

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

**On this the 21<sup>st</sup> day of January 2020 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.**

**PRESENT:**

John Packer	Mayor
Richard Westerman	Mayor Pro-Tem
William (Dee) Haddock	Councilmember
Craig Magerkurth	Councilmember
Reed Norman	Councilmember
Dave Rhodes	Councilmember

**ABSENT:**

Celia Merrill	Councilmember
---------------	---------------

**STAFF:**

Mike Hodge	City Manager
Caleb Kraenzel	Assistant City Manager
Christina McDonald	City Secretary
Patty Akers	City Attorney
James Kennedy	Director of Public Works
Jay Everett	Assistant Director of Public Works
Mark Whitacre	Chief of Police
Russell Sander	Fire Chief
Tommy Crane	Fire Marshal
Lacey Dingman	Parks and Recreation Director
Christian Fletcher	Executive Director Marble Falls EDC
Erin Burks	Downtown Coordinator
Valerie Kreger	Director of Development Services

**VISITORS:** Rene Rosales (Council Candidate Place 3), Paul and Claudine Wells (Derby), Robert and Alice Hoskins (Derby), Dorothy M. Owen (Derby), Bill Gaylord (Friends of the Marble Falls Library), Stephanie Stiles (Derby), Tom Oostermeyer (ZBA), Darlene Oostermeyer (Planning and Zoning Commissioner), Ellen Ely and Keith Russell (First United Methodist Church), Alex Copeland (Daily Trib), Belinda Kelly (216 Main – Main Street Consignment), Amanda Rose and Misty Smith (Marble Falls Public Library), RosAnn Myers (Monroes on Main), Rick Scrimshine (Indian River – Main Street), Cheryl Westerman and Deborah Peters (Ms. Lollipop), Jo Keller (Derby), Shannon Heep (Derby), Erin Lingo (Derby), Norman Lucas (Derby), Steve and Michele Parsons (Chocolattes and Third Street Treasures), Connie Swinney (The Highlander), Rachel Lorange and Robyn Rivers (RBar & Grill), Michele Harte, Debbie Lynn, Bryan Salen, Nathan Legacy, Stan

Hemphill (Chief Appraiser Burnet Central Appraisal District), Russell Buster (HOT Committee), Grant Dean (Derby),

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Packer called the meeting to order at 6:00 pm.
2. **INVOCATION.** Councilmember Haddock 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, PROCLAMATIONS AND RECOGNITIONS**
  - **Update from the Marble Falls Public Library.** Amanda Rose, Director of the Marble Falls Public Library gave the update. Children's Director Misty Smith was also present.
  - **Update from Burnet Central Appraisal District.** Stan Hemphill, Chief Appraiser provided the update.
  - **Presentation of the 2018/2019 Financial Report.** Baron Sauls, Director of Finance gave the presentation of the unaudited 2018/2019 financial report.
5. **CITIZEN COMMENTS.** Ellen Ely and Keith Russell (First United Methodist Church) addressed Council regarding their concerns about traffic and drainage near the church (Bluebonnet Drive from RM 1431 to Terrace). Ms. Ely stated she was aware that the project was included in the City's Capital Improvement Plan, however she felt the need for the City to move the project up on the list. The representatives from the church stated they had been in contact with the MFISD and is also working with them on the traffic issue. City Manager Mike Hodge acknowledged that staff is aware of the concerns and will work with the church to come to a resolution. Council requested the item be brought back to Council at a later date for an update.
6. **CONSENT AGENDA.**
  - (a) Approval of the minutes of the January 7, 2020 regular meeting.
  - (b) Approval of the appointment of citizens Russell Buster and Darlene Oostermeyer to the Hotel Motel Tax Advisory Committee.
  - (c) Approval of the appointment of Christopher Feller, Charles Watkins and Maxanne Jones to Places 2, 4 and 6 of the Parks and Recreation Commission.
  - (d) Approval of the appointment of Darlene Oostermeyer, Jason Coleman and Angela Taylor to Places 2, 4 and 6 of the Planning and Zoning Commission.
  - (e) Approval of Resolution 2020-R-01A, a resolution allowing for the submission of an application to the TxCDBG (Texas Community Development Block Grant Program) for

the Disaster Relief Fund with the Texas Department of Agriculture and appointing an authorized official for the City's Nature Heights Drainage Improvement Project (Bridge).

- (f) **Approval of the 4<sup>th</sup> Quarter Investment Report for the period July 1, 2019 through September 30, 2019.**

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

**7. REGULAR AGENDA.**

- (a) **Discussion and Action on appointments to the Tax Increment Reinvestment Zone (TIRZ) Board No. 1 to serve for a term of two years and the appointment of a Chair to serve for a term of one year.** Christina McDonald, City Secretary addressed Council. Councilmember Haddock made a motion to appoint Teresa Carosella, Charles Johnstone, Tony Plumlee and Mitch McManus to the TIRZ Board to serve for a term of two years and elect Kyle Stripling as Chair to serve until January 2021. Councilmember Rhodes seconded the motion. The motion carried by a unanimous vote (6-0).

- (b) **Discussion and Action on approval of recommendations from the Hotel Motel Tax Advisory Committee regarding the allocation of FY 2019/2020 Hotel Occupancy Tax funding for Texas Tournament Zone, Marble Falls Rodeo Association and National Adult Soapbox Derby Association.** Mike Hodge, City Manager opened discussion on the HOT funding. Mr. Hodge stated the HOT Committee recommended funding as follows:

- Texas Tournament Zone - \$2,500 for annual fishing tournament on Lake LBJ (funding from the local assistance allocation)
- Marble Falls Rodeo Association - \$20,000 to construct restroom facilities that support the use of the site for the annual rodeo and other events (to be funded from reserves under capital projects)
- National Adult Soapbox Derby Association - \$10,000 for the 2020 event (funding from the local assistance allocation)

Several individuals were present in support of the soapbox derby event and expressed their desire to see the event continue and be successful in the community.

Derby event organizer Shannon Heep addressed Council regarding the upcoming derby event. Ms. Heep stated that event volunteers obtain funds from the community to produce the event, however the event relies on HOT funds to promote the event.

Stephanie Stiles, Michele Hart, Paul Wills (Ft. Worth), Nate Lacy (Ft. Worth), Grant Dean and Russell Buster all spoke in support of the annual event. Steven Parsons (owner of Chocolate's in the Downtown District) stated he was not against the event, however he would like to be included in the event decision making. Mr. Parsons stated there was lack

of communication between event organizers and some businesses in the Downtown District.

Belinda Kelly (owner of Main Street Consignment) recommended that the event be moved to a different location because of the negative impact it has on her business.

Norman Lucas (owner Brass Hall) stated he was in support of the event, however there needs to be a solution to create a community feeling in the Downtown District.

After much discussion, Mayor Pro-Tem Westerman made a motion to approve the funding for the Texas Tournament Zone, the Marble Falls Rodeo Association and the National Adult Soapbox Derby Association as recommended by the Hotel Motel Tax Advisory Committee. Councilmember Rhodes seconded the motion. The motion carried by a vote of 6-0.

8. **CITY MANAGER'S REPORT.** City Manager Mike Hodge gave an update on TxDOT projects within the city.

8:10 pm Council convened to Executive Session

8:23 pm Council returned to Open Session

9. **EXECUTIVE SESSION**

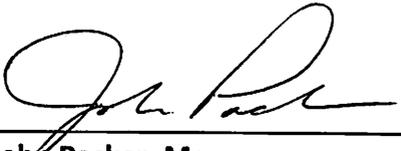
**CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION Pursuant to §551.071 (*Private Consultation between the Council and its Attorney*) of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to discuss the following:**

- Consultation with City Attorney regarding Asphalt, Inc. pending litigation
- Consultation with City Attorney regarding Buena Vista properties litigation

10. **RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION.** Mayor Pro-Tem Westerman made a motion to accept the mediation proposals for the Buena Vista properties (Dunnam and Guillory) as discussed in executive session. Councilmember Rhodes seconded the motion. The motion carried by a unanimous vote (6-0).

11. **ANNOUNCEMENTS AND FUTURE AGENDA ITEMS.** Council reviewed items for the February 4, 2020 regular meeting agenda.

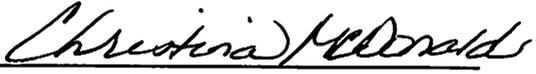
12. **ADJOURNMENT.** There being no further business to discuss, Councilmember Norman made a motion to adjourn. The motion was seconded by Mayor Pro-Tem Westerman. The meeting was adjourned at 8:46 pm.

---

**John Packer, Mayor**

**ATTEST:**

---

**Christina McDonald, TRMC**  
**City Secretary**