

**Village of Point Venture
Village Council Meeting
Monday, June 3, 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, Hrubby, Nesheim, Strong and Stuart.
- C. Consent Agenda**
- 1. Approval of Minutes – May 6, 2002 Village Council Meeting**
 - 2. Approval of Minutes – May 13, 2002 Village Council Meeting**
A motion was made by Nesheim and seconded by Hestand to approve the minutes from the May 6, 2002 and May 13, 2002 Village Council Meetings. A vote was taken and the motion passed, 5-0.
- D. Citizen Inquiry** – Mel Kurth expressed concern that real estate signs were posted by Shades pointing to properties that were for sale within the Village and that this might be in violation of the deed restrictions.
- E. General Business and Action Items:**
- 1. Old Business**
 - a. Discussion and Possible Action Regarding Lot Clearing Ordinance/Building Ordinance** – Mayor Hickman stated that he would like to move quickly on finalizing the lot clearing ordinance. Discussion followed regarding recommended changes to the draft ordinance that was handed out at the last meeting. The Council agreed on the following changes: 1) add the following “permit standard” in Section 4: “the need for physical separation between buildings and cedar trees for fire protection purposes;” 2) In Section 3.B.(5) list protected trees as any tree greater than 4” diameter with exceptions as follows: Persimmon, Texas Redbud, Mountain Laurel, Texas Laurel, Yaupon and Madrone with trunks greater than 1” diameter; and Cedars with trunks greater than 4” diameter and at least 20 feet away from the planned building(s); 3) In Section 4.B.(1) change “vegetation and” to “protected”; 4) On page 1, the 8th paragraph starting with “WHEREAS”, add the word “regulate” between “general authority to” and “nuisances pursuant”; 5) Section 6 should read as follows: “A Lot Clearing Permit is not required for routine trimming of trees or tree branches less than four inches (4”) in diameter or as otherwise defined in Section 3.B.(5).”; 6) In Section 8 change “sixty (60) days” to “fifteen (15) days” and include a statement that variances will be considered (Strong recommended this ties into the littering ordinance). Also, add “or ground into chips” after “removed from the site” and before “within fifteen (15) days”; 7) include a statement on poisoning of trees; 8) In Section 7, define the variance process more carefully; 9) include statement allowing for emergency situation, i.e. no permit needed if damaged tree is blocking a roadway or is a danger to the public; 10) include a statement that debris chips suggested to be added to Section 8 must be removed or spread on the property; 11) include a designation as to where the four (4) inch measurement should be taken, i.e. one (1)

foot above the crown; 12) include a statement that a permit is needed to remove a diseased trees or damaged trees or tree branch (i.e. due to lightning); and 13) possibly mention the rights of a property owner if a tree is on your neighbor's property but hangs over your lot. Mayor Hickman will pass this information on to the attorney and hopes to have the lot clearing ordinance finalized for the next meeting.

Mayor Hickman proposed to the Council that the Village appoint one building commissioner who could work closely with the PVPOA Architectural Control Committee (ACC). Having only one commissioner as opposed to a building commission would enable the ACC to continue their weekly meetings and actions without having to wait on posting agendas and keeping minutes for all of their meetings. The PVPOA ACC could act as an advisory group for the Building Commissioner. Discussion followed. There was concern about having a building commissioner who would be able to perform inspections that are currently done by McComis ??? for the PVPOA, and it was agreed that this could be an outsourced function for the Village. All agreed we should move forward with a building ordinance to include a provision stating that driveways must be surfaced (also to include a grandfather clause), that the Village will have a Building Commissioner, and to include the building codes listed in the letter received from McComis.

- b. Discussion and Possible Action Regarding Anti-Littering Ordinance** – The Mayor told the Council that he had a short list of property owners that were in violation of the anti-littering ordinance and that letters would be going out this week. A list of the letters sent will be forwarded to the Council. Stuart informed the Mayor that he would remain on the anti-littering committee with Hruby and Carole Thomas but that Hruby will now be chairing the committee.
- c. Discussion and Possible Action Regarding Valley Hill Drive and Staghorn Drive** – Mayor Hickman informed the Council that in their packets they would find a request for abandonment of public easements or rights-of-ways of the 500 block of Valley Hill Drive. PVPOA and the adjoining landowners are requesting that the dead end roadway be abandoned, vacated and closed for public transit. Included is an ordinance of the Village of Point Venture, Texas, providing for the abandonment of a portion of public right of way; providing for the terms and conditions of such abandonment, severability, an effective date, proper notice and a meeting. A motion was made by Hestand, seconded by Hruby, to pass the aforementioned ordinance. A vote was taken and the motion passed, 4 in favor (Hestand, Hruby, Nesheim and Stuart) , 0 against, and 1 abstaining (Strong). (Ordinance number 2002-06-01)
- d. Discussion and Possible Action Regarding Citation Form** – Mayor Hickman informed the Council that Nesheim had developed an organization chart showing the process for citing someone for a violation of the Animal Control Ordinance. Stuart, the ACO, will give the violator a warning, then he will have the Mayor sign the warning as his supervisor, then Judge Thompson will review the paperwork, sign it, and decide if a citation will be sent to the violator. The Mayor stated that he would like to see communication and education apply to other ordinances that have been passed, and that the above process will probably be used for violations that occur.
- e. Discussion and Possible Action Regarding Traffic Ordinance** – Mayor Hickman told the Council he wanted to move forward with the traffic ordinance and wanted to

discuss various issues to see if there was agreement between the Council so a draft ordinance can be developed. Currently the Village falls under the state statute for a 30 mph speed limit. If a ticket is given within the Village limits, the fine goes to the county since the Village does not have a traffic ordinance. If we want to change the speed limit, we would need to do a traffic study, which could be very costly. Lago Vista's study cost approximately \$50,000. We definitely need some traffic controls established within the Village. Strong recommended that we keep the 30 mph speed limit. He suggests we purchase speed limit signs and caution/warning signs showing recommended speed limits for curves. In addition, he recommends we put stop signs in all cul-de-sacs, a yield sign at Peckham and Mariners Point, and replace all stop signs to conform with state regulations. And Mayor Hickman would like to get a Village of Point Venture sign. There was a discussion about speed bumps/humps and the Council agreed not to purchase them at this time. Mayor Hickman reminded the Council that we have an interlocal with the Travis County Sign Shop. In addition, the Mayor will explore parking prohibitions.

- f. Discussion of FEMA Ordinance** – Mayor Hickman informed the Council that the FEMA ordinance that was passed at last month's meeting was sent on to FEMA. He received an acknowledgement that the information was received, that it was forwarded on to Washington, DC, and that we should be contacted in 6 to 8 weeks regarding our acceptance into the flood insurance program.
- g. Report from Animal Control Officer** – Stuart thanked Nesheim for filling in as ACO while Stuart was on vacation. Stuart informed the Council that we need to start developing a plan on how to handle dog registration at the beginning of next year. There have been 58 enforcement issues since we passed the Animal Control Ordinance. He informed the Council that he was still researching the issue of a truck for the ACO, and stated that he feels a truck is still needed. He informed the Council he will be attending ACO school from July 18th through the 21st. Hruby recommended that we post some signs in the park quoting the part of the Animal Control Ordinance that refers to allowing dogs to be unleashed in the park.
- h. Report from Village Treasurer** – Hestand reviewed the Village Treasurer's cash report showing that for this fiscal year there has been receipts of \$58,967.84 (which include \$6,656.37 starting balance carried over from last year), expenditures of \$9,003.03, leaving a balance of \$49,964.81. Hestand reviewed a letter he received from Art Cory, Chief Appraiser, Travis County Appraisal District, and summarized some sales tax and property tax figures. Strong informed the Council that he was approached by someone in Lago Vista to see if the Village would be interested in joining them on collection of delinquent property taxes. It was agreed that at this time we would not join Lago Vista.

2. New Business

- a. Discussion of Point Venture Fire Department** – (This item was taken out of order.) Stuart introduced Chief Jesse Cecil. First the Chief informed us that we should not use the term Point Venture Fire Department but should use Point Venture Fire Station #3. The Chief talked about several issues and expressed the need for volunteers to assist with emergency calls, especially in Point Venture. He informed the Council and citizens that he had one volunteer from Point Venture, Ed Stuart, who has been

working with the Lago Vista Fire Department for about a month and a half. Stuart thanked the Chief for coming. He thanked the water department employees, Courtney Waters and Jack Tyler for their efforts in making our fire station a more acceptable facility. He informed everyone that we had received various items as donations from citizens to help furnish the station, and that we could always use monetary donations to assist with maintenance and upkeep of the station. Joe Solpietro has volunteered to work with Stuart, and Stuart is currently trying to recruit others as fire fighters. Mayor Hickman informed Chief Cecil that we would like to try to get some grant money to assist the Travis County ESD #1 and the Chief stated that he would like to get a defibrillator to be kept at our station, and train people within Point Venture to use it. A defibrillator would cost approximately \$3,600. He told the Mayor that we might want to consider applying for a Heart Association Grant. Mayor Hickman thanked Stuart and Joe Solpietro for volunteering and he thanked Stuart and Jack Tyler for helping to organize the cleanup at the fire station.

- b. Discussion and Possible Action Regarding Waste Pickup Service** – Hruby wanted to know if there was anything that could be done about trash cans being left on the street for long periods of time. Strong stated that was covered in our franchise agreement with the waste management companies. He will have the guard at the courtesy booth give the waste management drivers from each company a placard stating “Please replace the empty containers off of the street” and signed by the Mayor.

- c. Mayor’s Report**
 - (1) Road Project Status** – Strong informed the Council that the PVPOA was waiting to complete the engineering for the parking area at the marina, then will present those plans to the LCRA, and once approved, will publicize for bids on the project. He is hoping that the work can begin by the end of this year.
 - (2) Waste Management Franchise Fee** – Nesheim informed the Council that we finally received a check from Longhorn to correct the last two franchise fee payments.
 - (3) Fourth of July** – Mayor Hickman informed the Council that the Fourth of July tee shirts have been ordered and that sales were down from last year. He encouraged everyone to get their applications in for participating in the parade. He said many games and a lot of fun is planned for our special celebration.
 - (4) Balcones Canyonlands National Wildlife Refuge** – Mayor Hickman informed the Council that he sent a letter of support from the Village to the Balcones Canyonlands National Wildlife Refuge which can be used by the Refuge to request funds from the government to complete the Refuge increasing protected habitat from the current 18,000 acres to the 46,000 acres needed to establish a sustainable habitat.
 - (5) Summer Office Hours and Village Council Meetings** – Mayor Hickman again reminded the Council that he would appreciate being informed if any council members have made vacation plans to ensure that we will have a quorum at all scheduled Village Council meetings.

F. Adjournment – A motion was made by Nesheim and seconded by Hruby to adjourn the meeting. A vote was taken and the motion passed, 5-0. Mayor Hickman adjourned the meeting at 9:18 P.M.

June 3, 2002
Village Council Meeting Minutes

PASSED AND APPROVED AT THE VILLAGE COUNCIL MEETING HELD ON July 1, 2002

Terry Hickman, Mayor
Village of Point Venture

ATTEST:

Charlotte Banasik, Village Secretary