

**CITY OF LAKEWAY CITY COUNCIL MEETING**  
**Action Minutes of Regular Session**  
**Monday, April 21, 2008, 6:30 p.m.**  
**Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas**

1. **Establish Quorum and Call to Order.** Mayor Steve Swan, Mayor Pro Tem Dave DeOme and Councilmembers Bob Neighbors, Glenda Foreman, Bill Rhue, Don Karges and Alan Tye were present. No Councilmembers were absent.
2. **Pledge of Allegiance was led by Mayor Swan.**
3. **Citizens Participation.** No one spoke during Citizens Participation.
4. **Reports of Officers.**
  - Al Tyson, Treasurer, presented the monthly financial report.
  - Steve Jones, City Manager, presented his monthly report.
5. **Pedernales Electric Cooperative.** A Quarterly Update was presented by Rudy Farwagi, District Coordinator.
6. **Report from Time Warner Cable and discussion of the public access channel, Patty Gonzales, Director, Government Affairs.**
  - Staff report – Patty Gonzales was present to answer questions about Time Warner Cable transitioning from analog to digital service and how it would affect customers in Lakeway.
  - Citizen participation – No one spoke during citizen participation.
  - Council discussion/action – Patty Gonzales answered Councilmembers' questions. No action was taken.
7. **Approve Final Plat: Overlook at Pawnee Pass.** A request by WRTco Ltd., the owner of the property located at 3900 Pawnee Pass, for approval of the Final Flat for the approximately 3.3 acre Overlook at Pawnee Pass subdivision. ZAPCO unanimously recommends approval.
  - Staff report was given by Shannon Burke, Director, Building and Development Services.
  - Citizen participation – No one spoke during citizen participation.
  - Council discussion/action – **Councilmember Bob Neighbors made a motion to approve. Councilmember Bill Rhue seconded the motion and it passed by unanimous vote. Approved 7-0.**
8. **Approve Ordinance 2008-4-21-01, vacating a surplus portion of Flint Rock Trace right-of-way.**
  - Staff report was given by Shannon Burke.
  - Citizen participation – No one spoke during citizen participation.
  - Council discussion/action – **Mayor Pro Tem Dave DeOme made a motion to approve. Councilmember Bob Neighbors seconded the motion and it passed by unanimous vote. Approved 7-0.**

- 9. Approve Zoning Change: Harren 620 Office.** A request by Overlook at Lakeway, G.P., the owner of approximately 0.606 acres located at 2909 Flintrock Trace, for approval of a change in zoning of the property from R-1 Temporary (Single-Family Residential Temporary) to C-1 (Office/Retail) to accommodate an office use. ZAPCO unanimously recommends approval.
- Staff report was given by Shannon Burke.
  - Citizen participation – No one spoke during citizen participation.
  - Council discussion/action – **Councilmember Don Karges made a motion which was seconded by Councilmember Bill Rhue to approve. Motion passed by unanimous vote. Approved 7-0.**
- 10. Consider Ordinance 2008-04-21-03, vacating** a surplus portion of Lohmans Crossing and Lohmans Spur rights-of-way.
- Staff report was given by Shannon Burke.
  - Citizen participation – No one spoke during citizen participation.
  - Council discussion/action - **Councilmember Alan Tye made a motion which was seconded by Councilmembers Glenda Foreman and Bob Neighbors to approve. Motion passed by unanimous vote. Approved 7-0.**
- 11. Approve Zoning Change: Tuscan Village.** A request by JH Tuscan Village, LP, the owner of approximately 41.2 acres of located at 1930 Lohmans Crossing Road, for approval of a change in zoning of the property from R-7 (Retirement Living) to PUD (Planned Unit Development) to accommodate a mixed-use, active adult (age-restricted) community to be known as Tuscan Village. ZAPCO recommended approval by a vote of 5-1.
- Staff report was given by Shannon Burke. He stated staff recommended approval, with noted changes.
  - Citizen participation – The following people spoke during citizen participation: Chris Wittmayer, Bob Kessler, John Ford and Haythem Dawlett.
  - Council discussion/action – **Councilmember Glenda Foreman made a motion to approve. Councilmember Bob Neighbors seconded the motion and it passed by unanimous vote. Approved 7-0.**
- 12. Approve Resolution 2008-04-21-02, Adoption of City Zoning Map.** A request by City staff for adoption of a revised official zoning map for the City of Lakeway.
- Staff report was given by Deputy City Manager Chessie Blanchard.
  - Citizen participation – No one spoke during citizen participation.
  - Council discussion/action – **Councilmember Glenda Foreman made a motion to approve. Councilmember Bill Rhue seconded the motion and it passed by unanimous vote. Approved 7-0.**
- 13. Approve Ordinance 2008-04-21-05, creating a Juvenile Case Manager Fund.**
- Staff Report was given by Chessie Blanchard.
  - Citizen participation – No one spoke during citizen participation.

- Council discussion/action – **Councilmember Don Karges made a motion to approve. Councilmember Glenda Foreman seconded the motion and it passed by unanimous vote. Approved 7-0.**

**14. Approve Resolution 2008-04-21-02, adopting the Personnel Policies and Procedures Manual.**

- Staff Report was given by Chessie Blanchard.
- Citizen participation – Carol Black, Chair of Personnel Committee, spoke during citizen participation and thanked Chessie Blanchard, Patte Wood and Sharon Cole for their hard work on this project.
- Council discussion/action – After discussion regarding random drug testing, the following motion was made: **Councilmember Bob Neighbors made a motion to approve the resolution, asking staff to come back with an amendment to allow random drug testing for all employees. Mayor Pro Tem Dave DeOme seconded the motion and it passed by unanimous vote. Approved 7-0.**

**15. Approve Resolution 2008-04-21-03, adopting Amendment No. 2 to the Recycling and Solid Waste Disposal Services Agreement.**

- Staff Report was given by City Manager Steve Jones.
- Citizen participation – IESI District Municipal Marketing Manager Jim Hare was present to answer questions.
- Council discussion/action – After a lengthy discussion, the following motion was made: **Mayor Pro Tem Dave DeOme made a motion, which was seconded by Councilmember Bill Rhue, to table action on this particular agreement and discuss next month, giving City Manger Steve Jones an opportunity to gather more information from IESI to present to Council. Motion passed with a 6-1 vote with the following vote count: For the motion: Mayor Steve Swan, Mayor Pro Tem Dave DeOme, and Councilmembers Bill Rhue, Alan Tye, Glenda Foreman, and Don Karges. Against: Councilmember Bob Neighbors. Approved 6-1.**

**16. Approve Ordinance 2008-04-21-06, adopting Amendment No. 5 to the Solid Waste Collection Ordinance.**

- Staff Report was given by City Manager Steve Jones.
- Citizen participation – No one spoke during citizen participation.
- Council discussion/action – **Mayor Pro Tem Dave DeOme made a motion to table for one month. Councilmember Bill Rhue seconded the motion and it passed with a 6-1 vote with the following vote count: For the motion: Mayor Steve Swan, Mayor Pro Tem Dave DeOme, and Councilmembers Bill Rhue, Alan Tye, Glenda Foreman, and Don Karges. Against: Councilmember Bob Neighbors. Approved 6-1.**

<p><b>CONSENT AGENDA: All items may be approved by one Council vote.</b></p>
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**17. Approve an expenditure of \$660 from the Court Security Fund, requested by Judge Kevin Madison**

**18. Resolution 2008-04-21-04, Appointments of Boards and Commissions:**

- Bill Cobb, Deer Committee, Member
- Scott Robinson, Zoning and Planning Commission, Member

**19. Approve Action Minutes:** Regular Meeting of February 19, 2007.

**END CONSENT AGENDA**

**Councilmember Bill Rhue made a motion to approve Consent Agenda Items 17, 18 and 19 listed above, noting the minutes being approved are for the meeting held on March 17, 2008. Councilmember Glenda Foreman seconded the motion and it passed by unanimous vote. Approved 7-0.**

**20. Comments by Mayor and Councilmembers.** Councilmember Glenda Foreman reported her service as councilmember included approximately 1400 hours of attendance at council meetings. Mayor Swan noted we will be honoring the two retiring councilmembers, Glenda Foreman and Bill Rhue, at next month's meeting.

**21. Meeting adjourned at 8:10 p.m.**

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**Steve Swan, Mayor**

**Attest:**

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**Linda Winn, City Secretary**