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STATE OF TEXAS  
COUNTY OF BRAZORIA  
CITY OF IOWA COLONY

BE IT REMEMBERED ON THIS, the 19th day of November, 2018, the City Council of the City of Iowa Colony, Texas, held a Public Hearing and a regular Council meeting at 7:00 P.M. in the large gathering room at the Meridiana Conservatory at 4003 Meridiana Parkway, there being present and in attendance the following members to wit:

Mayor Michael Holton  
Councilwoman Susan Cottrell  
Councilwoman Robin Bradbery  
Councilman Michael Byrum-Bratsen  
Councilman Chad Wilsey  
Councilwoman Kacy Smajstrla

And none being absent, constituting a quorum at which time the following business was transacted.

#### **REGULAR MEETING – 7:00 P.M.**

1. Mayor Holton called the meeting to order at 7:05 P.M.
2. Pledge of Allegiance was recited.

#### **PUBLIC HEARING**

- Mayor Holton opened the public hearing to hear comments on a proposed variance to the Unified Development Code as submitted by HUT Enterprises for a convenience store to be located at 3262 Meridiana (as required by the Unified Development Code) at 7:06 P.M. No comments. Mayor Holton closed the public hearing at 7:54 P.M.
- Mayor Holton opened the public hearing at 7:06 P.M. on a proposed ordinance amending the Subdivision Ordinance for early platting. Mike Christopher with Manhard Engineering made the suggestions as follows on amendments to the early platting process.

- They are in a time constraint for meeting Council deadlines for getting items on the agenda. Very often there is a delay among jurisdictions on whether to meet the deadline or miss a month, sometimes there could be a 40-day delay. This process is used by Land Tejas on every single project.
- Funding by the developer in five days is difficult. This is a very short time frame and the lender has to approve it and that needs about fourteen days.
- There is a proposed increase from 1% to 2%. Last year they submitted over \$214,000 dollars in fees, and it seems to be enough. He stated that doubling the fee seems more like a penalty and suggested something less than that.
- The amount of escrow has to be calculated on the first of the month, and sometimes they don't know exactly what that amount is or will be depending on the pay schedule, so he suggested to allow the agreement be approved up to a maximum amount and let staff adjust the amount based on the actual data.
- He also suggested the plat release be delegated to the City Engineer to release the plat based on his observations and recommendations rather than wait on a council meeting.

No other comments were stated. The mayor closed the Public Hearing at 7:54 P.M.

3. **Citizens Comments:** Va'Shawnda McClean is seeing street parking in Meridiana and is imploring the Council to consider an ordinance in Iowa Colony because the situation is going to get worse. The issue is emergency access and it also brings an increase for crime.

4. **Mayor's Reports:** Mayor Holton reported that the BCCA meeting last week was successful. He wished everyone a happy and safe Thanksgiving Holiday.

5. **Council Reports:**

- Councilwoman Cottrell thanked the City Secretary and Office Manager for a great job at BCCA meeting.
- Councilman Byrum-Bratsen gave no Council report. He gave the Volunteer Fire Department Report stating that the new engine is in full service . Purchased two new vehicles, a Tahoe and a truck.
- Councilwoman Bradbery gave no Council report.
- Councilwoman Smajstrla gave no Council report.
- Councilman Wilsey stated that he appreciated Va'Shawnda's remarks and asked about the HOA managing street parking.

6. **Staff Reports:**

- PD report. Chief Hearn introduced a new reserve officer, Mr. Camden Tatum.
- Building Inspector report.
- City Manager reported on the Iowa Colony Development Authority \$8.8 bond issue.

- City Engineer report.
- City Secretary report.

7. Consider action to approve a variance request from Hut Enterprises, LLC, for screening requirements for 3262 CR 56. The mayor asked Kent Marsh, City Planner to make a presentation on the variance request. Councilman Byrum Bratsen made a motion to approve the variance as recommended, with one condition that there are no temporary signs or wayfinding signs on the windows that are fronting the building per the staff recommendation. Motion seconded by Councilman Wilsey. Approved unanimously.

8. Consider action to adopt an ordinance amending the Subdivision Ordinance on early platting. Council took no action. Item will be placed on the December agenda.

9. Consider approving an ordinance to amendment # 1 to the FY 19 City Operating Budget. Councilwoman Cottrell made a motion to approve the ordinance amendment # 1 to the 2018-19 City Budget. Motion seconded by Councilman Byrum-Bratsen. Approved unanimously.

**10. Consent Agenda:**

- Consideration and possible action regarding the following consent agenda items.

Councilwoman Bradbery asked to abstain from item A due to her absence at the November 12, 2018 meeting. Councilman Byrum-Bratsen made a motion to approve the consent agenda with the exception of Item A including the November 12 minutes. Seconded by Councilwoman Bradbery. Approved unanimously.

**A. Approval of Minutes of the following meetings.**

- October 15, 2018 Regular City Council meeting.
- October 22, 2018 Special City Council meeting.
- November 12, 2018 Special City Council meeting.

**B. Approval of the following Plats as recommended by the Planning Commission.**

- Meridiana Section 60 Preliminary Plat
- Sierra Vista Section 7 Preliminary Plat.
- Iowa Heights Final Plat
- Meridiana Section 38 with conditions Final Plat.
- Meridiana Parkway East Phase III with conditions Final Plat.

**C. Approval of infrastructure projects as described below.**

- Sierra Vista Section 4A – Approval of Water, Sanitary Sewer into One-Year Maintenance Period.
- Sierra Vista Section 4A-Acceptance of Storm and Paving into One-Year Maintenance Period.

**D. Approval of an engagement agreement with Whitley Penn for the 2018 annual audit.**

- E. Approval of a partial reimbursement #8 of the early plat deposit for Sierra Vista section 4A, Request #2 –November 2018.

### **EXECUTIVE SESSION**

- Council convened in Executive session at 7:56 P.M. in accordance with 551.071 Texas Gov't Code to consult with City Attorney concerning
  - Legal aspects of MUD 31 annexation and Development Agreement
  - Discuss legal aspects of Cherry sandpit and heavy load permits.
- Council convened in accordance with 551.072 Texas Gov't Code to deliberate on land sale and/or acquisition – EMS property and/or City Hall property. Council returned to open session at 9:01 P.M.

### **RETURN TO OPEN SESSION**

11. Consider action concerning agreement on future annexation of MUD 31. Councilwoman Cottrell made a motion to instruct staff to pursue an agreement with MUD 31 to provide for annexation in 2019 and for the MUD to defray the cost of municipal services before property taxes come on online , and that it be ready for final approval by all parties by December 17 regular council meeting. Motion seconded by Councilman Byrum-Bratsen with these conditions:

- To defer annexation until 2019, to defer taxes and build up services.
- To receive \$350,000 per year for 2019 and 2020 on January 1 of each year.
- To use those funds to provide additional public safety and other services to the Sterling Lakes area.
- They share the information with their residents.

The motion was approved unanimously.

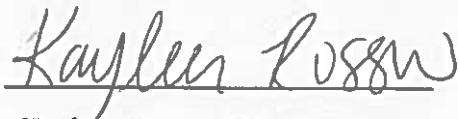
12. Consider action concerning a letter of intent to sell city property to the Emergency Service District #3 for an EMS/Fire Station. Councilwoman Cottrell made a motion to approve the letter of intent for the sale of 1.6 acres for Fire Station/EMS with the conditions outlined, plus agree to regulatory ordinances for 2-3 years. Motion seconded by Councilwoman Bradbery. Motion was approved unanimously.

13. Consider a variance to the heavy load ordinance, with compensating requirements for Cherry sandpit. Councilwoman Cottrell made a motion to approve ordinance with additional condition to add item 6 do not allow truck travel on Iowa Colony Blvd (Highway 6 prohibit travel on north on 48 to Highway 6.) The motion was seconded by Councilwoman Bradbery. The motion was approved unanimously.

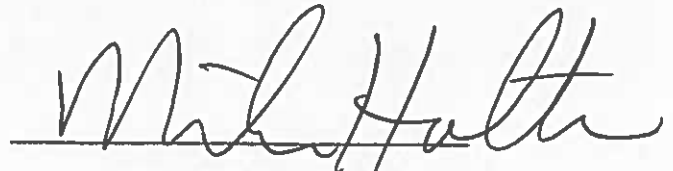
14. Being no further business, Councilwoman Cottrell moved to adjourn. Seconded by Councilman Byrum-Bratsen. Approved unanimously.

APPROVED THIS 17<sup>th</sup> DAY OF DECEMBER, 2018.

ATTEST:



Kayleen Rosser, City Secretary



Michael Holton, Mayor



