

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

**On this the 18<sup>th</sup> day of February 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
Celia Merrill	Councilmember
Reed Norman	Councilmember
Dave Rhodes	Councilmember

**ABSENT:** None

**STAFF:**

Mike Hodge	City Manager
Caleb Kraenzel	Assistant City Manager
Christina McDonald	City Secretary
Patty Akers	City Attorney
Baron Sauls	Director of Finance
Angel Alvarado	Director of Human Resources
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
Kacey Paul	City Engineer
Erin Burks	Downtown Coordinator
Valerie Kreger	Director of Development Services
Angel Alvarado	Director of Human Resources
Mike Ingalsbe	Building Official
Ivan Graff	Wastewater Plant Superintendent

**VISITORS:** Alex Copeland (Daily Trib), Connie Swinney (The Highlander), Alan Williams (Chick-fil-A), Edward and Gayle Cole (811 W. Oak Ridge), Besse Jackson, Dedrick Thompson, Rene Rosales (Council Candidate Place 3), Kent Willis, CPA (Patillo, Brown & Hill), Susan Patton (LCRA), Susan Walch (US Census Bureau), Travis Michel (LAN), Reverend George Perry (St. Frederick Baptist Church), Viola Chapman, Shakina Williams, Joan Edwards, Jahna May, Charles L. Frazier, Sr.,

Dwight Williams, Willie and Claudette Monnet, Juanita Fraise, Carol Smothers, Ralph Woods, Sr. (Smoking for Jesus Ministry)

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Packer called the meeting to order at 6:01 pm.
2. **INVOCATION.** Councilmember Rhodes led the invocation.
3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** Mayor Pro-Tem Westerman led the pledges.
4. **UPDATES, PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**
  - **Presentation of 2019 Community Pride Awards.** Mayor John Packer presented the Community Pride Awards to Chick-fil-A represented by Alan Williams and residents Edward and Gayle Cole (811 West Oak Ridge).
  - **Update from the Central Texas Water Coalition.** Jo Karr Tedder, President gave the update.
  - **Presentation regarding the upcoming 2020 Census.** Valerie Kreger, Director of Development Services introduced Susan Walch (US Census Bureau) who gave the presentation.
  - **Proclamation.** Mayor Packer proclaimed February Black History Month. Many representatives of the community were present.
  - **Proclamation.** Mayor Packer proclaimed February 16-22, 2020 National Engineer's Week and presented the proclamation to City Engineer Kacey Paul.
5. **CITIZEN COMMENTS.** No citizen comments.
6. **CONSENT AGENDA.**
  - (a) **Approval of the minutes of the February 4, 2020 regular meeting and workshop.**
  - (b) **Acceptance of the Marble Falls Police Department Annual Contact Report.**
  - (c) **Approval of Resolution 2020-R-02A allowing for the submission of an application to the Office of the Governor's Criminal Justice Division for a DJ-Edward Byrne Memorial Justice Assistance Grant for the Mobile Command Center Video Upgrade Project**
  - (d) **Approval of a replat of Lot 2-C, Barker Subdivision, and a Subdivision Waiver to Appendix B - Development Code, Article 6 - Subdivision Design and Land Development, Division 6.2 - Subdivision Design Standards, Section 6.2.6.B - Frontage on or Adjacent to Public Streets Required.**
  - (e) **Approval of a Funding Agreement between the City of Marble Falls and the Marble Falls Economic Development Corporation for acquisition of property for future park use, being 110 and 114 Buena Vista.**

Councilmember Norman made a motion to approve the consent agenda. Mayor Pro-Tem Westerman seconded the motion. The motion carried by a vote of 7-0.

**7. REGULAR AGENDA.**

**(a) Public Hearing, Discussion and Action on Ordinance 2020-O-02C regarding the adoption of the 2015 Edition of the International Swimming Pool and Spa Code and amending Chapter 7 - Buildings and Building Regulations of the City of Marble Falls Code of Ordinances.** Valerie Kreger, Director of Development Services addressed Council. Mayor Packer opened the public hearing. There being no discussion, Mayor Packer closed the public hearing and read the caption of the ordinance. Mayor Pro-Tem Westerman made a motion to approve Ordinance 2020-O-02C. The motion was seconded by Councilmember Norman and carried by a vote of 7-0.

**(b) Presentation, Discussion and Action on the acceptance of the FY 2018/19 Comprehensive Annual Financial Audit.** Baron Sauls, Director of Finance introduced Kent Willis, CPA (Patillo, Brown & Hill). Mr. Willis presented the FY 18/19 audit. Councilmember Haddock made a motion to accept the audit. Councilmember Merrill seconded the motion. The motion carried by a unanimous vote (7-0).

**8. CITY MANAGER'S REPORT.** City Manager Mike Hodge gave an update on the First United Methodist Church drainage. Mr. Hodge stated staff is working with the church board on resolving the drainage issue.

**9. EXECUTIVE SESSION**

**CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION pursuant to §551.071 (*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:**

- **Hotel Conference Center Update**
- **Discussion regarding Economic Development Prospects**
- **Consultation with City Attorney regarding settlement of condemnation litigation regarding 110 and 114 Buena Vista properties**

**7:21 pm Convened to Executive Session**

**8:08 pm Returned to Open Session**

**10. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION.** Mayor Pro-Tem Westerman made a motion to approve the first amendment to the memorandum of understanding as discussed in executive session. Councilmember Norman seconded the motion. The motion carried by a vote of 7-0.

- **Discuss and Consider Action regarding Agreements to settle Cause No. C5726, City of Marble Falls v Brian Dunnam et al and Cause No. C5725, City of Marble Falls v. Corina Davis (aka Corina Guillory) et al currently pending in Burnet County Court at Law and to authorize legal counsel to dismiss each lawsuit.**

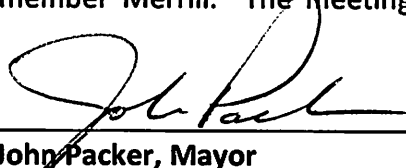
Councilmember Haddock made a motion to approve the agreements to settle Cause No. C5726, the City of Marble Falls v. Brian Dunnam et al and Cause No. C5725, the City of Marble Falls v. Corina Davis (aka Corina Guillory), et al currently pending in Burnet County Court at Law and authorize legal counsel to dismiss each lawsuit. Mayor Pro-Tem Westerman seconded the motion. The motion carried by a vote of 7-0.

- **Discuss and Consider Action regarding adoption of Resolutions 2020-R-02B and 2020-R-02C authorizing the City Manager to execute the settlement agreements and directing city staff to schedule the purchase and closing on the real property located at 110 and 114 Buena Vista in accordance with the terms of the settlement agreements.**

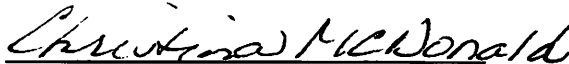
Councilmember Haddock made a motion to approve Resolutions 2020-R-02B and 2020-R-02C authorizing the City Manager to execute the settlement agreements and directing city staff to schedule the purchase and closing on the real property located at 110 and 114 Buena Vista in accordance with the terms of the settlement agreements. Councilmember Norman seconded the motion. The motion carried by a unanimous vote (7-0).

**11. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS.** The draft agenda for the March 3, 2020 regular meeting was reviewed.

**12. ADJOURNMENT.** There being no further business to discuss, Councilmember Norman made a motion to adjourn which was seconded by Councilmember Merrill. The meeting was adjourned at 8:15 pm.

  
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 John Packer, Mayor

**ATTEST:**

  
 Christina McDonald, TRMC  
 City Secretary