

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

On this the 7th day of ~~June~~ 2020 the City Council convened in regular session at 6:00 pm at the Lakeside Pavilion located at 307 Buena Vista, 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 Pro-Tem
Craig Magerkurth	Councilmember
Celia Merrill	Councilmember
Reed Norman	Councilmember
Rene Rosales	Councilmember
Dave Rhodes	Councilmember

ABSENT:

John Packer	Mayor
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STAFF:

Mike Hodge	City Manager
Caleb Kraenzel	Assistant City Manager
Christina McDonald	City Secretary
Patty Akers	City Attorney
Kacey Paul	City Engineer
Christian Fletcher	EDC Executive Director
Mark Whitacre	Chief of Police
Russell Sander	Fire Chief
Tommy Crane	Fire Marshal
Lacey Dingman	Director of Parks and Recreation
James Kennedy	Director of Public Works
Jay Everett	Assistant Director of Public Works
Cheryl Pounds	Municipal Court Judge
Melissa Johnson	Municipal Court Clerk
Chris Pounds	Building Inspector
Amanda Langley	PD Administrative Assistant
Glenn Hanson	Assistant Police Chief
Robert Talamantes	Patrol Captain
Stacy Baker Marberry	PD Communications Manager
Trisha Ratliff	Detective Captain

VISITORS: Alex Copeland (Daily Trib), Maria Whitsett (2224 Park View Drive), Jane Marie Hurst, Charles Sinclair, DR Horton Homes representative, Connie Swinney (The Highlander), Jarrod Metzgar (Executive Director Marble Falls/Lake LBJ Chamber of Commerce), Erika Sopol (Digital

and Social Media Coordinator Marble Falls/Lake LBJ Convention and Visitors Bureau), Dale Gray (Miller Gray), Bruce Mills Retired Police Chief,

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Pro-Tem Westerman called the meeting to order at 6:00 pm. A quorum was present.
2. **INVOCATION.** Councilmember Rhodes gave the invocation.
3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** Councilmember Merrill led the pledges.
4. **UPDATES, PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**
 - **Presentation of Certificate of Recognition from the Texas Police Chief's Associates Foundation.** Retired Chief Bruce Mills recognized the Marble Falls Police Department and presented the Certificate of Recognition.
 - **Update from the Marble Falls/Lake LBJ Chamber of Commerce.** Jarrod Metzgar, Executive Director provided the update.
 - **Update from the Marble Falls/Lake LBJ Convention and Visitors Bureau.** Erika Sopol, Digital and Social Media Coordinator gave the update.
 - **Update from the Marble Falls Economic Development Corporation.** *Christian Fletcher, Executive Director*
 - **Update from the Marble Falls Municipal Court.** *Melissa Johnson, Court Clerk*
5. **CITIZEN COMMENTS.** There were no citizen comments.
6. **CONSENT AGENDA.**
 - (a) **Approval of the minutes of the June 16, 2020 regular meeting.**
 - (b) **Approval of the cancellation of the July 21, 2020 regular City Council Meeting.**
 - (c) **Approval of a Contract for Election Services with the Burnet County Elections Administrator for elections to be held August 2020 through July 2021.**
 - (d) **Approval of a Joint Election Agreement with Burnet County for the conduct of elections to be held August 2020 through July 2021.**
 - (e) **Approval of a Resolution 2020-R-07A supporting inclusion into the Texas Countywide Polling Program.**
 - (f) **Approval of the recommendation from the Hotel Motel Tax Advisory Committee regarding the allocation of FY 2019/2020 Hotel Occupancy Tax funding for the Marble Falls Music Festival.**

- (g) Approval of the Western Region Radio System annual budget for Fiscal Year 2020-2021.**
- (h) Approval of a Professional Services Agreement with Langford Community Management Services, Inc. for grant management services associated with the NRCS EWP Grant.**

Councilmember Merrill made a motion to approve the consent agenda. The motion was seconded by Councilmember Norman and carried by a unanimous vote (6-0).

7. REGULAR AGENDA.

- (a) Public Hearing, Discussion and First Reading of Ordinance 2020-O-07A creating a construction work zone for traffic and temporarily reducing the speed limit on US Highway 281 in the City of Marble Falls.** Kacey Paul, City Engineer addressed Council. Mayor Pro-Tem Westerman opened the public hearing. There being no further discussion, Mayor Pro-Tem Westerman closed the public hearing and read the caption of the Ordinance. First reading of Ordinance, therefore no action was taken. It was noted the second reading and approval of the ordinance is scheduled for the August 4 regular Council Meeting.
- (b) Discussion and Action on Contract Amendment No 1 for the EWP Contract with Miller Gray to include required cultural resource investigation for NHPA approval.** Kacey Paul, City Engineer presented the agenda item. Dale Gray with Miller Gray was present. Councilmember Rhodes made a motion to approve Contract Amendment No. 1 with Miller Gray in the amount of \$12,055. Councilmember Norman seconded the motion. The motion carried by a vote of 6-0.
- (c) Discussion and Action on Contract Amendment No 2 for the EWP Contract with Miller Gray to include engineering, environmental, and geotechnical analysis on alternate sites 1, 3, and 4.** Kacey Paul, City Engineer presented the agenda item. Councilmember Rhodes made a motion to approve Contract Amendment No. 2 with Miller Gray in the amount of \$80,681. Councilmember Merrill seconded the motion. The motion carried by a vote of 6-0.
- (d) Discussion and Action on Ordinance 2020-O-03D regarding zoning text amendments to City of Marble Falls Code of Ordinances, Chapter 20, Signs, Section 20-3, Definitions, and Section 20-10, Temporary Signs; and Appendix B, Development Code, Article 3, Land Use, Article 4, General Development Regulations; Article 6, Subdivision Design and Land Development; Article 8, Parking, Loading, Stacking, and Lighting; Article 9, Trees, Landscaping, and Buffering; and Article 14, Definitions and Interpretations.** Valerie Kreger, Director of Development Services addressed Council. There was discussion regarding temporary and feather flag signs. Councilmember Rhodes stated that maybe the downtown businesses should be consulted regarding the sign regulations. Discussion continued with questions regarding minimum lot sizes for developments. Jane Marie

Hurst spoke about zoning for Live-Work Units. Councilmember Rhodes stated he would like a restriction under self-storage that self-storage cannot be occupied (lived in).

Mayor Pro-Tem Westerman called for a 5 minutes recess at 8:08 pm. The regular meeting was reconvened at 8:13 pm.

Discussion continued on the proposed text amendments. Developer Charles Claiborne spoke regarding his proposed development and the need for 40-foot lot widths. A DR Horton representative was also present and spoke regarding the lot widths. After some discussion, Councilmember Merrill made a motion to approve Ordinance 2020-O-03D, postponing consideration of the downtown temporary signage and feather flag language, specifying 40-foot lot widths allowed in developments of 20 lots or more, specifying residential development in the NC district to follow regulations for same product in the NR district, adding live-in (occupied) prohibited to self-storage restrictions, adding the Live-Work Unit restrictions to the NC District. Councilmember Rhodes seconded the motion. The motion carried by a vote of 6-0.

- (e) **Discussion regarding potential permitting of long term stays in recreational vehicle parks.** Valerie Kreger, Director of Development Services led the discussion regarding potential permitting of long term stays in recreational vehicle parks. No action was taken.
- (f) **Discussion and Action regarding the development of regulations pertaining to Short Term Rentals within the City of Marble Falls.** Caleb Kraenzel, Assistant City Manager addressed Council. Maria Whitsett (resident of Parkview Drive) asked Council to consider citizen input meetings and input from POA's and HOA's. Ms. Whitsett stated that staff would need to be able to monitor short term rentals in order to enforce regulations. Councilmember Norman made a motion to instruct staff to develop a draft of the regulations by working through the Planning and Zoning Commission for recommendations to City Council. The motion was seconded by Councilmember Merrill and carried by a vote of 6-0.

8. **CITY MANAGER'S REPORT.** There was no City Manager report.

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 Roper Public Improvement District**

9:15 pm Convened to Executive Session

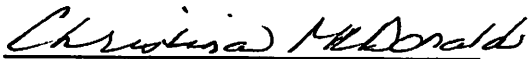
9:42 pm Returned to Open Session

- 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.** Agenda items scheduled for the August 4 regular meeting were reviewed. It was noted that a budget workshop will be held on July 28.
- 12. ADJOURNMENT.** There being no further business to discuss, the meeting was adjourned at 9:43 pm.



John Packer, Mayor

ATTEST:



Christina McDonald, TRMC
City Secretary