



CITY OF SUNRISE BEACH VILLAGE

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Tommy Martin, Mayor
Fred Butler, Mayor pro tem
Hank Gath, Councilman
Dan Gower, Councilman
Mike Byrd, Councilman
Ruth Stanley, Councilman

Stated Council Meeting Minutes

A stated meeting of the above-named council was held on April 15, 2021 at 2:30 p.m. at the Civic Center, 124 Sunrise Drive, Sunrise Beach Village, Texas 78643-9283.

1. Call to Order and Establishment of Quorum.

Mayor Pro Tem Fred Butler called the meeting to order at 2:30 p.m. and stated that a quorum was present. Councilmembers present were Fred Butler, Mike Byrd, Hank Gath, Dan Gower and Ruth Stanley. There were fourteen (14) audience attendees present. Also, in attendance was City Secretary Linda Wendling, Code Enforcement Officer Danyelle Morgan, Comptroller Sandy Peshorn and Police Chief Laurie Brock.

2. Citizens to be heard:

- Mayor Pro Tem Fred Butler stated that Mr. Tommy Dunn, Mr. Rich Elsser and Mr. Chase Emerson were present and signed up to speak; however, all three (3) stated that their comments were related to an agenda item [Item #3] and they would hold their comments until such time.

3. Reconsideration, discussion and/or possible action on property owner request by Larry McLellan, Unit 4, Lots 542-544, currently known as 815 Sandy Mountain, for installation of a bridge. (Attachment Preamble 1)

Mayor Pro Tem Fred Butler introduced this item by providing the floor to the waiting attorneys. Attorney Racy Haddad of Coats | Rose introduced herself and stated that she has a short PowerPoint presentation to show, introduced her co-worker Attorney John Joseph, and stated that their firm represents the McClennan's at 815 Sandy Mountain Drive in this endeavor. Ms. Haddad stated that this will be a short presentation as all options have been previously presented to the Council and she believes that the parties involved have mutually agreed on a resolution. Ms. Haddad stated that basically their firm is requesting a 'Conditional Approval' of a floating bridge, not a 'Final Approval'. Ms. Haddad began the presentation and discussion ensued though-out the presentation with all questions being responded to as posed. The discussion included, but was not limited to; the fact that the McClennan's may not use a portion of their property, topographical surveys that illustrate how the water prohibits their property use, the previous bridge that has been removed and pictures of same in the survey, easement access from the adjoining property owners whereby they may walk to that section of their property, the easement is not viewed by either party as a permanent solution, remaining options available and clearance under the bridge. Ms. Haddad stated that the LCRA has agreed to work with their law firm as long as the proposed bridge meets the 40' width requirements and the City of Sunrise Beach agrees to a 'Conditional Approval'. Ms. Haddad explained that if the 'Conditional Approval' is provided there must be two (2) additional criteria met: 1. inclusive of meetings with the LCRA, the City and property owners to ensure 'operation and control' of the bridge, and 2. compliance with all LCRA and City of Sunrise Beach standards. Additional discussion ensued including: parameters for closure and opening of the bridge, the mechanical workings of the bridge, the previous bridge remaining closed and sometimes locked which denied access to emergency personnel if required, and if there was a need for a more in-depth description of specifics for the operation and control of the bridge. Mayor Pro Tem Butler inquired if there were any additional questions.

Resident Tommy Dunn addressed the meeting members and guests stating that he understands the request is vague, that his interpretation is that the bridge will always remain open unless someone is on it and voiced his concern that nothing is currently in writing in relation to same. Council discussion ensued. Councilmember Byrd moved to accept the 'Conditional Approval' at this time with the two (2) additional criteria as discussed being met. Councilmember Gath seconded the motion. The motion carried by unanimous vote.

*** The meeting recessed at 2:54 p.m. for removal of AV equipment. The meeting was called back to order at 2:55 p.m. with the same quorum still present. ***

4. Consent Items:

- a. Minutes of the Stated Meeting of March 18, 2021; and,**
- b. Police Report for the 2nd quarter; and,**
- c. Police Department Citation Breakdown for the 2nd quarter; and,**
- d. Code Compliance summary report for the 2nd quarter; and,**
- e. Financial Reports for the month of March 2021; and,**
- f. Ad Valorem Tax Collection report for the month of March 2021; and,**
- g. Investment report for the 2nd quarter; and,**
- h. Water company budget review for the 2nd quarter; and,**
- i. City budget review for the 2nd quarter. (Attachment A – I)**

a.) Minutes – Mayor Pro Tem Butler introduced the minutes by stating there was a lot of information that was covered during the March 18th meeting, the minutes have been reviewed by himself, the Mayor, and the City Secretary. Councilmember Gower requested clarification on the amount of funds that is being held for the one year's worth of bond payments. In addition, Mayor Pro Tem Butler provided some new information regarding the City's excellent bond rating and stated that the interest percentage totals have not been finalized yet. **b.) Police Report** – Police Chief Brock read her report to the meeting members and guests and inquired if there were any comments or concerns. No comments were received. **c.) Police Citation Breakdown** – Mayor Pro Tem Butler stated that this report is also reflective of the above referenced Police Report and simply outlines the number and types of incidents the City has incurred for the quarter. **d.) Code Compliance** – Mayor Pro Tem Butler stated that there was nothing uncommon that occurred during the 2nd quarter and read the report to the meeting members and guests. [Compliance Officer Morgan was assisting in loading up the AV equipment outside.] **e.) Financial Report** – Mayor Pro Tem Butler stated that the Financial Report was received late today and was reviewed by Ms. Remore with all financial transactions being reflected accurately for the month of March 2021. **f.) Ad Valorem** – Mayor Pro Tem Butler stated that the ad valorem amount collected at this time is 97.59% with only 2.41% remaining. Comptroller Peshorn stated this is comparable with previous years collection rates and asked if there were any questions. No comments were received. **g.) Investment report – Mayor** Pro Tem Butler stated that the City earned \$100.80 in interest this quarter and referred to Attachment G if anyone had any questions. **h.) Water company budget review** – Mayor Pro Tem Butler advised that the City is currently within fifty percent (50%) of our income and expenditures, we are slightly under on Expenditures which is always a good thing, and unless anyone had any direct questions, he would not review the budget line item by line item. Slight discussion ensued and Comptroller Peshorn stated that there is nothing remarkable within this 2nd Quarters Report and is therefore in line with expectations. **i.) City budget review** – Mayor Pro Tem Butler stated that again, we are at or below fifty percent of the totals, with total income being at eighty-one-point seventeen percent (81.17%). Councilmember Byrd inquired about the line item for 'Other Expenses – Bank Charges' which is out of proportion and Comptroller Peshorn stated that the City encountered some yearly expenses that came in all at once due to an oversight error and other than that line item there was nothing remarkable about the budget figures provided.

Mayor Pro Tem Butler inquired if there were any additional questions. Upon receiving no input, Councilmember Byrd moved to approve the consent items as presented. Councilmember Gath seconded the motion. The motion carried by unanimous vote.

5. Discussion and/or possible action on request from property owners Chad and Tiffany Wilfong, Unit GSLE, Lots 17 and 18, to replat into one parcel.

(Attachment J) Mayor Pro Tem Butler introduced this item by reading the line item aloud to the meeting members and guests. Pro Tem Butler stated that Enforcement Officer Morgan is not present at this time to discuss this item. Pro Tem Butler and Councilmember Hank Gath both reported that they did not see anything unusual regarding the property owner's request. Upon Ms. Morgan's re-entry into the meeting, she additionally stated that there was nothing unusual within the property owner's request and stated it is in line with city ordinances; stating they are simply two (2) vacant lots and the owner's wish to combine and build a main structure upon them. Councilmember Gower moved to approve the replat request as presented. Councilmember Gath seconded the motion. The motion carried by unanimous vote.

6. Discussion and/or possible action on request from property owners Daniel and Kimberly Linder, Unit 2A, Lots 254 and 255, to replat into one parcel.

(Attachment K) Mayor Pro Tem Butler introduced this item by reading the property owner's request into the record for the meeting members and guests. Enforcement Office Morgan stated that this is the same situation and there is nothing remarkable about the request. Councilmember Stanley moved to approve the replat request as presented. Councilmember Byrd seconded the motion. The motion carried by unanimous vote.

7. Discussion and/or possible action on request from property owners Kevin and Lisa Kennedy, Unit Waters Edge, Lots 1 and 2, to replat into one parcel.

(Attachment L) Mayor Pro Tem Butler introduced this item by reading the item into the record and stated they are moving part of the property line so they will have 5' from the boat dock. Code Enforcement Officer Morgan addressed the meeting members and guests and illustrated the difference between the two (2) surveys which were provided; the first survey does show improvements, and the second one does not include such improvements. Enforcement Officer Morgan further stated that the individuals that purchased this property are going to move the lot line up to five foot (5') so they are not so close to the boat dock. Councilmember Byrd inquired about the remaining width of the property and Enforcement Officer Morgan stated it would be 97.48' so it will remain within ordinance requirements. Council discussion ensued and Enforcement Officer Morgan responded to all questions as posed. Pro Tem Butler inquired if anything regarding this property owner's requested resulted in a problem or violation of City ordinance and Officer Morgan responded everything is in line with the City's ordinances and there are no foreseeable problems as presented. Council discussion continued regarding acreage and the LCRA's involvement and every question was responded to as posed. Councilmember Stanley moved to approve the replat request as presented. Councilmember Gath seconded the motion. The motion carried by unanimous vote.

8. Discussion and/or possible action on bids for two (2) auxiliary generators to backup the Sunrise Beach Water System in the event of power loss via Central Texas Electric Cooperative (CTEC). (Attachment M)

Mayor Pro Tem Butler introduced this item by reading the item description into the record for the meeting members and guests. Pro Tem Butler then turned the floor over to Councilmember Byrd for additional information. Councilmember Byrd stated that the documents provided in their council packets are simply a 'draft' as it was expected that another committee meeting would take place before this council meeting which did not occur. Councilmember Byrd advised the meeting members and guests of all the items that are being taken into consideration including; minimization of noise from the generators, propane versus diesel whereby propane is found to have a better shelf-life, the final numbers have not been calculated yet but he will probably recommend smaller generators

because upon review the 'surges' are not too large, including 90 amp coverage and that the final numbers are not present so he is not ready for any action at this time. Pro Tem Butler inquired what date would be plausible for receipt of a proper version and final review. Council discussion ensued, Pro Tem Butler made recommendation that a Council Working Session take place once the final figures are received and then proceed to the following Council Stated meeting. Discussion continued including: review and discussion of the attachments which are provided within the packets, kilowatt usage and measurements at the circuit breakers to measure amperage. Upon no additional discussion they moved onto the next agenda item.

9. Discussion and/or possible action on request from the Volunteer Fire Department to approve usage of McNair Park for their annual Memorial Day BBQ fund-raising event. McNair Park pavilion reservation requested for the week of May 24th through May 31, 2021; and, include closure of the McNair Park boat ramp on the 29th day of May 2021, due to parking & safety of our patrons.

Mayor Pro Tem Butler introduced this item by reading this item into the record for the meeting members and guests and stated that the VFD decided to move forward with the event. Councilmember Gower stated that this is the same event that the Sunrise Beach Volunteer Fire Department has every year, confirmed that the VFD is moving forward with the event and the only change is that the Sunrise Beach Beacher's will not be performing in addition to the 'Fun with Foam' not taking place. Councilmember Gower additionally stated that due to logistics and exposure to Covid in going in and out of various structures to obtain items, the raffle will not be as widespread as in previous years. Councilmember Gower provided information as to the changes being implemented for safety in serving lines and that they will be more expeditious.

Councilmember Stanley moved to approve the SRB VFD request for closure of the McNair Boat dock for the Memorial Day Holiday as presented. Councilmember Gath seconded the motion. The motion carried by unanimous vote.

10. Announcements.

• **Early voting begins on April 19th through April 27th with two extended-hour days on April 19th and April 26th. A sample ballot is available, Early Voting will take place at the Kingsland Library and Election Day Only will be held from 7:00 a.m. to 7:00 p.m. at our Civic Center.** Mayor Pro Tem Butler read to the meeting members and guests the dates of the voting as provided by the Llano County Election's Division, including that a sample ballot is available at sign-in and at City Hall. No questions or comments were received.

• **May 31, 2021 the City Offices will be closed in observance of Memorial Day.**

Mayor Pro Tem Butler announced that the City offices will be closed on May 31, 2021 in recognition of the Memorial Day Holiday.

• Mayor Pro Tem Butler announced that there is no City business on the May 1st Election Ballot as there were three (3) positions open for Council positions and all three (3) positions were received by volunteer, incumbents with no contested parties.

• Mayor Pro Tem Butler inquired if there were any additional announcements and then requested from Resident Sanders, Chairperson of the CCAA, if she had anything in addition to add. Resident Sanders stated that the CCAA did receive a lot of informative information from the previous council members and results of the recent flood event and she was pleased to report that the CCAA is not ready to begin socialization, they have established a committee to remain in contact with the Red Cross and obtain training regarding the Civic Center as an emergency shelter, and another committee to implement, in fine detail, the 'Neighborhood Tree' which will assist in getting information out to residents in similar emergency situations.

Enforcement Officer Morgan inquired if letters of appreciation had been sent to our two (2) local stores, HEB and Buddies, which greatly assisted with waters and emergency supplies during the recent freeze. Secretary Wendling stated that two letters did go out; however, one was returned. Enforcement Officer Morgan offered to deliver said letter in person.

11. Adjournment.

The meeting adjourned at 3:18 p.m.

/s/ Linda A. Wendling

Linda A. Wendling, City Secretary

5/20/2021

Date