



**MINUTES
REGULAR CITY COUNCIL
CITY OF LEANDER, TEXAS**

Pat Bryson Municipal Hall
201 North Brushy Street ~ Leander, Texas



Thursday ~ September 17, 2015 at 7:00 PM

**Mayor – Christopher Fielder
Place 1 – Andrea Navarrette (Mayor Pro Tem)
Place 2 – Michelle Stephenson
Place 3 – Shanán Shepherd**

**Place 4 – Ron Abruzzese
Place 5 – Jeff Seiler
Place 6 – Troy Hill
City Manager – Kent Cagle**

1. Open meeting, Invocation, Pledges of Allegiance
Presentation of colors by Leander Police Department Honor Guard
Mayor Fielder opened the meeting at 7:00 pm and welcomed those in attendance
The Leander Police Department Honor Guard presented the colors and led the Pledges
Council Member Seiler delivered the invocation

2. Roll Call
All present

3. Staff Comments
Steve Bosak, Parks & Recreation Director talked about the Bluegrass Festival on September 25 & 26

4. Citizen Comments: Three (3) minutes allowed per speaker
Please turn in speaker request form before the meeting begins

No speakers

5. Proclamation for National Night Out
Presentation by Assistant Chief Jeffrey Hayes
Mayor Pro Tem Navarrette read the Proclamation
Assistant Police Chief Hayes explained the Proclamation and talked about National Night Out On October 6, 2015

6. Presentation from the Williamson County Children's Advocacy Center
Monica Benoit-Beatty, Executive Director of the Williamson County Children's Advocacy Center gave a presentation and presented Mayor Fielder with a plaque and a portfolio in appreciation for his service on the Board of Directors

CONSENT AGENDA

7. Approval of the minutes: September 3, 2015
8. Receive Quarterly Investment Report for the period ending 6/30/15
9. Dedication and Acceptance of Subdivision Infrastructure Improvements for Magnolia Creek Section 3

10. Dedication and Acceptance of Subdivision Infrastructure Improvements for Magnolia Creek Section 2
11. Dedication and Acceptance of Willis Street Site Development – Offsite Utility Improvements (water and storm drain improvements)
12. Variance to the Construction Noise Ordinance for Bartlett Cocke General Contractors to allow for paving Municipal Drive and the intersection at West Drive overnight for two consecutive nights
13. Termination and Release of a Water Line Easement located in Travisso
14. Second reading of an Ordinance **on** Zoning Case #15-Z-021: amending Ordinance #05-018, the Composite Zoning Ordinance for a parcel of land located at 508 Municipal Drive from TF-2-B, Two-Family to LO-2-A, Local Office, Leander, Williamson County, Texas
15. Resolution adopting an Investment Policy and Strategy for the City of Leander
16. Authorize Funding Agreement with WBC Opportunities, Inc.
17. Authorize Funding Agreement with Williamson County Children’s Advocacy Center
18. Split Contract Award to Municipal Emergency Services and Rock-N-Rescue for Fire Safety Equipment

Motion made by Mayor Pro Tem Navarrette to approve the consent agenda. Second by Council Member Shepherd. Motion passes, all voting “aye”

PUBLIC HEARING: NO ACTION

19. Public Hearing on a Proposal to Adopt a Tax Rate for FY 2015-16
Robert Powers, Finance Director explained

No speakers

Mayor Fielder announced that the vote on the tax rate will occur on Monday, September 21, 2015 at 6:00 pm at the Pat Bryson Municipal Hall, 201 North Brushy Street, Leander, Texas

PUBLIC HEARING: ACTION

20. **Public Hearing** on Zoning Case #15-Z-013; Consider action on the rezoning of a parcel of land generally located to the northwest corner of Crystal Falls Parkway and Lakeline Blvd. for 10.922 acres, more or less, from GC-3-B, General Commercial to PUD, Planned Unit Development, Leander, Williamson County, Texas
Applicant: Cunningham-Allen, Inc. (Jana Rice) on behalf of KB Homes Lone Star, Inc.
Tom Yantis, Asst. City Manager explained
Adam Diskin with Bliss Resort Senior Living, applicant , explained the request

Lynn Varmette, 1321 MacFarland St. – spoke for
Addie Sassman, 1424 Uhland – spoke against

Action on Zoning Case #15-Z-013; amending Ordinance #05-018, the Composite Zoning Ordinance, for a parcel of land generally located to the northwest corner of Crystal Falls Parkway and Lakeline Blvd. for from GC-3-B, General Commercial to PUD, Planned Unit Development, Leander, Williamson County, Texas

Motion made by Council Member Stephenson to approve with the recommendations from the Planning & Zoning Commission. No second, therefore the motion dies

Motion made by Council Member Abruzzese to approve as originally presented by the applicant with LC-1-A instead of LC-2-A. No second, therefore the motion dies

Mayor Pro Tem Navarrette called the question and Council voted unanimously in favor of

Motion made by Council Member Hill to deny the request. Second by Council Member Shepherd. Motion passes, 4 to 3 to deny the request with Council Members Stephenson, Abruzzese and Seiler voting against the denial.

21. **Public Hearing** on Zoning Case #15-Z-016; Consider action on the rezoning of a parcel of land located at 1001 Crystal Falls Parkway for 1.58 acres, more or less, from LO-1-B, Local Office to LC-2-B, Local Commercial, Leander, Williamson County, Texas
Applicant: Mike Siefert on behalf of Lookout Partners, LP
Tom Yantis, Asst. City Manager explained
Mike Siefert with Lookout Group, applicant explained

Karen Roy, 1812 Twisted Oak – spoke against
Seth Irwin, 1100 Deepwoods Trail – spoke against
Dan Oliver, 1504 Greening Way – spoke against
Leslie Irwin, 1102 Deepwoods Trail – spoke against
Bill Russell, 1131 Ironhorse – spoke against
Shooter Russell, 1131 Ironhorse – spoke against
Laura Yambrick, 1908 Western Justice – spoke against
Tiffany Akers, 1800 Twisted Oak Drive – spoke against
Frankie Thomas, 1800 Buffalo Speedway – spoke against
Thomas Yambrick, 1908 Western Justice – spoke against
Michael Luna, 1103 Madrone Trail – spoke against
Rebecca Kinard, 1802 Twisted Oak – spoke against
Amanda Sigler, 1104 Deepwoods Trail – spoke against

Action on Zoning Case #15-Z-016; amending Ordinance #05-018, the Composite Zoning Ordinance, for a parcel of land at 1001 Crystal Falls Parkway from LO-1-B, Local Office to LC-2-B, Local Commercial, Leander, Williamson County, Texas

Motion made by Mayor Fielder to approve with LC-02-A as approved by Planning and Zoning Commission, with the restrictions of no drive through business, funeral homes, Convenience Stores and for the majority of the parking to be in the front of the building and an 8 ft. wall instead of a 6ft. wall as a buffer in the back of the property. Second by Mayor Pro Tem Navarrette. Motion fails 3 to 4 with Council Members Stephenson, Shepherd, Abruzzese and Seiler voting against.

22. **Public Hearing** on the Proposed Budget for FY 2015-16
Robert Powers, Finance Director explained

Action on an Ordinance Adopting the FY 2015-16 Annual Budget

Mayor Fielder moved to ratify the property tax increase reflected in the proposed budget. Second by Council Member Shepherd. Motion passes, all voting "aye"

Mayor Fielder moved to approve the proposed budget for FY 2015-16. Second by Mayor Pro Tem Navarrette. Motion passes, all voting "aye"

REGULAR AGENDA

23. Consider an Ordinance of the City of Leander, Texas, Amending Ordinance #14-058-00, Adopting the Annual Budget of the City of Leander, Texas for Fiscal Year 2014-2015
Robert Powers, Finance Director explained

Motion made by Council Member Abruzzese to approve. Second by Council Member Seiler. Motion passes, all voting "aye"

24. Consider Development Agreement Case #01-DA-001: 2nd Amendment: Consider proposed 2nd Amendment to the Benbrook Ranch Development Agreement for property generally located to the east of Bagdad Road, north of South Brook Drive, Leander, Williamson County, Texas
Tom Yantis, Asst. City Manager explained

Motion made by Council Member Stephenson to approve with staff recommendations. Second by Mayor Pro Tem Navarrette. Motion passes, all voting "aye"

25. Consider an Amended and Restated Agreement regarding Consent to Creation of Leander Municipal Utility Districts No. 1, 2, and 3 and Development of the Bar W Ranch and Wastewater Project Cost-Sharing Agreement
Tom Yantis, Asst. City Manager explained
Joe Straub, Developer explained the project
Bob Richardson, Landscape Architect explained the layout of the development on the property

Motion made by Council Member Seiler to approve the contract as presented and allow non-substantive changes to be made by staff and change from the over 50% on substantial trees to over 40%. Second by Council Member Shepherd. Motion passes, all voting "aye"

26. Consider Award of Contract for Veterans Park Improvement
Steve Bosak, Parks & Recreation Director explained

Motion made by Mayor Fielder to approve. Second by Council Member Stephenson. Motion passes, all voting "aye"

27. Consider Task Order FNI-3 with Freese and Nichols Inc., for the Design, Bidding, and Construction Phase Professional Services for the San Gabriel Parkway Roadway Project
Wayne Watts, City Engineer explained

Motion made by Council Member Shepherd to approve. Second by Council Member Abruzzese. Motion passes, all voting "aye"

28. Consider Agreement for Architectural and Engineering Services to repurpose and renovate Fire Station #1 and the Pat Bryson Municipal Building
Joy Simonton, Purchasing Agent, explained the request

**Motion made by Council Member Abruzzese to approve. Second by Mayor Pro Tem Navarrette.
Motion passes, all voting "aye"**

29. Consider Sales Tax Rebate Agreement with Toll Brothers, Highland and Pulte Homes
Kent Cagle, City Manager explained

Motion made by Council Member Shepherd to approve. Second by Council Member Stephenson. Motion passes, all voting "aye"

30. Discuss and Consider Letter of Intent and expenditure for YMCA Feasibility Study
Kent Cagle, City Manager explained

Kirsten Lynch, 1801 Parkwood Drive – spoke against

**Motion made by Mayor Fielder to approve. Second by Council Member Seiler
Motion passes, all voting "aye"**

31. Planning & Zoning Commission Progress Report for October 2014 to September 2015
Tom Yantis, Asst. City Manager presented the report to the Council

**Motion made by Council Member Seiler to approve. Second by Council Member Stephenson.
Motion passes, all voting "aye"**

32. Discuss Policy for re-appointments to Boards & Commissions

Motion made by Mayor Fielder to approve a policy with the following:

- **City Secretary will send letter to each Board member whose term is expiring. The letter would need to be sent at least 45 days before expiring term date**
- **Letter would need to be returned to City Secretary stating whether Board member would like to be considered for reappointment**
- **If Board Member does not wish to be reappointed; City Secretary will forward to City Council**
- **If Board Member does wish to be considered; City Secretary will forward to the Board Selection Committee who will interview Board Member and make recommendation to City Council**
- **Each City Board will elect a Chairman of the Board annually**

Second by Council Member Shepherd. Motion passes, all voting "aye"

EXECUTIVE SESSION

33. Pursuant to Section 551.074, Tex. Gov't Code to discuss and perform annual review and evaluation of City Manager pursuant to employment contract
Sponsored by Mayor Fielder

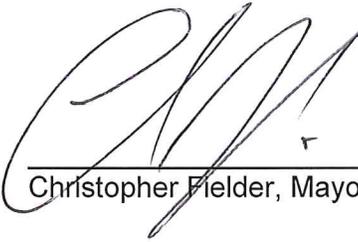
**Council convened into executive session at 9:43 pm
Council reconvened into open session at 10:17 pm**

34. Reconvene from executive session and take action as deemed appropriate regarding discussion and possible action concerning evaluation of City Manager

Motion made by Mayor Pro Tem Navarrette to amend the city manager's contract as discussed in executive session. Second by Council Member Stephenson. Motion passes, all voting "aye"

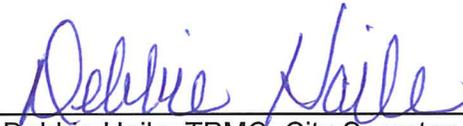
35. Adjournment

With there being no further business, the meeting adjourned at 10:18 pm



Christopher Fielder, Mayor

Attest:



Debbie Haile, TRMC, City Secretary

