

CITY OF HORSESHOE BAY
CITY COUNCIL PUBLIC MEETING
MINUTES

April 20, 2010

The Council of the City of Horseshoe Bay held a Public Meeting at City Hall, located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, April 20, 2010, in accordance with duly posted notice of said meeting. Mayor Bob Lambert called the meeting to order at 3:00 p.m. with a quorum of Council Members present as follows:

Robert W. Lambert, Mayor
James E. Babcock, Mayor Pro Tem
Claudia Haydon, Councilperson
Phillip Lee, Councilperson
Jeff Robinson, Councilperson
Steve Spence, Councilperson

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda subject and item number shown preceding the applicable paragraph.

1. Call to Order and Establish a Quorum: Mayor Bob Lambert called the Public Meeting to order at 3:00 p.m. with a quorum present.
2. Invocation: Reverend Johnny White, Pastor with The Church at Horseshoe Bay, gave the invocation.
3. Pledges to the Flags: Mayor Lambert led the pledges of allegiance to the United States flag and the Texas flag. He welcomed everyone to the meeting and asked that anyone who wanted to make comments please sign the sheet on the podium.
5. Staff Recognition:
 - a. Jay Bauman – 10 Year Service Award
 - b. Introduction of New Employees:
 - i. Krystal Dunk – Customer Service Clerk
 - ii. Jeff Smith – Police Officer

Mayor Lambert presented Jay Bauman, Detective with the HSB Police Department, with a plaque in appreciation of his service to the City.

City Manager Stan Farmer introduced new Customer Service Clerk Krystal Dunk. Jeff Smith was unable to attend today's meeting.

6. Broadband Expansion in City: Craig Haydon reported that AT&T still has the HSB tower in their construction budget but he did not know an installation date. He said the

Telecommunications Committee is scheduled to have a conference call with Sean Thompson the AT&T Area Manager of Construction and Engineering tomorrow to discuss what kind of problems they are experiencing regarding site acquisition and tower relocation. A committee meeting is scheduled for May 4th and they anticipate having more definition of the status of the tower by the next Council meeting. Councilperson Jeff Robinson added the committee is also meeting to discuss the new Verizon DSL availability and the next step to making it available to the remainder of the City. He asked that citizens who are unable to access this service but are interested in acquiring this service contact the committee with their name, address and contact information so the committee can let Verizon know of the additional interest.

7. Bay West Boulevard Bridge: Mayor Lambert said several people had signed up to speak on this item. The first speaker was Jerry Pawelek who is currently the President of the Applehead POA. He said the entire Board of the Applehead POA strongly supports the bridge project. Joel Hart spoke next and also supported the bridge project. The next speaker was Dale Rodman who said he spoke on behalf of several citizens who were unable to attend. He said he does not support building the bridge at this time. Dick Rantzow spoke against the bridge. Gary Stillwell said he supports the Council's decisions and is in favor of the bridge. Bob Black spoke in support of the Council and also of building the bridge. Jim McNabb said he is currently President of the Applehead Island POA and he is speaking for himself and most if not all of the residents of Applehead Island. They are in favor of the bridge. Gordon Denton spoke in favor of the bridge. The next speaker, Steve Jordan stated his concern was the quality of the water and thanked the City for testing the water in the creek at his request. He added that City Manager Stan Farmer and Utilities Manager Jeff Koska then met with him regarding the results which were good. John Bird stated he supported building the bridge. Norm Long encouraged the Council to approve construction of the bridge. Councilperson Babcock made the motion to build the bridge and authorize Tony Plumlee with Willis Engineering to proceed to develop specifications and plans in order to submit for bids. The motion was seconded by Councilperson Haydon. The motion passed unanimously (5-0).

The meeting was adjourned for a recess at 4:04 p.m.

The meeting was reconvened at 4:11 p.m.

4. Public Comments: Mayor Lambert said he overlooked a speaker and would go back to this agenda item. Lynn Aldridge asked that the City address the poor condition of the property located at 1108 Hi Stirrup. Mayor Lambert said this item would be on the agenda for May.
8. Items to be removed from the Consent Agenda: Mayor Lambert said there were several minor edit corrections in the minutes, a copy of which was given to the Council today and this is the version that should be considered. There were no items removed from the Consent Agenda.

9. Consent Agenda Items:

- a. Minutes of the March 16, 2010 Public Meeting
- b. General Fund Budget Amendment for a Line Item transfer of \$10,000 from the Fire Department Generators Capital Project to the Fire Department Facility Renovation Capital Project for the Repairs to the Driveway
- c. City Attorney Invoices
- d. Allied Waste Contract

Councilperson Lee made the motion to approve the Consent Agenda. The motion was seconded by Councilperson Robinson. The motion passed unanimously (5-0).

10. Monthly Statistical Departmental Data Reports:

- a. City Manager; Administration; Community Services; Development Services; Fire Dept.; and Police Dept.
- b. Emergency Services Dispatch

City Manager Stan Farmer reported on the status of various Capital Improvement Projects. He advised the Council that Burnet County and local cities (including HSB) are sponsoring a household recyclable event on May 1 in Burnet and May 8 in Marble Falls. All HSB residents are eligible to take advantage of this program. Mr. Farmer then gave a budget report.

Police Chief Bill Lane reported to the Council regarding the Emergency Services Dispatch and the increased needs of the City's Police and Fire Departments as well as the possibility of moving the City's contract from the Llano County Sheriff's office to the Marble Falls Police Department if an agreement can be reached. The President of the Llano County Emergency Services District Gary Simons spoke to the Council regarding the Llano County ESD's dispatch needs.

11. Status Reports:

- a. Building Permit for House at 406 Lighthouse Drive Which Expires on April 20, 2010
- b. Houses Located on Sun Ray
- c. Construction at 110 Amethyst and 202 Sweet Grass
- d. Properties Located at 101 Jade, Lot No. W1077; 3206 Douglas Dr., Lot No. A3040; 3212 Douglas Dr., Lot No. A3037; 3305 Douglas Dr., Lot No. A1020; and 3327 Bay West Blvd., Lot No. A3024

Scott Reineking a realtor with RE/MAX Horseshoe Bay had signed up to speak and stated they have been engaged by Whitney Bank to handle the bank's properties on Jade, Douglas Drive and Bay West Blvd. He gave the Council an update on the status of the repairs. Mr. Reineking asked that the City issue a building permit in order to have the remedial work done on these properties. The consensus of the Council was to issue this permit. Rick Matthews with Oyster Creek Homes stated he had been retained by Arrowhead Bank to finish the houses at 110 Amethyst and 202 Sweet Grass. He gave an update on the status of these homes stating he anticipates these being completed in another month. Mayor Lambert added that a Certificate of Occupancy has been issued for the house at 406 Lighthouse Drive. Eric Winter Development Services Manager stated once the slabs are painted the color required

by the Architectural Control Committee four of the five houses on Sunray will be issued Certificates of Occupancy.

12. Conduct a Public Hearing and Possible Consideration of Preliminary and Final Plats:
 - a. Replat of Lot No. 12005 of Horseshoe Bay Plat No. 12.1, and a 0.07 Acre Tract of Land out of Horseshoe Bay Plat 54.1, Tract "KK", to be known as Horseshoe Bay Plat No. 12.24, Horseshoe Bay, Llano County, Texas (205 No Return)
 - b. Replat of Lot No. 12063-A of Horseshoe Bay Plat No. 12.14, and a 3,725 Square Foot Tract of Land out of Tract "KK-2" of Horseshoe Bay Plat 54.1, Tract "KK", to be known as Horseshoe Bay Plat No. 12.25, Horseshoe Bay, Llano County, Texas (201 Lighthouse Drive)
 - c. Replat of Lot No. 12069-A of Horseshoe Bay Plat No. 12.10, and a 3,930 Square Foot Tract of Land out of Tract "KK-2" of Horseshoe Bay Plat 54.1, Tract "KK", to be known as Horseshoe Bay Plat No. 12.26, Horseshoe Bay, Llano County, Texas (106 Lighthouse Drive)
 - d. Replat of Lot No. 135 of Horseshoe Bay Applehead Island Plat No. 6.135, and a 5 Square Foot Tract, a 48 Square Foot Tract and a 940 Square Foot Tract of Land out of Tract "LL-1" Horseshoe Bay Applehead Island, and Horseshoe Bay West Tract "LL", to be known as Horseshoe Bay Applehead Island Plat No. 6.135A, Horseshoe Bay, Llano County, Texas (135 Applehead Island Drive)

Mayor Lambert convened the public hearing at 4:46 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Councilperson Lee made the motion to approve the plats on both a preliminary and final basis, with the items noted by staff. The motion was seconded by Councilperson Robinson. The motion passed unanimously (5-0).

13. Conduct a Public Hearing Regarding Annexation of a 5.19 Acre Tract Part of Horseshoe Bay Resort Airport Property: Mayor Lambert convened the public hearing at 4:47 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing.
14. Conduct a Public Hearing Regarding Annexation of a 5.19 Acre Tract Part of Horseshoe Bay Resort Airport Property: Mayor Lambert convened the public hearing at 4:48 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Mayor Lambert said this property will be considered for annexation at the May 18 Council meeting.
15. Annexation Service Plan for 5.19 Acre Tract Part of Horseshoe Bay Resort Airport Property: Councilperson Babcock made the motion to approve the Annexation Service Plan. The motion was seconded by Councilperson Spence. The motion passed unanimously (5-0).
16. Continuation of Public Hearing and Consideration Regarding Amendment to Chapter 14 Zoning of the City Code, Section 14.02.406 (i) to add Section (10), Development Standards for Manufactured Homes to be Placed on Lots in the M-1 Mobile Home Classification in Zone 4-B Horseshoe Bay South: Mayor Lambert continued the public hearing at 4:48 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Councilperson Haydon made the motion to approve the amendment. The motion was seconded by Councilperson Babcock. The motion passed unanimously (5-0).

17. Amendment to Article A3.00 Building and Development Fees, Sections (a) (1) (A), (a) (1) (B) and (a) (1) (C) of Appendix A: Fee Schedule of the City Code to Charge Building Permit Fees by the Square Foot: City Manager Stan Farmer stated this is a continuation from last month. Since then he has met with builders and they were all supportive of this change. Councilperson Robinson made the motion to approve the amendment. The motion was seconded by Councilperson Spence. The motion passed unanimously (5-0).
18. Public Hearing and Consideration Regarding an Amendment to Chapter 14 Zoning of the City Code Adding a Definition for Bar, Adding Provisions for Conditional Uses in the C-2 General Commercial Classification in Zone 3 Horseshoe Bay West and Zone 4A Horseshoe Bay Proper, Eliminating the C-2 Classification in Zone 4B Horseshoe Bay South and Requiring Approval of a Conditional Use Permit for Bars in the C-2 Classification in Zones 3 and 4A: Mayor Lambert convened the public hearing at 4:50 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Mayor Lambert said the Planning and Zoning Commission has considered this and recommends approval. Councilperson Robinson expressed concern that the City may be perceived as not being business development friendly. He asked that this item be postponed until the May meeting to allow further study in order to avoid unintended consequences. No action was taken on this item.
19. Continuation of Public Hearing and Consideration Regarding the Proposed Zone 16 Lake Areas and the Proposed LA Lake Area Zoning Classification for the Newly Annexed Lake Areas: Mayor Lambert continued the public hearing at 4:58. He asked if there were any comments. There were none, and he adjourned the public hearing. Councilperson Haydon made the motion to approve this item. The motion was seconded by Councilperson Robinson. The motion passed unanimously (5-0).
20. Public Hearing and Consideration Regarding Amendment of Exhibit F of Chapter 14 Zoning of the City Code The Shoppes at Hi Circle Planned Development to add a Definition for Convenience Store and Remove "Stand-Alone" from Section V (a) (5) (Southwest Corner of Hi Circle South and FM 2147): Mayor Lambert convened the public hearing at 4:59. He asked if there were any comments. There were none, and he adjourned the public hearing. Mayor Lambert said the Planning and Zoning Commission has considered this and recommends approval. Councilperson Robinson made the motion to approve the amendment. The motion was seconded by Councilperson Lee. The motion was approved unanimously (5-0).
21. Interim Agreement and Amendment to Development Agreement with SW Ownership, LLC for Skywater Over Horseshoe Bay:
22. Infrastructure Utility Permit for Skywater Pod 3:

Mayor Lambert wanted to discuss these two items together. He stated that at the last meeting the City was reasonably close to an agreement and the Council had authorized the Mayor to finalize the agreement if the terms were agreeable to Jim Babcock, Monte Akers and him. He added that since then they have made substantial progress but still do not have an agreement that all parties are ready to execute. Councilperson Babcock said they are close and it always takes awhile to get these types of things finalized. Mayor Lambert added the

