

**Village of Point Venture
Village Council Meeting
Monday April 5, 2010 @ 6:30 PM
Venture Room at Point Venture
555 Venture Blvd. S.
Point Venture, Texas**

MINUTES

- A. Call to Order.** Mayor Shinn called the meeting to order at 6:30 pm
- B. Roll Call** Secretary called roll. Members present; Mayor Shinn, Treasurer Hruby, Councilman Helton, ProTem Adolph. Councilman Warneke and Councilman Sutton.
- C. Special Reports outside Representatives.** Mayor Shinn introduced Roy Montemayor, PEC representative. Mr. Montemayor talked about upcoming events in April. April 22nd will be go green day. April 16th-25th will be a three-day program on a similar package. To enroll in the program you can go to PEC's website. PEC also has a green buck truck that runs on batteries as well as gas. Mr. Montemayor, on behalf of PEC presented the Village of Point Venture a franchise check in the amount of \$6,954.69.
- D. Consent Agenda:** All items under Consent Agenda are considered routine by the Village Council and will be enacted on by one motion. If discussion is desired, that item will then be removed from the Consent Agenda and will be considered separately.

1. **Approval of the December 7, 2009 regular meeting minutes, January 11, 2010 regular minutes, and March 1, 2010 regular meeting minutes.** Councilman Helton made a motion to approve December 7, 2009 and January 11, 2010 minutes. Councilman Sutton seconded the motion. Councilman Adolph made a motion to approve the March 1, 2010 minutes. Councilman Warneke seconded the motion. All were in favor-motion carried. December, January and March minutes were approved.

E. Administrative Reports

1. **Sheriff's Report.** Councilman Helton reported that there were three-vehicle burglaries the cars were parked in the garage, and one of the vehicles was broken into. Councilman Helton said he was not present at the security meeting. However the necessary security needed for the Village Point Venture during Aquapalooza was discussed. The event date has been change to July 10, 2010 rather than July 31st. Greg Taylor (POA) manager, stated trying to control the uncontrollable is what he feels this will be due to the fact there will be more boats and people than the law. Controlling the boats attempting to come in and out of the Village will be a problem, as well as those coming in off the lake. Mayor Shinn would like to see permits for residents to attach to their boats in order to distinguish those from non-residential boats.
2. **Emergency Management Report.** Councilman Warneke stated that the POA has a generator, which they will transfer ownership over to the Village.
3. **Treasurer's Report.** Treasurer Hruby reported monies in the bank; Security State Money Market \$12,533.76, Security State Operating \$23,113.86, Certificates of Deposits (12) @ 2.8% \$104,199.98, TexPool Money Market \$250,047.57.
4. **Animal Control Report.** ACO Stuart reported that there were 27 incidents for the month of March. Ed Stuart ACO recruited a Deputy ACO Roger Storms. He will be attending ACO courses in May. With the approval of Mayor Shinn ACO Ed Stuart purchased a 22 rifle tranquilizer gun for ACO use and personal safety. ACO was able to negotiate a settlement on Scafidi/Harrington dog complaint. A fox was destroyed at 500 Block of Venture Blvd South. Shot one deer on Venture Dr. (Mayor and WCID assisted). Picked up and buried two deer. Installed emergency lights on ACO truck. Dog Registrations are completed for 2010. All outstanding cases for unregistered dogs have been resolved. This year there are 201 dogs registered. Ensured two loose pit bulls would leave Point Venture after they attacked a dog at Venture Blvd S. ACO investigated and recommended Dog Barking Ordinance possible changes to Mayor. No Changes recommended to current policy at this time, this is discussed under item number 3 in Old Business. Designed and purchased Code Enforcement and Animal Control Officer Badges for Point Venture. This was approved by Mayor Shinn.
5. **Fire Department Report.** Stuart reported that the Fire Department delivered the Easter Bunny on Saturday April 2, 2010 in the Fire Engine. Fireman Stuart is asking for donations to help furnish the kitchen once the new Fire Station is built. Councilman Hruby donated appliances such as washer, dryer, refrigerator, and oven range. Stuart thanked everyone for his or her donations. Stuart stated that he could still use volunteer fire fighters. At this time in order to respond to EMS calls you have to be CP certified-ADD 1-2 CPR persons-opening and maintaining airways- a four-hour course a class D drivers license is also required.
6. **Building Commission Report.** There were four fee permits issued for the month of March, and eight no-fee permits. One ordinance violation which consisted of a Health and Sanitation violation; there was trash, lumber, and other household items, which were in view of the street. The residents did respond

and corrected the violation. There are nine new homes being built in the Village, and ten (10) FEMA additions and remodels for the month of March.

7. **Floodplain Administrator's Report.** Secretary Chatham arranged a meeting with the Code Enforcement / Building Officer / Floodplain Manager Linda Alger of the City of Lago Vista for Point Ventures Floodplain personal Michelle Whorton. Michelle was able to attend a final walk through and have more of hands on experience. Mrs. Alger was very educational and eager to help teach Michelle as she is learning the process of Floodplain Management for the Village. Secretary Chatham also informed the Council of problems with ATS on a couple of plan reviews and asked that the Council would consider in the future that ATS would not continue to review floodplain plans. This will be discussed at another meeting.
8. **Public Works Report.** Mayor ProTem Adolph reported that the bid announcement for our 2010 Road projects would be in the Log on April 1, and April 8, 2010. The bids will be opened at Haynie Consulting on April 21, 2010. The ribbon curb project is complete for this year and the final cost was \$9700. We have received four compliments on how neat the contractor was. The right-of-way improvements on Whispering Hollow and Lakeland drive will start soon. The improvement project will cost about \$3000 and the labor will be supplied by WCID under the Inter Local Agreement.
9. **Mayor's Report.** Mayor Shinn

F. Citizens Inquiry: In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions), any items brought before them that are not on the agenda. None

G. General Business and Action Items:

H. Old Business

1. **Discussion only on parking with in the Village.** Councilman Warneke asked the question "are we talking about Venture Blvd S. or the Village as a whole"? Councilman Adolph answered saying it is just Venture Blvd S. Councilman Warneke raised some concerns about parking on Venture Blvd S especially during the spring and summer months, because of the large amounts of vehicles that will be at the Townhomes, he feels this needs to be addressed as well. Can vehicles be parked in the right-of-way? If so for how long and if not how long before they are cited? 10-15% of Village is parking trailers etc., 30% trailers golf carts etc. What will be the scope of the ordinance? Is the Village prepared to enforce this Ordinance? A normal summer day will bring in extra money. Impervious surface needs to be defined for homes with no driveway, will they be grandfathered in? What about other alterations, can they be honeycombed or concrete. will the ordinance give the ACC the flexibility for this? Will there be a grace period. Councilman Warneke brought up the issue with golf carts parking at the pier. Councilman Warneke will email the council about this issue. Councilman Hruby feels that 72 hours allotment should be allowed. Councilman Warneke agreed except during weekends and summer. Councilman Adolph brought up a point about wearing down the yard and using it as a parking place. Councilman Adolph said he feels this is next to impossible. Deed restrictions are another issue. There are people who are parking right at the setback lines, and POA is doing nothing to enforce this. Should we include this in an ordinance, along with the aesthetics of the Village? Mayor Shinn said that Greg Taylor has been working towards taking care of these deed restrictions. This item has been tabled for further discussion.
2. **Discussion and possible action on code enforcement.** Councilman Helton asked who enforces what? He also asked who has been approved to sign ordinance violations write and send out notices and what the process is. Councilman Hruby said it was in the minutes from several years back. It allowed the BC to be able to do this. Helton also questioned the budgeted items on ordinance. Councilman Hruby said that this is paying time for Courtney Waters and Melissa Utpadel to drive through Point Venture and report any violations. Councilman Helton feels that this is too much for just code enforcement. Councilman Helton would like to see timesheets and any invoices. Secretary Chatham was asked to contact the Village Attorney to have clarification on citations, who can enforce ordinance and who is qualified for code enforcement. Councilman Helton asked for information on the steps taken for an ordinance violation. Item tabled for further discussion.
3. **Discussion on the current barking dog ordinance.** The Village Attorney drew a draft ordinance for Council to review. This ordinance included a nuisance law. This ordinance has been given to ACO Ed Stuart to amend with the assistance of the Village Attorney. Councilman Helton does not like the idea of registering a visiting dog. Stuart believes we should be using the state law. Councilman Adolph said that Ed should bring up what he wants in the ordinance and then bring it back to the Council. If it goes to in Municipal Court, a person could appeal and it would be dismissed. If we cannot enforce these ordinances then why do we have them? Mayor ProTem Adolph asked. Mayor Shinn said he would like Councilman Adolph's concerns addressed. Mayor Shinn will ask that the Village Attorney be present at next month's Council meeting, and he would like to also see code enforcement procedures together for the Attorney as well so that the Attorney can address them both at the same time. Councilman Hruby asked if there is a limit on the number of dogs a person can own. ACO Ed Stuart said no. Councilman Adolph wants Ed Stuart and the Attorney to sit down and go through the ordinance together. Councilman Hruby has asked Ed to bring changes into the office and have them copied, and then it will be discussed at next month's meeting.

4. Discussion on fire station relocation and remodel of new building. Mayor Shinn reported that the Architect is working on the golf course main building. The POA has requested a copy of the drawings, before they will transfer said property. The WCID is waiting on the survey of land for the Attorney to review. This item was tabled.

I. New Business

- 1. Discussion and possible action on approval of Web site information.** Councilman Adolph said at one time Councilman Warneke had made procedures on what goes on the website, and who makes the decision. Councilman Warneke stated that he would look for the draft he was working on and bring it to next month's meeting. Item was tabled.
- 2. Discussion and possible approval of the first two items on the quote from Haynie Consulting for drainage improvement along venture Blvd. South.** Councilman Shinn asked for the quotes to be sent to the council. 1st item is \$2000, and 2nd items is \$4000. We still need to do something about drainage issues. Councilman Adolph made a motion to approve the first (2) items on the quote. Councilman Hruby seconded the motion. All in favor-motion carried. Approved the first too items on the quote.
- 3. Discussion and possible action on change in dog registration fee.** Ed Stuart is requesting to have the dog registration fee lowered from \$5.00 if spayed or neutered and \$10.00 if neither to a set price of \$5.00 per dog. Mayor ProTem Adolph made a motion to set dog registration fee at \$5.00. Councilman Warneke seconded the motion. All in favor-motion carried. Dog registration fee \$5.00

J. Executive Session. NONE

K. Adjournment Mayor Shinn made a motion to adjourn the meeting. All were in favor- meeting adjourned at 8:05 pm.

RS

Rich Shinn, Mayor Village of Point Venture

ATTEST:

Chance Chatham

Chance Chatham, Village Secretary