

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF BEE CAVE
July 10, 2012

STATE OF TEXAS §

COUNTY OF TRAVIS §

Present:

Caroline Murphy, Mayor
Zelda Auslander, Council Member
Steve Braasch, Council Member
Bob Dorsett, Jr., Council Member
Bill Goodwin, Council Member

Absent:

Jack McCool, Mayor Pro Tem

City Staff:

Frank Salvato, City Administrator
Patty Akers, City Attorney
Kaylynn Holloway, City Secretary
Lindsey Withrow, Director of Community Services
Amy Kelley, Systems Administrator
Russell Pancoast, Chief of Police
Stephen Myrick, Building Official
Giancarlo Patino, Engineer Associate

Call to Order and Announce a Quorum is Present

With a quorum present, the regular meeting of the Bee Cave City Council was called to order by Mayor Murphy at 6:09 p.m. on Tuesday, July 10, 2012 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

Pledge of Allegiance

Citizen Comments

There were not any citizen comments at this time.

Consider approval of minutes of the Regular meeting conducted on June 26, 2012.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Auslander, to approve the minutes of June 26, 2012.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Mayor Pro Tem McCool
Abstain: Council Member Dorsett

The motion carried.

Discuss and consider action on Ordinance No. 116, City Public Rights-of-Way Management Ordinance, amending Chapter 16 of the Bee Cave Code of Ordinances relating to streets, sidewalks and other public ways and places.

Monte Akers, attorney with Akers Boulware-Wells, presented this item. This is an extensive rewrite of Article 16.03. The ordinance has been updated with current law.

MOTION: A motion was made by Council Member Auslander, seconded by Council Member Braasch, to approve Ordinance No. 116.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin
Voting Nay: None
Absent: Mayor Pro Tem McCool

The motion carried.

Discuss and consider action on a proposal from Fugro Consultants in the amount of \$10,426.50 for construction materials testing services for the renovation of City Hall.

City Administrator Frank Salvato presented this item.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Dorsett, to approve the contract with Fugro Consultants in the amount of \$10,426.50 for materials testing services for the renovations of City Hall.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin
Voting Nay: None
Absent: Mayor Pro Tem McCool

The motion carried.

Discuss and consider action on a proposal from Tom Green & Company for continuation of engineering services for the City Hall HVAC system.

Tom Green of Tom Green & Company Engineers, presented this item.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Auslander, to approve the proposal from Tom Green & Company for continuation of engineering services for the City Hall HVAC system in an amount not to exceed \$8,900.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin
Voting Nay: None
Absent: Mayor Pro Tem McCool

The motion carried.

Discuss and consider action on controlling humidity levels in City Hall during reconstruction to include but not limited to rental of supplementary air conditioning units for use during renovations.

Mr. Salvato presented this item. He stated that there are concerns relating to the elevated humidity levels in the building during the time the façade is off the building.

Mr. Green also spoke on this item and fielded questions from the Council.

MOTION: A motion was made by Council Member Braasch, seconded by Council Member Dorsett, to authorize the City Staff to contact Austin Energy to see if a power source is available, proceed with ordering one or more generators for use if needed, and humidifiers, if needed, and continue to monitor the levels as needed.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin
Voting Nay: None
Absent: Mayor Pro Tem McCool

The motion carried.

Discuss and consider action on a request for IT Equipment including phone system and door system also update on technology road map.

Systems Administrator, Amy Kelley, presented this item. She also reviewed the technology road map.

The City Council asked numerous questions and agreed that the City's website should be moved to fiscal year 2012-2013.

MOTION: A motion was made by Council Member Braasch, seconded by Council Member Dorsett, to approve the purchase of the Barracuda Cudatel phone system in the amount of \$13,000 and the purchase of the C-Cure access control door system in the amount of \$10,442.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin
Voting Nay: None
Absent: Mayor Pro Tem McCool

The motion carried.

Discuss and consider action on converting the part-time System Analyst position to full-time.

Ms. Kelley presented this item.

MOTION: A motion was made by Council Member Auslander, seconded by Council Member Braasch, to approve the conversion of the part-time Systems Analyst to full-time with a salary in the amount of \$45,999 plus full benefits.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin
Voting Nay: None
Absent: Mayor Pro Tem McCool

The motion carried.

Discuss and consider action on a settlement with Ramming Paving on the 2011 Street Maintenance improvements.

Charles Kullenberg, 5204 Avispa Way, stated that he lives in Bee Cave West. He asked that the Council look into the problem of people creating a dangerous situation by parking in the right-of-way. He suggested that no-parking signs be installed.

Bonnie Wilson, 5116 Avispa Way, also commented on the parking in the right-of-way. She stated that she was concerned about the fire hazard.

This item was postponed until after Executive Session.

Discuss and consider action on Ordinance No. 117, approving Comprehensive Sign packages pursuant to Chapter 28 of the Bee Cave Code of Ordinances.

Mr. Salvato stated that the Shops at the Galleria and Hill Country Galleria Comprehensive sign packages were adopted by a vote of the Council. These sign packages and future changes need to be adopted by ordinance.

Adrian Overstreet, Asset Manager for the Hill Country Galleria, presented this item on his requested changes to the Hill Country Galleria's comprehensive sign package.

Mr. Overstreet pointed out a typographical error in Item #1, Merchant Signs. The 2 black board A frame signs requested should not exceed 4'x 6-1/2'.

He requested that the City Council allow him to install an off premise sign if approved by the Texas Department of Transportation.

MOTION: A motion was made by Council Member Dorsett, seconded by Council Member Auslander, to approve Ordinance No. 117 with the proposed changes including the off premise sign pending approval from the Texas Department of Transportation and allowing the stores to display letters or graphics in the storefront window as long as they are not visible from State Highway 71, Highway 620, Bee Cave Road and Bee Cave Parkway.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin
Voting Nay: None
Absent: Mayor Pro Tem McCool

The motion carried.

Executive Session

The City Council closed the Open Session at 8:09 p.m. to convene in Executive Session in the Conference Room.

At this point in the meeting, Mayor Murphy publicly announced that a closed, executive session would be held and identified the sections of the Open Meeting Law under which the meeting would be held.

Executive session in accordance with the Texas Government Code, Section 551.071 – Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law.

- A. Consultation with Attorney regarding authority of city to enforce building, sign and development ordinances and litigation with AusPro Enterprises, LP.
- B. Consultation with Attorney regarding settlement with Ramming Paving on the 2011 Street Maintenance improvements.

The City Council closed the Executive Session at 9:08 p.m. and reconvened in Regular Session in the Council Chambers.

Re-opened: Discuss and consider action on a settlement with Ramming Paving on the 2011 Street Maintenance improvements.

MOTION: A motion was made by Council Member Braasch, seconded by Council Member Goodwin, to approve the contractor's proposal to settle the Ramming Street Construction contract and authorize staff to release the remaining funds under the contract.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin
Voting Nay: None
Absent: Mayor Pro Tem McCool

The motion carried.

Adjournment

MOTION: A motion was made by Council Member Braasch, seconded by Council Member Goodwin, to adjourn.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin
Voting Nay: None
Absent: Mayor Pro Tem McCool

The motion carried.

The City Council adjourned the meeting at 9:09 p.m.

PASSED AND APPROVED THIS _____ DAY OF _____, 2012.

Caroline Murphy, Mayor

ATTEST:

Kaylynn Holloway, City Secretary