

STATE OF TEXAS  
COUNTY OF BURNET  
CITY OF MARBLE FALLS

On this the 2<sup>nd</sup> day of January 2018 the Council of the City of Marble Falls convened in regular session at 6:00 pm at the City Hall Council Chambers located at 800 Third Street, Marble Falls, Texas, with notice of meeting giving time, place, date, and subject having been posted as described in Chapter 551 of the Texas Government Code.

<b><u>PRESENT:</u></b>	Richard Westerman	Mayor Pro-Tem
	Megan Klaeger	Councilmember
	Craig Magerkurth	Councilmember
	Reed Norman	Councilmember
	Dave Rhodes	Councilmember

<b><u>ABSENT:</u></b>	John Packer	Mayor
	William (Dee) Haddock	Councilmember

<b><u>STAFF:</u></b>	Mike Hodge	City Manager
	Caleb Kraenzel	Assistant City Manager
	Christina McDonald	City Secretary
	Patty Akers	City Attorney
	Margie Cardenas	Finance Director
	Christian Fletcher	EDC Executive Director
	Russell Sander	Fire Chief
	Tom Crane	Fire Marshal
	Ted Young	Police Captain
	James Kennedy	Public Works Director
	Valerie Kreger	Development Services Director
	Eric Belaj	City Engineer

**VISITORS:** G.A. Smith (Roper Ranch), Russ Roper, Tom and Darlene Oostermeyer, Scott Streit (First Capital Bank), Jane Marie Hurst (Zoning Advisory Committee Member), Dale Brown, Steve Nash

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Pro-Tem Westerman called the meeting to order at 6:10 pm.
2. **INVOCATION.** Councilmember Norman gave the invocation.
3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** Councilmember Magerkurth led the pledges.
4. **UPDATES, PRESENTATIONS AND RECOGNITIONS.**

- **Presentation and update on the progress and status of the Zoning Code Update project.** Valerie Kreger, AICP, Director of Development Services presented the Zoning Code update to Council.

5. **CITIZEN COMMENTS.** There were no citizen comments.

6. **CONSENT AGENDA.**

- (a) **Approval of the minutes of the December 5, 2017 regular meeting and the December 18, 2017 special meeting.** Councilmember Magerkurth made a motion to approve the consent agenda. The motion was seconded by Councilmember Rhodes and carried by a unanimous vote (5-0).

7. **REGULAR AGENDA.**

- (a) **Discussion and Action on Ordinance 2018-O-01B accepting a petition for Voluntary Annexation and declaring the intent of the City of Marble Falls to annex into the City Limit, 336.472 total acres located in the R. S. Morgan Survey, Abstract 597, the C.& M. R.R. Co. Surveys, Abstracts 1122 and 1123, the F. Fisseler Survey, Abstract 328, the J. W. Franklin Survey, Abstract 341, the J. Harrell Survey, Abstract 451, and the G. Flores Survey, Abstract 304, located on the east side of U.S. 281, south of F.M. 2147, in Burnet County, Texas.** Valerie Kreger, AICP, Director of Development Services addressed Council. Councilmember Norman made a motion to act favorably on Ordinance 2018-O-01B, accepting the petition for voluntary annexation and declaring the intent of the City of Marble Falls to Annex the subject property. Councilmember Rhodes seconded the motion. The motion carried by a vote of 5-0.
- (b) **Public Hearing, Discussion and Action on Ordinance 2018-O-01C regarding a street abandonment of a 0.017-acre portion of the Avenue H right-of-way adjacent to 201 Ave. H and abutting Lot Nos. 16-20, Block 6, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas.** Valerie Kreger, AICP, Director of Development Services addressed Council. Mayor Pro-Tem Westerman opened the public hearing. There being no public comment, Mayor Pro-Tem Westerman closed the public hearing and read the caption of the ordinance. Councilmember Norman made a motion to approve Ordinance 2018-O-01C. Councilmember Rhodes seconded the motion. The motion carried by a unanimous vote (5-0).
- (c) **Public Hearing, Discussion and Action on Ordinance 2018-O-01D regarding a street abandonment of a 0.496-acre portion of the Heathrow right-of-way adjacent to 3201 Park View Dr. and abutting a 26.80-acre tract of land out of the George W. Edwards Survey No. 19, Abstract No. 289, City of Marble Falls, Burnet County, Texas.** Valerie Kreger, AICP, Director of Development Services addressed Council. Mayor Pro-Tem Westerman opened the public hearing. There being no public comment, Mayor Pro-Tem Westerman closed the public hearing and read the caption of the ordinance.

Councilmember Norman made a motion to act favorably on Ordinance 2018-O-01D. The motion was seconded by Councilmember Rhodes and carried by a vote of 5-0.

- (d) **Discussion and Action on Ordinance 2018-O-01A declaring the intent of the City of Marble Falls to annex into the City Limit, approximately 420 total acres in the Phineas James Survey, Abstract 492, the Thomas G. Foster Survey, Abstract 316, the J. H. Behrans Survey, Abstract 111, the H.T. & B. R.R. Survey, Abstract 448, the McKinney & Williams Survey, Abstract 624, and the H.T. & B. R.R. (Adolph Varnhagen) Survey, Abstract 1279, and including approximately 11 acres of U.S. Highway 281 right-of-way, in Burnet County, Texas, located west of U.S. Highway 281 and south of State Highway 71.** Valerie Kreger, AICP, Director of Development Services addressed Council. Councilmember Norman made a motion to approve Ordinance 2018-O-01A declaring the intent of the City of Marble Falls to annex approximately 420 acres as presented. Councilmember Magerkurth seconded the motion which carried by a unanimous vote (5-0).
- (e) **Discussion and Action regarding a site plan for a 2.446-acre tract of land out of the Central & Montgomery Railroad Co. Survey No. 3, Abstract No. 1123, and the F. Fisseler Survey, Abstract No. 328, City of Marble Falls, Burnet County, Texas, located west of U.S. Hwy. 281 and north of Rocky Rd.** Valerie Kreger, AICP, Director of Development Services presented the site plan to Council for approval. Councilmember Rhodes made a motion to approve the site plan as presented. Councilmember Norman seconded the motion. The motion carried by a vote of 5-0.
- (f) **Discussion and Action regarding a License Agreement between the City of Marble Falls and National Land Partners (Developer, Mustang Ridge Subdivision) and the Mustang Ridge Property Owner's Association (POA) for improvements and maintenance within public right-of-way associated with neighborhood amenities and authorizing the City Manager to execute.** Caleb Kraenzel, AICP, Assistant City Manager addressed Council. After some discussion, Councilmember Magerkurth made a motion to approve the License Agreement between the City of Marble Falls and the Mustang Ridge Subdivision developer, National Land Partners and authorize the City Manager and Assistant City Manager to negotiate and execute the final agreement as discussed. Councilmember Norman seconded the motion. The agreement was approved by a unanimous vote (5-0).

8. **CITY MANAGER'S REPORT.** There was no city manager's report.

9. **EXECUTIVE SESSION**

**CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION pursuant to §551.07 (*Private Consultation between the Council and its Attorney*), §551.072 (*Deliberation regarding the Purchase, Exchange, Lease or Value of Real Property*), and pursuant to §551.087 (*Deliberation Regarding Economic Development Negotiations*) of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to discuss the following:**

- **Discussion regarding marketing opportunity relating to City economic development prospect**

- Discussion relating to the lease of City land
- Consultation with City Attorney regarding opposition to proposed TCEQ Air Quality Registration Number 148112 (Asphalt, Inc. LLC)

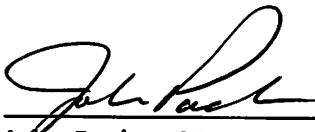
7:16 pm Convened to Executive Session

8:16 pm Returned to Open Session

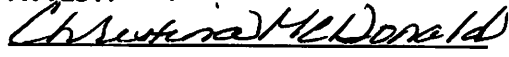
10. **RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION.** No action was taken.

11. **ANNOUNCEMENTS AND FUTURE AGENDA ITEMS.** Council reviewed items for the January 16 regular agenda and workshop.

12. **ADJOURNMENT.** There being no further business to discuss, Councilmember Reed made a motion to adjourn. Councilmember Magerkurth seconded the motion. The meeting was adjourned at 8:27 pm.

  
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John Packer, Mayor

ATTEST:

  
Christina McDonald, TRMC  
City Secretary