MINUTES
CITY COUNCIL MEETING
CITY OF LEANDER, TEXAS
Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday - February 6, 2020

Mayor – Troy Hill
Place 1 – Kathryn Pantalion-Parker
Place 2 – Michelle Stephenson
Place 3 – Jason Shaw

Place 4 – Christine Sederquist
Place 5 – Chris Czernek, Mayor Pro Tem
Place 6 – Marci Cannon
City Manager – Rick Beverlin

BRIEFING WORKSHOP - CONVENE AT 6:00 PM

1. Opened Meeting at 6:02 p.m.

2. Roll Call.

3. The City Council may ask questions of Staff about any item that is posted on the agenda for the Regular Meeting.

ITEMS 13 and 14. Staff confirmed property zoned for use; discussion included why needed to update future land use map; zoning in place since 2008; not original owner of property; uses of activity center; general commercial will allow mixed-use with multi-family above retail; straight zoning no conditions; mixed-use corridor does not allow for general commercial; allowed in activity center to move allow the general commercial and multi-family; types of uses not allowed under general commercial; restrictions allowed in PUD versus straight zoning; zoning request not being requested on entire property restrictions would only be on section requesting zoning change; action allows for classification on future land use plan to allow for rearranging of zoning (Item 14); connection to neighborhood pedestrian versus arterial; proposing a park on the concept plan (not a part of the zoning case tonight); cannot put restrictions on property not being heard tonight; retail portion on 183A; making retention pond more esthetically since holding water - can it be added to zoning ordinance - could create a development agreement to ensure, if developer agreeable; possible conditional zoning but difficult for staff to keep up with; concept plan will be coming to council, in future; masonry requirements with unit density; could send back and require them to do a PUD; request was denied by P&Z in 2017 and developer did not bring forward at that time; could PUD be expedited quicker than six (6) weeks; and retention pond being made into an amenity would enhance the property.

ITEM 15. Discussion included appeal process as outlined in ordinance; number of towing companies currently use; information provided by owner; owner has right to speak during public comment period; findings during audit, wreckers are permitted in the city; and placed in rotation.

ITEM 16. Discussion included: right-of-way exchange; alignment for Northline project; city receiving more in value not less; necessary process; must abandon right-of-way; acceptance of road; why cannot accept equal amounts; developer must build the roads; road dedications; debt payment; wording implies something being done for city versus just abandoning right-of-way; typical process for abandoning roads that are no longer roads; dedication of right-of-way; and appraisal obtained.

ITEM 18. Discussion included: why previous council approve letter of intent with YMCA and citizens
approved funding a year later; contract with YMCA; memorandum of understanding; feasibility study; bond ballot language; broad language to not tie future council hands to a specific type of recreational facility; discussions with bond counsel led to language; and can discuss with legal in executive session, if determine necessary.

ITEM 21. Discussion included: current policy; understand reasons behind different from other cities; adopted 2005; surveyed neighboring cities; others measure twelve (12) inches with several different standards; measure from root ball; single family eighteen (18) inches; measurement all trees versus only commercial; include with other ordinance updates; not standard; nurseries do not stock trees; and need to tweak measurement part now.

ITEM 22. Discussion included: numbers of current multi-family developments and land associated.

Adjourned at 7:47 p.m.

REGULAR MEETING – CONVENE AT 7:00 PM

4. Opened Meeting at 7:05 p.m., Invocation was provided by Mayor Pro Tem Czernek and the Leander High School Air Force Jr. ROTC presented the Colors and Mayor Hill led the Pledges of Allegiance.

5. Roll Call reflected all present.

6. • Public comments on items not listed in the agenda that are of public concern or community interest

   Comments during this time are limited to a total of 15 minutes divided equally at no more than 3 minutes (6 minutes if translation is needed), and no less than 1 minute (2 minutes if translation is needed), per individual. Comments are accepted on a first-come, first-served basis.

   Mike Sanders, 106 W. South - commented on mass transit; offer service that picks up at door and take to place of work versus riding train; inefficient mass transit plan; six million dollars a year when can drive down to Lakeline station; just catch there rather than here in Leander; fleet of ten (10) vans would cost 2 million a year; could offer free to riders and take door to door; waste of money paying Cap Metro; and Council should consider accepting a petition with 1,000 signatures to call for city wide election versus required 20% for citizens to call election.

   Tom Glenn, 101 Buffalo Trail - commented on City of Character initiative; update on the designing and when anticipate to be sent out; Facebook page; Wisdom trait for February; and shared story behind wisdom trait.

   • Public comments on items listed in the agenda except for public hearings

   Comments during this time are limited to no more than 3 minutes (6 minutes if translation is needed) per individual. Time limit will be reduced to no more than 2 minutes per individual (4 minutes if translation is needed) if there are more than 10 speakers on one item. Comments are accepted on a first-come, first-served basis.

   Comments on public hearing agenda items will be heard at the time each item is discussed by Council.

7. Recognitions/Proclamations/Visitors.
   • National Night Out Award

8. Board Reports
   • Brushy Creek Regional Utility Authority (BCRUA)
9. Council Reports
   - Council Goals
   - FM 2243

CONSENT AGENDA: ACTION

Motion by Councilmember Christine Sederquist, Seconded by Councilmember Marci Cannon to approve Consent Agenda Items 10 through 12.

Vote: 7 - 0

10. Approval of the minutes for meeting held on January 30, 2020.

11. Approval of construction activities between 9:00 p.m. and 7:00 a.m. for intersection improvements at Travisso Parkway and FM 1431 on February 22, 2020 and February 23, 2020; and inclement weather backup dates of February 29, 2020 and March 1, 2020.

12. Approval of License Agreement Case 19-LA-009 to allow for the installation and maintenance of a force main within the right-of-way of Hero Way associated with the Leander Camp Resort Project located at 2677 Hero Way; Leander, Williamson County, Texas.

PUBLIC HEARING: ACTION

13. Mayor Hill opened the Public Hearing at 7:44 p.m. regarding Comprehensive Plan Case 19-CPA-005 to amend the Comprehensive Plan land use category from Mixed Use Corridor and Neighborhood Residential to Activity Center on a portion of a parcel of land approximately 7.124 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R315588; and generally located 500 feet north of the intersection of Merrill Drive and 183A Toll Road on the west side of 183A Toll Road, Leander, Williamson County, Texas. Lana Sanders, 925 McKavitt Drive; Diane Hess, 1006 Overlook Bend; Justin Darwin, 1021 Overlook Bend; Bryan Sultanik, 933 McKavitt Drive; Clifford Hall, 604 Scenic Path; Lori Mapes, 909 Anahuac Drive spoke in favor of the request. Names read into the record for support of the request: Robin Stephens, 1008 Overlook; Barry Hyde, 813 Richardson Lane; Sara Finley, 929 McKavitt Drive; David Bowers, 809 Richardson Lane; Shaun Ohl, 929 McKavitt Drive; Cody Coleman, 817 Richardson Lane. No one spoke in opposition of the request. The Public Hearing was closed at 8:00 p.m.

   • Discuss and consider action on Comprehensive Plan Case 19-CPA-005 on amending the Comprehensive Plan land use category Mixed Use Corridor and Neighborhood Residential to Activity Center on a portion of a parcel of land approximately 7.124 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R315588; and generally located 500 feet north of the intersection of Merrill Drive and 183A Toll Road on the west side of 183A Toll Road, Leander, Williamson County, Texas.

Motion by Councilmember Kathryn Pantalion-Parker, Seconded by Councilmember Christine Sederquist to approve the first reading of an Ordinance regarding Comprehensive Plan Case 19-CPA-005 on amending the Comprehensive Plan land use category Mixed Use Corridor and Neighborhood Residential to Activity Center on a portion of a parcel of land approximately 7.124 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R315588; and generally located 500 feet north of the intersection of Merrill Drive and 183A Toll Road on the west side of 183A Toll Road, Leander, Williamson County, Texas, discussion followed.

Vote: 7 - 0
14. Mayor Hill opened the Public Hearing at 8:03 p.m. regarding Zoning Case 19-Z-024 to amend and reconfigure the boundaries of the zoning districts including MF-2-A (Multi-Family) and GC-3-A (General Commercial) on a portion of a parcel of land approximately 7.124 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R315588; and generally located 500 feet north of the intersection of Merrill Drive and 183A Toll Road on the west side of 183A Toll Road, Leander, Williamson County, Texas. Lana Sanders, 925 McKavitt Drive and Robin Stephens, 1008 Overlook Bend, spoke in favor of the request. Names read into the record in support of the request: David Bowers, 809 Richardson Lane; Diane Hess, 1006 Overlook Bend; Justin Darwin, 1021 Overlook Bend; Bryan Sultanik, 933 McKavitt Drive; Sarah Finley, 929 McKavitt Drive; Barry Hydo, 813 Richardson Lane; Cody Coleman, 817 Richardson Lane; and Shaun Ohl, 929 McKavitt Drive. No one spoke in opposition of the request. The Public Hearing closed at 8:08 p.m.

- Discuss and consider action on Zoning Case 19-Z-024 on amending and reconfiguring the current zoning MF-2-A (Multi-Family) and GC-3-A (General Commercial); on a portion of a parcel of land approximately 7.124 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R315588; and 500 feet north of the intersection of Merrill Drive and 183A Toll Road on the west side of 183A Toll Road, Leander, Williamson County, Texas.

Motion by Councilmember Kathryn Pantalion-Parker, Seconded by Councilmember Michelle Stephenson to approve the first reading of an Ordinance Zoning Case 19-Z-024 on amending and reconfiguring the current zoning MF-2-A (Multi-Family) and GC-3-A (General Commercial); on a portion of a parcel of land approximately 7.124 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R315588; and 500 feet north of the intersection of Merrill Drive and 183A Toll Road on the west side of 183A Toll Road, Leander, Williamson County, Texas, following discussion, owner agreed to a development agreement to require masonry on the commercial properties.

**Vote:** 7 - 0

### REGULAR AGENDA

15. Discuss and consider action regarding accepting and hearing the appeal of ASAP Towing for revocation of permit to operate for the City of Leander due to violations of City Ordinance No. 17-062-00.

Motion by Councilmember Christine Sederquist, Seconded by Councilmember Michelle Stephenson to grant the appeal of ASAP Towing for revocation of permit to operate for the City of Leander due to violations of City Ordinance No. 17-062-00 with staff to prepare are aggressive to go past the one-year revocation.

**Vote:** 3 - 4

**AYE:** Councilmember Michelle Stephenson
Councilmember Christine Sederquist
Mayor Pro Tem Chris Czernek

16. Discuss and consider action on an Ordinance authorizing a right-of-way exchange between the City of Leander and Northline Leander Development Company, LLC; providing for the vacation, abandonment, and conveyance to the abutting property owner a portion of Main Street (formerly known as Mel Mathis Avenue) and San Gabriel Parkway in exchange for dedication of rights-of-way to the City for other streets associated with the Northline Subdivision located to the south of the intersection of Main Street and San Gabriel Parkway, Leander, Williamson County, Texas.
Motion by Councilmember Michelle Stephenson, Seconded by Mayor Pro Tem Chris Czernek to approve an Ordinance authorizing a right-of-way exchange between the City of Leander and Northline Leander Development Company, LLC; providing for the vacation, abandonment, and conveyance to the abutting property owner a portion of Main Street (formerly known as Mel Mathis Avenue) and San Gabriel Parkway in exchange for dedication of rights-of-way to the City for other streets associated with the Northline Subdivision located to the south of the intersection of Main Street and San Gabriel Parkway, Leander, Williamson County, Texas, following a discussion.

**Vote:** 7 - 0

17. Discuss and consider action on award of Solicitation #S20-008 of a contract to Dynatest North America, Inc. in the amount of One Hundred Sixty-Two Thousand Five Hundred ($162,500.00) Dollars for a Pavement Assessment and Management Plan; and authorize the City Manager to execute any and all necessary documents.

Motion by Councilmember Christine Sederquist, Seconded by Councilmember Marci Cannon to award of Solicitation #S20-008 of a contract to Dynatest North America, Inc. in the amount of One Hundred Sixty-Two Thousand Five Hundred ($162,500.00) Dollars for a Pavement Assessment and Management Plan; authorize the assignment to ARA; and authorize the City Manager to execute any and all necessary documents.

**Vote:** 7 - 0

Council took a brief recess at 8:51 p.m.; reconvened at 9:02 p.m.

18. Discuss and consider action on recreational center contracting options, including current contractual arrangements, reasons for decisions or possible reasons for change in such past decisions.

Motion by Mayor Troy Hill, Seconded by Councilmember Michelle Stephenson to schedule a workshop to discuss options after the retreat February 22, 2020.

**Vote:** 7 - 0

19. Discuss and consider action on ratifying the Mayor's appointment of Scott Parker to the Williamson County and Cities Health District Board of Directors to fill an unexpired term expiring December 2023.

Motion by Councilmember Marci Cannon, Seconded by Councilmember Kathryn Pantalione-Parker to ratify the Mayor's appointment of Scott Parker to the Williamson County and Cities Health District Board of Directors to fill an unexpired term expiring December 2023.

**Vote:** 7 - 0

20. Discuss and consider action on an appointment to the CAPCOG Clean Air Coalition for the term of January 1, 2020 through December 31, 2020.

Motion by Councilmember Marci Cannon, Seconded by Councilmember Jason Shaw to appointment Councilmember Pantalione-Parker to the CAPCOG Clean Air Coalition for the term of January 1, 2020 through December 31, 2020.

**Vote:** 7 - 0

21. Discuss and consider directing staff to change the measurement requirements for new trees associated with commercial and multi-family projects.
Motion by Councilmember Marci Cannon, Seconded by Councilmember Kathryn Pantalion-Parker direct staff to change the measurement requirements 12" from the root ball across all new development.

**Vote:** 7 - 0

22. Discuss and consider action on directing staff to update the requirements associated with Multi-Family development garage parking requirements.

No action taken.

23. Convene into Executive Session at 10:02 p.m. pursuant to Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding:

(1) Brushy Creek Regional Utility Authority (BCRUA); and
(2) Lakewood Park Great Lawn and Century Communities, Builder/Developer.

- Reconvened into Open Session at 11:05 p.m. to take action as deemed appropriate in the City Council's discretion regarding:
  
  (1) BCRUA; and
  
  (2) Lakewood Park Great Lawn and Century Communities, Builder/Developer.

No action on either item.

24. Council Member Closing Statements.

Kathryn Pantalion-Parker - commented the bible says love thy neighbor as thyself; and February 7 is Wave At Your Neighbor With All Your Fingers Day.

Christine Sederquist - commented February is month of Valentines; this Sunday LPAC is at the library for Sunday Fun Time; can make valentine to take home; and if do not wish to take your creation home you can donate it to the children's hospital or nursing home.

Marci Cannon - commented Pat Bryson service was beautiful; thanked her family for support during her service to the city; and can purchase girl scout cookies until the end of the month.

Troy Hill - stated appreciated everyone for sticking around.

25. Adjourned at 11:08 p.m.

**APPROVED:**

**MAYOR**

**ATTEST:**

**CITY SECRETARY**