

## MINUTES OF CITY COUNCIL MEETING MARCH 6, 2018

1. **Call to order.** Meeting was called to order at 6:00 P.M. by Mayor Bert Echterling.
2. **Invocation.** Pastor Brooks Kimmey provided the Invocation.
3. **Pledge of Allegiance.** Council, Staff, and Citizens joined in the Pledge of Allegiance.
4. **Roll Call.** Councilmembers present: Jimmy Rogers, Bert Echterling, Jim Mastergeorge, and Steve Janics. Councilmembers Jeremy Stivener, Brenton Lane, and Steven Tindell were absent.
5. **Approve Minutes from: February 6, 2018 and February 15, 2018.** Councilmember Steve Janics motioned to approve the minutes from the February 6, 2018, and February 15, 2018 meetings as written. Mayor Pro Tem Jim Mastergeorge seconded this motion. Voting in favor; Rogers, Mastergeorge, Janics, and Echterling. There were no opposing votes and motion carried unanimously.
6. **Citizen Comments.** Tom Ledbetter on behalf of Shepherds Heart, 526 Kristi, Robinson, Texas 76706, extended thanks to the Mayor, Council, City Manager, and Staff for the use of the food pantry, and offered refreshments and snacks prior to the meeting.
7. **Present Quarterly Investment Report.** City Manager Craig Lemin presented the Quarterly Investment Report to include the annual comparison of portfolio performance, and a summary of the quarter end results. No action taken.
8. **Present 2017 Annual Racial Profiling Report.** Chief of Police Phillip Prasifka presented the 2017 Annual Racial Profiling Report. No action taken.
9. **Consider and possible action accepting the City of Robinson, Texas Annual Financial Report presented by Belt Harris Pechacek, LLP for Fiscal Year ending September 30, 2017.** Mike Brotherton, CPA with Belt Harris Pechacek, LLP presented the City of Robinson Annual Financial Report for Fiscal Year ending September 30, 2017. Mayor Pro Tem Jim Mastergeorge motion to accept the Annual Financial Report as presented. Councilmember Jimmy Rogers seconded this motion. Voting in favor; Rogers, Mastergeorge, Janics, and Echterling. There were no opposing votes and motion carried unanimously.
10. **Consider and possible action regarding the Minor Plat for Lot 1, Block 1 of the Steve Powell Addition, being 10.832 acres out of the I. Galindo Survey, Abstract 16, unaddressed off Downsville Road.** 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 February 20, 2018, the Planning and Zoning Commission, by a vote of 4-0-0, recommended approval of the requested variance and waiver and disapproval of the plat until outstanding items were adequately addressed. Mr. French stated all conditions were met prior to tonight's Council Meeting. Councilmember Jimmy Rogers motioned to approve the requested waiver and variance and to approve the plat as presented. Mayor Pro Tem Jim Mastergeorge seconded this motion. Voting in favor; Rogers, Mastergeorge, Janics, and Echterling. There were no opposing votes and motion carried unanimously.

- 11. Consider and possible action regarding the request of Ken Wells for a variance to allow less than the minimum lot size required for a subsurface soil absorption effluent disposal system per Section 5.1(b) 2.B of Appendix B Subdivision Ordinance, for development on Tracts 1, 5, and 5A of the I. Galindo Survey, being approximately 12.484 acres addressed at 3806 and 3864 S. Robinson Drive.** Planning and Development Director Justin French presented this item. Mr. French stated the property owner proposes to develop nineteen single family residential lots on the subject site, and per the subdivision ordinance, lots must be a minimum of one acre in size if effluent disposal is to be by subsurface soil absorption and this type of effluent disposal must meet regulations and standards set forth by the Waco-McLennan County Public Health District, the state health department, and the Texas Commission on Environmental Quality (TCEQ), as well as any additional regulations and standards set forth by the City. Mr. French said On February 20, 2018, the Planning and Zoning Commission, by a vote of 4-0-0, recommended disapproval of the variance request while citing potential environmental health concerns that are not in keeping with the standards of the City of Robinson. Mayor Bert Echterling stated he checked surrounding cities qualifications regarding the minimum lot size required, and was comfortable moving forward with the requested variance. Councilmember Jimmy Rogers stated if the variance was denied, it would be difficult for anyone to develop in this area until the City is able to extend the sewer lines. Mayor Pro Tem Jim Mastergeorge asked if the lower pressure was safe. Mr. French stated there would be the expectation to educate the property owners on how to properly maintain the system. Councilmember Steve Janics motioned to approve the variance as presented. Mayor Pro Tem Jim Mastergeorge seconded this motion. Voting in favor; Rogers, Mastergeorge, Janics, and Echterling. There were no opposing votes and motion carried unanimously.
- 12. Consider and possible action approving Ordinance 2018-003 approving a tariff authorizing an annual rate review mechanism (RRM) as a substitution for the annual interim rate adjustment process.** City Manager Craig Lemin presented this item. Mr. Lemin stated Since 2007, there have been several modifications to the original RRM Tariff. The Ordinance that resolved the Company's application under the RRM Tariff in 2017 also terminated the existing RRM Tariff and required a renegotiation of the terms of that tariff. Negotiations have taken place over the past several months and have resulted in a revised RRM Tariff that has been agreed to by the Company. Mr. Lemin stated the Cities' Executive Committee has recommended acceptance of the revised RRM Tariff, which is attached to the Ordinance. The RRM Tariff on which the 2017 rates were based allowed a rate of return on equity of 10.50%. The revised RRM Tariff reduces that

to 9.8%. The revised RRM Tariff also captures the reduction in federal income tax rates from 35% to 21% and should result in a rate reduction effective by mid-March, 2018. James Fuller on behalf of Atmos was present at the meeting, and also recommended approval of the Ordinance as presented. Councilmember Jimmy Rogers motioned to approve Ordinance 2018-003 as presented. Councilmember Steve Janics seconded this motion. Voting in favor; Rogers, Mastergeorge, Janics, and Echterling. There were no opposing votes and motion carried unanimously.

**13. Consider and possible action approving Ordinance 2018-004 establishing purchasing policies and procedures for the City of Robinson.** City Manager Craig Lemin presented this item and stated State law requires local governments take specific steps in making purchases. Mr. Lemin said the requirements vary depending on the cost and type of the purchase or service being acquired, and this ordinance establishes policies and procedures in accordance with state law, makes those readily available in one document and incorporates those within our procedures. Mr. Lemin stated once the ordinance is adopted we will have training for all staff authorized to make purchases. In addition, our auditors have recommended we adopt purchasing policies and procedure and this will satisfy their request. Mayor Pro Tem Jim Mastergeorge motioned to approve Ordinance 2018-004 as presented. Councilmember Steve Janics seconded this motion. Voting in favor; Rogers, Mastergeorge, Janics, and Echterling. There were no opposing votes and motion carried unanimously.

**14. Consider and possible action authorizing the City Manager to negotiate an agreement for Solid Waste and Recycling Services for the City of Robinson.** City Manager Craig Lemin presented this item. Mr. Lemin said the current contract for Solid Waste Services expires June 30<sup>th</sup>, and the City needs to select the provider for the next service period so that an agreement can be negotiated and the company can prepare the transition that will take place July 1<sup>st</sup>. Mr. Lemin presented a memo outlining the selection process and staff's recommendation. The memo stated the City issued a Request for Proposals for solid waste services, and on February 15<sup>th</sup> the City received proposals from three companies: Frontier Waste Solutions, Waste Connections, and Waste Management. Mr. Lemin stated the Solid Waste Proposal Review Committee members were Director of Communications Destiny DeLillo, Chief of Police Phillip Prasifka, and himself. The committee spent several days evaluating the proposals and created a short list consisting of Frontier Waste Solutions and Waste Management. Interviews were then conducted with each company, and references were checked for each company. Mr. Lemin stated after taking everything into consideration, the average score for each company was Waste Management – 81.3; Frontier Waste Solutions – 74.3, and Waste Connections – 66.3. Mr. Lemin stated each member of the committee ranked these companies in the same order. Mr. Lemin stated the consensus of the committee was that Waste Management is the best fit for the City at this time, and recommended Option 2 cart service with every other week recycle for the residential services. Mr. Lemin also stated the Waste Management proposed an alternative Household Hazardous Waste Program that allows for pick up at resident's home as often as needed in lieu of the twice a year events. Tim Henderson, and John Gustafson on behalf of Frontier Waste Solutions requested to

speak during the item. Mayor Echterling allowed a representative from each company three minutes to speak. Mr. Henderson stated that Frontier Waste Solutions would like the opportunity to provide more back to the community as they have an existing presence in Robinson, and asked Council to take this into consideration. Paul Daugereau with Waste Management provided a brief summary of the company and an overview of the proposal presented to the City. Councilmember Jimmy Rogers asked how many carts each customer would receive and were front load dumpsters included in the proposal. Mr. Lemin stated one 96-gallon trash cart, and one 96-gallon recycle cart will be provided, and that front load dumpsters are included; however, no roll offs were included. Councilmember Steve Janics motioned to authorize the City Manager to negotiate an agreement for Solid Waste and Recycling Services for the City of Robinson. Mayor Bert Echterling seconded this motion. Voting in favor; Rogers, Mastergeorge, Janics, and Echterling. There were no opposing votes and motion carried unanimously.

**15. Consider and possible action setting the date a time for a Joint Work Session regarding the proposed Zoning Ordinance and Zoning Map.** Council proposed March 13<sup>th</sup> or 14<sup>th</sup>, and asked Staff to present both dates to Councilmembers absent before selecting a final date. No action taken. *(The date selected for the meeting after reaching out to Councilmembers is March 14, 2018).*

**16. Discussion regarding updated draft logos for the City of Robinson.** City Manager Craig Lemin presented this item and provided additional options prepared by Marketing Alliance as requested by Council at the February meeting. Following discussion, Council requested minor adjustments to the proposed logos before making a final decision. No action was taken.

**17. 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.*
- b. 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 551.074 so that the City Council can deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.*

*Council entered into Executive Session at 8:17 PM.  
Council reconvened from Executive Session at 8:58 PM.*

**18. Consider and possible action regarding subject matters set forth in the executive session.**

- **Certain surplus real estate located in the 200 Block of W Tate.** Mayor Pro Tem Jim Mastergeorge motioned to authorize the City Manager to negotiate and finalize the sale of the property located in the 200 Block of W Tate. Councilmember Steve Janics seconded this motion. Voting in favor: Rogers, Mastergeorge, Janics, and Echterling. There were no opposing votes and motion carried unanimously.
- **City Manager** – No action taken.

**19. Councilmember requests for items to be placed on future agendas.** Mayor Pro Tem Jim Mastergeorge requested staff look into reestablishing the Economic Development Committee, and the process of getting a Post Office located in the City of Robinson. Mayor Bert Echterling asked staff to look into updating the septic requirements in the Subdivision Ordinance.

**20. Adjourn.** Meeting adjourned at 9:01 p.m.