



## CITY OF DOUBLE HORN

### MINUTES

**Special Meeting**

**City Council**

**MONDAY OCTOBER 14, 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 7PM
2. **Roll call to Confirm Quorum:** Jim Millard, John Osborne, Gwen Stirling, Glenn Leisey, RG Carver and Cathy Moreno were present. A quorum was met.
3. **Invocation:** Glenn Leisey
4. **Pledge of Allegiance** – United States & Texas
5. **Approval of Minutes** – 10/10/19 Regular City Council Meeting  
**Motion:** Glenn moved to approve 10/10/19 minutes with corrections.  
**Second:** Gwen seconded motion.  
**Vote:** The vote was unanimous and the motion was carried.
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. No one signed up for non-agenda items

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

**A. Emergency Management Team Update including:**

- 1) Discuss and consider action on **RESOLUTION 2019 - RES008** a Resolution of the City of Double Horn, Texas, Giving the City Mayor Authority to Join the **Capital Area Council of Governments (CAPCOG)** General Assembly as a Municipal Member.

Harry Brunner provided an update:

- 1) Team up and running with most roles assigned
- 2) *Warn Central Texas*—Can identify how many signed up  
End of September, 51 lines signed up  
Landline already registered. Cell phones must register
- 3) CAPCOG has requirements for joining:  
Application and financial obligation of \$50 annually

**Motion:** Glenn Leisey moved to approve RESOLUTION 2019 - RES008 a Resolution of the City of Double Horn, Texas, Giving the City Mayor Authority to Join the Capital Area Council of Governments (CAPCOG) General Assembly as a Municipal Member.

**Second:** Jim Millard seconded the motion.

**Vote:** The vote was unanimous and the motion carried.

**Action Item:** The payment will be authorized at a later meeting.

**B. Zoning and Ordinance Committee Update including new Ordinances:**

**Motion:** Jim Millard moved to open the discussion on the ORD013 Noise Prohibition, ORD015 Prohibiting Blasting Within City Limits, ORD016 Establishing a Municipal Court, ORD017 Master Fee Schedule, and ORD018 Zoning ordinances.

**Second:** John Osborne seconded the motion

Discussion:

- 1) Discuss and consider action on **ORDINANCE 2019-ORD013** – an Ordinance of the City of Double Horn, Texas Adopting a **Noise Prohibition** Ordinance; Creating Minimum and Maximum Penalties for Noise Violations; Declaring Such Offenses to be Nuisances; Providing a Penalty; Providing for Repealing, Savings and Severability Clauses; and Providing for Publication and an Effective Date.  
  
Industrial noise needs to be addressed. No construction on Sunday, daytime only
- 2) Discuss and consider action on **ORDINANCE 2019-ORD015** – an Ordinance of the City of Double Horn, Texas Prohibiting **Blasting** Within the City Limits; Providing for Partial Exemption Permit; Establishing Regulations Pertaining to Blasting; Establishing Criminal and Civil Penalties for Violations; Declaring Such Offenses to be Nuisances; Providing for Repealing, Savings and Severability Clauses; and Providing for Publication and Effective Date.
- 3) Discuss and consider action on **ORDINANCE 2019-ORD016** – an Ordinance of the City of Double Horn, Texas, Establishing a **Municipal Court** of Record in the City of Double Horn; Providing for Jurisdiction; Providing for the Appointment of a Municipal Judge and Alternate Judges; Providing for the Appointment of a Court Clerk, Establishing Powers and Duties of the Court

and its Personnel; Providing for Repealing, Savings and Severability Clauses; and Providing for an Effective Date.

Ordinance needs significant reworking.

- 4) Discuss and consider action on **ORDINANCE 2019-ORD017** – an Ordinance of the City of Double Horn, Texas, Adopting a “**Master Fee Schedule**”, Providing for a Penalty; Providing for Repealing, Savings and Severability Clauses; and Providing for Publication and an Effective Date.

Ordinance needs significant reworking.

- 5) Discuss and consider **ORDINANCE 2019-ORD018** – an Ordinance of the City of Double Horn, Texas, Adopting a **Zoning** Ordinance.

Ordinance needs significant reworking.

**Action Item:** The above ordinance items were discussed with areas of concern noted, understanding the potential of further discussion at the Public Hearing Meeting on October 23<sup>rd</sup>, 2019.

- i. A Public Hearing to be held on October 23, 2019 7PM followed by possible action by City Council.

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

- Emergency Management CAPCOG Fees

**8. Close Regular Meeting:** Time 9:26pm

**9. Open Executive Session:** Time 9:27pm

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 noise and blasting nuisance ordinances, zoning and land use authority inside and outside the city limits.

**10. Close Executive Session:** Time 10:04pm

**11. Open Regular Meeting:** Time 10:04pm

**12. Consider action, if any, from Executive Session**

No Actions taken from Executive Session

**13. Adjournment: Time 10:06pm**

Motion: Glenn Leisey moved to adjourn meeting at 10:06pm.

**Second:** RG Carver seconded the motion.

**Vote:** The vote was unanimous and the motion carried.

The Council will reconvene at the Special Meeting and Public Hearing on October 23, 2019 at 7pm in the Spicewood Community Center.

The next Regular Meeting will be at the Spicewood Community Center on November 14<sup>th</sup> at 7pm.

**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 11th day of October 2019 at 7 PM.



Cathy Sereno, Mayor