

**OFFICIAL MINUTES OF THE CITY COUNCIL  
REGULAR MEETING  
THURSDAY, MARCH 2, 2023**

**BE IT REMEMBERED** that on the 2nd day of March A.D., 2023, the City Council held a regular meeting at 5:30 p.m. in City Council Chambers, and via videoconference, there being present and acting the following:

Ed Tidwell	Mayor	Chelaine Marion	Council Member
Gage Hunt	Council Member	Paul Roberts	Council Member
Kevin Sullivan	Council Member	Paul Prince	Council Member
Rob Durbin	Council Member		

**CALL TO ORDER, CALL OF ROLL**

Mayor Tidwell called the meeting to order at 5:30 p.m. and announced that Mayor Pro-Tem Prince, and Councilmembers Hunt, Sullivan, and Durbin are present. Councilor Marion is attending the meeting via video conference. Councilor Roberts is not in attendance having an excused absence.

**EXECUTIVE SESSION**

1. At 5:32 p.m., Council convened into a closed Executive Session pursuant to;
  - A. Consultation with Legal Counsel concerning all regular meeting agenda item requiring confidential, attorney/client advice (as needed). (Government Code Section 551.071).
  - B. Consultation with Legal Counsel discussing the role of individual council members in legislating, governing, and investigating and discussing the rules regarding the same. (Government Code Section 551.071).

**ACTION ITEMS** (action and/or a vote may be taken on the following agenda items):

2. At 6:16 p.m., Council reconvened from Executive Session into open session, and recessed until 6:30 p.m., to act as deemed appropriate in City Council's discretion regarding:
  - A. Consultation with Legal Counsel concerning all regular meeting agenda item requiring confidential, attorney/client advice (as needed). (Government Code Section 551.071).  
No action taken.
  - B. Consultation with Legal Counsel discussing the role of individual council members in legislating, governing, and investigating and discussing the rules regarding the same. (Government Code Section 551.071).  
No action taken.

**PLEDGE OF ALLEGIANCE, PLEDGE TO TEXAS FLAG**

Mayor Tidwell led the Pledge of Allegiance and Pledge to Texas Flag.

**04:23 – 05:36**

**CITIZEN COMMENTS:** In accordance with the Open Meetings Act, Council is prohibited from acting or discussing (other than factual responses to specific questions) any items not on the agenda.

Ms. Robyn Burkhart – expressed concerns she has with theft of Turnback signs.

**05:38 – 16:35**

**ITEMS OF COMMUNITY INTEREST:** Pursuant to Texas Government Code Section 551.0415, the City Council may report on any of the following items:

- a. Expressions of thanks, gratitude, and condolences.  
Thanked the Chamber for putting on Casino Night.  
Thanked community for donations related to the Pet Parade event.
- b. Information regarding holiday schedules.  
None to report.
- c. Recognition of individuals, i.e., Proclamations.  
Lago Vista School District students were recognized for their recent accomplishments in several activities including but not exclusive to dance, golf, baseball, powerlifting, football, FFA, and tennis.
- d. Reminders regarding City Council events.  
None to report.
- e. Reminders regarding community events.  
Lago Vista School District is hosting Give Back night on Saturday.  
La Primavera bike race is this weekend.  
Pet Parade is being held this weekend.  
Lion's Club will be at the Pet Parade selling hot dogs and cold drinks.
- f. Health and safety announcements.  
Advised of potential weather concerns this evening directing attendees of where to go in the event of possible tornadic activity.  
Lake Travis remains below normal levels.

*Mayor Tidwell announced that Agenda Item #6 would be next on the agenda.*

#### **PUBLIC HEARING AND POSSIBLE ACTION (FIRST CONSIDERATION)**

**16:59 – 31:12**

- 6. The Lago Vista City Council will hold a public hearing and consider Resolution 23-1990; a Resolution of the City Council of Lago Vista, Texas to name the circle on Dawn Drive after Ann Murrow.

Mayor Tidwell opened the public hearing at 6:45 p.m.

City Manager, Tracie Hlavinka gave a brief presentation.

Anna Johndrow spoke in support.

Robyn Burkhart spoke in support.

Cynthia O'Hare spoke in support.

Jane Brunclik spoke in support.

Mayor Tidwell closed the public hearing at 6:58 p.m.

On a motion by Mayor Pro-Tem Prince, seconded by Councilor Durbin, City Council voted unanimously to approve Resolution 23-1990 renaming the circle on Dawn Drive, the Ann Murrow 4th of July Circle. Motion carried.

## STAFF AND COUNCIL LIAISON REPORTS

**32:06 – 32:36**

1. Routine Reports from City Staff  
No action taken.

**32:41 – 41:01**

2. Routine Reports from City Council Board/Commission/Committee Liaisons.  
City Council agreed to encourage other members of Planning and Zoning to be more forthcoming in making motions.  
No action taken.

## PRESENTATIONS

**41:02 – 1:12:34**

3. Presentation by Turnback Canyon Trail Conservancy representatives.  
No action taken.

## CONSENT AGENDA

**1:12:43 – 1:13:40**

4. Consider approval of the February 2, 2023, meeting minutes.
5. Consider approval of Resolution 23-1991; A Resolution by the City Council of Lago Vista, Texas authorizing the city manager to enter into an Interlocal Agreement with Purchasing Cooperative of America (PCA).  
On a motion by Mayor Pro-Tem Prince, seconded by Councilor Sullivan, City Council voted unanimously to approve the consent agenda. Motion carried.

*Mayor Tidwell announced that Agenda Item #12 would be next on the agenda.*

## ACTION ITEMS

**1:14:06 – 1:38:04**

12. Discussion, consideration and possible action on Ordinance 23-03-02-05; An Ordinance of the City of Lago Vista, Texas amending Article 1.1800 of Chapter 1 of the Lago Vista Code of Ordinance amending the Ethics Policy.  
A motion made by Mayor Pro-Tem Prince, seconded by Councilor Marion was withdrawn prior to City Council action. No action was taken.

*Mayor Tidwell announced that Agenda Item #7 would be next on the agenda.*

## **PUBLIC HEARING AND POSSIBLE ACTION (FIRST CONSIDERATION)**

**1:38:23 – 1:47:47**

7. The Lago Vista City Council will hold a public hearing and consider Ordinance 23-03-02-01; an Ordinance amending the existing Planned Development District (PDD) approval applicable to the property located at 1900 American Drive and known as “The Peninsula” regarding the list and description of permitted uses for the “Condominiums Parcels.”

Mayor Tidwell opened the public hearing at 8:06 p.m.

Roy Jambor, Development Services Director gave a brief presentation regarding the written opposition received after the council packets were published that meets the 20% threshold requiring a super majority vote.

Mayor Tidwell announced that the applicant has requested to table this item to a later date and due to not having all council members present for a super majority vote, Mayor Tidwell is recommending tabling the item.

Lynda Aird spoke in opposition.

Mayor Tidwell closed the public hearing at 8:13 p.m.

On a motion by Mayor Pro-Tem Prince, seconded by Councilor Sullivan, City Council voted unanimously to table Ordinance 23-03-02-01 to a future meeting when all council members are present. Motion carried.

**1:48:05 – 2:10:56**

8. The Lago Vista City Council will hold a public hearing and consider Ordinance 23-03-02-02; an Ordinance amending the official zoning map by changing an approximately 0.104-acre portion of Tract A of Lago Vista Estates Section Six adjacent to 7600 Lohman Ford Road, from the TR-1 (“Temporary Restricted”) district to the C-2 (“Commercial, Large Scale”) district, together with the required design approval for a retail center.

Mayor Tidwell opened the public hearing at 8:16 p.m.

Roy Jambor, Development Services Director gave a brief presentation.

The applicant, Mitch Wright, was available to provide additional information and answer questions.

Mr. Stephen Liebel spoke in support.

Mayor Tidwell closed the public hearing at 8:37 p.m.

On a motion by Mayor Pro-Tem Prince, seconded by Councilor Sullivan, City Council voted unanimously to approve Ordinance 23-03-02-02 consistent with the recommendation from Planning & Zoning and as shown on page 111 in the packet as potential alternative “A” with the 5 attending sub-bullets. Motion carried.

**2:11:11 – 2:16:59**

9. The Lago Vista City Council will hold a public hearing and consider Ordinance 23-03-02-03; an Ordinance amending Sections 6.10, 11.60, and 17.05 of Chapter 14 of the Lago Vista Code of Ordinances to create a special exception approval for relief from the setback and size limit requirements related to accessory buildings, eliminating the current conditional use approval required for that same relief; and providing for related matters.

Mayor Tidwell opened the public hearing at 8:39 p.m.

Roy Jambor, Development Services Director gave a brief presentation.

No one signed up to speak.

Mayor Tidwell closed the public hearing at 8:43 p.m.

On a motion by Mayor Pro-Tem, seconded by Councilor Marion, City Council voted unanimously to approve Ordinance 23-03-02-03 with recommended changes including the minor modifications presented at the meeting. Motion carried.

## ACTION ITEMS

### 2:17:03 – 2:37:05

10. Discussion, consideration and possible action regarding a contract with Local Oaks Tree Services to provide the budgeted maintenance and tree care services needed at the Golf Course, with consideration of an annual contract for annual maintenance services.

Stephen Liebel spoke in support.

On a motion by Mayor Pro-Tem Prince, seconded by Councilor Sullivan, that was further amended, City Council voted unanimously to approve the contract with Local Oaks Tree Services requesting the work be done in a manner that avoids the danger of oak wilt. Motion carried.

### 2:37:09 – 3:01:50

11. Discussion, consideration and possible action on Ordinance 23-03-02-04; An Ordinance of the City of Lago Vista, Texas amending Appendix A Fee Schedule of the Code of Ordinances, Article 10.000 Parks and Recreation Fees, Sec 10-200 Golf Course Fees.

On a motion by Council Sullivan, seconded by Mayor Pro-Tem Prince, City Council voted 5 to 1 with Councilor Hunt in opposition to approve Ordinance 23-03-02-04. Motion carried.

### 3:01:53 – 3:29:11

13. Discussion, consideration and possible action on Resolution 23-1992; a Resolution by the City Council of the City of Lago Vista, Texas authorizing; in addition to City Manager, Tracie Hlavinka and Mayor Ed Tidwell; all City Council members and Mr. Shane Saum to speak on behalf of the City of Lago Vista with House Representatives and Senators as it pertains to the legislative bill concerning Capital Metro Transportation Authority and the Texas Transportation Code and legislation regarding the application process regarding the approval or disapproval deadline for plats and plans.

On a motion by Mayor Pro-Tem Prince, seconded by Councilor Sullivan, City Council voted unanimously to approve Resolution 23-1992 amending the top line by striking “all City Council Members”; amending Section 1 reducing the list to City Manager, Mayor and Mr. Shane Saum; and delete Section 3 as written and replace with a new Section 3 authorizing such individuals in Section 2 as they deem necessary to include any or all Council Members in discussions with Legislature on these topics. Motion carried.

## ADJOURNMENT

Mayor Tidwell adjourned the meeting at 9:57 p.m.

*Signatures on the following page*

Respectfully submitted,

Ed Tidwell  
Ed Tidwell, Mayor



ATTEST:

Lucy Aldrich  
Lucy Aldrich, City Secretary

On a motion by Councilor Prince, seconded by Councilor Roberts, the above and foregoing instrument was passed and approved this 6th day of April 2023.