

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

On this the 6th day of February 2018 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
William (Dee) Haddock	Councilmember
Megan Klaeger	Councilmember
Craig Magerkurth	Councilmember
Reed Norman	Councilmember

ABSENT:

Richard Westerman	Mayor Pro-Tem
Dave Rhodes	Councilmember

STAFF:

Mike Hodge	City Manager
Caleb Kraenzel	Assistant City Manager
Christina McDonald	City Secretary
Patty Akers	City Attorney
Margie Cardenas	Finance Director
Christian Fletcher	EDC Executive Director
Valerie Kreger	Director of Development Services
Robert Moss	Parks and Recreation Director
Mark Whitacre	Chief of Police
Russell Sanders	Fire Chief
James Kennedy	Public Works Director
Jay Everett	Assistant Public Works Director

VISITORS: BJ Wagner and Randy Hartford (ATMOS Energy), Henry Hohenberger, Russ Roper, Jeff Sellers (Candidate Burnet County Precinct 3 JP), Tristan Johnson and Franklin Miller (Boy Scout Troop 284), Buck DeBree (99 Main Developer), Dan Franz (Halff Associates)

- 1. CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Packer called the meeting to order.
- 2. INVOCATION.** Councilmember Norman gave the invocation.
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** Tristan Johnson (Boy Scout Troop 284) led the pledges.
- 4. UPDATES, PRESENTATIONS AND RECOGNITIONS**

- **Update from ATMOS Energy.** Randy Hartford, Community Relations representative gave the update.
- **Presentation of the 2017 Annual Building Report.** Valerie Kreger, Director of Development Services presented the report.

5. **CITIZEN COMMENTS.** There were no citizen comments.

6. **CONSENT AGENDA.**

- (a) **Approval of the minutes of the January 16, 2018 regular meeting and the January 23, 2018 special meeting.**
- (b) **Approval of Ordinance 2018-O-02A calling and ordering a General Election to be held on May 5, 2018 for the purpose of election three Councilmembers to serve to for a term of two years.**
- (c) **Approval of Ordinance 2018-O-02B ordering a Special Election to be held on May 5, 2018 for the purpose of electing one Councilmember to fill an unexpired term and to serve for a term of one year.**

Councilmember Norman made a motion to approve the Consent Agenda. The motion was seconded by Councilmember Haddock and carried by a vote of 5-0.

7. **REGULAR AGENDA.**

- (a) **Public Hearing, Discussion, and Action regarding a replat of Lots 1 through 3 Dodson-Mallory Addition, City of Marble Falls Outlots A-1 through A-5 and including a 30-foot wide abandoned street right-of-way and two 16-foot wide abandoned alley rights-of-way, to be known as the Downtown Hub Addition, being 2.947 acres out of the W. C. M. Baker Survey No. 201, Abstract No. 123, City of Marble Falls, Burnet County, Texas.** Valerie Kreger, Director of Development Services addressed Council. Mayor Packer opened the public hearing. There being no discussion, Mayor Packer closed the public hearing. Councilmember Magerkurth made a motion to approve the replat of Lots 1 through 3 Dodson-Mallory Addition, City of Marble Falls Outlots A-1 through A-5, including a 30-foot wide abandoned street right-of-way and two 16-foot wide abandoned alley rights-of-way, to be known as the Downtown Hub Addition, being 2.947s acres out of the W.C. M. Baker Survey No. 201, Abstract No. 123, City of Marble Falls, Burnet County, Texas. The motion was seconded by Councilmember Norman and carried by a unanimous vote (5-0).
- (b) **Discussion and Action regarding a Construction Plat for Deer Creek Center, being 3.738 acres in the Central & Montgomery Railroad Company Survey No. 3, Abstract No. 1123, and the F. Fisseler Survey, Abstract No. 328, City of Marble Falls, Burnet County, Texas.** Valerie Kreger, Director of Development Services addressed Council. Councilmember Haddock

made a motion to approve the construction plat as presented. The motion was seconded by Councilmember Magerkurth and carried by a vote of 5-0.

- (c) **Public Hearing regarding the annexation into the City Limit of the City of Marble Falls, of approximately 420 acres in the P. James Survey Abstract 492, T. G. Foster Survey Abstract 316, J. H. Behrans Survey Abstract 111, H.T.&B. R.R. Surveys Abstracts 448 and 1279, and McKinney & Williams Survey Abstract 624, and including approximately 11 acres of U.S. Highway 281 right-of-way, in Burnet County, Texas, located west of US 281 and south of SH 71.** Valerie Kreger, Director of Development Services addressed Council. Mayor Packer opened the public hearing. There being no discussion, Mayor Packer closed the public hearing. No action was taken. It was noted that the second public hearing is scheduled for February 13, 2018.
- (d) **Discussion and Action on Ordinance 2018-O-02C amending Chapter 21 (Solid Waste) of the Code of Ordinances by amending Section 21-1 (Definitions) and creating a new Subsection 21-17 (Brush Collection).** Caleb Kraenzel, AICP, Assistant City Manager addressed Council. Councilmember Haddock made a motion to approve Ordinance 2018-O-02C. Councilmember Norman seconded the motion. The motion carried by a vote of 5-0.
- (e) **Discussion and Action on Ordinance 2018-O-02D amending Appendix C (Master Fee Schedule) of the Code of Ordinances for costs, fees and rates associated with brush disposal and pick up services provided by the City.** Caleb Kraenzel, AICP, Assistant City Manager addressed Council. Councilmember Haddock made a motion to approve Ordinance 2018-O-02D stating fees will be effective July 1, 2018. Councilmember Norman seconded the motion. Ordinance 2018-O-02D was approved by a vote of 5-0.
- (f) **Discussion and Action regarding a License Agreement between the City of Marble Falls and Texas General Land Corporation (Developer of 99 Main Street) for improvements, utilization, and maintenance of a portion of Main Street right-of-way abutting Lot 1-B, Block 332, Marble Falls Original Township.** Caleb Kraenzel, AICP, Assistant City Manager addressed Council. Councilmember Haddock made a motion to approve the License Agreement as presented. Councilmember Norman seconded the motion. The motion carried by a vote of 5-0.
- (g) **Discussion and Action regarding recommendation of a contract award for Lakeside Park Improvements Phase 1a Engineering (Design) Services.** Robert Moss, Parks and Recreation Director addressed Council. Councilmember Haddock made a motion to award the contract for Lakeside Park Improvements Phase 1a Engineering Design Services to Halff Associates. Councilmember Magerkurth seconded the motion. The motion carried by a vote of 5-0. Halff representative Dan Franz was present.
- 8. **CITY MANAGER'S REPORT.** City Manager Mike Hodge gave a report on alcohol beverage permitting in the Downtown District and City wide.

9. EXECUTIVE SESSION

CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION pursuant to §551.071 (*Private Consultation between the Council and its Attorney*) of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to discuss the following:

- Consultation with City Attorney regarding City's litigation with TCEQ over issuance of an Air Quality Permit to Asphalt, Inc., LLC.
- Consultation with City Attorney regarding City's authority to regulate mining and rock crusher plants in the city limits and extraterritorial jurisdiction of the City.

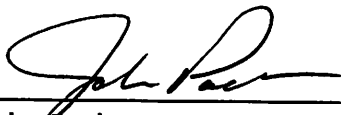
7:25 pm Convened to Executive Session

8:01 pm Returned to Open Session

10. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION. There was no action resulting from items discussed in executive session.

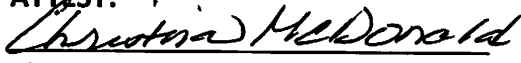
11. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS. Agenda items scheduled for the February 20 regular Council Meeting were reviewed.

12. ADJOURNMENT. There being no further business to discuss, Councilmember Norman made a motion to adjourn. Councilmember Haddock seconded the motion. The meeting was adjourned at 8:04 pm.



John Packer, Mayor

ATTEST:



Christina McDonald, TRMC
City Secretary