



MINUTES
CITY COUNCIL

OF THE VILLAGE OF VOLENTE, TEXAS
MONDAY, DECEMBER 15, 2014 at 6:30 P.M.
City Hall, 16100 Wharf Cove, Volente, Texas.

1. Open Regular Meeting.
Mayor Ken Beck calls the meeting to order at 6:34 p.m.
2. Call Roll.
Barbara Wilson, City Administrator, calls roll. Present are Council Members Babs Yarbrough, Bill Connors, Kristi Belote, Mayor Pro Tem Mark Scott, and Mayor Ken Beck.
3. Pledge of Allegiance.
All stood for the Pledge of Allegiance.
4. Mayor's Presentation.
Mayor Ken Beck states that he has been coming in to the office and welcomes residents to come in and meet with him. He has been working with Staff on increasing productivity, communications, transparency, integrity and responsibility. In the last week, specifics of the permitting and job development processes have been reviewed with the possibility of revising some of the procedures. A monthly statement will be prepared for those in the midst of developing and any refunded monies at the end of the process will be issued back to the resident. The Volunteer program will begin soon with a volunteer in office three times a week to answer the phone, greet walk-ins, provide directions and paperwork for those walking in, and set appointments for staff as needed. The benefit to this would be in an increase in productive time for Staff and more community interaction. There will be a retreat in early January for the Council to set goals for the coming year. Adds that he is looking forward to Council working out a process to increase communications and transparency for the Village.
5. Citizens Comments.
None.
6. Village Reports.
 - a. Financial Reports
Property tax is as expected, with increases to come in in the next couple of months.
Sales tax has a payment not reflected in the reports, which is being remedied.

Revenue is well in line with the budget. We possibly need to ask businesses to check that their sales tax is going to Volente and not to Leander, as we have had some problems with that in the past. Expenses are mostly in line, with the exception of Communications and Internet from the Community Survey, Facilities and Equipment which is less than expected, and Outside Services is a bit lower. Spending was less than anticipated for this month.

Mayor Ken Beck adds that we are ahead of plan on the budget. Advertising and Public Notices is over budget, but the permitting process is reflected in that total, and will be moved out of that line item in the future. Reimbursable expenses vs. deposits will be adjusted so that the Village's budget isn't reflecting expenses that will be reimbursed.

Council Member Babs Yarbrough asks why Tana Bush's name is on the revenue side of the reports.

Barbara Wilson answers that when the report was created the AP accounts which will draw from that amount had not been received yet. Once those bills are remedied and an invoice prepared, she will not show on Revenue side.

Mayor Ken Beck adds that the Cash Flow statement, Income Statement, and Job Profitability statement should give Council a rounded knowledge of the financial on goings of the Village.

b. Construction Update

Barbara Wilson, City Administrator, details the construction report with the addition of six new projects. Retirees and families with children will be joining the community.

Mayor Ken Beck asks that Barbara identify which projects are under the new job costing system and which are under the old on the next month's report.

Barbara adds that residents who have been through the process are helping with the development of checklists and forms to make the process of developing in the Village easier and less expensive.

c. City Administrator Report

Barbara Wilson summarizes the printed report given to Council.

BCRUA open records request is available in office for those interested in seeing it for status updates.

Mayor Ken Beck explains the background of the BCRUA in regards to the Village of Volente for those in attendance. The goal right now is for the residents to be aware of the development of this project, but the Village at this point will not be taking any action.

Council Member Bill Connors asks of Barbara Wilson what the agency TIFF.

Barbara answers it is a combination of the US Agriculture, TX Water Board, TX Environmental Quality. Grants are available, matching funds, etc.

Mayor Ken Beck adds that Volente is dependent upon water. This issue is a long term issue and if a water system needed to be in place the costs and timeline would

need to be established. The details and plans are needed but also for contact to be made with agencies like this one that could supply the funding for creating a water system.

d. City Secretary Report

Mayor Ken Beck directs Council to the printed Secretary Report in the packet, since Julia Vicars is out of office during the week for training.

7. Audit Presentation for Fiscal Year 2012-2013. (Neffendorf, Knopp, Doss & Company, PC)
Keith Neffendorf presents the Audit for the FY 2012-2013. He details the background behind the requirements of an audit for local government entities. Reviews the auditor report, adding that the City is in a strong financial position as of the end of fiscal year 2013.

Council Member Babs Yarbrough asks how long this particular company has been conducting our audits.

Keith Neffendorf responds they have been handling our audits since 2008.

Council Member Kristi Belote asks for clarification on the \$10,000 mentioned for property taxes.

Keith Neffendorf responds that that is the amount of those who have not paid their taxes.

Council Member Bill Connors asks what constitutes that amount for capital assets.

Keith Neffendorf answers that most of it is the roadways, etc. There is a depreciation that shows it. Buildings, improvements, roadways, furniture, equipment, etc all contribute to that amount.

Council Member Babs Yarbrough asks if future road improvements would then increase our value as a city.

Keith Neffendorf responds that yes.

Mayor Pro Tem Mark Scott adds there is a difference between improvements and repairs. It is capitalized the depreciated over time.

Mayor Ken Beck adds that it has been good to become knowledgeable on the difference between our two sets of financial statements, the cash accounting and the fixed asset side. It is important to know that this report shows both sides, whereas our monthly Council reports just show the cash accounting side.

Citizen Comments:

David Robinson, :

Wants to know the opinion is qualified or unqualified.

Keith Neffendorf responds that the opinion is unqualified.

Council Member Bill Connors asks if the deferred tax revenue is what makes up the unrestricted deposition?

Keith Neffendorf answers yes.

Council Member Bill Connors asks what is typically seen in an unrestricted balance in other municipalities.

Keith Neffendorf responds it is usually not as much as Volente has. Some municipalities are lucky to have \$200,000 in theirs. Six months of expenses is the average, where Volente has close to two years. Keep in mind that there are management reasons as to why the fund balance is so high, for big projects coming at a later date or improvements. Road improvements, as an example.

Council Member Bill Connors asks what the accounting life of road improvements is.

Keith Neffendorf responds twenty years is the standard.

Mayor Pro Tem Mark Scott says that over the last six years this balance has been built in anticipation for possible litigation expenses and includes the contributions for park land funds. Mayor Beck states that this will be discussed in length at the retreat so that Council can become more knowledgeable about these figures.

8. Review of Candidates for appointment to the Vacant Council Seat.

Mayor Ken Beck outlines the procedures for appointing an applicant to the vacant Council seat and the format in which the public and Council can ask the applicants questions. Mayor Beck then thanks each of the applicants for their interest and willingness to serve.

a. Statements from Candidates

David Robinson, lives on Joy Rd. Has two sons, past volunteer experience, and has had past experience at the County level. Has worked for nineteen years at Charles Schwab as a software developer.

Gary Frame, lives on Davey Dr. Has been in the area since 1986 and has seen a lot of the changes Volente has undergone. Has past experience as a volunteer on other boards. Enjoys representing taxpayers in the community. Heavy construction background.

David Springer, lives on Lime Creek Rd. Moved from California to Austin area in 1993, living in Volente full time in 2006. Retired from Dell. Built home from undeveloped property. Has past experience on the VNA.

Mayor Ken Beck asks each of the Candidates to answer with their motivation to be involved in the community.

David Springer answers that he was around at the time of incorporation and wants to get involved to help communications between the public and Council. Adds that he would like to see an increase in the communication with residents via podcasts, apps, and the website.

Gary Frame answers that he worked as a Code Inspector in Volente and in doing so he saw there was a need to rebuild neighbor-to-neighbor communications. Main motivation is to help with the civil engineering issues of the Village and to help make building a house in Volente less onerous.

David Robinson answers that his background could help with resolving issues before it comes to the point of requiring an Ordinance. He would like to see an increase in communications between residents and the Council.

b. Questions from Council.

Council Member Kristi Belote asks Gary Frame to elaborate on what Boards he has served on the past.

Gary Frame says he served on the Public Works Committee and as a board member for the fire district.

Council Member Kristi Belote asks David Robinson if his software development background could benefit the Village in regards to the website.

David Robinson responds that he does not develop web interfaces but instead more infrastructure related software.

Mayor Pro Tem Mark Scott thanks the gentlemen before Council for volunteering their time.

Council Member Babs Yarbrough asks each of the applicants what their philosophy is – would they make decisions on what they think is best for the Village or what the public is wanting, even if it may not be what they agree with.

David Robinson says he would first take the approach of breaking down an issue to figure out what the underlying or real problem is. Then go about remedying the issue with increased communication and a focus on mediation. The public consensus should always have bearing though, since the Council is essentially the voice of the Village.

Gary Frame answers that he is a strong believer in listening to the people as long as you have full consensus. Overall, decisions should be made on what the majority of the people want without a focus on one or two individuals.

David Springer answers that he believes in democracy and listening to the majority. Short Term Rentals are a good example of a hard issue taking a lot of compromise to come up with a possible solution. He feels that his opinions mostly reflect the majority of the residents of the Village; wanting a quiet, safe, residential neighborhood. He adds that diversity amongst the residents makes Volente interesting, and he would like to avoid going to a cookie-cutter area.

Council Member Babs Yarbrough asks of each of the applicants how they feel about supporting any new small commercial development.

David Springer says he feels there should be some in the commercial zoning. Possibly with a focus on an increase of tourism-based businesses.

Gary Frame says he feels there should be an increase of businesses in Volente. He hopes to see an increase in public support for businesses.

David Robinson says he agrees with the other two applicants and suggests using a Chamber of Commerce as a way to support the addition of local businesses.

Council Member Bill Connors mentions the community survey results and asks the candidates how they would balance the wants of the public with a limited budget – specifically the enforcement of passed ordinances.

David Springer says you balance out the wants of the public with the money available to achieve it. If the desire for a specific thing is strong enough, then the public will be receptive to budget or tax changes to reach their goals.

Gary Frame says he enforcement in Volente is a tough issue but a focus on neighbor-to-neighbor interaction can resolve most issues, without the use of the Municipal Court or hired enforcement.

David Robinson says that changes need to be taken at a smaller rate of approach. There needs to be a balance of the majority opinion with the available funds and what can be done to get the people what they want.

c. Questions from Public.

Judy Barrick, Booth Circle:

Appreciates all three candidates and their willingness to volunteer. States she supports Gary Frame for Council because he knows our ordinances and system of government.

Nancy Carufel, Joy Rd:

States she supports Gary Frame because of what he has done for the community.

Joyce Beck, Booth Circle:

Asks the Council what skills are needed on Council to have a well-rounded Council. Mayor Beck answers that the Council has come together since the election and we have decided, based on skill set, which of the standing committees each Council Member would work with. Environmental Committee and the Public Works Committee have openings a Council Member to work with them.

Council Member Kristi Belote agrees and adds that a knowledge of the ordinances is a needed skill. Gary Frame possesses both of these traits.

Mayor Pro Tem Mark Scott says the highest need is someone with the support of the Village, the ability to bring everyone together. Mayor Pro Tem Mark Scott formally endorses David Springer as candidate for Council because of the close election and his skill set.

Council Member Babs Yarbrough says that David Springer has a strong background in researching an issue and finding a good resolution.

Council Member Bill Connors says that when the Village incorporated the purpose was to control the future development of the Volente area. This Council needs someone to help figure out the balance between the powers of the entity and the desires of the residents. Having someone with knowledge of the ordinances and someone who has experiencing of enforcing those ordinances is a huge benefit.

Richard Roucloux, 8140 Joy:

Says that this process is an appointment, not an election. Council needs to be careful in making their choice and not giving an endorsement to applicants before making a vote. States that Gary Frame has a lot of the attributes Council has discussed. Adds that David Robinson is a very intelligent, competent, and dedicated applicant. As Council, they are a managing entity of the Village and a new member needs to be someone that can manage those in positions below Council. Council should be united and work together to achieve the goals of the Village, and whomever they choose to fill the vacant Council seat should be someone who is able to work well with others.

Roe Fleenor, 7803 Lime Creek Rd:

States that despite a rocky past, he has come to support David Springer for the vacant Council seat. Says Springer does his research and is intelligent. The previous Council had an issue with communication with the public and David can help boost the communication. Hopes that Council considers both his public support and his valuable skill set.

d. Closing Remarks

David Robinson states he is open to being active in the Village on other committees if his experience would serve better there.

Gary Frame states that his Public Works experience and background would be beneficial to the Village. More than that, the knowledge of the ordinances and enforcing them and his being present during the time of incorporation can help.

David Springer states that since he is retired he has the time to devote to the Village and researching issues extensively. David Springer asks for the public comments that were sent into the Village via email or mail.

Barbara Wilson, City Administrator, says that over the last three days 32 emails of support for David Springer have come in from those unable to attend and 12 emails in support of Gary Frame. There was also a petition signed for support of David Springer.

9. Discussion and Possible Action on the Appointment of a Candidate to the Vacant Council Seat.

Mayor Ken Beck advises the Council to take into consideration public support and the comments made by the applicants.

Mayor Pro Tem Scott makes a motion to appoint David Springer as Council Member. Seconded by Council Member Babs Yarbrough. Carries with a vote of three to one – Council Member Yarbrough, Council Member Kristi Belote, and Mayor Pro Tem Mark

Scott vote in favor of David Springer. Council Member Bill Connors votes against the motion.

Council Member Babs Yarbrough says this was a difficult decision with three qualified applicants. Council Member Yarbrough says she supports David Springer because most of the public would like David to serve.

Council Member Kristi Belote says that David Springer can devote more skills, more time, a new area served, and the public support. She's for David Springer being appointed.

Council Member Bill Connors says that Council should consider Gary Frame because he has intimate, detailed knowledge of the ordinances. Since it is a priority that we review and revise our ordinances for the better, it seems it is imperative that we have someone with that knowledge.

Mayor Pro Tem Mark Scott says that he agrees with Council Member Connors in that Gary has experience with the ordinances but that suggests that Gary should be on the Planning and Zoning Commission since that's where the first-hand review and suggestion of revision on ordinances comes from them.

Council Member Kristi Belote says that the public support suggests that David Springer should be on Council.

Council Member Bill Connors says that if Council makes this decision based solely on the number of emails an applicant can get, then it would not be a fair decision. The other two candidates may not have had the opportunity to get the emails in.

Mayor Ken Beck says that Public Support is only a part of the equation. While it should be considered, it should not be the sole reason for voting for someone.

Council Member Bill Connors would like to point out the experience and past history of Gary Frame and his volunteerism on past boards and committees in the Village. Someone who has served before better understands the balance between public opinion and responsibility to make decisions.

Mayor Pro Tem says the skill set that David Springer brings can't be discounted.

10. Review and Possible Action on Ordinance No. 2013-O-04, the Administrative Ordinance.
(Mayor Ken Beck)

Mayor Ken Beck details the changes on the proposed amendment to the Administrative Ordinance.

- a. Understanding of the Monthly Calendar
- b. Procedures for Items to be placed on an Agenda

- c. Documentation Required for an Agenda Item
- d. Standing Committees and Assignment of Council Members to Committees
- e. Review and Discuss Regular Council Meetings time and day

Mayor Pro Tem Mark Scott makes a motion to accept the amendments to Ordinance 2013-O-04, the Administrative Ordinance. Seconded by Council Member Babs Yarbrough. Carries unanimously.

11. Discussion and Possible Action on a Council Retreat to Establish Strategic Plan for 2015.

Mayor Ken Beck details the Council Retreat plan of meeting on January 10, 2015 at the Marquis Group Office Building beginning at 9:00 a.m. which will be catered by Doug Mancini's company, Volente Valet.

12. Discussion and Action on Setting of the Regular Scheduled Meeting in January, 2015.

The next regularly called Council meeting is set for January 20, 2015 at 6:30 p.m.

13. Adjourn.

Meeting adjourns at 9:03 p.m.

Passed and approved this _20th_ day of _____January_____, 20_15_.

Signed:

KB

Mayor

Attest:

JV

Julia Vicars, Acting City Secretary