

**Agenda  
City Council  
Council Chambers/City Hall (125 E. South Main)  
125 E. South Main, Flatonia, Texas**

**September 9, 2014  
City of Flatonia  
Regular Meeting  
6:00 p.m.**

**Opening Agenda**

Call to Order  
Invocation & Pledge  
Citizens' Participation

**Reports**

Reports:

*Fire Chief's Report*

*Police Activity and Code Compliance Report*

*Building Official Report*

Activity Report

August 2014 Activity

Code Violations & Corrective Action,  
Permits Issued

**Public Hearing**

- PH9-2014.1 Public Hearing on the request from Glen & Kelly Dvorak for a variance to reduce the Mulberry St. side building setback from twenty-five (25) feet to twelve (12) feet for the following property: PID 27903, 315 N La Grange St. This request has been submitted in order to remove and replace an existing accessory building.
- PH9-2014.2 Public Hearing on request from Ignacio Castillo for a variance to reduce the Penn St. front yard building setback from twenty-five (25) feet to ten (10) feet for the following property: PID 27569, 507 S Penn St. This request has been submitted in order to construct an addition to the north side of the existing house.
- PH9-2014.3 Public Hearing on request from Chris & Leigh Ann Sodek for abandonment of the alley in City Block 17 - If abandonment is not an option, they request reducing the side yard setback from five (5) feet to zero (0) feet for the following property PID 27518, 617 S Hudson. The requests have been submitted in order to better utilize an existing paved driveway to access a proposed accessory building

**Consent Agenda**

Minutes August 6 & 19, 2014 Special Meetings  
August 12, 2014 Regular Meeting

## **Deliberation Agenda**

- 9-2014.1 Consider and take appropriate action on the request from Glen & Kelly Dvorak for a variance to reduce the Mulberry St. side building setback from twenty-five (25) feet to twelve (12) feet for the following property: PID 27903, 315 N La Grange St. This request has been submitted in order to remove and replace an existing accessory building.
- 9-2014.2 Consider and take appropriate action on the request from Ignacio Castillo for a variance to reduce the Penn St. front yard building setback from twenty-five (25) feet to ten (10) feet for the following property: PID 27569, 507 S Penn St. This request has been submitted in order to construct an addition to the north side of the existing house.
- 9-2014.3 Consider and take appropriate action on the request from Chris & Leigh Ann Sodek for abandonment of the alley in City Block 17 - If abandonment is not an option, they request reducing the side yard setback from five (5) feet to zero (0) feet for the following property PID 27518, 617 S Hudson. The requests have been submitted in order to better utilize an existing paved driveway to access a proposed accessory building.
- 9-2014.4 Consider and take appropriate action on ordinance abandoning the alley in City Block 17.
- 9-2014.5 Consider and take appropriate action on adopting the certified appraisal roll as the tax roll for the City of Flatonia.
- 9-2014.6 Consider and take appropriate action on adopting an ordinance setting the budget for the City of Flatonia for fiscal year 2014-2015.
- 9-2014.7 Consider and take appropriate action on ratifying the property tax revenue reflected in the budget for fiscal year 2014-2015.
- 9-2014.8 Consider and take appropriate action adopting an ordinance to set the tax rate for 2014 for the City of Flatonia.
- 9-2014.9 Consider and take appropriate action on ordinance amending solid waste rates.
- 9-2014.10 Consider and take appropriate action on amending base customer service charge for electric customers.
- 9-2014.11 Consider and take appropriate action on bid for property identified as PID 51390.
- 9-2014.12 Consider and take appropriate action on appointment to the Council representative to the Flatonia Volunteer Fire Department Pension Board.

## **Executive Session**

- ES9-2014.1 As authorized by Texas Government Code Sec. 551.071 consultation with attorney:
- To seek advice regarding leases of City property for oil and gas production, including amendments to prior leases
  - To seek advice regarding an on-going or pending legal matter re: Richard Valdez

## **Deliberation Agenda**

- 9-2014.13 Consider and take appropriate action regarding prior oil and gas leases, including but not limited to amendment to Oil, Gas and Mineral Lease dated June 21, 2012, relating to several tracts, including a 35.3351 acre tract, executed by City of Flatonia, as Lessor, of which a Memorandum of Oil, Gas and Mineral Lease is recorded in Volume 1614, Page 219 of the Official Public Records of Fayette County, Texas (the "Lease"), as requested by Sabine River Energy LLC, and authorizing Mayor to execute such amendment.
- 9-2014.14 Consider and take appropriate action regarding oil and gas lease relating to 2.548 acres, more less, being situated in the Miguel Muldoon League No. 14, A-76, Fayette County, Texas and being further described in two (2) tracts as follows: Tract No. 1: 8738.28 square varas or 1.548 acres, more less, being situated in the Miguel Muldoon League No. 14, A-76, Fayette County, Texas and being the same land more particularly described in that certain Warranty Deed dated April 13, 1920 from R.C. Foitik, et ux, Bertha Foitik to M. Fernau, Mayor of the City of Flatonia and recorded in Volume 118, Page 488 of the Deed Records of Fayette County, Texas; Tract No. 2: 1.0 acres of land, more or less, being situated in the Miguel Muldoon League No. 14, A-76, Fayette County, Texas and being the same land more particularly described in that certain Warranty Deed dated April 5, 1875 from John Pecek et ux, Catharine Pecek to the City of Flatonia and to the Masonic Fraternity of Flatonia, recorded in Volume 3, Page 625 of the Deed Records of Fayette County, Texas; and being the same land in that Deed dated June 20, 1888 from the Flatonia Lodge No. 436 A.F. & A.M. by L.B. Allen Et Al to the City of Flatonia, recorded in Volume 32, Page 556 of the Deed Records of Fayette County, Texas, as requested by Sabine River Energy LLC, and authorizing Mayor to execute such lease and a memorandum relating thereto.
- 9-2014.15 Consider and take appropriate action regarding oil and gas lease relating to 21.936 acres of land, more or less, situated in the M. Muldoon Survey No. 14 A-76 & W. A. Faires Survey A-180, Fayette County, Texas and being described in five (5) tracts, as follows: Tract One: 17,840 Square Feet of land, more or less, and being further described in that Warranty Deed dated November 18, 1964 from F. X. Brunner and Annette Brunner to City of Flatonia recorded in Volume 365, Page 133 of the Official Public Records of Fayette County, Texas; Tract Two: 10 acres, more or less, and being further described in that Warranty Deed dated September 22, 1938 from E. A. Arnim to City of Flatonia recorded in Volume 175, Page 12, of the Official Public Records of Fayette County, Texas; Tract Three: 10 & ½ acres of land, more or less, and being further described in that Warranty Deed dated June 19, 1949 from Quinn Braddock, Lee Braddock, and Edwin Lee Barber to L. A. Wheeler, Mayor of City of Flatonia recorded in Volume 234, Page 39 of the Official Public Records of Fayette County, Texas; Tract Four: 2970 Square Varas of land, more or less, and being further described in that Warranty Deed dated October 7, 1925 from E.A. Arnim and Mary A. Johnson to City of Flatonia recorded in Volume 127, Page 78 of the Official Public Records of Fayette County, Texas; Tract Five: ½ acre of land, more or less, and being further described in that Warranty Deed dated September 15, 1925 from John Farek and wife Louise Farek to City of Flatonia recorded in Volume 127, Page 79 of the Official Public Records of Fayette County, Texas, as requested by Sabine River Energy LLC, and authorizing Mayor to execute such lease and a memorandum relating thereto.

9-2014.16 Consider and take appropriate action on on-going or pending legal matter re: Richard Valdez.

**Adjournment**

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board outside the front door of the City Hall of the City of Flatonia, Texas, a place convenient and **readily accessible to the general public at all times** and said Notice was posted on the following date and time: **September 5, 2014 by 6:00 p.m.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



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Melissa Brunner, TRMC, CMC, City Secretary, City of Flatonia

**NOTICE OF ASSISTANCE  
AT THE PUBLIC MEETING**

The Flatonia City Hall is wheelchair accessible. Access to the building is available at the primary entrance facing Main Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print are requested to contact the City Secretary's Office at 361-865-3548 or by FAX 361-865-2817 at least two working days prior to the meeting so that appropriate arrangements can be made.

**EXECUTIVE SESSION STATEMENT**

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551.071 (Consultations with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations Regarding Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations Regarding Security Devices or Security Audits), 551.086 (Certain Public Power Utilities: Competitive Matters) and 551.087 (Deliberation Regarding Economic Development Negotiations).

**Agenda Removal Notice**

This Public Notice was removed from the official posting board at the Flatonia City Hall on the following date and time:

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By: \_\_\_\_\_

Melissa Brunner, TRMC, CMC,  
City Secretary, City of Flatonia