



# CITY OF IOWA COLONY

WHERE WE MAKE IT HAPPEN

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STATE OF TEXAS  
COUNTY OF BRAZORIA  
CITY OF IOWA COLONY

BE IT REMEMBERED ON THIS, the 15<sup>th</sup> day of August, 2016, the City Council of the City of Iowa Colony, Texas, held a Regular Council meeting at the regular meeting place thereof in the city hall there being present and in attendance the following members to wit:

Mayor Michael Holton  
Councilman Les Hosey  
Councilwoman Kacy Smajstrla  
Councilwoman Robin Bradbery  
Councilman Michael Byrum-Bratsen

and Councilwoman Susan Cottrell being absent, constituting a quorum at which time the following business was transacted.

## **REGULAR MEETING**

- 1 Mayor Holton called meeting to order.
2. Pledge of Allegiance was recited.
- 3 Citizens Input: Council heard input from Dan Sebesta and Carolyn Bowen on budget, sign ordinance, taxes and roads.
4. Consider approval of minutes of July 18, 2016 and August 8, 2016, Councilwoman Smajstrla made a motion to approve both sets. Motion was seconded by Councilwoman Bradbery. Motion was approved both unanimously.
5. Mayor's Comments or report. Mayor Holton reported CR 57 and CR 48 are ready for asphalt. CR 64 is going to stay milled until current projects are completed. Meridian for Meridiana has been installed and is lit at night. Meridiana Elementary will open Monday. Chief will be patrolling. Budget and tax rate hearings will be September 12, 2016. Announced Donald Mudd had passed away.

6. Council comments or reports: Councilman Byrum-Bratsen reported Meridiana is not having issues selling homes. 60 lots have been sold, 4 residing there. Builders are increasing sales. He commended Officer Padilla. He reported he had a serious fall on Saturday and she responded and assisted and called for the ambulance. He commented about the loss of Donald Mudd who did so much for the area and region. He suggested the idea of naming the park for Donald R. Mudd.

7. Staff Reports:

Chief Hearn introduced Diana Saxton – veteran police officer, now a full time officer with Iowa Colony. Chief also introduced two new reserve officers.

City Engineer Dinh Ho reported the Meridiana signs have been approved.

The signs will be up but not the flashers, etc. by the time school starts.

Sterling Lakes Section 20 has conditional approval. He reported CR 48/CR 57 ready for asphalt. Sierra Vista submitted three plats – Meridiana Parkway; Section 1 and Section 2

8. Consider approval of Sign Ordinance, Kent Marsh made comments on changes since the last meeting. Per Council's request he received input from Meridiana developers; made modifications based on their input and made changes based on sign types based on last comments from Council. Responded to flags – limits are broad – three poles with two flags per pole – much more than most areas allow. Change to "not low enough to touch the ground." Remove the 7 ft. limit. Monument markers – what about cemeteries – Can put monuments in cemeteries as exempt. Exempt that Ag signs are exempt both in City and ETJ. Changed minimum set back from 20 feet to three feet behind the property line. It was measured from the property line. Took out every set back on the private property sign, except residential areas, and that is 3 ft. Permit fees – two kinds of signs – temporary free standing signs and for stake signs. Not required for any other type signs. Abandoned signs – is there a penalty to charge the owner for the removal of the sign? A property owner is responsible and can be found in violation.

Councilman Byrum-Bratsen moved to approve with two changes: (1) Flags shall not be allowed to touch the ground; (2) Exempt grave markers of any type (persons or animals) from sign ordinance; (3) Review the following and bring back if it is possible: Add in the enforcement provision – add the lien on property for cost of removal (if City has the authority). Seconded by Councilwoman Bradbery.. Motion was approved with three ayes and two against. Councilman Hosey and Councilwoman Smajstrla voted against the motion.

9. Consider action regarding setting the time and place for a public hearing on the Fiscal year 2017 City Budget, Councilman Byrum-Bratsen made a motion to set the public hearing for September 12, 2016, at 7:00 p.m. at City Hall for the proposed FY 17 City Budget. Motion was seconded by Councilwoman Bradbery.

Motion was approved unanimously.

10. Consider action on setting the time, place and date for adopting the tax rate for 2016, Councilman Hosey made a motion to adopt the tax rate on September 19, 2016 at 7:00 p.m. at City Hall. Motion was seconded by Councilwoman Bradbery. Motion was approved unanimously.
11. Discussion of ordinance on non-discrimination of any citizen, City Attorney Larry Boyd made a report that General Law cities have limited authority and can only do what is authorized by law. For this purpose, the City can regulate: (1) City operations; (2) City property – building and parks; (3) Very few items per the Texas Constitution. Shows, theaters, amusements, concerts and drive-in's can be regulated. City Attorney sought direction for further work from Council: No action taken.
12. Consider annual review and approval of City Investment Policy for 2016, Councilman Hosey made a motion to approve as written and presented. Motion was seconded by Councilwoman Bradbery. Motion was approved unanimously.
13. Consideration and possible action granting a variance request to the Subdivision Ordinance for minimum lot width requirements for a 1.428 acre tract of land out of Lot 420 of the Emigration Land Company Subdivision. Applicant requested to table. No action.
14. Consider action regarding approval of Iowa Colony Blvd. Phase II Preliminary Plat, Councilman Hosey made a motion to approve as recommended by Planning Commission. The motion was seconded by Councilwoman Smajstrla. The motion was approved with Councilman Byrum-Bratsen abstained due to conflict of interest.
15. Council adjourned to Executive Session under Texas Government Code section 551.074 to deliberate concerning appointments to the Planning Commission.
16. Returned to Open Session
17. Mayor Holton recommended appointed Steven Bradbery to Planning Commission. Councilman Hosey made the motion to appoint Steven Bradbery. Motion was seconded by Councilwoman Smajstrla. Approved with two ayes, one Naye and one abstention. Councilman Byrum-Bratsen against and Councilwoman Bradbery abstained due to conflict of interest.
16. Being no further business, Councilwoman Bradbery moved to adjourn. Seconded by Councilwoman Smajstrla. Motion was approved unanimously.

APPROVED THIS 19 DAY OF September 2016.

ATTEST

Geraldine Frank  
Geraldine Frank, City Secretary

Michael Holton  
Michael Holton, Mayor