



CITY OF IOWA COLONY

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STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF IOWA COLONY

BE IT REMEMBERED ON THIS, the 30th day of April, 2019, the City Council of the City of Iowa Colony, Texas, held a Public Hearing and a regular Council meeting at 7:00 P.M. at the regular meeting place thereof in the City Hall, there being present and in attendance the following members to wit:

Mayor Michael Holton
Councilwoman Susan Cottrell
Councilman Michael Byrum-Bratsen
Councilwoman Robin Bradbery
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.

2. Pledge of Allegiance was recited.

3. PUBLIC HEARING

- Mayor Holton opened both public hearings at 7:01 pm.
 - Hold a public hearing on exceptions to the UDC landscaping and transparency requirements for CVS.

Bryan Morris, Civil Engineer with Foresite Group, representing CVS, stated that he supports both of the variance requests. Specifically, the SUP for the 24 hour operation. Johnathon Bellock, Developer for CVS, stated that CVS wishes to reserve the right for 24 hours, but don't know yet if they will actually do it. Councilwoman Smajstrla asked how many CVS around city? The closest one is in Pearland. There are others that close at 9:00 at the pharmacy, but stay open to midnight. Why does this one desire to remain open? May have to do with sight costs and expected revenue, but Mr. Morris did not know exactly. Timothy Varlack, resident in Sterling Lakes asked if CVS was going to be

open for all business or only pharmacy and can they supply traffic data to compare the traffic.

- Hold a public hearing on amendments to the zoning ordinance for PUD requirements.

There were no comments from the floor on the PUD zoning ordinance.

Mayor Holton closed both of the public hearings at 7:55 pm.

4. Citizens comments and presentations.

Timothy Varlack, resident of Sterling Lakes, went on the City website and found it difficult to understand the new zoning and municipal statutes and if the City has plans to produce a better one. Ron Cox, Consultant City Manager stated that Municipal Code Corporation to resolve that. Ron Cox also stated that it will be in the budget.

Crystal Pratz, resident in the City for a year and half. She just bought a house on FCR 79 and requested a ditch in front of her home. City Engineer responded and will get with her.

Rebecca Hester stated that on April 16, 2019, without cause Diana Saxton was fired and pled for her job back. She outlined why Officer Saxton was a good officer and disagreed with her termination.

Gerane Padilla-Kerr presented "Kid Safe Summer" for the fifth year to be held June 22, 2019 from 10 am to 3 pm, at Meridiana. She will send out a flyer and ask Chief Bell for ICPD to assist and will be needing donations.

5. Mayor's Reports:

- Mayor reported that He and Chief Bell attended Sterling Lakes POA for patrolling their streets.
- Meridiana Farmers Market event.
- PAWs event at Meridiana.
- Attended with Chief Bell the Meridiana HOA. Announced park and changes at PD.
- Attended Meridiana Elementary School fund raiser event.
- Bel Sanchez Elementary is about to be open this fall.
- CDBG roads to be done before September 30th deadline.
- Election Day is this Saturday

6. Council Reports:

- Councilman Byrum-Bratsen thanked citizens for speaking at engagement. MuniCode – need to get on it and move forward. Offered to do more for Kids Safe Summer.
- Councilwoman Cottrell gave no report.
- Councilwoman Bradbery stated that there are still 7 rocks available that she had painted and are hidden.

- Councilwoman Smajstrla had no comments.
- Councilman Wilsey agreed with the need to improve website. MuniCode will be great when implemented.

7. Staff Reports:

- PD report. Chief Bell introduced new officer Marc Staff and outlined his experience, training, as a great asset. Officer Staff expressed excitement to coming to the ICPD.
- Building Inspector report.
- City Manager report
- City Engineer report
- City Secretary report.

8. Consider action to authorize proceeding with the process to begin police patrol and enforcement on private streets in Sterling Lakes (MUD 31) Subdivision. Councilman Byrum-Bratsen made a motion to authorize staff to proceed with preparations for providing police patrol pending a formal petition/request from the Property Owners Association to do so on private gated streets in Sterling Lakes. Motion seconded by Councilwoman Bradbery. Approved unanimously.

9. Consider action to approve an ordinance declaring the City of Iowa Colony population to be over 5,000 and extending the City's Extra Territorial Jurisdiction (ETJ) to one mile. Councilwoman Cottrell made a motion to approve the ordinance declaring the City of Iowa Colony population to be over 5,000 and the ETJ extending to one mile. Motion seconded by Councilman Byrum-Bratson. Approved unanimously.

10. Consider action to approve ordinances for a proposed CVS store.

- An Ordinance granting a variance to the hours of operation

Councilman Byrum-Batsen moved to grant variance to the hours of operation, for item f in menu in the ordinance (restricted to those items commonly sold in Texas). Motion seconded by Councilwoman Bradbery. Approved unanimously.

- An ordinance granting a variance to the landscaping and transparency requirements.

Councilwoman Cottrell moved to approve variance to the landscaping and transparency requirements as recommended by staff. Motion seconded by Councilman Byrum-Bratsen. Approved unanimously.

11. Consider action to approve a resolution supporting Segment B of the Grand Parkway (SH99). Councilwoman Cottrell made a motion to encourage both Segment B and to add Segment C to the grand Parkway. Councilwoman Bradbery seconded the motion. Approved with three in favor and two absentions. Councilwoman Smajstrla and Councilman Wilsey abstained from the vote.

12. Consider action to approve an amendment to the Zoning Ordinance PUD regulations. Councilwoman Cottrell made motion to approve the amendment to the Zoning Ordinance PUD regulations. Seconded by Councilwoman Bradbery. Approved with four ayes to one noe. Councilwoman Smajstrla voted against the motion. Councilwoman Bradbery then made an

amended motion to approve the document cleaned up, and to state Alvin Sun as the newspaper source. Councilwoman Cotrell seconded the motion. Approved unanimously.

13. Consider action to approve ordinances annexing and granting a PUD zoning classification and approving the PUD plan for the AISD and Baham (Khonsari) tract (46.09 acres) on Davenport and Iowa Colony Blvd. and bordering Highway 288.

- Approve ordinance annexing the AISD and Baham tracts on Davenport and Iowa Colony Blvd. and for the rights of way of Highway 288 and Davenport (FCR64)

Councilwoman Cotrell made motion to approve the ordinances annexing the AISD and Khonsari tracts. Motion seconded by Councilwoman Smajstrla. Approved unanimously.

- Approve an ordinance granting a PUD zoning classification and approving the PUD plan for the AISD and Baham tracts on Davenport and Iowa Colony Blvd. and bordering Highway 288 and for rights of way of Highway 288 and Davenport (FCR 64)

Councilwoman Cottrell made motion to approve staff recommendations. PUD for AISD with landscaping requirements to be and lighting requirements - 3,000 kelvin. Councilman Byrum-Bratsen seconded the motion. Approved unanimously.

14. Consideration and possible action to approve a bid from 4J's Services for mowing of rights of way. Councilwoman Cotrell moved to approve the bid for mowing and maintenance of the rights of way submitted by 4J's Services in the amount of \$53,000. Motion seconded by Councilman Byrum-Bratsen. Approved unanimously.

15. Consideration and possible action to authorize improvements of the City Hall parking area. Councilwoman Cottrell made motion to approved B3 Resources, LLC as the contractor for the City Hall Paving project in the amount of \$72,088.45. Seconded by Councilwoman Bradbery. Approved unanimously.

16. CONSENT AGENDA- Consideration and possible action approving the following Consent Agenda items. Councilwoman Cottrell made a motion to approve all items as presented. Councilwoman Smajstrla seconded the motion. Approved unanimously.

A. Consider approval of minutes of the following meetings.

- March 18, 2019 City Council meeting.
- April 1, 2019 Special Council meeting
- April 8, 2019 Special Council meeting.

B. Consideration and possible action to designate and authorize certain people to act on behalf of the City under the recently approved Security Pledge Agreement with First National Bank of Alvin.

C. Approval of landscaping and mowing bid from Ortega Landscaping of Houston, Texas.

D. Approval of an ordinance amending the 2019 Budget.

E. Approval of the following plats as recommended by the Planning Commission.

- AISD High School at Iowa Colony Preliminary Plat
- Meridiana Section 59 Final Plat – Revision No.1

F. Approval of infrastructure projects for final acceptance as described below.

- Sierra Vista Section 4B- Approval of water, sanitary, storm and paving into one-year maintenance period
- Meridiana Parkway Phase IV- Approval of water, sanitary, storm and paving into one- year maintenance period.

G. Approve early plat releases and reimbursements as follows:

- Sterling Lakes Section 13
- Sierra Vista Blvd. Phase II

H. Approve the quarterly investment report.

EXECUTIVE SESSION- 8:32 p.m.

- Executive Session in accordance with 551.071 Texas Gov't Code to consult with City Attorney concerning
 - Limited legal aspects of the Alvin/City of Iowa Colony ETJ Agreement
- Executive Session in accordance with 551.074 Texas Gov't Code to consult with City Attorney concerning R.J. Mannino.
- Executive Session in accordance with 551.072 Texas Gov't Code to deliberate on land sale and/or acquisition
 - EMS property and/or City Hall property
 - Property next to City Hall

RETURN TO OPEN SESSION- 9:49 p.m.

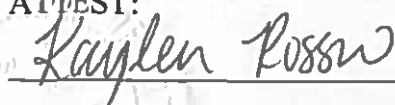
17. Consideration and possible action regarding sale of property to ESD # 3. Councilman Byrum-Bratsen made a motion to approve the latest version of the escrow agreement with an amendment to Exhibit A and authorize the Mayor to make any further adjustments to the easement language if necessary. Seconded by Councilwoman Cottrell. Approved unanimously.

18. Consideration and possible action regarding property adjacent to City Hall. No action taken

19. Council adjourned at 9:50 pm.

APPROVED THIS 20th DAY OF MAY, 2019.

ATTEST:



Kayleen Rosser, City Secretary



Michael Byrum-Bratsen, Mayor