



CITY OF SUNRISE BEACH VILLAGE

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Tommy Martin, Mayor
Fred Butler, Mayor pro tem
Hank Gath, Councilman
Dan Gower, Councilman
Mike Byrd, Councilman
Ruth Stanley, Councilman

STATED COUNCIL MEETING MINUTES

A stated meeting of the above-named council was held on January 17, 2019 at 2:30 p.m. at the Civic Center, 124 Sunrise Drive, Sunrise Beach Village, Texas 78643-9283.

1. Call to Order and Establishment of Quorum.

Mayor Martin called the meeting to order to 2:29 p.m. declaring that a full quorum was present. Councilmembers present were Fred Butler, Hank Gath, Dan Gower, Mike Byrd and Ruth Stanley. There were four (4) audience attendees present with two (2) more attendees coming in after the meeting had been called to order. Also, in attendance was City Secretary Linda Wendling, Comptroller Sandy Peshorn, Code Compliance/Enforcement Officer Danyelle Morgan and Police Chief Laurie Brock.

2. Citizens to be heard.

Mayor Martin inquired if there were any citizens to speak; no one signed in and no one responded to his additional request for citizens to be heard.

3. Consent Items:

- a. Minutes of the Stated Meeting of December 20, 2018; and
- b. Police Report for the 1st quarter; and
- c. Police Department Citation Breakdown for the 1st quarter; and
- d. Code compliance summary report for the 1st quarter; and
- e. Financial Reports for the month of December 2018; and
- f. Ad Valorem Tax Collection report for the month of December 2018; and
- g. Investment report for the 1st quarter; and
- h. Water company budget review for the 1st quarter; and
- i. City budget review for the first quarter.

(Attachment A – I) Mayor Martin introduced the consent items by providing review of each bulleted item. **a.) Minutes** - Discussion ensued with one real-time change regarding Item 5, related to a typographical error in cubic yards and there was no additional discussion or discrepancies received. **b. & c.) Police Report & Citation Breakdown** – Police Chief Brock reviewed the quarterly report highlighting dog(s) at large, illegal dumping, disclosure of a terroristic threat and a family violence call. Council discussion ensued and Chief Brock responded to every question as posed. Councilmember Butler inquired of an upcoming staff change within the police department and Chief Brock responded that Officer Cox's resignation has been received with a two-week notice and provided relevant information in relation thereto. The Citation Breakdown Report was briefly reviewed by Court Clerk Linda Wendling with only four (4) citations being outlined which included disregard traffic barrier, dog at large, speeding and permitting an unlicensed minor to drive. Court Clerk Wendling responded to all questions as posed. **d.) Code Compliance** – Code Compliance/Enforcement Officer Morgan provided the code compliance report. Discussion ensued regarding high grass and Councilmember Gower's response that the inquiries to the Volunteer Fire Departments for 911 addressing signs have slowed down. **e.) Financial Reports** - Mayor Martin introduced this item by stating that Ms. Remore attested that the financial transactions for the month of December were reviewed and properly reflect the financial activity for the period. **f.) Ad Valorem Report** – Comptroller Peshorn provided the Ad Valorem report stating that the City is currently at forty-seven percent (47%) collected and that seventy-five percent (75%) of the funds were received in January; therefore, the taxes are right on track. **g.) Investment Report** - Comptroller Peshorn stated that the Investment Report is in good standing and that she is currently working on the possibly of creating a new CD due to general interest rates slowly increasing. **h.) Water Company Budget** - Mayor Martin reviewed the Water Budget by

stating that since everyone in attendance has received a copy of both budgets, he would not review each item line by line. Mayor Martin stated that the 'Revenue' is going very well and is on target; highlighting a few minor deposits for insufficient fund bank fees, bank interests going up, taxes and regulatory fees, deposits are running slightly low for this quarter, and a few home accounts being lost due to the flood which will reemerge after they rebuild from the flood. Mayor Martin stated that the 'Expenses' are in-line with the budget; highlighting water testing fees which increased this year as opposed to last year, attorney fees, only a few minor water leaks occurred and water license training. Mayor Martin concluded by stating that there was a transfer of funds to the Interest and Sinking Fund which increased now to 190K. **i.) City Budget** – Mayor Martin reviewed the City Budget by stating that approximately fifty percent (50%) of the taxes have been collected at the time of this report and to date approximately seventy-five percent (75%) have been received and the City Budget is doing well. Mayor Martin stated that the 'Revenue' is progressing well and highlighted tax certificates, parks and pavilion rentals, miscellaneous income of \$3,912.00 from a real estate tax sale due to uncollected delinquent taxes, interest, money market, police boat insurance claim along with various other lines of income and that the City Budget is running at approximately forty percent (40%) for the year to date. Mayor Martin highlighted the 'Expense' side of the City Budget by stating that the court costs are high due to a quarterly report in which funds were received from a case stemming back from 2012 and the court costs were just reported to the State and the fact that the next court quarterly report is expected to be very low. Mayor Martin also outlined maintenance & repair which included outlining the extensive flood damage expenses to be expected regarding our parks, retaining walls, piers, roadways, debris pickup, an estimated date of repair and priority thereof and finished by stating there was approximately fifty-eight thousand dollars (\$58,000) of flood related expenses. Council and audience discussion ensued throughout the review and every question was responded to as posed.

Upon conclusion, Councilmember Butler moved to accept the consent items as presented with the amended minutes. Councilmember Byrd seconded the motion. The motion carried by unanimous vote.

4. Discussion and action: Order of the General Election for the City of Sunrise Beach Village for the May 4, 2019 general election for three (3) Council positions for two-year terms each. (Attachment J)

Mayor Martin introduced this item by stating that we have three (3) council positions open and announced the beginning and ending date and times to sign up for a position on the Council. Mayor Martin stated that the open positions are currently held by Councilmembers Byrd, Butler and Stanley. Secretary Wendling read the Order of Election into the record per State requirement. Council discussion ensued in relation to the election judge and it was stated that resident Lloyd Jordan was appointed on June 21, 2018 but due to medical family issues will no longer be able to serve. Discussion ensued and Mayor Martin stated that the Election Judge would be elected at the next stated council meeting and the City remains in-line with the rules of the Texas Election Code.

5. Discussion and possible action on Resolution #248; Adopting an Interlocal Agreement between the Llano Independent School District and the City of Sunrise Beach Village regarding overlapping jurisdiction for the provision of Police Services. (Attachment K)

Mayor Martin introduced this item by providing the floor to Police Chief Laurie Brock since she is working this issue. Police Chief Brock addressed the meeting members and guests by explaining that the Llano County Independent School District (LCISD) is implementing their own Police Department and by law they are required to enter into a MOU (Memorandum of Understanding) or Interlocal Agreement with any entity which has overlapping jurisdiction, which is the bus stops within our City. Council and audience discussion ensued, and Chief Brock responded to every question as posed. Discussion included school bus stops and our Officers being present, which department would handle a situation should one arise, and the fact that our Resolution #248 mirrors the City of Horseshoe Bay's Interlocal Agreement which was done via their permission and upon their city attorney's approval of same. Councilmember Butler moved to approve Resolution #248 as presented. Councilmember Gower seconded the motion. The motion carried by unanimous vote.

6. Discussion and/or possible action on City removing vegetative lake debris from the right of way for waterfront property owners.

Mayor Martin introduced this item by stating that there are a few Councilmembers that are in favor of the City extending this service to our lakefront property owners which includes having the residents reimburse the City for their individual cost. Mayor Martin highlighted his concerns in offering this service by outlining the following: the unknown volume of residents to participate, the undetermined number of dumpsters that will be required, determination and execution of cost estimates, the determination of measuring brush versus large logs, the requirements of how the residents must cut the debris, the fact that many property owners have already performed their own personal service without the City's assistance, lack of communication with weekenders, payment collection and the fact that City Hall has already told many residents that the responsibility lies upon the homeowner directly. Mayor Martin finished with a concern on the amount of labor of the city staff including Maintenance Department labor, accounting and additional phone calls and inquiries into City Hall. Upon conclusion Mayor Martin provided the floor to his fellow Council members.

Mayor Pro Tem Butler stated that Mayor Martin does have valid concerns; however, due to the extraordinary circumstances and suffering of our flooded residents he felt the need to bring this item before Council to consider offering as much support and assistance as possible. Mayor Pro Tem Butler outlined the following by stating that Code Compliance/Enforcement Officer Morgan and her crew performed well after the flood at picking up the remaining vegetative debris after the County pickup of construction and appliance debris was completed with a savings of sixteen-dollars (\$16.00) per cubic yard versus the County charging fifty-five dollars (\$55.00) per cubic yard, the Maintenance crew did a wonderful job on that vegetative pickup, acknowledged that there was some toll on personnel time and equipment but a good job was performed, billing versus payment on demand, estimating the amount of vegetative debris and offering a time frame on removing the piles only when the staff was available.

Council and audience discussion continued in relation to amount of remaining vegetative debris, opportunity of the City Council to provide a service that is needed and have the service paid for, work load, equipment and staff availability, costs and repayment from the property owner, estimates and payments, support of the community without hurting the budget, this being a more orderly way of removing the piles versus it sitting too long and implementing possible citing ordinance violations, less frequent controlled burns and an audience member citing utilizing the staff workforce for the benefit of a few citizens in lieu of the entire citizenship. Discussion continued and every question was responded to as posed.

Upon conclusion of the discussion, Mayor Pro Tem Butler moved that at an exact cost to be determined, the City offer the opportunity to waterfront property owners to place their vegetative debris from their lakebed cleanup to be placed at their curbside for the City to pick up. Councilmember Gower seconded the motion. Councilmember Stanley stated, "at a cost to them," and Mayor Pro Tem agreed "at a cost to them." Secretary Wendling interjected due to multiple speakers and read the current motion out loud restating, "A motion has been made that the City offer the opportunity to allow lakeside property owners to place vegetative debris from the lakebed to their curb to be picked up by the City and at the property owner's cost which is to be determined." Councilmember Gower stated he seconded the motion but added the cost to be determined [then stated I believe we should specify conditions upon which the debris, in other words, specify where it is going to be located, how large it can be and reduction in size, you know, if they have major trees and stuff and to get it where it can be moved. And I think we can write language that Danyelle can enforce and paid up front, not billed, it's a contract with the city that is paid up front]. Secretary Wendling interjected regarding the motion and confirmed from Mayor Pro Tem Butler that he was recalling his original motion and Councilmember Gower was making this original amended motion and Mayor Pro Tem was seconding the amended motion made by Councilmember Gower. Additional discussion ensued with Code Compliance/Enforcement Officer Morgan responding to every question as posed and additional discussion regarding the motion's wording and additions thereof. Mayor Martin stated that the motion has been made and seconded and inquired if there was any additional discussion.

*** At that moment the recording stopped due to technical difficulties and Secretary Wendling requested a cease in discussion until an additional recording folder could be started – lapse time of approximately 50 seconds. [See tape 2 of 2 electronically] ***

At 3:19 p.m. Mayor Martin stated that the recording was back in process [a full quorum still present] and restated that a motion had been made and seconded. Additional discussion ensued regarding previous floods encountered, that in the previous floods it was at the homeowner's responsibility and the cost and timeframe. Secretary Wendling interjected that before any additional motions were made, she would like a clear and concise reading of the motion [amended motion]. Councilmember Gower inquired if we were still in discussion and upon receiving a positive response, stated he made notes that should be included in the motion, "We have an established timeframe, paid in advance, criteria for the location and the size of the piles and estimate of the cost, and that results in a fee that comes at no cost to the City." Councilmember Stanley inquired from Code Compliance/Enforcement Officer Morgan if this was going to instill a hardship on her staff, with additional discussion, and Officer Morgan responded to every question as posed. Additional discussion regarding timeframe, Spring and workload commensurate with same, volume of inquiries, manpower, duration of completion time, parks and restroom openings, due date on parks being repaired, any water emergency coming before a maintenance and clean-up effort, task item to write up a program, location of dumpsters and current dumpsters remaining due to weather/mud related issues. Mayor Martin stated that upon conclusion of discussion a motion has been made and seconded and asked for a vote. Secretary Wendling interjected requesting a clear and concise motion before a vote is taken. Councilmember Gower requested that I place in there that Councilmember Gath and Councilmember Gower, along with Officer Morgan's assistance, will draft the process, procedures and pricing structure. Mayor Martin requested a vote and the motion passed by unanimous vote.

7. **Announcements.**

- **Please see our City's website for upcoming May 4th, 2019 election news. First day to file for a place on the ballot was January 16, 2019 at 8:30 a.m. and the last day to file for a place on the ballot is February 15, 2019 at 5:00 p.m.**

- **January 21st, Monday, the City Offices will be closed in observance of Martin Luther King, Jr. Day.**

- **February 18th, Monday, the City Offices will be closed in observance of President's Day.**

- Mayor Martin announced the press release from Commissioner Peter Jones regarding the debris pickup deadline which is available on the City's website. Discussion ensued regarding additional appliances remaining and the process/procedures in proper removal of such items.

- Councilmember Gower stated that on the 16th of February is the Volunteer Fire Department's Valentine's Dance with a live band and ten dollars (\$10.00) admission fee per person with beverage set-ups and pictures being taken; the event is from 7:00 p.m. until 10:00 p.m. at the SRB Volunteer Fire Station Number 1.

- Councilmember Stanley stated that the CCAA is sponsoring the 'Concert in the Park' to be held at McNair Park on March 10th with a band performing; in case of inclement weather the Civic Center has also been reserved.

- Councilmember Byrd stated that the Federated Church is having a potluck event this Friday night, January 18, 2019 and everyone is invited.

8. **Adjournment.**

The meeting adjourned at 3:31 p.m.

/s/ Linda A. Wendling

Linda A. Wendling, City Secretary

1/17/2019

Date