

**Village of Point Venture
Village Council Meeting
Monday, August 5, 2002, 7:30 P.M.
Venture Room at Point Venture
555 Venture Boulevard S.
Point Venture, Texas**

MINUTES

- A. Call to Order** – Mayor Pro Tem Strong called the meeting to order at 7:55 P.M.
- B. Roll Call** – Mayor Pro Tem Strong acknowledged that all of the Council Members were present: Council Members Hestand, Hruby, Nesheim, Strong and Stuart and that Mayor Hickman was absent from the meeting.
- C. Consent Agenda**
- 1. Approval of Minutes – July 1, 2002 Village Council Meeting**
A motion was made by Nesheim and seconded by Hruby to approve the minutes from the July 1, 2002 Village Council meeting. A vote was taken and the motion passed, 5-0.
- D. Citizen Inquiry** – No one signed up to speak at this time.
- E. General Business and Action Items:**
- 1. Old Business**
- a. Discussion and Possible Action Regarding Appointment to Fill Vacant Council Member Position** – Mayor Pro Tem Strong informed the Council that Council Member Hestand had resigned from the Village Council due to moving out of Point Venture. He stated that Mayor Hickman recommended that the Council appoint Carole Thomas to replace Council Member Hestand and serve the rest of his term. A motion was made by Nesheim and seconded by Stuart to appoint Carole Thomas as to fill the vacant council member position and serve through November 2003, which is the end of the term for that position. A vote was taken and the motion passed 5 – 0.
- (1) Swearing in of Newly Appointed Council Member** – Charlotte Banasik, Village Secretary, swore in Carole Thomas as Council Member for the Village of Point Venture Village Council.
- b. Discussion and Possible Action Regarding Lot Clearing Ordinance** – Mayor Pro Tem Strong stated that the lot clearing ordinance had been passed on July 1, 2002, Ordinance No. 2002-07-01. He informed the Council that two applications had been received and that permits were given out. There has been a lot of feedback regarding this ordinance with the main concern being that some of the requirements are overly burdensome to both builders and property owners. A recommendation was made to possibly suspend the ordinance until more feedback is received. Mayor Pro Tem Strong informed the Council that Mayor Hickman would welcome the opportunity to meet with the builders and to talk to the citizens about amending the ordinance. The main objective of the ordinance was so that lots within Point Venture could not be clear cut of all trees. Extensive discussion followed. Nesheim stated that some of the wording in the ordinance should be changed, i.e. where a map is required showing all vegetation, it maybe should read a map of protected trees. Scott Bogart had many objections to the ordinance highlighted by the ordinance being too restrictive and that the ordinance doesn't state the architectural theme of Point Venture. Mr. Bogart

stated that it was important for the citizens of Point Venture to get educated on these subjects. Jan Nesheim stated that she agreed with many of the points that Mr. Bogart made. She feels that the live oaks are important but has no problem with having a cleared area within a certain distance of the houses but still trying to preserve the protected trees. She also stated that she greatly appreciated the Council's first efforts at protecting our native trees. Comments were also heard from Russell Kinser, Paul Dennison, Mel Kurth and some Council Members. Alan Bojorquez, Village Attorney, made the following comments: architectural drawings are not a necessity; the Village has the authority and responsibility to enforce some type of lot clearing ordinance to control runoff and pollution so as not to jeopardize the Village's standing with the Federal Emergency Management Agency (FEMA); this ordinance would help to preserve and protect the wildlife in Point Venture. A motion was made by Nesheim and seconded by Stuart to suspend till the September meeting enforcement of Ordinance No. 2002-07-01, an ordinance of the village of Point Venture, Texas, enacting restrictions on the clearing of land and removal or cutting of certain trees, and providing for the following: short title; purpose; definitions; permits required; protection during construction; exceptions; variances; removal of waste; enforcement including fines and penalties not to exceed \$500; a repealer; severability; and proper notice and meeting. A vote was taken and the motion passed 5 – 0.

- c. Discussion and Possible Action Regarding Building Ordinance** – Mayor Pro Tem Strong stated that each Council Member should have a copy of the draft building ordinance. There are currently seven codes listed in the ordinance and the Village Secretary is in process of purchasing the code books. The Architectural Control Committee (ACC) enforces the deed restrictions and has an inspector that comes in and ensures compliance with the international building codes. It was decided to defer this item until the September Village Council meeting. Currently the ACC controls the inspections. When the Village Council adopts the building codes they become law and are more enforceable.

(1) Discussion and Possible Action Regarding Appointment of Building Official
– This item will be deferred to the September Village Council meeting.

- d. Discussion and Possible Action Regarding Traffic Ordinance** – Each Council Member had a draft of the traffic ordinance. Mayor Pro Tem Strong stated that this ordinance would set the speed limit in Point Venture. Alan Bojorquez recommended that the Council use common sense in setting the speed limit. Currently the Village is under the jurisdiction of the state and has a 30 MPH speed limit throughout the Village except for the side of the esplanade leading out of the community. In addition, the ordinance will allow the Village to replace existing stop signs and purchase additional signs for the Village. Additional research is being done to see where additional signs are needed. The Mayor has requested Travis County to check our existing signs to ensure we are in compliance with the state law. Mayor Pro Tem Strong recommended that we set the speed limit at 30 MPH except for having a 25 MPH speed limit on both sides of the esplanade leading into and out of the Village. This item will be tabled till the next meeting.
- e. Discussion and Possible Action Regarding Point Venture Fire Station** – Stuart introduced Chief Jesse Cecil and Frederick Falk from the Travis County ESD#1/Lago Vista Fire and Rescue. So far \$660 has been deposited as donations received for the

Point Venture Fire Station and an additional \$150 was received that has not been deposited to date. Citizens interested in donating to assist Point Venture in obtaining emergency equipment for our fire station can send their checks or cash to the Point Venture Village Hall marking the donation as designated for Point Venture Fire Station #3. Chief Cecil mentioned that there will be a memorial golf tournament on September 11th in Lago Vista to raise funds to purchase emergency and lifesaving equipment that will benefit those in the TCESD#1 service area. The Chief stated that we still needed volunteers to assist with emergency calls in the Point Venture community. Currently response time is about 7 minutes and with volunteers in Point Venture, there's hope of cutting the response time to 4-1/2 minutes. money for the ESD. Mayor Pro Tem Strong is still researching grants available for emergency equipment.

- f. Report from Animal Control Officer** – Stuart reported that there have been some successes with the animal control. A dog that was impounded was placed in a foster home through the German Shepherd Animal Rescue Center. Stuart has recorded 58 instances since the passing of the animal control ordinance. He stressed that the education phase of this ordinance is coming to an end and that citations will be given out and fines will be enforced.
- g. Report from Village Treasurer** – Hruby informed the Council that they will now be receiving monthly reports that he is producing through Quick Books Pro. The report shows that the Village has \$59,068 in the bank. We've had expenses of \$10,207.04 and income of \$61,958.96.

2. New Business

- a. Discussion and Possible Action Regarding 2002/2003 Village Budget** – Mayor Pro Tem Strong stated that each Council Member should have a copy of the draft budget that Mayor Hickman submitted for consideration. He mentioned that there were copies at the back of the room for the audience. Per the discussions in the Public Hearing held prior to this meeting, the budget of \$58,650 will remain the same but there will be the following changes: change tax revenue amount from \$32,000 to \$29,800; add a mixed beverage tax entry of \$2,500; change animal control registration fees from \$850 to \$550; the bottom line of the budget (\$58,650) will remain the same. A motion was made by Hruby and seconded by Nesheim to approve the village budget for 2002/2003 as submitted by Mayor Hickman with the changes as stated above. A vote was taken and the motion passed 5 – 0.
- b. Mayor Pro Tem's Report:**
 - (1) Road Project Status** – Mayor Pro Tem Strong reported that last Tuesday the bids were opened. 4 bids were received for the 9000 running linear feet of road. The lowest bid was for \$786,000 and the highest bid was for \$1.2 million. The engineer recommended that the PVPOA accepts the \$786,000 bid contingent on bonding, etc. This will be voted on next Saturday at the PVPOA Board of Directors meeting. It is planned that the roads will be done in one phase and the marina parking lot be done in a second phase, but they may be done in one phase.

(2) Neighborhood Watch Night Out – A Neighborhood Watch Night Out is planned for Tuesday, August 6, 2002. Jerry Matthews and Carole Thomas have organized it. Several things are planned. Ice cream and cookies will be served. Come out and meet your neighbors.

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 Pro Tem Strong adjourned the meeting at 9:08 P.M.

PASSED AND APPROVED AT THE VILLAGE COUNCIL MEETING HELD ON September 3, 2002

Terry Hickman, Mayor
Village of Point Venture

ATTEST:

Charlotte Banasik, Village Secretary