



VILLAGE OF VOLENTE

MINUTES

City Council Regular Meeting
6:30 P.M., Tuesday, September 19, 2017
Fire Hall, 11540 FM2769, Volente, TX 78641

I. ITEMS OPENING THE MEETING

A. Call to Order

Mayor Ken Beck called to order a regular meeting of the City Council of the Village of Volente on Tuesday, September 19, 2017, at 6:31 p.m.

B. Call Roll and Establish Quorum

The following council members were in attendance: Steve Baker, Ken Beck, Roe Fleenor, Andy Fogarasi, Kit Hopkins, Jan Yenawine. The following council members were absent: None. A quorum was declared. Also in attendance were appointment applicants, Kristi Belote, Cynthia Mallow, Robert Mokry, and David Springer.

C. Pledge of Allegiance

All stood for the Pledge of Allegiance.

D. Approval of January 28th and 31st, February 21st, and July 11th, 2017 meeting minutes.

Council member Hopkins moved to approve the minutes with the mentioned corrections to the July 11th minutes. Council member Yenawine seconded the motion. The motion passed unanimously by all present.

E. Village Reports

1. Committee Reports

(a) Public Safety

- a. Council member Yenawine presented the monthly crime report, and
- b. informed council that the evacuation plan has been expanded to the other side of Volente.
- c. Mayor Beck stated that the other Mayor's around the lake would like to have an evacuation simulation.

(b) Budget, Finance and Administration

- a. Mayor Pro Tem Baker presented the monthly finance reports.
- b. He clarified that the fee to rent the meeting room at the fire hall is \$25 per hour.

(c) Public Relations & Communications: No report.

(d) Planning & Governmental Relations

- a. Council member Hopkins reported on the BCRUA
 - i. Interlocal and
 - ii. RFQ

(e) Public Works/Mayor's report

- a. Mayor Beck gave an update on the public works projects
 - i. Completed Phase I of Lime Creek Road. The remainder of Lime Creek to the village boundary will be completed in 2018;
 - ii. Working on crack sealing on Debbie and Davy with

- Travis County;
 - iii. Working with TXDOT on signage;
 - iv. Repair and replace signage around the village
 - b. Mayor's Report
 - i. Working with Mayor Pro Tem on an RFQ for legal counsel to represent the village;
 - ii. City Hall
 - 1. Two options no longer on the table
 - a. Office space inside fire hall
 - b. Long term on the one acre
 - 2. Only option is a modular building on the one acre
- (f) Ad Hoc Site Development
 - a. Council member Fogarasi updated council on the status of the amendment draft.
 - b. Current focus is on building regulation and building code
 - i. reduction from 230 pages to 98 pages

II. CITIZEN COMMUNICATIONS

1. Judy Barrick, 15907 Booth Circle, would like to know if there will be any grant money regarding the BCRUA project.
2. Sean Ryan, 16416 Sherman Street, has seen surveyors on Sherman Street for the BCRUA and would like to know what is going on.
3. Bill Connors, 8016 Lakeview Street, 1. please consider moving up the appointment to earlier in the agenda; 2. he believes Steve Baker should recuse himself from voting for the appointee; 3. he believes there should be a survey regarding the BCRUA project; 4. site development has been worked on without public input.

III. CONSENT AGENDA

- A. Action on renewal of Interlocal Agreement for public health services between the city of Austin and the village of Volente. *(Beck)*
- B. Action appointing Mayor Beck to continue as the General Assembly Representative for the Capital Area Council of Governments (CAPCOG). *(Beck)*
- C. Action electing Councilman Vic Barnett of the City of Caldwell to the TML Multistate Intergovernmental Employee Benefits Pool Board of Trustees for TML Region 10. *(Beck)*

Council member Yenawine moved to approve all consent agenda items. Council member Hopkins seconded the motion. The motion passed unanimously by all present.

IV. GENERAL BUSINESS AND ACTION ITEMS

Council member Hopkins motioned to move Item F and Item G to the end of the agenda. Council member Yenawine seconded the motion. Motion passed with Council members Fleenor, Fogarasi, Hopkins and Yenawine voting aye. Mayor Pro Tem Baker voted nay.

- A. Action to ratify the property tax increase reflected in the FY 2017-2018 budget. *(Baker)*

Mayor Pro Tem Baker moved the property tax rate of 0.1085 be adopted for fiscal year 2018, which is a 1.9% increase over the fiscal year 2017 tax rate. Council member Hopkins seconded the motion. The motion passed unanimously by all present.

B. Discussion and possible action on proposed amending ordinance of Article IV Section 4.02.033 and Article IV Section 4.02.063 of the village building regulations to correct a possible scriveners' error relating to the floor area of exempted structures. *(Fleenor and Yenawine)*

Council member Fogarasi requested that council seek legal advice as to if there is a formal short cut process to deal with scrivener's errors.

Council member Fogarasi motioned to direct Mayor Beck to seek legal counsel for a short cut to correct the twenty feet versus two hundred feet, and that the site development ad hoc committee research the entire topic surrounding this section of the ordinance. Council member Yenawine seconded the motion.

Citizen comments:

Sean Ryan

Bill Connors

David Springer, 8504 Lime Creek Road

Kristi Belote, Buddy Lane

Judy Graci, Booth Circle

Adam Weedman, 16100 FM 2769

Motion carried with Council members Baker, Fogarasi, Hopkins and Yenawine voting aye. Council member Fleenor voted nay.

C. Discussion and possible action on initiating a process of bringing the parking lots located at Lots 76, 77 and 78 of Lake Travis Subdivision No. 1 into compliance. *(Fleenor and Yenawine)*

Council member Fleenor motioned for council to enter into negotiations with the owner of the referenced lots to resolve compliance issues (ie. dust control, impervious cover issues, and erosion control measures). Council member Yenawine seconded the motion.

Citizen comments:

Adam Weedman

John Lang, 16100 FM 2769

Babs Yarborough, 8100 Joy Road

David Springer

Bill Connors

The motion passed unanimously by all present.

D. Review of the candidates for appointment to the vacant council seat.

Council took a break at 8:33 p.m. and reconvened at 8:39 p.m.

1. Statements from candidates: Mayor Beck allotted five minutes for each applicant to provide their statements.

(a) Steve Baker – after providing his statement he withdrew his name from the appointment

(b) David Springer

(c) Robert Mokry

(d) Cynthia Mallow

(e) Kristi Belote

2. Questions from the public

Comments were also allowed at this time. A five minute time limit was established for each resident to question and/or make comments.

(a) Babs Yarborough: supports Kristi

(b) Judy Barrick, Booth Circle: supports Kristi

(c) Bill Connors: supports Kristi

(d) Sean Ryan: supports Kristi

- (e) Bob Steichen, 15807 FM 2769: supports Kristi
- (f) Gary Cowser, 8136 Joy Road: asked Kristi if she remembered the September 15, 2015 tax rate vote where Councilman Connors proposed a 30% reduction in the tax rate after the budget had already been approved in the previous meeting and she voted to approve it. He asked in retrospect if she would have done anything differently.
- (g) Judy Graci, does not believe that Roe's constituents would support Kristi.
- (h) Cindy Metro, 8116 Beauregard: supports Kristi
- (i) Adam Weedman: supports Kristi
- (j) Lori Ratcliff, 15757 Booth Circle: supports Kristi. She asked how the applicants will make decisions regarding matters that are controversial within the village.

3. Questions from council

- (a) Council member Fogarasi asked the group if they have had prior experience working on a city council or committee.
- (b) Council member Hopkins stated that one difficulty the appointee would face would be to enforce the rules and asked how each would handle that.
- (c) Mayor Pro Tem Baker stated that another difficulty the appointee would face would be choosing between the rights of one property owner and infringing on the rights of the other property owner and asked how each would handle the situation.
- (d) Mayor Beck asked the applicants if any had any conditions and/or limitations they place on providing service to the community.
- (e) Council member Fogarasi asked Council member Fleenor for his thoughts on the candidates who did not respond at this time.
- (f) Council member Fleenor asked Kristi if the petition was compiled by the group "Voice of Volente".
- (g) Council member Hopkins asked if anyone has engaged in or has financial interests in the village.
- (h) Council member Fleenor replied to the earlier question stating that Robert Mokry would be his choice.

E. Consideration and possible action on the appointment of a candidate to the vacant council seat.

Mayor Pro Tem motioned for Robert Mokry to be appointed to Council member Fleenor's seat for the remainder of the term. Council member Fleenor seconded the motion. The motion passed unanimously by all present.

F. Action to accept Councilman Roe Fleenor's resignation. *(Beck)*
Moved to the end of the agenda.

G. Administer the oath of office and statement of officer for the new candidate appointed to the vacant council seat. *(Honorable Judge Denise Thrash)*
Moved to the end of the agenda.

H. Discussion and possible action on the selection of outside legal firm to represent the Village in the negotiation of an Inter-local agreement with BCRUA. *(Hopkins and Fogarasi)*

Council member Fogarasi motioned to allow Hopkins to move forward with the two firms presented to determine if there are any conflicts of interest regarding BCRUA and to return with a recommendation to council. Council member Yenawine seconded the motion. The motion passed unanimously by all present.

I. Discussion and possible action on a Request for Qualifications (RFQ) to procure engineering consulting services for the selection of an engineer or engineering firm with geotechnical and environmental engineering expertise, including tunneling, to evaluate, monitor, inspect, document and report on the final design and construction phases of BCRUA's Phase 2 Deep Water Intake Project. *(Hopkins and Fogarasi)*

Council member Fogarasi motioned to request Council member Hopkins to send out the RFQ to the engineers. Council member Yenawine seconded the motion. The motion passed unanimously by all present.

J. Discussion and possible action on a COLA and annual raise for City Secretary. *(Beck)*

Mayor Pro Tem Baker motioned to give City Secretary Nicole a 3% performance increase and cost of living increase to begin November 1st. Council member Fogarasi seconded the motion.

Council member Hopkins does not agree with cost of living increases as they are outdated. She believes pay increases should be performance based, as it was with the previous city secretary.

Mayor Pro Tem Baker withdrew his motion to allow time for the mayor and he to prepare an employee evaluation.

Item F.

Council member Hopkins motioned to accept Council member Fleenor's resignation. Council member Yenawine seconded the motion. The motion passed unanimously by all present.

Item G.

Judge Denise Thrash administered the oath of office and statement of officer for appointee Robert Mokry.

V. ADJOURNMENT

Council member Mokry moved to adjourn and Council member Fogarasi seconded. The motion passed unanimously by all present and the meeting adjourned at 10:40 p.m.

Approved this 17th day of October, 2017.

Signed:

Attest:

Ken Beck, Mayor

Nicole Vicuña, City Secretary