

City of Meadowlakes
Public Hearing and Stated Meeting Minutes
March 8, 2011

I. CALL TO ORDER AND QUORUM DETERMINATION:

Mayor Don Williams called the meeting to order at 4:59 p.m. declaring that a quorum was present at the Meadowlakes Municipal Building in Totten Hall, 177 Broadmoor, Meadowlakes, Texas. Council members present were Rusty Crawford, Christine Forsyth, Franzella Jones and Mike Tepper. Also present were City Manager Johnnie Thompson and City Secretary Linda Wendling. Councilmember Bill Pickard was not in attendance.

II. PLEDGE OF ALLEGIANCE AND PRAYER:

Mr. Paul Sarcione led the meeting members and guests in the Pledge of Allegiance. Mr. Roy Belcher led the meeting members and guests in prayer.

III. SPECIAL REPORTS/ACTIVITY

A. Discussion: Update on Pedernales Electric Cooperation's Franchise City's communications – Gina Holton

Ms. Holton introduced herself to the meeting members and guests and provided her update highlighting the community events card, the City's franchise checks are now being electronically deposited and that the recent blinks on the power lines were caused by squirrels on the lines.

B. Discussion: Review of the City's 2010 Annual Audit as prepared by Neffendorf, Knopp, Doss & Company, Certified Public Accountants – Keith Neffendorf, CPA

Mr. Neffendorf introduced himself to the meeting members and guests and provided review of the City's audit while providing additional explanation of certain aspects of the audit. Mr. Neffendorf stated that the net assets are in good financial shape, reviewed expenses, net income, stated the governmental balance sheet is in good shape, reviewed proprietary funds, cash flow statements, additional disclosures, stated the city is in compliance in relation to the public funds investment act, reviewed changes of long term liabilities, changes in bonds payable, principle interest requirements, retirement plan disclosure and compliance with the budget. In closing, Mr. Neffendorf stated there were no weaknesses in internal controls and no incidents of noncompliance were found.

IV. MONTHLY STANDARD LIVE REPORTS:

A. City Manager Activity Report - Johnnie Thompson

i.) Patrol Activity for February and related items

ii.) Vandalism/Incidents for February and related items (Attachment A)

Mr. Thompson provided his activity report stating that the neighborhood watch program is up and running, they have a kickoff rally on March 27th at the Lakeside Park, Avenue N is closed for the rest of this week due to repairs and there are long range plans for future upgrades to Avenue N. Mr. Thompson also mentioned increased patrol activity with the officer's working a total of 69 hours last month, Spring Break week will have increased patrol, there were two minor incidents in the vandalism report, the water treatment plant filters are

expected to be delivered towards the end of this month and everything is running smoothly. Mr. Williams stated the LCRA recyclable toilet program has been a success.

V. CONSENT ITEMS:

- A. February 8, 2011 Stated Meeting Minutes - Linda Wendling, Secretary** (Attachment B)
- B. Ordinance Enforcement February Activity Report - Joe Hernandez, Officer** (Attachment C)
- C. Animal Control February Activity Report - Robbie Galaway, Officer** (Attachment D)
- D. Patrol Activity February Report – provided by Ricky Bindseil, Officer** (Attachment E)
- E. Vandalism/Incident February Activity Report – Linda Wendling, Secretary** (Attachment F)
- F. City Building Committee February Activity Report - Don Wheeler, Chairman** (Attachment G)
- G. Public Works Department February Activity Report - Mike Williams, PWD** (Attachment H)
- H. General Fund February Detail Financials Report - Eileen Harrison, Treasurer** (Attachment I)
- I. Utility Fund February Detail Financials Report - Johnnie Thompson, City Manager** (Attachment J)

Councilmember Jones made a motion to approve the consent items as presented. Councilmember Forsyth seconded the motion. The motion carried by unanimous vote of the council members present.

VI. CITIZEN COMMENTS:

- A.** Jan Cunningham of the POA stated that they received a comment during the CC&R's survey regarding lack of required clearance around the fire hydrants and she is hopeful that the city will follow up on this item.

VII. OLD BUSINESS:

- A. Action/discussion: Second Reading of Ordinance 2011-03, Drought contingency plan update to meet new LCRA requirements - Mike Williams/Thompson** (Attachment K)

Mr. Thompson stated this is the second reading of Ordinance 2011-03 which will also be posted in the newspaper upon its approval. Mr. Thompson also said the LCRA has approved our draft plan and his recommendation is to approve the ordinance tonight. Councilmember Crawford made a motion to accept Ordinance 2011-03 as presented. Councilmember Jones seconded the motion. The motion carried by unanimous vote of the council members present.

- B. Action/discussion: Public Facilities Corporation (PFC) financial report and status update - Hawkins/Fixsen** (Attachment L)

Mr. Thompson stated that he has a profit and loss for the PFC which has been reviewed by the auditor and stated that they did well. Mr. Thompson reviewed their operating loss, the liabilities they assumed, stated they basically broke even and performed well in actual operations, which is better than what he had expected. Mr. Thompson stated that the PFC is behind one (1) loan payment which was made today so it now brings them up-to-date; however, this month's payment has not been received. Mr. Fixsen provided the restaurants earnings.

C. Action/discussion: Proposals for re-codification and legal review of Meadowlakes Code of Ordinances – Thompson (Attachment M)

Mr. Thompson stated that the low bid received from American Publishing simply utilizes what we already have and updates the language changes but it does not provide a thorough legal review. Mr. Thompson stated that the other two (2) firms perform a complete legal review and due to the many changes that have occurred over time it is his recommendation to get a full legal review of our ordinance book. The cost may be spread out over the next two (2) years and the firms are willing to come in and speak with the council regarding their services. Linda Wendling provided some additional information in relation to their discussions, review of inconsistencies, their recommendation process and the draft procedures that will take place. Council discussion ensued. Councilmember Crawford made a motion to extend an invitation for a meeting to Franklin Publishing and Municipal Code Corporation in order to determine which company to select. Councilmember Forsyth seconded the motion. The motion carried by unanimous vote of the council members present.

VIII. NEW BUSINESS:

A. Action/discussion: Accepting Fiscal Year 2010 Annual Audit Report – Williams (Attachment N)

Mayor Williams introduced this item by stating that this was already discussed by Mr. Neffendorf. Councilmember Forsyth made a motion to accept the audit as presented. Councilmember Crawford seconded the motion. The motion carried by unanimous vote of the council members present.

B. Action/discussion: Notice of General Election for May 14, 2011 – Williams/Wendling (Attachment O)

Mayor Williams introduced the notice of general election, outlined one redline, and stated a vote is required so this may be published in the newspaper of record. Mayor Williams stated that we currently have three (3) positions open, listed the positions that are expiring, who is currently holding the positions and the names of the individuals that have turned in the application for a place on the ballot thus far. Councilmember Jones made a motion to approve the notice of general election. Councilmember Crawford seconded the motion. The motion carried by unanimous vote of the council members present.

C. Action/discussion: Resolution 11-002; Accepting nominations for the presiding election judge, alternate presiding election judge and election clerks – Williams/Wendling (Attachment P)

Mayor Williams introduced this item stating the judges have been selected by the Burnet County Elections Administrator per our contract and this resolution requires a vote. Councilmember Jones made a motion to adopt Resolution 11-002 as presented. Councilmember Forsyth seconded the motion. The motion carried by unanimous vote of the council members present.

D. Action/discussion: Ordinance 2011-04; Ordinance language clean up to add POA park hours and remedy deficiencies in height of structures/fences – Williams/Thompson (Attachment Q)

Mayor Williams introduced this ordinance stating it is a clean up ordinance to allow verbiage enforcing the rules for the POA parks and amending language within the fence height restriction. Councilmember Tepper made a motion to adopt Ordinance 2011-04 with redlines discussed and waive the second reading. Councilmember Forsyth seconded the motion. The motion carried by unanimous vote of the council members present.

E. Action/discussion: Resolution 11-004; Authorizing participation in a cooperative purchasing program with Region 4 Education Service Center (Attachment R) Mr. Thompson introduced this item stating that we are currently members of three (3) different cooperative purchasing agencies, the TCPN is with Region 4 which is another national purchasing group, the difference is that TCPN works with more local vendors such as Lowe's and Office Depot, there is no cost to us and that we are not obligated to purchase from them. Council discussion ensued. Councilmember Jones made a motion to accept Resolution 11-004 as presented. Councilmember Tepper seconded the motion. The motion passed by 3 "ayes" being council members Jones, Forsyth and Tepper. Councilmember Crawford recused himself from the vote as he is acquainted with individuals on the board and Councilmember Pickard was not present.

F. Action/discussion: Proposed Burnet County Emergency Services District (EDS) No. 6; inclusion of Extraterritorial Jurisdiction of the City within said proposed ESD (Attachment S)

Mr. Thompson reviewed this item by highlighting that Meadowlakes has no extraterritorial jurisdiction so it is a moot issue and that Marble Falls elected to exclude themselves. Council discussion ensued. Councilmember Forsyth made a motion that we allow them to have our ETJ since there is no existing ETJ to give. Additional council and audience discussion ensued regarding their ability to charge sales tax. Mayor Williams requested a second and received none; the motion died. Councilmember Tepper made a motion not to sign the letter to include our ETJ; thereby excluding ourselves. Councilmember Jones seconded the motion. The motion carried by unanimous vote of the council members present.

IX. COUNCIL & MAYOR ANNOUNCEMENTS:

A. April 12th will be the next Council Meeting in Totten Hall at 5:00 p.m.

B. March 14th at 5:00 p.m. is the last day to file for a place on the ballot.

The tire collection event is April 2nd and the household hazardous waste is held on March 26th and the items that will not be accepted were reviewed.

X. ADJOURNMENT:

Mayor Williams adjourned the meeting at 6:15 p.m.

Approved:

/s/ Don Williams **Date:** 4/12/2011
Mayor, Don Williams

Attest:

/s/ Linda A. Wendling **Date:** 4/12/2011
City Secretary, Linda A. Wendling