



VILLAGE OF VOLENTE

MINUTES

City Council Special Called Meeting
6:00 P.M., Tuesday, November 28, 2017
City Hall, 16100 Wharf Cove, Volente, TX 78641

I. ITEMS OPENING THE MEETING

A. Call to Order

Mayor Beck called the meeting to order at 6:00 p.m.

B. Call Roll and Establish Quorum

Present: Baker, Beck, Fogarasi, Mokry and Yenawine

Absent: Hopkins

Also in attendance: City attorneys Laura Mueller and Alessandra Gad, Judge Denise Thrash, Planning and Zoning Commission Chair Allison Thrash, Council members elect Bill Connors, Seán Ryan and Chris Wilder.

A quorum was present.

C. Pledge of Allegiance

All stood for the Pledge of Allegiance.

D. Approval of Meeting Minutes.

1. August 15, 2017
2. August 29, 2017
3. September 26, 2017
4. October 2, 2017
5. October 23, 2017
6. November 20, 2017

Council member Fogarasi motioned to approve the minutes of August 15th and 29th, September 26th, October 2nd and 23rd, and November 20th, 2017, with included edits. Motion seconded by Mayor Pro Tem Baker. Motion carried unanimously.

E. Village Reports

1. Committee Reports

- (a) Public Safety- Council member Yenawine reported.
- (b) Budget, Finance and Administration-Mayor Pro Tem Baker reported.
- (c) Public Relations & Communications-Council member Mokry reported.

II. CITIZEN COMMUNICATIONS

- Judy Barrick, Booth Circle, asked for update on the Graber/Adams complaint because they are still building.
- Scott Spurlin, VFD President, Booth Circle, spoke about Travis County BCP fuel mitigation and how it will affect the Village. On February 23rd, Lonnie Moore, ESD President, and he, met with Melinda Malia, Travis County Natural Resources Program Manager, Deborah Scott, Travis County Natural Resources Project Manager, and Julie Murray, Travis County Nature Resources Specialist, to request assistance. On November 17th they all met again, along with Chief Groman. Travis County is doing quite a bit of work in ESD 14 and some in the Village. This work counts toward Fire Wise funding. To show that ESD 14 and Volente are eager to

participate, the ESD is asking for volunteers to form a coalition to haul and chip brush, along with other ways to help. They will give the much to citizens. The work will be staged at the fire department. Due to the scientific nature of the project, work will have to be done under the direction of the County to be effective. Need a comprehensive maintenance plan to work.

III. GENERAL BUSINESS AND ACTION ITEMS

A. Performance and compensation evaluation on City Secretary. *(Beck and Baker)*
Mayor Beck presented

Mayor Pro Tem Baker motioned to give the City Secretary a 3% increase in gross pay. Motion seconded by Council member Yenawine. Motion carried unanimously.

Item C took place prior to Item B.

B. Issue certificates of election and administer oaths of office to newly elected officials. *(Beck)*

Newly elected officials Council member Bill Connors, Council member Seán Ryan and Council Member Chris Wilder were each presented with their certificates of election, and were sworn in by Municipal Court Judge Denise Thrash.

C. Present outgoing council members with their plaques of appreciation. *(Beck)*

Citizen comments:

- Joyce Beck, Booth Circle, thanked Steve Baker and Andy Fogarasi for their service and asked that they stay involved.

D. Consideration and possible action to elect a Mayor Pro Tem to serve for the term of one year. *(Beck)*

a motion was made by Council member Ryan and seconded by Council member Mokry to elect Council member Wilder as Mayor Pro Tem for the term of one year. Ayes: Connors, Mokry, Ryan, Wilder and Yenawine; Nays: None; Abstentions: None

E. Consideration and possible action on a request by John and Debbie McAden of 7611 Debbie Drive, for a variance from Division 4 Site Development Design Standards, Section 9.05.118 Drainage, (d) Restrictions, (9) encroaching on the 100-year floodplain, and (10)(A) finished floor at least two feet above the 100-year floodplain, so they may expand the building footprint currently in the floodplain by adding a 712 square foot building addition and a 474 square foot open deck one foot above the floodplain.

1. Presentation by applicant- no presentation
2. Recommendation by Planning and Zoning Commission

Chairperson Thrash thanked applicant and staff for providing thorough backup information. The commission recommended unanimously.

3. Citizen comments

No public comments.

Council member Connors motioned to approve the variance from Division 4 Site Development Design Standards, Section 9.05.118 Drainage, (d) Restrictions, (9) encroaching on the 100-year floodplain, and (10)(A) finished floor at least two feet above the 100-year floodplain, seconded by Council member Wilder.

Council member Yenawine recommended an motion amendment to add LCRA's four guidelines. Council member Connors accepted the amendment. Motion carried.

F. Discussion and possible action to adopt a resolution designating persons authorized to sign on the Village's depository accounts as the official signatories of the Village of Volente, Texas – *(Beck)*

Council member Yenawine motioned for the additional signers to be Mayor Pro Tem Wilder and Council member Connors. Motion seconded by Council member Ryan. Motion carried unanimously.

G. Discussion and possible action on continuing litigation regarding Molberg Park and assignment of attorney. *(Beck)*
Mayor Beck gave an up-to-date summarization.

Citizen comments:

- Steve Baker, West Drive, clarified that he believes that Tom Buckle was indicating that his fees will be higher to continue.
- Scott Spurlin, VFD is concerned about the responsibility of preserve land. Can BCRUA use that land?
- Juby Barrick has been against this since the beginning.
- David Springer, Lime Creek, what are the liabilities if the city owns the land?
- Bob Steichen, FM 2769, asked if the park is included in Volente's two square miles?
- Joyce Beck, Booth Circle, likes the idea of investigating the BCRUA option, is there any other use for the land?

Council would like to know what the cost would be and what can be done with the land if the Village does win it.

Council member Connors motioned to direct the city attorney to confirm with Tom Buckle and get a dollar estimate on what work remains to take to summary judgment, and to give a short summary of the options available to the Village relative to the park land should the Village win the summary judgement. Motion seconded by Council member Ryan. Motion passed unanimously.

Council clarified that they will not move forward with Scanlan, Buckle & Young. Mayor Beck assured council that Tom Buckle indicated his preference was not to continue on the case.

H. Discussion and possible action on the submitted responses to the Request for Qualifications (RFQ) for 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. *(Beck)*

Connors requested to postpone discussion on this item until after the 12/16 work session when council can agree on the direction it would like to take.
Item postponed to the December 19th regular meeting.

I. Discussion about city hall options to be presented at the December 2nd town hall. *(Beck)*

1. Buy vs. lease
2. Properties under consideration

Citizen comments:

- Scott Spurlin, Booth Circle, encouraged meetings at the fire hall. Fire Department plans have solidified.
- Judy Barrick, Marquis building is for sale and the Village will be in the situation it is now if it sells.

No action taken.

J. Discussion on assistant city secretary position. *(Beck)*
Item postponed to the December 19th regular meeting.

IV. ADJOURNMENT

Council member Connors motioned to adjourn the meeting at 8:25 p.m.

Approved this 19th day of December, 2017.

Signed:

Ken Beck, Mayor

Attest:

Nicole Vicuña, City Secretary