

City of Meadowlakes Stated Meeting Minutes January 17, 2017

The City Council of the City of Meadowlakes held a Regular Meeting at Meadowlakes Municipal Building in Totten Hall January 17, 2017, beginning at 5:00 p.m. in accordance with the duly posted notice of said meeting.

Council Members Present:

Mayor Mary Ann Raesener
Councilmember Mike Barry
Councilmember Barry Cunningham
Councilmember Clancy Stephenson
Councilmember Alton Fields
Councilmember Jerry Drummond

Staff Present:

City Manager Johnnie Thompson
City Secretary Loren Meiner

1. **CALL TO ORDER AND QUORUM DETERMINATION:** Mayor Raesener called the meeting to order at 5:00 p.m. and announced the presence of a quorum.
2. **PLEDGE OF ALLEGIANCE:** Mayor Raesener led the Council and guests in the Pledge of Allegiance.
3. **CITIZEN COMMENTS:** None.
4. **MONTHLY STANDARD LIVE REPORTS:** Johnnie Thompson updated the Council and audience on ongoing projects within the City. He summarized the major highlights of the December 2016 monthly reports as listed below.
5. **CONSENT ITEMS:**
 - A. **November 15, 2016, December 8, 2016, and December 12, 2016, City Council Meeting Minutes – Loren Meiner, City Secretary**
 - B. **Ordinance Enforcement December 2016 Activity Report – Pat Preston, Ordinance Officer**
 - C. **Animal Control December 2016 Activity Report – Pat Preston, Animal Control Officer**
 - D. **Patrol December 2016 Activity Report - provided by Meadowlakes Patrol Officers**
 - E. **City Building Committee December 2016 Activity Report – Blair Feller, Chairman**
 - F. **Vandalism/Incident, December 2016 Report – Loren Meiner, City Secretary**
 - G. **Public Works Department December 2016 Activity Report - Mike Williams, PWD**
 - H. **December 2016 Financial and Disbursement Reports - Johnnie Thompson, City Manager**

After Council discussion, Councilmember Fields made a motion to approve the consent items as presented. The motion was seconded by Councilmember Drummond and passed unanimously.

6. OLD BUSINESS ITEMS:

- A. Discussion/Action: Ordinance 2017-01 - AN ORDINANCE OF THE CITY OF MEADOWLAKES, TEXAS, AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES; ESTABLISHING A RESTRICTED ZONE AT THE CITY'S RAW WATER INTAKE; PROHIBITING TRESPASSING WITHIN THE RAW WATER RESTRICTED ZONE; AND PROVIDING SEVERABILITY, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES".** Mr. Thompson stated that per the Texas Administrative Code, the City is required to establish a restricted zone with a 200 foot radius from the raw water intake, and that enforcement of the restricted zone shall be governed by city ordinances or the rules and regulations promulgated by a water district or similar regulatory agency. At December's Special Called City Council meeting, Council issued a 45-day moratorium on the issuance of any permits for boat docks within 200 feet of our intake. The moratorium was requested by staff to allow for adequate review and preparation of the necessary legal documents to establish the restricted zone as required by State law. The proposed Ordinance was drafted by the City's legal counsel. Mr. Thompson stated that the Ordinance, as written, does not specifically define "recreational." We purposely left it verbatim, as written by the State.

Mr. Thompson recommended the adoption of Ordinance 2017-01 as prepared by our legal counsel. The adoption would become effective immediately after passage and publication of the required notice. The Ordinance should be in force before the expiration of the existing moratorium. After Council discussion, Councilmember Drummond made the following motion: "I move to adopt Ordinance 2017-01 AN ORDINANCE OF THE CITY OF MEADOWLAKES, TEXAS, AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES; ESTABLISHING A RESTRICTED ZONE AT THE CITY'S RAW WATER INTAKE; PROHIBITING TRESPASSING WITHIN THE RAW WATER RESTRICTED ZONE; AND PROVIDING SEVERABILITY, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES". The motion was seconded by Councilmember Fields and passed unanimously.

- B. Discussion/Action: Discussion/Action: Entering into an Interlocal Cooperation Agreement for wholesale treated wastewater with the City of Marble Falls. Including authorization for the City Manager to enter into said agreement and financing for the cost of said agreement.** Mr. Thompson briefed the Council on a draft agreement with the City of Marble Falls to obtain treated wastewater to supplement the City's effluent for irrigation of its golf course. Currently, the City is obtaining supplemental water via a contract with the Lower Colorado River Authority (LCRA). The existing contract with LCRA was for ten years with a cancellation clause after five years. The contract allows the City to utilize up to 75-acre feet of water from Lake Marble Falls. The current rate is \$145 per-acre foot of water used. LCRA's contract has a reservation clause which requires the City to pay an amount equal to one-half of the current rate for all water reserved but unused. Our minimum annual expense, at the current rate, is \$5,437.

The proposed interlocal agreement between the City of Marble Falls and the City provides that the City pays for all materials and surveying associated with the extension of the City of Marble Falls' existing treated effluent main (commonly called purple pipe) to our existing wastewater treatment site. The estimated cost for the materials and required surveying is \$40,000 with a maximum out of pocket expense to the City of \$50,000. The City will receive full credit for all fronted funds toward the purchase of any treated effluent from the City of Marble Falls over the next ten years. The City of Marble Falls has established a fixed cost for any treated purchase for the initial ten-year period plus an additional two years, if needed. The cost per acre-foot of water used will be \$145 for the next ten to twelve years.

Mr. Thompson stated that the last time any substantial amount of raw lake water was utilized was in 2012. The Meadowlakes Public Facility Corporation, who operated the course at that time, used additional lake water to make the golf course more desirable to play by maintaining the fairways during the normal occurring summer drought. This business plan failed to provide enough additional revenue to offset the added cost of the increased irrigation. Since 2012 only a minimal amount of lake water has been used to subsidize City's treated effluent. While the proposed agreement with Marble Falls will require a substantial investment on the City's part, all of that cost will be recouped via a credit toward any water utilized from Marble Falls over the next ten years.

After Council discussion, Councilmember Fields made the following motion, which was seconded by Councilmember Barry and passed unanimously.

1. The City Manager is authorized to enter into the proposed Interlocal Cooperation Agreement for wholesale treated wastewater with the City of Marble Falls, subject to final review and approval of legal counsel.
2. The City Manager is authorized to utilize up to \$50,000 in General Fund reserves to provide the necessary funds as required by the Agreement.
3. The Recreation Fund shall reimburse the General Fund for all funds advanced at a rate of \$500 per month until all funds advanced are paid in full. Reimbursement shall commence upon cancelation of the LCRA contract.

C. Action related to the October 18th, 2016 review of City Manager's job performance.

Mayor Raesener inquired from the Council if they felt that they needed to adjourn into closed session to discuss the City Manager's job performance. It was noted that Mr. Thompson job performance was reviewed on October 18, 2016, and at that time he received a favorable review by the Council and that they felt it was not necessary to review his job performance again. It was noted that due to a procedural issue the proposed one (1) time merit payment of \$4,000 as discussed at the Council's October 18, 2016, meeting, was not appropriately authorized.

Councilmember Drummond made a motion to authorize a one (1) time merit payment of \$4,000 to the City Manager, Johnnie Thompson. Councilmember Fields seconded the motion with Councilmember Stephenson abstaining. The motion carried.

7. NEW BUSINESS ITEMS:

A. Discussion/Action: Granting of a Variance Request to allow construction of a boat dock within the flood plain at lot 1152, 349 Meadowlakes Drive by builder Dwight Wilfong Construction for owners Steve & Kathy Wright.

Mr. Thompson advised the Council that the proposed boat dock was not located within 200 feet of the raw water intake. After Council review and discussion, Councilmember Fields made a motion to approve the Variance Request as presented. The motion was seconded by Councilmember Cunningham, with Councilmember Stephenson opposing. The motion carried.

B. Discussion/Action: Resolution of support for the Central Texas - Gateway to the Hill Country Beautification Project. Mr. Thompson briefed the Council on a proposed resolution of support for the Citizens for Scenic Texas Highways effort for the beautification of the US Highway 281 and Highway 71 intersection just south of Marble Falls. The group has received permission to improve the approximately 30 acres located

at this intersection. Their plan includes vegetation management as well as seeding wildflowers. Mr. Thompson advised that the proposed resolution was for support only and the City would not be committing financially to the project.

After Council discussion, Councilmember Drummond made a motion to approve the attached resolution supporting the Citizens for Scenic Texas Highways – Gateway to the Hill Country Beautification Project. The motion was seconded by Councilmember Fields and passed unanimously.

8. COUNCIL & MAYOR ANNOUNCEMENTS:

- A.** City Secretary advised the Council and guests that starting on January 18, 2017, residents can file for a place on the General Election ballot for the election that will be held on May 6th, 2017. The deadline to file is February 17th by 4:00 p.m. There are three open positions: Place 2 currently held by Alton Fields, Place 4 currently held by Clancy Stephenson and Place 5 currently held by Barry Cunningham. Election packets are available at the City Hall for anyone interested in filing.
- B.** The next regularly scheduled meeting will be held on Tuesday, February 21, 2017, at 5:00 p.m.

9. ADJOURNMENT: Mayor Raesener adjourned the meeting at 5:56 p.m.

Approved: /S/ Mary Ann Raesener **Date:** January 17, 2017
Mayor, Mary Ann Raesener

Attest: /S/ Loren Meiner **Date:** January 17, 2017
City Secretary, Loren Meiner