



## VILLAGE OF VOLENTE

### MINUTES

City Council Special Called Meeting  
6:00 P.M., Tuesday, August 29, 2017  
Fire Hall, 15406 FM 2769, Volente, TX 78641

#### I. ITEMS OPENING THE MEETING

A. Call to Order

Mayor Beck called the meeting to order at 6:01 p.m.

B. Call Roll and Establish Quorum

Present: Baker, Beck, Fleenor, Fogarasi, Hopkins and Yenawine

Absent: None

Also in attendance: Tom Buckle (arrived at 6:30p.m. and departed at 8:15 p.m.) and Zach Evans (arrived at 6:55 p.m. and departed at 7:40 p.m.)

A quorum was present.

Mayor Beck requested that all stand for the Pledge of allegiance. All stood.

#### II. CITIZEN COMMUNICATIONS

No comments.

#### III. GENERAL BUSINESS AND ACTION ITEMS

A. Consideration and Possible Action on City Hall sharing a facility with the Volente Volunteer Fire Department/Travis County ESD14.

Mayor Beck summarized events to date. ESD 14 has agreed that the five acres will be sufficient for their future plans and are willing to consider a more permanent solution for city hall on the previously agreed upon acre of land. Scott Spurlin, VVFD Director, stated that the Travis County Attorney advised that an InterLocal would not be easily accomplished.

ESD decided that it doesn't make sense to try to build something that would fit Village needs now and then could be expanded for ESD later, because it would be too complex to organize and get consensus and share costs, and they want the Village to work independently with just the 1 acre. ESD is now more willing for Village to build something pre-engineered, that can be disassembled and moved for significant cost and difficulty, and has a slab. They would not restrict the Village to a movable building. Per Scott Spurlin, ESD did a resolution to allow us to lease for \$1/yr for initial term of 5 yrs, with no guarantee of renewal, but could be negotiated, or negotiate that they buy the building the Village builds back from the Village when lease ends.

Council member Hopkins stated that she is not comfortable voting on a leased solution without having a town hall and giving the public notice.

Michael Antenora, Antenora Architects, stated that typical land leases are the length of amortization.

**Council member Fogarasi motioned to contract with Antenora by the hour to evaluate the one acre compared to the needs of an 1,800 square foot building, stick built or modular, seconded by Mayor Pro Tem Baker.**

**Council member Fogarasi accepted Council member Hopkins' amendment to also evaluate leasing space within the fire hall as an option.**

**Citizen comments:**

- Judy Graci, Booth Circle asked council to take a month and see that leasing space in the fire hall is a viable solution. Has anyone pursued grant money?

**Motion died.**

Agenda item III.A. continued below.

**Council member Yenawine motioned to move Item III.A. to the end of the agenda, Council member Hopkins seconded. Motion passed unanimously.**

B. Consideration and Action on the Engagement Agreement between Akers & Akers, LLP and the Village of Volente to retain services for issues pertaining to Graber/Adams, which City Attorney Tom Buckle has recused himself of.

Council member Yenawine recused himself.

**Mayor Pro Tem Baker motioned to hire Akers & Akers, seconded by Council member Fogarasi.**

**Citizen comments:**

- Judy Graci, Booth Circle, stated that the previous council knew that the 20 foot typo existed. Does not believe Akers & Akers should be hired.
- Bill Connors, Lakeview

**Motion passed 3 to 2**

**Ayes: Baker, Fogarasi, Beck to break tie**

**Nays: Hopkins, Fleenor**

C. Close Public Meeting (Time Certain 7 p.m.), Enter Executive Session. *The Village Council will announce that it will go into Executive Session (pursuant to Chapter 551.071 of the Texas Government Code), for consultation with Attorney regarding pending or contemplated litigation pertaining to the building violations occurring at 15939 and 15941 Booth Circle, owned by Fredrick Graber and Mattie Adams.*

Mayor Beck closed the public meeting at 7:15 p.m.

D. Open Public Meeting, Discussion and Possible Action resulting from executive session, if any

Mayor Beck reopened the public meeting at 7:40 p.m.

No action was taken.

E. Discussion on Appointment Versus Election to Fill Council Vacancy and the Timing to do so Per New House Bill 3727.

**Citizen comments:**

- Bill Connors, wait for new council to appoint
- Allison Thrash, FM 2769, would like council to follow the established process and allow Roe to have a say
- Sean Ryan, Sherman, stated that in Chris Wilder's case there was not an election coming up
- Kristi Belote, Buddy, asked if the appointment could take place at the November meeting

- Judy Graci stated that council has followed the process in the past. Babs was appointed in August.

**Mayor Pro Tem Baker motioned for the current council to vote at the September 19<sup>th</sup> meeting to fill Council member Fleenor's position, seconded by Council member Hopkins. Motion carried unanimously.**

F. Consideration of and Action on Village of Volente Ordinance No. 2017-0-XX an Ordinance of the City Council of the Village of Volente, Texas Amending the Code of Ordinances by Revising Appendix A, Fee Schedule, to Add the Application Fees and Public Right-of-Way Rates Set Forth in State Law For Use of the Public Right-of-Way by Wireless Network Providers; Creating Article 10.03. Regulating Network Providers' Access to Public Rights-of-Way as a Result of New Senate Bill 1004 to be Effective September 1, 2017.

**Council member Yenawine motioned to accept the Network Nodes ordinance, seconded by Council member Hopkins. Motion carried unanimously.**

#### **Item III.A. continued**

##### **Citizen comments:**

- Allison Thrash stated that the survey did not show much support to spend tax dollars on a new city hall. She would like to see funds saved for an emergency (fire, flood)
- Scott Spurlin would like to have a term sheet drawn up between council, the ESD and VFD. He believes the architect's fees are reasonable.
- Bill Connors supports a decision that leans to the fire hall to spend tax dollars wisely.
- Cynthia Mallow would like to see Lonnie Moore, Scott Spurlin, Mayor Beck and Antenora Architects, plus one council member have a meeting to discuss options.

**Council member Fogarasi motioned for Antenora Architects to move forward with their proposal and provide council with an evaluation of the one acre tract of land, with both a high and low estimate, and the evaluation of the fire hall for office space with a cap of \$18,000 to include the survey, seconded by Council member Hopkins. Ayes: 4 and 1 Nay: Council member Fleenor**

#### **IV. ADJOURNMENT**

**Council member Hopkins motioned to adjourn the meeting at 8:27 p.m.**

**Approved this 28<sup>th</sup> day of November, 2017.**

Signed:

Attest:

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Ken Beck, Mayor

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Nicole Vicuña, City Secretary