

3/5/2013 - Minutes

**A. CALL TO ORDER**  
**B. PLEDGE OF ALLEGIANCE**  
**C. ROLL CALL**

**City Council Members Present:**

Fletcher, Ruge, Montoya, Heahn, Altmiller

**City Council Members Absent:**

Lane

**City Staff Present:**

City Manager Kenneth Williams, City Attorney Ross Fischer, City Secretary Danny Batts, Assistant City Manager Brian LaBorde, Planning Director Chance Sparks, Human Resources Manager Sylvia Hernandez, Finance Manager Sidonna Foust, City Engineer Stanley Fees, Public Works Director Mike Beggs, Police Chief Bo Kidd, Library Director Melinda Hodges, Executive Assistant Isabel Fernandez.

**D. PUBLIC COMMENTS**

None

**E. CONSENT AGENDA**

The items on the consent agenda were considered routine and were approved by one motion. Councilmember Montoya moved to approve the items on the consent agenda. Councilmember Fletcher seconded the motion, which carried unanimously.

- E.1. APPROVAL OF A FINAL PLAT FOR ELM GROVE SECTION 3B, LOCATED ALONG OYSTER CREEK DRIVE AND CROOKED CREEK DRIVE.**  
*Approved by consent*
- E.2. APPROVAL OF A FINAL PLAT OF STONEFIELD SUBDIVISION SECTION 7, LOCATED NEAR THE INTERSECTION OF TRAVERTINE TRAIL AND FOSSILSTONE TRAIL.**  
*Approved by consent*
- E.3. APPROVAL OF A FINAL PLAT OF STONEFIELD SUBDIVISION SECTION 9, LOCATED AT THE TERMINUS OF STONEFIELD TRAIL.**  
*Approved by consent*
- E.4. APPROVAL OF A REQUEST BY THE BUDA DOWNTOWN FARMERS' MARKET ASSOCIATION TO HOST A BUDA DOWNTOWN FARMERS' MARKET ON CITY-OWNED PROPERTY LOCATED NORTH OF THE PUBLIC RESTROOMS ON MAIN STREET, OR BETWEEN CITY HALL AND THE WATER TOWER.**  
*Approved by consent*
- E.5. APPROVAL OF A RESOLUTION TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR THE CONSTRUCTION AND MAINTENANCE OF A CITY OF BUDA MONUMENT SIGN NORTH OF THE MAIN STREET EXIT ON IH35 INSIDE THE CITY OF AUSTIN AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.**  
*Approved by consent*
- E.6. APPROVAL OF A RESOLUTION TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION AND MAINTENANCE OF A CITY OF BUDA MONUMENT SIGN NORTH OF THE MAIN STREET EXIT ON IH35 INSIDE THE CITY OF AUSTIN AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.**  
*Approved by consent*
- E.7. APPROVAL OF THE MINUTES OF THE CITY COUNCIL MEETING OF 02/05/2013**  
*Approved by consent*

**E.8. APPROVAL OF THE MINUTES OF THE CITY COUNCIL MEETING OF 02/19/2013**

*Approved by consent*

**F. PRESENTATION**

**F.1. PRESENTATION AND DISCUSSION ON THE FM 967 WIDENING PROJECT AND OTHER HAYS COUNTY PRECINCT 2 TRANSPORTATION PROJECTS IN THE BUDA AREA.**

*Hays County Precinct 2 Commissioner Mark Jones presented this item to the City Council. He gave a brief overview of transportation projects in the Buda area and gave an update on the FM 967 widening project. No action was taken by City Council.*

**F.2. PRESENTATION AND DISCUSSION REGARDING THE TEXAS MAIN STREET PROGRAM.**

*Chance Sparks, Director of Planning, presented this item to the City Council. He stated that that staff wanted to gauge the Council interest in participating in the Texas Historic Commission Main Street Program, and further stated that the currently vacant position of Tourism Director could be re-purposed to include both tourism and main street program duties, if the Council was so inclined. Mr. Sparks then gave brief overview of the program and the potential benefits of participation, including an increase in the number and type of projects eligible for funding from Hotel Occupancy Taxes. The consensus of the Council was to receive a presentation from staff members of the program at a future Council meeting.*

**G. REGULAR AGENDA ITEMS**

**G.1. DISCUSS AND CONSIDER APPROVAL OF THE PERFORMANCE AGREEMENT BETWEEN THE BUDA EDC AND CSI PRINTING.**

*Ann Miller, Director of the Buda EDC, presented this item to the City Council. She stated that the BUDA EDC was proposing to enter into a performance agreement with CSI Specialists, Inc. whereby CSI would agree to relocate to Buda, to make at least \$150,000 in improvements to its facility and to bring full time jobs to the City, beginning with 49 by January 1, 2014 and 57 by January 1, 2018. She further stated that the incentive offered to CSI by the EDC was \$75,000 for the improvements. After the presentation, Mayor Ruge made a motion to approve the item. The motion was seconded by Councilmember Altmiller and approved unanimously.*

**G.2. DISCUSS AND CONSIDER APPROVAL OF AN AMENDMENT IN THE FISCAL YEAR 2012-2013 BUDA ECONOMIC DEVELOPMENT CORPORATION BUDGET.**

*Ann Miller, Director of the Buda EDC, presented this item to the City Council. She stated that the budget amendment was required to appropriate the funds approved in the previous item. After the presentation, Councilmember Montoya made a motion to approve the item. The motion was seconded by Councilmember Heahn and approved unanimously.*

**G.3. DISCUSS AND CONSIDER APPOINTING MEMBERS TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NO. 1 AND THE DUPRE LOCAL GOVERNMENT CORPORATION.**

*City Secretary Danny Batts presented this item to the City Council. He stated that the Council needed to appoint an additional member to the board following the resignation of Sarah Mangham from all City offices in October 2012. After the presentation, Mayor Ruge moved to appoint Councilmember Altmiller to the vacant position. Councilmember Montoya seconded the motion, which carried unanimously.*

**G.4. DISCUSS AND CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE PROHIBITING OVERNIGHT PARKING OF COMMERCIAL MOTOR VEHICLES AND CAMPERS UPON PRIVATE PROPERTY.**

*Chance Sparks, Director of Planning, presented this item to the City Council. He stated that staff had worked with the City prosecutor to develop an ordinance that would prohibit the storage of tractor trailer equipment overnight at the Cabela's retail facility, as well as at other areas of the City not zoned for such use. Councilmember Heahn then stated that he would like to consider additional amendments at the time of second reading to place further restrictions on onsite parking of tractor trailers at such retail facilities, including a prohibition on extended parking of running vehicles during daytime hours. After the presentation, Councilmember Heahn moved to approve the first reading of the ordinance. Mayor Ruge seconded the motion, which carried unanimously.*

**G.5. DISCUSS AND CONSIDER APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN TO CONSTRUCT AND MAINTAIN A CITY OF BUDA MONUMENT SIGN NORTH OF THE MAIN STREET EXIT ON IH35 INSIDE THE CITY OF AUSTIN AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.**

*Item H5 was deemed redundant & unnecessary after the approval of item E.5 and was pulled from the*

agenda.

**G.6. DISCUSSION AND DIRECTION TO STAFF ON A POSSIBLE TRAIL TO CONNECT THE GARLIC CREEK PARK TRAIL TO THE SAFE ROUTES TO SCHOOLS PROJECT.**

*City Engineer Stanley Fees presented this item to the City Council. After the presentation, it was the consensus of the Council that staff should produce a cost estimate for the project and identify potential funding sources, if any, and report back to the City Council at a later date.*

**G.7. DISCUSSION AND DIRECTION TO STAFF ON NO PARKING ZONE AT TRAFFIC CONTROL DEVICES.**

*City Engineer Stanley Fees presented this item to the City Council. He stated that this item was intended to improve visibility and maneuverability at intersections. After the presentation, it was the consensus of the Council that staff bring forward an ordinance at a future Council meeting to establish no parking zones at all traffic control devices, with a formal definition of "traffic control device" and extending to zones up to 30 feet from the devices, if practical.*

**H. EXECUTIVE SESSION**

The City Council convened in close executive session at 8:23 p.m. to consider the items below. The Council returned from closed executive session at 9:25 p.m. and took action as described below.

**H.1. PURSUANT TO GOVT CODE 551.071, THE CITY COUNCIL WILL MEET IN CLOSED SESSION TO SEEK THE ADVICE OF LEGAL COUNSEL REGARDING PENDING LITIGATION: CITY OF BUDA V. AUSTIN BRIDGE AND ROAD, L.P., CAUSE NO. 09- 2216, IN THE 207TH DISTRICT COURT, HAYS COUNTY.**

*Councilmember Montoya moved to approve the final litigation budget as presented by the City Attorney. Councilmember Fletcher seconded the motion, which carried unanimously.*

**H.2. PURSUANT TO GOVT CODE 551.087, THE CITY COUNCIL WILL MEET IN CLOSED SESSION TO DISCUSS OR DELIBERATE COMMERCIAL OR FINANCIAL INFORMATION RECEIVED FROM BUSINESS PROSPECTS THAT THE COUNCIL SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE CITY OF BUDA AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS, AND TO DELIBERATE FINANCIAL OR OTHER INCENTIVES TO THE BUSINESS PROSPECTS.**

**I. STAFF REPORTS**

None

**J. CITY MANAGER'S REPORT**

City Manager Williams updated the City Council on the following subjects:

1. He notified the Council that Emergency Services District No. 8 would be conducting a controlled burn at City Park on March 7, 2013
2. He updated the Council on the City's legislative program, including the black fire hydrant and ESD bills.
3. He noted that the annual report would be distributed soon.
4. He stated that the new LED message board would be located in the median near Walgreens on Main St.

**K. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

1. Councilmember Montoya requested a future agenda item for an ordinance to prohibit burning within the City Limits.
2. Councilmember Altmiller asked for a budget calendar detailing the important dates in the budget process.

**L. ADJOURNMENT**

There being no further business to come before the City Council, Councilmember Haehn moved to adjourn the meeting. Mayor Ruge seconded the motion, which carried unanimously.

I certify that the above minutes were approved by the City Council of the City of Buda on 03/19/2013.

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Danny S. Batts II, City Secretary