



MINUTES OF THE REGULARLY CALLED MEETING OF THE  
**CITY COUNCIL**  
OF THE VILLAGE OF VOLENTE, TEXAS  
**TUESDAY, OCTOBER 20, 2015 at 6:30 P.M.**  
16100 Wharf Cove, Volente, Texas 78641

**A. ITEMS OPENING THE MEETING**

1. Call to Order.

The Mayor called the meeting to order at 6:37 pm.

2. Call Roll.

City Secretary Julia Vicars calls roll. Present are Council Member Springer, Council Member Robinson, Council Member Yarbrough, Mayor Ken Beck, Mayor Pro Tem Connors and Council Member Belote. A quorum is established.

3. Pledge of Allegiance.

All stood for the Pledge of Allegiance.

4. Approval of the Meeting Minutes from September 15, September 16, September 20, September 30, October 1, October 7, October 11, and October 14, 2015.

Mayor Ken Beck states that since everyone just received the minutes that the council should go over them and send Julia any changes they need before the next meeting.

5. Village Reports.

a. Financial Reports

Council Member Robinson goes over the financial report. Everything else is right on target.

b. Construction Update

City Secretary Julia Vicars states there are new homes being built in an existing subdivision off of Brandy Way. She also goes over the recent rash of unpermitted activity, such as land clearing and grating. Mayor Ken Beck states that of the 11 construction projects, 6 of them are variances. City Secretary Vicars says there are 3 others that will contain variances, making it 9 out of 11 projects.

- c. City Secretary Report  
City Secretary Julia Vicars gives an update as to her workload, major projects, and training.
- d. Crime & Complaints Report  
City Secretary Julia Vicars gives the Crime & Complaints Report.
- e. Committee Reports  
Mayor Ken Beck discusses the work from the Public Work Committee on the roads inventory and long-term maintenance plan.

## **B. CITIZEN COMMUNICATIONS.**

Jan Yenawine, FM 2769- States that CapMetro, and the 1% sales tax returned to the Village as grant revenue should be dedicated solely to roads.

Nancy Carufel, Joy Road - Update on Pancake Breakfast, we had 147 people served.

Kit Hopkins, Booth Circle – Asks why council.member5 email doesn't work.

## **C. GENERAL BUSINESS AND ACTION ITEMS**

1. Public Hearing on the proposed changes to the Zoning Ordinance.

Mayor Ken Beck states there has been communication on Next Door regarding Zoning Ordinance. Several key things have happened over the last week. After 1 town hall meeting and work sessions there have been a lot of effort from P&Z and the council on the proposed zoning document. They have integrated all the changes back into the document and it has now been handed off to P&Z. They will make a recommendation back to council. There is a discussion regarding the Town Hall meeting on Saturday.

Judi Barrack – States the Planning and Zoning Commission isn't ready for the comprehensive plan at all.

Andy Fograssi, Lime Creek- Appreciates the process to develop and improve the ordinances, is very thankful to Council for their hard work and ability to compromise.

Judy Gracie, Booth Circle – Suggests the City Attorney be present at the Town Hall meeting.

Linda Lemieux – Requests that the Council send the entire ordinance to the attorney for review, not just division 2.

Mayor Ken Beck asks if there are any objections to items 2-6 being a Consent Agenda. Council member Springer objected. The items were moved to the end of the agenda.

***The Staff and Mayor present the following agenda item (items 2-6) to be considered as consent items by the City Council to be enacted in one motion. If a City Council Member requests discussion on one item, it will not be approved as consent and will be moved to the end of the agenda to be considered at that time.***

7. Discussion and Amendment of the 2015-2016 fiscal year budget to reconcile figures. Council Member Robinson discusses the budget. **Council Member Robinson makes a motion to modify the budget to reflect updated numbers. Motion carries.**
  
8. Discussion and Possible Action on updating the Village of Volente land use maps. **Council Member Springer states he didn't request this item for this meeting, makes a motion to defer this item until the next meeting in November. Motion carries.**
  
9. Discussion and Possible Action on approval of an Ordinance discontinuing Texas Municipal Retirement System supplemental death benefits. (Staff)
  - a. Staff Introduction  
City Secretary Julia Vicars discusses.
  - b. Public Hearing  
Judy Barrick, Booth Circle – Question about the Ordinance Number.  
Mayor Ken Beck closes public hearing.  
**Mayor Pro Tem Connors moves to approve the Ordinance. Motion carries.**
  
10. Discussion and Possible Action on proposed Ordinance 2015-O-10 to amend Ordinance 2005-O-44 which removed grandfathering from the Site Development Ordinance for pre-existing legally platted lots. (Council Member Springer)  
This Item was discussed out of order, before Item 7.
  - a. Council Member Springer Introduction  
Council Member Springer summarizes the ordinance and also the minutes for the meeting of June 6, 2005. Discusses his issues with the ordinance. City Secretary Julia Vicars asks how she will verify impervious cover. Council member Yarbrough states you will have to have a site plan not a site development plan. The council discusses drainage and slopes of more than 10%. Jeff discusses his and Tom's concerns. City Secretary Julia Vicars discusses her concerns.
  - b. Public Hearing  
Kit Hopkins, Booth Circle – Has plans to change carport to garage, talked to LCRA to see what she needs to do. They want to know what you have planned. They have asked for a laundry list to give them.  
Nancy Carufel, Joy Road – The site development plan is different from a site engineered plan. Council Member Belote explains the site plan is different from the site development plan. Nancy asks what we are talking about is having a site development plan without a site engineered plan. Council agrees. Nancy asks is we have an engineer that we hire for all of these that reviews them. So what we are doing is taking out that one costly step but you still have an engineer checking it all. She agrees with this.

Jan Yenawine, FM2769 – When we initially incorporated there were people with projects going, we said if you are on an existing lot and have something going, continue. As we started developing the ordinances we found out that we could not discriminate, we are a village. The LCRA operates under rules that are set by the state and they are forbidden to come in on a developed lot and change the rules. The county doesn't have the ability to tell you what you can do on your lot, city's do. Our problem is we have a very old development, most laws are written around new development. We needed an extra step to cover that base. What he suggests, be very careful to not mess with impervious cover or water draining into the lake. IF TECQ comes out, the village will have to pay for retention ponds. P&Z should come back with their recommendations.

Roe Fleenor, Lime Creek – Been involved with incorporation since the beginning. One mistake we made was making this too difficult for the average homeowner. Agrees that what Council Member Springer is recommending. We need to lighten the burden on the homeowner. But the homeowner needs to be aware of what the village expects. Village should prepare a packet for the homeowner. Need to make sure they know what to present for building.

Judy Gracie, Booth Circle - Wishes Tom was here to review and give his opinion. Wants Mark Dickey to go over it and give his opinion. Would like to take the costs out but wants to know everything involved.

Mattie Adams, Booth Circle – Not ready tonight to adopt anything. Please take care of unintended consequences. Has water quality concerns.

**Council Member Yarbrough makes a motion to table the approval of Ordinance 2015-O-10. Motion does not pass.**

**Council Member Springer makes a motion to approve Ordinance 2015-O-10. Motion carries.**

11. Discussion and Possible Action on a Resolution recognizing a Mayor's ability to vote in a Type B Municipality. (Mayor Ken Beck)
  - a. Mayor Ken Beck's introduction  
Mayor Ken Beck discusses the role of the Mayor in Type B Municipality.
  - b. Public Hearing  
Jan Yenawine, 2769 – States the decision for a strong Counsel, weak Mayor was not made by him, it was made by the Comprehensive Plan Committee and the 1<sup>st</sup> Counsel. They had 5 Counsel Members at the time that could vote. Twice he voted, the whole time he was Mayor. The Mayor should be involved in the discussion. He only voted to break the

tie, therefore he wasn't a part of the quorum. The Mayor shouldn't be silenced but the safest position is not to vote unless the Counsel is tied.  
Roe Fleenor, Lime Creek Road – Likes the Weak Mayor, Strong Counsel.  
Judy Graci – Reads her statement from Next Door. She believes this topic should be brought to the people.

Steve Baker, West Drive – Believes the Mayor should be able to vote.  
The idea of the Mayor voting when there is a tie makes sense. Maybe the Mayor can vote in order to establish a quorum.

Allison Thrash, 2769 – Not sure why is it that the Mayor wants this. She understands it is to represent the citizens but has problems with voting for the Mayor without knowing this was going to be a change.

Mayor Ken Beck responds to citizen concerns. **Mayor Ken Beck moves to have this item tabled until the next regularly scheduled meeting. Motion passed unanimously.**

12. Discussion and Possible Action on construction of a new City Hall next to the Volente Fire Hall on Lake Travis Subdivision 5, Lot 16B. (Council Member Springer)  
Council Member Springer presents an update. No action was taken.
13. Discussion only on possibly repealing the Nuisance Ordinance.  
Mayor Pro Tem Connors discusses making the nuisance ordinance constitutional and enforceable. Council discusses options for updating. No action is taken.
2. Accepting the Hill Country News as the Newspaper of Record for the 2015-2016 fiscal year.  
Council discusses the cost of Hill Country News vs. Austin Statesman. **Mayor Pro Tem Connors motions that Hill Country News be accepted as the Newspaper of Record for the 2015-2016 fiscal year. Motion carries.**
3. Accepting Tom Buckle of Scanlan, Buckle and Young as City Attorney for the 2015-2016 fiscal year.  
**Council Member Springer motions that Tom Buckle be accepted as the City Attorney for the 2015-2016 fiscal year with the provision that they will perform an RFP for attorney services. The motion carries.**  
Nancy Carufel, Joy Road - discusses having an attorney on a retainer and the possibility of looking at other attorneys.
4. Accepting Marc Dickey of TRE & Associates as City Engineer for the 2015-2016 fiscal year.  
**Council Member Yarbrough motions to accept Marc Dickey of Tre & Associates as City Engineer for the 2014-2015 fiscal year with the provision they perform an RFP for engineers. Motion passes.**

5. Directing the Public Safety Committee to create an ad hoc committee to determine and address the public health, safety, and crime rate concerns of Wharf Cove. Council discusses. **Council Member Springer makes a motion that they table this issue until attorney can confirm if any ad hoc have to comply with Texas Open Meeting Act. Motion carries.**

Nancy Carufel, Joy Road – Place this back into the party boat’s hands.

6. Establishing an Ad Hoc Committee to review, vet, and determine the best future location for either a temporary or permanent City Hall location. **Council Member Belote makes a motion that they table this issue until attorney can confirm if any ad hoc have to comply with Texas Open Meeting Act. Motion Carries.**

14. Topics for Next Agenda.  
Updating Noise Ordinance.

15. Adjourn.  
Meeting adjourns at 10:09 pm.

Passed and Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed:

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**Mayor Ken Beck**

Attest:

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**Julia Vicars, City Secretary**