

MINUTES OF CITY COUNCIL REGULAR MEETING
CITY OF WEST LAKE HILLS, TEXAS
Wednesday, March 8, 2017
7:05 p.m.

Present: Mayor Linda Anthony, Mayor Pro Tem Stan Graham Councilmembers Rhonda McCollough, Jim O'Connor, and Darin Walker.

Absent: Councilmember Brian Plunkett

1. **Called to Order by Mayor Linda Anthony at 7:02 p.m., suspended at 7:10 p.m., reconvened at 8:10 p.m.**
2. Citizens Communications: The City Council welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Citizens Communication agenda item or when the specific agenda item is taken up by the Council later in the meeting. The Council cannot respond to matters not listed on the agenda until a future meeting. Speakers must sign up with the City Secretary before speaking. Speakers shall limit their comments to five (5) minutes each.

No one spoke.

3. **CONSENT AGENDA**: The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of City Council Meetings, it is intended that these items will be acted upon by the City Council with a single motion because no public hearing or determination is necessary. However, a City Council Member or Citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the City Council voting on the consent agenda as a collective, singular item. Citizens requesting items be removed from the consent agenda must submit a written Speaker Card to the City Secretary before the meeting begins. Prior to voting on the consent agenda, the City Council may add additional items that are listed elsewhere on the same agenda.
 - a. Approval of the February 22, 2017 Regular Meeting Minutes. City Secretary Lacie Hale.

**COUNCILMEMBER WALKER MOTIONED TO APPROVE THE
CONSENT AGENDA. COUNCILMEMBER O'CONNOR SECONDED THE
MOTION AND IT PASSED BY 4-0 VOTE.**

4. Personnel: Confirmation and Oath of Office for new Patrol Officer Aaron Ozuna. Chief of Police Scott Gerdes.

Oath administered by Mayor Linda Anthony.

5. Land Use: Request for multiple variances (cut and fill, retaining walls in a building setback; and the removal of one tree with a trunk diameter of 14 inches or greater (Tree 93, a 22.5 inch multi trunk cedar)) for the construction of a new residence at 1 Sweet Sky Road. (Sections 22.03.276, 22.03.170(f) and 22.03.304(4) of the West Lake Hills Code. Applicant Mario Segovia.
- Staff Briefing.
 - Presentation by applicant.
 - Public Hearing: All persons wishing to speak for or against shall be heard.
 - Deliberation and action.
(Note: Dual Action required, BOA for the cut and fill and retaining walls and City Council for the trees).

Item was postponed.

6. Land Use: Proposed Rezone to Planned Development District at 96 and 98 Redbud Trail with base Zoning B-2 for development of a Service Station and Grocery Store to be known as Westlake Auto and Westlake Grocery. (Chapter 38 of the West Lake Hills Code.) Applicant Hamid Miri.
- Staff Briefing. **City Planner Ashby Grundman added that the applicant is proposing to raise the canopy to 15 feet tall, from the current canopy, 12 feet tall. The applicant is also responsible for updating their lighting to conform to city code, within 6 months. In addition, the applicant is proposing to install a fence among the property line that abuts the creek. Vegetation will also be planted.**
 - Presentation by applicant. **Siad Miri, applicant's representative, shared a brief background of the property and its purpose of servicing West Lake Hills. There is not intent to add any buildings. The buildings will stay the same. The proposed improvements existing canopy will be raised and new gas pumps will be installed.**
 - Public Hearing: **No one spoke.**
 - Deliberation and action.

Council asked about the color of the canopy, the specific location of the fencing, requested the vegetation to be native, and asked that the vegetation be coordinated to match with the West Lake Hills sign.

MAYOR PRO TEM GRAHAM MOTIONED TO APPROVE THE PROPOSED REZONING TO PDD AT 96 AND 98 REDBUD TRAIL WITH BASE ZONING B-2 FOR DEVELOPMENT OF A SERVICE STATION AND GROCERY STORE TO BE KNOWN AS WESTLAKE AUTO AND WESTLAKE GROCERY; ALSO TO NOTE ON THE SITE PLAN THAT THE CANOPY CANNOT EXCEED 16 FEET; THE LANDSCAPING MUST BE NATIVE AND APPROVED BY CITY STAFF. COUNCILMEMBER O'CONNOR SECONDED THE MOTION AND IT PASSED BY 4-0 VOTE.

7. Administration: Update on City and other area infrastructure improvement projects including Bee Cave Road, drainage master plan, Water District 10, and Camp Craft Road. City Administrator Robert Wood.
- Staff Briefing. **Mayor Anthony briefed Council on the Drainage Master Plan. The Council subcommittee met with staff and the city engineers to go over a draft of the final drainage master plan. It will come to Council the first**

meeting in May. The study is exhaustive with costs and rankings. City Administrator Robert Wood added that utilities are still being moved on Bee Cave Road for the expansion project.

- b. Public Hearing: No one spoke.
- c. Deliberation and action.

No Council action was taken.

8. Legislative Matters: Update on matters pending before the Texas Legislature that may affect municipal operations or regulations. Assess impact of bills involving issues such as administration, budget, fire safety, land use, personnel, public safety and utilities. Consider need for testimony, resolutions or other forms of advocacy. City Administrator Robert Wood.
- a. Staff Briefing. **City Administrator Robert Wood shared a memo that has short descriptions of issues or relevant bills. He also announced that a hearing would be held on Tuesday for Senate Bill 2, regarding revenue caps.**
 - b. Executive Session per Texas Government Code, Section 551.071 for Consultation with Attorney.
 - c. Deliberation and action.

Council and City Administrator Robert Wood discussed the proposed bills for revenue caps, prima facia speed limit, and underground water district.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #8 FROM 8:30 PM TO 8:45 PM. NO COUNCIL ACTION WAS TAKEN.

9. Land Use: Discussion regarding future use or sale of 110 Westlake Drive (property currently owned by the City of West Lake Hills.) City Administrator Robert Wood.
- a. Executive Session per Texas Government Code, Section 551.071 for Consultation with Attorney and 551.072 Deliberation Regarding Real Property.
 - b. Public Hearing: No one spoke.
 - c. Deliberation and action.

Council reviewed a rough draft of a proposed Request for Proposals. It will allow Council to review the best use and amount, when considering buyers for this property. Council requested language to be added in the instructions that explicitly states that the buyer gives a price.

10. Public Works: Consider approving and authorizing the execution of an amendment to the Agreement for Gift of Real Property with Schoolyard, Ltd. for the acquisition of certain property located at 4201 Bee Cave Road and which is required for the construction of the proposed improvements to Bee Cave Road/RM 2244, and take other appropriate action (TXDOT Parcel 15).
- a. Executive Session per Texas Government Code, Section 551 .071 for Consultation with Attorney and 551.072 Deliberation Regarding Real Property.
 - b. Public Hearing: No one spoke.
 - c. Deliberation and action.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #10 FROM 9:20 PM TO 9:35 PM.

COUNCILMEMBER McCOLLOUGH MOTIONED TO REIMBURSE THE SCHOOLYARD FOR \$66,386.95 TO COVER THE COSTS OF IRRIGATION REPAIR, ENGINEERING EXPENSES, LANDSCAPING, AND TREES; APPROVE AN AMOUNT OF \$34,098.75 TO BE PAID BUT NOT UNTIL THE CITY RECEIVES ELECTRICAL AND LIGHTING BIDS FROM JEFF MUSGROVE FOR THIS PROJECT, AND HAVE A SIGNED AGREEMENT. AT THAT TIME, THE CITY WILL PAY FOR THE BID THEY FEEL IS CORRECT AND THE AMOUNT OF \$34,098.75, ONCE THE AGREEMENT IS SIGNED. COUNCILMEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 4-0 VOTE.

11. Public Works: Discussion/decision relating to proposed or potential purchase or lease of property necessary for the Bee Cave Road/RM 2244 Project, owned by Paul Jacobs Family, LLC and located at 4800 Bee Cave Road (TXDOT Parcel 8).
- Executive Session per Texas Government Code, Section 551 .071 for Consultation with Attorney and 551.072 Deliberation Regarding Real Property.
 - Public Hearing: **No one spoke.**
 - Deliberation and action.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #11 FROM 9:40 PM TO 9:50 PM.

MAYOR PRO TEM GRAHAM MOTIONED TO APPROVE THE ACQUISITION AGREEMENT BETWEEN THE CITY OF WEST LAKE HILLS AND PROPERTY AT 4800 BEE CAVES ROAD. COUNCILMEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 4-0 VOTE.

12. Public Works: Discussion/decision regarding Commercial Building Permit and site plan for 4800 Bee Cave Road (Sections 22.02.005 and 22.03.249 of the West Lake Hills Code.)
- Staff Briefing.
 - Public Hearing: **No one spoke.**
 - Deliberation and action.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #12 FROM 9:40 PM TO 9:50 PM.

COUNCILMEMBER WALKER MOTIONED TO APPROVE THE BUILDING PERMIT AND SITE PLAN FOR 4800 BEE CAVE ROAD. COUNCILMEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 4-0 VOTE.

13. **Adjourned by Mayor Linda Anthony at 10:10 pm.**

Certificate



LINDA ANTHONY, MAYOR

ATTEST:

Lacie Hale

LACIE HALE, CITY SECRETARY

