

MINUTES OF CITY COUNCIL MEETING OCTOBER 2, 2018

1. **Call to order.** Meeting was called to order at 6:00 P.M. by Mayor Bert Echterling.
2. **Invocation.** Councilmember Jimmy Rogers provided the Invocation.
3. **Pledge of Allegiance.** Council, Staff, and Citizens joined in the Pledge of Allegiance.
4. **Roll Call.** Councilmembers present: Jimmy Rogers, Jeremy Stivener, Brenton Lane, Bert Echterling, Jim Mastergeorge, and Steve Janics. Councilmember Steven Tindell was absent.
5. **Recognize Sergeant Gary Hinson.** Chief of Police Phillip Prasifka congratulated Sergeant Gary Hinson on his retirement from the Robinson Police Department after 27 years of service, and presented a plaque on behalf of the City of Robinson.
6. **Citizen Comments.** None.

CONSENT AGENDA

7. **Approve Minutes: September 4, 2018, and September 17, 2018.**
8. **Consider and possible action approving Resolution 2018-010-R adopting water leak adjustment and unexplained high-water use adjustment policies.**
9. **Consider and possible action approving Resolution 2018-011-R electing to become eligible to participate in tax abatement.**
10. **Consider and possible action approving the proposal from Walker Partners for engineering services for the South Old Robinson Rd and SH 6 / Loop 340 water line relocations & upgrade.**
11. **Consider and possible action approving an Interlocal Cooperative Agreement with McLennan County to reclaim E. Rocket Road for a total cost to the City of \$19,460.**

Mayor Bert Echterling motioned to approve Consent Agenda Items 7-11 as presented. Councilmember Jeremy Stivener seconded this motion. Voting in favor: Rogers, Stivener, Lane, Mastergeorge, Janics, and Echterling. There were no opposing votes and motion carried unanimously.

REGULAR AGENDA

12. **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 551.074 so that the City Council can deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Associate Judge.*

*Council entered into Executive Session at 6:07 PM.
Council reconvened from Executive Session at 6:24 PM.*

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

- **Employment action with regard to the position of Associate Judge.** Councilmember Jimmy Rogers motioned to appoint David Bass as the Associate Judge for the City of Robinson. Councilmember Brenton Lane seconded this motion. Voting in favor: Rogers, Stivener, Lane, Mastergeorge, Janics, and Echterling. There were no opposing votes and motioned carried unanimously.

14. PUBLIC HEARING: Conduct a public hearing, consider and possible action on Ordinance 2018-013 regarding application of Rodney Toten requesting a zoning change from RE to SF-1 on Tract 75C1 of the C. O'Campo Survey, being 1.998 acres addressed at 1612 Sunset Road. Mayor Bert Echterling continued the Public Hearing from the September 4, 2018 City Council Meeting. Planning and Development Director Justin French presented this item. Mr. French provided an overview of the zoning change and stated an existing residence on the subject site is now a complete loss due to fire damage. Mr. French said the applicant has submitted a request to rezone the property for the stated purpose of redeveloping the property with two detached single-family residences with each on its own separate lot. Mr. French stated On August 21, 2018, the Planning and Zoning Commission recommended approval by a vote of 5-0-0. Mr. French stated the percentage of land area within 200 feet of the subject site with ownership in opposition to this rezoning is greater than 20 percent of the total land area within 200 feet of the subject site. For this reason, a super majority must vote in favor of this rezoning if it is to be approved. Rodney Toten, 1612 Sunset Road, Robinson, Texas 76706, spoke in favor of the zoning change and respectfully requested approval. After no additional comments or questions, the Public Hearing was closed at 6:27 p.m. Mayor Bert Echterling stated this lot was previously zoned R1 prior to the new zoning ordinance being adopted, and asked for the difference between RE and SF-1. Mr. French stated RE requires minimum 1600 ft living area, where SF-1 requires 1800, and the minimum lot size for RE is 1 acre, where SF-1 is 12,000 SF. Mayor Echterling asked what the concerns were regarding the letters of opposition. Mr. French stated the narrow lot sizes. Councilmember Brenton Lane asked the letters of opposition be provided in the packet for future meetings, and stated prior to adopting the current zoning ordinance, it was Council's desire to waive the zoning change fee should a property owner wish to return to the previous zoning, and asked Mr. French is this fee had been waived. Mr. French

stated no. Councilmember Lane asked if the Planning and Zoning Commission had any concerns regarding this zoning change. Mr. French stated no, because the subject property was .02 acres shy of the allowed smaller lot sizes. Councilmember Jeremy Stivener questioned whether this sets precedence allowing for smaller lot sizes given there were two letters of opposition. Mayor Echterling indicated this area did not have any additional vacant lots for new structures, and several of the existing homes were in line with the requested lot size and living areas. Councilmember Steve Janics motioned to approve Ordinance 2018-013 rezoning the property from RE to SF-1 as presented. Councilmember Brenton Lane seconded this motion. Voting in favor: Rogers, Stivener, Lane, Mastergeorge, Janics, and Echterling. There were no opposing votes and motioned carried unanimously.

- 15. PUBLIC HEARING: Conduct a public hearing, consider and possible action on Ordinance 2018-014 regarding application of Tyler Gant requesting a zoning change from AG to RE on 16.22 acres out of the Galindo Survey, addressed at 1660 E. Rocket Road and located south of E. Rocket Road and west of Cedell Hill Road.** Mayor Bert Echterling continued the Public Hearing from the September 4, 2018 City Council Meeting. Planning and Development Director Justin French presented an overview of the zoning change, and stated the applicant has submitted a request to rezone the property for the stated purpose of developing the property with two additional detached single-family residences with each being on its own separate two-acre lot, while the existing residence will remain. Mr. French stated on August 21, 2018, the Planning and Zoning Commission recommended disapproval of the applicant's initial request to rezone 16.22 acres to the RE District by a vote of 3-2-0. The Planning and Zoning Commission then recommended disapproval of the applicant's modified request to rezone 7.0 acres to the RE District by a vote of 5-0-0. Mr. French said on August 21, 2018, City staff was presented with a petition signed by 51 individuals in opposition of the applicant's request with some owning property within 200 feet of the 16.22-acre site, some representing other property inside the City of Robinson, and others representing property outside the City of Robinson jurisdiction. Mr. French said due to the super majority vote requirement, the applicant requested the City Council continue the public hearing for this item to tonight's meeting, so a super majority of the City Council may be present to consider his modified request on 7.0 of his 16.22 acres. Tyler Gant, 1660 E Rocket Road, Lorena, Texas 76655, informed Council, staff, and citizens that should this zoning change request fail, he would still move forward with the addition of two dwellings under the current zoning, but felt the amended zoning change would be more pleasing to the surrounding property owners, and respectfully requested approval. Rene Chaves, 1674 E Rocket Road; Gail Jones, 1546 E Rocket Road; and Brent Grygar, 1487 E Rocket Road; spoke against the requested zoning change and voiced concerns regarding the existing infrastructure, lot sizes, and congestion of homes in the area. After no additional comments or questions, the Public Hearing was closed at 6:57 PM. Councilmember Jeremy Stivener and Brenton Lane asked for clarification regarding the Planning and Zoning Commissions vote. Mr. French stated Commission recommended disapproval of the applicant's initial request to rezone 16.22 acres to the RE District by a vote of 3-2-0, and also recommended disapproval of the applicant's modified request to rezone 7.0 acres

to the RE District by a vote of 5-0. Councilmember Lane asked if the petition was for the original zoning change request or for the amended request. Mr. French stated it was for the original request. Councilmember Rogers asked those who signed the petition and present this evening, how they felt about the amended zoning change. Gail Jones, 1546 E Rocket Road, stated she was opposed to the amended zoning change as it is her desire is for the area to remain agriculture, and without the addition of any new dwellings. Mayor Echterling provided a brief summary of what the properties were zoned prior to adopting the new zoning ordinance and after, and noted some of the property owners may have an Ag exemption for tax purposes; however, none of the properties were previously zoned AG. Mayor Echterling reminded the citizens that under the current Zoning, Mr. Toten can still move forward the addition of two dwelling with less restrictive requirements than the proposed zoning request. Councilmember Steve Janics motioned to disapprove Ordinance 2018-014 rezoning the property from AG to RE as presented. This motioned died for lack of second. Councilmember Jimmy Rogers motioned to approve Ordinance 2018-014 from AG to RE as presented. Voting in favor: Rogers, Stivener, Lane, Mastergeorge, and Echterling. This motioned failed by a vote of 5-1 with Councilmember Janics voting in opposition.

- 16. PUBLIC HEARING: Conduct a public hearing, consider and possible action on Ordinance 2018-020 adopting standard specifications for public infrastructure that repeal and replace the City of Robinson's existing Standard Specifications for Public Infrastructure, and adopting Standard Details for Public Infrastructure that repeal and replace the City of Robinson's current Standard Details for Public Infrastructure.** Mayor Bert Echterling opened the Public Hearing 7:37 PM. Planning and Development Director Justin French presented the proposed Ordinance and stated enhancements to the Standard Specifications for Public Infrastructure include condensing the number of pages by eliminating redundancies; requiring storm drainage structures (ie. culverts) to be reinforced concrete and no longer allowing tin horns for construction of new rural drive approaches. Mr. French also stated changes to the Standard Details for Public Infrastructure include locating water lines under parkways rather than under streets to reduce unnecessary street cuts and street repairs when water line repairs are necessary. Mr. French said additions to the Standard Details for Public Infrastructure include adding rural drive approach designs with a valley or culvert design for bar ditch drainage rather than curb and gutter details. There being no additional questions or comments, the Public Hearing was closed at 7:40 PM. Following Council discussion, Councilmember Brenton Lane motioned to approve Ordinance 2018-020 with amendments regarding a second alternative for rural pipe installations such as CMP (corrugated metal pipe) and the appropriate installation measures, as well as allowing for gravel drive approaches if the connecting roadway is gravel. Councilmember Jimmy Rogers seconded the motion. Voting in favor: Rogers, Stivener, Lane, Mastergeorge, Janics, and Echterling. There were no opposing votes and motion carried unanimously.

17. PUBLIC HEARING: Conduct a public hearing, consider, and possible action regarding the application of Honeys Rental LLC and Janice Wynn for a replat to create Lots 3R1 & 3R2, Block 1 of the Conner Estates Addition, being a replat of 4.484 acres addressed at 600 W. Roy Drive. Mayor Echterling opened the Public Hearing at 7:50 PM. Planning and Development Director Justin French presented this item and stated the property owners propose to subdivide Lot 3, Block 1 of the Conner Estates Addition in two. The existing residence on proposed Lot 3R1 will remain Mrs. Wynn's and retain the address of 600 W. Roy Drive. Tommy and Lana Honey propose to construct a new single-family residence on proposed Lot 3R2, which will be addressed 500 W. Roy Drive. Mr. French stated on September 20, 2018, the Planning and Zoning Commission recommended approval of the replat by a vote of 3-0. Mr. French stated the plat application is administratively complete and City Staff recommends approval of the plat. After no additional comments or questions the Public Hearing was closed at 7:53 PM. Councilmember Jimmy Rogers motioned to approve the replat as presented. Mayor Pro Tem Jim Mastergeorge seconded this motion. Voting in favor: Rogers, Stivener, Lane, Mastergeorge, Janics, and Echterling. There were no opposing votes and motion carried unanimously.

18. Consider and possible action on the request of John and Sandy Simons to approve an alternative material for the exterior of a single-family residence to be constructed on Lot 6, Block 23 of the Original Town of Robinson Addition, being approximately 0.611 acres addressed at 501 S. Andrews Drive. Planning and Development Director Justin French presented this item and stated the property owners propose to construct a single-family residence with the entire building exterior consisting of metal R-panel. Mr. French stated on September 20, 2018, the Planning and Zoning Commission recommended approval of the proposed alternative material by a vote of 3-0. Councilmember Steve Janics asked for the color scheme. Mr. French stated this has not been determined. Mayor Pro Tem Jim Mastergeorge asked if there were any concerns regarding fire hazards regarding the use of this material. Councilmember Jimmy Rogers indicated no. Councilmember Jimmy Rogers stated a similar structure was in close proximity to this subject site, and asked for clarification regarding alternative materials as it was his understanding this would be addressed in the zoning ordinance at the request of Council during the review process. City Manager Craig Lemin stated this was discussed, and was decided upon by Council to allow for a property owner to submit these types of alternative material requests on a case by case basis to the Planning and Zoning Commission and the City Council. Councilmember Jeremy Stivener felt the standard masonry requirements currently in place were appropriate and allowing this could set a precedence for future alternative material requests. Councilmember Steve Janics was comfortable with the alternative material due to the mixture of uses in the area. Councilmember Jimmy Rogers motioned to disapprove the alternative material request as presented. Councilmember Jeremy Stivener seconded this motion. Voting in favor: Rogers, Stivener, Lane, Mastergeorge, and Echterling. This motion carried by a vote of 5-1 with Councilmember Steve Janics voting in opposition.

19. Consider and possible action on Ordinance 2018-021 approving and adopting updated Tax Abatement Policies & Guidelines. City Manger Craig Lemin presented this item and stated a taxing unit may not enter into a tax abatement agreement under this chapter and the governing body of a municipality or county may not designate an area as a reinvestment zone unless the governing body has established guidelines and criteria governing tax abatement agreements by the taxing unit. Mr. Lemin said the guidelines must provide for the availability of tax abatement for both new facilities and structures and for the expansion or modernization of existing facilities and structures. Mr. Lemin stated the proposed guidelines have been reviewed and modified by our City Attorney, Mike Dixon, to ensure they conform with state law, and an additional section regarding clean energy has been added since the discussion. Mr. Lemin said these policies can be modified at any time and must be reviewed and readopted every two years. Councilmember Jeremy Stivener motioned to approve Ordinance 2018-021 as presented. Councilmember Steve Janics seconded this motion. Voting in favor: Rogers, Stivener, Lane, Mastergeorge, Janics, and Echterling. There were no opposing votes and motion carried unanimously.

20. Discussion regarding employee health insurance benefit costs. City Manager Craig Lemin presented this item and stated currently, the City provide \$725 a month to each employee to cover health insurance benefits that includes health, dental, vision and life insurance, and this was increased from \$650 in FY 17/18. Mr. Lemin said we offer two health plans, the standard PPO and the high deductible HSA. Mr. Lemin stated fourteen employees utilize the PPO plan and the remainder, approximately 58, utilize the HSA plan, and as we prepared the budget this year, our health insurance provider, TMLIEBP, advised us that they were predicting a 3% increase on each plan. Based on those numbers, the \$725 per employee was sufficient to cover the projected costs. Mr. Lemin said in latter part of August, TMLIEBP provided us with renewal numbers that had a 10% increase to the PPO plan and a 10% increase to dental insurance and based on the PPO increase along with the dental, the cost for those plans will be \$785.80 per month or \$60.80 a month over the city contribution. Mr. Lemin said staff asked TMLIEPB to go back and provide alternate plans with higher deductibles and coinsurance in an attempt to get the cost of the PPO close to the \$725 a month cost, but came back recently with several alternatives, none of which get us to the \$725 city contribution. Mr. Lemin stated TMLIEBP also advised us this week that we have to select our renewal plan no later than September 28, 2018; therefore, we held a staff meeting this week with all department heads and it was the consensus that an alternative plan increasing the deductible to \$1,000 a month, the coinsurance to \$1,500 a month, maximum out of pocket to \$2,500 a month and keeping the \$30 a month co-pay was the most practical choice, and since we had to give TMLIEBP a decision by September 28th, we advised them to change the PPO to that plan. Mr. Lemin said where we need council input is whether the City will increase the city contribution to cover the \$21.02 additional cost or if the employee will have to cover it by paying the difference, with the increase of \$21.02 costing the City \$14,188 in FY 2018-19 and \$18,918 each year thereafter. Councilmember Brenton Lane commended staffs willingness to meet Council half way during the process and not placing the full cost on

the employee or the City. Council consensus was to cover the additional cost and bring back a budget amendment at the November meeting. No action was taken.

21. Councilmember requests for items to be placed on future agendas. None.

22. Adjourn. Meeting adjourned at 8:32 p.m.