

CITY OF LAKEWAY CITY COUNCIL MEETING
Action Minutes of Regular Session
Tuesday, February 21, 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, Councilmembers Joe Bain, Dee Ann Burns-Farrell, Alan Tye, and Dennis Wallace. Absent: Councilmember Dave Taylor.
2. **Pledge of Allegiance** was led by Mayor DeOme.

Mayor DeOme opened the meeting with comments regarding the status of Recovery Ways and their site development permit application.

3. **Citizens Participation** – Karen Bradford, 936 Vanguard, gave her support of the City administration’s handling of the Recovery Ways project and denounced the behavior of many residents at the information meeting held at the Activity Center; Mel Neese, 302 Champion Drive, thanked City Council for a swift response to remedy the situation with Recovery Ways; Anita Cokins, 805 Brooks Hollow Road, expressed her disapproval of the City’s recent annexations and the handling of the Recovery Ways situation; Attorney Donald Little, 506 Rolling Green, stated that he believes the information given by Recovery Ways on their site development permit application exonerates the City employees of any wrongdoing; Laurie Higginbotham, 227 Vailco, echoed Mr. Little’s sentiments and thanked the City for the action taken regarding Recovery Ways.
4. **Financial Report.**
 - Staff report by Al Tyson, City Treasurer
5. **May 12, 2012 General Election.** Consider approving Ordinance 2012-02-21-01 calling a General Election in the City of Lakeway on May 12, 2012 for the purpose of electing three (3) Councilmembers and authorizing the Mayor to issue a Notice of Election.
 - Council action – **Councilmember Burns-Farrell moved to approve Ordinance 2012-02-21-01 calling a General Election in the City of Lakeway on May 12, 2012 for the purpose of electing three (3) Councilmembers and authorizing the Mayor to issue a Notice of Election. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 6-0.**
6. **May 12, 2012 Special Election.** Consider approving Ordinance 2012-02-21-02 calling a Special Election in the City of Lakeway on May 12, 2012 for the purpose of authorizing the City to sell portions of Rebel and Sailfish Parks to adjacent property owners and authorizing the Mayor to issue a Notice of Election.
 - Staff Report by Steve Jones, City Manager.
 - Citizen participation/public hearing - Craig Spear, 131 Sailfish, deferred to Gloria Kressin; Frank Roche, 133 Sailfish, deferred to Gloria Kressin; Gloria Kressin, 201 Corinthian, represented property owners of Sailfish Cove and thanked Council for considering the sale of the Sailfish Park to adjoining property owners; Former Mayor Charles Edwards, 1205 Lakeway Drive, applauded the Council for considering the sale of portions of this park land; Earl Higgins, 203 Corinthian, agreed with sale of park land; Fred Coogan, 732 Bermuda, requested ballot language be changed from “inundated” to “submerged” waters of Lake

Travis; Elsa Hopkins, 705 Mariner, requested that the City not sell this park land, based on decisions made by previous councils.

- Council discussion/action – After Councilmembers agreed that there needed to be a public hearing on the sale of Sailfish Park before the election and Mayor DeOme pointed out that the election does not grant the sale of the park but merely gives the City the flexibility to sell the land if it sees fit, **Councilmember Wallace moved to approve Ordinance 2012-02-21-02 calling a Special Election in the City of Lakeway on May 12, 2012 for the purpose of authorizing the City to sell portions of Rebel and Sailfish Parks to adjacent property owners and authorizing the Mayor to issue a Notice of Election with the amended wording. Mayor Pro Tem Harris seconded the motion, and it passed by unanimous vote, approved 6-0.**
7. **Annexation: Lakeway Highlands Section 7A.** A request from Las Ventanas Land Partners, Ltd., the owner of approximately 32.033 acres located north of Highlands Boulevard and east 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 – Council had no comments or questions, and no action was taken at this time.
8. **Zoning Change: Lago Acres.** A request from Donald Evans, Thomas Paine, and Walter Paine, the owners of approximately 13.868 acres located at 901 Hurst Creek Road (Tracts B, C, D & E of Lago Acres, plus 2.871 acres), for approval of a change in zoning of the property from R-1 (Single Family Residential) to R-6 (Single Family Residential – Rural).
- Staff report by Shannon Burke, Director of Building and Development Services.
 - Citizen participation/public hearing – Peter Cesaro, 401 Congress Avenue, attorney for Donald Evans, spoke in support of the zoning change, stating that the property owners have no plans to subdivide the land into high density lots.
 - Council discussion/action – After discussing the possible intentions of the zoning change request given the present undeveloped status of the land, **Councilmember Burns-Farrell moved to decline a request from Donald Evans, Thomas Paine, and Walter Paine, the owners of approximately 13.868 acres located at 901 Hurst Creek Road (Tracts B, C, D & E of Lago Acres, plus 2.871 acres), for approval of a change in zoning of the property from R-1 (Single Family Residential) to R-6 (Single Family Residential – Rural). Councilmember Wallace seconded the motion, and it passed by unanimous vote, approved 6-0.**
9. **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/action – After some further discussion of how the regulations would function, **Councilmember Tye moved to approve the 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. Councilmember Burns-Farrell seconded the motion, and it passed by unanimous vote, approved 6-0.**

10. Hotel Occupancy Tax: Discuss adopting hotel occupancy tax in Lakeway.

- Staff Report by Steve Jones, City Manager.
- Citizen participation/public hearing – Steve Dewire, Hyatt Lost Pines GM, described the mutually beneficial arrangement between the Hyatt and the City of Bastrop, regarding their hotel occupancy tax; Suren Suthar, future owner of Holiday Inn Express in Lakeway, stated that he is willing to view the pros and cons of a hotel occupancy tax; Troy Matthews, Lakeway Resort & Spa GM, presented the negative financial impact this tax would have on the resort; Justin Bragiel, TX Hotel Association, spoke on the limitations of imposing a hotel occupancy tax and its effect on consumers; Laura Mitchell, LT Chamber of Commerce, proposed that the tax revenues could be used for advertisement which would bring tourism to the City; Steve Zbranek, Z Custom Homes, offered his support of the hotel occupancy tax and the positive effects it would have on the entire community; Bill Karotkin, Lakeway Hampton Inn & Suites GM, opposes such a tax because it would make his hotel less competitive; Jack Bickart, Lakeway Resort & Spa Director of Sales & Marketing, believes that the tax will severely impact the resort’s competitive position and affect its margin; Barker Keith, Lakeway Aquatic Therapy Center, supports the tax and envisions the “brand” of Lakeway; Buzz Watkins, Sail & Ski Owner, supports the collaboration of local business owners and the City on the tax; Former Lakeway Mayor Charles Edwards favors the tax and what it would bring to Lakeway; Ben Farrell, Lakeway resident, also supports the tax.
- Council discussion – Council discussed establishing a committee of all interested parties for a collaborative effort on how to proceed on the matter of a hotel occupancy tax. No action was taken at this time.

11. Update: Receive an update from legal counsel on the matter of Cokins vs. City of Lakeway.

The City Council will adjourn to executive session pursuant to Section 551.071 for Consultation with Attorney.

At 8:33 p.m., pursuant to Section 551.071 of the Texas Government Code Council adjourned to executive session for Consultation with Attorney and reconvened in open session at 9:02 p.m. No action was taken during executive session.

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 Appointment: Approve Resolution 2012-02-21-01 appointing Deputy City Manager Chessie Blanchard-Zimmerman as the City of Lakeway representative to the CAMPO Technical Advisory Committee.

13. Approve Quarterly Investment Report for the first quarter of Fiscal Year 2012 submitted by Julie Oakley, Finance Director.

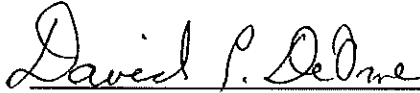
14. Approve Minutes: Regular Council Meeting of January 17, 2012.

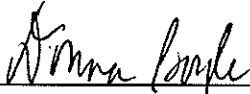
15. Approve Minutes: Special Council Meeting of February 7, 2012.

END CONSENT AGENDA

Councilmember Tye moved to approve Consent Agenda items 12, 13, 14, and 15 as listed above. Councilmember Bain seconded the motion, and it passed by unanimous vote, approved 6-0.

Meeting adjourned at 9:04 p.m.


David P. DeOme, Mayor


Donna Boyle, City Secretary

