

**OFFICIAL MINUTES OF THE CITY COUNCIL
SPECIAL CALLED MEETING
THURSDAY, NOVEMBER 3, 2016**

BE IT REMEMBERED that on the 3rd day of November, A.D., 2016, the City Council held a Special Called Meeting at 6:31 p.m. at K-Oaks Clubhouse, 7000 Bar-K Ranch Road, Lago Vista, Texas, there being present and acting the following:

CALL TO ORDER, CALL OF ROLL, PLEDGE OF ALLEGIANCE

Dale Mitchell	Mayor	Melissa Byrne Vossmer	City Manager
Ron Smith	Mayor Pro Tem	Barbara Boulware-Wells	City Attorney
Kevin Sullivan	Council Member	Danny Smith	Police Chief
Ed Tidwell	Council Member	David Harrell	Development Services Director
Stephanie Smith	Council Member	Sandra Barton	City Secretary
Suzanne Bland	Council Member	Starr Lockwood	Finance Director
		Mark Cote	Golf Manager

Mayor Dale Mitchell called the Special Called Meeting to order and recognized that all Council Members were present and led the Pledge of Allegiance. There was a moment of silence for the community members we lost over the weekend.

WORK SESSION

4. Report Concerning the Refunding of \$5.685M Taxable and Tax-Exempt Bonds.

Tom Lawrence, Financial Advisor appeared to provide a report of the final pricing documents and the result of the sale of the City's General Obligation Refunding Bonds, Series 2016A and Taxable Series 2016B and addressed questions from Council.

Enrique Lopez asked how much the Otwell property on the market for? Mayor Mitchell stated it is listed at \$2.8 million, Council gets monthly reports from the listing agent and the showings are far and few between.

Mark Tippetts, asked if the City will get a Capital Gains Loss Credit? Tom stated that capital loss from the stand point of taxation is meaningless to a tax exempt entity, which the City is. Tom Lawrence repeated what Starr Lockwood said and pointed out that when the property is sold, the City will end up with the easement which is worth \$1.5 million.

ACTION ITEM

3. Report, discussion and consideration of Resolution No. 16-1665, A Resolution by the City Council of the City of Lago Vista, Texas approving the first amendment to the Restated Development Agreement for Tessera on Lake Travis, the Bill of Sale Conveyance and Assignment and the letter agreement.

Barbara Boulware-Wells, City Attorney provided an overview of the proposed Amendment to the Restated Development Agreement for Tessera on Lake Travis and provided a map of water/wastewater structure.

Robert McNiece, 21102 National Drive asked if this is including Phase 1 and Phase 2? Barbara stated that the improvements that have been discussed are for Phase 1.

Mayor Mitchell clarified that the money for each Phase comes from the PID funds and none are City dollars.

Darlene Louk also appeared to address questions from Council.

Mark Tippetts asked if Tessera is conveying to the City and is the City accepting the trails, parks and swimming pool. Barbara stated that these are excluded from the conveyance until they are completed.

On a motion by Councilman Tidwell, seconded by Councilman Sullivan, the Council voted unanimously to approve Resolution No. 16-1665 as presented. Motion passed.

WORK SESSION ITEM

6. Workshop to provide input and information concerning proposed code changes to the Sign Code.

David Harrell, Development Services Director provided a brief overview of proposed code changes regarding right of way signs. He stated that based on his observations of other cities and what some of the community would desire, he recommends that we would allow for one day weekend signs as an option and would be allowed an exemption for all temporary directional signs in the right of way based on a certain number and size.

Councilwoman Bland suggested meeting with local businesses and the Chamber of Commerce to receive input and recommendations from them.

Chad Bruce, 7800 Diamond Trail and owner of Lago Taco asked if it is 10 ft. directly from the pavement? David said it is 10 ft. from the pavement edge. He is having issues with it being said that his signs are in the right of way as measured from the street. He is still waiting on permission to put signs up for his business.

Selima Harbison gave comments about having directional signs for her Farmers Market.

Mayor Mitchell asked if the Building Committee, with this input, come up with a revision and exception for this single request. David said it could be taken in front of the Building Committee. She also asked why the City can't take immediate action on this item instead of more meetings. Mayor Mitchell stated it was not on the agenda for action tonight.

Councilwoman Smith asked if something could be inserted into the utility bills asking local businesses asking for input regarding signage. Melissa said this could be added for the December newsletter.

Elaine Hughes, Chamber Executive Director stated that she would be happy to facilitate a survey of Chamber members. She can also advertise the Building Committee meeting date.

Councilman Tidwell asked if there was a variance or something we could do in the meantime.

Barbara Boulware-Wells stated that there is a possibility that she could put signs up as a temporary community event.

This item will be brought back on November 17 to take necessary action.

Dennis Anderson commented that there must be a breakdown of communication within the office of the Mayor.

Charles Walker asked if Council would be willing the waive the fees for her temporary sign?

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.

Robert McNiece, 21102 National Drive asked about the cost of Wastewater Treatment Plant #3. He also asked questions regarding his utility bill. Mayor Mitchell and Mayor Pro Tem provided an explanation of the Water/Wastewater Study. He asked why we don't use the same concept for the golf courses.

Jackie Goodwin, 4501 Nettle Ln, asked about the status of Nature's Point and the Highland Lakes building. Mayor Mitchell advised that Walter's Weddings Estates has purchased Nature's Point and Highland Lakes clubhouse about two weeks ago. They plan to build a second facility at Nature's Point to have two wedding venues there and plan to cater those facilities from the Highland Lakes clubhouse and have given us some proposals and possible agreements on how they can start developing that property at the Highland Lakes clubhouse.

She also asked about the status of the communications position with the City. Melissa Vossmer, City Manager stated that the position has been posted and we are receiving resumes and have an interview scheduled for the 14th.

Dan Deveze, 18908 Kelly Drive, spoke about his achievements and education. He made comments regarding being discriminated and retaliated against by the City.

Barbara Shields, 20805 South Ridge Street, asked the status of the impact study on the golf courses and what is the time frame for completion. Melissa, City Manager stated that the time frame will be around the end of the year or early in January.

COUNCIL TOOK A BREAK FROM 8:11 P.M. TO 8:22 P.M.

ACTION ITEMS

1. Discussion and consideration of Ordinance No. 16-11-03-01; An Ordinance by the City Council of the City of Lago Vista, Texas, disbanding the Golf Course Advisory Committee of the City; repealing all conflicting Ordinance; providing for a severability clause and an effective date.

Mayor Mitchell provided background information from other City Committees and the services provided to the Library, Airport and others.

Councilwoman Smith stated that she believes that by disbanding the Golf Course Advisory Committee, does not mean that Mark will be left to do things on his own. Other committees could be formed to get involved and help Mark with different areas and Mark should work directly with the Council and is in favor of disbanding.

Councilman Sullivan also expressed that he thinks Mark should work directly with the Council and believes the Committee should be disbanded.

Councilman Tidwell made comments regarding City Committees in general and ways that Committees assist the City and the community. He believes that disbanding the Committee while the City still owns and operates the courses, it does a disservice to Staff and Council and is disrespectful to the citizens and believes that Committee should not be disbanded.

Mayor Pro Tem Smith was the one no vote against creating the Committee in 2015 and believes we should let the new Golf Manager to do his job. There is a great deal of money associated with our water and wastewater systems are there are no Committees for them.

Councilwoman Bland believes that she and Council should be available and have a direct communication with citizens.

Bill McDaniel, 2710 Whittier Cove, made comments regarding the conditions of the golf courses.

Chip Hamilton, 20600 Highland Lake Dr., made comments in favor of the keeping the Committee.

Larry Russell, 20914 Oakdale Dr., asked why, when Mark stated that he wanted to keep the Committee, the Council is discussing disbanding.

Toby Kernan, 20805 Twisting Trail, made comments regarding golf course staff and how much money the Council is willing to spend for the golf courses.

Dwaine Cotton, 3403 Ross Lane, questioned the timing of this decision. Should the Council wait until after new Council is seated and after the Impact Study Analysis.

Dick Weatherly, 4082 Outpost Trace, made comments in favor of the golf course.

Dan Deveze, spoke in favor of having Committees.

Sam Ellis, made comments in favor of golf courses.

Enrique Lopez, made comments regarding the crappy streets and declining numbers of golfers.

Chad Bruce stated he is not for or against the issue but asked what would happen if Mark said he didn't want the Committee? How would the Committee and golfers act?

Betty Houghton, commented that she cannot imagine not having the Golf Course Advisory Committee.

Eric Hutchins stated that everybody's goal should be to improve the golf courses whether or not you want to keep, sell or lease and other comments in favor of the golf courses and the committee.

Kathy Bruner, Outpost Trace, stated she has never heard about this Committee but would like to be on the committee.

Bob Shields made comments about the conditions of the courses.

Councilwoman Bland asked if the citizens could form other committees to assist Mark that will not be under the cities control.

Barbara stated that committees can be formed and not be responsive to the City Council but be responsive to Mark.

On a motion by Councilwoman Smith, seconded by Councilman Sullivan, the Council voted four (4) ayes, (Sullivan, R. Smith, S. Smith and Bland) to two (2) nays (Mitchell and Tidwell) to adopt Ordinance No. 16-11-03-01 as presented. Motion passed.

2. Discussion and consideration of Resolution No. 16-1664; A Resolution by the City Council of the City of Lago Vista, Texas establishing a formalized process designating department responsibility for monitoring appointed Board vacancies, minimum advertising standards of Board vacancies, retention of appointed Board applications by City, steps to follow when vacancy occurs on appointed Boards.

David Harrell, Development Service Director gave a brief overview of the proposed Resolution and the proposed process.

Mayor Mitchell and City Manager Vossmer also provided a brief explanation of the process and procedures.

Selima Harbison asked why does someone who wants to serve on a Committee have to live in the City Limits.

Barbara Boulware-Wells responded that almost all Boards and Commissions/Committees that are established by a City Council are established for the residents to serve on because they are the voting member of that community and are represented.

Gina Williams asked what the time frame when someone who is currently a Committee Member gives their notification or application to continue serving.

On a motion by Councilman Tidwell, seconded by Councilwoman Bland, the Council voted unanimously to approve Resolution No. 16-1664 with discussed amendments.

WORK SESSION

5. Workshop to provide input and information concerning proposed new electronic City sign.

Melissa Byrne Vossmer, City Manager gave a brief overview of different locations for an electronic sign.

Council and Staff discussed other locations and Council provided direction and requested additional information regarding cost, safety and locations.

7. Discussion Concerning Establishment of a City of Lago Vista Economic Development Committee.

Melissa Byrne Vossmer, City Manager provided background information regarding this item. Council discussed the structure and number of members for the Committee and asked that this item be brought back on November 17.

8. September Financials

No comments or questions.

FUTURE MEETINGS

9. Consider schedule and items for future Council meetings.

November 17 – Interviews to fill vacant Council Place 1, canvassing the Election, swearing in and seating selection for Council Place 1, public hearing on accessory buildings, public hearing on chickens, CIP and CIP reimbursement, discussion on Economic Development Committee, Municipal Court collections program, MOU for sidewalk grant, MOU with LVISD for sidewalks, contract for sidewalk grant engineering, contract for Lago Radio, Ordinance for accessory buildings, Airport Master Plan and bring back signs.

Councilwoman Smith requested a discussion as to if there could be a time limit for Council meetings.

Councilwoman Bland asked for discussion regarding how many times Council can meet.

Mayor Pro Tem requested annexation and FireWise be on an agenda next year.

EXECUTIVE SESSION

10. At 11:15 p.m., Council convened into Executive Session pursuant to Sections 551.071 (Advice of Counsel), 551.072 (Real Property), 551.087 (Economic Development), Texas Government Code and Section 1.05 Texas Disciplinary Rules of Professional Conduct

regarding:

- A. Consultation with legal counsel regarding LVISD subsequent user fees and questions related to payment thereof.
- B. Consultation with legal counsel regarding Rusty Allen Airport plans and possible revisions thereto.
- C. Consultation with legal counsel regarding Economic Analysis of golf facilities within the City.
- D. Consultation with legal counsel regarding Walters Wedding and Real Property issues and questions related to acquisition, sale or lease.
- E. Consultation with legal counsel regarding claims or possible claims or contractual claims or possible claims or charges, and issues and questions related thereto.

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

11. At 1:27 a.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 regarding LVISD subsequent user fees and questions related to payment thereof.

No action taken

- B. Consultation with legal counsel regarding Rusty Allen Airport plans and possible revisions thereto.

No action taken

- C. Consultation with legal counsel regarding Economic Analysis of golf facilities within the City.

No action taken

- D. Consultation with legal counsel regarding Walters Wedding and Real Property issues and questions related to acquisition, sale or lease.

No action taken

- E. Consultation with legal counsel regarding claims or possible claims or contractual claims or possible claims or charges, and issues and questions related thereto.

No action taken

ADJOURNMENT

Mayor Mitchell adjourned the meeting at 1:28 a.m.



ATTEST

Sandra Barton

Sandra Barton, City Secretary

Respectfully submitted,

Dale Mitchell
Dale Mitchell, Mayor

On a motion by Councilman Sullivan, seconded by Councilman Tippetts, the above and foregoing instrument was passed and approved this 19th day of January, 2017.