

Minutes
Flatonia City Council
Regular Meeting
August 14, 2012

Present:

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| Mayor | Scott Mica |
| Mayor Pro Tem | Chris Kubesch |
| Councilpersons | Matt Freytag Tyler Mica Jan Lahodny |
| City Staff | Scott Dixon - City Manager Melissa Brunner – City Secretary Mike Noak – Chief of Police Jack Pavlas – Utility Director Gregory Robinson – Code Compliance Officer |

Opening Agenda

Mayor Mica called the meeting to order at 6:00 p.m.
Code Compliance Officer Gregory Robinson led the invocation
Mayor Mica led the Pledge of Allegiance.

Workshop

Police Chief Mike Noak presented the July 2012 Activity Report to the Council.
City Manager's Report – None

Public Hearing

- PH8-2012.1 Public Hearing on Consumer Confidence Report – *No citizens wished to comment on this item.*
- PH8-2012.2 Public Hearing on request from Flatonia National Bank for a variance to reduce the Seventh Street side yard setback from twenty-five (25) feet to ten (10) feet for the following property: 114 N La Grange St., PID 27847, Freytag Addn., BLK VI, fraction LOT 2. This is the location of the current Flatonia National Bank modular banking facility. This request has been submitted in order to commence construction of a new permanent banking structure. - *No citizens wished to comment on this item.*
- PH8-2012.3 Public Hearing on request from Debbie and Ronnie Gregory for a review of the zoning requirements, including but not limited to building and parking setbacks, and possible variances necessary to develop properties they are considering

purchasing. PID 27913, City of Flatonia, BLK 5, Lot 1-20 (area bordered by W 9th, N Hudson, W 8th Right Of Way, and N Faires) and PID 54443, City of Flatonia, BLK 6, Lot FRC 8, 9-18 (the western 2/3 area bordered by W 8th Right Of Way, N Hudson, alley Right Of Way, and N Faires). The proposed development would include multiple (12 to 20) small site-built single family dwellings in a subdivision like setting. – *Kathy Hairgrove asked for clarification on setbacks.*

- PH8-2012.4 Public Hearing on request from David and Judy Vire for a rezone, clarification of allowed uses in the GC3 District, and if necessary a text amendment allowing mini-warehousing in the GC3 District. PID 28086, Baca Addn. BLK 2, a 1.98 acre area on 12th St. west of the Dairy Queen and Prosperity Bank ATM. The property is currently zoned High Density Residential (R-3). The request is to rezone to General Commercial with Residential 1 (GC3). Approval of such actions would allow construction of a mini-warehousing facility at that location. – *Jan Lahodny asked who all would be affected by this re-zone.*

Consent Agenda

Jan Lahodny motioned to adopt the consent agenda including the Minutes of the July 10, 2012 Regular Meeting, the July 2012 Financial Report, the approval of the 2011 Consumer Confidence Report and approve the Citizen's Complaint Procedure for the Downtown Revitalization Grant. Tyler Mica seconded the motion. None opposed. Motion carried.

Deliberation Agenda

- 8-2012.1. Matt Freytag motioned to award the bid for the 2011 Community Development Block Grant Water Improvement Project to Deen's Construction for \$169,728.80. Tyler Mica seconded the motion. None opposed. Motion carried.
- 8-2012.2. Matt Freytag motioned to grant Flatonia National Bank a variance allowing for a street yard setback of 10 feet for the permanent building to be constructed. Joel Chris Kubesch seconded the motion. None opposed. Motion carried.
- 8-2012.3. No action was taken on the variance requested by Debbie and Ronnie Gregory to allow for the reduction of front and side yard building and parking setbacks to 0".
- 8-2012.4. No action was taken on the variance requested by Debbie and Ronnie Gregory to reduce the required street frontage to 25 feet and reduce minimum lot area for each cottage to be 2500 square feet. The Flatonia Planning and Zoning Commission has recommended no less than a 30 feet street frontage and 3000 feet minimum lot area for each cottage.
- 8-2012.5. No action was taken on the ordinance closing the undeveloped 8th Street Right of way between N. Hudson and N. Faires and the alleyway running east and west between N. Hudson St. and N. Faires St. as requested by Ronnie and Debbie Gregory and recommended by the Planning and Zoning Commission.
- 8-2012.6. Jan Lahodny motioned to adopt the ordinance setting the allowed uses, describing the intent and required lot dimensions and setbacks in the General Commercial 3

- Zoning District. Tyler Mica seconded the motion. None opposed. Motion carried.
- 8-2012.7. No action was taken on the ordinance rezoning the property identified by PID 28086 from R-3 (Residential 3) to GC3 (General Commercial 3) as requested by David and Judy Vire.
- 8-2012.8. No action was taken on addressing resident concerns regarding pedestrian access through the fence at Central Park.
- 8-2012.9. Jan Lahodny motioned to set the proposed tax rate for the City of Flatonia for 2012 at \$0.3384 per hundred dollar valuation. Tyler Mica seconded the motion. None opposed. Motion carried.
- 8-2012.10. No action was taken on the ordinance making amendments to the City of Flatonia's personnel policy.

Executive Session – began at 7:33 – ended at 11:15 p.m.

- ES8-2012.1 As authorized by Texas Government Code 551.071 – consultation with City Attorney about pending or potential litigation and claims, administrative hearings, settlement offers, or attorney-client privileged matters, including the following matters:

Agreement for Professional Services and Employment as Police Chief

- ES8-2012.2 As authorized by Texas Government Code Sec. 551.074 deliberations about an employee of the governmental body

Review of Contract Provisions and evaluation for Chief of Police

- ES8-2012.3 As Authorized by Texas Government Code Sec. 551.074 deliberations about an employee of the governmental body:

Review of City Manager

Deliberation Agenda

- 8-2012.11. Jan Lahodny motioned to authorize City Attorney Beck to draft amendments to Article 1.06, Section 1.06.33(s)(1), Code of Ordinances, City of Flatonia, creating an exception to the City Manager's power to appoint and remove city employees, and to Article 9, Section 9.03.031 Code of Ordinances, City of Flatonia, to designate the City Council as the authority to appoint and/or terminate the Police Department head instead of the City Manager. Tyler Mica seconded the motion. None opposed. Motion carried.
- 8-2012.12. No action was taken on review of contract provisions and evaluation of Chief of Police.
- 8-2012.13. No action was taken on review of the city manager.

The meeting was adjourned at 11:18 p.m.

Approved this 11th day of September, 2012



Signed

Scott Mica
Scott Mica
Mayor

Attest

Melissa Brunner
Melissa Brunner, TRMC, CMC
City Secretary