

City Council Meeting Minutes

A Regular City Council Meeting of the City of Horseshoe Bay was held Tuesday, August 27, 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** - Garry Kesler, Music Minister at 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. **Announcements and Staff Recognition**
 - A. Terry DiSanto - Five Year Service Award – Utilities Director Jeff Koska presented Mr. DiSanto with a plaque and thanked him for his service.
 - B. Robert Parsley - Fifteen Year Service Award - Utilities Director Jeff Koska presented Mr. Parsley with a plaque and thanked him for his service.
 - C. Sheri Pollard - Five Year Service Award - Utilities Director Jeff Koska presented Ms. Pollard with a plaque and thanked her for her service.
 - D. Gary Wilkes - Fifteen Year Service Award – Mr. Wilkes was unable to attend the meeting and will be recognized in September.
 - E. Robert Fox - Five Year Service Award – Police Chief Rocky Wardlow presented Mr. Fox with a plaque and thanked him for his service.
 - F. Ryan Guthrie - Ten Year Service Award – Interim Fire Chief Stephanie Black presented Mr. Guthrie with a plaque and thanked him for his service.
5. **Public Comment** – No one spoke.
6. **Presentations**
 - A. Development Services Improved ISO Rating from 4 to 3 – Development Services Director Eric Winter provided a presentation. No action taken.
 - B. City of Horseshoe Bay's New Website – City Secretary Kerri Craig presented the City's new website and thanked the City's Website Committee for their work on the redesign. No action taken.
 - C. Presentation by Kristopher Dusek from Gotcher's Trace LLC Regarding Skilled Nursing and Rehabilitation Facility (Brixton) – Mr. Dusek provided a presentation. No action taken.
 - D. State of the Horseshoe Bay Resort – Ron Mitchell, Bryan Woodward, and Stacey Persinger provided a presentation. No action taken.

7. Consent Agenda

- A. Approval of Workshop Minutes, July 15, 2019
- B. Approval of Regular Meeting Minutes, July 16, 2019
- C. Approval of Special Meeting Minutes, July 30, 2019
- D. Approval of Resolution 2019-24: Declaring the City's Interest and Willingness to Work With Internet Providers to Bring Broadband Service to All Citizens of Horseshoe Bay
- E. Approval of the Public Funds for Public Purposes Subcommittee's Recommendation of Approval Regarding a Funding Request from the Hill Country 100 Club for the Golf Tournament
- F. Approval of the Public Funds for Public Purposes Subcommittee Recommendation of Approval Regarding a Funding Request from the Friends of the Marble Falls Library

Council Member Kent Graham motioned to approve all consent items. Council Member Reagan Lambert seconded. VOTE: 5-0 in favor, motion passed.

8. Public Hearing Items

- A. Request by a Petition of 131 Citizens Near Cats Eye to Rezone All Lots on the West Side of Cats Eye and on Silica and Shale from R-2 Two Family Residential to R-1 Single Family Residential – Development Services Director Eric Winter provided a report, which is on file. Mayor Jordan opened the public hearing at 4:45pm. Vicki Adcock, Ronnie Adcock, Mike Riley, spoke in support of the zoning amendment. Jim Bellevue, Heidi Barker, Mike Barker, and David Sterer spoke in opposition to the zoning amendment. Jeff Smith spoke regarding the lack of maintenance to the properties in his area. Mayor Jordan announced the public hearing will be continued until the September 17, 2019 City Council meeting. No action taken.
- B. Ordinance 2019-40: Approving and Issuing a Conditional Use Permit to Horseshoe Bay Resort to Allow a Bar at the Waterfront Bar & Grill; Containing Findings of Fact and Imposing Specific Conditions and Regulations; Providing for Transferability, Amendment, Enforcement and Penalties; Amending the Zoning Map; 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 opened the public hearing at 5:40pm. No one spoke. Mayor Jordan closed the public hearing at 5:41pm. Mayor Pro Tem Jerry Gray motioned to approve Ordinance 2019-40 as presented. Council Member Reagan Lambert seconded. VOTE: 5-0 in favor, motion passed.
- C. Ordinance 2019-37: Approving and Issuing a Conditional Use Permit to The Phoenix Center to Allow Two Sixty (60) Foot by Twelve (12) Foot Temporary Mobile Offices for 24 Months While Constructing Permanent Facilities; Containing Findings of Fact and Imposing Specific Conditions and Regulations; Providing for Transferability, Amendment, Enforcement, and Penalties; Amending the Zoning Map; 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 opened the public hearing at 5:43pm. No one spoke. Mayor Jordan announced that the public hearing will be continued until the September 17, 2019 City Council meeting. No action taken.
- D. First Public Hearing Regarding the Proposed 2019 Ad Valorem Tax Rate not to Exceed \$0.2900 per \$100 Assessed Valuation of All Taxable Property Within the Corporate Limits of the City of Horseshoe Bay – Mayor Jordan opened the public hearing at 5:46pm. No one spoke. Mayor Jordan closed the public hearing at 5:48pm.

9. Monthly Statistical Departmental Reports

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

10. Business

- A. Ordinance 2019-36: Amending the Code of Ordinances, Chapter 1 General Provisions, Article 1.06 Boards, Commissions, and Committees, Division 3 Long Range Planning Committee, Adopting Provisions Regarding the Name of the Committee; Defining/Amending the Purpose and Responsibilities, Membership, Qualifications, Meetings, and Conduct/Attendance – City Secretary Kerri Craig provided a report, which is on file. Council Member Kent Graham motioned to approve Ordinance 2019-36 as presented. Mayor Pro Tem Jerry Gray seconded. VOTE: 5-0 in favor, motion passed.
- B. Appointment of Members and a Chair to the 2019 Long Range Planning Advisory Committee – Mayor Jordan provided a history of the City’s long range planning activities leading to the re-activation of this Committee, and announced that through an open ballot selection process, City Council selected the following applicants for this Committee: Wayne Anderson, Cecil Burdick, Dan Gillean, Brooks Herring, Mike Kolar, Rick Pitts, and Elsie Thurman. Wayne Anderson was selected as Chair of the Committee. Council Member Kent Graham motioned to appoint the selected members to the Committee. Council Member Elaine Waddill seconded. VOTE: 5-0 in favor, motion passed. Mayor Jordan announced that Lynette Morrison, Forrest Covin and Buddy Nichols, who served on the 2015 Long Range Planning Advisory Committee, have agreed to serve as liaison, non-voting members of this Committee. Mayor Pro Tem Jerry Gray has agreed to serve as the Council liaison for the Committee.
- C. Fuchs' House Update – Mayor Jordan provided a brief history of the Fuchs’s House. Council Member Cynthia Clinesmith provided a report on the activities, recognized the members, and efforts of, the Fuchs’ House Advisory Committee, and the plans to transition the house to a private owner who intends to restore it. Jim Jorden, a member of the Committee who is also writing a book about the House, spoke about the history of the property and house and his recommendations for its future. No action taken.
- D. Award Construction Contract for the Wastewater Treatment Facilities Expansion Project – Utilities Director Jeff Koska provided a report, which is on file. Council Member Cynthia Clinesmith motioned to award the contract to Archer Western as recommended by staff, for a total contract cost of \$5,254,737. Council Member Kent Graham seconded. VOTE: 5-0 in favor, motion passed.
- E. Award Contract for Sludge Removal in Effluent Pond #1 - Utilities Director Jeff Koska provided a report, which is on file. Mayor Pro Tem Jerry Gray motioned to award the contract to Big Kat Waste Solutions, Inc. as recommended by staff, for a total contract cost of \$310,000. Council Member Cynthia Clinesmith seconded. VOTE: 5-0 in favor, motion passed.

- F. Resolution No. 2019-26: Relating to the Giving of Notice of Intention to Issue City of Horseshoe Bay, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2019, and Declaring an Effective Date – Jennifer Ritter provided a report, which is on file. Council Member Kent Graham motioned to approve Resolution 2019-26 as presented. Council Member Reagan Lambert seconded. VOTE: 5-0 in favor, motion passed.
- G. Ordinance 2019-38: Approving and Adopting an Amendment to the General Fund Budget and Utility Fund Budget for the Fiscal Year Beginning October 1, 2018 and Ending on September 30, 2019 – City Manager Farmer provided a report, which is on file. Council Member Cynthia Clinesmith motioned to approve Ordinance 2019-38 as presented. Mayor Pro Tem Jerry Gray seconded. VOTE: 5-0 in favor, motion passed.
- H. Resolution 2019-27: Expressing Intent to Reimburse Certain Expenditures - City Manager Farmer provided a report, which is on file. Mayor Pro Tem Jerry Gray motioned to approve Resolution 2019-27 as presented. Council Member Elaine Waddill seconded. VOTE: 5-0 in favor, motion passed.
- I. Ordinance 2019-39: Amending Chapter 3 Building Regulations, Article 3.03 Building Permits, Section 3.03.014(H)(iii) Increasing the Time Allowed for Dumpster Permits, With No Fee or Deposit, Except for a Fee for Any Extension; Providing for Findings of Fact; Severability; Repealer; Effective Date; and Proper Notice and Meeting - Development Services Director Eric Winter provided a report, which is on file. Council Member Kent Graham motioned to approve Ordinance 2019-39 as presented. Council Member Elaine Waddill seconded. VOTE: 5-0 in favor, motion passed.
- J. Appointment of Bill Knox to the Board of Adjustment for an Unexpired Term Ending December 31, 2019 – City Manager Farmer provided a report, which is on file. Mayor Pro Tem Jerry Gray motioned to appoint Bill Knox to the Board of Adjustment. Council Member Kent Graham seconded. VOTE: 5-0 in favor, motion passed.

11. **Executive Session**

- A. Consultation with City Attorney Regarding the Lighthouse and the Nature Park (*Consultation with City Attorney 551.071*) - Convened to Executive Session at 6:35pm 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 Reagan Lambert, Council Member Elaine Waddill, City Manager Stan Farmer, and City Attorney Rex Baker. Reconvened to the regular meeting at 6:42pm. No action was taken.

- 12. **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 6:55pm.