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**Minutes
Flatonia City Council
Regular Meeting
November 12, 2013**

Present:

Mayor Pro Tem

Bryan Milson

Councilpersons

Matt Freytag
Catherine Steinhauser
Dennis Geesaman

City Staff

Scott Dixon - City Manager
Melissa Brunner – City Secretary
Mike Noak – Police Chief
Jack Pavlas – Utility Director
Angela Beck – City Attorney
Gregory Robinson – Code Compliance Officer

Opening Agenda

Mayor Pro Tem Milson called the meeting to order at 6:05 p.m.

City Manager Dixon gave the invocation. Mayor Pro Tem Milson led the Pledge of Allegiance.

Reports

Police Chief Mike Noak asked for any questions from the Activity Report for October of 2013.

City Manager Scott Dixon presented his report on the Downtown Trails Grant, the downtown sidewalks, Comprehensive Planning, Economic Development, VFD Fund Raising Efforts, Parks Improvements, Substandard Structures and Junk Vehicles.

Discussion Items

Council discussed the lighting issues in certain areas that they had been approached by citizens about.

Council also discussed capital expenditures and policies for such.

Public Hearing – opened at 6:49 pm

PH11-2013.1 Public Hearing on request from Donald S. Florus, representing the Florus Family, for the Planning & Zoning Commission to consider and take any necessary action to allow for the development of their minerals and the installation of a drilling pad for the development of oil and gas wells by Oak Valley Operating LLC, Kolar-Labatt and Flatonia SW Units. Such action will include but may not be limited to, abandonment of various City Right of Ways within an area bordered by Second St., west to the City Limits, north to Fourth Street, east to a point approximately midway between Tom Green St. & Colorado St., back to Second St. (PID # 60249 & 60263), commonly referred to as the Florus Subdivision.

PH11-2013.2 Public Hearing on request from Ronnie and Mollie Beck for discussion and appropriate action on recommendations for utilization of PID 27987 located on the corner of Faires St. and US Hwy 90, commonly known as the Stockmen's Station Restaurant building. The property is bordered by street frontage on three sides. It is narrow and long, being 46.8 feet wide on the Faires St. side and 212.6 feet long on the US Hwy 90 side, 85.8 feet wide on the west side, and 210.8 feet long on the North Main (south) side. These factors allow for only approximately 15% usable area meeting building setback requirements. The Becks want to discuss utilization options and get appropriate approval. This may include, but not limited to, reduction in building and parking setbacks.

closed at 6:54 pm

Consent Agenda

Dennis Geesaman motioned to approve the consent agenda, including the minutes of the October 15, 2013 Special Meeting and the October 2013 Financial Report. Matt Freytag seconded the motion. None opposed. Motion carried.

Deliberation Agenda

11-2013.1. Dennis Geesaman motioned to accept the recommendation of the Planning and Zoning Commission 1) to abandon the street rights of way for W. Third Street from the Florus property line west to the city limits, the Tom Green Street right of way from W Fourth Street south through the W Second Street right of way, the Second Street right of way from the Florus fence line west to the city limits and to direct the city attorney to draft an ordinance for said abandonment; and 2) accept the recommendation that the Florus family and Oak Valley Operating LLC execute, prior to the adoption of the right of way abandonment ordinance, a written acceptance of the following conditions: 1. Establish an entrance to the well site from First St.; 2. Locate power generators as far as practical from all residences near the well site in a manner that reduces the noise in the adjacent residential area as much as possible; 3. Repair First Street after the well traffic has subsided (within 18 months) and 4. Secure vacation of the original subdivision

- play by the Florus family by city ordinance and Local Government Code. Catherine Steinhauser seconded the motion. None opposed. Motion carried.
- 11-2013.2. Catherine Steinhauser motioned to allow the Becks to remodel their building as discussed, allowing for a variance from any and all ordinances that would prevent them from taking this action provided that they meet the conditions outlined. Matt Freytag seconded the motion. None opposed. Motion carried.
- 11-2013.3. Catherine Steinhauser motioned to authorize City Attorney Angela Beck to sue UPS and any other parties for damages related to the November 2011 accident. Matt Freytag seconded the motion. None opposed. Motion carried.
- 11-2013.4. Catherine Steinhauser motioned to adopt Resolution 2013.11.1 imposing additional fees for collection costs on fines and fees. Bryan Milson seconded the motion. None opposed. Motion carried.
- 11-2013.5. Catherine Steinhauser motioned to adopt Ordinance 2013.11.1 requiring the annual council adoption of fiscal and budgetary policies. Matt Freytag seconded the motion. None opposed. Motion carried.
- 11-2013.6. Matt Freytag motioned to adopt Ordinance 2013.11.2 establishing oil and gas drilling and pipeline installation as “Conditional Uses” and setting forth the permitting processes. Dennis Geesaman seconded the motion. None opposed. Motion carried.

The meeting was adjourned at 7:30 p.m.

Approved this 10th day of December, 2013

Signed

Bryan Milson
Mayor Pro Tem

Attest

Melissa Brunner, TRMC, CMC
City Secretary

