



MINUTES OF THE
CITY COUNCIL
OF THE VILLAGE OF VOLENTE, TEXAS
TUESDAY, JULY 21, 2015 at 6:30 P.M.
16100 Wharf Cove, Volente, Texas 78641

Notice is hereby given that the City Council of the Village of Volente will hold its Regularly Called Meeting at 6:30 p.m., Tuesday, the 21ST day of July, 2015 in Council Chambers at 16100 Wharf Cove, Volente, Texas to consider and act upon any lawful subject which may come before it, including the following:

A. Items Opening the Meeting

1. Call to Order.

Mayor Pro Tem Connors calls the meeting to order at 6:31 p.m.

2. Call Roll.

City Secretary Julia Vicars calls roll. Absent is Mayor Beck.

3. Pledge of Allegiance.

All stood for the Pledge of Allegiance.

4. Approval of the Meeting Minutes from June 3rd, June 16th, June 17th, June 24th, June 29th, July 1st, July 2nd, July 8th, and July 14th, 2015.

Minutes from July 8th at 8:00 a.m. pg 1, Line 31 change to Village.

Council Member Babs Yarbrough reminds the Council the need to research solutions for Wharf Cove.

Minutes from June 16th, last page, 1st paragraph, change to "picked up trash in his cove"

Babs makes a motion to approve the minutes from June 3rd, 16th, 17th, 24th, 29th, July 1st, July 2nd, July 8th and July 14th with the changes as noted. Seconded by David. Carries unanimously.

5. Village Reports.

- a. Financial Reports.

Mayor Pro Tem Connors states that on a YTD basis we are in line with our income.

Council Member Belote would like to see a report after the season for the difference in sales and mix beverage tax in comparison with when the lake was down.

The job profitability summary has a differential of over 2k.

City Secretary Julia Vicars details why the differential on two properties is showing as higher than expected.

Council Member Yarbrough requests some competitive bids for code enforcement and inspections.

- b. Construction Update.

City Secretary Julia Vicars details the construction report.

Council discusses holding special called meetings in the future for the hearing of variances to expedite the process.

- c. City Secretary Report.

City Secretary Julia Vicars orally delivers the City Secretary report.

- d. Crime & Complaints Report.
Julia Vicars, City Secretary, delivers the Monthly Crime Report, which has not been confirmed by Travis County Sheriff's office.
Council Member Belote makes note of the assault in the 16100 block of Wharf Cove and suggests that Council look into relieving the congestion and traffic issues at the end of Wharf Cove.
- e. Committee Reports.
Council Member Belote states that the Public Relations and Communications Committee is meeting tomorrow and requests blurbs from each Council Members committee for the newsletter.
Mayor Pro Tem Connors suggests adding in a BCRUA update into the newsletter.
Council Member Yarbrough suggests adding in an update about Volente Peak development.

B. Citizen Communications. *At this time, any person with business before the Council **NOT** scheduled on the agenda may speak to the Council. In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them that are not on the agenda. There is a four (4) minute time limit on any communication.*

Nancy Carufel, 8138 Joy Rd, spoke to the issues with wash hitting the shoreline and moving big rocks because of large boats on the lake. She requests Council look into a 50 ft. buoy with no wake zone on the Sandy Creek arm.

Mayor Pro Tem Connors asks if Nancy would present more information from LCRA about the Village's ability to put buoy's on the surface water.

Libby Davis, spoke to the Volente Peak development and wants more information about the progress on the development.

Mayor Pro Tem Connors states that we do not have a specific proposal from the developers, and until a specific proposal arises, the agreement from 2009 stands, since it is a signed settlement agreement.

Libby Davis states that she has seen what clearing land has done to properties near Enchanted Tavern. She worries about the water runoff from the PDD.

Mayor Pro Tem Connors states that the settlement agreement from 2009 dictates water runoff and water quality issues that could arise in the future if the development comes to fruition.

C. General Business and Action Items.

1. Review of the Candidates for appointment to the vacant Council seat.

City Secretary Julia Vicars announces the two applicants for the vacant Council Seat – David Robinson and Steve Baker.

- a. Statements from Candidates
Steve Baker, 8204 West, summarizes his application and brief background information. Moved here two years ago from Austin and he prefers this smaller community, where it is easier to impact and make a difference for the quality of life. States his concern are the emergency services and safety of the area as our immediate surroundings outside of our city limits grow. He has a background in financials and software and states he has ample time to work on Council matters. Adds he is a practical problem-solver and looks forward to addressing tough issues.

David Robinson, 8132 Joy Rd, states that he has an accounting background and CPA and has lived in the Village for 11 years. States he has experience in digging through the ordinances with having to apply for a development project within the Village. States he has a vested interest in the future of the city.

b. Questions from the Public

None.

c. Questions from Council

Council Member Yarbrough asks of Steve Baker if he, if appointed to Council, asks if he would do what he feels is right for the community or do what he feels the public wants him to do for the community.

Steve Baker answers that the ultimate responsibility is to the citizens but one citizen wanting something doesn't reflect what the general consensus of the public is. He feels it is important for the Council to reflect the majority of the public's opinion.

Council Member Yarbrough asks if Steve is not appointed tonight, would he run in November.

Steve answers that he is not sure – that he has not had any experience in politics but his grandfather was a Mayor of a town a little bigger than Volente and he would like to think of it not as a political move but for improvement of the community.

Council Member Yarbrough asks if Steve is aware of what Council is working towards with the revision of the ordinances.

Steve answers he is not up to speed on Council's work on the ordinances. He states that he has a lot of contacts and resources that could benefit and provide an asset to the Village. He then details some of his other volunteer activities.

Council Member Yarbrough asks of David Robinson if he were not appointed tonight, would he run for Council in November.

David states he would have to think about it. States he would run if there appears that the election of three new Council members would shift the current direction of the Council.

Mayor Pro Tem Connors asks if David would be available for the time commitments Council is currently facing.

David answers that he is semi-retired and has a flexible schedule.

Council Member Belote states that the time commitment is aggressive and stresses that the applicants recognize the schedule would take a chunk of time estimated at 5-10 hours a week.

Council Member Belote asks of Steve what lakefront property he has owned since 1999.

Steve Baker answers that he has property in Angel Bay that he planned originally to build on, but chose Volente instead. He adds that a lot of the issues are dealing with other entities like the LCRA to preserve the lakefront community feel.

Council Member Belote asks Steve Baker to address some of the changes he observed in Austin.

Steve Baker answers that Austin has changed to become more like Dallas, and that he misses the small town lakefront feel that the older Austin used to have – which is why he chose to live in Volente.

Council Member Belote asks both applicants how they would feel about a small condo unit, within our height restrictions.

Steve Baker answers that he does not approve of condos being built here and is against higher density residential areas.

David Robinson answers that as long as the ordinances are followed and traffic flow is addressed, he would not see a problem with it. He feels property owners should be allowed to invest in their property.

Council Member Belote asks about their opinions on BCRUA.

David Robinson answers that he is okay with the way the agreement ended up, and he approved of the City stepping in to work on the agreement with BCRUA.

Steve Baker states he is new to the area and does not know much about the BCRUA agreement but that he follows David Springer's posts on Nextdoor and asks of Council Member Springer where he gets his knowledge base.

Council Member Springer answers that he is retired and has a lot of time on his hands to research the issues that arise.

Steve Baker says that water rights are going to be the new oil rights issue within the state of Texas.

Council Member Belote asks both applicants how they would handle polarizing views from citizens. She asks for an example on how they handled conflicts with groups in the past.

Steve Baker answers that he started a consulting and software company that he ran for 28 years and he was one of the 25 fastest growing companies in Austin. He dealt with high growth of hiring employees and dealt with conflicts with staff. He managed the conflict there and he feels that he falls back to practicality and calm discussion to come to an agreement. He finds that when people feel they are being heard and all the facts are being vetted, then conflict can be resolved easily.

David Robinson answers that in the context of City Council and with having to deal with particular issues before them, he would like to first hear all the facts and take the time to break down the issue. Then, run the issue through a list of possible solutions. Get everything out on the table, look at the tools we have at hand to provide relief or solution, then equally apply those rules. The more subjective issues that are emotionally charged are harder to deal with but typically can have a simple solution.

Council Member Springer asks of the applicants what they like most about the Village.

David Robinson answers that he loves the lake, and the lake is the reason they moved here. The relaxed lifestyle and lakeside living is the reason he has stayed here.

Steve Baker states that he moved here because of the lake property but in addition to that he likes the small community feel, surrounded by resources and places to go and shop. The country feel with close proximity to the city lifestyle.

Council Member Springer asks the applicants what they like least about Volente.

Steve Baker answers he does not like the small roads that lead in and out of the Village, especially in the event of a disaster. Emergency responses for our rural area are of concern.

David Robinson answers that there has not been a whole lot that has changed. He states that the ordinances were the main reason he decided to run. Overall, he is happy with Volente.

Mayor Pro Tem Connors asks each applicant how they feel about the direction Council is heading with ordinance review.

David Robinson answers that the direction Council is headed is right in line with what he feels is good. He adds the complexity of the ordinances do not match the size and feel of the Village. He feels that the ordinance review will take a huge load off of the burden applicants feel.

Steve Baker feels that plagiarism is the right way to go on Ordinances. He does not feel that LCRA or Austin would be the examples he would cite and instead look to cities that we would like to see Volente become ten to twenty years from now and based our Ordinance review off of those entities.

2. Discussion and Possible Action on the Appointment of a Candidate to the vacant Council seat.

Council member Yarbrough makes a motion to appoint David Robinson to Council.

Seconded by David Springer.

Council Member Yarbrough states that she appreciates Steve Baker applying and recommends that he start at Planning and Zoning for some base knowledge before re-applying to Council. With David's history and knowledge of the Ordinances he feels he would be a valuable asset to the Council.

Council Member Belote states that there is but one spot to appoint, and with three up in November, she would suggest both applicants run for election in November. She adds that she appreciates Steve's view of our future development and that she likes David's approach to Volente Peak. Council Member Belote speaks to the qualifications she looked at for each candidate. She states that because of David's knowledge of the Ordinances and the pace at which Council is moving, she feels he would be better suited to jump in quicker.

Council Member Springer states that this is a difficult process and he is concerned about the time that David has to commit to Council and that Steve has more time available. He feels that he is persuaded to appoint David Robinson based on his knowledge of the ordinances.

Mayor Pro Tem Connors voices his appreciation for Steve Baker's response to a post on Nextdoor because it served as a reminder to him and helped. He adds that David Robinson has a long tenure of residency and is familiar with the BCRUA and land use ordinances and the people, places, and politics and we need someone who is up to speed quickly. Mayor Pro Tem Connors says there is a spot opening on the Planning and Zoning Commission and he encourages Steve Baker to apply for that spot to become familiar with the issues that arise. He states he is in support for appointing David Robinson to Council.

The above motion carried unanimously.

3. Administer the Oath of Office and Statement of Officer for the new candidate appointed to the vacant Council seat. (Honorable Judge Denise Thrash)
The honorable Judge Thrash delivers the Oath of Office and Statement of Officer for David Robinson.
Mayor Pro Tem Connors calls a recess at 8:00 p.m.
Mayor Pro Tem Connors calls the meeting back to order at 8:10 p.m.
4. Discussion and Possible Action on the Appointment of Richard Roucloux as Chair of the Planning and Zoning Commission, effective August 1st, 2015.
Council Member Belote makes a motion to accept the appointment of Richard Roucloux as Chair of the Planning and Zoning Commission, effective August 1st. Babs seconds.
Mayor Pro Tem Connors speaks to the years of volunteerism that Richard Roucloux has given to the Village.
Council Member Yarbrough speaks to his knowledge of our ordinances.
Motion carries unanimously.
5. Discussion and Possible Action on Line Item Transfer recommendations from the Budget, Finance, and Administration Committee.
Council Member Yarbrough makes a motion to approve. Council Member Belote seconds.
Council Member Springer speaks to the costs incurred from ATS and the reason behind the coding.
Nancy Carufel, 8138 Joy Rd, asks about the audit and why we are behind.
Nancy thanks the Council.
Mayor Pro Tem Connors thanks Kit Hopkins.
The motion carries unanimously.
6. Discussion and Possible Action on the Emergency Management Plan.
 - a. Presentation from Public Safety Chair, Council Member Yarbrough.
Council Member Yarbrough summarizes the EMP before Council from the Public Safety Committee. She states that this must pass through Council then on to the mitigation plan. She thanks the Fire Chief, Travis County, and the Public Safety Committee for their hard work on this task.
 - b. Review of the Document.
Council Member Robinson points out there needs to be adjustment of the page numbers in the table of contents.
Council Member Belote thanks Council Member Yarbrough and is impressed with the plan and checks and balances in the document.
Council Member Robinson makes a motion to approve the emergency management plan as written, with corrections to the table of contents, and with the evacuation map to come back to Council for approval. Seconded by Belote. Carries unanimously.
7. Close Public Meeting, Enter Executive Session. *The Village Council will announce that it will go into Executive Session, if necessary, pursuant to **Section 551.074 of the Texas Government Code "Personnel Matters"** for discussion regarding Julia Vicars, City Secretary and Executive Session for **Section 551.072 of the Texas Government Code "Deliberations about Real Property"**.*

Council closes the public meeting at 8:29 p.m. and entering executive session. Council enters executive session.

8. Re-Open Public Meeting.

Mayor Pro Tem Connors reopens to public meeting at 9:40 p.m.

9. Discussion and Action resulting from Executive Session, if any.

Council Member Kristi Belote makes a motion to authorize the Mayor Pro Tem Connors to negotiate the salary as discussed with Julia Vicars, City Secretary. Seconded by David Robinson. Carries unanimously.

Council Member Belote states that Council will be doing more research as to the options for City Hall.

10. Discussion and Possible Action on establishing a part-time receptionist position for City Hall.

a. Job Description

City Secretary Julia Vicars outlines the job description for a potential receptionist position.

b. Job Posting

Council Member Belote discusses the possibility of changing office hours to allow for flexibility, allowing out of office for email responses and phone calls to be handled by Council Members. Council wishes to try a few things before commitment to a new position.

Mayor Pro Tem Connors spoke to the number of hours the City Secretary works and someone to possibly be available on a part time basis not necessarily for twenty hours a week but on an as needed basis.

Nancy Carufel, 8138 Joy Rd, stated that when past employees would shut down the office they would use the phone provided by the city to be on call. She speaks to the dedication of the City Secretary and the City needing to rely on volunteers. In case of emergency, then put a note on the door and close it down. Nancy feels that a part time position is not needed according to the community survey and Council should instead work on an as needed basis.

Mayor Pro Tem Connors states that the expense to bring in a part time position does not necessarily have a huge budget impact but would go a long way towards the flexibility and hours policy of the Village.

Council Member Springer makes a motion to post the job description for applicants at 10 hours a week plus more as needed. Council Member Yarbrough seconds. Carries unanimously.

11. Discussion and Possible Action on contract labor for administrative assistance for July 23rd and 24th.

Council Member Springer makes a motion to contract with Sara Kelley for administrative assistance for July 23rd and July 24th. Seconded by Babs Yarbrough. Carries unanimously.

12. Discussion on Subdivision Ordinance, Ordinance 2004-O-31, Section 31.121(A)(5).

a. Staff Presentation

Council directs staff to prepare an Amending ordinance to be brought before Council at the next Council meeting to address this issues.

13. Public Hearing on Amending Ordinance No. 2015-O-06; an Ordinance to add the definitions of foundation and water tank and to amend the definition of height.

Nancy Carufel, 8138 Joy Rd, states that her water tank is filled with water from the lake.

14. Discussion and Possible Action on Amending Ordinance No. 2015-O-06; an Ordinance to add the definitions of foundation and water tank and to amend the definition of height.

Council discusses changes to the definition of height to clarify the definition.

Council Member Kristi Belote makes a motion to approve the amending ordinance no. 2015-O-06 as amended. Seconded by Robinson. Carries unanimously.

15. Discussion and Possible Action on the Zoning Ordinance Review and Revisions.

a. Review of Progress

Mayor Pro Tem Connors states he has incorporated most of the changes stemming from Monday's work session. Council Member Yarbrough will send her edits to Mayor Pro Tem Connors to be implemented before release to the public.

Council Member Belote will go through and make edits to the discussion guide and overall concept plan before release to the public.

b. Review of Time Line

Council agrees to release the documents onto the message board tomorrow, and send town hall post cards out immediately.

c. New Assignments

Site Development Ordinance with amendments to be available for next week's work session on the 29th of July available in binders with front and back copies and an electronic version.

16. Presentation and Vote on proposed Agenda Items.

Council presents their requests for future agenda items, recorded by City Secretary.

17. Adjourn.

The meeting adjourns at 10:45 p.m.

PASSED AND APPROVED this _____ day of _____, 20____.

Signed:

Mayor Ken Beck

Attest:

City Secretary Julia Vicars