

City Council Meeting Minutes

A Regular City Council Meeting of the City of Horseshoe Bay was held Tuesday, September 17, 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** - Rev. Dr. Malcolm McQueen, 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. David Vaughn - Five Year Service Award – Police Chief Rocky Wardlow thanked Mr. Vaughn for his service and presented him with a plaque.

B. Applications being accepted for City Boards, Commissions and Advisory Committees for appointments to be made in December 2019 – City Secretary Kerri Craig announced the deadline of November 4th for any citizen interested in applying to serve on one of the City's Boards, Commissions, or Committees. The application can be found on the City's website and should be sent to City Secretary Craig by the deadline. Appointments will be made in December.

5. **Public Comment** – James Keahey stated he believes the utility department is under-staffed.

6. **Presentations**

A. Presentation from Patty Gillean, of Gillean and Associates Realty, Regarding Real Estate in Horseshoe Bay - Patty Gillean provided information and statistics regarding real estate in Horseshoe Bay.

B. State Proclamation Honoring a Local Citizen – Mayor Jordan announced the celebration of Dick Schumacher's 103rd birthday. Martha Tyroch from Texas Senator Dawn Buckingham's office presented a Texas flag to Mr. Schumacher which was flown above the Texas state capitol on September 4th in his honor.

7. **Consent Agenda**

A. Approval of Workshop Minutes, August 27, 2019

B. Approval of Regular Meeting Minutes, August 27, 2019

C. Approval of Workshop Minutes, September 3, 2019

D. Approval of Annual Renewal of Interlocal Agreement with Llano County for Jail Services

E. Approval of the FY 2020 Animal Shelter/Adoption Center Agreement between the City of Horseshoe Bay and Hill Country Humane Society

F. Approval of Renewal of the Annual Interlocal Agreement with Llano County for the Provision of Street Paving and Improvements

- G. Approval of the Updated Summit Rock Public Improvement District Assessment Roll
- H. Approval of Ordinance 2019-45: Updating the Escondido Public Improvement District Service and Assessment Plan and Assessment Roll
- I. Approval of Ordinance 2019-46: Adopting Regulations for the Minimization of Public and Private Losses Due to Flooding Including Findings, Purpose, Statutory Authorization and Methods of Reducing Flood Losses, Defining Certain Terms; Providing for Interpretation; Providing for Administration Including Designation of a Flood-Plain Administrator, Requiring a Development Permit, Providing for Variances from the Requirements of this Ordinance, Establishing Standards for Construction of Improvements in Areas of Flood Hazard, Subdivision Proposals and Areas of Shallow Flooding; Providing for Civil and Criminal Penalties, Including a Fine Not To Exceed \$2,000 Per Offense and a Civil Penalty Not To Exceed \$1,000 Per Offense and Injunctive Relief; and Providing for Severability, Repeater, Effective Date, and Proper Notice and Meeting
- J. Approval to Open a New TexPool Wastewater Treatment Expansion Account for the 2019 Series Certificates of Obligation
- K. Approval to Close the TexPool Llano County Municipal Utility District #1 Project Account
- L. Approval of Changing the Job Title of the Senior Development Services Technician to Senior Development Services Technician/Deputy Building Official
- M. Approval of Changing the Police Specialist Job Title to Police Sergeant
- N. Approval of Personnel Policy Revisions: Article V. The Compensation Plan, Section 3 and Article XIII Appendix B: Salary Table and Incentive Pay

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

8. Public Hearing Items

- A. Ordinance 2019-44: Changing the Zoning Designation for All Lots on the West Side of Cats Eye from Broken Hills to its Dead End and Lots on Silica and Shale from R-2 Two-Family Residential to R-1 Single Family Residential in Horseshoe Bay, Llano County, Texas; Amending the Zoning Map for Zone 3 Horseshoe Bay West by Changing the Zoning Designation of All of the Lots 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 announced this public hearing is being continued from the August 27, 2019 City Council meeting. Patty Thuss spoke regarding a typographical error in the draft ordinance provided in the original meeting packet (which was corrected prior to this meeting), and asked the Council to vote No on this item. Vicki Adcock and Mike Riley spoke in favor of this item. Don Hunt spoke in favor of this item. Jim Bellevue, an attorney representing property owners on Cats Eye, spoke in opposition to this item. Mayor Jordan closed the public hearing at 4:25pm. Mayor Pro Tem Jerry Gray motioned to put this item into continuance until the April 2020 City Council meeting. Council Member Cynthia Clinesmith seconded. VOTE: 4-1 in favor, Council Member Kent Graham voted No, motion passed.
- B. 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, Repeater, Effective Date, and Proper Notice and Meeting - Development Services Director Eric Winter provided a report, which is on file. Sarah Rosen Garrett spoke about the Phoenix Center and announced

the children's art exhibit being held at the Marta Stafford Fine Art Gallery on September 19th at 5:00pm. Mayor Jordan opened the public hearing at 3:28pm. Jean Anderson spoke in support of the Phoenix Center. Mayor Jordan closed the public hearing at 3:30pm. Council Member Cynthia Clinesmith motioned to approve Ordinance 2019-37. Mayor Pro Tem Jerry Gray seconded. VOTE: 5-0 in favor, motion passed.

- C. Public Hearing on the Adoption of the Proposed Fiscal Year 2019-2020 Budget for the City of Horseshoe Bay, Texas - Mayor Jordan opened the public hearing at 4:29pm. No one spoke. Mayor Jordan closed the public hearing at 4:30pm. No action taken.

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. Resolution 2019-28: Nominating Individuals for the Burnet Central Appraisal District Board of Directors for the Years 2020-2021 – City Manager Stan Farmer provided a report, which is on file. Council Member Kent Graham motioned to nominate the current members (Bobbye Michel, Dave Kithil, Paul Shell, Phillip Thurman, and Darlene Oostermeyer). Council Member Elaine Waddill seconded. VOTE: 5-0 in favor, motion passed.
- B. Ordinance 2019-41: Adopting a Budget for the Fiscal Year Beginning 10-1-2019 and Ending 9-30-2020 in Accordance with the Laws of the State of Texas, Appropriating the Various Amounts Thereof, and Repealing All Ordinances in Conflict Therewith; and Providing for an Effective Date – City Manager Stan Farmer provided a report, which is on file. Council Member Reagan Lambert motioned to approve Ordinance 2019-41 and to set and approve the municipal budget for the 2020 fiscal year. Mayor Pro Tem Jerry Gray seconded. ROLL CALL VOTE: Council Member Elaine Waddill: Aye; Council Member Kent Graham: Aye; Council Member Cynthia Clinesmith: Aye; Mayor Pro Tem Jerry Gray: Aye; Council Member Reagan Lambert: Aye. The motion to approve Ordinance 2019-41 and to set and approve the municipal budget for the 2020 fiscal year passed on a 5 to 0 vote.
- C. Five-Year Capital Plan - City Manager Stan Farmer provided a report which is on file. Council Member Kent Graham motioned to approve the Five-Year Capital Plan. Council Member Cynthia Clinesmith seconded. VOTE: 5-0 in favor, motion passed.
- D. Ratify the Property Tax Increase Reflected in the Adopted Annual Budget for Fiscal Year 2020 - City Manager Stan Farmer provided a report, which is on file. Mayor Pro Tem Jerry Gray motioned to ratify the property tax increase reflected in the adopted annual budget for fiscal year 2019-2020. Council Member Cynthia Clinesmith seconded. VOTE: 5-0 in favor, motion passed.
- E. Ordinance 2019-42: Levying Ad Valorem Taxes for the Use and Support of the Municipal Government of the City of Horseshoe Bay, Texas, and Providing for the Interest and Sinking Fund for the Fiscal Year 2019-2020; Directing the Collection Thereof; and Providing for the Time of Paying the Ad Valorem Taxes Levied and Providing that Taxes Become Delinquent If Not Paid - Council Member Kent Graham motioned to approve Ordinance 2019-42 and that

the property tax rate be increased by the adoption of a tax rate of twenty-seven cents (\$0.27000) per one hundred dollars of assessed value, which is effectively a 5.85% increase in the tax rate. Council Member Elaine Waddill seconded. ROLL CALL VOTE: Council Member Elaine Waddill: Aye; Council Member Kent Graham: Aye; Council Member Cynthia Clinesmith: Aye; Mayor Pro Tem Jerry Gray: Aye; Council Member Reagan Lambert: Aye. The motion to approve Ordinance 2019-42 and that the property tax rate be increased by the adoption of a tax rate of twenty-seven cents (\$0.27000) per one hundred dollars of assessed value, which is effectively a 5.85% increase in the tax rate passed on a 5 to 0 vote.

- F. Ordinance 2019-43: Amending Article A8.00 Utility Fees of the City Establishing Charges and Fees For: Water Service, Sewer Service, Water Meters and Sewer Connections, City Tap Charges, Payment for Service, Deposits, Penalties for Delinquent Bills, Garbage Collection Fees and Charges, and Other Items Associated with the Rate Schedule of the City of Horseshoe Bay; and Making Other Provisions Related and Incidental Thereto Providing for Repealer, Severability, and an Effective Date - Utilities Director Jeff Koska provided a report, which is on file. Council Member Cynthia Clinesmith motioned to approve Ordinance 2019-43. Mayor Pro Tem Jerry Gray seconded. VOTE: 5-0 in favor, motion passed.
- G. Appointment of Dale John Minyard to the Board of Adjustment as an Alternate Member for a Term Ending December 31, 2020 – Development Services Director Eric Winter provided a report, which is on file. Council Member Reagan Lambert motioned to appoint Dale John Minyard to the Board of Adjustment as an Alternate Member with a term ending December 31, 2020. Mayor Pro Tem Jerry Gray seconded. VOTE: 5-0 in favor, motion passed.

11. **Executive Session**

- A. Consultation with City Attorney Regarding the Lighthouse, the Nature Park, and the Fuchs' House (551.071; 551.072)
- B. Consultation with City Attorney Regarding HB 2439 (551.071)

Convened to Executive Session at 4:45pm to discuss Executive Session Items A and B. 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, Development Services Director Eric Winter, City Manager Stan Farmer, and City Attorney Rex Baker. Reconvened to the regular meeting at 5:29pm. 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 5:30pm.