

## MINUTES OF CITY COUNCIL MEETING JUNE 5, 2018

1. **Call to order.** Meeting was called to order at 6:00 P.M. by Mayor Bert Echterling.
2. **Invocation.** Scott Spence St. Johns United Church of Christ provided the Invocation.
3. **Pledge of Allegiance.** Council, Staff, and Citizens joined in the Pledge of Allegiance.
4. **Roll Call.** Councilmembers present: Jeremy Stivener, Brenton Lane, Bert Echterling, Jim Mastergeorge, Steve Janics and Steven Tindell. Councilmember Jimmy Rogers was absent.
5. **Approve Minutes from: May 1, 2018 and May 5, 2018.** Councilmember Steve Janics motioned to approve the minutes from the May 1, 2018 and May 5, 2018 meetings as written. Mayor Pro Tem Jim Mastergeorge seconded this motion. Voting in favor; Stivener, Lane, Mastergeorge, Janics, Tindell and Echterling. There were no opposing votes and motion carried unanimously.
6. **Citizen Comments.** None.
7. **Consider and possible action regarding the Minor Plat for Lot 1, Block 1 of the Saffle Ranch Addition, being 10.082 acres known as Tract 54E of the M. Martinez Survey, Abstract 24, addressed at 801 Saffle Road.** Planning and Development Director Justin French presented this item and stated the property owner proposes to construct a single-family residence on the subject site with an existing structure to be an accessory dwelling unit. Mr. French stated on May 15, 2018, the Planning and Zoning Commission, by a vote of 3-0-0, recommended approval of the requested variance, approval of the requested waiver, and disapproval of the plat until the remaining outstanding items are adequately addressed. Mr. French stated the remaining items had been addressed since the Planning and Zoning Commission meeting, and the plat is acceptable for approval. Councilmember Jeremy Stivener motioned to approve the requested waiver, and variance, and approve the minor plat as presented. Councilmember Brenton Lane seconded this motion. Voting in favor: Stivener, Lane, Mastergeorge, Janics, Tindell and Echterling. There were no opposing votes and motion carried unanimously.
8. **Consider and possible action regarding the Final Plat for Liberty Ranch Addition Phase 4, being 13.852 acres of land out of the Carlos O'Campo Survey, approximately addressed off Crow Creek Drive.** Mayor Bert Echterling recused himself from this item and departed the Council Chambers. Planning and Development Director Justin French presented this item and stated the property owner proposes to final plat twenty-eight (28) residential lots initially approved by City Council in the Liberty Ranch PUD and the Liberty Ranch preliminary plat. The final plats for previous phases were subsequently approved by City Council and the proposed phase 4 is the last final plat of the approved Liberty Ranch PUD and preliminary plat. Mr. French stated on May

15, 2018, the Planning and Zoning Commission, by a vote of 3-0-0, recommended disapproval of the plat until the remaining outstanding items are adequately addressed. Councilmember Brent Lane questioned the lots located within the designated floodplain. Mr. French stated he felt comfortable moving forward provided the construction plans clarify Lots 19-21 are buildable at least one foot above the base flood elevation without adding fill within the 100-year floodplain. Otherwise consider leaving these lots for a future Phase 5 or waiting till the professional engineer can have a letter of map amendment/revision approved by FEMA so the plat can reflect the amended/revised 100-year floodplain. Mr. French also stated the proposed development should not impact the existing drainage system as long as the developer complies with all City ordinances. Councilmember Jeremy Stivener recommended disapproval of the Final Plat until the remaining outstanding items are adequately addressed. Councilmember Steve Janics seconded this motion. Voting in favor: Stivener, Lane, Mastergeorge, Janics, and Tindell. There were no opposing votes and motion carried by a vote of 5-0 with one abstention. Mayor Echterling returned to the Council Chambers.

**9. Consider and possible action regarding the Preliminary and Final Plats for Sendera Point Addition, being 11.789 acres of land out of the Ignacio Galindo Survey, Abstract 16, addressed within the 3800 Block of S. Robinson Drive, including 3806 and 3864 S. Robinson Drive.** Planning and Development Director Justin French presented this item and stated the property owner proposes to preliminary plat and final plat sixteen (16) residential lots. Mr. French stated on May 15, 2018, the Planning and Zoning Commission, by a vote of 3-0-0, recommended disapproval of the plats until the remaining outstanding items are adequately addressed. Councilmember Jeremy Stivener motioned to disapprove both plats until the remaining outstanding items are adequately addressed. Mayor Pro Tem Jim Mastergeorge seconded this motion. Voting in favor: Stivener, Lane, Mastergeorge, Janics, Tindell, and Echterling. There were no opposing votes and motion carried unanimously.

**10. PUBLIC HEARING: Conduct a public hearing, consider and possible action regarding the Replat for Lots 2R1 & 2R2, Block 9 of the O. T. Robinsonville Addition, being 0.933 acres known as Lot 2, Block 9 of the O. T. Robinsonville Addition, addressed at 107 W. Tate Avenue.** Mayor Echterling opened the Public Hearing at 6:29 PM. Planning and Development Director Justin French presented this item and stated the property owner proposes to replat the existing lot into two lots. Mr. French said two nonconforming single-family residences exist on the subject site today and approval of the proposed replat will have each residence on its own lot and continue the legal nonconforming status of the property until the property is converted to or redeveloped as commercial development in the existing Retail/Office (R/O) zoning district. Mr. French stated on May 15, 2018, the Planning and Zoning Commission, by a vote of 3-0-0, recommended disapproval of the plat until the outstanding items are adequately addressed. After no further discussion, the Public Hearing was closed at 6:33 PM. Councilmember Stivener asked if the lot width was adequate. Mr. French stated yes. Councilmember Lane asked how many meters were located on the subject site. Mr. French stated two. Councilmember Lane asked if the property owner was aware of the

existing nonconforming status. Mr. French stated the owner is aware. Councilmember Steve Janics motioned to disapprove the replat until the outstanding items are adequately addressed. Councilmember Brenton Lane seconded this motion. Voting in favor: Stivener, Lane, Mastergeorge, Janics, Tindell, and Echterling. There were no opposing votes and motion carried unanimously.

**11. PUBLIC HEARING: Conduct a public hearing, consider and possible action on Ordinance 2018-008 regarding an amendment to the Ordinance No. 2013-005, as amended, and known as the Robinson Subdivision Ordinance.** Mayor Echterling opened the Public Hearing at 6:37 PM. Planning and Development Director Justin French presented this item which included feedback from the development community, additional inclusions provided by staff, and future ordinance provisions to consider. Mr. French provided an overview presented to the Planning and Zoning Commission on April 17, 2018 regarding the purpose of platting and an overview of the development process. After no further discussion, the Public Hearing was closed at 6:40 PM. Councilmember Stivener asked for a timeline to add any future provisions. Mr. French stated he was currently working on the Stormwater Regulations, and hoped to have this complete before the end of summer, and any other provisions as they come in. Councilmember Stivener questioned the requirements for a traffic impact analysis. Mr. French said this is currently recommended but not required by ordinance. Mayor Echterling questioned the written warranty guarantee as outlined in Section 10 of the ordinance. Mr. French stated it is to protect the city in the event the improvements are not completed by the developer. Councilmember Brenton Lane asked if one year was adequate for the warranty. Mr. French stated this was the standard time frame. Mayor Echterling asked about the detention facility trigger. Mr. French stated this would fall under the responsibility of the lot owner whether it be an HOA, the builder, or the property owner. Councilmember Jeremy Stivener motioned to approve Ordinance 2018-008 as presented. Councilmember Brenton Lane seconded this motion. Voting in favor: Stivener, Lane, Mastergeorge, Janics, Tindell, and Echterling. There were no opposing votes and motion carried unanimously.

**12. Consider and possible action approving Ordinance 2018-009 granting Waste Management of Texas, Inc. an exclusive franchise for residential solid waste collection and disposal, commercial solid waste collection and disposal, except roll-off services, and residential collection of recyclable materials within the corporate limits of the city of Robinson, Texas, establishing the terms of the service, and establishing the rates to be paid by customers.** City Manager Craig Lemin presented this item. Mr. Lemin stated the proposed ordinance governs the new contract with Waste Management, and establishes the franchise, sets the rate, establishes some of the customer set out requirements and includes the contract as part of the ordinance. Mr. Lemin said it also includes a section that establishes a window for set outs no sooner than 12 hours before the scheduled pick up day and requires the carts to be removed from the curb within 12 hours after the scheduled pick up day. Mayor Pro Tem Jim Mastergeorge asked if any provisions were in place for citizens out of town during the scheduled delivery date of the carts. Mr. Lemin recommended letting Mrs. DeLillo or the Water

Administration Department know so other arrangements can be made. Councilmember Stivener asked about customer responsibilities regarding the containers not being defaced, altered, or removed. Councilmember Stivener felt this may be problematic if the containers are not identifiable to property owner in the event the container is stolen or removed from the property. Mr. Lemin stated theft of containers has not been an issue in his previous experience, and unless extra containers are requested by the home owner, each citizen would only have one trash cart and one recycle cart so it would be easy to track it down if a property owner had multiple carts. Councilmember Stivener also questioned the 12-hour window regarding the scheduled pick up in the event the homeowner is out of town. Mr. Lemin suggesting making arrangements with neighbors or family or contacting the City for other accommodations to avoid any violations. Mayor Pro Tem Jim Mastergeorge motioned to approve Ordinance 2018-009 as presented. Councilmember Steve Janics seconded this motion. Voting in favor: Stivener, Lane, Mastergeorge, Janics, Tindell, and Echterling. There were no opposing votes and motion carried unanimously.

**13. Councilmember requests for items to be placed on future agendas.** Mayor Echterling requested a proclamation to be presented honoring Braxton Ashcraft.

**14. Adjourn.** Meeting adjourned at 7:11 p.m.