



Minutes  
**City Council**  
Of Village of Volente, TX  
16100 Wharf Cove, Volente, Texas 78641  
Tuesday, June 17, 2014 7 pm.

**Council Members Present**

Frederick Graber, Mayor  
Judy Graci, Council Member  
Jan Yenawine, Council Member  
Ken Beck, Council Member  
Mark Scott, Council Member

**Absent**

Chris Wilder, Council Member

**Others Present**

Tom Buckle, City Attorney

1. Call to Order of the City Council.  
Meeting was called to order at 7:03 p.m.
2. Roll Call.  
City Secretary, Joan Jackson, called roll. A quorum was present. Council Member Wilder resigned on 6-17-2014.
3. Pledge of Allegiance/Reading of the Village Vision Statement.  
Mayor Graber led the Pledge and read the Village Vision Statement.
4. Citizens/Public Communications.  
Ann Steichen, 15807 FM 2769, Volente, TX asked to hear Council Member Wilder's resignation statement. City Administrator, Barbara Wilson replied it will be on the next agenda as an item and cannot be read until the Council accepts it.
5. Mayor's Report.  
The Mayor gave his report. He would like the Council to consider a Landscaping/Brush Pickup Day in Fiscal Year 2014/2015.
6. Finance Committee Report.  
Mayor Pro Tem Scott gave the financial report. He also gave the recurring expenses report.
7. Environmental Committee Report.  
Mayor Graber gave the Environmental Committee Report. The next meeting will be



Saturday, July 5, 2014. He did report the Committee did walk the Mollberg Park area and there is very usable land there and they were pleased with it.

**8. Public Works Committee Report.**

Council Member Yenawine gave his report. He is waiting on bids to come in on pending road projects.

**9. Public Safety Committee Report.**

**a. TCSO Activity Reports.**

Staff has added a spreadsheet that contract officers for law enforcement in Volente now complete on their shift when they work. The Public Safety Committee has a meeting Wednesday, June 25, 2014.

**10. Staff reports.**

**a. City Administrator/City Secretary Project Report.**

**b. Financial Report.**

**c. Construction Report.**

All the reports were given.

**Regular Agenda Items.**

**11. Discussion and Possible Action regarding the Planning and Zoning Commission work on the Comprehensive Plan and draft Community Survey.**

Council Member Yenawine and Mayor Pro Tem Scott each read a statement regarding the previous Planning and Zoning Commission meeting.

Tom Buckle, City Attorney, stated that planning and zoning changes belong with the Planning and Zoning Commission.

**Public Comments:**

Judy Barrick, 15907 Booth Circle, Volente, TX said the previous Planning and Zoning Commission meeting did not occur as stated by Council Members. She briefed the Council on their efforts on the pending survey.

Nancy Carufel, 8138 Joy Rd, Volente, TX said the survey was a draft.

Joyce Beck 15911 Booth Circle, Volente, TX feels it is important to address the survey and what happens to it now.



Kit Hopkins, 15943 Booth Circle, Volente, TX said she is on the Planning and Zoning Committee. The comprehensive plan is on the web and she does want everyone to have a voice.

Allison Thrash, 15100 FM 2769, Volente, TX said there was confusion regarding the Comprehensive plan. She asked the public to read the Vision Statement of the Village.

Council Member Graci said she appreciated the Public Relations Committee's work on the first draft and now it needs to go to the Planning & Zoning Commission.

Council Member Yenawine said if Council Members go to meetings, they should respect the committee chairs in charge of the meeting. If there is disagreement with the chairperson, then the Council Member should bring it to Council.

Council Member Beck said there were many opinions regarding this matter. He appreciates the efforts of the Public Relations Committee. His biggest concern is either we are working together or not working together. He does not feel Council is working effectively together.

Mayor Pro Tem Scott made a motion to direct Planning & Zoning Commission to be in charge of the survey. Council Member Yenawine seconded the motion. Mayor Pro Tem Scott made an amendment to the motion to ask the Planning & Zoning Commission to consider the work the Public Relations Committee has done on the survey draft. Council Member Yenawine agreed to the amendment. The motion passed with Council Members Yenawine, Scott, and Graci voting for the motion. Council Member Beck voting against the motion.

Staff read a statement from residents Linda Olson and Babs Yarbrough. Their statements are attached.

12. Recommendation to Council on Variance Request from Zoning Ordinance, Sec. 32.109 16500 Jackson Street, Volente, TX 78641 from Dr. Mahlon & Ashley Kerr, for variance from Zoning Ordinance, Sec. 32.109(c) Impervious Cover (2) Impervious cover shall not exceed the following: (A): Single Family Residential Use: 20%.
  - a. Presentation by Planning & Zoning Chair Allison Thrash



Allison Thrash, Chair of Planning and Zoning Commission, gave a review of the variance request from the Kerr's on Jackson Street. The Planning and Zoning Commission does recommend approval of the variance to Council. She stated all notifications were made to the neighbors and 2 positive responses were received.

13. Discussion and Possible Action on Variance Request from Zoning Ordinance, Sec. 32.109, 16500 Jackson Street, Volente, TX 78641 from Dr. Mahlon & Ashley Kerr, for a variance from Zoning Ordinance, Sec. 32.109(c) Impervious Cover (2) Impervious cover shall not exceed the following (A): Single Family Residential Use: 20%.

Council Member Yenawine made a motion to approve the variance request and to cap the impervious cover at 21.7 %. Council Member Graci seconded the motion. The motion passed unanimously.

14. Discussion and Possible Action regarding construction of a handicap ramp at Friendship Park.

- a. Presentation on proposed plans and bids by Environmental Committee Member Anne Steichen.

Anne Steichen gave a presentation and history of Friendship Park. The Environmental Committee is recommending the Council use funds to prepare Reed Drive for handicap parking at Friendship Park. The Committee will be coming back to Council at the July meeting with bids after getting engineered plans of the park for correct placement of a handicap ramp and parking.

15. Discussion and Possible Action to Approve a contract with City of Jonestown to allow Jonestown Police Department off-duty officers to perform work in Volente.

Mayor Graber said Jonestown off duty officers would be willing to enforce our city ordinances. They are aware of the lake issues and it would strengthen our binds as neighbors.



**Public Comments:**

**Bob Steichen, FM 2769, Volente, TX is against using Jonestown for law enforcement.**

**Nancy Carufel, 8138 Joy Rd, Volente, TX, 78641 asked why was this not brought up in the Public Safety Committee meeting.**

**Tony Vacca, Booth Circle, Volente, TX is against using Jonestown for law enforcement.**

**David Springer, 8504 Lime Creek, Austin, TX is against using Jonestown for law enforcement.**

**Judy Barrick, 15907 Booth Circle, Volente, TX is against using Jonestown for law enforcement.**

**Mike Gold, Lakeview Street, 8018 Lakeview, Volente, TX is concerned that we had a contract on the table to approve that our City Attorney has not seen. He wants to keep good relationship with Travis County law enforcement.**

**Allison Thrash, 15100 FM 2769, Volente, TX said the issue is Travis County cannot enforce the City's ordinances.**

**There was discussion among the Council members. Since the City Attorney, Tom Buckle, has not reviewed the contract and felt like an interlocal was necessary, Council Member Yenawine made a motion to table this issue and Item 16 on the agenda until research could be done. Council Member Beck seconded the motion. The motion passed unanimously.**

**16. Discuss and Possible Action regarding contract work by off-duty officers in Volente.**

**This item was tabled in the motion for Item 15 above.**

**17. Discussion and Possible Action on Amending the Fee Ordinances 2004-O-19, 2004-O-35, 2007-O-77, and 2009-O-105.**

**Presentation was given by Barbara Wilson, City Administrator. She gave the background of the present and past fee ordinances.**

**Tom Buckle, City Attorney, stated the new fee ordinance is good and it is needed here.**

**Council Member Yenawine make a motion to adopt and take action on the fee ordinance presented with the last minute changes suggested by the Volente Fire Department and corrections on the numbering and spelling. Council Member Graci seconded the motion The motion passed unanimously.**



18. Approval of Minutes from 3-11-2014, 3-12-2014, 3-18-2014, 4-2-2014, 4-4-2014, and 5-20-2014.

Council Member Beck made a correction on March 11th and March 18<sup>th</sup> minutes. Council Member Graci made a motion to approve the minutes with the corrections suggested. Council Member Yenawine seconded the motion. The motion passed unanimously.

19. Adjourn.

Council Member Yenawine made a motion to adjourn. Mayor Pro Tem Scott seconded the motion. The motion passed unanimously.

Approved this                    day of                    , 2014.

Frederick Graber, Mayor

Joan Jackson, City Secretary

June 16, 2014

## Proposed Plans for an Updated Survey of the Citizens of Volente.

Councilman Mark Scott

Last fall at our council retreat, we decided to consider taking a new Citizen's survey as a follow up to the one conducted in 2004. We asked the Public Relations committee to look at the original survey, and report back to council on ways that it could be updated to reflect the current needs and expectations of our residents. The PR committee has made a draft of proposed modifications to the survey, which they presented to council. I, along with other council members, had concerns about the big change in the format, and the exclusion or complete modification of questions on issues important to residents. Council then asked that P&Z take over the planning for the survey. At the initial P&Z meeting to consider the survey, questions were raised by Councilman Beck about the right of P&Z to take charge of the survey. This discussion by council today, is to formalize our instructions, concerning the direction of the survey. I will remind all of council, that our committees have no power or legislative authority, and that all instructions to committees and P&Z come from council.

Our village is made up of a mix of residents, from the 10 or so businesses dealing with visitors to the lake to the 400+ families who call it home. The new survey will better define our current demographic mix. I am one of those 400+ families, and I think I am fairly typical in that we live permanently here with our dog, we don't have another home in another state or country, we don't own a business here, we don't own empty commercial lots that would go up in value if Volente turned into some sort of South Padre Island resort. I like to take the occasional walk around the block with my wife, and my quality of life is the quiet, safe streets. Many residents are retired, but I work in Austin every day. I feel we all like Volente as our home at the end of a road that does not have any thru-traffic to somewhere else.

I believe that gauging the importance of different issues to the residents of Volente is very important. Residents should have a non-threatening venue to express how they feel about issues that affect living in Volente. The survey should be structured without biases, other than to the needs and wants of all the residents of Volente as a whole. As council members, we are charged with protecting and representing the general wishes of ALL residents, not just a select few. We have to ensure that the needs and wants of the wider village are known, and respected.

There are several reasons why an independent source should ultimately produce the survey, as was done in the original version in 2004. I have reviewed the 2004 survey, and the draft of the modifications proposed by the committee. Below is just one example, of one section, where I think potential biases have compromised the proposed new survey, to where it avoids questions that have been, and still are, important to the wider Village residents. Many other sections of the PR Committee's draft show similar modifications and eliminations, that I think would reduce the ability of citizens to communicate their wishes, and express how they feel on issues of importance.

Page 1 of the attached file is page 4 of the proposed modified Community Survey, which used the 2004 survey as its base. The 'Quality of Life' section is the bottom half of this page, and is a replacement for the 'Quality of Life' section of the 2004 survey, which can be found on page 2 of the attached file.

The committee recommends keeping the first 4 questions, modifying question 5, and eliminating the remaining questions from the 2004 survey.

One note before addressing the changes to the 'Quality of life' questions:

The original survey asked for a 1-5 rating of:

1=Very important

2=Important

3=unimportant

4=very unimportant

5=no opinion

Whereas the new survey proposes 'agree' or 'disagree' as your only choices. I think that makes it a 'are you with us or against us' sort of answer, typical of Fox News Propaganda surveys. All survey process papers I have read say it is important to make the terms neutral, and have a wider spread of choices including always a 'no opinion' choice.

If the result says '**70% of residents think that it is important or very important that the Village should implement policies for protecting large trees**' is an opinion. If it says '**70% of residents agree that the Village should implement policies to protect large trees**' is a mandate.

In 'Quality of Life', questions 1-4 of the original and proposed new survey ask:

- a. The Village of Volente should provide community events.
- b. The Village of Volente should provide recreational opportunities for children.
- c. The Village of Volente should provide recreational opportunities for adults.
- d. The Village of Volente should provide opportunities to voice your opinion on Village matters.

In the 1<sup>st</sup> survey, the top 3 questions received middle votes centered around 'unimportant'. The 4<sup>th</sup> received a very high 'important' or 'very important' (see results on page 3 and 4 of the attached file). I think this means that residents who voted did not see a strong need for the village to be responsible for community events or recreational opportunities, but thought it important that they should have a venue to voice opinions.

The 5<sup>th</sup> question on the original survey reads (page 2 of the attached file)

The Village of Volente should provide a plan for future development which limits future residential and business growth

This also had very strong support, with over 80% either 'agree' or 'strongly agree' (page 4 of the attached file). This was (and I think is) very important to village residents. The committee proposes changing this question into 2 questions that read:

- e. The Village of Volente should provide for future development of residences and homes.
- f. The Village of Volente should develop and support a plan for commercial development.

Agree or disagree that the Village should provide for future residences? What does that mean? Of course we provide for construction of homes. This completely changes the question that was obviously very important (and I think still is) to residents. The original question is related to resident's expectations and wants of their residential 'quality of life'. The new question asks nothing.

The 6<sup>th</sup> question in the original survey asks (page 2)

The Village of Volente should implement policies for protection of existing large trees and vegetation

Survey results show over 70% 'agree' or 'strongly agree', yet this is eliminated from the committee's proposal even though it was important to survey respondents.

The 7<sup>th</sup> and 8<sup>th</sup> question (also excluded from the new survey) in the original 'Quality of Life' section of the survey ask:  
The Village of Volente should enact an ordinance that places restrictions on excessive outdoor lighting

The Village of Volente should enact an ordinance that places restrictions on excessive outdoor noise (cutoff times, noise level, etc.)

Both of these also received strong majority support in the 'agree' and 'strongly agree' sections, (over 65%), yet both of these very important quality of life questions are excluded completely from the proposed survey. These issues have been recently before council with the proposed business on Reed, so are fresh in the minds of citizens. How can any survey trying to find out about quality of life expectations of the families living here not ask about noise and lighting issues?

I believe that the original survey was professionally done by an outside, non Volente source. I think that to have any validity, modifications to the original survey questions must be vetted by a wider group, and reviewed independently to ensure that questions reflect all concerns of the wider Volente population.

From the Finance Committee perspective, section 20 of the original survey 'Tax Dollars and City Services' is *key* to what we need to know from residents, and was very telling in the original survey, yet it is excluded completely from the proposed draft. This section asks how much people are willing to pay for all the other sections of WANTS. As the head of the Finance Committee, I need to know how much people are willing to pay for all the 'agrees'. Section 17 does not replace these important questions.

Communication from residents about all their potential concerns regarding life in Volente, is what this survey is all about. I believe that this initial modification chokes and guides and limits that communication, to suite a particular direction.

Mark Scott

[Mayor.protem@volentetexas.gov](mailto:Mayor.protem@volentetexas.gov)

Cell: 512-293-7036

## Council Meeting June

Our Village meetings have gotten out of control. I attended the June Planning and Zoning Committee meeting to present Public Works progress on questions for the comprehensive plan survey. The chair of public works was present with his committee members. Our presentations were to be made at a posted public hearing about half way through Planning and Zonings agenda. During Planning and Zoning opening remarks the Chairperson of Public Relations and his committee heatedly disputed whether a public hearing had been properly posted, whether Planning and Zoning has the responsibility to gather information for the Comprehensive Plan questionnaire or the questionnaire is the responsibility of the Public Relations committee . This debate included whether the Mayor had the authority to request questions from the other standing committees as well as the validity of our original survey which was implemented over ten years ago with no debate until now. This debate lasted for an hour and a half with the chair of Public Relations using his position as a council person to override the Planning and Zoning chairpersons ability to control the meeting. This led to non-posted agenda items being injected into the meeting which further disrupted the meeting. When the Chairperson of Planning and Zoning gained control over the meeting The Public Relations Committee left never submitting their committee's prepared questions or recognizing Planning and Zonings responsibility over the comprehensive plan review which includes the survey.

Unless the Village of Volente changes governing rules Planning and Zoning is not a political forum for this type of behavior. Planning and Zoning works at the direction of the council as a whole to review, research and advise council on upcoming issues. They also have mandated responsibilities that they cannot delegate or giveaway.

The Village of Volente council must take action to regain proper control over our governmental meetings.

## Barbara Wilson

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**From:** Linda Olson <lindakolson@gmail.com>  
**Sent:** Tuesday, June 17, 2014 11:09 AM  
**To:** Village Volente  
**Subject:** June 17, 2014 Council Meeting

As I may not be able to attend the entire council meeting tonight, please include the following comments into the record. Would also appreciate a response to questions posed.

Regarding Item 11 relating to the comprehensive plan and the draft community survey, I offer the following. I was glad earlier in the year when the village authorities established citizen committees to work on various issues. However, now I have questions/concerns regarding why the results of the hard work put in by the citizens on the committees are not being utilized by the Council, Planning and Zoning, etc. This question also applies to other committees such as Public Safety, etc.

With regard to Items 15 and 16, I believe the Travis County Sheriff's Department does an excellent job of patrolling our area. As a taxpayer, I do not believe in expending taxpayer dollars for contracting with off-duty officers for work not proven to be necessary. This would especially apply to those officers not familiar with our area.

Thank you.

Linda Olson  
15936 Booth Circle

## Barbara Wilson

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**From:** Babs Yarbrough <babs@laketravislivin.com>  
**Sent:** Tuesday, June 17, 2014 5:18 PM  
**To:** Barbara Wilson; Joan Jackson  
**Subject:** P&Z meeting

**Importance:** High

Barbara,

Please read this on my behalf being I will not be at the meeting tonight.

Babs Yarbrough  
8100 Joy Rd

Greetings Council and Mayor,

### SURVEY:

As I stated in the last P&Z meeting, we have the cart in front of the horse doing the Comprehensive Plan prior to hearing from the citizens survey. The original survey performed by a citizen task force penned the Comprehensive Plan not the P&Z nor the council.

It is my understanding that the purpose of the new survey is to explore the citizens concerns and direction they want for the Village, compared with the initial survey 11 years ago. If the P&Z is tasked to do this from the start and as Allison stated, we have several public hearings, it could be 6-9 months before we have the outcome. Therefore, any updating of the Plan now would be redundant and needless. Another thought, if we have public hearings on what everyone wanted to see in the survey, that could be quite a circus. The task force that composed the original survey spent many hours and ended with a very informative survey. If we change the survey substantially, more than just updating it, by getting impute from citizens on what they want on the survey, we would not have a comparable survey study. In the new survey, at the end, there is a blank area for individual comments which we can review and add into the outcome of the survey.

My questions from the last P&Z meeting where never directly answered. So, I would like the council to answer these this evening.

- 1) Why was the survey shifted to P&Z when the council knew Ken's committee was working on it? At this point Ken's committee has it updated and pretty much ready to go.
- 2) Where does it state that we as P&Z, cannot have citizens assistance with this survey task?
- 3) Does a community survey really need approved by anyone in the Village office?

### POLICE

I would like the council to let us know, who was the first person to suggest us changing police protection? We need from the council a list of the pros and cons using Jonestown or Sunset Valley over Travis Co. before anything should be even considered. If the council wants this, they need to share with us their reasoning, their purpose to change and convince us it makes sense financially, logistically, etc.

Travis Co knows us and knows our community so why would we change?

Thanks

Babs Yarbrough  
8100 Joy Rd