



CITY OF DOUBLE HORN

Regular Meeting Minutes

City Council

THURSDAY OCTOBER 10, 2019

7:00PM, SPICEWOOD COMMUNITY CENTER

Located at 7901 CR 404

Spicewood, Texas 78669

THE CITY OF DOUBLE HORN COUNCIL MEETINGS ARE AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT CATHY SERENO AT 830-693-1508 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING. THANK YOU.

Citizens will be given an opportunity to provide comments on any item listed on the regular agenda when the agenda item is called. Comments should be limited to (3) three minutes.

1. Call Meeting to Order: Time 7:00pm
2. Roll call to Confirm Quorum: John Osborne, Gwen Sterling, Glenn Leisey and Cathy Sereno. RG Carver and Jim Millard are absent. A quorum has been met.
3. Invocation: Glenn Leisey
4. Pledges of Allegiance – United States & Texas
5. Approval of Minutes – 9/27/19 Special City Council Meeting- As distributed
9/18/19 Special City Council Meeting-As distributed
9/12/19 Regular City Council Meeting-With corrections

Motion: Glenn Leisey moved to approve the minutes from the 9/18/19 & 9/27/19 council meeting as written and the minutes from the 9/12/19 council meeting with corrections.

Second: Gwen Sterling seconded the motion.

Vote: The vote was unanimous and the motion to approve the minutes as stated.

6. Citizen Comments – This is an opportunity for the citizens to address the City Council concerning an issue of community interest not on the agenda. Any deliberation of an issue raised during the Citizens Comments is limited to a proposal to place it on the agenda for a later meeting. Each citizen will be allowed 3 minutes to speak and must sign up before the meeting begins and indicate the subject the speaker wishes to address.

Larry Stirling expressed his support of the city and his concern for the community if the city is no longer here to try and protect its residents. (His letter is attached as part of the minutes.)

7. Regular Agenda – the Council will individually discuss, consider and possibly take action on any or all of the following items:

A. Mayor & City Council’s Community Service Recognition

Flier in the back of the room for a reception for Terry Wilson on 10/14/19 at 5:30pm.

Mayor recognized the attached list of volunteers that helped the Benefit the DH Volunteers throw for the City.

B. **Treasurers Report including:** See attached report

1) **Review of Current City Finances– outstanding expenses and revenues**

2) **Discuss and consider approving any payments**

Motion: Gwen Stirling moved to pay the balance owed to Akers and Akers law firm for the balance of \$7,232.25 and \$2,767.75 to the law firm of Messer, Fort and McDonald for a total payment of \$10,000.

Second: John Osborne seconded the motion.

Vote: The vote was unanimous and the motion carried.

Motion: Gwen Stirling moved to approve the amendment for seasonal merchant.

Second: John Osborne seconded the motion.

Vote: The vote was unanimous and the motion carried.

C. **Double Horn Volunteer Fund Raising Committee Update:**

1) Recap of Fundraiser Event: Boots, Chaps & Cowboy Hats

Wendy expressed how supportive the community was and how much talent the residents have. The money is still coming in.

D. **Seismic Monitoring Committee Update**

An update is expected at the next Regular Meeting.

E. **Emergency Management Team Update**

An update is expected at the next meeting.

F. **Discuss and consider an action plan for the release of the Annual State of the City Report**

- Accomplishments
- Opportunities
- Plans
- Financial Recap: Glenn Leisey
- Committees called out with members named
- Council Members Vision or plan: 2 -3 sentences

G. **Discuss and consider action to establish a city sponsored *Ask the Expert* Event Series to include topics that deal with water retention, landscaping with native plants, dark skies and other quality of life topics**

Motion: Glenn Leisey moved to start a Ask the Expert Event Series coordinated by Gwen Stirling.

Second: John Osborne seconded the motion.

Gwen Stirling will be taking the lead on finding and scheduling speakers for this series.

Vote: The vote was unanimous and the motion carried.

- H. **Discuss and consider other matters for inclusion on the agenda for the next regular meeting of the City Council.**

Meetings:

October 14th Special Meeting 7pm at the Spicewood Community Center.

October 23rd Special Meeting & Public Hearing on Zoning 7pm and the Spicewood Community Center.

November 14th is the next Regular Meeting

8. Close Regular Meeting

9. Open Executive Session: No Executive Meeting

Open Executive Session. Executive session in accordance with the Texas Government Code, Section 551.071 – Consultation with Attorney on pending litigation or on a matter 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. The Council may require the citizens to vacate the meeting room during the executive session.

- (a) Consultation with Attorney regarding Litigation: State of Texas v. Double Horn et al.
- (b) Consultation with Attorney regarding the petition to dissolve the City of Double Horn and the upcoming election.
- (c) Consultation with Attorney regarding nuisances, zoning and land use authority inside and outside the city limits.

10. Close Executive Session N/A

11. Open Regular Meeting N/A

12. Consider action, if any, from Executive Session: N/A

13. Adjournment: Time 7:44pm

Motion: John Osborne moved to adjourn the meeting.

Second: Glenn Leisey seconded the motion

Vote: The vote was unanimous and the motion carried. The council will reconvene on October 14th, 2019 at 7pm in the Spicewood Community Center.

The Council may go into closed session at any time when permitted by Chapters 418 or 551, Texas Government Code, or Section 321.3022 of the Texas Tax Code. Before going into closed session a quorum of the Council must be assembled in the meeting room, the meeting must be convened as an open meeting pursuant to proper notice, and the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code, or Section 321.3022 of the Texas Tax Code authorizing the closed session.

I certify that the above notice of meeting was posted at 7901 CR 404, Spicewood, Texas, on the 7th day of October 2019 at 7 PM.



A handwritten signature in black ink, appearing to read "Glenn Leisey", is written over a horizontal line.

City of Double Horn Treasurers Report October 10th, 2019

As of September 30, 2019,

- The city of Double Horn has had expenses totaling \$52,041.08.
- Donations to the city total \$37,783.00.
- The working fund of the city has assets of \$19,859.52.
- The Double Horn Legal Defense Fund totals \$145.95 from donations made thru GoFundMe after a payment of \$2,000 was made to Akers and Akers LLP for legal services provided.
- City has received invoices for legal services from Akers and Akers LLP and Messer, Fort McDonald totaling \$46,144.46. Payments of \$16,000.00 have been made leaving a balance owed of \$30,144.46.
- The cost of renting the Spicewood Community Center for City Council meetings, so far, have been donated by citizens of the city.
- The city is expecting additional revenues generated by the fundraiser totaling over \$5,000 to be received and deposited during the month of October.

Citizen's Comment (Larry Stirling) Added to Minutes at Citizen's Request:

Good Evening

As you all may or may not know, Gwen and I have lived in the Double Horn community for 12 years and have seen it grow and change in many ways. It's still has a quiet relaxed atmosphere with a wonderful environment even as it has changed over those 12 years. We've made some of the best friends of our life while living here.

I wanted to share my thoughts and opinion on our city of Double Horn and the current challenges that it is facing from a proposed proposition to dispose of the city status.

It is in fact just thatmy opinion.

But I'll start with a couple of facts.

There is a quarry directly next door that to date isn't operational. I'm not sure if they have found all the natural resources they need to operate.

It's a New York based corporation that doesn't care in the slightest what is best for Double Horn. They are only interested in making their money and in turn sending it back to New York. Our community and the region around it will get zero benefits from this business.

If in fact they do acquire all the necessary resources then it won't be long before we see the dust and hear the thunder of explosions in the ground.

We've taken a few steps to help monitor what effect they may have on the quality of life within our community and know for a fact that our city council is close to passing ordinances to control our air quality, effects of seismic activity along with noise regulations. These will be ordinances that the quarry will be required to adhere to.

In my opinionTo date the only opposing reason that seems to keep being mentioned the most is the increase cost in our property tax. I'm sure there are others but it seems to be the one that stands out.

That being the case and assuming a home-owners average property value is approximately \$600K. The increase in taxes they will pay is approximately \$570 for the year... so as a homeowner we will pay less than what a **cup of coffee** cost per day! The important ingredient here is that we maintain the ability to control what operation the quarry may be considering.

Now let's assume for a minute that we dissolve our city thus giving up any chance we have to control how the quarry may want to operate. Rumor has it that they have a very strong interest in adding an asphalt plant to their existing operation and with no City of Double Horn oversight there will be no ordinances and or regulations on the working hours of this type of operation. They can run trucks in and out 24/7!!!!

We've also heard and seen what affect the asphalt plant down the road has had on a sister community. They are filthy disgusting businesses with no regards for any business and communities around them. They destroy property values and ruin our highways. It's proven! Ask Michael Moore who is a resident there and experienced all we are attempting to avoid. He has lost 20% plus in the value of his property.

So now that \$600K valued piece of property is really only worth \$480K. We lost \$120K because we gave up the ability to control our own destiny.

One last note.

I remember the feeling when I was a youngster growing up... there always seemed to be a **BULLY** around. Someone who was in your face, nagging at you, pushing you around and seemingly enjoy every moment. It's hard to explain the feeling..., but suffice to say.... it was at times exasperating and very intimidating. It also made me very angry to the point where my only recourse was to confront the **BULLY!** I remember one time when I confronted such a **BULLY** and lucky enough, I was able to defeat their efforts and turn the tide. After that the **BULLYING** stopped.

We are facing 2 **BULLYS**. One is the quarry.... the other to our surprise is a member of our state government. It's very sad regarding some of the corruption in our government, but also very obvious that some financial pressure has been applied to this individual to question our ability to become a city. Not one other newly developed city has ever been challenged by the state of Texas... so something isn't kosher here. And typical as **BULLYS** they want to control what we want to do. I have the same feeling in my **GUT** about these **BULLYS** as I did in my youth. This is the point where we can confront the **BULLYS** or run from them.

If you stop and look at all that has occurred it's obvious that we have touched a nerve in both of our **BULLYS** and in my opinion at this point in time, we appear to have the upper hand... Let's not go backwards! We are a city with plans in the works to control how our community develops. We need to protect our lifestyle and property values.

Its time again for us all to come together!

Let's all invest in the cost of "**A CUP OF COFFEE A DAY**" for at least the next couple of years so we can save that **\$120K** plus long term.

If you're intelligent it's not hard to figure this one out. Should I invest in the cost of a cup of coffee a day to potentially save or have an impact on losing \$120K!

VOTE AGAINST THE PROPOSITION TO DISSOLVE THE CITY OF DOUBLEHORN