

City Council Meeting Minutes

A Regular City Council Meeting of the City of Horseshoe Bay was held Tuesday, April 16, 2019, beginning at 3:00 PM 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 Jerry Gray

Council Member Cynthia Clinesmith

Council Member Kent Graham

Council Member Reagan Lambert

Council Member Elaine Waddill

Mayor Steve Jordan called the meeting to order at 3:00pm. All present.

2. **Invocation** - Co-Pastor Rev. Dr. John Duncan from the Church at Horseshoe Bay gave the invocation.
3. **Pledges to the Flags** - Mayor Steve Jordan led the pledges of allegiance to the United States flag and the Texas flag.
4. **Proclamations**
 - A. Proclamation Declaring April 14-20, 2019 as "National Public Safety Telecommunicator Week" – Mayor Jordan read aloud the proclamation and thanked the city's dispatchers, Fran Altum, Robert Fox, and Michelle Davis, for their service.
 - B. Proclamation Celebrating the 50th Anniversary of "Municipal Clerk's Week" (May 5-11, 2019) – Mayor Jordan read aloud the proclamation and thanked the City Secretary, Kerri Craig, for her service.
5. **Public Comment** – No one spoke.
6. **Presentations**
 - A. Fiscal Year 2019 Second Quarter Financial Report – Accounting Supervisor Stefani Wright presented the report. No action was taken.
7. **Consent Agenda**
 - A. Approval of Regular Meeting Minutes, March 19, 2019
 - B. Approval of Workshop Minutes, April 2, 2019
 - C. Approval of the Fiscal Year 2019 Second Quarter Investment Management Report
 - D. Approval of Resolution 2019-11: Providing for the Sale of Property Acquired by the Burnet Central Appraisal District at Delinquent Tax Sale, Lot K1086, Plat K1.1, City of Horseshoe Bay, Burnet County, Texas, to Ann W. Phelps
 - E. Approval of Ordinance 2019-27: Amending the Minimum Standards for Installation and Operation of Irrigation Systems Within the Corporate Limits of the City and the Extraterritorial Jurisdiction; Addressing Landscaping Requirements Related to Water Conservation; Providing for a Criminal Penalty, Class C Misdemeanor Not to Exceed Five Hundred Dollars (\$500.00) for Violation of the Code; Providing for Findings of Fact; Repealer; Severability; Effective Date, and Proper Notice and Meeting

- F. Approval of Ordinance 2019-24: Amending Article A3.00 Building and Development Fees, Adding New Section (f) Irrigation Permits; Adding New Section (g) Demolition Permits; and Providing for Findings of Fact; Severability; Repealer; Effective Date; and Proper Notice and Meeting
- G. Approval to Amend the Personnel Policy Article VIII. Employee Benefits, Section 4 Retirement Plan
- H. Approval to Eliminate the Personnel Policy Article III, Section 9 New Hire Probationary Period
- I. Approval of Temporary Extension of the Franchise Agreement Between Pedernales Electric Cooperative, Inc. and the City

Mayor Pro Tem Jerry Gray asked that consent items E and F be removed from the consent agenda for individual consideration. Mayor Jordan stated Council Member Cynthia Clinesmith motioned to approve all consent items except items E and F, including the amendments to the March 19th minutes as presented by Council Member Kent Graham. Council Member Graham seconded. VOTE: 5-0 in favor, motion passed. Mayor Pro Tem Gray stated he asked for items E and F to be considered separately because he has an issue with ordinances that either aren't potentially enforceable or that impose fees on homeowners and builders to which the ordinance applies. Regarding item F, it was simply an ordinance that was moving one fee from one place to another, so it is listed with all other permitting fees so they can all be found in one location rather than being buried in a separate ordinance, so he is fine with it. He asked for item E to be considered separately but it is fine as well. The city has been charging for sprinkler permits for some time now, but this ordinance helps clarify the procedure for getting the permit and how the deposit is handled, which he felt was needed. Mayor Pro Tem Gray motioned to approve consent agenda items E and F as presented. Council Member Clinesmith seconded. VOTE: 5-0 in favor, motion passed.

8. Monthly Statistical Departmental Reports

- A. City Manager
- B. Finance Department
- C. Community Services
- D. Development Services
- E. Fire Department
- F. Police Department
- G. Animal Control

9. Business

- A. Ordinance 2019-25: Amending Chapter 3 Building Regulations, Article 3.03 Building Permits, Section 3.03.014 Construction Conduct and Deposit, Subsection (B)(3)(D) Allowing Early Morning Foundation Pours Year-Round, and Allowing Mobilization As Early As 4:00 AM and Starting Foundation Pours As Early As 5:00 AM When Approved by the Development Services Director; and Providing For Severability; Repealer; Effective Date; and Proper Notice and Meeting - Development Services Director Eric Winter provided a report, which is on file. Mayor Jordan stated he respects the position of the builders, but he believes 4:00 AM is too early to begin this kind of work in Horseshoe Bay. Planning and Zoning Commissioner Scooter Loftin spoke in favor of this ordinance because it would allow flexibility for builders who are doing large pours. Council Member Lambert motioned to

approve Ordinance 2019-25. Council Member Clinesmith seconded. VOTE: 5-0 in favor, motion passed.

- B. Ordinance 2019-26: Amending Chapter 3 Building Regulations, Article 3.06 Signs, Section 3.06.015 Signs Allowed, Subsection (I) By Changing the Permitted Area For Wall Signs; Amending Section 3.06.017 Prohibited Signs, Subsection (1) Illuminated Signs By Deleting Illuminated Signs, Including Internally Lit Signs; Adding New Section 3.06.014 Illumination of Signs; Renumbering Current Sections 3.06.014 through 3.06.019; Providing for Severability; Repealer; Effective Date; and Proper Notice and Meeting - Development Services Director Eric Winter provided a report, which is on file. Mr. Winter requested this item be postponed until the May 21, 2019 City Council meeting in order to allow for more time to research and prepare this possible amendment. Council Member Clinesmith asked if the proposed changes in lighting would impact our Dark Skies standing. Mayor Jordan stated it would not. Mayor Pro Tem Gray said he hopes this amendment provides consistency in the lighting throughout Horseshoe Bay. No action was taken.
- C. Progress Report by Contractor on Construction and Request for 3rd Re-Permit for 106 Diamond Hill, *Tom Classen, Applicant* - Development Services Director Eric Winter provided a report, which is on file. Council Member Lambert motioned to direct Mr. Winter to tell the applicant that Council has authorized a third re-permit for no less than 60 days. The applicant will need to choose the number of days and pay the corresponding fee. Mayor Pro Tem Gray seconded. VOTE: 4-1 in favor, Council Member Graham voted No, motion passed. Mayor Pro Tem Gray suggested the applicant be present at the Council meeting if this comes before Council again in the future.
- D. Reconsideration of Denial of Lighting for New Sign for Capital Title at 9714 FM 2147 West - Development Services Director Eric Winter provided a report, which is on file. Mayor Pro Tem Gray motioned to approve the request for a variance to allow an internally lit LED sign. Council Member Lambert seconded. VOTE: 5-0 in favor, motion passed.
- E. Fuchs' House Golf Tournament – Mayor Jordan provided an overview of this item. Council Member Graham motioned to approve supporting the golf tournament. Council Member Lambert seconded. Mayor Jordan suggested telling participants of the golf tournament that the funds raised would be used to purchase interpretive signs for the Fuchs House. VOTE: 5-0 in favor, motion passed. Council Member Graham motioned to take \$5,000 from the budget and apply that to a matching grant to funds raised by the golf tournament. Council Member Lambert seconded. VOTE: 5-0 in favor, motion passed.

10. **Executive Session**

- A. Consultation with City Attorney Regarding Terms of Contract (*Consultation with City Attorney 551.071*)

Convened to Executive Session at 4:25pm to discuss Executive Session Item A. Present: Mayor Steve Jordan, Mayor Pro Tem Jerry Gray, Council Member Cynthia Clinesmith, Council Member Kent Graham, Council Member Elaine Waddill, Council Member Reagan Lambert, City Manager Stan Farmer, and City Attorney Rex Baker. Reconvened to the regular meeting at 4:55pm. No action was taken.

- 11. **Adjourn** - Mayor Pro Tem Jerry Gray motioned to adjourn the meeting. Council Member Reagan Lambert seconded. VOTE: 5-0 in favor, motion passed. Meeting adjourned at 4:56pm.