayor Mitchell with regard to old Burnet Road.

This is being revisited and Jonestown has submitted a proposal to exchange some ETJ areas. Council discussed the areas of interest and will continue discussions with Jonestown.

### 8. Discussion on suggested policy regarding "Winter Averaging Months" bill disputes.

Kenneth Reneau brought this for Council discussion to propose a policy to address these issues and possibly handle administratively.

This item will be brought back on October 19 agenda as a Resolution approving a policy.

### 9. Departmental Reports

A. Development Services – Mayor had a question regarding the number of housing permits. They are getting close to 180.

B. Financials - August

C. Golf Course – Councilman Sullivan and Councilman Tippetts made comments regarding the money being generated from the snack bar and maybe make adjustments.

D. Library

E. Municipal Court

F. Police Department – Mayor made comments regarding the number of activity regarding citations being issued.

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

a. July 27, 2017 DRAFT Planning and Zoning Commission minutes

b. August 9, 2017 Parks and Recreation Advisory Committee minutes

c. August 14, 2017 Veteran’s Memorial Advisory Committee minutes

d. Mayor Pro Tem Tidwell to give CAPCOG report/update.

Mayor Pro Tem provided an oral update to Council and Staff.

## **FUTURE MEETINGS**

11. Consider schedule and items for future Council meetings.

October 19 – CIP update, resolution for water winter averaging policy, Airport rules and regulations, Airport fuel tank agreement, modular building on Awalt property, budget amendments, update on Library expansion.

## **EXECUTIVE SESSION**

12. At 9:47 p.m., 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.
  - B. Consultation with Legal Counsel concerning Golf Department Head.
  - C. Pending or threatened litigation pertaining to Cause No. D-1-GN-16-002483, *Villa Montechino L.P. v. City of Lago Vista*, Travis County 200th District Court.
  - D. Consultation with Legal Counsel concerning possible real estate acquisition, management or divestiture and attendant matters thereto.
  - E. Consultation with Legal Counsel concerning LVISD Interlocal Agreement.

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

13. At 11:14 p.m., 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.

No action
  - B. Consultation with Legal Counsel concerning Golf Department Head.

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

No action

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

No action

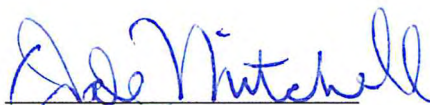
E. Consultation with Legal Counsel concerning LVISD Interlocal Agreement.

No action

**ADJOURNMENT**

Mayor Mitchell adjourned the meeting at 11:15 p.m.

Respectfully submitted,

  
Dale Mitchell, Mayor



ATTEST:



Sandra Barton, City Secretary

On a motion by Councilman Sullivan, seconded by Councilman Smith, the above and foregoing instrument was passed and approved this 19<sup>th</sup> day of October, 2017.