

STATE OF TEXAS
 COUNTY OF BURNET
 CITY OF MARBLE FALLS

On this the 3rd day of July 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.

<u>PRESENT:</u>	Dave Rhodes	Mayor
	Karlee Cauble	Councilmember
	Lauren Haltom	Councilmember
	Griff Morris	Councilmember
	Bryan Walker	Councilmember
<u>ABSENT:</u>	William (Dee) Haddock	Mayor Pro-Tem
	Craig Magerkurth	Councilmember
<u>STAFF:</u>	Mike Hodge	City Manager
	Caleb Kraenzel	Deputy City Manager
	Christina McDonald	City Secretary
	Patty Akers	City Attorney
	Lacey Dingman	Director Parks and Recreation
	Jeff Lazenby	Director of Finance
	Glenn Hanson	Police Chief
	Trisha Ratliff	Assistant Police Chief
	Tommy Crane	Fire Chief
	Coy Guenter	Assistant Fire Chief/Fire Marshal
	Erin Burks	Downtown and Marketing Manager
	Christian Fletcher	EDC Executive Director
	James Kennedy	Director of Public Works
	Kim Foutz	Director Development Services

VISITORS: Deborah Fleshner (Hamilton Creek Ranchettes), Robert Adams (Plummer Associates), Nathan Bush (Daily Trib), Justin Madding (LJA Engineering)

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Rhodes called the meeting to order at 6:00 pm and announced the presence of a quorum.
2. **INVOCATION.** Mayor Rhodes gave the invocation.

3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.**
Councilmember Morris led the pledges.
4. **UPDATES, PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS.** Mayor Rhodes proclaimed the month of July Parks and Recreation Month and presented the proclamation to staff members of the department.
5. **CITIZEN COMMENTS.** Deborah Fleshner (Hamilton Creek Ranchettes) addressed Council regarding the city's debt and outside water rates.
6. **CONSENT AGENDA.**
- (a) Approval of the minutes of the June 20, 2023 workshop and regular meeting.
 - (b) Approval of the 2nd Quarter Investment Report for the period January 1, 2023 through March 31, 2023.
 - (c) Approve the cancellation of the July 18, 2023 regular City Council Meeting.
 - (d) Approval of a Final Plat of 9.74 acres out of the A. Schoeter Survey No. 4, the Charles C. Marsh Survey No. 1053, and the Robert D. Moore Survey No. 603, Burnet County, Texas to be known as Panther Hollow Commercial and approval of a Construction Improvement Agreement.
 - (e) Approval of an Interlocal Agreement between Burnet County and the City of Marble Falls authorizing use of County manpower and equipment to apply chip and seal paving on City owned streets.

Councilmember Walker made a motion to approve the consent agenda. The motion was seconded by Councilmember Haltom and carried by a vote of 5-0.

7. **REGULAR AGENDA.**

- (a) Discussion regarding One Water Marble Falls project and Construction Manager at Risk (CMAR) contract. Mike Hodge, City Manager provided an update on the project followed by Robert Adams, Plummer Associates. No action was taken.
- (b) Discussion and Possible Action on the use of eminent domain to condemn 2 +/- acres of property, to wit, Resolution 2023-R-07A finding and reaffirming that a public necessity exists to acquire public utility easements for municipal purposes to upgrade and install public utilities for the purpose of sewage collection, drainage, treatment, disposal, emptying, such appurtenant facilities as may be necessary, water distribution and other public uses in real properties as portions or whole of tracts of land generally described in the Burnet County Real Property Records as Deed Number 199207822, Volume 549, Pages 249 through 259, Burnet County Appraisal District Property Identification No.

73470, said properties owned wholly or partially by Nancy Shifflett Fowler Trust (1992) and the Nancy Fowler Estate, Robert Michael Fowler, Executor. Mike Hodge, City Manager addressed Council. Councilmember Morris moved to approve Resolution No. 2023-R-07A and authorize the use of the power of eminent domain to acquire an easement or fee simple title in approximately 2 +/- acres of property generally described in the Burnet County Real Property Records in Deed No. 199207822, volume 549, pages 249 through 259, Burnet County Deed Records, and described as property identification No. 73470 by the Burnet County Appraisal District, said properties owned wholly or partially by the Nancy Shifflett Fowler Trust (1992) and the Nancy Fowler Estate, Robert Michael Fowler, Executor, for necessary public utility easements for the purpose of, among other municipal purposes, including but not limited to the expansion and/or installation of wastewater transmission lines, water lines, and other public uses. Councilmember Haltom seconded the motion. The motion carried by a roll call vote as follows:

Mayor Dave Rhodes	Aye
Mayor Pro-Tem William (Dee) Haddock	Absent and Not Voting
Councilmember Griff Morris	Aye
Councilmember Lauren Haltom	Aye
Councilmember Karlee Cauble	Aye
Councilmember Bryan Walker	Aye
Councilmember Craig Magerkurth	Absent and Not Voting

8. **CITY MANAGER’S REPORT.** City Manager Mike Hodge provided Council with an update on the budget process for FY 2023/2024 and reminded those present that a budget workshop will be held on July 31 beginning at 9:00 am.

9. **EXECUTIVE SESSION**

CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION Pursuant to §551.071 (Private Consultation between the Council and its Attorney), pursuant to §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 the acquisition of Park Land
- Discussion regarding the acquisition of real property for public facilities
- Discussion regarding acquisition of real property for economic development purposes

6:41 pm Council convened to Executive Session

7:33 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.** City Manager Mike Hodge stated that there will tentatively be a special meeting on July 13, a budget workshop on July 31 and the next regular meeting on August 1.
- 12. ADJOURNMENT.** There being no further business to discuss, Councilmember Walker made a motion to adjourn. Councilmember Haltom seconded the motion. The meeting was adjourned at 7:36 pm.



Dave Rhodes, Mayor

ATTEST:



**Christina McDonald, TRMC
City Secretary**