

**Minutes
Flatonia City Council
Regular Meeting
July 8, 2014**

Present:

Mayor	Bryan Milson
Councilpersons	Mark Eversole Ed Hulseley Dennis Geesaman Ginny Sears Catherine Steinhauser
City Staff	Scott Dixon - City Manager Melissa Brunner – City Secretary Angela Beck – City Attorney Mike Noak – Police Chief Jack Pavlas – Utility Director

Opening Agenda

Mayor Milson called the meeting to order at 6:00 p.m.
Code Compliance Officer Gregg Robinson led the invocation
Mayor Milson led the Pledge of Allegiance and the Pledge to the Texas Flag.

Reports

Police Chief Noak presented the June Police Activity Report and the June Code Compliance Activity Report to Council in their packets.
Fire Chief Burleson presented his June Activity Report to Council in their packets.
Code Compliance Officer Robinson had presented his June Activity Report to Council in their packets.
City Secretary Brunner presented the June Report from the Parks Committee to Council in their packets.
City Manager Dixon reminded Council and guests that the Grand Opening for the new Police and Fire Building will be held on Saturday, July 19th from 10 am – 1 pm. He also reported on the status of a new website for the City of Flatonia and on the cost saving initiatives he will be exploring with McKinstry Engineering and Architectural firm.

Consent Agenda

Dennis Geesaman motioned to approve the minutes of the June 10, 2014 Regular Meeting as presented. Ed Hulsey seconded the motion. None opposed. Motion carried.

Public Hearing – opened at 6:05

Pastor Phillip from the Flatonia United Methodist Church and Barbara Miles spoke concerning the request from the church for a variance. Phillip spoke in favor. Ms. Miles spoke against.

PH7-2014.1 Public hearing on the request from L & G Land & Cattle Company that the property identified by PID 28080, 12th & Converse St., City, BLK 56, Lot 3-4 FRC of 2, commonly known as L & G Mobile Home Park be re-zoned. The property is currently zoned High Density Residential (R-3). The request is to rezone to Highway Commercial (HC).

No one wished to speak

PH7-2014.2 Public Hearing on the request from Juan & Natalie Almanza that the property identified by PID 81408, GAR-ZAP BLK C, south side of E Seventh across from 609 E Seventh St, a .711 acre vacant lot be re-zoned. The property is currently zoned General Commercial with Residential 1 (GC3). The request is to rezone to Medium Density Residential (R-2). The rezone is required in order for installation of a manufactured home on the property.

Karina Almanza spoke in favor of the request.

PH7-2014.3 Public Hearing on the request from Grunberg Properties for a Conditional Use Permit in order to install a car wash on the property PID 28098, 503 Martin Luther King Jr. Street. Included with this request is a variance to reduce the west side and south side structural & parking setback to zero (0) feet. The variance request has been submitted in order to install signage and accessory equipment.

No one wished to speak

PH7-2014.4 Public Hearing on the request from Flatonia Independent School District for a variance to reduce the East School St. side building setback to zero (0) feet for the following property: PID 27551, the location of the existing Science Lab, known as the High School Building. This request has been submitted in order to construct a new Science Lab.

No one wished to speak.

Deliberation Agenda

- 7-2014.1. Catherine Steinhauser motioned to approve the request from L&G Land and Cattle Company to rezone the property identified by PID 28080, located at 12th and Converse St., City , BLK 56, Lot 3-4 FRC of 2, commonly known as L&G Mobile home Park from High Density residential (R-3) to Highway Commercial (HC). Ginny Sears seconded the motion. None opposed. Motion carried.
- 7-2014.2. Catherine Steinhauser motioned to not approve the request from Juan and Natalie Almanza to rezone the property identified by PID 81408, GAR-ZAP BLK C, south side of E Seventh across from 609 E. Seventh St. from General Commercial with Residential 1 (GC3) to Medium Density Residential (R-2). Ginny Sears seconded the motion. None opposed. Motion carried.
- 7-2014.3. Catherine Steinhauser motioned to approve the request from Grunberg Properties for a Conditional Use Permit in order to install a car wash on the property PID 28098, 503 Martin Luther King Jr. St. Dennis Geesaman seconded the motion. None opposed. Motion carried.
- 7-2014.4. Catherine Steinhauser motioned to approve the request from Grunberg Properties for a variance to reduce the west side and south side structural and parking setback to zero (0) feet on the property PID 28098, 503 Martin Luther King Jr. Street. Dennis Geesaman seconded the motion. None opposed. Motion carried.
- 7-2014.5. Catherine Steinhauser motioned to approve the request from Flatonia Independent School District for a variance to reduce the East School Street side building setback to zero (0) feet for the following property: PID 27551. Ed Hulsey seconded the motion. None opposed. Motion carried.
- 7-2014.6. No action was taken on setting the setbacks and other requirements to be required for the zoning classification Public Use. Staff is instructed to bring more information back to Council.
- 7-2014.7. Catherine Steinhauser motioned to approve the request from the Flatonia United Methodist Church for a variance to reduce the east side building setback from ten (10) feet to zero (0) feet for the following property: PID 47886, 403 E North Main Street. Dennis Gessaman abstained. Ginny Sears seconded the motion. None opposed. Motion carried.
- 7-2014.8. No action was taken on clarifying the intent and wording of Flatonia Code of Ordinances, Chapter 14, Exhibit A, Article III, Section 9.6, General Commercial with Residential in regards to the setback requirements for property zoned as such. Staff was instructed to bring more information back to Council.
- 7-2014.9. Catherine Steinhauser motioned to approve the hotel Tax Disbursement agreements as presented and authorize the mayor and city manager to execute the same. Ed Hulsey seconded the motion. None opposed. Motion carried.
- 7-2014.10. Mark Eversole motioned to accept the bid of \$10, 775.00 from Mary's Pool Service for the re-plastering of the pool located at McWhirter Park. Ed Hulsey seconded the motion. None opposed. Motion carried.
- 7-2014.11. Catherine Steinhauser motioned to award the bid for street pavement repair in the amount of \$ 92,832.39 to H&C Construction. Dennis Geesaman seconded the motion. None opposed. Motion carried.

- 7-2014.12. Council set the dates for Budget Workshops for July 16th and August 6th at 5:00 p.m.
- 7-2014.13. Dennis Geesaman motioned to appoint Mark Eversole to serve on the Economic Development Committee. Catherine Steinhauser seconded the motion. None opposed. Motion carried.
- 7-2014.14. Mark Eversole motioned to appoint Ginny Sears to the Comprehensive Planning Committee. Catherine Steinhauser seconded the motion. None opposed.

Executive Session – opened at 7:31 pm

- ES7-2014. As authorized by Texas Government Code Sec. 551.071 consultation with attorney:
- 1) To seek advice regarding leases of City property for oil and gas production, including amendments to prior leases
 - 2) To seek advice regarding an on-going or pending legal matter re: Richard Valdez
 - 3) To seek advice regarding the gift or sale of real property re: Florus Subdivision.

- ES7-2014.4 As authorized by Texas Government Code Sec. 551.086 deliberation regarding competitive electric matters:

Discuss market performance of generation assets and related under-recovery in the fuel and power cost recovery factor (PCRF) rate.

Executive Session closed at 8:20 pm

Deliberation Agenda – reopened at 8:21 pm

- 7-2014.15 Dennis Geesaman motioned to authorize City Attorney Beck to continue to negotiate oil and gas leases and any amendments with Sabine River Energy, LLC. Catherine Steinhauser seconded the motion. None opposed. Motion carried.
- 7-2014.16 Dennis Geesaman motioned to authorize the city attorney to secure the services of outside counsel in the event that JR Valdez sues the City of Flatonia. Ed Hulseley seconded the motion. None opposed. Motion carried.
- 7-2014.17 Catherine Steinhauser motioned to authorize City Attorney Beck to negotiate a reasonable accommodation with the Florus family regarding the title to 22,000 sq. ft. of property in question. Ginny Sears seconded the motion. None opposed. Motion carried.
- 7-2014.18 No action was taken on the discussion of market performance of generation assets and related under-recovery in the fuel and power cost recovery factor (PCRF) rate.

The meeting was adjourned at 9:03 p.m.

Signed


Bryan Milson
Mayor

Approved this 12th day of August, 2014

Attest



Melissa Brunner, TRMC, CMC
City Secretary

