

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

On this the 6th day of September 2022 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.

PRESENT:

Richard Westerman	Mayor
Dave Rhodes	Mayor Pro-Tem
William (Dee) Haddock	Councilmember
Lauren Haltom	Councilmember
Griff Morris	Councilmember
Reed Norman	Councilmember

ABSENT:

Bryan Walker	Councilmember
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STAFF:

Mike Hodge	City Manager
Caleb Kraenzel	Assistant City Manager
Kristen Jones	Planner
Patty Akers	City Attorney
Jeff Lazenby	Director of Finance
Glenn Hanson	Police Chief
Trisha Ratliff	CID Captain
Tommy Crane	Fire Marshal
James Kennedy	Director of Public Works
Jay Everett	Assistant Director of Public Works
Kim Foutz	Interim Director of Development Services
Mike Ingalsbe	Building Official
Korbin Weese	Code Enforcement Supervisor
Scarlet Moreno	City Planner
Lacey Dingman	Director of Parks and Recreation
Korbin Weese	Code Enforcement Supervisor
Angel Alvarado	Director of Human Resources
Christian Fletcher	Executive Director EDC

VISITORS: Gregory Miller (Bickerstaff Heath Delgado Acosta), Ryan Cunningham (SAMCO), Johnny Campbell (Director Marble Falls EMS), Nathan Bush (Daily Trib), Nash Mock (Trihydro), Geneva (Bell) Delancey, Henry Hohenberger, J. Bryan, Hunter Johnson (HG Custom Homes), Kelsey Stone (Heading South Developers), Nattie Hoover (Realtor)

1. CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT. Mayor Westerman called the meeting to order and announced the presence of a quorum.

2. **INVOCATION.** Mayor Pro-Tem Rhodes gave the invocation.
3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** Councilmember Haddock led the pledges.
4. **UPDATES, PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS.** There were no updates, presentations, proclamations or recognitions.
5. **CITIZEN COMMENTS.** There were no citizen comments.
6. **CONSENT AGENDA.**
 - (a) Approval of the minutes of the August 16, 2022 special and regular meeting.
 - (b) Approval of an Economic Development Agreement between the City of Marble Falls and the MFEDC for implementation of a Tree Program in association with an economic development project and authorize the City Manager to execute the agreement.
 - (c) Approval of Resolution 2022-R-09B adopting the five-year Capital Improvement Plan for the fiscal year beginning October 1, 2022.
 - (d) Approval of the allocation of FY 2021/2022 Hotel Occupancy Tax Funding for Fiesta Jam.
 - (e) Approval of award of city facilities cleaning and maintenance bid to Kleen-Tech and authorize the City Manager to execute the contract.

Councilmember Norman made a motion to approve the consent agenda. The motion was seconded by Councilmember Morris and was approved by a vote of 6-0.

7. **REGULAR AGENDA.**

- (a) **Public Hearing, Discussion, and Action on Ordinance 2022-O-09B regarding a street abandonment of approximately 0.16 acres tract of the right of way of an unimproved portion of Avenue P, lying east and adjacent to Lot 5A, Block 140, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas.** Scarlet Moreno, City Planner presented the item. Mayor Westerman opened the public hearing. There being no further discussion, Mayor Westerman closed the public hearing and read the caption of the ordinance. Councilmember Norman made a motion to approve Ordinance 2022-O-09B. Mayor Pro-Tem Rhodes seconded the motion. The motion carried by a unanimous vote (6-0).

- (b) **Public Hearing, Discussion, and Action regarding an order designating a substandard building as required by Chapter 7 (Buildings and Building Regulations), Article VI (Minimum Building Standards), Division 3 (Procedure for Designation of a Substandard Building) of the City of Marble Falls Code of Ordinances, for Lots 9 and 10, Block 177, Marble Falls Original Township, Burnet County, Texas, municipally addressed as 507 Avenue S, Marble Falls, Texas.** Mike Ingalsbe and Korbin Weese presented the item. Mayor Westerman opened the public hearing. Geneva (Bell) Delancey spoke in favor of the demolition. After some discussion, Mayor Westerman closed the public hearing. Mayor Pro-Tem Rhodes made a motion to approve the Order to demolish two substandard buildings (the main structure and storage building) with 30 days to respond and a maximum 90 days to perform. Councilmember Norman seconded the motion. The motion carried by a unanimous vote (6-0).
- (c) **Public Hearing, Discussion and Action on Resolution No. 2022-R-09C regarding the creation of the Legacy Crossing Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date.** Gregory Miller (Bickerstaff) presented the item. Mayor Westerman opened the public hearing. Mayor Pro-Tem Rhodes requested Council convene to Executive Session with bond counsel. Council convened to Executive Session at 6:43 pm and returned to Open Session at 6:47 pm continuing the public hearing. There being no further discussion, Mayor Westerman closed the public hearing and read the caption of the ordinance. Councilmember Haddock made a motion to approve Resolution 2022-R-09C. Councilmember Norman seconded the motion. The motion carried by a unanimous vote (6-0).
- (d) **Discussion and Action on Ordinance 2022-O-08E adopting a budget for the City of Marble Falls and the Marble Falls Economic Development Corporation for Fiscal Year 2022/2023.** Jeff Lazenby, Director of Finance addressed Council. Mayor Pro-Tem Rhodes made a motion to act favorably on Ordinance 2022-O-08E. Councilmember Morris seconded the motion. The motion carried by a vote of 6-0.
- (e) **Public Hearing, Discussion and Action on Ordinance 2022-O-09A adopting a tax rate for FY 2022/2023.** Jeff Lazenby, Director of Finance addressed Council. Councilmember Haddock made a motion to act favorably on Ordinance 2022-O-09A. Councilmember Morris seconded the motion. The motion carried by a rollcall vote of 6-0:

Councilmember Norman - AYE
Councilmember Haddock - AYE
Mayor Westerman - AYE
Councilmember Morris - AYE
Mayor Pro-Tem Rhodes - AYE
Councilmember Haltom - AYE
Councilmember Walker - ABSENT AND NOT VOTING

- (f) **Discussion and Action on Resolution 2022-R-09A authorizing the publication of a Notice of Intention to Issue “City of Marble Falls, Texas Combination Tax and Revenue Certificates of Obligation, Series 2022”, in an aggregate principal amount not to exceed \$20,835,000.** Director of Finance Jeff Lazenby addressed Council, followed by Andrew Friedman (SAMCO). Councilmember Haddock made a motion to act favorably on Resolution 2022-R-09A. Mayor Pro-Tem Rhodes seconded the motion. The motion carried by a vote of 6-0.
- (g) **Discussion and Action on Resolution 2022-R-09D declaring the City of Marble Fall’s official intent to Finance Expenditures to be Incurred by the City (Certificates of Obligation).** Director of Finance Jeff Lazenby addressed Council. Mayor Pro-Tem Rhodes made a motion to act favorably on Resolution 2022-R-09D. Councilmember Norman seconded the motion. The motion carried by a vote of 6-0.
- (h) **Discussion and Action on Resolution 2022-R-09E declaring the City of Marble Fall’s official intent to Finance Expenditures to be Incurred by the City (Anticipation Notes).** Jeff Lazenby, Director of Finance addressed Council. Councilmember Haddock made a motion to act favorably on Resolution 2022-R-09E. Councilmember Morris seconded the motion. The motion carried by a vote of 6-0.
- (i) **Discussion and Action on the renewal of a contract agreement between the City of Marble Falls and Marble Falls Area EMS for Emergency Medical Services.** Russell Sander, Fire Chief addressed Council. Mayor Pro-Tem Rhodes made a motion to approve the renewal of a contract agreement between the City of Marble Falls and Marble Falls area EMS for Emergency Medical Services. Councilmember Norman seconded the motion. The motion carried by a vote of 6-0.
- (j) **Discussion and Action on Ordinance 2022-O-09C authorizing an amendment to Chapter 25 (Utilities), Article IV (Extension of water and sewer lines), Section 26-144 (Extensions of water and sewer service), Subsection (e)(2) of the Code of Ordinances of the City of Marble Falls, providing for pro-rata payments associated with facilities not part of a capital improvement plan and payments from benefited property owners who request to connect to the water or wastewater utilities during the reimbursement period.** Kim Foutz, Interim Director of Development Services addressed Council. Mayor Pro-Tem Rhodes made a motion to approve Ordinance 2022-O-09C. Councilmember Morris seconded the motion. The motion carried by a unanimous vote (6-0).
- (k) **Discussion and Action on Ordinance 2022-O-09D authorizing a pro-rate reimbursement to Nash Series LLC, 1431 Eastside Series – Ryan Nash, President, for development of a wastewater main utility line affecting property and property owners along East FM 1431 affecting the properties known as Burnet County Appraisal District property I numbers: 48458, 101382 and 44600, Marble Falls, Burnet County, Texas; providing for pro-rata payments from benefited property owners who request to connect to the wastewater utilities during the reimbursement period; providing for developer to be reimbursed**

from the pro-rate funds received; and providing a termination date and authorize the City Manager to execute the agreement. Kim Foutz, Interim Director of Development Services addressed Council. And requested continuous of the item until the September 20 Council meeting. Councilmember Haddock made a motion to continue the item until the September 20 Council meeting. Councilmember Morris seconded the motion. The motion carried by a unanimous vote (6-0).

8. **CITY MANAGER'S REPORT.** City Manager Mike Hodge provided information on Pink Out 2022 and the City's Hazard Mitigation Plan which will be presented to Council at the September 20 meeting.
9. **EXECUTIVE SESSION.** Council did not convene to executive 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.** The draft agendas for the September 20 workshop and regular meeting were reviewed.
12. **ADJOURNMENT.** . There being no further business to discuss, Councilmember Haddock made a motion to adjourn. Mayor Pro-Tem Rhodes seconded the motion. The meeting was adjourned at 7:33pm.



Richard Westerman, Mayor

ATTEST:



Christina McDonald, TRMC
City Secretary