



Notice of a Meeting of the
Minutes
City Council
Village of Volente, TX
Tuesday, April 15, 2014
7 pm.

Council Members Present

Frederick Graber, Mayor
Judy Graci, Council Member
Jan Yenawine, Council Member
Ken Beck, Council Member
Chris Wilder, Council Member

Absent

Mark Scott, Mayor Pro Tem

Others Present

Tom Buckle, City Attorney

1. Call to Order of the City Council.

Council was called to order at 7:03 p.m.

2. Roll Call.

Joan Jackson called roll and established a quorum.

3. Pledge of Allegiance/Reading of the Village Vision Statement.

Mayor Graber led the pledge and read the Village Vision Statement.

4. Citizens/Public Communications.

Judy Barrick, 15907 Booth Circle, Volente, TX asked about the seat at the table and when was the last time Council Member Graci attended a meeting at BCRUA. She asked City Administrator, Barbara Wilson, to give a report from Jonestown when she attends the meetings there.. Council Member Graci answered that she has had no contact in the last year but has attended at least 150 meetings in the last 7 yrs. She looks at their agenda each month online. Judy Barrick asked for reports when she attends a meeting.

Judy Schlotzhauer, 16415 Booth Circle, Volente, spoke about the silt runoff into Gun Hollow. She certainly support whatever is happening and she has been concerned about this.

5. Mayor's Report.

The Mayor reported last Saturday, the Spring Fling was held. There was an Easter Egg hunt and the kids had a great time. He thanked the many volunteers. The event was held with private donations. It was a community event with many families. Volente Fire Department gave a demonstration of their life saving equipment. He reported the advisory committees have been meeting.



A May newsletter will be sent to all email responders and the rest of the residents will receive the newsletter by mail. Magnets on the mailbox will not be used since there was opposition to those. Saturday, May 17, will be bulk day pickup with Texas Disposal System if Council agrees to have him sign the contract tonight and postcards will be mailed out to residents regarding the event.

6. Finance Report

a. Staff Presentation

Barbara Wilson gave a summary of the financial report in Mayor Pro Tem's absence. We have received 95% of collection of property taxes.. Expenses are listed and there will be budget amendments tonight on the agenda. This money is all in house and just being transferred. Council Member Beck said the reports are hard to sort through. He wants a balance sheet, monthly report and a year to date. He is uncomfortable with what he is being given now. Mayor Graber suggested that the conversation be moved to a financial committee.

Public Comments:

Rebecca Yeater said a balance sheet would be helpful. She wants to know what is in the bank. Councilmember Wilder asked for a balance sheet.

7. Public Works Report

Yenawine said the brush clearing is good. Most of the people are very happy. He is working with the engineer to fix culvert problems on Booth Circle.

Public Comments:

Megan Lott, 8133 Beauregard, Volente, TX asked about drainage on Lime Creek. She said the water still stands and she is concerned about that area. Council Member Yenawine answered her that yes it will be looked at. Barbara Wilson said she has looked at it and she has been placing the mosquito pellets in it to keep the mosquitos killed until it is fixed.

Bob Steichen, 15807 FM 2769, Volente, TX talked about the Booth Circle culvert problem and he said that the area is part of his property and he wants to be advised what is being planned for that area. Council Member Yenawine said he will be advised. Steichen asked that it be placed on record that he wants to be advised.

8. Staff reports.

a. City Administrator/City Secretary Project Report.

The report was given by Barbara Wilson, City Administrator. She did report Jonestown deannexation of the surface water did not pass there.

Public Comments:

Nancy Carufel, 8138 Joy Street, Volente, TX asked about the Fire hall being the Election polling place and why it was move to City Hall from the Volente Fire Station.

Rebecca Yeater, Lime Creek Rd, Volente, TX asked about short term rentals and the complaints about them. Ms. Wilson stated we do not have a clear ruling on them, but we have had complaints on a short term rental.



Council Member Beck thanked Barbara Wilson for the report being in the packet. He asked if it would be of value for residents to have an online access and also a public complaint process.

b. Construction and Building Fees Report.

City Secretary, Joan Jackson, gave the construction report.

9. Approval of the minutes.

a. February 18, 2014 City Council minutes.

b. March 18, 2014 City Council minutes.

February 18, 2014 minutes: Corrections: change feast to fest. Remove repetition on #11. #19: change timetables from 72 hrs. to at least 72 hrs.

Council Member Yenawine made a motion to accept minutes for February and March with the changes suggested. Councilmember Beck seconded the motion. The motion passed unanimously with Mayor Pro Tem Scott absent.

Mayor Graber asked to move items 17 & 18 up at this time. Council Member Graci made a motion to move items 17 & 18 on the agenda before the executive session. Council Member Yenawine seconded motion. The motion was unanimous with Mayor Pro Tem Scott absent.

(17) Discussion and consider action on recommendation from the Environmental Committee to allow the Committee to coordinate a series of volunteer workdays to extend the walking path along the Lime Creek Road right of way between Sherman Street and the Bernard Street right of way.

- a. Presentation was given by Environmental Committee Vice Chair, Andy Fogarasi. He is excited to be on the committee and introduced members Curtis Ratica and Ann Steichen. When the committee met the three initial steps were to gather information 1) no trails at the present time, 2) one park: Friendship Park, and 3) five neighborhood groups which are all separated. There is a major safety issue of people walking on Lime Creek and FM 2769. Volente is not a kid friendly city with limited parks and no playgrounds. He asked Councilmember Yenawine if as a volunteer fireman were there close calls with pedestrian problems. Councilmember Yenawine did recall one close call with a pedestrian. He did suggest visiting with each neighborhood for their feelings and he also brought up the question of where a trail could be located without being washed out. Mr. Fogarasi said the priorities are safety first, connecting neighborhoods is second, and third would be child play areas, and last is extending off from the trails. He said they were looking at grants and funding to see what is available. He asks of the Council the ability to move forward with trail improvement now. He wants to visit with each neighborhood and see what their concerns are.

Mayor Graber asked Mr. Fogarasi to stay and answer questions for the public.

Public comments:



Rebecca Yeater, Lime Creek Rd, Volente, TX commented that at minimum, please use crushed granite and a border on the trail. The current trail with mulch is not able to be accessed presently by bike or stroller.

Allison Thrash, 16100 FM 2769, thanked Mr. Fogarasi for the presentation. She commented to Rebecca Yeater that practicality the border is needed to avoid drain off of the trail. Allison said there is high supportive of the trail but the money for it was not supported at an earlier time. Grants would be good and she is excited about the possibility.

Megan Lott, 8113 Beauregard, Volente, TX appreciates what Andy has done. She said dog walkers do use the path. She has concerned about her water tank and well because they are right beside the path. The path would be accessed if water was added to her tanks. She said her husband uses Lime Creek to run on. She said she knew ahead of time that her children would not have play areas available when they moved here. The present trail is not used much and she is not sure it would be wise to invest money in this.

David Woodward, Jackson Street, Volente, TX asked about easement and property owners.

Council Member Beck said he was thinking the trail would be in the right of way and Volente would have to get easements from property owners. It is a concern to find land on which to build trails.

Councilmember Wilder asked about connecting Sherman and Bernard. He said the present trail was just placed there and there was no communication ahead of time. He asked about the trail and wants to make sure that trails will not just appear like last time and he wants to hear more about plans for the trails.

Council Member Graci said there is a desire for trails, more planning is needed, and costs are needed. She said extension of Bernard Street is a right of way and talking to the neighbors is needed and their input.

Mayor Graber asked Council to consider a motion to allow the Environmental Committee to enter into discussion with area residents to gauge 1) the interest of area residents in a more formalized path beside Lime Creek Road ,2) the concerns of area residents and 3) if there is interest, what design ideas they have.

Council Member Wilder suggested adding the Home Owners Association to the motion.

Council Member Yenawine made the motion to allow the Environmental Committee to enter into discussion with area residents, neighborhoods and Home Owners Association to gauge 1) the interest of area residents in a more formalized path besides Lime Creek Road, 2) the concerns of area residents ,neighborhoods, and HOA and 3) if there is interest, what design ideas they have .

Council Member Graci seconded the motion. The motion passed with Council Member Wilder recusing himself. Mayor Pro Tem Scott was absent.



Discussion and consider recommendation from the Environmental Committee to investigate a report of silt run-off entering Gun Hollow Creek at Lime Creek Road and bring containment recommendations back to the City Council.

Council Member Yenawine made a motion to allow Environmental Committee to work with volunteers on Gun Hollow Creek to come up with recommendation to City Council of the silt run off at Gun Hollow Creek on Lime Creek Rd. Councilmember Wilder seconded the motion. The motion passed unanimously with Mayor Pro Tem Scott absent.

Public Comments:

Judy Schlotzhauer Volente, TX said she lives in Gun Hollow Cove. Her concern is a future concern of where Volente Peak is.

Andy Fogarasi, Volente, TX said the silt has been filled in once and the area does continue to have silt. The Brian Nasky family was very concerned about it. Mrs. Nasky has worked with the TX Environmental Commission regarding it.

Council Member Yenawine made a motion at this time to move Item 16 up. Council Member Graci seconded the motion. The motion passed unanimously.

16. Discussion and possible action on a contract for trash and recycling services for the Village of Volente.

Council Member Beck made a motion based on the Finance Committee recommendation that we renew our existing contract with TX Disposal System. Councilmember Yenawine seconded the motion. The motion passed unanimously with all in favor and Councilmember Scott absent.

Public comments:

Verna Browning with TX Disposal System thanked the Council and said she appreciates the business.

10. Close Public Meeting.

The public meeting was closed at 8:47 p.m.

11. Open Executive Session: Executive session began at 8:48 p.m.

The City Council of the Village of Volente will announce that it will go into executive session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to consult with the City Attorney (551.071) in regards legal matters and litigation.

- a. Personnel-City Secretary
- b. Village at Volente Home Owner's Association.
- c. Bruce C. Mollenburg Park

12. Close Executive Session.

Executive session was closed at 9:28 p.m.

13. Open Public Meeting.

Public Meeting was opened back into session at 9:29 p.m.

14. Discussion and Possible action on items from executive session.



a. Personnel-City Secretary

Council Member Yenawine made a motion to bring Joan Jackson, City Secretary, to full time per the finance committee recommendation. Council Member Graci seconded the motion. The motion passed unanimously with Mayor Pro Tem absent.

b. Direction to Mayor and Staff, and City Attorney for proceeding with Village at Volente Home Owner's Association. Council Member Beck made a motion after reviewing the Settlement Agreement and Mutual Covenants Not To Sue make a slight modification to strike specific name and add disinterested party agreeable to both parties and authorize Mayor Graber and Staff to negotiate. The motion passed unanimously with Mayor Pro Tem Scott absent.

c. Direction to Mayor and Staff, and City Attorney for proceeding in Bruce C. Mollenburg Park. Council Member Beck made a motion to direct City Attorney to prepare an ordinance to accept 10 acre park as park for the Village of Volente. Council Member Yenawine seconded the motion. The motion passed unanimously.

15. Discussion and possible action on law enforcement contracts.

The Public Safety Committee recommends to do contracts with both Sunset Valley and Travis County Law Enforcement for off duty security in Volente. Councilmember Wilder is approaching Travis County to enforce our ordinances.

Council Member Yenawine read the following statement and made this motion:

The expenditure for police protection far exceeded the Villages budget for the summer of 2013. During the Public Safety Meeting, Monday, April 14, 2014, it became clear that with past best efforts, no report, records, or facts could be obtained to make decisions on not to have the same non-compliance pattern for the summer of 2014.

I move that the Public Safety Committee should develop a plan for the level of law enforcement needed, the agency best suited for the type of task and a schedule of services needed within the Village. This plan should be given to the Council to accept or modify. The Village Manager should coordinate with the Public Safety Committee and be the Village's point of contact with law enforcement agencies that operate within our Village boundaries. The Village Manager should manage scheduling to remain within budgetary limitations, formulate a report that will provide Council with the location, time, and type of incidents within the Village. Because of the under reporting of alcohol and drug related incidents and their impact on the need for greater enforcement response all contract law enforcement officials should observe and note on their report whether alcohol or drugs were present at an incident. When communicating with all levels of state and county agencies, the seriousness of this problem should be stressed. The Village Manager will do the scheduling and formulate an activity report with time of incidents in the Village. Councilmember Graci seconded the motion. The motion passed unanimously with Mayor Pro Tem Scott absent.

Comments:

Councilmember Wilder said the protocol will be familiarity of officers, increase amount of data provided back to us, and more proactive in enforcement. Councilmember Yenawine would like all alcohol and drug use is to be reported and in the reports.



Council Member Graci preference is Sunset Valley for enforcement.

Barbara Wilson explained that date and type of function will be given.

Council Member Beck suggested : adding in close coordination with Public Safety Chairman .

Allison Thrash asked if blood tests or breath analyzers will be used. She said Sunset Valley will Enforce Volente's ordinances but Travis County contract does not state they will enforce Ordinances.

Councilmember Wilder replied he is working on getting them to do this.

19. Discussion and possible Action on the Priorizations of Council Goals for the Village of Volente for the Fiscal Year of 2013/2014. (Mayor Graber)

The goals were discussed on the spreadsheet. The Council agreed they were on good track. Council Member Yenawine said he would like to see tree ordinance addressed by health and safety. Council Member Beck said keep on the top 5 and working on the others.

20. Discussion and possible action on Recommendations from Finance Committee on Leasing of back Conference Room at City Hall.

Council Member Yenawine made a motion to use it for council business and do not lease if out. Council Member Graci seconded the motion. The motion passed unanimously.

21. Discussion and possible action of fees and changes to make back room of City Hall into rental space.

This item was not considered due to Item 20.

22. Discussion and possible action on Budget Amendment Recommendations from Finance Committee.

These are midyear budget items. Council Member Beck went on record not wanting the lights on the palm trees outside the City Hall. It is the message we give residents.

Council Member Graci motion to approve budget amendment from the Finance Committee.

Council Member Yenawine seconded the motion. The motion passed with Council Member Beck opposing the vote and Mayor Pro Tem Scott absent.

23. Adjourn.

Council Member Yenawine made a motion to adjourn.

Council Member Graci seconded the motion. The motion passed unanimously.

Approved this 20 day of may , 2014.

Frederick Graber, Mayor



Joan Jackson

Joan Jackson, City Secretary