

**CITY OF LAKEWAY CITY COUNCIL MEETING**  
**Action Minutes of Regular Session**  
**Monday, July 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 Don Karges and Councilmembers Dee Ann Burns, Dave DeOme, Bruce Harris, Bob Neighbors 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:**
  - Monthly Financial Report was presented by Al Tyson, City Treasurer.
  - City Manager's Monthly Report was given by Steve Jones.
5. **Pedernales Electric Cooperative** – A quarterly update and franchise check was presented by Donna Pollard.
6. **Special Use Permit: Drive-Through Facilities.** A request from Serene Hills, Ltd., the owner of approximately 8.9 acres located at the northeast corner of State Highway 71 and the proposed Serene Hills Drive extension (17500 SH 71 West) for approval of a Special Use Permit to allow businesses with drive-through facilities on the property. (Council may take action on each proposed facility separately if desired.)
  - Staff report was presented by Deputy City Manager Chessie Blanchard.
  - Citizen participation – Aaron Googins, King Engineering Associates, Inc., was present to answer questions.
  - Council discussion/action – **Councilmember Alan Tye made a motion to vote on the two issues separately. Councilmember Dave DeOme seconded the motion. Motion passed with the following vote: For: Mayor Pro Tem Don Karges and Councilmembers Alan Tye, Dave DeOme, Bruce Harris and Dee Ann Burns. Against: Mayor Steve Swan and Councilmember Bob Neighbors. Motion passed 5-2.**

**MOTION FOR WEST (TACO CABANA) PAD: Councilmember Dave DeOme made a motion to approve. Councilmember Bob Neighbors seconded the motion and it passed by unanimous vote. Approved 7-0.**

**MOTION FOR EAST (STARBUCKS) PAD: Councilmember Dave DeOme made a motion to approve. Councilmember Bob Neighbors seconded the motion and it passed with the following vote: For: Mayor Steve Swan, Mayor Pro Tem Don Karges and Councilmembers Bob Neighbors, Dave DeOme, Bruce Harris and Dee Ann Burns. Against: Councilmember Alan Tye. Motion passed 6-1.**

7. **Zoning Change: Serene Hills.** A request by Serene Hills, Ltd., the owner of approximately 18.2 acres located within the Serene Hills development at 17500 SH 71

West, for approval of a change in zoning of the property from GUI (Governmental, Utility and Institutional) to R-3 (Single Family Residential – Zero Lot Line - Modified).

- Staff report was presented by Deputy City Manager Chessie Blanchard, who noted the details of the City of Austin Interlocal Agreement requirement of fence construction on the southern boundary of the tract in accordance with BCP standards.
- Citizen participation – Barry Clark asked for information regarding the finish date of Serene Hills Drive construction.
- Council discussion/action – **Mayor Pro Tem Don Karges made a motion to approve, with listed ZAPCO conditions and finishing construction of the required fence by the deadline of March 1, 2009. Councilmembers Dee Ann Burns and Bob Neighbors seconded the motion and it passed by unanimous vote. Approved 7-0.**

- 8. Zoning Change: Tuscan Village.** A request from JH Tuscan Village, LP, the owner of the properties located at 1930 and 1935 Lohmans Crossing Road, for approval of an amendment to the Tuscan Village Planned Unit Development to combine the approximately 19.1 acre tract located at 1935 Lohmans Crossing Road (currently zoned The Summit Planned Unit Development) with the approximately 42.6 acre tract located at 1930 Lohmans Crossing

Road (currently zoned Tuscan Village Planned Unit Development) to create a 61.7 acre mixed-use, age-restricted community to be known as Tuscan Village.

- Staff report was given by Deputy City Manager Chessie Blanchard.
- Citizen participation – Chris Wittmayer, 4 Daybreak Cove, spoke regarding the density and design of the project.
- Council discussion/action - **Councilmember Alan Tye made a motion to approve. Councilmember Dave DeOme seconded the motion and it passed by unanimous vote. Approved 7-0.**

- 9. Building Ordinance Amendment.** A proposed amendment to the Building Ordinance amending Section 6, “Unsafe Buildings or Structures”, in its entirety.

- Staff report was presented by Deputy City Manager Chessie Blanchard.
- Citizen participation – No one spoke during citizen participation.
- Council discussion/action - **Councilmember Dee Ann Burns made a motion to approve. Councilmember Dave DeOme seconded the motion and it passed by unanimous vote. Approved 7-0.**

- 10. Ordinance 2008-07-21-04,** reducing the City’s Extraterritorial Jurisdiction.

- Staff report was presented by Deputy City Manager Chessie Blanchard.
- Citizen participation – No one spoke during citizen participation.
- Council discussion/action - **Councilmember Dave DeOme made a motion to approve. Councilmember Alan Tye seconded the motion and it passed with the following voting for: Mayor Steve Swan, Mayor Pro Tem Don Karges, and Councilmembers Bruce Harris, Dave DeOme, Dee Ann Burns and Alan Tye. Councilmember Bob Neighbors voted against. Approved 6-1.**

- 11. Approve Resolution 2008-07-21-01,** 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 representative Jim Hare was present to answer questions.
- Council discussion/action – **Councilmember Dave DeOme made a motion to approve. Mayor Pro Tem Don Karges seconded the motion and it passed by unanimous vote. Approved 7-0.**

**12. Approve Ordinance 2008-07-21-05**, adopting Amendment No. 5 to the Solid Waste Collection Ordinance.

- Staff report was presented by City Manager Steve Jones.
- Citizen participation – IESI representative Jim Hare was present to answer questions.
- Council discussion/action - **Councilmember Alan Tye made a motion to approve the rate of \$16.50 per month for each residential customer versus the \$17 requested. Mayor Pro Tem Don Karges seconded the motion and it passed with the following vote: For: Mayor Steve Swan, Mayor Pro Tem Don Karges and Councilmembers Alan Tye, Dave DeOme and Dee Ann Burns. Against: Councilmembers Bob Neighbors and Bruce Harris. Motion passed 5-2.**

**13. Reallocation of funds within the Police Department budget** to fund motorcycle patrol.

- Staff report was presented by City Manager Steve Jones.
- Citizen participation – Chief Bowers was present to answer council’s questions.
- Council discussion/action – **Councilmember Dee Ann Burns made a motion to approve the reallocation of \$55,000 as requested. Mayor Steve Swan seconded the motion and it passed by unanimous vote. Approved 7-0.**

**14. Approve Minutes:** Regular Meeting of June 16, 2008 and Work Session of June 19, 2008. **Mayor Pro Tem Don Karges made a motion to approve. Councilmember Bob Neighbors seconded the motion and it passed by unanimous vote. Approved 7-0.**

**15. Comments - Mayor and Councilmembers.** Mayor Pro Tem Don Karges asked if council would receive a draft budget this evening. Councilmember Bob Neighbors suggested that the council meetings begin at 6:00 p.m.

**16. Meeting adjourned at 9:02 p.m.**

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Steve Swan, Mayor

Attest:

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Linda Winn, City Secretary