

STATE OF TEXAS
COUNTY OF BURNET
CITY OF MARBLE FALLS

On this the 7th day of February, 2017 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
Jane Marie Hurst	Mayor Pro-Tem
Rachel Austin-Cook	Councilmember
Craig Magerkurth	Councilmember
Ryan Nash	Councilmember
Reed Norman	Councilmember
Richard Westerman	Councilmember

ABSENT: None

STAFF:

Mike Hodge	City Manager
Caleb Kraenzel	Assistant City Manager
Patty Akers	City Attorney
Christina McDonald	City Secretary
Christian Fletcher	EDC Executive Director
Eric Belaj	City Engineer
Elizabeth Yeh	City Planner
Mark Whitacre	Police Chief
Russell Sander	Fire Chief
Robert Moss	Parks and Recreation Director
Mike Ingalsbe	Building Official
Steve Eckstein	Police Lieutenant
Ted Young	Police Captain
Glenn Hanson	CID Captain
James Kennedy	Assistant Public Works Director

VISITORS: David Mendez and Tom Pollan (Bickerstaff Attorneys), Andrew Friedman (SAMCO), Glynis Smith (The Highlander), Scott Streit (First Capital Bank), Martin Stary (KC Engineering), Tony Plumlee (Willis Engineering), Megan Klaeger (Council Candidate), Tom Barker (Aladdin Home Store/Proposed Convenience Storage Project), Megan Offutt and Samantha Shirey (Marble Falls High School), Buck Dubray (Tex General Contractors), Darlene Little, Paul and Barbara King

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor called the meeting to order at 6:00 pm and announced the presence of a quorum.
2. **INVOCATION.** Councilmember Norman gave the invocation.
3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** Mayor Packer led the pledges.
4. **UPDATES, PRESENTATIONS AND RECOGNITIONS**
 - **Presentation of the City's Financial Report for October 1 through December 31, 2016.** Margie Cardenas, Finance Director gave the presentation.
5. **CITIZEN COMMENTS.** There were no citizen comments.
6. **CONSENT AGENDA.**
 - (a) **Approval of the minutes of the January 17, 2017 regular meeting and workshop and the January 24, 2017 special meeting and workshop.**
 - (b) **Approval of the 1st Quarterly Investment Report for the period October 1, 2016 through December 31, 2016.**
 - (c) **Approval of Ordinance 2017-O-02G calling and ordering a General Election to be held on May 6, 2017 for the purpose of electing a Mayor and three (3) Councilmembers to serve for a term of two (2) years.**
 - (d) **Approval of an Inter-local Contract between the City of Marble Falls (City) and the Capital Area Rural Transportation System (CARTS) concerning CARTS' use of the City property at 801 N US 281 (Old Train Depot) for a transportation hub.**
 - (e) **Approval of Ordinance 2017-O-02F amending the Code of Ordinances of the City of Marble Falls, Texas, Chapter 15 (Parks and Recreation), Article II (Conduct in City Parks), Section 15-28 (Reservation, Use and Fee Schedule for Park Facilities) and Article IV (Lakeside Pavilion), Section 15-90 (License Fees).**
 - (f) **Approval of Resolution 2017-R-02A authorizing the submission of a grant application to the Office of the Governor – FY 2017 State Homeland Security Program Grant for funds to purchase a mobile satellite communications system for the Marble Falls Emergency Services Mobile Command Center.**
 - (g) **Approval of Resolution 2017-R-02B authorizing the submission of a grant application to the Office of the Governor – FY 2018 Criminal Justice Assistance Grant Program for funds to replace and upgrade the current VHF mobile radios in the Marble Falls Emergency Services Mobile Command Center.**

- (h) Approval of Resolution 2017-R-02C authorizing the submission of a grant application to the Office of the Governor – FY 2017 State Homeland Security Program Grant for funds to purchase a National Incident Based Reporting System (NIBRS) upgrade for the Marble Falls Police Department CAD/RMS System.

Councilmember Norman made a motion to approve the consent agenda. Mayor Pro-Tem Hurst seconded the motion. The consent agenda was approved by a unanimous vote of 7-0.

7. REGULAR AGENDA.

- (a) Public Hearing, Discussion, and Action on Ordinance 2017-O-02D regarding a rezoning request from Main Street District (MSD) to Planned Development District (PDD) with base zoning of Main Street District (MSD) for Lot 1-B, Block 332, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas. Mayor Packer opened the public hearing. Elizabeth Yeh, City Planner addressed Council. There being no further discussion, Mayor Packer closed the public hearing and read the caption of the ordinance.

After some discussion, Councilmember Nash made a motion to approve Ordinance 2017-O-02D with amendments to Section IV, Paragraph 3, being that the final landscape plan will be consistent with the Downtown Master Plan and improvements recently constructed in the public right-of-way. Mayor Pro-Tem Hurst seconded the motion. The motion carried by a vote of 7-0.

- (b) Public Hearing, Discussion, and Action on Ordinance 2017-O-02E regarding a Conditional Use Permit, with site plan approval, to allow Convenience Storage within the General Commercial Base District (C-3) on Tract 2-A, Resubdivision No. 3, Marble Falls Industrial Park, Section One, City of Marble Falls, Burnet County, Texas. Mayor Packer opened the public hearing. Elizabeth Yeh, City Planner addressed Council. There being no further discussion, Mayor Packer closed the public hearing and read the caption of the ordinance.

Mayor Pro-Tem Hurst made a motion to approve Ordinance 2017-O-02E. Councilmember Norman seconded the motion. The motion carried by a vote of 7-0.

- (c) Discussion and Action regarding a Construction Plat for the Gregg Ranch at Marble Falls Subdivision, Phase One, being 45.48 acres out of the A. Bradley Survey No. 79, Abstract No. 61, City of Marble Falls, Burnet County, Texas. Elizabeth Yeh, City Planner addressed Council. Mayor Pro-Tem Hurst made a motion to approve the construction plat for Gregg Ranch Phase one as presented with the waiver request and the following conditions:

1. That the Traffic Impact Analysis and construction plans be updated with final revisions based on city staff review comments and resubmitted prior to issuance of a site development permit.

2. That construction plans for the pocket park be submitted and approved by the city staff prior to final plat approval.

Councilmember Westerman seconded the motion. The motion carried by a vote of 7-0.

Mayor Packer opened items 7(d) and 7(e) for discussion. Finance Director Margie Cardenas introduced Tom Pollan (Bickerstaff Attorney) and Financial Advisor Andrew Friedman (SAMCO) who in turn addressed Council.

(d) Discussion and Action on first and final reading of Ordinance 2017-O-02A authorizing the issuance of approximately \$1,800,000 "City of Marble Falls, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2017"; authorizing the sale thereof; and enacting provisions incident and related to the issuance of said Certificates. Councilmember Magerkurth made a motion to approve Ordinance 2017-O-02A. The motion was seconded by Councilmember Norman and carried by a unanimous vote (7-0).

(e) Discussion and Action on first and final reading of Ordinance 2017-O-02B authorizing the issuance of approximately \$6,880,000 "City of Marble Falls, Texas General Obligation Refunding Bonds, Series 2017"; authorizing the refunding of certain outstanding obligations; levying a continuing direct annual ad valorem tax on all taxable property within the City for the payment thereof and the assessment and collection of such taxes; creating a sinking fund for the redemption thereof; authorizing the sale thereof; authorizing an escrow agreement; and enacting other provisions relating to the purposes of this Ordinance. Councilmember Magerkurth made a motion to approve Ordinance 2017-O-02B. Councilmember Westerman seconded the motion. The motion carried by a vote of 7-0.

7:10 pm Council took a brief recess

7:30 pm Mayor called the meeting back to order

(f) Discussion and Action regarding recommendation of contract award for the Broadway Street reconstruction. Eric Belaj, City Engineer addressed Council. After much discussion regarding the project, Councilmember Nash made a motion to award the contract for the Broadway Street reconstruction to Ross Construction in the amount of \$470,272.80. Councilmember Westerman seconded the motion. The motion carried by a vote of 5-2, with Councilmembers Norman and Magerkurth voting in opposition.

(g) Discussion and Action regarding acceptance of land donations and easements of +/- 4.7 acres of land and 0.038 acres of easement area, and 0.142 acres of temporary construction easement to the City of Marble Falls, for future land contribution for construction of the US 281 widening project from East RM 2147 to SH 71, authorizing the Mayor to execute warranty deed(s) from Ellison Roper Land Corp. and from Thomas E. Taylor, individually, and Thomas A. Edwards and Bonnie K. Edwards, Trustees of the

Thomas A. Edwards and Bonnie K. Edwards Family Trust. Caleb Kraenzel, Assistant City Manager addressed Council. Councilmember Westerman made a motion to accept the land donations and easements of +/- 4.7 acres of land and 0.038 acres of easement area, and 0.142 acres of temporary construction easement to the City of Marble Falls, for future land contribution for construction of the US 281 widening project from East RM 2147 to SH 71, authorizing the Mayor to execute warranty deed(s) from Ellison Roper Land Corp. and from Thomas E. Taylor, individually, and Thomas A. Edwards and Bonnie K. Edwards, Trustees of the Thomas A. Edwards and Bonnie K. Edwards Family Trust and authorize the Mayor to execute the documents. Councilmember Austin- Cook seconded the motion. The motion carried by a vote of 7-0.

8. **CITY MANAGER'S REPORT.** City Manager Mike Hodge gave an update on the new public safety facility followed by a brief presentation by Lieutenant Steve Eckstein.

9. **EXECUTIVE SESSION**

Close Open Session and Convene Executive Session pursuant to §551.087 (*Economic Development*), §551.071 (*Private Consultation between the Board and its Attorney*), §551.072, and (*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:

- Hotel/Conference Center Development

8:30 pm convened to Executive Session

8:55 pm returned to Open Session

10. **RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION.** No action was taken.

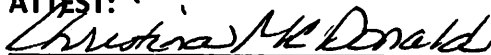
11. **ANNOUNCEMENTS AND FUTURE AGENDA ITEMS.** Items for the February 21 Council agenda were reviewed.

12. **ADJOURNMENT.** There being no further business to discuss, Councilmember Westerman made a motion to adjourn. Councilmember Austin-Cook seconded the motion. The motion carried by a vote of and the meeting was adjourned at 9:00 pm.



 John Packer, Mayor

ATTEST:



Christina McDonald, TRMC
 City Secretary