

CITY OF LAKEWAY CITY COUNCIL MEETING
Action Minutes of Regular Session
Tuesday, January 17, 2012, 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 Bruce Harris, Council Members Joe Bain, Dee Ann Burns-Farrell, Dave Taylor, Alan Tye, and Dennis Wallace.
2. **Pledge of Allegiance** was led by Mayor DeOme.

At this point, Mayor DeOme announced that agenda items 8, 9, and 10 were postponed to some later date at the developer's request.

3. **Citizens Participation** – Wayne Meyer, 113 Lido, gave a presentation to illustrate his request to extend the height of dog fencing as defined by the City's current ordinance in order to eliminate his family's safety concerns over large dogs climbing over the required four-foot fence; Karen Bradford, 936 Vanguard, asked Councilmembers to consider the current drought and water shortage before signing off on future developments; Kay Andrews, 1135 Challenger, asked City Council to consider the impact that multifamily developments would have on the current drought conditions and water shortage.
4. **Financial Report.**
 - Staff report by Al Tyson, City Treasurer
5. **Issuance of Bonds: Lake Travis Community Library.** Consider approving the Library District's request to proceed with the issuance of the bonds approved by the voters of the City on May 14, 2011 and to instruct the City's financial advisor and bond counsel to prepare the necessary documents for the sale of the bonds.
 - Staff report by Steve Jones, City Manager.
 - Citizen participation/public hearing – No one spoke.
 - Council discussion/action – After Lake Travis Community Library Treasurer P. K. Chatterjee of 711 Malabar offered financial information that supports the library's readiness to begin construction on a building, **Councilmember Burns-Farrell moved to approve the Library District's request to proceed with the issuance of the bonds approved by the voters of the City on May 14, 2011 and to instruct the City's financial advisor and bond counsel to prepare the necessary documents for the sale of the bonds. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 7-0.**
6. **Purchase and Sale Agreement: Rebel Park.** Consider approving a purchase and sale agreement with adjoining property owners for the sale, subject to voter approval, of a portion of Rebel Park that is generally located within Rebel Cove and typically under the surface waters of Lake Travis.
 - Staff report by Steve Jones, City Manager.
 - Citizen participation/public hearing – Greg Clay, 223 Corinthian, gave a presentation of maps illustrating the properties involved and how the park land would be divided among the lots. He was pleased that the agreement included the following items: the appraisal which values the land at \$30,000.00, an amount less than the agreed upon purchase price of \$70,000.00, and the provision for an easement for pedestrian access to the lake. Fred

Coogan, 732 Bermuda, spoke on behalf of the Billings family, property owners at 613 Cutlass, adjacent to the area, who would agree to pay for surveys and provide easements for pedestrian access and dock movement; he is a proponent of selling only a portion of the park. Mark Willis, representing the estate of Rachel Willis, 231 Corinthian, wanted clarification of something that was actually a typographical error in the agreement. Bob Kirmse, 229 Corinthian, expressed his interest in purchasing a part of the park that borders his property and asked about the wording on the prospective ballot, i.e. whether it would only include a part of Rebel Cove or the entire cove.

- Council discussion/action – After Councilmembers discussed their respective positions on the sale of park land that is virtually unusable as such, **Councilmember Taylor moved to approve a purchase and sale agreement with adjoining property owners for the sale, subject to voter approval, of a portion of Rebel Park that is generally located within Rebel Cove and typically under the surface waters of Lake Travis. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 7-0.**

7. **Presentation: Lakeway Regional Medical Center.** James Kerby of Phin-Ker Ventures gave a presentation regarding future development plans for the Lakeway Regional Medical Center, which include a rehab facility, an assisted living facility, a skilled nursing facility, a hotel, an independent living facility, senior housing, two restaurants, and several connected walking trails.

- Council discussion – Councilmembers asked questions regarding the timeline of the project and some facility terminology.

8. **Annexation: Lakeway Highlands Multifamily Tract.** Consider approving 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. *This agenda item has been postponed at the applicant's request.*

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing.
- Council discussion/action.

9. **Original Zoning: Lakeway Highlands Multifamily Tract.** Consider approving 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 original zoning of R-8 (Multifamily Residential) for the property. *This agenda item has been postponed at the applicant's request.*

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing.
- Council discussion/action.

10. **Zoning Change: Lakeway Highlands Multifamily Tract.** Consider approving a request from Las Ventanas Land Partners, Ltd., the owner of approximately 20.059 acres located on the south side of Highlands Boulevard west of Tavish Trail for a change of zoning from GUI (Government, Utility and Institutional) to R-8 (Multifamily Residential) for the property. *This agenda item has been postponed at the applicant's request.*

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing.
- Council discussion/action.

- 11. Code Amendment: Driving on Lawns.** Consider approving a proposed amendment to the Zoning chapter of the Lakeway Code of Ordinances to add a prohibition against driving across private residential property except on a paved driveway.
- Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation/public hearing – Mari-Ann Alexander, 504 Copperleaf, described the nuisance and safety issues involved with living next door to a property owner who drives his car off his driveway and onto the grass around the front of his house to park in his backyard.
 - Council discussion/action – After Council stated their positions for or against this measure, **Councilmember Wallace moved to approve a proposed amendment to the Zoning chapter of the Lakeway Code of Ordinances to add a prohibition against driving across private residential property except on a paved driveway. Councilmember Harris seconded the motion, and it passed by a vote of 6-1, with Councilmember Bain opposing.**
- 12. Code Amendment: Noise Regulations.** Consider approving proposed revisions to the noise regulations of the City of Lakeway pertaining to definitions, prohibited acts, motor vehicle sound levels, outdoor amplified sound, 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 – After sharing their thoughts on how to proceed with enforcement, Mayor DeOme asked for a “straw poll”. By a show of hands, three Councilmembers wanted a “comprehensive” approach in which permits would be required by all businesses that plan to have outdoor music; four Councilmembers preferred an approach that deals with occurrences individually on a “complaint” basis, which provided staff with direction for the formulation of the amendment.

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

- 13. Approve Minutes:** Regular Council meeting of December 19, 2011.

END CONSENT AGENDA

Councilmember Burns-Farrell moved to approve item 13 on the Consent Agenda. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 7-0.

Councilmember Harris thanked David Ferry, Director of Public Works for his and his department’s help with the construction of a shed for the Friends of the Park. City Manager Steve Jones made a few announcements: photos will be taken at the police department to update their directory; the City is waiting for the judge’s ruling on the annexation lawsuit as presented at the opening hearing that morning; Jim Swift of KXAN would be doing a news feature on the Liebelt Cabin, the date and time will be announced.

Meeting adjourned at 9:15 p.m.

David P. DeOme
David P. DeOme, Mayor

Donna Boyle
Donna Boyle, City Secretary

