

## MINUTES OF CITY COUNCIL MEETING JANUARY 2, 2018

1. **Call to order.** Meeting was called to order at 6:00 P.M. by Mayor Bert Echterling.
2. **Invocation.** Brenton Lane provided the Invocation.
3. **Roll Call.** Councilmembers present: Brenton Lane, Bert Echterling, Jim Mastergeorge, Steve Janics, and Steven Tindell. Councilmember Jeremy Stivener was absent. Councilmember Jimmy Rogers arrived after roll call at 7:44 P.M.
4. **Approve Minutes from: December 5, 2017.** Councilmember Steve Janics motioned to approve the minutes from the December 5, 2017 meeting as written. Mayor Pro Tem Jim Mastergeorge seconded this motion. Voting in favor; Lane, Mastergeorge, Janics, Tindell, and Echterling. There were no opposing votes and motion carried unanimously.
5. **Citizen Comments.** Linda Vaughn, 2913 W 43<sup>rd</sup> Street, Waco, Texas 76710 introduced Ashley Archibald as the new Membership and Marketing Manager for The Greater Robinson Chamber of Commerce. Erica Ballard, 5387 Cooksey Lane, Robinson, Texas 76706, spoke regarding the current masonry ordinance.
6. **Consider and possible action regarding the Final Plat for the Harris Village Addition Phase Five, being 4.25 acres out of the Carlos O'Campo Survey, Abstract 32, approximately addressed at 2550 Greig Drive.** Planning and Development Director Justin French presented this item. Mr. French stated the property owner proposes to final plat twenty-one (21) residential lots initially approved in the Harris Village preliminary plat on September 14, 2004. Mr. French said On December 19, 2017, the Planning and Zoning Commission by a 5-0-0 vote recommended disapproval of the plat until the outstanding items were adequately addressed. Mr. French stated staff recommends disapproval of the plat until there is compliance with the outstanding items as outlined in the staff report. This will allow the plat to be acted upon within a reasonable review time, and when the above issues are adequately addressed the plat can be recorded with the County Clerk so development can occur within phase five. Mayor Pro Tem Jim Mastergeorge asked if there was an original time line established since the approval of the first plat. Mr. French stated there is no expiration date after the approval of the first final plat. Councilmember Brent Lane noted the changes in the layout after the approval of the final plat. Mr. French stated staff had the authority to approve those changes. Mayor Pro Tem Jim Mastergeorge motioned to disapprove the plat until the outstanding conditions have been met. Councilmember Steven Tindell seconded this motion. Voting in favor: Lane, Mastergeorge, Janics, Tindell, and Echterling. There were no opposing votes and motion carried unanimously.
7. **Consider and possible action regarding the Minor Plat for Lot 1, Block 1 of the Ballard Addition, being 25.4074 acres out of the I. Galindo Survey, Abstract 16, addressed at 5387 Cooksey Lane.** Planning and Development Director Justin French presented this item. Mr. French said the property owner proposes to construct a single-family residence

on the subject site, and per Section 1.7 of the subdivision ordinance, the city shall not extend utilities, provide access to public roads, or issue building permits for the development of any property which has not received plat approval. Mr. French stated on December 19, 2017, the Planning and Zoning Commission by a vote of 5-0-0 recommended approval of the requested waiver and variance and disapproval of the re-submitted plat until the outstanding item was adequately addressed. Mr. French said unless City Council grants the requested waiver and variance, staff recommends disapproval of the plat until there is compliance with the City's minimum water main pipe size, required fire hydrant installation, and approval from the Environmental Health Manager with the Waco-McLennan County Public Health District. This will allow the plat to be acted upon within a reasonable review time, and when the issues are adequately addressed the plat can be recorded with the County Clerk so development can occur on the subject site. Mr. French stated a motion to approve the requested waiver and variance may be accompanied with a motion to disapprove this plat pending compliance with outstanding item. Councilmember Steven Tindell asked if any utility improvements have been made, and was there some level of fire protection. Mr. French stated the utility improvements have not been completed, and that some standard of fire protection was available. Councilmember Steven Tindell motioned to approve the requested waiver and variance and to disapprove the re-submitted plat until the outstanding conditions have been met. Councilmember Steve Janics seconded this motion. Voting in favor: Lane, Mastergeorge, Janics, Tindell, and Echterling. There were no opposing votes and motion carried unanimously.

8. **Consider and possible action regarding he Minor Plat for Lot 1, Block 1 of the LeBourgeois Addition, being 1.45 acres out of the Carlos O'Campo Survey, addressed at 220 Hahn Drive.** Planning and Development Director Justin French presented this item. Mr. French stated the property owner proposes to construct a single-family residence on the subject site, and per Section 1.7 of the subdivision ordinance, the city shall not extend utilities, provide access to public roads, or issue building permits for the development of any property which has not received plat approval. Mr. French said on December 19, 2017, the Planning and Zoning Commission by a vote of 4-1-0 recommended approval of the applicant's requested waiver and variance and disapproval of the plat until the outstanding items above are adequately addressed. Mr. French stated unless City Council grants the waiver and variance requests, staff recommends disapproval of the plat until there is compliance with the other outstanding items. This will allow the plat to be acted upon within a reasonable review time, and when the issues are adequately addressed the plat can be recorded with the County Clerk so development can occur on the subject site. A motion to approve requested waiver and/or variance may be accompanied with a motion to disapprove this plat pending compliance with other outstanding items. Council voiced concerns regarding setting precedence by allowing the applicant to have an aerobic surface irrigation system on the less than two-acre lot. Caleb Mooney with Mitchell and Associated, Inc., 600 Austin Avenue, Waco, Texas 76701, spoke on behalf of the applicant, and stated the cost of the extension would be more than the property value. Mayor Pro Tem Jim Mastergeorge motioned to deny the applicant's requested waiver and variance and disapprove the plat until the outstanding items are adequately addressed.

Councilmember Steve Janics seconded this motion. Voting in favor: Lane, Mastergeorge, Janics, Tindell, and Echterling. There were no opposing votes and motion carried unanimously.

**9. Consider and possible action on Restated and Amended Ordinance 2017-023-A creating a Municipal Court of Record within the City of Robinson, and authorizing the appointment of the initial judge and initial municipal court clerk for the City of Robinson Municipal Court of Record, and appointing initial judge and initial court clerk for the City of Robinson Municipal Court of Record.** City Manager Craig Lemin presented this item. Mr. Lemin said on November 7, 2017, Council adopted Ordinance 2017-023 establishing and creating a Municipal Court of Record. Mr. Lemin stated as provided in the Sections 4 and 6 of the original ordinance, the Council must appoint the initial judge and the initial clerk of the municipal court of record. Councilmember Steven Tindell motioned to restate and amend Ordinance 2017-023-A creating a Municipal Court of Record within the City of Robinson, and authorizing the appointment of the initial judge and initial municipal court clerk for the City of Robinson Municipal Court of Record, and appointing Dick Kettler as the initial judge, and Elvira Leyva as the initial court clerk for the City of Robinson Municipal Court of Record. Councilmember Brenton Lane seconded this motion. Voting in favor: Lane, Mastergeorge, Janics, Tindell, and Echterling. There were no opposing votes and motion carried unanimously.

**10. Consider and possible action regarding approval to go out for bids for the street program.** City Manager Craig Lemin and Clark Gauer with Walker Partners presented this item. Mr. Lemin stated design has been completed on the current year projects and they are ready to go out for bid. The projects include Hillview Dr., McLendon Dr., Lou St., Beard Ave. and Bunker Ave. Mr. Lemin said Beard and Bunker are drainage improvements only at this time. Mr. Lemin stated we have been delayed waiting on utility relocations by Atmos, AT&T and Oncor; however, those are all complete or are scheduled for completion and we can move forward with bidding. Clark Gauer stated after the project areas were surveyed, additional issues related to right of way and drainage have arisen. Mr. Gauer said Hillview is located along the eastern edge of the right of way which eliminates any area for drainage improvements. The entire street will have to be shifted west to the center of the right of way to allow for adequate drainage on both sides. Drainage issues have also led to cost increases on the other projects. Significantly more drainage work will be needed than initially estimated. Mr. Gauer stated this will result in the need to upsize more existing culverts which will require more driveway replacements than initially thought. The end result is that costs are \$318,418 higher than originally projected. Councilmember Brenton Lane inquired about the design, downstream issues on Lou, testing soils, and the pavement structure. Councilmember Brenton Lane motioned to move forward with the bid process for the street program. Mayor Pro Tem Jim Mastergeorge seconded this motion. Voting in favor: Lane, Mastergeorge, Janics, Tindell, and Echterling. There were no opposing votes and motion carried unanimously.

**11. Discussion regarding Hicks Lane and Juniper Lane.** City Manager Craig Lemin and Clark Gauer with Walker Partners presented this item. Mr. Lemin stated Council

requested staff provide information regarding improvements to Juniper and Hicks Lanes. Mr. Lemin and Mr. Gauer provided a presentation regarding the current condition and proposed improvements to Juniper and Hicks Lane. Mr. Lemin said moving forward with Juniper Lane would require current right-of-way boundary would need to be surveyed, roadway will have to be realigned or additional right-of-way acquired, drainage will have to be evaluated and possibly realigned, cores will need to be taken on the subgrade to determine the level of stabilization required, upgrade the waterline, consider adding a cul-de-sac, and the recommendation method is rural reconstruction which included widening to 22' chip seal surface and subgrade stabilization if needed. Mr. Lemin stated the projected total cost for Juniper is approximately \$604,688 without a waterline replacement and \$718,438 with the waterline replacement. Mr. Lemin said moving forward with Hicks Lane would require a survey and acquire 50' of right-of-way, take subgrade cores, design the roadway and drainage, consider adding a cul-de-sac, and the recommended method is rural construction which included widening street to 22' chip seal surface and subgrade stabilization if needed. Mr. Lemin stated the projected total cost for Hicks Lane is approximately \$969,375 without a waterline replacement, and \$1,161,875 with the waterline replacement. Mr. Lemin also pointed out there are nine additional gravel roads in the city. Councilmember Jimmy Rogers said he would like to see these streets added to the street program. The overall goal of the council is to continue with the current street projects outlined in 2017 and 2018, and to see each street added to the program as time and funding allows.

- 12. Discussion regarding credit card payment services.** City Manager Craig Lemin and City Secretary Jana Lewellen presented this item. Mrs. Lewellen stated the City has on average 1100 customers utilizing our current online payment services. Each utility customer is charged \$1.25 per session, and court customers are charged \$1.50. Mrs. Lewellen said this brings in approximately \$1400.00 per month (\$16,800 per year). The money collected is used towards the maintenance and website hosting fees charged by Incode which is currently \$4,224.00 per year. Mrs. Lewellen said ETS Corporation (credit card merchant) is also an expense to the City which on average totals \$3000.00 - \$3500.00 a month (\$36,000.00 at a minimum per year) depending on the type of card used and the amount of the payment. Mrs. Lewellen stated the credit card service is not mandatory, but simply a convenience for customers who chose to pay online. The City is spending at a minimum \$23,424.00 annually to provide these services. Mrs. Lewellen stated moving forward with an alternative payment services company would save a substantial amount of money each year, and also eliminate the need for staff to reconcile the online payments which takes significant staff hours. The payments would be posted immediately, and staff will then be able to utilize their time elsewhere. Council stated our current services provided are a convenience to the citizens, but the expense shouldn't come at the cost of the taxpayers that do not use this service. Council asked staff to proceed with the proposed credit card services. Staff will bring the agreements back to council for approval at the February meeting. No action was taken.

**13. Discussion regarding Robinson Music Festival.** Communications and Public Information Director Destiny DeLillo presented this item. Mrs. DeLillo provided an overview which included financial years in comparison, attendance, and pros and cons of the festival. Council would like to see the Robinson Music Festival continue as this provides a family friendly, low cost event for not only our citizens but the surrounding areas. No action was taken.

**14. Discussion regarding the installation of flag poles at Peplow Park.** City Manager Craig Lemin presented this item. Mr. Lemin said the Chamber of Commerce approached the City earlier in the year requesting the City install flag poles at Peplow Park and they would donate \$1000 toward the cost. Staff priced them based on commercial poles with 100 mph flagged wind rating, properly set in a concrete base. In addition, we priced lighting that was extended underground from the amphitheater which is a run of about 180 feet and proper commercial grade lighting. Included in pricing were 4 US and Texas all weather flags. That put us between \$7000 and \$8000 including professional installation. This year's budget was focused on finishing the paving of the walkways. Mr. Lemin said if council wishes to install the flag poles, we would recommend two poles, one on either side of the current park sign. We have looked at solar lighting and we would need to get a solar system with a battery that could hold enough charge to provide several days light in the event of several cloudy days in a row. The solar collector will be a pole mounted system and subject to damage from weather and would have to be placed where it cannot be reached from the ground, but will not interfere with the flag when flying at full or half-staff. The estimate for running the electric underground and putting in commercial lighting was around \$3,500 and would be less prone to weather related damage and eliminate the concerns regarding interference with the flags. Mr. Lemin said going with an adequate pole, with adequate solar lighting and 4 flags for each we are looking at around \$2,765 per pole for a 25-foot pole or \$5,530 excluding the installation costs. Installation will put us back in the range of the original estimate of \$7000 to \$8000. The cost to the City would be \$6000 to \$7000 after the Chamber donation. If council wishes to proceed with this at this time, we can appropriate the funds from the General Fund balance. Council asked staff to look at an electrical upgrade for the park and bring this information back to council for direction. No action was taken.

**15. Executive Session: Under the provisions of Government Code 551, the Council will meet in Executive Session to discuss:**

- a. Executive Session pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072, to discuss real estate transaction.*

*Council entered into Executive Session at 8:48 PM.  
Council reconvened from Executive Session at 9:16 PM.*

**16. Consideration and possible action on matters discussed in Executive Session:**

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- **Certain surplus real estate located at S 3<sup>rd</sup> Street.** Mayor Pro Tem Jim Mastergeorge motioned to authorize the City Manager to proceed with the sale of the property. Councilmember Jimmy Rogers seconded this motion. Voting in favor: Rogers, Lane, Mastergeorge, Janics, Tindell, and Echterling. There were no opposing votes and motion carried unanimously

**17. Councilmember requests for items to be placed on future agendas.** Mayor Pro Tem Jim Mastergeorge asked staff to touch base with Oncor regarding leaning light poles along Highway 77.

**18. Adjourn.** Meeting adjourned at 9:19 p.m.