



**VILLAGE OF VOLENTE, TEXAS
MINUTES**

Regular Called City Council Meeting
April 20, 2021 at 6:30 P.M.

1. CALL TO ORDER

A. Call to Order: Mayor Dan Thost called the meeting to order at 6:35 P.M.

Roll Call: Councilmembers Present: Councilmembers Isabelle Evans, Kit Hopkins, Kristin Ruff and Claudia Wilson. Councilmembers Absent: Ed Racht (joined at 6:47 P.M.). Quorum established.

Also Present: Mayor Dan Thost, City Attorney Cristian Rosas-Grillet, Scott Spurlin, VFD Board President, Walt Groman, Chief, Z. Smith, Board Member, and City Secretary Sonja De La Fuente.

Motion by Councilmember Hopkins to move Item 7d before Item 5. Second by Councilmember Wilson. Motion passed 4-0. Councilmember Racht was absent.

Motion by Councilmember Hopkins to move Item 7i after Item 7d, before Item 5. Second by Councilmember Ruff. Motion passed 4-0. Councilmember Racht was absent.

2. PRESENTATIONS

A. Standing Committee Reports

- i. Budget & Finance Committee - None
- ii. Government Relations Committee - None
- iii. Parks & Environmental Committee - None
- iv. Public Relations Committee - None
- v. Public Safety Committee - None
- vi. Public Works Committee – Councilmember Wilson

Councilmember Wilson reported that the Public Works Committee met on March 25th and then jointly with the Public Safety Committee Meetings on March 30th. The minutes are available on the website. She advised that she and Councilmember Hopkins have requested

a special-called City Council meeting sometime in early May to discuss some of the topics discussed in the March 25th and March 30th meetings. Some of the agenda items to be discussed by the Public Works Committee include purchasing two Village of Volente city limit signs, developing a general road maintenance contract with Robert Nelson Concrete, signage in the Village of Volente, shoulder maintenance and drainage. Some of the agenda items to be discussed by the Public Works Committee and Public Safety Committee jointly include purchasing traffic cushions for Mary Street and Lime Creek Road, purchasing radar speed signs on Lime Creek Road and Mary Street, asking Village staff to meet with Volente Business owners to discuss traffic safety issues perhaps with the Public Safety Committee, a possible survey of roads at the intersection of Lime Creek Road/FM 2769, Wharf Cove/FM 2769 and Dodd Street/Lime Creek Road for safety reasons, a possible traffic study on the same intersections, whether or not to direct the City Attorney to determine if the Village may determine their own speed limits, contract police funding, whether or not to have the City Attorney research the best options to enforce the Village's ordinances, and discuss how to build and maintain relationships with road maintenance vendors. She advised there is a sink hole on Lime Creek Road north of the Sandy Creek Marina in the southbound lane. Also, the Wharf Cove launch has been closed due to the dangerously low water level.

Mayor Thost explained that the sinkhole on Lime Creek Road is due to erosion around a drainage pipe under the road, which is creating the indentation in the pavement and will require much more work than a simple pothole to repair.

Regarding the Wharf Cove launch, the Mayor explained there is a significant drop-off at the end when the lake levels are down, and solutions are being explored to protect the public from this. A consideration is a cable across the road with a padlock to allow only emergency services access.

Councilmember Racht joined the meeting at 6:47 P.M.

Councilmember Racht reported that the Travis County Sheriff's deputies conducted a patrol of FM 2769 and Lime Creek Road over the weekend and plan on being present through the month of May.

3. CITIZEN COMMUNICATIONS

Citizen comments on items not on the agenda:

Jana Nace requested public comment on Committee reports and asked that the report from Councilmember Wilson be posted on the website. She also expressed

concern with not being able to find some information on the website. She requested an update on the BCRUA ILA and on the sinkhole. Finally, recommended Council look at Tres Amigos Boat Rental on Lime Creek Road.

Judy Barrick asked about the other Committee reports.

Joyce Beck advised that they have requested to be on the May 11th Planning & Zoning Commission meeting and the May 18th City Council meeting agendas and invited the public to the meetings. She invited everyone to contact her at 512-917-5189 or Ken at 512-917-1888 to hear about their project.

7. DISCUSSION AND POSSIBLE ACTION ITEMS

- D. Building of Village of Volente Administrative Offices and renovation of current Meeting Hall. (VFD Board President Scott Spurlin/Councilmember Racht/Mayor Thost)

Volunteer Fire Department Board President, Scott Spurlin, provided a presentation on the project including the history of the VFD and ESD as well as the planned renovation and allowance for space for Village offices and shared space.

Councilmember Ruff asked the following questions: 1) What is the expected contribution from the Village of Volente? 2) What would be the length of the lease? 3) What is the expected time the building would be completed? 4) What is the cost to hold meetings?

Mr. Spurlin advised the contribution is negotiable but estimated to be \$250,000. The lease hold would be for approximately 10 years, but they are not against making the lease 50 years with the first 10 years paid for with the initial lump sum payment of \$250,000. There would be no charge to use the meeting space, but the firemen would not be available to setup or clean up the meeting space. The building is expected to be complete early to mid-2021 if an agreement is made soon.

Councilmember Evans asked about ownership.

Mr. Spurlin advised the Fire Department is not interested in the Village having ownership.

Councilmember Hopkins asked about a long-term ground lease. The Village will discuss with the City Attorney.

Councilmember Racht asked if the Audio/Visual equipment would be included in the meeting room. Chief Groman advised it would be.

Councilmember Racht asked if the file room would be in a fire resistant. Chief Groman advised that it would be.

Councilmember Wilson asked about parking. Chief Groman advised that parking would be available during the day, as staff will park on the other side of the building. ESD will pave the loop in the parking lot. Mr. Spurlin shared that the ESD 14 owns five acres that could become a parking lot, which would provide 50-80 parking spaces.

Councilmember Wilson asked how many square feet the Village offices would be. Mr. Smith advised approximately 967 square feet.

Citizen Comments:

Steve Baker asked what the involvement of Travis County or ESD in the approval of this.

Mr. Spurlin advised this is a VFD decision. They will work with ESD to contribute toward the space.

There was discussion held among the Council and Fire Department. It was determined that the draft Term Sheet that was signed by the previous City Council should be used as a starting point.

There was a consensus of the Council to meet soon in Executive Session to discuss the term sheet and possible negotiations related to this item.

- I. Adopt Resolution 2021-R-2, approving Frost Bank as the banking services provider for the Village of Volente. (Mayor Thost/Councilmember Hopkins)

The Mayor introduced Norman Witcher with Frost Bank and Councilmember Hopkins provided the report for this item.

Citizen Comments:

Jana Nace thanked the Council and concurred with their choice of bank.

Motion by Councilmember Racht to adopt Resolution 2021-R-2, approving Frost Bank as the banking services provider for the Village of Volente. Second by Councilmember Wilson. Motion passed 5-0.

The Mayor recessed the meeting at 8:12 P.M.

The Mayor reconvened the meeting at 8:21 P.M.

4. PUBLIC HEARINGS

None

5. APPOINTMENTS

- A. Appoint Council Committee Sponsors, Committee Members, Board of Adjustment Members and Planning & Zoning Members. (Councilmember Evans)

The Mayor provided a report for this item. He advised that from the workshop the following Councilmember sponsors of the committees will be as follows:

Public Safety Committee – Councilmember Ruff (sponsor)
Budget & Finance Committee – Councilmember Hopkins (chair)
Public Relations – Councilmember Evans (chair)
Public Works – Councilmember Wilson (chair)
Government Relations – Councilmember Racht (chair)
Parks & Environmental – None, will wait to see if there is interest.

Citizen Comments:

Jana Nace expressed concern with stipulations regarding who can be on a committee and expressed her opposition to not allowing late applications.

Steve Baker cautioned the Council to adhere to the Administrative Ordinance.

Nancy Carufel requested a criterion for the committees and their responsibilities. She also recommended allowing those already serving on the committees to remain on the committees.

Judy Graci indicated that the ordinance states that the Mayor recommends to Council the chairs for the committees. A sponsor indicates a councilmember might not be a chair but would still be a voice on the committee.

Frank Wolfe expressed support of the City Secretary sitting on the Finance Committee.

Councilmember Hopkins advised there was a Work Session dedicated to the committees.

Motion by Councilmember Evans to appoint Kristin Ruff as the sponsor of the Public Safety Committee, Kit Hopkins as the chair of the Budget, Finance and Administration Committee, Claudia Wilson as the chair of the Public Works Committee, Ed Racht as the chair of the Government Relations Committee, and Isabelle Evans as the chair of the Public Relations and Communications Committee. Second by Councilmember Hopkins. Motion passed 5-0.

Motion by Councilmember Hopkins as chair to appoint Shannon Scoville, Judy Graci, Ben Peterson and Sonja De La Fuente to the Budget, Finance and Administration Committee. Second by Councilmember Wilson. Motion passed 5-0.

Motion by Councilmember Wilson as chair to appoint Ben Peterson, Bill Wilson, Jan Yenawine and Judy Graci to the Public Works Committee. Second by Councilmember Hopkins. Motion passed 5-0.

Motion by Councilmember Racht as chair to appoint Thomas Blauvelt, Judy Schlotzhauer, Brent Piercy and Tony Ruff to the Governmental Relations Committee. Second by Councilmember Wilson. Motion passed 5-0.

Motion by Councilmember Ruff as chair to appoint Missy Thost, Eric Peeters, Laurence Paquet, Nancy Carufel, and Donovan Dixon to the Public Safety Committee. Second by Councilmember Hopkins. Motion passed 4-0. Councilmember Racht did not vote due to connectivity issues.

Motion by Councilmember Evans as chair to appoint Judy Graci, Laura Zarrella, and Cindy McCuiston to the Public Relations and Communications Committee. Second by Councilmember Wilson. Motion passed 5-0.

The Mayor explained that the Council will now make appointments to the Board of Adjustment.

Citizen Comments:

Jana Nace requested clarification regarding the odd/even year appointments.

Joyce Beck requested speaking slower and that the City Secretary repeat the motions to help the public understand what is happening.

Frank Wolfe expressed concerns regarding the committee appointments.

Motion by Councilmember Hopkins to appoint Ken Nace with term ending January 1, 2022, Donovan Dixon as an alternate with term ending January 1, 2023, Jan Yenawine with term ending January 1, 2023 and Cynthia Mallow with term ending January 1, 2023. Second by Councilmember Ruff. Motion passed 5-0.

The Mayor explained that the Council will now make appointments to the Planning and Zoning Commission. He advised the applicants are Pat McLemore, Daryl Brooks, Tom Blauvelt, Judy Barrick, Donovan Dixon, and Cynthia Mallow.

Councilmember Evans explained there are three open positions on Planning and Zoning. Pat McLemore has requested to be an alternate.

Citizen Comments:

Jana Nace advised that the appointments item was tabled at a previous meeting. However, later in the meeting Phil Mitchell was appointed as Chair of the Planning & Zoning Commission.

Judy Graci recalled that Pat McLemore would be an alternate and recommended appointing Mary Scherer and Tom Blauvelt as commissioners.

Judy Barrick advised that she submitted her application for Planning and Zoning, but believes Tom Blauvelt was already appointed to the Commission.

The Mayor explained that Pat McLemore had stepped down from Planning and Zoning and a Chair had to be appointed that night, the rest was tabled.

Motion by Councilmember Hopkins to appoint Tom Blauvelt to Position 2 with term ending January 1, 2023, Mary Scherer to Position 4 with term ending January 1, 2023, Daryl Brooks to Alternate 1 with term ending January 1, 2022 and Pat McLemore to Alternate 2 with term ending January 1, 2023. Second by Councilmember Wilson. Motion passed 5-0.

- B. Appoint Mayor Pro Tem. (Mayor Thost)

The Mayor recommended re-appointing Ed Racht as Mayor Pro Tem.

Citizen Comments:

None.

Motion by Councilmember Hopkins to appoint Ed Racht as Mayor Pro Tem. Second by Councilmember Evans. Motion passed 4-0. Councilmember Racht abstained.

6. CONSENT ITEMS

- A. Approve the Minutes from the March 12, 2021, Special Called City Council Meeting.
- B. Approve the Minutes from the March 16, 2021, Regular Called City Council Meeting.

- C. Approve the Minutes from the April 8, 2021, City Council Work Session.

Citizen Comments:

Jana Nace asked if the minutes from the February 5th meeting were being approved tonight. The Mayor explained that they were previously approved.

Motion by Councilmember Ruff to approve Consent Items A through C. Second by Councilmember Wilson. Motion passed 5-0.

7. DISCUSSION AND POSSIBLE ACTION ITEMS

- A. Approve the City Council's 2021 Goals. (Council)

The Mayor presented the report on this item.

Citizen Comments:

Nancy Carufel asked what was being considered regarding the community survey. She recalled the Comprehensive Plan was completely redone but has not yet been accepted by Council.

Judy Barrick requested the current City Council review the updated plan. She expressed concern with paying for another survey.

Allison Thrash expressed her support of all the City Council Goals for 2021. She explained that the last survey was done in 2014.

Judy Graci expressed her support of the City Council Goals for 2021. She expressed support for updating the Comprehensive Plan but doing it right.

Joyce Beck recommended the Council look at and evaluate the work that has been done on the Comprehensive Plan.

Jana Nace recommended looking at what was done and offered to provide a copy. She also asked about contract services for website design.

Chris Wilder agreed that another survey needs to be done, but that it should differ from the previous survey.

Councilmember Ruff stated that a survey would be done to determine what would be needed to amend the Comprehensive Plan.

Councilmember Racht advised he has reviewed the existing Comprehensive Plan. He expressed support for the current draft but explained that the process was not unanimously agreed upon.

Councilmember Evans explained that she has read the Comprehensive Plan as well as the draft.

Motion by Councilmember Hopkins to accept the 2021 City Council Goals as written. Second by Councilmember Racht. Motion passed 5-0.

- B. Approve Ordinance No. 2021-O-1 – Zoning Map Amendment for an Approximately 5.217 Acre Tract of Land Situated in the John Stewart Survey No. 551, and the Robert Foster Survey No. 31, Travis County, Texas, from Single-Family Residential (SR) to Utility District (UD); and Providing for the Following Findings of Fact: Enactment; Repealer; Severability; Effective Date; Authorizing the Village Secretary to Note the Change on the Official Zoning Map of the Village; Proper Notice & Meeting Held February 17, 2021. (Mayor Thost)

The Mayor provided the report for this item.

Citizen Comments:

Jana Nace expressed her opposition to this Ordinance.

Frank Wolfe expressed his opposition.

The City Attorney explained that this is a formality, as the Public Hearing and the item approved at the February 17, 2021 City Council meeting. The Utility District re-zoning is not a green light to move forward until the site plan for the Conditional Use Permit is formally approved.

Motion by Councilmember Hopkins to accept Ordinance No. 2021-O-1. Second by Councilmember Wilson. Motion passed 5-0.

- C. Accept the Proposal from DataNet Systems, Inc. to provide Information Technology (IT) services. (Mayor Thost)

The Mayor provided the report for this item.

Citizen Comments:

Chris Wilder provided recommendations related to selecting an IT services provider.

Jana Nace expressed concern with internet security.

Judy Graci shared her appreciation of the Council moving forward with this.

Frank Wolfe expressed support of the Council moving forward.

The Mayor addressed some of the citizen comments and advised that he is comfortable recommending DataNet. He advised there would be a wireless firewall if the Village moves to Dodd Street. He explained that he followed the Financial Controls and Spending Policy and that there are no travel charges related to providing services for the Village.

Motion by Councilmember Ruff to accept the proposal from DataNet Systems, Inc. to provide IT services. Second by Councilmember Wilson. Motion passed 5-0.

- E. Authorize the Mayor to negotiate lease agreement terms and all related actions connected to moving the Village office. (Mayor Thost)

The Mayor presented the report for this item.

Citizen Comments:

Jana Nace advised that she did not believe that the Council could enter into a long-term lease.

Frank Wolfe expressed concern with the current office situation, cautioned against using a common WiFi, questioned the specifics related to use of the boardroom and asked if there would be adequate parking.

Nancy Carufel recommended looking at options and holding community meetings regarding this matter. She explained that the Village moved from the Fire Department because it was too small.

The City Attorney explained that municipalities may enter long-term contracts with current revenues if the purpose is lawful and it serves a public purpose.

The Mayor explained there are 11 parking spaces at the Dodd Street office with a certain amount dedicated to the Village, which is negotiable. There will be one for visitors. He advised that all available options have been looked at.

Councilmember Hopkins asked if he is negotiating a long-term lease. The Mayor indicated he is asking for authorization to negotiate the option if needed.

Councilmember Evans advised the current office situation is dangerous.

Motion by Councilmember Racht to authorize the Mayor to negotiate and execute a one-year, up to \$2,500 per month lease agreement for the Dodd Street property. The Mayor may negotiate an option to increase the term to three years with a \$400 per month discount if needed. Second by Councilmember Wilson. Motion passed 5-0.

Motion by Councilmember Racht to allow the Mayor to spend an amount not to exceed \$5,000 on moving expenses and \$175 per month, if needed to rent a storage unit. Second by Councilmember Evans. Motion passed 5-0.

- F. Approve the Crack Seal bid from Travis County for all roads in the Village of Volente at a cost not to exceed \$30,000. (Councilmember Wilson)

Councilmember Wilson provided the report for this item.

Citizen Comments:

Nancy Carufel advised the roads are in bad shape and the Village needs decent roads to stripe.

Judy Graci explained other road work cannot be done at this time, as Crack sealing needs to be done before striping.

Frank Wolf expressed concern with the Village spending money with BCRUA coming in and doing work.

Jana Nace expressed concern with the bidding process being followed per the Financial Controls and Spending Policy.

Councilmember Wilson advised the village would save \$100,000 if they did all roads at one time.

There was discussion regarding crack sealing, chip sealing, and overlay.

The City Attorney explained that Council is not obligated to accept any bids. Policy may be modified at any time. The Village has an Interlocal Agreement with Travis County. The ILA is an exception to the bidding requirements. It satisfies the requirement for competitive bidding if you are doing it through an ILA with another governmental entity. Even if the procurement were over \$50,000, if goods or services are procured through an ILA, the requirement for competitive bidding would be satisfied as an exception to the bidding statute.

Ultimately, the Financial Controls and Spending Policy is just a policy and council may approve exceptions to it.

Councilmember Ruff asked about a list of preferred vendors through the state to select from.

Motion by Councilmember Hopkins to approve the Crack Seal maintenance bid from Travis County in an amount not to exceed \$26,500 with the understanding that the Village acknowledges the

exception to the Financial Controls and Spending Policy due to the inability to obtain three bids and that the Texas Materials estimate of \$53,000 will be posted for public information on the same section of the website that the meeting packet is posted. Second by Councilmember Wilson. Motion passed 5-0.

- G. Approve the Striping bid from Travis County. (Councilmember Wilson)

Councilmember Wilson provided the report for this item.

Citizen Comments:

None.

Motion by Councilmember Wilson to table this item. Second by Councilmember Hopkins. Motion passed 5-0.

- H. Approve the Herbicide bid for Volente Roads. (Councilmember Wilson)

Councilmember Wilson provided the report for this item.

Councilmember Hopkins advised that Village does not pay sales tax.

Citizen Comments:

Jana Nace asked about insurance documents.

Councilmember Wilson indicated insurance would be provided.

Motion by Councilmember Hopkins to approve the herbicide bid from and engage the services of Emerald Lawns. Second by Councilmember Ruff. Motion passed 5-0.

8. ADJOURNMENT

Motion by Councilmember Ruff to adjourn the regular called meeting of the City Council at 11:26 P.M. Second by Councilmember Wilson. Motion passed 5-0.

Exhibits to Minutes:

[Meeting Packet](#)

[Fire Department Presentation](#)

[Crack Seal Estimate](#)

Prepared by Sonja De La Fuente, City Secretary