

**CITY OF HORSESHOE BAY**  
**CITY COUNCIL PUBLIC MEETING**  
**MINUTES**

August 24, 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, August 24, 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: Father Ruben Patino from St. Paul the Apostle Chapel 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.
4. Public Comments (Those speaking are asked to limit their comments to three minutes): HSB resident Paul Langston spoke in favor of a City electric utility and asked the Council to do a feasibility study. Mayor Lambert said that the Council had asked City Manager Stan Farmer to look into this request during this morning's Budget Workshop. Next Drew Crosby advised the Council that the HSB Business Alliance is now 501(C)(6). He also invited City leaders to the Taste of Thyme on Wednesday at 9:00 a.m. for their meeting. He added that members of the HSB Business Alliance will be writing a column for the HSB Beacon titled "2147 Biz Buzz" and they are making plans for the 3<sup>rd</sup> Annual Holiday event on November 18<sup>th</sup>.
5. Staff Recognition:
  - a. Introduction of New Employee:
    - i. Brad Hardin – Police Officer

Police Chief Bill Lane introduced new Police Officer Brad Hardin.

6. Resolution Regarding Support of the Llano Alliance for Drug Intervention (LADI) Love Your Child: In-Home Drug/Alcohol Test Kit Program: Bill Hussey, a member and director of the Hill Country 100 Club, said as members they sometimes interact with first responders who communicate the problems they see in this area with the young people using drugs and/or alcohol. Don Graham, Chairman of Llano Alliance for Drug Intervention (LADI), said this is a county based program and that everyone is aware there is a problem with drugs and alcohol and LADI is seeking to help those individuals who are seeking treatment. They have a counselor, Cleo Cooper, who is working with them. The Love Your Kids program will make a drug/alcohol kit available along with a brochure listing places to go for assistance and suggestions on how to work with their children. Mr. Graham thanked Bay Pharmacy in HSB for making the kits available in the City. The cost of the kit is \$5 and hopefully this program will be a preventative. He asked for the Council's support. Mayor Lambert thanked the owners of Bay Pharmacy for supporting this program. Councilperson Haydon made the motion to approve the resolution. The motion was seconded by Councilperson Babcock. The motion passed unanimously (5-0).
7. Police Department Building: Mayor Lambert said the Council has discussed this proposal several times and has had the expansion of City Hall on every five-year plan since the City incorporated. It was also on the plans of Lake LBJ MUD, the City's predecessor. They have looked at the detailed plans a great deal and have met with Chief Lane. Mayor Lambert thanked Chief Lane for everything he does for the community and said developing these plans is another example of the work he does. The City Council has approved the design and now need to approve going forward with the building project. Councilperson Robinson made the motion to go forward with the project by asking the architects to complete the design and to put it out for bid. The motion was seconded by Councilperson Spence. The motion passed unanimously (5-0).
8. Amendment to Agreement with HSB POA Regarding Rescheduling of Payments: Mayor Lambert said this was discussed at the last Council meeting and this item is for approval of the formal agreement. Councilperson Lee made the motion to approve the amendment to the agreement with the Horseshoe Bay POA regarding rescheduling of payments. The motion was seconded by Councilperson Haydon. The motion passed unanimously (5-0).
9. Request by St. Paul the Apostle Chapel to Relocate a Portion of Dalton Circle in Front of Church – For Discussion Only: Jim Heck, architect for the church, discussed the new design for the relocation of a portion of Dalton Circle. The consensus of the Council was that they were comfortable with the plan going forward. Consideration for formal approval will be pursuant to normal City procedures.
10. Marina Club at Applehead Island Planned Development Ordinance, Amending Article 14.02, Division 4 of Chapter 14 Zoning of the City Code (Even Numbered Lots 200 to 218, and Lots 300-312 Inclusive of Horseshoe Bay Applehead Island Plat No. 19.1): Jim McNabb president of the Applehead Island POA stated that AI POA concurs with the current version of the Planned Development Ordinance. Jerry Pawelek president of the Applehead POA stated they have some concerns with the construction route to be used. Mayor Lambert stated the Applehead Island POA meeting was last Saturday and last Friday there was a community wide meeting hosted by the Developer of Applehead Island Marina which several

of the Council members attended. He said the draft document makes it very clear that the preferred route for construction vehicles will be the Douglas Drive route; however, it is up to the City and they may decide that some of the vehicles should use an alternate route if there is a better way determined. Mayor Lambert added he does not think the developer has decided whether to do bonding or put up a deposit. He added that City Attorney Rex Baker has had a great deal of experience with bonding and will work with staff to deal with the bonding issue. The bond is set by the City's Subdivision Ordinance at 110% of the estimated cost as determined by the developer. The developer chooses the bonding agency, but the City has to approve them. Mayor Lambert said there were two changes that needed to be made to the document prior to approval. The first change is in Section V (a). The name of the development should be changed to read The Marina Club at Applehead Island. The second change is in Section V (a) (3) (a). The second sentence should read: The Perimeter Wall shall be of solid rock which matches the appearance of the existing rockwork on Applehead Island, except for segments to be a combination of rock and wrought iron as mutually agreed by Developer and AIPOA. Councilperson Spence stated he was concerned about the bridge and the temporary road situation and how it would affect the people on Faultline past the construction point. He and Councilperson Lee met with Sean Weiser to go over these concerns. They walked the site and discussed some drainage problems. Mr. Weiser drew a sketch of where the temporary road is going to be and showed the sketch at the meeting on Friday night meeting. Councilperson Spence stated the City sent letters to all residents of Matern Island and Wennmohs as well as residents along the construction route to advise them of the Friday night meeting. Councilperson Robinson made the motion to approve the Planned Development Ordinance with the two changes. The motion was seconded by Councilperson Lee. The motion passed unanimously (5-0).

11. Final Replat of Lot Nos. 1D, and 4D Through 15D of Horseshoe Bay Applehead Island Plat No. 19, and a Portion of Lot Nos. 4T and 6T of Horseshoe Bay Applehead Island Plat No. 20 (Two Remainder Tracts Created from Horseshoe Bay Applehead Island Plat No. 20.3), and Tract 3 a 0.587 Acre Tract out of the Robert Bratton Survey No. 1, Horseshoe Bay, Llano County, Texas (1D, 4D Through 15D Applehead Island Drive and Remainder Portions of Lots 4T and 6T Applehead Island Drive): Mayor Lambert said the information which the Council received at the last meeting included changes that needed to be made to the final replat as recommended by staff; however the Council does not have the final replat today. In addition, the Applehead Island POA has noted a couple of minor items involving who owns what property and how it is platted. Mayor Lambert said there is no debate between the Applehead Island POA and the developer and these items can be classified as housekeeping items but these changes need to be made on the final plat as well. Councilperson Babcock asked if they are in addition to the items noted in the packet. Mayor Lambert said they were and added that the Council can approve the final replat today with the housekeeping changes and the changes staff has noted and when this is all done to everyone's satisfaction then the final plat can be signed. Councilperson Babcock made the motion to approve the final replat with the changes suggested by staff as well as the housekeeping items discussed. The motion was seconded by Councilperson Lee. The motion passed unanimously (5-0).

12. Request by Applehead Property Owners' Association Regarding Transfer of Ownership of Streets to City – For Discussion Only:

13. Request by Applehead Island Property Owners' Association Regarding Transfer of Ownership of a portion Bay West Boulevard to City – For Discussion Only:

Mayor Lambert stated the Council will hear items 12 and 13 at the same time since they are related. Jerry Pawelek with the Applehead POA spoke regarding their request that the City take ownership of their approximately 2 miles of streets. Mr. Pawelek added there are 310 lots and 13 streets in Applehead. Jim McNabb said that Applehead Island POA owns Bay West Boulevard from Caprock to the entrance to Applehead Island. They own no lots or property on that piece of Bay West Boulevard and he feels it is an ideal time for the City to take ownership. The consensus of the Council was to move forward, and ask Engineer Tony Plumlee to drive these streets to determine the condition and to request that City Attorney Rex Baker begin work on what the legal requirements might be to transfer ownership.

14. Items to be removed from the Consent Agenda: There were no items removed from the Consent Agenda.

15. Consent Agenda Items:

- a. Minutes of the July 6, 2010 Regular Meeting and the July 7, 2010 Budget Workshop
- b. Mutual Aid Agreement with Cottonwood Shores Volunteer Fire Department
- c. Contribution Request from Friends of the Marble Falls Library
- d. Resolution Amending Depository Accounts Delegated Authority
- e. Agreement with Christ-Yoder Animal Shelter/Adoption Center
- f. Ordinance Calling a General Election for November 2, 2010 to Elect Three Council Members
- g. Interlocal Agreement with Burnet County Sheriff's Office/Special Operations Unit
- h. Allied Waste Services Rate Proposal
- i. Request by Burnet County to Move the Election Day Voting Location to Holiday Inn Express, LBJ Meeting Room, 714 Corazon Drive, Marble Falls, Texas 78654 for November Elections Only

Councilperson Lee made the motion to approve the consent agenda. The motion was seconded by Councilperson Robinson. The motion passed unanimously (5-0). Councilperson Babcock stated for the record that the item 15.c. expenditure is allowed because Council has determined it is a function a City normally provides. Linda Beno with the Friends of the Marble Falls Library thanked the Council for their contribution.

16. Monthly Statistical Departmental Data Reports:

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

City Manager Stan Farmer updated the Council on the chip-seal program in Llano County which is scheduled to start September 7<sup>th</sup>; the upgrade on Bay West Blvd.; the last remaining low water crossing barrier has been installed at Hi Circle South and Western Bit with funding provided by the HSB POA. The last phase of lot clearing in West is underway. It is on the side streets around the Sunray and Faultline area. A mailing has gone out for 830 lots from Hi Mesa to Clayton Nolen. Councilperson Robinson said the clearing project has made an

incredible difference in the areas of West that have been cleared. Councilperson Haydon asked Mr. Farmer why they were not taking out the dead trees. Mayor Lambert said he agreed with Councilperson Haydon regarding being more aggressive removing the dead trees and asked staff to work with the HSB POA to contact the contractor that was removing trees at no charge in return for the wood. Property owners must be contacted before dead trees are removed. Mr. Farmer said he worked with the owner of the home at 120 Tee Off that was destroyed by fire getting the slab demolished and the site cleared. Mr. Farmer showed the Council the handouts regarding water conservation suggested by Councilperson Robinson. The City is giving them out to citizens that request irrigation audits. The contents pertain to outdoor irrigation. A survey is also given to the audit recipients. The City will track the results of this survey. Mayor Lambert expressed concern regarding the type rocks that are being placed along the edge of Douglas Drive. He said he felt they were too large and the wrong type rock for that type application and asked Mr. Farmer to see about using a different type. Councilperson Babcock asked Fire Chief Fiero the results of the recent ISO inspection. Chief Fiero said the inspector spent about 2-1/2 days with the City looking at water availability, the Fire Department, Building Inspections and the communication (dispatch) system in Marble Falls. The results of the inspection will be received in January.

17. Martin Park Beautification Project: City Manager Stan Farmer said the information in the packet included a quote for the playscape of \$30,000. Mayor Lambert said the City had discussed improvements to the park this last year but there had been no progress until Mr. Farmer volunteered to take care of the project. He suggested soliciting opinions from citizens via a write up in the newspaper. Mayor Lambert said he would also like to see the area around the playscape fenced for safety of children and adding sprinklers and good soil for better growing conditions. He asked for suggestions on how to use the remaining area south of the pavilion. The consensus of the Council was to go forward with the project.

18. Status Reports:

- a. 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
- b. 1008 Hi Stirrup Units 1, 2 and 3 - Lot Nos. 23138-1, 23138-2, and 23138-3 of Horseshoe Bay Plat No. 23.8
- c. 801 Grassy Knoll, Unit C - Lot No. 46001-C of Horseshoe Bay Plat No. 46.1
- d. 102 Falcon, Unit 2 - Lot No. W10018-B of Horseshoe Bay Plat No. W 10.3
- e. 1107 Fault Line, Units A, B, C, D, E, and F - Lot Nos. W16014-A, W16014-B, W16014-C, W16014-D, W16014-E and W16014-F of Horseshoe Bay West Plat No. W16.3

Development Services Manager Eric Winter stated he has received another status report from Whitney Bank. They have had the property reappraised and have received some offers but have not accepted any. The Western Trace condominiums have started work on the new roof on all three units. The property at 801 Grassy Knoll is about 80% complete, and the owner will notify staff as soon as the work is complete. Work on the property at 102 Falcon Unit 2 has been completed. Mr. Winter said a contractor has been selected, and the necessary funding has been put together for the 1107 Fault Line project. It should begin by the end of August and be completed within 4-6 weeks. The Council noted the good job done by Eric Winter and City Inspector Mike Light.

19. Public Hearing and Consideration to Determine Whether the Following Structure Should Have Repairs Ordered Under Article 3.04.006 Substandard Building Code, Section 3.04.006 (2), (10) and (12):

- a. 1203 Apache Tears, Lot No. 13, Block 1, Lago Escondido, Horseshoe Bay, Llano County, Texas

Mayor Lambert convened a public hearing at 4:42 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Wells Fargo is the lender on this property and their representative stated he would be happy to answer any questions the Council might have. He stated Wells Fargo is going to initiate foreclosure proceedings. The consensus of the Council was to give Wells Fargo a reasonable amount of time to foreclose on this property.

20. Public Hearing and Consideration of Amendment to Ordinance No. ORD 10-06-15C to Change the Subsection Number in Section IV(b) from 14.02.406(j)(2) to 14.02.406(j)(4) and in Section IV(c) from 14.02.406 (j)(2)(A) to 14.02.406(j)(4)(A):

Mayor Lambert convened a public hearing at 4:45 p.m. He asked if there were any comments. Development Services Manager Eric Winter stated this item has not gone to the P & Z Commission yet and needed to be continued until next month's City Council meeting. Councilperson Babcock made the motion to continue the public hearing until the September 21 Council meeting. The motion was seconded by Councilperson Robinson. The motion passed unanimously (5-0).

21. Public Hearing and Consideration of Preliminary and Final Plats:

- a. Replat of Lot No. 5 of the Replat of Trails End, to be known as Trails End Plat No. 1.1, Horseshoe Bay, Llano County, Texas (133 Christine Circle in the Trails of Lake LBJ)
- b. Replat of a 4.566 Acre Parcel out of the Remainder of a Called 63.11 Acre Tract out of the E.G. Mercer Survey No. 3, Abstract No. 562 and the J. Jones Survey No. 86, Abstract No. 1473, to be known as Caraway Plat No. 1, Llano County, Texas (In the ETJ, adjacent to the west of Dr. Craig's Veterinary Clinic 26407 Hwy. 71 East)
- c. Replat of Lot No. 56 as shown on "Correction Plat of The Trails of Lake LBJ, Phase Two" recorded in Volume 15, Page 60 of the Plat Records of Llano County, Texas and Lot No. 57-A of the Replat of Lot 57 The Trails of Lake LBJ Phase Two to be known as Replat of Lots 56 and 57-A The Trails of Lake LBJ Phase Two, Horseshoe Bay, Llano County, Texas (122 & 124 Rock'n Robyn Trail)

Mayor Lambert convened a public hearing at 4:46 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Mayor Lambert said in accordance with the policy approved by the Council they can approve these replats on both a preliminary and a final basis. Councilperson Robinson made the motion to approve the replats on both a preliminary and final basis. The motion was seconded by Councilperson Haydon. The motion passed unanimously (5-0).

