

**Village of Volente Special Council Meeting,
Thursday, July 23, 2009, 7:00 A.M.
VVFD and Community Center, 15406 FM 2769, Volente, Texas.**

A. Call to order and Announce a Quorum is Present. Mayor Yenawine called the meeting to order at 7:10 A.M. Present were Jan Yenawine, Mark Scott, Fred Graber, Matthew Hammond and Justine Blackmore-Hlista. Chris Wilder arrived at 8:05 A.M. Also present was Village Attorney Tom Buckle.

1. Discussion and possible action to appoint Vanessa Gobel as Deputy City Secretary. No action
2. Consideration and possible action on the disannexation of parcels from the Village of Volente all portions of that certain tract or parcel of land within the Village, said tract being at least ten(10) acres, more or less, described as Tracts A-1, A-2, A-3, A-4, A-5 and A-6 contiguous to the municipality and is vacant and without residents. Pursuant to Section 43.144, Texas Local Government Code, type B General Law Municipality. at the request of the landowners. No action
3. Consideration and possible action on the annexation of parcels of all portions of that certain tract or parcel of land not previously within the boundaries of the Village, said tract being described as Tracts V-1, V-2, V-3, V-4, V-5 and V-6, one-half mile or less in width, contiguous and adjacent to the Village, vacant and without residents and as such can be annexed by the Village of Volente, Type B General Law municipality into the village limits of the Village under the provisions of Section 43.028 of Local Government Code at the request of the landowners. No Action

Discussion ensued that the disannexation and annexation procedure and public hearings will need to be restarted.

4. Consideration and possible action on amendments to the zoning ordinance zoning the approximate 297 acre tract known as the Grason Development as a planned development district.

Fred Graber made a motion that the language used in Volente Peak PDD document

Section (8), (b) Platting Process and Approvals, paragraph (6)

Be amended from 10 years to 5 years.

Language to read:

(6) The approved Preliminary Plat and Preliminary Site Plan shall be valid for a period of **5 years** following approval by the Village. The Village Council may, upon written request by the

applicant, grant an extension of up to an additional two years, after which the Preliminary Plat and Preliminary Site Plan shall be subject to re-approval by the Village if no application for site development construction permits has occurred.

Justine Blackmore-Hlista seconded the motion. Discussion ensued. Fred Graber and Justine Blackmore-Hlista voted for the change and Mark Scott and Matthew Hammond voted against the change. Mayor Yenawine then voted to not make the change therefore the motion failed.

5. Consideration and possible action to approve the Preliminary Planned Development District Plan submitted by the landowners of the approximate 297 acre tract known as the Grason Development without contingencies. Justine Blackmore-Hlista suggested to recommend to Planning & Zoning to accept the changes to PDD as below; page 8 (2) AB & C; page 13 (c) (b) and 16 (c). See attached document for changes) Matthew Hammond made the motion and Justine Blackmore-Hlista seconded. All agreed.
6. Consideration and possible action to approve the First Amended Consent Agreement to the creation and operation of the Volente Municipal Utility District and to authorize the Mayor to sign the Agreement on behalf of the Village. Justine Blackmore-Hlista suggested some changes to page 2 # 3 and the reference to the noise ordinance be taken out. (See attached document).
- 7 Consideration and possible action to approve the Settlement Agreement resolving all outstanding issues in the pending litigation styled Grason Volente Investments LLC and Volente Group of Texas LTD vs. Village of Volente and Jan Yenawine, Mayor of the Village of Volente, and to authorize the Village Attorney and Mayor to sign the Settlement Agreement on behalf of the Village. Mark Scott made a motion to instruct Village Attorney Tom Buckle to change from five days to November 30 and separate consent from the noise ordinance. **A joint meeting with Planning and Zoning and Council will be held with the noise consultant at a date to be determined.**
8. **ADJOURN. Mark Scott made a motion to adjourn with Justine Blackmore-Hlista seconding. All agreed. Meeting adjourned at 8:40 A.M.**

PASSED AND APPROVED THIS ___ DAY OF AUGUST, 2009.

Jan Yenawine, Mayor

Jennifer Zufelt, City Secretary