

CITY OF LAKEWAY CITY COUNCIL MEETING
Action Minutes of Regular Session
Monday, August 15, 2011, 6:30 p.m.
Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas

1. **Establish Quorum and Call to Order.** Present: Mayor Pro Tem Bruce Harris, Councilmembers Joe Bain, Dave Taylor, Alan Tye, and Dennis Wallace. Mayor Dave DeOme and Councilmember Dee Ann Burns-Farrell were absent.
2. **Pledge of Allegiance** was led by Mayor DeOme.
3. **Citizens Participation** – No one spoke.
4. **Financial Report.**
 - Staff report by Al Tyson, City Treasurer.
5. **Special Use Permit: Rough Hollow Yacht Club.** A request from Rough Hollow Yacht Club, Ltd., the owner of the Rough Hollow Yacht Club located at 108 Yacht Club Cove (Rough Hollow, Section 11, Lot 1), for a Special Use Permit to conduct weddings and similar events at that location. *This item was postponed at the request of the owner of Rough Hollow Yacht Club.*
 - Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation/public hearing.
 - Council discussion/action.
6. **Discuss and consider directing City staff to research City's noise regulations** and report findings and recommendations to City Council. *This item was postponed.*
7. **Ordinance relating to the Special Election to be held November 8th, 2011.** Consider approving Ordinance 2011-08-15-01, ordering a November 8th, 2011 Special Election to allow the voters of the City to approve or disapprove the sale of certain land conveyed to the City for park purposes (a portion of Rebel Park), and authorizing Mayor to issue a Notice of Election. *This item was postponed.*
 - Staff report by Chessie Blanchard, Deputy City Manager.
 - Citizen participation.
 - Council discussion/action.
8. **Consider approving a resolution accepting the dedication of a portion (0.508 acres) of Hayden Ridge Lane.**
 - Staff report by Chessie Blanchard, Deputy City Manager.
 - Citizen participation – No one spoke.
 - Council discussion/action – **Councilmember Bain moved to approve a resolution accepting the dedication of a portion (0.508 acres) of Hayden Ridge Lane. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 5-0.**

9. **Consider approving a contract with McCreary, Veselka, Bragg, and Allen, P.C. for the collection of Municipal court fines and fees.**
 - Staff report by Chessie Blanchard, Deputy City Manager.
 - Citizen participation – No one spoke.
 - Council discussion/action – **Councilmember Tye moved to approve a contract with McCreary, Veselka, Bragg, and Allen, P.C. for the collection of Municipal court fines and fees. Councilmember Bain seconded the motion, and it passed by unanimous vote, 5-0.**

10. **Consider a resolution electing not to impose a subscriber fee for the operation of a Public, Education, and Government channel for Time Warner.**
 - Staff report by Chessie Blanchard, Deputy City Manager.
 - Citizen participation – No one spoke.
 - Council discussion/action – **Councilmember Wallace moved to approve a resolution electing not to impose a subscriber fee for the operation of a Public, Education, and Government channel for Time Warner. Councilmember Bain seconded the motion, and it passed by unanimous vote, approved 5-0.**

11. **Determination: Lakeway Airpark South.** A request from East El Paso Medical Group, LP, the owner of approximately 7.4 acres located at 2910 Lakeway Boulevard (Lakeway Airpark South Subdivision, Lot 1), for reconsideration of an application for a change in zoning of approximately 2.7 acres of the property from AV (Aviation) to R-1 (Single Family Residential) that was denied within the last 12 months.
 - Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation – No one spoke.
 - Council discussion/action – **Councilmember Wallace moved to approve a request from East El Paso Medical Group, LP, the owner of approximately 7.4 acres located at 2910 Lakeway Boulevard (Lakeway Airpark South Subdivision, Lot 1), for reconsideration of an application for a change in zoning of approximately 2.7 acres of the property from AV (Aviation) to R-1 (Single Family Residential) that was denied within the last 12 months. Councilmember Tye seconded the motion, and it passed unanimous vote, approved 5-0.**

12. **Replat: Lakeway Highlands, Phase 1, Section 3.** A request from RHDP, Ltd., the owner of an approximately 3.144 acres located on the north side of Highlands Boulevard east of Peninsula Way, for approval of a resubdivision of Lots 120, 122-125 and 154-158, Lakeway Highlands, Phase 1, Section 3, Block A.
 - Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation/public hearing – No one spoke.
 - Council discussion/action – **Councilmember Tye moved to approve a request from RHDP, Ltd., the owner of an approximately 3.144 acres located on the north side of Highlands Boulevard east of Peninsula Way, for approval of a resubdivision of Lots 120, 122-125 and 154-158, Lakeway Highlands, Phase 1, Section 3, Block A. Councilmember Bain seconded the motion, and it passed by unanimous vote, approved 5-0.**

- 13. Annexation: Lakeway Highlands, Phase 1, Sections 5 and 6.** A request from Las Ventanas Land Partners, Ltd., the owner of approximately 38.43 acres located on the north side of Highlands Boulevard west of Peninsula Way, for annexation of the property.
- Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation/public hearing – No one spoke.
 - Council discussion/action – **Councilmember Bain move to approve a request from Las Ventanas Land Partners, Ltd., the owner of approximately 38.43 acres located on the north side of Highlands Boulevard west of Peninsula Way, for annexation of the property. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 5-0.**
- 14. Original Zoning: Lakeway Highlands, Phase 1, Sections 5 and 6.** A request from Las Ventanas Land Partners, Ltd., the owner of approximately 38.43 acres located on the north side of Highlands Boulevard west of Peninsula Way, for original zoning of R-3 (Single-Family – Zero Lot Line – Modified) for the property.
- Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation/public hearing – No one spoke.
 - Council discussion/action – **Councilmember Tye moved to approve a request from Las Ventanas Land Partners, Ltd., the owner of approximately 38.43 acres located on the north side of Highlands Boulevard west of Peninsula Way, for original zoning of R-3 (Single-Family – Zero Lot Line – Modified) for the property. Councilmember Bain seconded the motion, and it passed by unanimous vote, approved 5-0.**
- 15. Zoning Change: Lakeway Highlands, Phase 1, Sections 5 and 6.** A request from Las Ventanas Land Partners, Ltd., the owner of approximately 14.07 acres located on the north side of Highlands Boulevard west of Peninsula Way, for a change of zoning from GUI (Government, Utility and Institutional) to R-3 (Single-Family – Zero Lot Line – Modified) for the property.
- Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation/public hearing – No one spoke.
 - Council discussion/action – **Councilmember Taylor moved to approve a request from Las Ventanas Land Partners, Ltd., the owner of approximately 14.07 acres located on the north side of Highlands Boulevard west of Peninsula Way, for a change of zoning from GUI (Government, Utility and Institutional) to R-3 (Single-Family – Zero Lot Line – Modified) for the property. Councilmember Wallace seconded the motion, and it passed by unanimous vote, approved 5-0.**
- 16. Annexation: Lakeway Highlands Multifamily Tract.** A request from Las Ventanas Land Partners, Ltd., the owner of approximately 9.264 acres located on the south side of Highlands Boulevard west of Tavish Trail for annexation of the property.
- Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation/public hearing – No one spoke.
 - Council discussion – **Vote is scheduled for September 19, 2011 Regular City Council Meeting.**

- 17. Zoning Code Amendment: Short Term Rental Use.** A proposed amendment to the Zoning chapter of the Lakeway Code of Ordinances to define short term rental use and to allow it in certain residential districts and other matters pertaining thereto.
- Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation/public hearing – No one spoke.
 - Council discussion/action – **Councilmember Bain moved to approve an amendment to the Zoning chapter of the Lakeway Code of Ordinances to define short term rental use and to allow it in certain residential districts and other matters pertaining thereto. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 5-0.**
- 18. Code of Ordinances Amendment: Short Term Rental Use.** A proposed amendment to the Lakeway Code of Ordinances to require licenses to rent residential property on a short term basis, to establish compatible conditions for those licenses, to provide for enforcement and penalties for violating those conditions, and other matters pertaining thereto.
- Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation/public hearing – Sue Collyer-Potter
 - Council discussion/action – **Councilmember Tye moved to approve an amendment to the Lakeway Code of Ordinances to require licenses to rent residential property on a short term basis, to establish compatible conditions for those licenses, to provide for enforcement and penalties for violating those conditions, and other matters pertaining thereto. Councilmember Bain seconded the motion, and it passed by a vote of 4-1 with Mayor Pro Tem Harris opposed.**
- 19. Fee Schedule Amendment: Short Term Rental Use License.** A proposed amendment to the Fee Schedule of the Lakeway Code of Ordinances to provide for fees related to the licensing of short term rental use.
- Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation/public hearing – No one spoke.
 - Council discussion/action – **Councilmember Bain moved to approve an amendment to the Fee Schedule of the Lakeway Code of Ordinances to provide for fees related to the licensing of short term rental use. Councilmember Wallace seconded the motion, and it passed unanimous vote, approved 5-0.**
- 20. Zoning Code Amendment: Sexually-Oriented Businesses.** A proposed amendment to the Zoning chapter of the Lakeway Code of Ordinances to add definitions and restrictions related to sexually-oriented businesses and adult novelty stores, and other matters pertaining thereto.
- Staff Report by Chessie Blanchard, Deputy City Manager
 - Citizen participation/public hearing – No one spoke.
 - Council discussion/action – **Councilmember Bain moved to approve an amendment to the Zoning chapter of the Lakeway Code of Ordinances to add definitions and restrictions related to sexually-oriented businesses and adult novelty stores, and other matters pertaining thereto. Councilmember Wallace seconded the motion, and it passed by unanimous vote, approved 5-0.**
- 21. Budget FY2012 Work Session.**
- Council discussion – Councilmembers asked questions on the following matters: the under use of the swim center due to seasonal staff's back-to-school schedule and the LTISD's contract for their swim team practices; justification of staff increases at the

police department; decrease in revenues from court fees. City staff will identify items in budget that are one-time costs and will research court revenues breakout of code violations and traffic fines.

22. Consider adopting a proposed Ad Valorem tax rate for 2011.

- Staff report by Chessie Blanchard, Deputy City Manager.
- Citizen participation – No one spoke.
- Council discussion/action – **Council's consensus was not to go above effective rate, so no action was required.**

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 an amendment to the City's Personnel Policies and Procedures Manual.

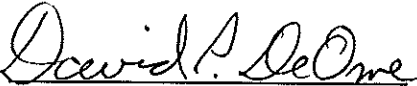
24. Approve Minutes: Regular Council Meeting of July 18, 2011.

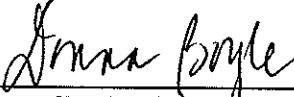
25. Approve Minutes: Special Council Meeting of August 8, 2011.

END CONSENT AGENDA

Councilmember Taylor moved to approve the Consent Agenda items 23, 24 and 25 as listed above. Councilmember Tye seconded the motion, and it passed by a unanimous vote, approved 5-0.

Meeting adjourned at 7:50 p.m.


David P. DeOme, Mayor


Donna Boyle, City Secretary

