

**OFFICIAL MINUTES OF THE CITY COUNCIL
SPECIAL CALLED MEETING
THURSDAY, MAY 17, 2018**

BE IT REMEMBERED that on the 17th day of May, A.D., 2018, the City Council held a Regular Meeting at 6:32 p.m. in the City Council Chambers at City Hall, 5803 Thunderbird, Lago Vista, Texas, there being present and acting the following:

CALL TO ORDER, CALL OF ROLL, PLEDGE OF ALLEGIANCE

Ed Tidwell	Mayor	Joshua Ray	City Manager
Kevin Sullivan	Council Member	Dottie Palumbo	City Attorney
Arch Davila	Council Member	Danny Smith	Police Chief
Ron Smith	Council Member	Robin Smith	Asst. City Secretary
Dick Weatherly	Council Member	Roy Jambor	Dev. Services Director
Suzanne Bland	Mayor Pro Tem	Eric Belaj	City Engineer
		Dave Street	IT Director

Mayor Tidwell called the regular meeting to order and recognized that all Council Members were present except Councilman David Williams. Mayor Tidwell 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.

George Pond, 6105 Camille Court, made comments regarding a prayer at Council meetings and a Pledge of Allegiance to the Texas Flag.

ITEMS OF COMMUNITY INTEREST: Pursuant to Texas Government Code Section 551.0415, the City Council may report on any of the following items:

- a. Expressions of thanks, gratitude, and condolences.
- b. Information regarding holiday schedules.
Joshua Ray, City Manager announced that the City office will be closed on Memorial Day.
- c. Recognition of individuals, i.e. Proclamations
Mayor Tidwell announced that the Public Utility Department were a finalist in the Technical and Technology Field for their ground storage tank mixing with TCEQ.
- d. Reminders regarding City Council events.
- e. Reminders regarding community events.
Councilman Weatherly thanked everyone involved in LagoFest.
Mayor Tidwell announced the 4th of July event.
- f. Health and safety announcements.
Mayor Tidwell announced that he has High School student that will be his new intern.

PRESENTATIONS AND ACTION

1. Discussion and consideration of Resolution No. 18-1756; A Resolution by the City Council of the City of Lago Vista, Texas accepting from Neffendorf, Knopp, Doss & Company, P.C. the Audit for Fiscal Year 2016-2017.

Keith and Tracy Neffendorf appeared and provided an oral overview of the audit report and addressed questions from Council. He stated that the City is in good financial state.

On a motion by Councilman Weatherly, seconded by Councilman Davila, the Council voted unanimously to approve Resolution No. 18-1756 accepting the audit for FY 2016-2017.

PUBLIC HEARINGS AND ACTION

2. The Lago Vista City Council will hold a Public Hearing to receive citizen input and thereafter consider and discuss Ordinance No. 18-05-17-01; an Ordinance of the City Council of the City of Lago Vista, Texas, amending Article 5.90 of Chapter 14 of the Lago Vista Code of Ordinances to incorporate anti-monotony or similarity restrictions; providing a savings clause; severability clause; effective date, open meetings clause; and providing for related matters.

- Staff Presentation

Roy Jambor provided an oral overview of the proposed amendments and addressed questions from Council.

- Open Public Hearing

The public hearing was opened at 7:13 p.m.

- Close Public Hearing

The public hearing was closed at 7:21 p.m.

- Council Discussion

No Council discussion

- City Council action

On a motion by Councilman Davila, seconded by Councilman Sullivan, the Council voted unanimously to approve Ordinance No. 18-05-17-01 as presented.

3. The Lago Vista City Council will hold a Public Hearing to receive citizen input and thereafter consider and discuss Ordinance No. 18-05-17-02; an Ordinance of the City Council of the City of Lago Vista, Texas, amending Section 2.10 and Table A of Chapter 14 of the Lago Vista Code of Ordinances regarding the definition and maximum height of a structure in various residential zoning districts; providing a savings clause; severability clause; effective date, open meetings clause; and providing for related matters.

- Staff Presentation

Roy Jambor provided an oral overview of the proposed amendments, provided background information and addressed questions.

- Open Public Hearing

The public hearing was opened at 7:23 p.m.

Mike Killalea, 20814 El Dorado St., made comments in opposition of the proposed ordinance.

Don Johndrow, 20808 El Dorado St., made comments in opposition of the proposed ordinance.

Kim Vercande, 6702 Avenida Ann, made comments in opposition of the proposed ordinance.

Daryl Vercande, 6702 Avenida Ann, made comments in opposition of the proposed ordinance.

Clive Rutherford, 20632 Highland Lake Dr., made comments in opposition of the proposed ordinance.

Joyce Rutherford, 20632 Highland Lake Dr., made comments in opposition of the proposed ordinance.

Penny Brown, 6400 Camille Ct., made comments in opposition of the proposed ordinance.

Carol Watson, 21101 Ridgeview Rd., made comments in opposition of the proposed ordinance.

David Freeman, 20926 Oak Ridge, made comments in opposition of the proposed ordinance.

Elizabeth Goldsby, 20903 Paseo de Vaca, made comments in opposition of the proposed ordinance.

Richard Scott, 21116 Highland Lakes Drive, made comments in support of the proposed ordinance.

Robin Pond, 6105 Camille Ct., made comments in opposition of the proposed ordinance.

- Close Public Hearing

The Mayor will leave the public hearing open and continue discussion until the June 7 meeting.

- Council Discussion

No Council discussion

- City Council action

No action taken

ACTION ITEMS

4. Discussion and consideration of Ordinance No. 18-05-17-03; An Ordinance of the City Council of the City of Lago Vista, Texas, creating and establishing a Youth Advisory Committee by amendment to Article 9.700 of Chapter 9 of the Lago Vista Code of Ordinances; providing a savings clause; severability clause; effective date, open meetings clause; and providing for related matters.

Joshua Ray, City Manager provided a brief overview of the proposed ordinance. Mayor Tidwell also provided comments regarding the application process.

Smith Newhouse, 21726 Sierra Trail, stated that he knows a few more students may be interested if we will open it up to everyone.

On a motion by Councilman Weatherly, seconded by Mayor Pro Tem Bland, the Council voted unanimously to approve Ordinance No. 18-05-17-03 as presented.

5. Discussion and approval of Resolution No. 18-1757; A Resolution by the City Council of the City of Lago Vista, Texas, appointing individuals to terms as members on the Youth Advisory Committee.

Joshua Ray, provided a brief overview of the proposed Resolution.

On a motion by Mayor Pro Tem Bland, seconded by Councilman Davila, the Council voted five ayes (Sullivan, Davila, Tidwell, Weatherly, Bland) to one nay (Smith) to move forward with the approval of the four applicants and Resolution No. 18-1757 as presented.

Item #6 was requested to be removed from the consent agenda by Councilman Smith.

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.

7. Approval of the following minutes:

April 5, 2018 Regular meeting minutes and
April 19, 2018 Regular meeting minutes

On a motion by Councilman Sullivan, seconded by Councilman Weatherly, the Council voted unanimously to approve the consent agenda items minus the surplus property item.

6. Approval of Resolution No. 18-1759; A Resolution by the City Council of the City of Lago Vista, Texas, declaring various property and/or equipment to be surplus property and authorizing the City Manager to dispose of such property in a manner which is beneficial to the City of Lago Vista.

Councilman Smith asked if the money to replace this property at the golf course is coming out of operating budgets. Josh Ray advised that it is coming out of the operating budget.

On a motion by Councilman Sullivan, seconded by Councilman Davila, the Council voted unanimously to approve Resolution No. 18-1759 as presented.

DISCUSSION ITEMS

8. City Manager's Reports.

Joshua Ray, City Manager advised that he had no reports.

FUTURE MEETINGS

9. Consider schedule and items for future Council meetings.

The public hearing left open from today's meeting.

Councilman Weatherly will not be at the next meeting.

Mayor Tidwell wanted to add an item to discuss the agenda schedule.

Councilman Sullivan advised something from AAB in the next months.

EXECUTIVE SESSION

10. At 8:53 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. 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.
- B. Consultation with Legal Counsel concerning possible real estate acquisition, management or divestiture and attendant matters thereto.
- C. Consultation with Legal Counsel concerning Airport property.
- D. Consultation with legal counsel regarding contractual claims or possible claims or charges, contractual modifications, and questions related thereto.
- E. City Manager's Performance Evaluation, Compensation and Employment Agreement.

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

11. At 10:05 p.m., Council reconvened from Executive Session into open session to take action as deemed appropriate in City Council's discretion regarding:

- A. 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 taken

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

On a motion by Mayor Pro Tem Bland, seconded by Councilman Sullivan, the Council voted unanimously to proceed as directed in Executive Session.

- C. Consultation with Legal Counsel concerning Airport property.

No action taken

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

No action taken

- E. City Manager's Performance Evaluation, Compensation and Employment Agreement.

On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Bland, the Council voted unanimously to proceed as directed in Executive Session to increase the City Manager's salary to \$135,000 as of the next pay cycle.

ADJOURNMENT

Mayor Tidwell adjourned the meeting at 10:07 p.m.



Respectfully submitted,

Ed Tidwell
Ed Tidwell, Mayor

ATTEST:

Sandra Barton
Sandra Barton, City Secretary

On a motion by Mayor Pro Tem Bland, seconded by Councilman Sullivan, the above and foregoing instrument was passed and approved this 7th day of June, 2018.