

CITY OF HORSESHOE BAY

CITY COUNCIL PUBLIC MEETING

June 17, 2008

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, June 17, 2008, 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
John Bird, Alderman
Claudia Haydon, Alderwoman
Richard Rantzow, Alderman
Jeff Robinson, Alderman

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. Father Bob Scott, from St. Paul the Apostle Chapel led the invocation. Mayor Lambert welcomed Father Bob back to Horseshoe Bay. Mayor Lambert then led the pledge of allegiance to the United States Flag and the Texas Flag. He then welcomed everyone to the meeting and asked that anyone who wanted to make comments please sign the sheet on the podium.
2. Comments from Mayor: Mayor Lambert said that the City Council and the Horseshoe Bay POA met again this morning for the second time and he feels they are making progress on the street issue. The City's Engineer suggested some Geo Tech studies be done that will take a month or two after which there will be another meeting.
3. Comments from Aldermen: There were no comments by the Aldermen.
4. Public Comments: There were no public comments.
5. Items to be Removed from the Consent Agenda: Mayor Lambert asked the Council if there were any items they would like to remove from the consent agenda. There were none.
6. Consent Agenda Items:
 - a. Minutes of the May 27, 2008 Public Workshop and the May 27, 2008 Public Meeting
 - b. Final Plats:
 - i. Replat of La Serena Loop Adjacent to Lot Nos. 237 Through 244 of Escondido, Plat No. 2.1 to be Known as Escondido, Plat No. 2.3, 1.26 acres out of the John Bratton Survey No. 2, Abstract No. 39, Horseshoe Bay, Llano County, Texas

- ii. Replat of Lot No. 25042, Horseshoe Bay Plat No. 25.1 and a 1,466 sq. ft. out of Tract KK-2, Horseshoe Bay Plat No. 54.1 to be known as Plat No. 25.11, Horseshoe Bay, Llano County, Texas (Between 1014 & 1020 Red Sails)
- iii. Replat of Lot No. 18158-B, Horseshoe Bay Plat No. 18.14, Lot No. 17001-B, Horseshoe Bay Plat No. 17.19 and Lot No. 11017-C, Horseshoe Bay Plat No. 11.7 to be known as Plat No. 17.21, Horseshoe Bay, Llano County, Texas (101 Captains Row, Broken Arrow & Third Sid)
- iv. Replat of Lot Nos. W5081 and W5082, Horseshoe Bay West Plat No. W5.1 to be known as Plat No. W5.7, Horseshoe Bay, Llano County, Texas (Between 102 & 108 Cliff Run)
- v. Replat of Lot Nos. K8095, K8096 and K8097, Horseshoe Bay South, Plat No. K8.1, Horseshoe Bay, Burnet County, Texas (Mountain Dew & Silver Dollar)
- c. Award of Bid for Maintenance Building and Pole Barn
- d. Utility Fund Capital Budget Amendment for Line Item Transfer of \$16,000 from Hydro Tank Replacement to Field Operations Maintenance Building
- e. Proposal from Signographics of Marble Falls for three City Signs, for City Hall and the two Entrances on Highway 2147 for \$21,500, and Consideration of a Budget Amendment to Transfer \$21,500 from Contingency to a new Signs Line Item
- f. Request for \$1,940 Special Assessment for Street Improvements for City-Owned Lot in The Hills Subdivision

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

7. Monthly Staff Reports: City Manager Stan Farmer stated the Staff Reports reflect all the hard work of all of the department heads and the City of Horseshoe Bay employees. He highlighted that in the Public Works Department Tommy Burton received his Class B Surface Water License and Tim Webb received his Class C Surface Water License. The Fire Department had a two part, written and oral examination, for promotion to Lieutenant. Fire Chief Jim Fiero said there were six applicants from within the department that went through the testing process. Firefighter Stephanie Black came in number one, with Brad Casey just behind her. Stephanie Black will be promoted to Lieutenant sometime next week. He then added the Fire Department has been successful in obtaining a \$22,000 LCRA grant to replace a self-contained breathing apparatus refill station. The City will contribute around \$7,800 and will be moving forward to replace that piece of equipment. This is used to refill breathing apparatus the fire department uses and is shared with area fire departments as well as divers in search and rescue situations on the lake. Mr. Farmer added that some of the staff reports have been streamlined and made more uniform in appearance.
8. Allied Waste CPI Adjustment Request: Mayor Lambert stated the next item on the agenda is a request by Allied Waste regarding an adjustment to their rates. Steve Shannon, Municipal Services Manager with Allied Waste and Keith Conrad, Division Manager in Marble Falls were in attendance. Mr. Shannon said Allied has served the community of Horseshoe Bay for many years. The contract was put out for bid last year and Allied Waste was selected as the winner with the new contract being effective October 1, 2007. He stated the contract provides that when Allied is requesting a rate increase to be effective in October, that they supply the City with data in May based on April data in order for the City to include the

information in their budgeting process. Mr. Shannon then stated he is here to request the Council's consideration of a 3% adjustment which is the cap and would address the labor, insurance and supply cost. An additional 5% increase for fuel and 2% for landfill cost increase. He stated Allied's actual increase is 15.1%; however they are only requesting a total of 10% increase which would raise the City's cost from \$11.40 per month for residential to \$12.54. After some discussion by the Council, Alderwoman Haydon made the motion to approve the 10% increase requested by Allied Waste to be effective October 1, 2008. The motion was seconded by Alderman Rantzow. The motion passed by a 4-1 vote, with Alderman Bird voting against the increase.

9. Ordinance Annexing the 5.44 acre Horseshoe Bay Center Tract (Space Center Property on Hwy. 2147): Mayor Lambert explained that annexation of this area has been on the agenda for several months and is on the agenda today for final consideration; however the developer has recently requested formal approval from TxDOT for two entrances off Hwy 2147. The developer, Mike Walsh has asked the Council not act on this item today due to the fact TxDOT has only approved one entrance into the new development and he would like to contact TxDOT to request reconsideration to allow two entrances prior to finalizing the annexation of this property. Alderman Robinson made the motion to continue this item until the July 8, 2008 Council meeting. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0). Mayor Lambert said the City is considering contacting TxDOT in order to get a clearer understanding of the reason behind this decision and perhaps be of help to this development in obtaining permission for the second entrance. Alderman Robinson added that because Hwy. 2147 is basically the main street in HSB and will be the location for most of the commercial property in the City it will be difficult to have the type commercial services needed in HSB if TxDOT makes it difficult for the developers to build these type projects.
10. Fireworks Ordinance Amendment to Allow Class C (smaller) Fireworks Displays: Mayor Lambert stated Spencer Lowry had requested to speak. Mr. Lowry said he is a professional pyrotechnic and works for Steve Wolf at Wolf Stuntworks. He stated he has a wedding party that would like to shoot fireworks and they need a permit; however the City of HSB does not allow this type smaller display. He said that the suggested changes in this ordinance would allow this smaller type professional display if the Fire Department issued the permit. Mayor Lambert stated the Ordinance also states no fireworks will be allowed if a burn ban is in effect. Alderwoman Haydon made the motion to approve fireworks ordinance amendment as written and to strike the statement on in Section III (b) which states "No city permit shall be issued during times a burn ban is in effect". The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0).
11. Brush Disposal Ordinance: City Manager Stan Farmer stated this is the same version that was in last month's Council packet with changes to Exhibit A. Commercial haulers will be \$5.00 per pickup load, \$10.00 per trailer loads and \$10.00 per dump truck load. Mr. Ron Mitchell stated the POA is encouraging property owners to clear their vacant lots and if the charge for dump truck is increased a prohibitive amount then this might not be accomplished. Alderman Rantzow made the motion to approve the Brush Disposal Ordinance as written with the charge per dump truck load changed to \$100.00 per load. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).

12. Noise Ordinance: Mr. Ron Mitchell from HSB Resort LTD and HSB Country Club, Inc. had signed up to speak on this item. He pointed out that in Section II (i) (7) it states certain sounds can only be produced between the hours of 7:00 a.m. and 7:00 p.m. It specifically addresses lawn and garden tools and lawnmowers. Mr. Mitchell said currently the Resort golf courses maintenance crews start at 6:00 a.m. on weekends and 6:30 a.m. during the week in order for golfers to be able to use the courses. Also, the Amenities maintain esplanades and entry ways for the HSB POA and they start on these at 6:30 a.m. just to keep up. He asked for consideration of this by the Council when approving this ordinance. City Attorney, Monte Akers stated the ordinance could be amended to allow this change for golf courses and esplanades only. Chief of Police Bill Lane stated at the end of Section II (e) (1) there is a paragraph stating "The operation of any such sound amplifier in such a manner as to be plainly audible at a distance of one hundred (100) feet or more from the source shall be presumed to be in violation of this section." After discussion with Alderman Bird, Chief Lane recommended this paragraph be deleted due to the fact it is in conflict with the paragraph just below it in Section II (e) (2). Alderman Rantzow made the motion to approve the Noise Ordinance as written and with the changes requested by Mr. Mitchell and Chief Lane. The motion was seconded by Alderwoman Haydon. The motion was approved unanimously (5-0).
13. Public Hearing and Consideration Regarding Zoning Ordinance Amendment to Provide for Regulations for Accessory Uses, Including Swimming Pools, Fences, Retaining Walls, Decks, Pool Enclosures, Private Sidewalks and Bulkheads: Mayor Lambert convened the public hearing at 4:19 p.m. He asked if there were any comments, there were none and he adjourned the public hearing. Mayor Lambert explained the draft of this Zoning Ordinance amendment is not ready for consideration and he would like to continue this public hearing to the July 8, 2008 Council meeting.
14. Public Hearing and Consideration Regarding Zoning Ordinance Amendment Deleting Article II H-Certificates of Occupancy: Mayor Lambert convened the public hearing at 4:20 p.m. He asked if there were any comments, there were none and he adjourned the public hearing.
15. Building Permit Ordinance Amendment to Require Certificates of Occupancy for New Buildings and Compliance Inspections for Existing Buildings: Mayor Lambert stated he felt the Council should consider Items 14 and 15 at the same time. He explained this is essentially moving something from the City's Zoning Ordinance to the Building Permit Ordinance. Development Services Manager, Eric Winter explained the portion of the Zoning Ordinance that addresses Certificates of Occupancy is being deleted completely and if approved, this requirement will be covered totally by the Building Permit Ordinance in order to avoid any type of conflict with it being partially covered by two different ordinances. Alderwoman Haydon made the motion to approve Items 14 and 15 as written. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0).
16. Proposed Schedule Regarding FY 2009 Budget: Mayor Lambert stated this item is the proposed schedule for the 2009 Budget. This is for Council information since the schedule is consistent with the meeting the Council has already scheduled.

