

CITY OF LAKEWAY CITY COUNCIL MEETING
Action Minutes of Regular Session
Monday, May 18, 2009, 6:30 p.m.
Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas

1. **Establish Quorum and Call to Order.** Mayor Steve Swan and Councilmembers Dee Ann Burns, Dave DeOme, Bruce Harris, Bob Neighbors and Alan Tye were present.
2. **Pledge of Allegiance was led by Mayor Swan.**
3. **Canvass results of the General and Special Elections held on May 9, 2009.**
 - **Resolution 2009-05-18-01:** A Resolution canvassing the returns and declaring the results of a General Election; and other matters in connection therewith.
 - Council discussion/action - **Councilmember Bob Neighbors made a motion to approve the resolution. Motion was seconded by Councilmember DeAnn Burns and passed by unanimous vote. Approved 6-0.**
 - **Resolution 2009-05-18-02:** A Resolution canvassing the returns and declaring the results of a Special Proposition Election; and other matters in connection therewith.
 - Council discussion/action - **Councilmember DeAnn Burns made a motion to approve the resolution. Motion was seconded by Councilmember bob Neighbors and passed by unanimous vote. Approved 6-0.**
4. **Issuance of Certificates of Election.**
 - Council discussion – **Mayor Swan issued the Certificates of Election to Dave DeOme, Alan Tye, Dennis Wallace and Joe Bain.**
5. **Administer the Oath of Office to new Mayor and Councilmembers and Appreciation for Outgoing Mayor and Councilmembers:**
 - Swear In New Mayor and Councilmembers – **City Secretary Christy Fath administered the Statements of Elected Officer and Oaths of Office.**
 - Outgoing: Mayor Steve Swan, Councilmember Bob Neighbors – **Mayor DeOme presented outgoing Mayor Swan and outgoing Councilmember Bob Neighbors with plaques in recognition of service. Mayor DeOme clarified the difference in the results on Election Day and the Certified Final Report. Councilmember Alan Tye announced that the City Secretary was elected as Councilmember in Burnet, Texas.**
6. **Declare a vacancy for the unexpired term of Councilmember Dave DeOme.**
 - Citizen participation - No one spoke during citizen participation.
 - Council discussion/action – Mayor DeOme discussed his proposed procedure of appointing someone to fill the vacancy and asked Council to be ready on May 29th to appoint someone at the special meeting. **Councilmember Bruce Harris made a motion to declare a vacancy for the unexpired term of Councilmember Dave DeOme. Motion was seconded by Councilmember Alan Tye and passed by unanimous vote. Approved 6-0.**

7. **Citizens Participation** – Bill Chandler, 204 Timpanagos Dr., commended outgoing Mayor Swan on his accomplishments during his term.

8. **Resolution 2009-05-18-03: Appointing a Mayor Pro Tem:** Pursuant to City Charter Section 3.06.
 - Citizen participation - No one spoke during citizen participation.
 - Council discussion/action – **Councilmember Bruce Harris made a motion to appoint Councilmember Alan Tye as Mayor Pro Tem. Motion was seconded by Councilmember Joe Bain and passed by unanimous vote. Approved 6-0.**

9. **Financial Report.**
 - Staff report was given by Al Tyson, City Treasurer.
 - Citizen participation - No one spoke during citizen participation.
 - Council discussion – None.

10. **Zoning: Wastewater Treatment Plant.** A request from Travis County Water Control and Improvement District No. 17 on behalf of the owner of approximately 0.689 acres located at 2200 Lohmans Spur (behind the Lohmans Crossing Shopping Center) for approval of a change in zoning of the property from C-1 (Office/Retail) to GUI (Governmental, Utility and Institutional) to accommodate an expansion of the existing wastewater treatment plant.
 - 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 Dee Ann Burns made a motion to approve the zoning request. Motion was seconded by Councilmember Alan Tye and passed by unanimous vote. Approved 6-0.**

11. **Approve amendments to the Sign Ordinance** amending various sections pertaining to applications, approvals, penalties, design guidelines, permitted signs, exempted signs, prohibited signs, maintenance, variances and waivers, and other matters pertaining thereto.
 - Staff report was given by Shannon Burke, Director, Building and Development Services.
 - Citizen participation – Eric Oler, owner of Imagine Center, Buck DeBray, owner of Lakeway Commons, and Mike Stuess spoke regarding the leasing information signs.
 - Council discussion/action – Council discussed temporary signs, open house signs and leasing information signs. **Councilmember Dee Ann Burns made a motion to not allow open house directional signs on RR 620. Motion was seconded by Councilmember Dennis Wallace and it passed with a vote of five (5) for and one (1) against with Councilmember Bruce Harris voting no. Councilmember Alan Tye made a motion to maintain the size for non-residential real estate signs size at twelve (12) square feet. Motion was seconded by Councilmember Dee Ann Burns and passed by unanimous vote. Approved 6-0. Councilmember Bruce Harris made a motion to adopt the non-residential real estate sign ordinance with the stipulation that property owners have a stand alone for sale/for lease informational sign on their property. Motion died due to lack of second.**

Councilmember Joe Bain made a motion to approve staff recommendation with the change that we ask that they permit the signs and the staff can make a decision on them but if they have any questions on them or feel questionable about its colors, etc. they can bring it to ZAPCO. Motion was seconded by Dee Ann Burns and passed by unanimous vote. Approved 6-0. Councilmember Dee Ann Burns made a final motion to accept the sign ordinance as directed to us by staff and ZAPCO with the one change voted on. Motion was seconded by Councilmember Joe Bain and it passed with a vote of five (5) for and one (1) against with Councilmember Bruce Harris voting no.

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

12. Approve Minutes: Regular Council Meeting of April 20, 2009.

13. Approve Minutes: Special Council Meeting of April 27, 2009.

14. Approve Minutes: Special Council Meeting of May 11, 2009.

15. Resolution 2009-05-18-04, Appointments to Boards and Commissions:

- Polly Lee, Zoning and Planning Commission, Member.

END CONSENT AGENDA

Councilmember Dee Ann Burns made a motion to approve Consent Agenda items 12-15 as listed above. Motion was seconded by Councilmember Alan Tye and passed by unanimous vote. Approved 6-0.

Councilmember Dee Ann Burns welcomed the new Councilmembers, new Mayor and Mayor Pro Tem.

16. Meeting adjourned at 7:47 p.m.

David P. DeOme, Mayor

Attest:

Christy Fath, City Secretary