

**Minutes
Flatonia City Council
Regular Meeting
August 9, 2011**

Present:

Mayor	Scott Mica
Mayor Pro Tem	Chris Kubesch
Councilpersons	Jan Lahodny Tyler Mica Bryan Milson Matt Freytag
City Staff	Kyle Jung – Interim City Manager Melissa Brunner – City Secretary Jack Pavlas – Utility Director Mike Noak – Police Chief Angela Beck – City Attorney Gregory Robinson – Code Compliance Officer

Opening Agenda

Call to Order	Mayor Mica called the meeting to order at 6:00 p.m.
Invocation and Pledge	Code Compliance Officer Robinson led the invocation and Mayor Mica led the pledge.
Citizen's Participation	David Urban asked if the carnival people for Czihilispiel will be allowed to park up by the new utility warehouse during the time they are here for Czihilispiel. He was told to get with the Utility Director and City Manager to find out.

Reports

City Manager's Report	City Manager Jung reminded Council of the upcoming Texas Municipal League conference and encouraged all to attend. Jung also announced when the budget workshops for the FY 2011-2012 budget would be.
Police Chief's Report	Chief Noak presented the July 2011 Police Report.
Fire Department Report	The Fire Department did not have the report for the meeting.

Consent Agenda

Bryan Milson motioned to accept the Consent Agenda, including the minutes of the June 14, 2011 and July 12, 2011 regular meetings as July 2011 Financial Report. Matt Freytag seconded the motion. None opposed. Motion carried.

Public Hearing – opened at 6:04

PH8-2011.1 Public Hearing on request from on request from Planning and Zoning Commissioner Steve Morrill for a text amendment allowing certain types of manufactured housing in the Low Density Residential District (R-1).

None of the citizens present wished to speak on this item.

PH8-2011.2 Public Hearing on request from Arthur Ramsey Jr. for a rezone of his property located at 517 E Twelfth (PID 28125) formerly M&A Recycling. The property is currently zoned General Commercial (GC). The request is for the property to be rezoned as Medium Density Residential (R-2).

None of the citizens present wished to speak on this item.

PH8-2011.3 Public Hearing request from Code Compliance Officer Gregory Robinson to assign a zoning district to PID 28136, 1.164 acres located on the north side of Oak Hill Cemetery Rd between the UPRR railroad track and SH 95. The property is currently not zoned. The request is for the property to be zoned as Highway Commercial (HC).

None of the citizens present wished to speak on this item.

Closed at 6:06 p.m.

Deliberation Agenda

8-2011.1 No action was taken on request from Planning and Zoning Commissioner Steve Morrill for a text amendment allowing certain types of manufactured housing in the Low Density Residential District (R-1)

8-2011.2 Bryan Milson motioned that the property located at 517 E Twelfth Street (PID 28125) be re-zoned from General Commercial to Medium Density Residential. Jan Lahodny seconded the motion. None opposed. Motion carried.

8-2011.3 Bryan Milson motioned that the property identified by PIC 28136 be given the zoning designation of Highway Commercial. Matt Freytag seconded the motion. None opposed. Motion carried.

8-2011.4 Jan Lahodny motioned to approve the reports from the Flatonia Chamber of Commerce, EA Arnim Archives and Museum and Flatonia Special Projects on monies expended from the hotel occupancy tax. Bryan Milson seconded the motion. None opposed. Motion carried.

- 8-2011.5 Bryan Milson motioned to approve the medical benefits as provided by Texas Municipal League Intergovernmental Employee Benefit Pool for fiscal year 2011 – 2012. Matt Freytag seconded the motion. None opposed. Motion carried.
- 8-2011.6 Bryan Milson motioned to adopt \$0.3010/ hundred dollar valuation as the proposed tax rate for 2011. Matt Freytag seconded the motion. None opposed. Motion carried.
- 8-2011.7 No action was taken on the Civic Center Lease with the Flatonia Chamber of Commerce.
- 8-2011.8 Bryan Milson motioned to adopt the ordinance amending the school zone to include S. Market Street from E. Second Street to E. South Main; E. Third Street between S. Converse and S. Market; E. Fifth Street between S. Converse and S. Market and E. Sixth Street between S. Converse and S. Market during the hours of 7:30 am – 9:00 am and 1:00 pm and 4:00 pm. Chris Kubesch seconded the motion. None opposed. Motion carried.
- 8-2011.9 No action was taken on the ordinance concerning billboards in the City of Flatonia.
- 8-2011.10 No action was taken on amending Article 12.05.004 Truck Routes in the Flatonia Code of Ordinances regarding parking of trucks over five tons on streets or other public property.
- 8-2011.11 Chris Kubesch motioned to authorize activity on Seven Acre Park to resume. Matt Freytag seconded the motion. None opposed. Motion carried.
- 8-2011.12 Jan Lahodny motioned to authorize Mayor Mica to sign the lease agreement with Southern Bay Energy for oil and gas rights for a tract of land owned by the City of Flatonia with the amendment of item 22 to allow for 100% pooling in the same way as the previous lease provides for in item 42. Bryan Milson seconded the motion. Jan Lahodny, Bryan Milson and Matt Freytag voted in favor. Chris Kubesch abstained. Motion carried.

Executive Session – entered at 7:01 pm

- ES8-2011.1 As authorized by Texas Government Code 551.071 – consultation with attorney about pending or potential litigation and claims, administrative hearings, settlement offers, or attorney-client privileged matters, including the following matters:

Status and recommendations regarding
Robert Wood v. City of Flatonia litigation, appeal and collection

Deliberation Agenda – reopened at 7:08 pm

- 8-2011.13 Bryan Milson motioned to authorize City Attorney Beck to engage counsel to collect judgment against Robert Wood. Jan Lahodny seconded the motion. None opposed. Motion carried.

The meeting was adjourned at 7:10 p.m.

Approved this 13th day of September, 2011



Signed

Scott Mica
Scott Mica
Mayor

Attest

Melissa Brunner
Melissa Brunner, TRMC, CMC
City Secretary