

**COUNTY OF BURNET
CITY OF MARBLE FALLS**

On this the 16th day of July 2019 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:

Caleb Kraenzel	Assistant City Manager
Patty Akers	City Attorney
Robert Moss	Director of Parks and Recreation
Valerie Kreger	Director of Development Services
Mike Ingalsbe	Building Official
Mark Whitacre	Chief of Police
Russell Sander	Fire Chief
Tommy Crane	Fire Marshal
Erin Burks	Downtown Coordinator
James Kennedy	Director of Public Works
Kacey Paul	City Engineer
Christian Fletcher	EDC Executive Director
Chelsea Seiter Weatherford	GIS Analyst
Amy Williams	Planning Technician
Chris Pounds	Building Inspector
Cheryl Pounds	Municipal Judge
Angel Alvarado	Human Resources Coordinator
Lewis Fincher	Parks and Recreation Superintendent
Tony Kelly	Parks Maintenance Technician

VISITORS: Terri Thompson (Air Evac), Randy Hartford (ATMOS), Larson Lloyd (Northland Communications) Dan Cone (VFW)

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

2. INVOCATION.**3. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.****4. UPDATES, PRESENTATIONS AND RECOGNITIONS**

- **Proclamation – Mayor Packer** proclaimed July Parks and Recreation Month.
- **Update from Air Evac.** Terri Thompson, Program Director provided the update.
- **Update from ATMOS Energy.** The update was provided by Randy Hartford, Community Relations.
- **Update from Northland Communications.** Larson Lloyd, General Manager provided the update.

5. CITIZEN COMMENTS. Dan Cone (VFW) presented a letter to the community regarding public access to the VFW post.**6. CONSENT AGENDA.**

(a) **Approval of the minutes of the June 18, 2019 regular meeting.**

(b) **Approval of recommendations from the Hotel Motel Tax Advisory Committee regarding the allocation of FY 2018/2019 Hotel Occupancy Tax funding for Texas Tournament Zone and the Marble Falls Music Festival.**

(c) **Approval of an Interlocal Agreement between Burnet County and the City of Marble Falls for county manpower and equipment to apply sealcoating to City owned streets.**

(d) **Approval of Resolution 2019-R-07A approving the pursuit of the Marble Falls Westside Tri-Campus Connectivity Project submitted to the 2019 Transportation Alternatives Set-Aside Program/Safe Routes to School Program through Texas Department of Transportation.**

(e) **Approval of Resolution 2019-R-07B authorizing participation in the Texas Main Street Program and designating the City Manager to coordinate program activities.**

(f) **Approval of Resolution 2019-R-07C suspending for 45 days the effective date proposed by ATMOS Energy Corporation – MidTex Division (“ATMOS Energy”) in its application filed on or about March 28, 2019 pursuant to section 104.301 of the Gas Utility Regulatory Act, sometimes also referred to as the “GRIP” statute.**

Councilmember Haddock made a motion to approve the consent agenda. The motion was seconded by Councilmember Merrill and carried by a unanimous vote (7-0).

7. REGULAR AGENDA.

- (a) **Public Hearing regarding the annexation into the City Limit of 317.31 acres of land, more or less, described as 315.389 acres out of the Guadalupe Flores Survey No. 7, Abstract No. 304, Burnet County, Texas, and 1.928 acres out of the C. and M. RR Co. Survey No. 3, Burnet County, Texas, located along the west side of U.S. Highway 281, north of State Highway 71 and south of Rocky Road.** Mayor Packer opened the public hearing. There being no comments, Mayor Packer closed the public hearing. Valerie Kreger, Director of Development Services addressed Council. No action was taken.
- (b) **Public Hearing, Discussion, and Action on Ordinance 2019-O-07A regarding a street abandonment of a 0.096-acre tract of land out of the Avenue J right-of-way lying northwesterly and adjacent to Lots 5 & 6, Block 73, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas.** Mayor Packer opened the public hearing. There being no comments, Mayor Packer closed the public hearing and read the ordinance caption. Valerie Kreger, Director of Development Services addressed Council. Councilmember Rhodes made a motion to approve Ordinance 2019-O-07A. Councilmember Norman seconded the motion. The motion carried by a unanimous vote (7-0).
- (c) **Public Hearing, Discussion, and Action on Ordinance 2019-O-07B regarding the adoption of the 2015 editions of the International Building, Residential, Plumbing, Mechanical, Fuel Gas, and Fire Codes, and the 2014 edition of the National Electrical Code; and amending Chapter 7 (Buildings and Building Regulations), Article II (Building Code), Article III (Electrical Code), Article IV (Plumbing Code), Article V (Mechanical Code), Article X (International Residential Code), Article XII (Fuel Gas Code), and Chapter 10 (Fire Prevention and Protection), Article III (Fire Prevention Code) of the City of Marble Falls Code of Ordinances.** Mayor Packer opened the public hearing. There being no comments, Mayor Packer closed the public hearing and read the ordinance caption. Mike Ingalsbe, Building Official and Tommy Crane, Fire Marshal addressed Council. Councilmember Norman made a motion to approve Ordinance 2019-O-07B. Mayor Pro-Tem Westerman seconded the motion. The motion carried by a unanimous vote (7-0).
- (d) **Public Hearing, Discussion, and Action on Ordinance 2019-O-07C amending the City Code of Ordinances, Appendix B (Development Code), Article 5 (Environmental Protection), Division 5.2 (Flood Damage Protection), to adopt the Flood Insurance Rate Maps (FIRM) as required by the Federal Emergency Management Agency in order for the City to maintain eligibility in the National Flood Insurance Program (NFIP).** Mayor Packer opened the public hearing. There being no comments, Mayor Packer closed the public hearing and read the ordinance caption. Valerie Kreger, Director of Development Services addressed Council. Councilmember Rhodes asked staff if the zones had been evaluated by FEMA. Mike Ingalsbe stated FEMA cannot evaluate the zones. Councilmember Norman made a motion to approve Ordinance 2019-O-07C. Councilmember Rhodes seconded the motion. The motion carried by a vote of 7-0.

(e) **Discussion and Action on Change Order #3 to add Bid Alternate #6 – Landscaping and Irrigation to the Myers Concrete Construction Contract for the Lakeside Park Improvement Project Phase 1A.** Robert Moss, Parks and Recreation Director addressed Council. Councilmember Merrill made a motion to approve Change Order #3 as presented. Councilmember Haddock seconded the motion. The motion carried by a vote of 6-1, with Councilmember Norman voting opposed.

8. **CITY MANAGER'S REPORT.** Assistant City Manager Caleb Kraenzel provided updates on the Roper Ranch and Flatrock Developments and Street Department staffing.

9. **EXECUTIVE SESSION**

CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION pursuant to §551.071 (*Private Consultation between the Council and its Attorney*) and §551.072 (*Deliberation regarding the Purchase, Exchange, Lease or Value of Real Property*) of the Open Meetings Act. Tex. Gov't. Code, Council will meet in Executive Session to discuss the following:

- Consultation with City Attorney regarding Los Escondidos Annexation
- Consultation with City Attorney regarding pending litigation – Asphalt, Inc.
- Discussion regarding the acquisition of property for Park Land

8:07 pm Council convened to Executive Session

9:15 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.** Council reviewed the draft agenda for the August 6, 2019 regular meeting.

12. **ADJOURNMENT.** There being no further business to discuss, Mayor Pro-Tem Westerman made a motion to adjourn. The motion was seconded by Councilmember Haddock and the meeting was adjourned at 9:20 pm.



 John Packer, Mayor

ATTEST:



 Christina McDonald, TRMC
 City Secretary