

MINUTES OF THE REGULARLY CALLED MEETING OF THE
CITY COUNCIL
OF THE VILLAGE OF VOLENTE, TEXAS
TUESDAY, JANUARY 19, 2016 at 6:30 P.M.
16100 Wharf Cove, Volente, Texas 78641

Present

Mayor Ken Beck
Mayor Pro Tem Steve Baker
Council Member Kit Hopkins
Council Member Andy Fogarasi
Council Member Kristi Belote

Absent

Also in Attendance

Marc Dickey, City Engineer
Tom Buckle, City Attorney

A. ITEMS OPENING THE MEETING

1. Call to Order.
Mayor Ken Beck calls the meeting to order at 6:30 pm.
2. Call Roll.
Sara Kelly calls the roll and a quorum is established.
3. Pledge of Allegiance.
All stood for the Pledge of Allegiance.
4. Approval of the Meeting Minutes from December 15, 2015 and January 9, 2016.
Council Member Kit Hopkins makes a motion to approve the minutes as amended. Mayor Pro Tem Baker seconds. The motion passes unanimously.
5. Village Reports.
 - a. Financial Reports
Council Member Kit Hopkins delivers the financial reports for the Village.
 - b. Construction Update
The Mayor gives the Construction Update.
 - c. Crime & Complaints Report
The Mayor presents the Crime and Complaints Report.
 - d. Committee Reports.
None.

B. CITIZEN COMMUNICATIONS.

Mattie Adams, Booth Circle, wants Council to be aware of clearing across from the mayor's driveway that is possibly in a public right-a-way without a permit.
Jan Yenawine, 15600 FM 2769, thinks we need more city staff because of a high workload. Also adds that the fees required of subdivision applicants should have gone into a separate fund dedicate solely to parks.

C. GENERAL BUSINESS AND ACTION ITEMS

Council Member Kit Hopkins moves to postpone items 10, 14, 15 & 16 to the February meeting due to the length of this agenda. Council Member Connors seconds, and requests that 12& 13 be moved up on the agenda to follow variances. Mayor Pro Tem Steve Baker does not want to move item 15 to February. The motion fails.

Council Member Kristi Belote moves to defer 10, 14 & 16 to next meeting and move items 12 & 13 to immediately follow the variance requests. Council Member Andy Fogarasi seconds. The motion carries.

1. Presentation, Public Hearing, Discussion, and Possible Action on a variance request from Ross McCuiston for the property at 8301 Lime Creek Road for a variances from the Site Development Ordinance Section 33.340(A) for Building on Slopes greater than 25% and Section 33.341(a-1) for Cut & Fill in excess of 5 feet.
 - a. Staff Presentation (Marc Dickey)

Marc gives a presentation on the property and the requested variance. 30-35% slope on the property on some of the switchbacks. Council expresses some concerns about the potential future subdivision of the property, the runoff and silt, and the amount of cut being requested. There is a deed restriction with a buffer zone for the BCCP. Council Member Fogarasi gives the applicants the history of runoff and failed silt fencing near that property, and requests that the applicants take care to prevent these issues from occurring again.
 - b. Applicant Presentation

Council did not ask for the applicant presentation before taking action.
 - c. Public Comments

Council did not ask for public comments before taking action.
 - d. Discussion and Action

Council Member Kristi Belote makes a motion to approve the driveway variance requests of building on slopes of greater than 25% and cut and fill in excess of five feet for Ross McCuiston for the property at 8301 Lime Creek Road regarding the driveway. Council Member Connors seconds the motion. The motion passes unanimously.

2. Presentation, Public Hearing, Discussion and Possible Action on a variance request from Oliver Custom Homes for the property at 8325 Lime Creek Road for a variance from the Site Development Ordinance Section 33.341(a-1) for Cut & Fill in excess of 5 feet.
 - a. Staff Presentation (Marc Dickey)

Marc Dickey gives a presentation on the requested variance. He summarizes how the applicant has brought down the retaining walls that were originally eleven feet.
 - b. Applicant Presentation
 - c. Public Comments
 - d. Discussion and Action

Council Member Andy Fogarasi makes a motion to approve the variance request for cut and fill up to eight feet for the property at 8325 Lime Creek Road. Council member Connors seconds. The motion carries with all Council Members voting aye except for Council Member Kristi Belote, who votes nay because of concerns about fire truck access. The motion carries.

3. City Secretary's Report on the review of the petition requiring an election be held to dissolve Capital Metropolitan Transportation Authority, the steps taken to recapture additional sales tax, and the validation of the petition.
4. Discussion and Possible Action on the petition requiring an election be held to dissolve Capital Metropolitan Transportation Authority within the Village of Volente.

Council Member Bill Connors makes a motion to deem the 112 signatures confirmed by the City Secretary and the petition valid. Seconded by Council Member Belote. The motion carries unanimously.

5. Public Hearing on Ordinance 2016-O-13; an Ordinance of the Village of Volente calling an election to dissolve Capital Metropolitan Transportation Authority subject to the continued collection of sales tax for the period required by law and establishing the procedure for the proposition election to be held on May 7, 2016 in the Village of Volente, Texas; and providing for other matters relating to the election.

Jan Yenawine, FM 2769 – says he is in favor of the ordinance

Richard Roucloux, Joy Road – says he is in favor of the ordinance

Mattie Adams, Booth Circle – provides some background on her experience with CapMetro and asks questions of the different potential outcomes

6. Discussion and Possible Action on Ordinance 2016-O-13, described above.
Council Member Belote makes a motion to approve ordinance 2016-O-13, as amended by the City Attorney, and call a special election for May 7, 2016. Seconded by Council Member Connors. The motion carries unanimously.
7. Discussion and Possible Action on Appointments for the Board of Adjustments. (Chair Mike Gold)
 - a. Possible Reappointment of Even Numbered Positions: Roe Fleenor, Judy Schlotzhauer, and Alternate James Jordan.
 - b. Consideration of any new applicants.
 - c. Appointment of a second alternate position, currently vacant.**Council Member Kristi Belote makes a motion to appoint Roe Fleenor and Judy Schlotzhauer for another two year term and James Jordan as alternate to the Board of Adjustments. Council Member Connors seconds. The motion carries unanimously.**
8. Discussion and Possible Action on Appointments for the Planning and Zoning Commission. (Chair Richard Roucloux)
 - a. Possible Reappointment of Even Numbered Positions: Judy Barrick, Phil Mitchell, and Nancy Carufel.
 - b. Consideration of any new applicants.
 - c. Appointment of second alternate position, currently vacant.
Council Member Kristi Belote makes motion to appoint Judy Barrick, Phil Mitchell, and Nancy Carufel for another two year term and Joe Lamaroux as alternate to the Planning and Zoning Commission. The motion is seconded by Council Member Connors. The motion carries unanimously.
9. Formalization of Committee Members for the Public Safety, Public Works, Public Relations, Governmental Relations, Environmental Committee, and the Budget, Finance and Administration Committees.
Council Member Bill Connors makes a motion to approve the Committees as listed, and amended in discussion for 2016. The motion is seconded by Council Member Fogarasi. The motion carries unanimously.
10. Discussion on the legislative changes to Open Carry Laws and Gun Laws in the State of Texas and possible direction to Staff to prepare an Ordinance to prohibit Open Carry on government property within the Village.
This item was deferred until the next meeting.
11. Presentation and Update on the 2016 Prioritized Goals of Council, as discussed in their Council Retreat. (Council Members Fogarasi and Connors)

Council discusses the goals and works to streamline the document, including reprioritization and expansion upon the goals. No action was taken.

12. Discussion and Possible Action on the Expense Reimbursement Request submitted by Mattie Adams for costs incurred related to the 2014 Community Survey. *This item was taken out of order, after item C2.* **Council Member Kit Hopkins makes a motion to reimburse the expenses because they are legitimate expenses that should have been incurred directly by the Village. Seconded by Council Member Connors. The motion carries unanimously.**

13. Discussion and Possible Action on the allocation of funds or amending the budget to provide additional funding for Friendship Park and specifically the Eagle Scout project for Ryan Murphy. (Council Member Fogarasi) *This item was taken out of order.* **Council Member Fogarasi makes a motion to approve additional funding for the Eagle Scout Project at Friendship Park, not to exceed \$2,000. Council Member Connors seconds. The motion carries unanimously.**

14. Discussion and Update from the Budget, Finance and Administration Committee on their work relating to budgets for fiscal years and their implementation in to QuickBooks, as well as corrective actions necessary to rectify discrepancies in QuickBooks for fiscal year 2014-2015. *This item was deferred until the next meeting.*

15. Update and Possible Action on the Hazard Mitigation Plan for the Village of Volente. (Mayor Pro Tem Baker)
Council Member Connors makes a motion to appoint the Mayor Pro Tem as the alternate for the Mayor on the Emergency Response Plan's Notification to Management Advisory Team, approve the VOV Emergency Response Plan, and approve the Hazard Mitigation Plan with amendments by authoring agency. Motion carries.

16. Discussion, update, and possible action relating to the future location of City Hall. (Council Member Connors)
This item was deferred until the next meeting.

17. Adjourn.
The meeting adjourns at 10:10 p.m.

Approved this 21 day of June, 2016.

Signed:

KB
Ken Beck, Mayor

Attest:

JV
Julia Vicars, City Secretary