

City of Woodcreek Council Meeting
December 10, 2008

MINUTES

1.) Call to Order

2.) Invocation

3.) Pledge

4.) Present: Mayor Whitehead, Mayor Pro Tem Caldwell, Councilmember Henderson, Councilmember Eskelund, Councilmember Rasco, Councilmember Gumbert, City Treasurer Gill, Interim City Administrator Sybesma, City Attorney Gordon

Absent: Public Works Director Wood

5.) Public Comments: None

6.) Report Items

A.) Mr. Phil Lebkuechner, the developer for the proposed Oak Orchard Enclave development, stated that he has a letter of intent to buy 8.4 acres (19 lots), for a proposed development across RR 12 proposed for development at 2.5 homes per acre. He requested that his proposed development enter into a development agreement with Woodcreek, with hopes to have a final plat by March of 2009. Mr. Kelly Kilber, an engineer from the Pro-Tech Engineering Group, further detailed the development. It was agreed that Council Members Caldwell and Eskelund would work with Interim City Administrator Sybesma to negotiate a development agreement with Mr. Lebkuechner. City Attorney Gordon noted that water quality/usage would be the biggest issue in the agreement.

B.) City Treasurer Tom Gill reported that all expenses for the last two months were in line, noting that the Aqua Texas franchise fee was \$41,000. He recommended scheduling a budget workshop in February 2009, with a budget review the following March.

C.) City Attorney Roger Gordon discussed the application for Grandfathered Status submitted by Westridge Joint Venture, saying that it was denied due to the fact that Westridge Joint Venture took no action on the development for 5 years, after which Grandfathered Status cannot be given. Mr. Gordon also stated that the application was denied because the development, as it would be done currently, is sufficiently different than the original development for which Grandfather Status is being sought.

7.) Discussion and Action Items

A.) Approval of a Fire Protection and Rescue Agreement with Hays County ESD #4 was postponed.

B.) & C.) For both of these items (Cause No. 08-1800; Westridge Joint Venture v. City of Woodcreek and Cause No. 08-1189; Roger Hopkins, Inc. v. City of Woodcreek), the City Council went into executive session with City Attorney Roger Gordon at 4:32 p.m., and returned from executive session at 5:08 p.m. The Council stated that no action would be taken on those items at that time.

8.) Consent Items

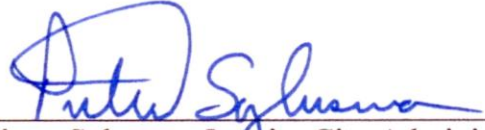
A.) Approval of the minutes for City Council Meeting of November 12th, 2008 was postponed until the next meeting.

B.) Mayor Whitehead motioned the approval of Warrants, with Council Member Eskelund seconding. The motion passed with a vote of 5-0.

9.) Adjourn. The meeting was adjourned at 5:12 p.m.



Gloria Whitehead, Mayor



Pieter Sybesma, Interim City Administrator