

**CITY OF LAKEWAY CITY COUNCIL MEETING**  
**Action Minutes of Regular Session**  
**Tuesday, February 17, 2009, 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 citizen participation.
4. **Presentation to Mrs. Ann Gribble honoring** the late James T. Gribble Jr., former Mayor of Lakeway. Mayor Swan introduced Charles Edwards. Charles Edwards made the presentation of a flag case with a flag to Mrs. Gribble.
5. **Presentation of Proclamation to Greater Lakeway Residents Association (GLRA)** and Searcy Willis for conducting a successful blood drive. Mayor Swan read the Proclamation and presented it to Searcy Willis.
6. **Financial Report.**
  - Staff report was presented by Al Tyson, City Treasurer.
  - Citizen participation - No one spoke during citizen participation.
  - Council discussion – No discussion.
7. **Approve an ordinance authorizing the issuance** of “City of Lakeway, Texas General Obligation Refunding Bonds, Series 2009”, levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds.
  - Staff report was given by City Manager Steve Jones. Allen Westerman of SAMCO Capital Market spoke regarding the bids sent out to eight banks. He stated that Security State Bank was the best bid.
  - Citizen participation – No one spoke during citizen participation.
  - Council discussion/action - **Councilmember Dave DeOme made a motion to approve the ordinance. Motion was seconded by Councilmember Dee Ann Burns and passed by unanimous vote. Approved 7-0.**
8. **Discuss and consider authorizing City Attorney to seek legislation** related to amending state annexation law, or other state law, applicable to municipal utility districts located within the City's limits.
  - Staff report was given by City Manager Steve Jones.
  - Citizen participation – Tom Rogers, 119 Golf Crest Cove, spoke about the MUD, the abolishment, quality of service, and increased fees.

- Council discussion/action – **Councilmember Don Karges made a motion to authorize the City Attorney to seek legislation related to state annexation law, or other state law, applicable to municipal utility districts located within the City's limits. Motion was seconded by Councilmember Bob Neighbors and passed by unanimous vote. Approved 7-0. Councilmember Alan Tye made a second motion that the City establish an independent task force to identify the alternatives and make recommendations with respect to the possible annexation of the Lakeway Municipal District. Motion was seconded by Councilmember Dee Ann Burns. After discussion, Councilmember Alan Tye withdrew the motion.**
- 9. Award a contract for the construction of a right turn lane on eastbound Lakeway Boulevard at RR 620.**
- Staff report was given by Paul Duncan, City Engineer who stated staff recommends Champion Site Prep.
  - Citizen participation - No one spoke during citizen participation.
  - Council discussion/action – **Councilmember Dee Ann Burns made a motion to award the contract for the construction of a right turn lane on eastbound Lakeway Boulevard at RR 620 to Champion Site Prep for \$199,823.49. Motion was seconded by Councilmember Don Karges and passed by unanimous vote. Approved 7-0.**
- 10. Zoning: Vehicle Repair Facility.** A request from Philip Albright, the owner of the property located at 1103 RR 620 South (Cardinal Hills, Lot 14-A, Unit 6), for approval of a change in Zoning from C-1 (Office/Retail) to C-2 (Commercial/Light Industrial) for the purpose of expanding the existing vehicle repair facility.
- 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 the zoning change from C-1 to C-2. Motion was seconded by Councilmember Dave DeOme and passed by unanimous vote. Approved 7-0.**
- 11. Special Use Permit: Vehicle Repair Facility.** A request from Philip Albright, the owner of the property located at 1103 RR 620 South (Cardinal Hills, Lot 14-A, Unit 6), for approval of a Special Use Permit for the purpose of expanding the existing vehicle repair facility.
- Staff report was given by Shannon Burke, Director, Building and Development Services.
  - Citizen participation/public hearing - No one spoke during citizen participation.
  - Council discussion/action - **Councilmember Dave DeOme made a motion to approve the special use permit. Motion was seconded by Councilmember Dee Ann Burns and passed by unanimous vote. Approved 7-0.**
- 12. Annexation: Property adjacent to Highlands Boulevard.** A request from Las Ventanas Land Partners, the owner of approximately 20.43 acres located at various points along Highlands Boulevard, for annexation of the property into the City of Lakeway.

- Staff report was given by Shannon Burke, Director, Building and Development Services.
- Citizen participation/public hearing - Public hearing was opened at 7:30 p.m. by Mayor Swan. Public hearing was closed at 7:30 p.m. by Mayor Swan. Joe Quinzy of Las Ventanas Land Partners stated that the road would be open for public use around the end of May, early June.
- Council discussion/action - **Councilmember Dee Ann Burns made a motion to approve the annexation. Motion was seconded by Councilmember Bruce Harris and passed by unanimous vote. Approved 7-0.**

**13. Annexation: Bee Creek Tracts.** A request from Las Ventanas Land Partners, the owner of approximately 10.94 acres located at the intersection of Highlands Boulevard and Bee Creek Road, for annexation of the property into the City of Lakeway.

- Staff report was given by Shannon Burke, Director, Building and Development Services.
- Citizen participation/public hearing - Public hearing was opened at 7:35 p.m. by Mayor Swan. Public hearing was closed at 7:35 p.m. by Mayor Swan. No one spoke during the public hearing.
- Council discussion/action - **Councilmember Don Karges made a motion to approve the annexation. Motion was seconded by Councilmember Bob Neighbors and passed by unanimous vote. Approved 7-0.**

**14. Zoning: Bee Creek Tracts.** A request from Las Ventanas Land Partners, the owner of approximately 10.94 acres located at the intersection of Highlands Boulevard and Bee Creek Road, for zoning of “R-1 Temp, Single Family Residential – Temporary” for the property.

- Staff report was given by Shannon Burke, Director, Building and Development Services.
- Citizen participation/public hearing - Public hearing was opened at 7:35 p.m. by Mayor Swan. Public hearing was closed at 7:35 p.m. by Mayor Swan. No one spoke during the public hearing.
- Council discussion/action - **Councilmember Dee Ann Burns made a motion to approve the zoning of R-1 Temp. Motion was seconded by Councilmember Bruce Harris and passed by unanimous vote. Approved 7-0.**

**15. Annexation: Highlands Irrigation Tract.** A request from Las Ventanas Land Partners, the owner of approximately 61.43 acres, located in the southwest corner of the Lakeway Highlands development (near Bee Creek Road and State Highway 71), for annexation of the property into the City of Lakeway.

- Staff report was given by Shannon Burke, Director, Building and Development Services.
- Citizen participation/public hearing - Public hearing was opened at 7:39 p.m. by Mayor Swan. Public hearing was closed at 7:39 p.m. by Mayor Swan. No one spoke during the public hearing.
- Council discussion/action - **Councilmember Dave DeOme made a motion to approve the annexation. Motion was seconded by Councilmember Bob Neighbors and passed by unanimous vote. Approved 7-0.**

- 16. Zoning: Highlands Irrigation Tract.** A request from Las Ventanas Land Partners, the owner of approximately 61.43 acres, located in the southwest corner of the Lakeway Highlands development (near Bee Creek Road and State Highway 71), for zoning of “GUI, Governmental, Utility and Institutional” for the property.
- Staff report was given by Shannon Burke, Director, Building and Development Services.
  - Citizen participation/public hearing - Public hearing was opened at 7:39 p.m. by Mayor Swan. Public hearing was closed at 7:39 p.m. by Mayor Swan. No one spoke during the public hearing.
  - Council discussion/action - **Councilmember Dee Ann Burns made a motion to approve the zoning of GUI. Motion was seconded by Councilmember Bruce Harris and passed by unanimous vote. Approved 7-0.**
- 17. Annexation: Highlands Lift Station.** A request from Las Ventanas Land Partners, the owner of approximately 0.63 acres, located at 601 Highlands Boulevard, for annexation of the property into the City of Lakeway.
- Staff report was given by Shannon Burke, Director, Building and Development Services.
  - Citizen participation/public hearing - Public hearing was opened at 7:42 p.m. by Mayor Swan. Public hearing was closed at 7:44 p.m. by Mayor Swan.
  - Council discussion/action - **Councilmember Bruce Harris made a motion to approve the annexation. Motion was seconded by Councilmember Dave DeOme and passed by unanimous vote. Approved 7-0.**
- 18. Zoning: Highlands Lift Station.** A request from Las Ventanas Land Partners, the owner of approximately 0.63 acres, located at 601 Highlands Boulevard for zoning of “GUI, Governmental, Utility and Institutional” for the property.
- Staff report was given by Shannon Burke, Director, Building and Development Services.
  - Citizen participation/public hearing - Public hearing was opened at 7:42 p.m. by Mayor Swan. Elsa Hopkins, 705 Mariner, stated that in respect to irrigation tracts this is where one case where more is better. Public hearing was closed at 7:44 p.m. by Mayor Swan.
  - Council discussion/action - **Councilmember Bruce Harris made a motion to approve the zoning of GUI. Motion was seconded by Councilmember Don Karges and passed by unanimous vote. Approved 7-0.**
- 19. Ordinances relating to the General Election to be held May 9th, 2009.**  
Ordinance 2009-02-17-10, Ordering a May 9<sup>th</sup>, 2009 General Election for the purpose of electing a Mayor and three (3) Councilmembers.
- Council discussion/action - **Councilmember Bob Neighbors made a motion to approve the ordinance. Motion was seconded by Councilmember Don Karges and passed by unanimous vote. Approved 7-0.**

**20. Ordinance 2009-02-17-11, Ordering a May 9<sup>th</sup>, 2009 Special Election** to consider reauthorization of a road maintenance sales tax.

- Council discussion/action - **Councilmember Dee Ann Burns made a motion to approve the ordinance. Motion was seconded by Councilmember Bob Neighbors and passed by unanimous vote. Approved 7-0.**

**21. Ordinance 2009-2-17-12, Appointment of City of Lakeway Election Officials** for the May 9th, 2009 General and Special Election.

- Council discussion/action - **Councilmember Dave DeOme made a motion to approve the ordinance. Motion was seconded by Councilmember Dee Ann Burns and passed by unanimous vote. Approved 7-0.**

**22. Authorize the Mayor to issue a Notice of Election.**

- Council discussion/action - **Councilmember Dave DeOme made a motion to authorize the Mayor to issue a Notice of Election. Motion was seconded by Councilmember Dee Ann Burns and passed by unanimous vote. Approved 7-0.**

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

**23. Approve Minutes:** Regular Council Meeting of January 20, 2009.

**24. Approve Minutes:** Special Council Meeting of February 4, 2009.

**25. Resolution 2009-02-17-01, Appointments to Boards and Commissions:**

- Terry Fiset, Arts and Beautification Committee, Member.

**26. Resolution 2009-02-17-02, Appointment of Sylvia Perez as Chief Clerk of the Lakeway Municipal Court:**

**END CONSENT AGENDA**

**Councilman Bob Neighbors made a motion to approve Consent Agenda items 23-26 as listed above. Motion was seconded by Councilmember Dave DeOme and passed by unanimous vote. Approved 7-0.**

**27. Meeting adjourned at 7:53 p.m.**

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**Steve Swan, Mayor**

**Attest:**

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**Christy Fath, City Secretary**