

**Minutes
Flatonia City Council
Regular Meeting
September 14, 2010**

Present:

Mayor	Scott Mica
Mayor Pro Tem	Bryan Milson
Councilpersons	Kathy Collins Teri Wilks
City Staff	Kenneth Knight – 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

Kirk Pate read a prepared speech about the responsibility of the citizens and elected officials to participate in local government.

Harding Roam from union Pacific Railroad spoke against the nightclub/bar that is requesting conditional use permit and located close to the railroad tracks.

Dennis Freytag spoke in opposition to the conditional use permit for the nightclub/bar that is on the agenda for Council.

Reports

Council Members' Reports

Kathy Collins reported on the potential Amtrak station progress. She stated that the Committee had been invited to Shreveport, Louisiana to speak. Collins also stated that anonymous complaints were invalid. She further stated that she did not believe that it was appropriate for elected officials to text during council meetings/workshops.

Police Chief's Report
City Manager's Report

Chief Noak presented the August 2010 Police Report
City Manager Knight reported that work on the utility warehouse complex should commence on September 17th. He further stated that due to problems within the company that has the contract with the City for the arsenic abatement system, there have been delays. It is back in the hands of Texas Commission on Environmental Quality. Knight also reported that all paperwork had been submitted for the Texas Parks and Wildlife Grant. Knight also reported that he is expecting an outline of the draft of the 2020 Comprehensive Plan from LCRA within a month.

City Secretary Report

City Secretary Brunner stated that she has been given the program for her computer that will allow her to make the updates to the Oak Hill Cemetery Map. Due to the end of the year activities, it has not been added to her computer at this time.

Economic Development

City Manager Knight reported that Mr. Duncan was not able to attend this meeting and had indicated his intent to resign from the Economic Development Commission.

Public Hearing – opened at 6:20 p.m.

- PH9-2010.1 Tommy Tipton spoke in favor of the amendment to the zoning ordinance that would allow for car wash and/or automotive detailing as a Conditional Use in the Central Business District.
- PH9-2010.2 Tommy Tipton spoke in favor of a Conditional Use Permit for a car wash or automotive detailing on the property PID 27758 located at 312 E North Main.
- PH9-2010.3 Idalia Martinez spoke (interpreted by her son) in favor of a Conditional Use Permit to be allowed to operate a bar or nightclub at the property she is considering buying at 305 W USH 90.
- PH9-2010.4 Idalie Martinez spoke (interpreted by her son) in favor of a variance reducing the parking setback requirements to zero set back or reducing the number of required off street parking.

Public Hearing closed at 6:25 p.m.

Consent Agenda

Kathy Collins motioned to accept the Consent Agenda, including the minutes of the August 1, 2010 regular meeting, the Special meetings on August 17, 23 and 24, the August 2010 financial report and Resolution 2010.9.1 setting the City's official newspaper. Teri Wilks seconded the motion. None opposed. Motion carried.

Deliberation Agenda

- 9-2010.1 No action was taken on adopting the certified appraisal roll as the tax roll for the City of Flatonia as an insufficient quorum was present.

- 9-2010.2 No action was taken on setting the proposed tax rate for the City of Flatonia for 2010 as an insufficient quorum was present.
- 9-2010.3 Bryan Milson motioned to enact an ordinance amending the Flatonia Code of Ordinances, Chapter 14, Exhibit A: Zoning Ordinance, Article I, Section 7. Definitions, to add Automotive Hand Washing and Detailing and to amend Article II, Section 7. Table of Permitted Uses – Nonresidential Districts to include Automotive Hand Washing and Detailing as a Conditional Use in the CBD, an allowed use in the General Commercial 1, General Commercial 2, & Highway Commercial and as a non-permitted use in the Light Industrial and Open Space. Teri Wilks seconded the motion. None opposed. Motion carried.
- 9-2010.4 Kathy Collins motioned to grant a conditional use permit to the business owner at 312 E North Main St to allow for Automotive Hand Washing and Detailing and Automobile Rental, Sales and Service at this site. Bryan Milson seconded the motion. None opposed. Motion carried.
- 9-2010.5 Bryan Milson motioned to deny a conditional use permit to Idalia Martinez to be allowed to operate a bar or nightclub at the property that she is considering purchasing at 305 US Hwy 90. Teri Wilks seconded the motion. None opposed. Motion carried.
- 9-2010.6 No action was taken on request for variance to parking requirements at 305 US Hwy 90 as the individual does not have the permission of the City to operate a bar or nightclub on this property.
- 9-2010.7 Bryan Milson motioned to adopt the ordinance modifying the size and location of the school zone. Teri Wilks seconded the motion. None opposed. Motion carried.
- 9-2010.8 Kathy Collins motioned to adopt the ordinance amending the wastewater rates for the City of Flatonia. Bryan Milson seconded the motion. None opposed. Motion carried.
- 9-2010.9 Teri Wilks motioned to renew the contract between the City of Flatonia and Texas Disposal Systems for solid waste disposal only for five years with the expiration date of September 30, 2014.
- 9-2010.10 Kathy Collins motioned to appoint Robert Wiseman to a one year term with the Flatonia Economic Development Commission. Teri Wilks seconded the motion. None opposed. Motion carried.
- 9-2010.11 Bryan Milson motioned to appoint himself as the Council contact for discussion of the Hotel Occupancy Contract between the Flatonia Chamber of Commerce and the City of Flatonia. Teri Wilks seconded the motion. None opposed. Motion carried.
- 9-2010.12 Kathy Collins motioned that City Manager Ken Knight study highway billboard laws and bring back to Council at the October 12, 2010 meeting his recommendation on any potential code wording changes for the City's ordinances. Until that time, a moratorium will be in effect on any new billboard construction. Bryan Milson seconded the motion. None opposed. Motion carried.

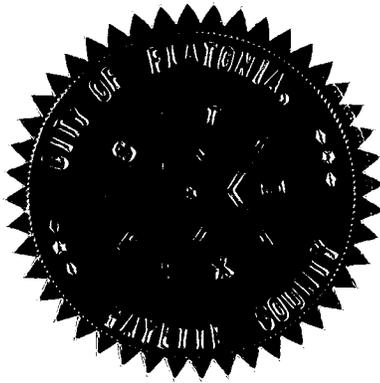
Executive Session – entered at 6:50 p.m.

- ES9-2010.1 As authorized by Texas Government Code 551.074 – personnel matters
Employee salaries
- ES9-2010.2 As authorized by Texas Government Code 551.071 – consultation with attorney
Discuss potential suit

Deliberation Agenda – re-opened at 7:01 p.m.

- 9-2010.13 No action was taken on employee salaries.
- 9-2010.14 No action was taken on consultation with attorney.

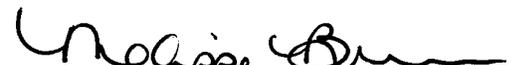
The meeting was adjourned at 7:02 p.m.



Signed


Scott Mica
Mayor

Attest


Melissa Brunner, TRMC, CMC
City Secretary

Approved this 12th day of October 2010