

**Village of Point Venture
Village Council Meeting
Monday June 7, 2010 @ 6:30 PM
Venture Room at Point Venture
555 Venture Blvd. S.
Point Venture, Texas**

MINUTES

- A. Call to Order.** Mayor Shinn called meeting to order at 6:30 pm
- B. Roll Call.** Secretary called roll. Member present: Mayor Shinn, Councilman Helton, Pro Tem Adolph, Councilman Warneke, Councilman Sutton. Members absent: Treasurer Hruby.
- C. Special Reports outside Representatives.** Village Attorney Jason King present to answer Council questions on Dog Ordinance, Code Enforcement and ordinance structures in general. These items are recorded in the agenda items listed below.
- D. Consent Agenda:** All items under Consent Agenda are considered to be 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 May 3, 2010 regular meeting minutes.** Pro Tem Adolph made a motion to approve May 3, 2010 minutes. Councilman Warneke seconded the motion. All in favor-motion carried. May 3, 2010 minutes approved.

E. Administrative Reports

1. **Sheriff's Report** Councilman Helton reported 59 calls coming in. Of those calls there were; two (2) traffic, several 911 hang-up calls coming from address 18606 Venture Drive Travis County Sheriff Givens explained why the address. The tower located at this address currently host several cell sites, therefore the signals from these cell phones will fist connect to the tower showing that address. Four (4) traffic stops for speeding, and two (2) for running stop sign. Summer is here Helton reported, this means more permanent as well as renters will be staying here in Point Venture. Helton also pasted a friendly notice to those present that Travis County Sheriff's would be patrolling more often for the summer months.
2. **Emergency Management Report** Councilman Warneke reported on generator. POA is still in talks.
3. **Treasurer's Report** Mayor Shinn reports monies in the bank; Security State Money Market \$12,540.25, Security State Operating \$16,324.40, Certificate of Deposits (12) @ 2.8%1104,199.98. TexPool Money Market \$250,138.68
4. **Animal Control Report** ACO Stuart reported there were 31 animal service calls for the month of May. Shot and buried seven deer (two with unborn fawns); one cat rescued then destroyed, as injury was too severe; one skunk shot/buried one-copperhead snake trapped and killed; beehive removal work at Venture Drive. Rescued one momma duck and four ducklings from the POA pool. The pool was closed for cleaning by POA. Six loose dogs rescued and returned to owners. One dog returned to owner on Sylvester Ford after being brought to PV by resident. Received Travis County Animal Alert on Laws to be enforced by TCSO. Reviewed with TCSO for use in PV. Roger Stroms received State Certification from DHS on Animal Control Officer. Worked on revising Animal Ordinances 4 with Lawyer. Adopted out Harrington dog to people in Cedar Park. Registered outstanding dog on Southwind. Trained Deputy ACO Stroms on bee removal management techniques. Deputy ACO handled the weekend \ night duties independently and performed well in doing so. Closed Robinson case, no action was taken. Began feral cat removal management program at 342,340,204 and 206 Southwind areas.
5. **Fire Department Report** Stuart reported new NPC reporting's are coming in and they are much faster than we can keep up with. Met with PEC on Fire station power, they are short staffed at this time. Electric will be underground.
6. **Building Commission Report** There were six (6) no fee permits issued for the month of May. There are six homes being built in the Village. There were 12 FEMA additions and remodels for the month of May; and four homes with additions and remodels outside the floodplain for the month of May.
7. **Floodplain Administrator's Report** Melissa is scheduled to take CFM exam in Fort Worth on June 8, 2010. Secretary Chatham will contact Lago Vista's FEMA administrator for assistance in flood plain management in order to verify Point Venture FEMA administrators are current on reviews of plans and inspections necessary for Point Venture.
8. **Public Works Report** Pro Tem Adolph reported two patches were completed on Venture Drive that required attention prior to the overlay project. The crack sealing of the same area is in progress and should be completed by the end of the week. All the roadways were swept on May 22 so they looked clean for the holiday weekend. The road project contract has been approved and signed, a start date has not yet been set.
9. **Mayor's Report** Mayor Shinn reported that we would discuss the Fire station and agreement on agenda item.

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.** Engineer was out last week to take measurements for drainage and pictures on Sunday. Pro Tem Adolph is waiting on Engineer report.
- 2. Discussion and possible action on code enforcement procedures and appointment.** Attorney Jason was present to speak. Council asked Stuart to work with attorney on code enforcement in last months Council meeting. Monte suggested we have a code enforcement officer at that time. Jason stated that the code enforcement officer has limited authority. The goal of the ordinance is to have someone to enforce the Village's ordinances. The State Law Ordinance refers to the duties it states that the Code Enforcement Officer can enforce every ordinance. CEO will begin training another Officer in order to be available if Ed Stuart retires. Often times a small town has one person to do everything, in this case there will be an Assistant Code Enforcement Officers in training both with in the office and with in the field. Mayor Shinn said a good reason for this is because we are small if building official is a part of code enforcement they can assist each other with better coverage. Pro Tem Adolph would prefer to keep them separate. Councilman Warneke is split with deciding. Council member brings up a point about #2 that Ed Stuart does Animal Control, Fire, and Code enforcement how is this separate. Whom does the code enforcement officer report to? Jason said that he does have job duties. The goal is who has the authority? Example Fire personal has a Fire Chief. The code enforcement officer works under someone however at this time under the ordinance he stands alone; Councilman Sutton does not like this. Steiner Ranch has a good example. Councilman Warneke, and Councilman Helton, feel that this would put pressure on the Council and the Mayor. Pro Tem Adolph asks what if Council feels that the CEO is not doing his job what can council do. Ed Stuart said there is a procedure to go through to complain. In order to do this council would have to go outside of Village to the State level, Jason stated that this could terminate the certification of the CEO. Jason said that the Council could put in ordinance that the Mayor could dismiss CEO with approval from Council. Mayor Shinn has no problem with this if this is what the council wants. Councilman Warneke stated that in other cities, they have a city manager, but we do not have one so this would go to the Mayor. Councilman Warneke asks does council agree with working. Councilman Helton says to possible change to Mayor or council and not only the Mayor. Jason stated that the worst-case council could amend ordinance if at a later time feel this is not appropriate. Mayor has asked for a motion to approve the ordinance pending that the corrections were made. Councilman Helton made a motion to adopt code enforcement ordinance/procedures. Councilman Sutton seconded the motion. All in favor-motion carried. Approved the Code Enforcement ordinance/procedures. Councilman Helton made a motion to approve the appointment of Ed Stuart as Code Enforcement Officer. Pro Tem Adolph seconded the motion. All in favor-motion carried. Approved the appointment of Ed Stuart as Code Enforcement Officer.
- 3. Discussion on the current dog ordinance and litter ordinance.**
Pro Tem Adolph made a motion to approve the wording of the litter ordinance. Councilman Warneke seconded the motion. All in favor-motion carried. Approved re-wording of Litter Ordinance. Dog Ordinance is a very complex ordinance this ordinance will replace three other Animal Ordinances and it will bring in more state wording into the ordinance. There will only be one Animal Control Ordinance on the Village website. If the State Law changes our ordinance states our ordinance will change as well without having to do an amendment. Mayor Shinn suggested that fines for animal cruelty to be more expensive than stated in the ordinance. Pro Tem points out Section 5 local health authority. Jason stated that we can change the wording for this section. Pro Tem Adolph points out another area of concern. Loose dogs at least 10 times, this has to stop. Pro Tem Adolph says that two times is enough. Mayor Shinn agrees. Jason said that he would look into the statues to verify that this is allowed. Councilman Sutton does not like #3 on page 2 of ordinance in regards to rabies shots. This section states that all visiting dogs to be registered and shot records produced at that time. Pro Tem Adolph agreed with the wording on the ordinance, he feels that we do need to know that they have their rabies shots. Councilman Helton wants to know what is going to happen, are we going to tell the visitors to leave if they do not have this paper work with them at time of visit? Councilman Helton feels that visiting residents should be able to leave their information at the front gate. Councilman Warneke disagrees and states that the ordinance should be left as is; otherwise we will have trouble in court. Councilman Warneke also felt a statement should be added stating that the dog has been vaccinated. Item has been tabled.
- 4. Discussion on fire station relocation and remodel of new building.** Mayor Shinn said the Building Subcommittee has drafted an agreement letter to send to WCID attorney for review. All surveys have been submitted. All three entities will have to come back together for approval. This should take place within the next 30 days. This item was tabled.
- 5. Discussion and possible action increasing Travis County Sheriff's hours for July.**
Greg Taylor (POA) manager and Councilman Helton have come up with numbers that the POA, Village and the WICD will share the cost. Increase to 96 hours of coverage which includes Smith Security, and Marina. Estimated cost will be \$12,000. Council will ask the WCID to add this on their agenda for June.

Mayor Shinn asked for a motion to approve up to \$6,000.00 for the increase of security for the month of July. Councilman Warneke made a motion to approve up to \$6,000.00 for security and added that the Mayor is able to increase this if needed. Pro Tem Adolph seconded the motion. All in favor-motion carried.

I. New Business

1. **Discussion and possible action on re-platting of French Homes.** Don Groody with French Homes was present to submit to the Village re-platting lots for French Homes. Mayor Shinn stated that this is not up to the council. Do we have anything from the POA yet? POA Manager was present to say that the POA did discuss and approve this in their last meeting. The minutes of that meeting have not yet been approved. Mayor Shinn asked for a motion to allow French Homes to submit the necessary paperwork to Travis County for re-platting. Mayor Shinn will have to sign final re-plat. Pro Tem Adolph made a motion to approve French Homes re-platting of lots. Councilman Warneke seconded the motion. All in favor-motion carried. Approved the re-platting of French Homes lots.
2. **Discussion and possible action on Emergency Services Inter-Local Agreement.** Council received proposal it included a list of new agreements with attorney letter. Pro Tem Adolph asked will this increase taxes. Mayor Shinn said that it could increase our taxes, even if an EMS station comes in. Pro Tem Adolph asked are we paying taxes that include ESD and EMS. Ed Stuart was unsure. Stuart was asked to look in to. Pro Tem Adolph made a motion to approve Inter-Local Agreement. Councilman Warneke seconded the motion. All in favor-motion carried. Approved Inter-Local agreement.
3. **Discussion and possible action on procedure for adopting ordinances.** Councilman Warneke thanked Ed Stuart and Jason for this being in resolution form and for both processes for ordinance and amending. Pro Tem made a motion to approve with changes on number 7. Councilman Helton seconded the motion. All in favor –motion carried. Approved changes to ordinances.
4. **Discussion only on address changes for the Village office and lease arrangement for Village office if needed.** Mayor Shinn wants to research to see if this in an ordinance or resolution. This item has been tabled.

J. Executive Session None

K. Adjournment Councilman Helton made a motion to adjourn the meeting. Pro Tem Adolph seconded the motion. All were in favor meeting adjourned at 8:14 pm.

RS

Rich Shinn, Mayor Village of Point Venture

ATTEST:

Chance Chatham

Chance Chatham, Village Secretary