

**OFFICIAL MINUTES OF THE CITY COUNCIL
LAGO VISTA, TEXAS
JANUARY 19, 2017**

BE IT REMEMBERED that on the 19th day of January, 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	Melissa Byrne Vossmer	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		
Mark Tippetts	Council Member		

Mayor Mitchell called the regular meeting to order and recognized that all Council Members were present. Other Department Heads present: Dave Street, IT Manager and Starr Lockwood, Finance Director. Also, present: Greg Johnston, ESD 1 President. Reverend Mark Markum from Grace Fellowship 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

PUBLIC HEARING AND ACTION

1. The City Council will receive comments from the public regarding Ordinance No. 17-01-19-01 regarding Subdivision Ordinance.

A. Staff Presentation

Melissa Byrne Vossmer, City Manager, thanked David Harrell and the P&Z Commission for all of the time they spent in developing this document.

David Harrell, Development Services Director, provided an overview of the proposed Ordinance and requested changes. He advised Council that the Planning & Zoning Commission recommended unanimous approval of these changes and addressed questions from Council regarding authority of the Planning & Zoning and Council.

Barbara Boulware-Wells, City Attorney also provided some additional information and addressed questions from Council.

Mayor Mitchell offered, as an alternative, that the Council could pass the Ordinance as it has been reviewed already and as Council sees any changes or need for modification, it can be amended at a future time on a specific issue rather than a general discussion.

B. Public Hearing

The Public Hearing was opened at 6:34 p.m.

C. Close Public Hearing

The Public Hearing was closed at 7:08 p.m.

D. Council Discussion

E. Consideration of Ordinance No. 17-01-19-01; An Ordinance of the City Council of the City of Lago Vista, Texas, repealing and replacing Chapter 10, Article 10.100 Subdivision Ordinance, Lago Vista Code of Ordinances & Amends Chapter 9, Article 9.1800, Section 9.1801(5) creation and purpose providing a savings clause; providing a severability clause; and provide an effective date.

On a motion by Councilwoman Smith, seconded by Councilman Sullivan, the Council voted unanimously to approve Ordinance No. 17-01-19-01 with the suggested changes noted in yellow that were brought to Council incorporated in the proposed Ordinance.

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

4. Discussion and consider approval of Resolution No. 17-1684; A Resolution by the City Council of the City of Lago Vista, Texas supporting JES Holdings, LLC in submitting an application to the Texas Department of Housing and Community Affairs for a 2017 Competitive 9% Housing Tax credits for the creation of Panorama Pointe.

David Harrell, provided background information of the proposed application.

John Guttman, with JES DEV CO, Inc. provided an oral and power point presentation to Council and Staff of the proposed project. He stated that currently they have four properties in Texas, their first two are in Bastrop, recently opened one in Salado and one under development in Crandall. They are looking at putting in forty-two (42) units on the property with a mix of one and two bedrooms units. Mr. Guttman answered a number of questions from Council regarding visitation rights for grandchildren, rezoning for multifamily housing, the management company, water reclamation and how much tax it will generate.

Larry Russell made comments regarding allowing two projects go forward and let someone else pick who the winner is, because Lago Vista would win regardless of which one it is.

Richard Skipper, broker for the property, cautioned Council regarding getting into the same position as last year regarding the topic of multifamily. He would like high end condos.

Gina Williams, 20703 Dede Drive made comments in favor of the project but has concerns regarding pulling out of that intersection.

On a motion by Councilman Smith, seconded by Councilman Tippetts, the Council voted six (6) ayes (Tippetts, Sullivan, Tidwell, R. Smith, S. Smith and Bland) to one (1) nay (Mitchell) to table this Resolution.

EXECUTIVE SESSION

10. At 8:05 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:

- 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.

11. At 8:58 p.m., Council reconvened from Executive Session into open session to take action as deemed appropriate in City Council's discretion regarding:

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

3. Discussion and consider approval of Resolution No. 17-1683; A Resolution by the City Council of the City of Lago Vista, Texas authorizing the City Manager to execute an agreement for the financing of vehicles and equipment for the 2016/17 Fiscal Year.

Starr Lockwood, Finance Director provided a brief overview of the proposed Resolution. She stated only one bid was received and that was from Security State Bank & Trust and addressed questions from Council.

Chief Smith answered questions from Council regarding police vehicles.

On a motion by Councilman Smith, seconded by Councilman Sullivan, the Council voted unanimously to approved Resolution No. 17-1683 as presented. Motion passed.

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.

5. Approval of the following minutes:

November 3, 2016 Special Called meeting;
November 17, 2016 Regular Meeting;
December 1, 2016 Special Called meeting; and
December 15, 2016 Regular Meeting

Councilwoman Smith previously submitted a grammatical correction to the City Secretary regarding the December 15 minutes which has been corrected.

On a motion by Councilman Sullivan, seconded by Councilman Tippetts, Council voted unanimously to approve all the above minutes with the corrections as discussed.

WORK SESSION

6. Departmental Reports

A. Development Services – Councilwoman Bland made a comment regarding the number of code enforcements.

Councilwoman Smith requested that the process of code enforcement be on an agenda. City Attorney briefly explained the Municipal Court/Code Enforcement process and timelines.

Staff will work on developing a flow chart that shows what the steps are and the timeline required to process code enforcements.

- B. Golf Course – Councilman Sullivan requested that Council receive the legal size reports that they used to receive. Melissa advised that they are being updated.
- C. Library Report
- D. Municipal Court Report
- E. Police Department
- F. Public Works Reports

Councilwoman Smith asked about the hours that James LeBlanc and his crew spent putting up Christmas lights which were about 1000 hours and what the cost was.

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

- a. December 8, 2016 KLBV Bullet Report
- b. December 14, 2016 Parks and Recreation Advisory Committee DRAFT minutes

No comments

FUTURE MEETINGS

8. Consider schedule and items for future Council meetings.

Melissa Byrne Vossmer, City Manager handed out an updated list of upcoming Council meetings and agenda items, but it will be updated with items added tonight.

Councilman Sullivan requested that the item regarding additional funding to the golf courses be placed as an action item on the next agenda.

Council discussed setting a Special called meeting to discuss the golf courses. Councilman Tippetts will Skype in at the meeting on January 26th.

Councilwoman Bland suggested possibly moving the March 16 meeting due to Spring Break.

EXECUTIVE SESSION

9. At 9:50 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. Consideration of applicants for appointment to the Airport Advisory Board, Board of Adjustment, Building Committee, Library Advisory Board, Parks and Recreation Advisory Committee, Planning and Zoning Commission and the Veteran’s Memorial Advisory Committee.
- B. Consultation with legal counsel regarding Walters Wedding and Real Property issues and questions related to acquisition, sale or lease.
- D. Consultation with legal counsel regarding claims or possible claims or contractual claims or possible claims or charges, and possible issues and questions.
- E. Consultation with Legal Counsel concerning process and options for obtaining replacement for City Manager and/or interim City Manager.

F. Discussion and consider approval of Resolution No. 17-1685; A Resolution of the City of Lago Vista, Texas, adopting the Memorandum of Understanding between the City of Lago Vista and The Lago Vista Independent School District.

G. Consultation and discussion concerning possible real estate purchase.

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

10. At 12:15 a.m., Council reconvened from Executive Session into open session to take action as deemed appropriate in City Council's discretion regarding:

A. Consideration of applicants for appointment to the Airport Advisory Board, Board of Adjustment, Building Committee, Library Advisory Board, Parks and Recreation Advisory Committee, Planning and Zoning Commission and the Veteran's Memorial Advisory Committee.

2. Discussion and consideration of applicants for appointment to the Airport Advisory Board, Board of Adjustment, Building Committee, Library Advisory Board, Parks and Recreation Advisory Committee, Planning and Zoning Commission and the Veteran's Memorial Advisory Committee.

A. Resolution No. 17-1676; A Resolution by the City Council of the City of Lago Vista, Texas moving an individual Board Member from alternate to regular member on the Airport Advisory Board; appointing an individual to a full term as a regular member on the Airport Advisory Board; appointing an individual to a partial term as an alternate member on the Airport Advisory Board; appointing an individual to a full term as an alternate member on the Airport Advisory Board.

On a motion by Councilman Sullivan, seconded by Councilwoman Bland, the Council voted unanimously to approve Resolution No. 17-1676, appointing Andrew Pennington and Kurt Tessnow from alternates to regular members and appointing two new alternates, Herbert Hoover to a two year term and Tom Monahan to a partial one year term, to the Airport Advisory Board.

B. Resolution No. 17-1677; A Resolution by the City Council of the City of Lago Vista, Texas moving an individual board member from senior alternate to regular Place 3 on the Board of Adjustment; appointing an individual to a full term for regular Place 1 on the Board of Adjustment; appointing an individual to a full term for regular Place 5 on the Board of Adjustment; appointing an individual to a partial term for Junior Alternate on the Board of Adjustment.

On a motion by Mayor Pro Tem Tidwell, seconded by Mayor Mitchell, the Council voted unanimously to approve Resolution No. 17-1677 appointing John Schroeder to Regular Place 3, reappointing Bob Graff to Regular Place 1, appointing Lisa Blendon to Regular Place 5, appointing Jim Cason to a partial term as Junior Alternate and appointing Andy White to Senior Alternate to the Board of Adjustment.

- C. Resolution No. 17-1678; A Resolution by the City Council of the City of Lago Vista, Texas moving an individual member from alternate to regular member on the Building Committee; appointing an individual to a full term as a regular member on the Building Committee; appointing an individual to a full term as an alternate member on the Building Committee; appointing an individual to a partial term as an alternate member on the Building Committee.

On a motion by Mayor Pro Tem Tidwell, seconded by Councilwoman Bland, the Council voted unanimously to approve Resolution No. 17-1678 appointing Jim Cason and Jacob Lantz to regular members with full terms expiring January 2019, appointing Richard Starie as an alternate member with a partial term expiring January 2018, appointing Stormy Johnson as an alternate member with a full term expiring January 2019 and reappointing Kurt Tessnow.

- D. Resolution No. 17-1679; A Resolution by the City Council of the City of Lago Vista, Texas appointing three individuals to full terms as members on the Library Advisory Board.

On a motion by Councilman Sullivan, seconded by Mayor Mitchell the Council voted unanimously to approve Resolution No. 17-1679 appointing Peggy Gibson, Sharon Macut and Michael Zaydel to full terms on the Library Advisory Board.

- E. Resolution No. 17-1680; A Resolution by the City Council of the City of Lago Vista, Texas appointing four individuals to full terms as members on the Parks and Recreation Advisory Committee.

On a motion by Councilwoman Bland, seconded by Councilman Sullivan, the Council voted unanimously to approve Resolution No. 17-1680 appointing Sheryl Speckmann, Hubbard Helm, Ross Dewhurst and Linda Adkins to full terms as members to the Parks and Recreation Advisory Committee.

- F. Resolution No. 17-1681; A Resolution by the City Council of the City of Lago Vista, Texas appointing three individuals to full terms as members on the Planning & Zoning Commission.

On a motion by Councilman Tippetts, seconded by Mayor Pro Tem Tidwell, the Council voted unanimously to approve Resolution No. 17-1681 reappointing Richard Brown and Andy White to full terms expiring January 2019 and appoint Thomas Monahan to a full term expiring January 2019.

- G. Resolution No. 17-1682; A Resolution by the City Council of the City of Lago Vista, Texas appointing three individuals to partial terms as members on the Veteran's Memorial Advisory Committee.

On a motion by Mayor Pro Tem Tidwell, seconded by Councilman Sullivan, the Council voted unanimously to approve Resolution No. 17-1682 reappointing Richard Bohn and Michael LaPlant to partial terms expiring December 2018 and appoint Chip Hamilton to a partial term expiring December 2018 to the Veteran's Memorial Advisory Committee.

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

No action taken

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

No action taken

- E. Consultation with Legal Counsel concerning process and options for obtaining replacement for City Manager and/or interim City Manager.

No action taken

- F. Discussion and consider approval of Resolution No. 17-1685; A Resolution of the City of Lago Vista, Texas, adopting the Memorandum of Understanding between the City of Lago Vista and The Lago Vista Independent School District.

5. Discussion and consider approval of Resolution No. 17-1685; A Resolution of the City of Lago Vista, Texas, adopting the Memorandum of Understanding between the City of Lago Vista and The Lago Vista Independent School District.

No action taken

- G. Consultation and discussion concerning possible real estate purchase.

On a motion by Mayor Pro Tem Tidwell, seconded by Councilman Sullivan, the Council voted unanimously to authorize Mayor and Councilman Sullivan to proceed as discussed in Executive Session.

ADJOURNMENT

Mayor Dale Mitchell adjourned the meeting at 12:31 a.m.



ATTEST:

Sandra Barton

Sandra Barton, City Secretary

Respectfully submitted,

Dale Mitchell
Dale Mitchell, Mayor

On a motion by Councilwoman Bland, seconded by Councilman Sullivan, the above and foregoing instrument was passed and approved this 16th day of February, 2017