

**STATE OF TEXAS
COUNTY OF BURNET
CITY OF MARBLE FALLS**

On this the 17th day of January 2023, the City Council convened in regular session at 6:00 pm in the City Hall Council Chambers located at 800 Third Street, Marble Falls, with notice of meeting giving time, place, date, and subject having been posted as described in Chapter 551 of the Texas Government Code.

PRESENT:

Richard Westerman	Mayor
Dave Rhodes	Mayor Pro-Tem
William (Dee) Haddock	Councilmember
Lauren Haltom	Councilmember
Griff Morris	Councilmember
Reed Norman	Councilmember

ABSENT:

Bryan Walker	Councilmember
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STAFF:

Mike Hodge	City Manager
Caleb Kraenzel	Assistant City Manager
Christina McDonald	City Secretary
Patty Akers	City Attorney
Jeff Lazenby	Director of Finance
Trisha Ratliff	Assistant Chief of Police
Tommy Crane	Fire Marshal
Lacey Dingman	Director of Parks and Recreation
James Kennedy	Director of Public Works
Jay Everett	Assistant Director of Public Works
Chad Smith	Street Superintendent
Ivan Graff	Wastewater Plant Superintendent
Jeff Felps	Water Plant Superintendent
Michael Hernandez	Water/Wastewater Superintendent
Dee Alexander	Street Dept. Crew Leader
Chris Pounds	Building Inspector
Cheryl Pounds	Municipal Judge
Christian Fletcher	EDC Executive Director
Kim Foutz	Interim Director Development Services
Scarlet Moreno	City Planner
Jeff Prato	City Engineer

VISITORS: Mark Mayfield, Joseph Muck (TxDOT Engineer), Bill Smyrl, Leticia Saenz Manager Public Affairs, Sonny Ruiz, Field Supervisor and Chris LeBlanc, Account Manager (ATMOS Energy), Gabriel Martinez

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Westerman called the meeting to order and announced the presence of a quorum.
2. **INVOCATION.** Councilmember Norman gave the invocation.
3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** Councilmember Haddock led the pledges.
4. **UPDATES, PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**
 - **Update from the Public Works Department.** James Kennedy, Director of Public Works provided the update.
 - **Update from ATMOS Energy.** Leticia Saenz, Sonny Ruiz and Chris LeBlanc gave the update.
5. **CITIZEN COMMENTS.** There were no citizen comments.
6. **CONSENT AGENDA.**
 - (a) Approval of the January 3, 2023 meeting minutes.
 - (b) Approval of appointments to the TIRZ No. 2 Board.
 - (c) Approval of a Professional Services Agreement with Langford Community Management Inc. for grant administration services for a Texas Department of Agriculture (TDA) Community Development Block Grant (CDBG).
 - (d) Approval of Resolution 2023-R-01A approving an agreement with TxDOT to contribute right-of-way funds in the amount of \$427,468.70 for funding right-of-way acquisition for the right turn lane project at US Highway 281 and RM 1431.

Councilmember Norman requested that item 6(d) be moved to the regular agenda for discussion.

Councilmember Norman made a motion to approve the consent agenda. The motion was seconded by Councilmember Morris and carried by a vote of 6-0.

7. **REGULAR AGENDA.**

Approval of Resolution 2023-R-01A approving an agreement with TxDOT to contribute right-of-way funds in the amount of \$427,468.70 for funding right-of-way acquisition for the right turn lane project at US Highway 281 and RM 1431. Councilmember Norman requested that Council convene to Executives Session. Council convened to Executive Session

at 6:50 pm pursuant to §551.071 (Consultation with Attorney) of the Open Meetings Act. *Tex. Gov't Code*. Council returned to open session at 6:55 pm, after which Councilmember Norman made a motion to act favorably on Resolution 2023-R-01A. Mayor Pro-Tem Rhodes seconded the motion. The motion carried by a vote of 6-0.

(a) Public Hearing, Discussion, and Action on Ordinance 2023-O-01C regarding a rezoning request from General Commercial District (GC) to a Planned Development District, with base zoning of Multifamily District (MF) for approximately 15.21 acres of land out of the R.D. Moore Survey No. 603, Abstract No. 614 and the A. Schroter Survey No. 4, Abstract No. 1270, City of Marble Falls, Burnet County, Texas. Generally located North of Panther Hollow Drive and West of Corazon Drive. Kim Foutz, Interim Director of Development Services, addressed Council. Mayor Westerman opened the public hearing. After some discussion, Mayor Westerman closed the public hearing and read the caption of the ordinance. Mayor Pro-Tem Rhodes motioned to continue the item and return the request to the Planning and Zoning Commission for a recommendation and consideration of the proposed development's effect on traffic. Councilmember Haddock seconded the motion. The motion carried by a vote of 4-2, with Mayor Westerman and Councilmember Morris voting in opposition.

(b) Public Hearing, Discussion, and Action on Ordinance 2023-O-01D regarding an amendment to the Conditional Use Permit to allow for Housing/Services for the Aging Land Use in General Commercial District (GC) that was approved via Ordinance 2022-O-04B on a 1.54-acre tract of land, more or less, out of the A. Schroeter Survey, Abstract No. 1270, and a 0.574 acre of land out of the A. Schroeter Survey No. 4, Abstract No. 1270 in Burnet County, Texas. Generally located on the west side of S US 281, north of E FM 2147 / south of Max Starcke Dam Rd. Councilmember Morris recused himself, stating a conflict of interest. City Secretary Christina McDonald acknowledged that a conflict affidavit had been filed. Scarlet Moreno, City Planner addressed Council. Mayor Westerman opened the public hearing. After some discussion, Mayor Westerman closed the public hearing and read the caption of the ordinance. Councilmember Norman motioned to act favorably on Ordinance 2023-O-01D. Mayor Pro-Tem Rhodes seconded the motion. The motion carried by a unanimous vote (5-0).

Mayor Westerman opened items 7(c) and 7(d)

(c) Discussion and Action on a Preliminary Plat establishing PC Marble Falls Subdivision, being a 4.93-acre tract out of the Conrad Roahere Survey Abstract No. 715, and the Logan Vandivier Survey, Abstract No. 927, Burnet County, Texas and approving an Improvement Agreement. Scarlet Moreno, City Planner addressed Council. Councilmember Haddock motioned to approve the preliminary plat as presented. Councilmember Norman seconded the motion. The motion carried by a vote of 6-0.

(d) Discussion and Action on a Final Plat establishing PC Marble Falls Subdivision, being a 4.93-acre tract out of the Conrad Roahere Survey Abstract No. 715, and the Logan

Vandivier Survey, Abstract No. 927, Burnet County, Texas. Scarlet Moreno, City Planner addressed Council. Councilmember Haddock motioned to approve the final plat as presented. Councilmember Norman seconded the motion. The motion carried by a vote of 6-0.

8. **CITY MANAGER'S REPORT.** City Manager Mike Hodge provided an update on Waste Management's Brush and Bulk Waste Pick-Up program.
9. **EXECUTIVE SESSION. CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION** Pursuant to §551.074 (*Deliberation Regarding the Appointment, Employment, Employment Evaluation, Reassignment, Duties, discipline or Dismissal of a Public Officer or Employee or to Hear a Complaint or Charge Against an Officer or Employee*) of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to discuss the following:

- Municipal Judge Cheryl Pounds Annual Evaluation

8:10 pm Council convened to Executive Session

8:56 pm Council returned to Open Session

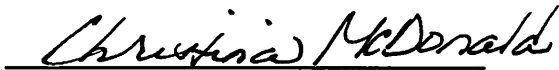
10. **RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION.** No action was taken.

11. **ANNOUNCEMENTS AND FUTURE AGENDA ITEMS.** The draft agenda for the February 7 regular meeting was reviewed by Council.

12. **ADJOURNMENT.** There being no further business to discuss, Councilmember Norman motioned to adjourn. Councilmember Haddock seconded the motion. The meeting was adjourned at 9:02 pm.


Richard Westerman, Mayor

ATTEST:


Christina McDonald, TRMC
City Secretary