

# City Council Meeting Minutes

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A City Council Workshop of the City of Horseshoe Bay was held Tuesday, January 9, 2018, beginning at 9:00 AM in the City Hall, 1 Community Drive, Horseshoe Bay, Llano County, Texas.

## 1. Call the Meeting to Order and Establish a Quorum

### Mayor and City Council Members

Mayor Steve Jordan

Mayor Pro Tem Craig Haydon

Council Member Cynthia Clinesmith

Council Member Kent Graham

Council Member Jerry Gray

Council Member Reagan Lambert

Mayor Steve Jordan called the meeting to order at 9:02am and opened with a prayer. All present.

## 2. Business

### *Discuss, Consider and Possible Action to be Taken Regarding:*

- A. Long Range Plan Implementation Update – City Manager Stan Farmer provided an update on the status of each of the goals that are still being completed, which is included in a report that is on file. No action taken.
- B. New Designation for Post Office in Horseshoe Bay – Mayor Jordan provided a brief history of postal service in Horseshoe Bay and read the following regarding efforts to get a Post Master for Horseshoe Bay: We deserve to have our own Post Office and Post Master and not continue to be an annex of Marble Falls. Although the Post Office does not fall within the city's domain, or mine as Mayor, I am concerned with the quality of service our residents receive, the confusion with the routing of packages, the possible loss of sales tax, and apparent lack of planning for the growth that Horseshoe Bay is experiencing. We already have our own zip code (78657) and Post Office Building; however, the building is too small with limited space for growth. We do not have our own Post Master with the authority to staff and be responsible for managing the postal services the residents of Horseshoe Bay expect. I have been advised that the volume of mail Horseshoe Bay generates is greater than that of Marble Falls. Communities much smaller throughout the hill country have their own Post Master (i.e. Kingsland, Spicewood, Llano, Johnson City, Bertram, Dripping Springs, Blanco, Burnet, Buchanan Dam, and Comfort). Having our own Post Office would likely include one or more employees. The Horseshoe Bay manager is currently spending more time in Marble Falls than he is here. By federal law, the Post Office is required to offer one free postal delivery. Door to door is no longer an option, therefore neighborhood kiosks provided by the developers, HOAs and POAs has become the practice throughout the country. Due to the growth of mail in Horseshoe Bay, I've been advised the number of routes for private contractors should be increased from five to seven. While each of our POAs and HOAs currently furnish kiosks for the house mail system for their residents, the Horseshoe Bay POA has stopped adding kiosks due to a policy change that took place a few years ago. The HSB POA had been issuing keys and charging \$100 which was being used to defray the cost to build and expand the kiosks. I'm led to believe most of their kiosks are full while much of the growth HSB is experiencing is within their territory. City Manager Stan Farmer and I have been working with Sandra Morowitz, the HSB POA General Manager, to convey our concerns. I've reached out to our US Representative Mike Conaway for direction and his office is already working on our behalf. This is a political situation that will take time to change, but it is a necessary change that we will continue to pursue, and will reach out to the community during the process.

Council Member Jerry Gray suggested that the city consider writing an ordinance that includes requiring developers to provide for postal delivery infrastructure in new developments. Mayor Jordan directed staff to research the inclusion of postal delivery infrastructure requirements for new developments. No action taken.

- C. Master Parks Plan Update – Mayor Jordan and Parks Advisory Committee Chair Mike Widler provided an update. No action taken.
- D. Dog Park and Walking Track – Mayor Jordan provided a brief history of the efforts to bring a dog park to Horseshoe Bay and an update on current discussions related to the dog park. Elsie Thurman, Cheryl Linck, Vicki Morris, and Cynthia Clinesmith have agreed to work with the Parks Advisory Committee to develop plans and make recommendations for City Council approval regarding important factors to be considered and discussed, as well as proposed rules. No action taken.
- E. Pickleball Courts – Mayor Jordan provided an update on this item. Some residents have complained that the pickleball courts were defective because the balls would not bounce on the surface. A committee was appointed to review the issues raised to determine what action, if any, the city should take. It was determined that the surface of the courts does require a different type of pickleball than indoor courts; however, the surface of the city courts is a professional grade that is recommended by the USAPA (USA Pickleball Association) for outdoor courts. If pickleballs that are made for outdoor use are used, they will bounce as intended. No action taken.
- F. Discussion Regarding the Roads in The Hills Subdivision – City Manager Stan Farmer provided a report on this item. Cynthia Jackson stated: in 2015, the city said that if annexed, the Hills would receive the same services and benefits as everyone else in the city limits. In 2016 there was an amendment to rezone the Hills as residential while maintaining the same covenants and restrictions in place. Since then, residents from the Hills have met with the City Manager and City Attorney to determine a way to transfer the roads to the city. The POA paid over \$4,000 for a survey and other costs. All but two property owners have agreed to sign over a portion of their property that contains the road in front of their lots to the POA, who in turn wish to turn it over to the city. The Hills POA is asking for the city's help to work with that property owner to get him to transfer his portion to the POA. City Attorney Rex Baker stated that the city would need to enter into a monetary street agreement with the Hills POA to take ownership of the streets in order to get involved in this issue. Because there is no agreement in place between the city and the Hills POA, the city is not involved in this issue because it is between the POA and the property owner. If the city and the POA enter into a street agreement, it may be possible to resolve the issue with the two property owners through a prescriptive easement. Mayor Jordan stated: the City Council will need to discuss the issues involved in entering into a street agreement with the Hills POA. When the Hills was annexed, it was made clear that the roads and water lines were not included and would continue to be maintained by the POA. The cost per year to accept the roads in the Hills would need to be determined prior to considering a street agreement. The roads are not in the same condition as the roads in other subdivisions when we entered into agreements with those so the city will need to determine if there is an interest in accepting those roads. If the city did enter into a street agreement with the Hills, it would be with the POA, not individual property owners. Cynthia Jackson stated she had it in writing from a city council member that the city would accept the roads in the Hills and that is why they invested \$4,000 in the survey and have worked with the property owners to get the transfer of their property, with the expectation that the annual cost for the city to maintain the roads would be \$4,000. Mayor Jordan stated that he is unaware of any documentation from the city stating an agreement to accept the roads, and confirmed that upon annexation it was agreed in writing that the roads were not the city's

responsibility, nor was the city obligated to accept the roads in the future. Ms. Jackson stated that the Hills POA understanding from the city was that they needed to take the steps they have taken over the past couple of years in order to prepare for the city to accept the roads. Mayor Jordan said he has no knowledge of any further communication between the city and the Hills regarding the roads since the annexation took place and the understanding was that the POA owns the roads. Council Member Jerry Gray stated there is obviously a misunderstanding between the Hills and the city regarding this issue, so a meeting needs to be set up between the city and the POA to discuss this further. Mayor Jordan stated he would like to find a positive resolution for the Hills, but would like to make it clear that the Council has not been involved in any discussions committing the city to acceptance of those roads. Mayor Jordan directed staff to arrange for a meeting with the POA representatives in order to resolve this issue. No action was taken.

- G. Information on Speculative Homes Regulations – Development Services Director Eric Winter provided a report, which is on file. No action was taken.
- H. Intersection of HWY 71 and FM 2147 Safety Concerns – Mayor Jordan announced that Texas Department of Transportation will be adding a traffic stop light (red, yellow, green) at the intersection of HWY 71 and FM 2147. The light should be completed in February 2019. No action was taken.
- I. Bay West Boulevard and Cliff Run Street Improvement – City Manager Stan Farmer provided a report. Mayor Jordan directed Public Works Director Tim Foran, Fire Chief Joe Morris and Police Chief Rocky Wardlow to do an assessment of the safety of construction of a turnaround across the median at Cliff Run. No action taken.
- J. Presentation from the City Attorney Regarding Eminent Domain – City Attorney Rex Baker provided a presentation, which is on file, regarding the process of eminent domain and the potential action by the city for the property at Lot 42, section 3, in The Hills subdivision. No action taken.
- K. Discussion Regarding the Gift of Public Funds to Non-Profit Organizations from the City of Horseshoe Bay – Council Member Reagan Lambert stated that it is his understanding that the city currently has no standard criteria it uses to determine which non-profit or other organization the city provides funding to, nor how much we should give. He would like the city to set criteria for how funding requests are evaluated, how the decision is made to provide funding, and how much in total the city will spend each year. He asked City Attorney Rex Baker to explain the laws and regulations related to the city expending public funds for non-profits and other organizations. Mayor Jordan stated he agreed with Council Member Lambert’s request. Council Member Jerry Gray suggested a committee be formed to review funding requests as they are received, which will make recommendations for City Council consideration. City Manager Stan Farmer recommended the Council determine who they will provide funding for when the annual budget is approved each year. Mayor Jordan asked for this item to be included on the January 16, 2018 Council agenda for further consideration. No action taken.

Mayor Jordan announced two proclamations he recently signed declaring January 9, 2018 National Law Enforcement Appreciation Day, and the week of January 21-27, 2018 as School Choice Week.

- 3. **Adjourn** – Mayor Pro Tem Craig Haydon motioned to adjourn the meeting. Council Member Kent Graham seconded. VOTE: 5-0 in favor, motion passed. Meeting adjourned at 12:18pm.