

**Village of Point Venture  
Village Council Meeting  
Monday, April 1, 2002, 7:30 P.M.  
Venture Room at Point Venture  
555 Venture Boulevard S.  
Point Venture, Texas**

**MINUTES**

- A. Call to Order** – Mayor Hickman called the meeting to order at 7:30 P.M.
- B. Roll Call** – Mayor Hickman acknowledged that all Council Members were present: Council Members Hestand, Hruby, Nesheim, Strong and Stuart. Colleen Hickman was acting Village Secretary.
- C. Consent Agenda**
- 1. Approval of Minutes – March 4, 2002 Village Council Meeting**
  - 2. Approval of Minutes – March 20, 2002 Village Council Work Session**  
A motion was made by Stuart and seconded by Hestand to approve the minutes from the February 4, 2002 Village Council Meeting and the February 20, 2002 Village Council Work Session. A vote was taken and the motion passed, 5 – 0.
- D. Citizen Inquiry** – No one had any items to present.
- E. General Business and Action Items:**

**1. Old Business**

- a. Discussion and Possible Action Regarding Lot Clearing Ordinance/Building Ordinance** – Mayor Hickman reported on the progress made at the March 20<sup>th</sup> work session. He has since researched whether a building commission can be given the opportunity to make judgments. They are allowed to do this within general guidelines, i.e. good of the community, erosion, protection of habitat. One proposal is to impose a 60 day limit after clearing for removal of all tree debris.

Nesheim reported that he had made a survey of the types and sizes of trees within the Village. Out of a total of 191 trees counted, 90 (47%) were considered to be cedar bushes, 60 cedar trees (31%), 34 live oaks (18%), 1 Spanish oak and 6 persimmons (1-2" trunk diameter). Of the cedar, about one half have a diameter of 0-2", one quarter are 2-4", the rest being over 4" with 10% being over 8". Of the live oaks, 74% have a diameter of 4" or more. Stuart pointed out that some native trees that should be protected might not be 4" in diameter, specifically red bud and Texas laurel. Hestand liked the idea of a 4" rule, with the addition of these other trees. Jan Nesheim thought that pyracantha and yaupon should be included in the protected species. Stuart said that a list of native trees should be made to be included in the ordinance. The Mayor said he would make such a list before the next meeting.

Jan Nesheim reported that the LCRA has agreed to give 34 five-gallon trees to Point Venture. They should arrive on April 20<sup>th</sup> or 21<sup>st</sup>. These will be 10 varieties of trees. Those interested need to call the Village office to be put on the list. Also Cedar Park Turf and Grass has offered a \$10 per tree discount to Point Venture residents on five-gallon trees. A coupon is available at the POA office and must be taken to the

nursery to obtain the discount. The nursery donated a big tooth maple tree to Point Venture. Mayor Hickman thanked Mrs. Nesheim for her efforts.

The Mayor reported that the building commission would consist of 5 members. McComis Engineers (inspectors for the POA) have made recommendations for the building code that follows state laws. The ordinance will include requirements dealing with job site maintenance. Nesheim stated the Village needed a way to enforce the ordinance. (At this time, Mayor Hickman discussed item E.1.e.)

- b. Discussion and Possible Action Regarding Anti-Littering Ordinance** – Stuart thanked Carole Thomas and Ron Hruby for their help with the anti-littering ordinance. They have taken the state model and ordinance from DeSoto, Texas as a model. Violations are considered a Class A, B or C misdemeanor depending on the size/weight of the litter. As with other violations within the Village, we have the right to issue a warning or citation. Strong asked whether the ordinance applied to only public property or if it also included private property. The Mayor asked everyone to make a list of questions to present to the Village attorney. Carole Thomas said that whether the trash was a nuisance might be the proper definition.
- c. Discussion and Possible Action Regarding Valley Hill Drive and Staghorn Drive** – Strong reported that both property owners on Valley Hill had agreed to close the road to public traffic but leave it open for emergency vehicles. When this street is finalized, the property owners on Staghorn will be contacted. The Mayor said he would like to have them both done at the same time so that only be one public hearing would be necessary.
- d. Discussion and Possible Action Regarding Fire Code Ordinance** – A discussion took place on why the Village should switch from the 1994 Uniform Fire Code to the 2000 International Fire Code. The main reason was that the state and other local communities have adopted the 2000 International Fire Code, one of them being Lago Vista. Since the Lago Vista Fire Department has adopted this code, and since they service Point Venture, it was recommended that we be in compliance with Lago Vista. Stuart made a motion, seconded by Strong, to adopt an ordinance of the Village of Point Venture, Texas, adopting the 2000 edition of the International Fire Code; providing for the following: findings of fact; a purpose; definitions; exceptions; an effective date; enforcement clause including injunctive relief and a fine not to exceed \$500; severability; and proper notice and a meeting. A vote was taken and the motion passed 5 – 0. (Ordinance number 2002-04-01)
- e. Discussion and Possible Action Regarding Citation Form** – (This item was discussed during item E.1.a.) Mayor Hickman reported that the Village hit a snag on the citation form. Peace officers can issue citations that non-peace officers cannot. A way to handle this is for a complaint to be brought to the Mayor. He then goes to the municipal judge who then issues the citation. A dated photo could be used as evidence. The Mayor has a meeting scheduled with the municipal judge and the Village attorney on Monday, April 8, 2002, to finalize the citation form.
- f. Report from Animal Control Officer** – Stuart reported that he has completed the training course for animal control officers. He read a letter from the state concerning rabies. A discussion was held concerning loose dogs in the POA park area and

several incidences of problem dogs. Nesheim suggested having a bulletin board in the park with the rules posted. Stuart requested a resolution to purchase a truck for the animal control officer (ACO). The POA vehicle that is supplied is not available all the time and calls have been received when the ACO had to use his own vehicle. A lengthy discussion ensued. The Mayor stated that he did not want to impose any additional work/responsibility on the Village secretary and that owning a truck would do that. He did not feel the animal situation in Point Venture warranted a full time vehicle dedicated to that issue. He stated that it is a question the Village Council will have to research and vote on. Strong suggested that Stuart draft a resolution for presentation at the next meeting. He also requested an estimate of the costs (insurance, gas, maintenance) involved with the Village owning a truck. Stuart said he would take responsibility for the truck. He has talked to Lago Vista about an interlocal agreement so their ACO could be used as backup. The Mayor asked Stuart to present a formal proposal at the next meeting. Hank Reimer stated his opinion that Stuart should have a truck if the Village wants the animal control program to move forward.

- g. Report from Village Treasurer** – Hestand reviewed the Village Treasurer's cash report showing that for this fiscal year there has been receipts of \$50,748.94 (which include \$6,656.37 starting balance carried over from last year), expenditures of \$6,077.49, leaving a balance of \$44,671.45. To date \$28,149.24 has been received in ad valorem taxes. Nesheim pointed out that the amount received from Longhorn Disposal was incorrect and he would contact them again. Mayor Hickman suggested a personal visit to Longhorn.

## **2. New Business**

- a. Pedernales Electric Cooperative Report** – (This item was taken out of order.) Mayor Hickman introduced John Houser of Pedernales Electric Cooperative (PEC). Mr. Houser presented the Mayor with a check in the amount of \$3,068, representing franchise fees collected by the cooperative. Mr. Houser reported that his/our district was the largest and fastest growing district within PEC, containing 46,002 meters. PEC is the largest electric cooperative in the country. He told of a new meter, a blink meter, which records whenever there is an outage. This will enable the cooperative to identify areas with the most problems. He mentioned that Butch Ross retired last week. He was instrumental in doing many of the repairs in the district. He will be replaced by Tony Mendez who will attend a future Council meeting.
- b. Discussion and Possible Action Regarding Appointment of Village Secretary as Deputy Municipal Court Clerk** – The Village needs someone to receive fines that are paid voluntarily. The Village Secretary can do this and the Mayor requested a resolution to make the Village Secretary the Deputy Municipal Court Clerk. Stuart made a motion, seconded by Strong, to appoint the Village Secretary as Deputy Municipal Court Clerk. A vote was taken and the motion passed 5 – 0.
- c. Discussion and Possible Action Regarding Right of Way and Easement Landscaping** – The Mayor reported that he had received a number of inquiries about what Southwestern Bell will do to restore right of way areas disturbed by the construction. The TML advised that homeowners landscape right of ways at their own

risk. A discussion followed concerning whether there were other ways to make Southwestern Bell restore these areas.

**d. Mayor's Report:**

- (1) **Southwestern Bell Project Status** – Mayor Hickman informed the Council that Southwestern Bell was finished with updating our system except that there were still some closures to be removed.
- (2) **Road Project Status** – Strong reported that requests will go out for bids in April for the last of the road resurfacing. The contracts are planned to be awarded in May.
- (3) **Waste Management Franchise Fee** – Nesheim will check on the incorrect franchise fees that were received from Longhorn Disposal.
- (4) **ESD#1 Volunteers** – Mayor Hickman informed the Council and citizens that the Lago Vista Fire Department needs volunteers from Point Venture very badly for non-firefighting jobs. We have little involvement and the Mayor urged anyone who could to volunteer.
- (5) **Fourth of July** – Mayor Hickman reported that two meetings took place in March for the Fourth of July planning committee with a third planned for the 30<sup>th</sup> of April. Family games and activities are being planned and donations have been received. The committee will be selling tee shirts again. Volunteers to help before and on the 4<sup>th</sup> are needed. Please call the Village office for more information. Strong asked if any of the 4<sup>th</sup> of July committee members were also on the April 20<sup>th</sup> garage sale committee.

Mayor Hickman stated that during the summer the Village office days and hours might change due to vacations, unless the Council objected.

**F. Adjournment** – A motion was made by Strong and seconded by Stuart to adjourn the meeting. A vote was taken and the motion passed, 5 - 0. Mayor Hickman adjourned the meeting at 9:15 P.M.

PASSED AND APPROVED AT THE VILLAGE COUNCIL MEETING HELD ON May 6, 2002

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Terry Hickman, Mayor  
Village of Point Venture

ATTEST:

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Charlotte Banasik, Village Secretary