

**CITY OF LAKEWAY CITY COUNCIL MEETING**  
**Action Minutes of Regular Session**  
**Tuesday, January 22, 2013, 6:30 p.m.**  
**Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas**

1. **Establish Quorum and Call to Order.** Present: Mayor Dave DeOme and Councilmembers Dee Ann Burns-Farrell, Dennis Wallace, Bruce Harris, Dave Taylor, and Alan Tye. Absent: Mayor Pro Tem Joe Bain.
2. **Pledge of Allegiance** was led by Mayor DeOme.
3. **Citizens Participation** – No one spoke.
4. **Financial Report.**
  - Staff report by Al Tyson, City Treasurer.
5. **Parkland Fund.** Hear a presentation from the Parks and Recreation Committee regarding recreation system priorities. Consider authorizing the use of the Parkland Fund for construction of facilities as recommended by the PARC.
  - Presentation by Mike Rains, PARC Chairman.
  - Citizen participation/public hearing – Pat Vanderford, 903 Biscayne, spoke, and asked why PARC recommends an architect over a civil engineer, considering the constraints of constructing the facilities in the floodplain.
  - Council discussion/action – Council discussion focused on the differences between using an engineer or an architect, whether the projects should be funded in a bond issue, and the PARC’ priority for the projects. Councilmember Tye noted that the CIP needs to be finalized so that these projects can be compared to others on the list. Rains stated that these are the PARC’s top priorities from the list of parks projects. Tye expressed concern that using the parkland fund for facilities decreases the city’s ability to acquire land. Councilmember Harris stated that he is in favor of using the parkland fund. Additional discussion concerned the lack of information regarding the cost of the various facilities and the process of choosing a firm. The council requested that PARC/staff obtain cost estimates for the projects and report back to council. No action was taken.
6. **Lakeway Activity Center.** Discuss the city’s policy regarding the use of this facility by the different user categories.
  - Staff report by Chessie Zimmerman, Deputy City Manager.
  - Citizen participation/public hearing – Pat Vanderford, 903 Biscayne, spoke. She stated that the recapture rate and guidelines for the use of the facility were discussed by the LAC bond committee, but were not codified nor included in the ballot language. The committee did not expect the facility to pay for itself, but rather to serve the residents. Andra Dearing, Director of Parks and Recreation, provided additional information on the current policies and the need for additional operating hours in order to continue serving the LAC members and the community.

- Council discussion/action – Council members expressed support for expanding the operating hours of the facility. Dearing will provide cost estimates for doing so as part of the FY 2014 budget process. No action was taken.
7. **Capital Reserve Fund.** Consider reauthorizing the use of the Capital Reserve Fund for construction of drainage facilities on Rolling Green Drive.
    - Staff report by Steve Jones, City Manager.
    - Citizen participation/public hearing – No one spoke.
    - Council discussion/action – After discussion of the impact this project will have regarding the potential for flooding in the immediate area, **Councilmember Taylor moved to approve the use of the Capital Reserve Fund as requested. Councilmember Harris seconded the motion, and it passed by unanimous vote, approved 6-0.**
  
  8. **Budget Amendment.** Consider authorizing the reallocation of funds within the Building and Development Services Department
    - Staff report by Chessie Zimmerman, Deputy City Manager
    - Citizen participation/public hearing – No one spoke.
    - Council discussion/action – After council members expressed their support for this change, **Councilmember Burns-Farrell moved to approve the reallocation of funds. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 6-0.**
  
  9. **Resolution: Recycling and Solid Waste Disposal Services Agreement.** Consider approval of a resolution amending the Agreement between the City of Lakeway and Progressive Waste Solutions of TX, Inc.
    - Staff report by Steve Jones, City Manager.
    - Citizen participation/public hearing – No one spoke.
    - Council discussion/action – Council members expressed some concern over storage space for the larger containers, verified the pick-up schedule (weekly), and requested that Progressive provide educational materials to the residents. Jim Hare with Progressive was available to answer questions. **Councilmember Burns-Farrell moved to approve a resolution amending the Agreement between the City of Lakeway and Progressive Waste Solutions of TX, Inc. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 6-0.**
  
  10. **Code Amendment: Solid Waste.** Consider approval of an amendment to Section 20.02, Division 1, of the Lakeway Code of Ordinances, updating definitions, setting rates, and clarifying other sections.
    - Staff report by Steve Jones, City Manager.
    - Citizen participation/public hearing – No one spoke.
    - Council discussion/action – **Councilmember Taylor moved to approve an amendment to Section 20.02, Division 1, of the Lakeway Code of Ordinances, updating definitions,**

setting rates, and clarifying other sections. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 6-0.

11. **Zoning Change: Lakeway Highlands Tract.** Consider a request from Carlson, Brigrance and Doering, Inc., the agent for the owner of approximately 0.259 acres of land located at 101 Kildrummy Lane, for approval of a change in zoning from P-2 (Private Park) to R-3 (Single-Family Residential) of the subject property.
  - Staff report by Chessie Zimmerman, Deputy City Manager.
  - Citizen participation/public hearing – No one spoke.
  - Council discussion/action – **Councilmember Burns-Farrell moved to approve the request for a change in zoning from P-2 (Private Park) to R-3 (Single-Family Residential) for the property located at 101 Kildrummy Lane. Councilmember Harris seconded the motion, and it passed by unanimous vote, approved 6-0.**
  
12. **Code Amendment: Structures in Easements and Setbacks.** Consider a proposed amendment to Section 2.4 and Section 30 of the Lakeway Code of Ordinances amending definitions and amending the standards and requirements related to structures in easements and setbacks. (First reading; no actions will be taken.)
  - Staff report by Chessie Zimmerman, Deputy City Manager.
  - Citizen participation/public hearing – No one spoke.
  - Council discussion/action – **Councilmember Burns-Farrell moved to table this item until next month, to allow staff time to fine tune. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 6-0.**
  
13. **Code Amendment: Setbacks in R-5 and C-1 Districts.** Consider adopting a proposed amendment to Sections 30.03.005.5 and 30.03.009 of the Lakeway Code of Ordinances amending the standards and requirements related to setback in R-5 (Condominium) and C-1 (office/Retail) zoning districts.
  - Staff report by Chessie Zimmerman, Deputy City Manager.
  - Citizen participation/public hearing – No one spoke.
  - Council discussion/action – **Councilmember Tye moved to adopt a proposed amendment to Sections 30.03.005.5 and 30.03.009 of the Lakeway Code of Ordinances amending the standards and requirements related to setback in R-5 (Condominium) and C-1 (office/Retail) zoning districts. Councilmember Harris seconded the motion, and it passed by unanimous vote, approved 6-0.**
  
14. **Code Amendment: Temporary Food Establishments.** Consider a proposed amendment to the Health and Sanitation Code allowing vendors at the Lakeway Farmers market to offer meals for purchase.
  - Staff report by Chessie Zimmerman, Deputy City Manager.
  - Citizen participation/public hearing – No one spoke.
  - Council discussion/action – **Councilmember Tye moved to approve a proposed amendment to the Health and Sanitation Code allowing vendors at the Lakeway**

Farmers market to offer meals for purchase. Councilmember Burns-Farrell seconded the motion, and it passed by unanimous vote, approved 6-0.

**CONSENT AGENDA: All items may be approved by one Council vote. Members of the Council may pull items from the consent agenda for discussion.**

15. **Approve Minutes:** Regular Council Meeting of December 17, 2012.
16. **Budget Amendment:** Consider approving an amendment to the FY 2013 Budget, adopting a budget for the Hotel Occupancy Tax Special Revenue Fund.
17. **Approval Resolution:** Appointment of Assistant City Secretary.
  - Lacie Hale, Assistant City Secretary.

**END CONSENT AGENDA**

Councilmember Burns-Farrell moved to approve Consent Agenda items 15 and 17 as listed. Councilmember Harris seconded the motion, and it passed by unanimous vote, approved 6-0.

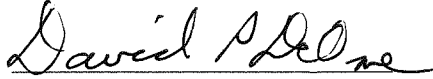
Councilmember Tye pulled Agenda item 16 to comment that the allocation for sports facilities was removed from the Hotel Occupancy Tax Special Revenue Fund budget, as the city does not meet the population requirement for that allocation. He also noted that the Lakeway Visitors Commission is drafting an RFP for the branding task.


Councilmember Taylor moved to approve Consent Agenda item 16, with Councilmember Tye's comments. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 6-0.

Councilmember Burns-Farrell announced that the Pancake Breakfast for the Activity Center members will be hosted January 26th. Also, on January 30th, there will be an event at the Heritage Center identify subjects in the HC's collection of historical photos.

Councilmember Harris mentioned the recent retirement of David Ferry, Director of Public Works, and commented that his hard work and commitment to the City was very much appreciated.

Meeting adjourned at 8:22 p.m.

  
David P. DeOme, Mayor

  
Lacie Hale, Assistant, City Secretary