



MINUTES OF THE
CITY COUNCIL

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

Present

Council Member David Springer
Council Member Babs Yarbrough
Council Member Bill Connors
Council Member Kristi Belote
Mayor Pro Tem Mark Scott
Mayor Ken Beck

Also in Attendance

Tom Buckle, City Attorney

Absent

A. Items Opening the Meeting

1. Call to Order.
Mayor Ken Beck called the meeting to order at 6:34 p.m.
2. Call Roll.
City Secretary Julia Vicars called roll. A quorum was established.
3. Pledge of Allegiance.
All stood for the Pledge of Allegiance.
4. Approval of the Meeting Minutes from February 24, March 17, and March 31, 2015.
Council Member Kristi Belote makes a motion to approve the minutes from the February 24, 2015 meeting. Seconded by Council Member Bill Connors. Carries unanimously.
Council Member Kristi Belote makes a motion to approve the minutes from the March 17, 2015 meeting with the addition of "Council agreed to continue working with the owners instead of creating an ordinance at this point" on line 112 and the correction of "sign up" instead of sigh up on line 134. Seconded by Council Member Bill Connors. Carries unanimously.
Council Member Kristi Belote makes a motion to approve the March 31, 2015 minutes with the correction of "they" to "the" on line 43. Seconded by Council Member Bill Connors. The motion carries with Council Members Babs Yarbrough, David Springer, and Kristi Belote voting aye. Council Member David Springer and Mayor Pro Tem Mark Scott abstain.

B. Citizen Communications.

Nancy Carufel, 8138 Joy Rd., spoke about the roadway clearing and mowing project. She thanks the Public Works committee and the mowing crew for saving the wildflowers in the area.

Rett Scudder, 15809 Booth Circle, spoke as informal representative for the Party Boat Businesses in the area. Suggests to Council that a Community Party Boat date take place, in which all residents could come and interact with neighbors and party boat operators. This suggestion stems from a new boat being built at a local marina and the removal of a party boat owner who caused some issues in the past.

Joyce Beck, 15911 Booth Circle, thanks the Council for the Olive Fest and the sponsorship by the City. Thanks Council Member Kristi Belote and City Secretary Julia Vicars for their hard work on the Olive Fest.

C. General Business and Action Items.

1. Mayor's Report.

Mayor Ken Beck thanks everyone for their participation and involvement in the Olive Fest including Staff, Council, and Residents. The Council continues to strive to accomplish the 2015 Prioritized Goals set at Council's Retreat in January. Coffee with the Mayor takes place once a month, and received a good turnout. The Mayor continues to be in contact with the owners of abandoned buildings to help the owners come into or close to compliance. Two are actively pursuing repairs to their buildings. The Mayor and Staff continue to work on areas of the Village where roads were built to convenience and not to plat. The Mayor is following Texas Legislature and will go down to speak on a House Bill pertaining to Public Notices to articulate the issues our residents and committees face both financially and with time constraints. To increase communications and transparency, the Mayor continues working with other elected officials and major entities. The Nuisance Ordinance is in effect, and should be included in the Ordinance review process to ensure it is implementing what was intended. In order to control budget spending and keep costs down, the Mayor introduces an Administrative Order that requires prior approval of any spending in office.

The Mayor then asks that the Audience, Council, and Staff take a moment of silence to honor Coz, a resident of Volente who passed away early yesterday evening.

2. Village Reports.

a. Financial Reports.

Mayor Pro Tem Mark Scott summarizes the financial reports for the month of March. The sales tax revenue is lower than expected, but with season starting it should increase. Grant revenue of \$14,600 from Capital Metro came in. Although the report for Public Works appears to show that we are over budget in one month, in actuality we are well under for the fiscal year. Contract Labor may soon see an increase in spending with scheduled police. Mayor Pro Tem mentions that the next meeting of the Budget, Finance, and Administration Committee will look at potential line item transfers.

Mayor Ken Beck asks the Council to consider their thoughts or request for the creation of the budget for fiscal year 2015-2016 and let Mayor Pro Tem Mark Scott know.

- b. Construction Update.
City Administrator Barbara Wilson details the Construction Report.
- c. City Administrator Report.
Barbara Wilson, City Administrator, summarizes the report. Volunteers are needed for help with cleaning out the well house in order to begin using it as a storage facility. Thanks Tom Hand with Handcraft Renovations for the donated work and materials for the well house. States that eighty-two houses in Volente are identified as being in the incorporated Village but not on our tax roll which could increase our tax revenue by as much as \$6,000.00.
Council Member Kristi Belote asks about our interactions with Pedernales Electric Company in regards to clearing lines.
Barbara Wilson answers that they will err on the side of caution and not aesthetics and may cut trees back ten foot from the line.
- d. City Secretary Report.
Julia Vicars, City Secretary gives her report.
- e. Crime & Complaints Report.
City Secretary Julia Vicars details the Crime & Complaints report. She urges residents to be cautious and lock all vehicles and houses.
Judy Barrick, Booth Circle, asks about certain terms on the Crime & Complains form. Julia Vicars answers with what each term typically means.
Nancy Carufel, Joy Rd, asks that the names of complainants be shown on the Complaints form.
Julia Vicars answers that this is a violation of the complainants privacy, and every complainant has the right to keep their complaint confidential.
Barbara Wilson reads for the record a complaint from Kit Hopkins on a neighboring septic tank that is causing issues.
- f. Committee Reports.
Council Member David Springer summarizes the Environmental Committee's last meeting and their concerns over the BCRUA project and trucks that will be traveling our roads.

The Staff and Mayor present the following agenda items (3-4) to be considered as consent items by the City Council to be enacted by one motion. If a citizen or City Council Member requests discussion on an item, it will not be approved on consent and will be moved to the end of the agenda to be considered at that time. City Council Members may add additional items to be considered for the consent agenda.

- 3. Re-confirmation of the Environmental Committee. *(consent)*
- 4. Ordinance 2015-O-05, Village of Volente Personnel Manual. *(consent)*
Council Member Babs Yarbrough makes a motion to approve the both Agenda items number three and four. Seconded by Council Member David Springer. Carries unanimously.
- 5. Trash Day for 2015. (Mayor Ken Beck)
Mayor Ken Beck introduces the Trash Day for 2015, to be held on May 9th, 2015 at 8:00 a.m.
The Mayor encourages residents to place items out early.

Nancy Carufel, 8138 Joy, states that you do not have to be a paying customer with Texas Disposal to participate in this event since it is paid for by tax dollars.

6. Capital Metro (Mayor Pro Tem Mark Scott)

a. Summary of Progress

Mayor Pro Tem Mark Scott briefs Council on our involvement in the CapMetro program over the last eleven years and the new liability balance sheet supplied by CapMetro. In order for the Village of Volente to withdraw from this program we would need to pay \$55,000.00. This number is not accepted on face value but instead requires some research. The Budget, Finance, and Administration committee will discuss this topic at their next meeting.

Council Member Bill Connors suggests that Mayor Pro Tem Mark Scott request the work papers used by CapMetro to see the exact way they calculated their current assets.

Joyce Beck, 15911 Booth Circle, asks why the Village of Volente became involved in this program in the first place.

Mayor Pro Tem Mark Scott says that we joined in 2004 and the first couple of years we were receiving more money than we were contributing. When program changes and shifts were made at Cap Metro, that number has dropped considerably.

Mayor Pro Tem Mark Scott states that he will continue to look into this matter and will proceed with the necessary steps to place this topic on the ballot for November.

7. Water Tanks (Council Members David Springer and Kristi Belote)

a. Setbacks

Council Member Kristi Belote reads the results from the survey posed to the public via Nextdoor and the Newsletter. The results from the survey state that yes, water tanks should be considered portable structures and that yes, they should be allowed in the setbacks.

Council Member David Springer mentions that Council may want to consider setting rules as to the size and color of tanks.

Mayor Ken Beck states that after meeting with Gary Frame, who has in-depth knowledge water tanks, it is recommended that residents choose a dark color to keep from algae buildup. The standard size described by Mr. Frame is 8 foot by 8 foot.

Council Member Bill Connors feels it is an overreach for Village Council to be regulating this type of item. He feels these are requirements imposed on newcomers purely for aesthetics. Council Member Connors states we express a desire to call water tanks portable, but then require screening which limits portability. Small lots need to be considered, with the realization that tanks should be wherever they can fit one.

b. Screening

Council Member Kristi Belote states that after discussion, the Administrative team should come up with a draft Ordinance to address the issues at hand.

Mayor Pro Tem Mark Scott agrees that water tanks should be allowed in the setbacks with a water tank “slab”. Caveats for PUEs, size, and color should be considered.

Mayor Ken Beck adds that rainwater harvesting should be recognized with a credit to impervious cover for those that choose to do rainwater harvesting.

8. Conceptual future Zoning Districts. (Council Members Connors, Belote, and Springer)

a. Infill Redevelopment District.

Council Member Bill Connors summarizes the proposed zoning categories discussed at the last Planning and Zoning Commission meeting after the Council Work Session. Council Member Connors utilizes the conceptual zoning map and lot size map to describe the categories and their placement within the Village.

Council Member Kristi Belote summarizes the Zoning Chart she put together and edited after input from the Planning and Zoning Commission.

Council Member Kristi Belote asks of Tom Buckle, City Attorney if the use of Infill Redevelopment would help in addressing the issues small lots face.

City Attorney Tom Buckle states that there are many ways to address the smaller lot sizes in Volente, with Infill being one of them. He cites Jonestown, which has a similar issue to Volente with lot sizes, and their zoning districts that allow for differences within each category according to lot size.

Council Member Bill Connors poses the scenario to the City Attorney of a small lot in a modern neighborhood. If Council puts parameters on what type of house you can build by lot, and this property owner is only allowed a tiny house, how does the City respond to not allowing a property owner to build to match the neighborhood?

Tom Buckle, City Attorney responds that Zoning, especially in an area like ours with unique challenges, should be tailored by neighborhood so that parameters are fitting with the look and feel of existing uses within each area.

Council Member David Springer asks the City Attorney about issues that may arise when Public Notices are sent out notifying the residents of a Zoning change.

Tom Buckle, City Attorney responds that a comprehensive rewrite of the Zoning Ordinance would definitely require public notices but that a public notice and protest does not bar the Council from making a Zoning change, but instead allows the public to voice their opinion on that matter.

Council Member Babs Yarbrough states she is disappointed to see changes to the categories after hours of work and conversation at the last work session, during which present Council Members had agreement and understanding for what was to be proposed. Council Member Yarbrough states that it may not be fair or wise to create parameters on small lots that may affect property values for the owners and for neighbors. Council Member Babs Yarbrough states that despite having a couple of tweaks she would like to see made, she supports this moving forward to help simplify the process for residents to build and develop their properties.

Mayor Ken Beck states that he supports the four categories and if Council progressively established setbacks, impervious cover, and minimum size of house based on these four categories, then we would be going a long way to solving the

issues we currently have in our zoning ordinance. Details should be deferred to the review of the ordinance line by line. More details will be decided upon in the next Council Work Session.

Council Member Babs Yarbrough suggests that the Village make their regulations and rules less stringent, and allow the deed restrictions imposed by homeowners associations stand as the restrictions for each neighborhood.

Mayor Pro Tem Mark Scott states that water quality and drainage should be considered when discussions come up about changing impervious cover.

Council Member Connors states that you can set impervious cover at a certain percentage but require mitigation. There are plenty of ways to control runoff and prevent water quality issues while still providing relief to residents in regards to impervious cover.

9. Construction Survey (Council Member Kristi Belote)

- a. Summary of Survey
- b. Results

Council Member Kristi Belote states that half of the participants of the survey only filled out the General Information portion of the survey. Currently she is looking into how best to capture more participants.

Council Member Kristi Belote makes a motion to postpone discussion of the Construction Survey to the May Council Meeting. Seconded by Council Member Babs Yarbrough. Carries unanimously.

10. Property Tax Exemption for Residents aged 65 and older. (Mayor Ken Beck)

Mayor Ken Beck introduces this item stating that the Community Survey shows that the majority of our residents are retirees age 65 and older. This would apply only to homestead exempted houses. In 2007, Council passed an Ordinance giving a 30k (of the appraised value) exemption to senior residents. Travis Central Appraisal District shows the amount to be 45k (of the appraised value) exemption. And though the ordinance was only for the 2007-2008 fiscal year, the exemption, in the wrong amount, continues to apply. The Mayor presents two options; 1) Allowing the 45k exemption to remain in place or 2) Fight with Travis County to reclaim the years in which TCAD still kept the exemption. As for the future, the Mayor suggests either doing an exemption for dollars off appraised value (like what is currently in place) or instead freezing taxes.

Mayor Pro Tem Mark Scott details his breakdown of the economic impact this tax exemption would have on the Village, excluding a freeze on taxes which requires more research.

Discussion amongst Council about the amount of assistance this provides for our senior citizens.

Nancy Carufel, Joy Rd, says that school taxes are frozen for age 65 and older. Believes the Village should freeze the taxes for seniors. States that Council in the past looked at every year increasing the exemption amount.

The Mayor says he will look into our ability to freeze taxes as a municipality and to educate the senior population in our community to assist in them acquiring the freeze on Leander ISD taxes.

