

CITY OF LAKEWAY CITY COUNCIL MEETING
Action Minutes of Regular Session
Monday, September 20, 2010, 6:30 p.m.
Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas

1. **Establish Quorum and Call to Order.** Present: Mayor Dave DeOme, Mayor Pro Tem Dee Ann Burns-Farrell, Council Members Bruce Harris, Dave Taylor, Alan Tye, and Dennis Wallace. Absent: Councilmember Joe Bain.
2. **Pledge of Allegiance was led by Mayor DeOme.**
3. **Citizens Participation** – Robert Leonard, 231B Mooring Circle, requested police patrol and signs in the greenbelts to insure that dogs be kept on leashes; he related a recent personal incident when he was approached and bitten by a large unleashed dog. Scott Jenkins, 207 Palos Verdes, spoke against the construction of a new trail intended for use by mountain bikes in Hamilton Greenbelt because of the disturbance the bikes cause to both the nearby residents and the natural environment.
4. **Financial Report.**
 - Staff report was given by Al Tyson, City Treasurer
5. **Proclamation by Mayor DeOme**, proclaiming October 5, 2010, as National Night Out in Lakeway. Mayor DeOme read the proclamation and presented it to Captain David Crowder of the Lakeway Police Department. Photographs were taken of the Mayor, Council, and program organizer Senior Sergeant Ken Farr, holding the event banner.
6. **Approve Ordinance No. 2010-09-20-01**, amending Fiscal Year 2010 Budget.
 - Staff report by Steve Jones, City Manager - recommended approving the amendment which reflects an increase in revenue and expenditures for inspection services in BDS; transfer of funds from PD personnel to capital outlay to fund the purchase of a CAD/RMS system; transfer from the Parks and Recreation expenses to Activity Center expenses to cover increased costs; and, transfer of surplus to Capital Reserve Fund voted on by Council at the September 13th Work Session.
 - Citizen participation/public hearing – no one spoke during citizen participation.
 - Council discussion/action – **Mayor Pro Tem Burns-Farrell moved to approve Ordinance No. 2010-09-20-01. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 6-0.**
7. **Adopt Fiscal Year 2011 Budget.**
 - Staff report by Steve Jones, City Manager – recommended approving FY2011 Budget.
 - Citizen participation/public hearing - no one spoke during citizen participation.
 - Council discussion/action – **Councilmember Tye moved to approve the FY 2011 Budget. Councilmember Wallace seconded the motion, and it passed by unanimous vote, approved 6-0.**
8. **Adopt 2010 Property Tax Rate.**
 - Staff report by Steve Jones, City Manager – recommended adopting the Tax Rate of \$0.1996 for Tax Year 2010/Fiscal Year 2011.

- Citizen participation/public hearing - no one spoke during citizen participation.
 - Council discussion/action - **Councilmember Tye moved to approve the Tax Year 2010/Fiscal Year 2011 Property Tax Rate. Mayor Pro Tem Burns-Farrell seconded the motion, and it passed by unanimous vote, approved 6-0.**
- 9. Approve an Interlocal Agreement with the Village of The Hills**, regarding an exchange of extraterritorial and corporate jurisdiction.
- Staff report by Steve Jones, City Manager – recommended approving the Interlocal Agreement and Exchange of Extraterritorial Jurisdiction of the Villas, a condominium subdivision located in the ETJ of the Village of The Hills.
 - Citizen participation/public hearing - no one spoke during citizen participation.
 - Council discussion/action - **Mayor Pro Tem Burns-Farrell moved to approve an Interlocal Agreement with the Village of The Hills and exchange of extraterritorial and corporate jurisdiction of The Villas. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 6-0.**
- 10. Approve authorization of City Manager Steve Jones to execute a lease agreement** between the City of Lakeway and the Lakeway Civic Corporation and the Greater Lakeway Residents Association for use of office space in the Activity Center.
- Staff report by Steve Jones, City Manager – recommended approval authorizing him to execute a lease agreement for a term of three years at a monthly rent of \$507.
 - Citizen participation/public hearing - no one spoke during citizen participation.
 - Council discussion/action – **Councilmember Wallace made the motion to authorize Steve Jones to execute the lease agreement. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 6-0.**
- 11. Special Use Permit: Fast Food Restaurant.** A request from P Terry’s Burger Stand, on behalf of the owner of approximately 4.0 acres located at 3311 RR 620 South, for a Special Use Permit to operate a restaurant with a drive-through facility at that location.
- Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation/public hearing – Don Hess, 234 Aria Ridge, requested information on the City’s notification process to nearby residents and stated that he never received notice from the City. Betty McBride, 110 Aria Drive, expressed her concern regarding potential traffic issues. Tom Wallace, 218 Aria Ridge, stated that he did not receive proper notice and requested tabling the item. Laura Staten, 106 Aria Ridge, expressed her opposition to the permit based on concerns about potential disturbance caused by late night noise. Eugenia Robins, 104 Aria Ridge, stated her concerns regarding potential traffic problems for the general area. Gordon Fitzford, 221 Aria Ridge, requested additional time for him and other residents to consider the project.
 - Council discussion/action – After clarification of the City’s zoning notification process and the discussion of a possible communication breakdown between the condominium HOA and its residents, Council considered postponing this item until residents can meet to discuss their concerns about the site with proprietor, Patrick Terry and his architect, Michael Hsu. **Councilmember Tye moved to table item. Mayor Pro Tem Burns-Farrell seconded the motion, and it passed by unanimous vote, approved 6-0.**
- 12. Final Plat: Serene Hills Subdivision Phase 2E.** A request from Serene Hills, Ltd., the owner of approximately 32.151 acres located east of Serene Hills Drive and south of Flint

Rock Road, for approval of the Serene Hills Subdivision Phase 2E Final Plat. **POSTONED UNTIL THE OCTOBER 18, 2010 REGULAR COUNCIL MEETING.**

13. Annexation: Highlands Greenbelt Lot. A request from Las Ventanas Land Partners, the owner of approximately 13.239 acres located on the south side of Highlands Boulevard west of Rough Hollow Drive and east of Duffy Lane, for annexation of the property into the City of Lakeway.

- Staff report by Shannon Burke, Director of Building and Development Services for 1st public hearing.
- Citizen participation/public hearing - no one spoke during citizen participation.
- Council discussion/action – Council expressed no objection to annexation. **No action was taken.**

14. Approve Resolution No. 2010-09-20-01, amending the Recycling and Solid Waste Disposal Services Agreement between the City of Lakeway and IESI Texas Corporation, to increase the base rate for trash and recycling collection.

- Staff report by Steve Jones, City Manager.
- Citizen participation/public hearing - no one spoke during citizen participation.
- Council discussion/action- **Mayor Pro Tem Burns-Farrell moved to approve Resolution No. 2010-09-20-01, giving notice to residents of a rate increase for recycling and solid waste services. Councilmember Harris seconded the motion, and it passed by unanimous vote, approved 6-0.**

15. Approve Ordinance No. 2010-09-20-04, amending Section 8.01 Rates and Fees for Residential Service of the Solid Waste Collection Ordinance No. 98-05-18-03.

- Staff report by Steve Jones, City Manager.
- Citizen participation/public hearing - no one spoke during citizen participation.
- Council discussion/action- **Councilmember Taylor moved to approve Ordinance No. 2010-09-20-04, amending the Section 8.01 Rates and Fees for Residential Service of the Solid Waste Collection Ordinance No. 98-05-18-03. Councilmember Harris 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.

16. Approve a Special Use Permit, authorizing a fireworks display at Lakeway Resort and Spa for an event to be held on October 10, 2010, as requested by Steve Wolf of Science in the Movies, Inc.

17. Approve Minutes: Regular Council Meeting of August 16, 2010.

18. Approve Minutes: Special Council Meeting of August 30, 2010.

19. Approve Minutes: Special Council Meeting of September 13, 2010.

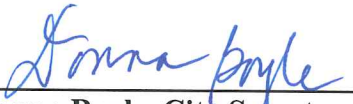
END CONSENT AGENDA

Councilmember Tye pulled item 19 from the Consent Agenda. Councilmember Tye moved to approve Consent Agenda items 16, 17, and 18 as listed above. Mayor Pro Tem Burns-Farrell seconded the motion, and it passed by unanimous vote, approved 6-0. Councilmember Tye wished to enter into the record that at the Special Council Meeting on September 13, 2010, he requested staff to consider increasing fees paid by developers to the Parkland Fund and changing the ordinance accordingly. Mayor Pro Tem Burns-Farrell moved to approve Consent Agenda item 19. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 6-0.

20. Meeting adjourned at 8:20 p.m.



David P. DeOme, Mayor



Donna Boyle, City Secretary

