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STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF IOWA COLONY

BE IT REMEMBERED ON THIS, the 25th day of January, 2021, the City Council of the City of Iowa Colony, Texas, held a Work session at 6:00 P.M. and a Public Meeting at 7:00 P.M. via teleconference/videoconference, there being present and in attendance the following members to wit:

Mayor Michael Byrum-Bratsen
Councilwoman Arnetta Murray
Councilwoman Sydney Hargroder
Councilwoman Robin Bradbery
Councilwoman Kacy Smajstrla
Councilman Chad Wilsey

And none being absent, constituting a quorum at which time the following business was transacted.

WORKSESSION- 6:00 P.M.

1. Mayor Byrum-Bratsen called the work session to order at 6:01 P.M.
2. Staff and City Council members discussed proposed rules of procedure.
3. Staff and City Council members discussed the City Manager search process. The council set a special meeting to discuss this further on Wednesday, February 3rd at 6:00 P.M.
4. The work session was adjourned at 7:06 P.M.

REGULAR MEETING – 7:00 P.M.

1. Mayor Byrum-Bratsen called the meeting to order at 7:10 P.M.
2. Pledge of Allegiance and Texas Pledge were recited.
3. **PUBLIC HEARING**
 - Hold a public hearing for a variance request for a business to operate for 24 hours at the northeast corner of Highway 288 Access Road and Meridiana Parkway. Mayor Byrum-Bratsen opened the public hearing at 7:12 P.M. Rebecca Hester at 3612 Lister Drive stated that she wants City Council to carefully consider not giving a blanket approval for businesses to be open for 24 hours and to carefully consider the variance for this

particular business. Her concern is that the business is close to the residential area and we have particular areas zoned commercial for these businesses to be located. She is also concerned with the potential of increased crime in the area. She feels as though these businesses looking to be open for 24 hours should be located along the SH 288 corridor. Mayor Byrum-Bratsen closed the public hearing at 9:41 P.M.

- Hold a public hearing on amending the zoning ordinance concerning allowing and redistricting 24-hour business operations. Mayor Byrum-Bratsen opened the public hearing at 7:16 P.M. No comments from the public. Mayor Byrum-Bratsen closed the public hearing at 10:27 P.M.
- Hold a public hearing on amending the Zoning Ordinance and Unified Development Code concerning the Zoning Board of Adjustments, the Planning and Zoning Commission, and various authorities and procedures. Mayor Byrum-Bratsen opened the public hearing at 7:16 P.M. There were no comments from the public. Mayor Byrum-Bratsen closed the public hearing at 10:27 P.M.

4. Citizens Comments and Presentations.

- Timothy Varlack, 9942 Clear Diamond continued to ask the Council's forbearance with regard to issuing permits for food trucks. He asked that Council consider the owner certify they don't owe more than \$30,000 in taxes and that they are not under suspension for any adjacent counties. He also commented on new standards regarding the noise ordinance from 85 db. to 65 db. and the bands may be over 85 decibels even in your house. He recommended stricter time limits rather than drop the decibel down.
- Bob David, a Missouri City resident. He is interested in buying property in the city. He asked how to get street names and addresses. Dinh Ho will follow up regarding the property.

5. Mayor's comments or reports

- Mayor Byrum-Bratsen stated that February is African American History Month. He stated that we have a long way to go when it comes to race relations. Mayor Byrum-Bratsen read the proclamation aloud.

6. Council comments or reports.

- Councilwoman Hargroder thanked Councilwoman Murray for coordinating the first MLK celebration.
- Councilwoman Murray thanked the city for being on board with the MLK celebration. She thanked multiple people for their attendance and bringing their family members to the MLK event.
- Councilwoman Bradbery stated for everyone to stay safe and be good to one another.
- Councilwoman Smajstrla apologized for not being able to attend the MLK event. She appreciates that the community is growing and how everyone is bonding to build a great community.
- Councilman Wilsey had the opportunity to attend the MLK celebration. He stated that having the community together and meeting their neighbors was great. He met some really great people and had the opportunity to speak with other representatives.

7. Staff Reports.

- A. City Manager
- B. City Engineer

- C. Police Department- Chief Bell reported that the Police Department is fully staffed at this time. They are expecting two more positions to be released mid-year. They are getting all the dispatch equipment ready.
- D. Building Official/Fire Marshal- Rachel and him have put together a master contact list of all builders. They will reach out quarterly to keep the names updated.
- E. City Secretary- reminded everyone that Friday, February 12th at 5:00 P.M. is the deadline to file an application for a place on the ballot for Mayor, Council Position 3, Council Position 4, and Council Position 5 on the May 1, 2021 general election ballot.
- F. Senior Accountant
- G. Public Works- Mayor Byrum-Bratsen asked Jeremy about street sweeping. Jeremy stated he will follow up with the county to get that done. Councilwoman Murray thanked Jeremy for helping with the MLK celebration. She asked about trash on the streets in front of the neighborhoods. Jeremy says he picks it up as he sees it. Chief Bell stated to please notify the Police Department and they will take care of it. Councilwoman Bradbery thanked Jeremy for going above and beyond with his work.

8. Consideration and possible action regarding the COVID-19 emergency. Councilman Wilsey made a motion to discuss the COVID-19 emergency. Seconded by Councilwoman Hargroder. Chief Bell provided the report of the number of cases including 101 residents within the city limits, 41 in the ETJ, 354 in the ESD 3 region. He stated that all recoveries can be seen on the Brazoria County Health Department website. Chief will begin to track the number of deaths in the City and ESD 3 regions. Mayor Byrum-Bratsen mentioned he would love to see a vaccine clinic in the city. Chief responded that the County does not yet know how many vaccines they will be receiving. So, they will start at their location of their site. If Iowa Colony is able to have one, they would do a drive thru at Freedom Field. Other than that, there is not a location to store the supplies needed. Chief Bell also mentioned that an email was sent to Council and Staff that they can be vaccinated as essential personnel. If they would like to, they will need to contact Chief Bell.

9. Consideration and possible action to authorize city staff to proceed with annexation of County rights of way, the AISD Bel Sanchez school property, the ESD, and other city properties. Councilman Wilsey moved to authorize city staff to proceed with annexation of County rights of way, the AISD Bel Sanchez school property, the ESD, and other city properties. Seconded by Councilwoman Bradbery. Approved unanimously.

10. Consideration and possible action to approve an ordinance on first reading calling for the general election of officers for May 1, 2021 and approving a joint election contract with Brazoria County. Councilwoman Hargroder moved to approve an ordinance on first reading calling for the general election of officers for May 1, 2021 and approving a joint election contract with Brazoria County. Seconded by Councilwoman Smajstrla. Approved unanimously.

11. Consideration and possible action to approve an ordinance on first reading closing Karsten Blvd. from Bullard south to its current termination. Councilwoman Murray moved to approve an ordinance on first reading closing Karsten Blvd. from Bullard south to its current termination. Seconded by Councilwoman Bradbery. Approved unanimously.

12. Consideration and possible action to approve an ordinance on first reading amending the employee handbook. Councilman Wilsey made a motion to approve an ordinance with the amendment in the ordinance on first reading amending the employee handbook. Seconded by Councilwoman Smajstrla. Approved unanimously.

13. Consideration and possible action to approve an ordinance on first reading approving a variance request for 2942/2944 Meridiana Parkway regarding the UDC transparency and build-to lines regulation as recommended by the Planning and Zoning Commission. Councilwoman Murray moved to approve the variance based on the letter of recommendation provided by staff. Seconded by Councilman Wilsey. Approved with five ayes. Mayor Byrum-Bratsen opposed.

14. Consideration and possible action to approve an ordinance on first reading adopting the 2018 International Plumbing Code with amendments. Councilwoman Bradbery moved to approve approve an ordinance on first reading adopting the 2018 International Plumbing Code with amendments. Seconded by Councilwoman Smajstrla. Approved unanimously.

15. Consideration and possible action to approve an ordinance on first reading establishing standards for noise. Councilwoman Hargroder made a motion to approve the ordinance establishing standards for noise. Seconded by Councilwoman Bradbery. Council members and Staff discussed the reason for the ordinance and possible amendments to the ordinance. Councilwoman Hargroder amended her motion to amend the ordinance to include 85 decibels during the day and 65 decibels at night, adjust the hours from 7:00 A.M to 11:00 P.M., remove all references to animals, and add clarifying language from Larry Boyd to state that it is not illegal unless it affects the person on another person's property and he will adjust the language accordingly. Seconded by Councilwoman Bradbery. Approved with four ayes. Councilwoman Murray and Councilwoman Bradbery voted against the motion.

16. Consideration and possible action to approve an ordinance on first and final reading authorizing a variance to allow 24-hour operation to a building located at the northeast corner of Highway 288 Access Road and Meridiana Parkway. Councilman Wilsey moved to approve the ordinance with the amendment to designate the site as the particular location of the site of the applicant. Seconded with the amendment by Councilwoman Bradbery. Approved with five ayes and one noe. Councilwoman Smajstrla voted against the motion.

17. Consideration and possible action to approve an ordinance on second and final reading establishing a permitting process for food truck vendors. Councilwoman Murray moved to approve the ordinance with amendments provided by Larry Boyd including the zoning to refer to a cross reference in subsection 2-14 to refer to subsection 18 3-6 of this ordinance removed. Seconded by Councilman Wilsey. Approved unanimously.

18. Consent Agenda for Ordinances- Consideration and possible action to approve the following ordinances by consent on second and final reading. Larry Boyd, City attorney requested that item A on the consent agenda for ordinances be removed off the consent and discussed separately. Councilwoman Smajstrla moved to approve items B, C, and D on the consent agenda for ordinances. Seconded by Councilman Wilsey. Approved unanimously.

- A. Approve an ordinance on second and final reading establishing a Zoning Board of Adjustments and Appeals. Larry Boyd, City Attorney explained that he made the change in the ordinance to add the 75% requirement for a quorum to make it clear. Councilman Wilsey moved to approve as amended by the City Attorney. Seconded by Councilwoman Bradbery. Approved unanimously.
- B. Approve an ordinance on second and final reading adopting the International Fire Code, 2018 Edition, and Appendices B, C, D, E, F, and G thereto, as published by the International Code Council, Inc., with certain amendments.
- C. Approve an ordinance on second and final reading amending the fee schedule.
- D. Approve an ordinance on second and final reading amending the FY 21 City Budget.

19. Consent Agenda- Consideration and possible action to approve the following consent agenda items. Councilwoman Smajstrla moved to approve consent agenda items A-G. Seconded by Councilman Wilsey. Approved unanimously.

- A. Approval of Minutes of the following meetings.
December 21, 2020 - Regular Meeting
- B. Approval of a resolution authorizing submission of a grant application under the Rifle Resistant Body Armor Vest Program to the Texas Governor's office, Criminal Justice Division for 100% funding.
- C. Approve and early plat agreement with Rise Development for Meridiana Section 68 Commercial tract.
- D. Approve and agreement with Mr. Robert Bowers to lease city property for mowing and hay production.
- E. Approval of revised Traffic Signal cost sharing agreement with Land Tejas.
- F. Approval of the quarterly investment report.
- G. Approval and consent for MUD 55 to annex AISD property into the District.

EXECUTIVE SESSION- 10:31 P.M.

Executive Session in accordance with 551.071, 551.072, and 551.074 Texas Gov't Code to deliberate on the following:

- Sale of property to MUD 31
- Planning and Zoning Commission Members
- Zoning Board of Adjustments and Appeals Members
- Building Codes Board of Adjustment and Appeals Members
- Parks and Recreation Committee Members

RETURN TO OPEN SESSION- 10:41 P.M.

20. Consideration and possible action regarding the sale of property to MUD 31. Councilwoman Murray made a motion to authorize the Mayor to extend the time of the contract to MUD 31 at his discretion. Seconded by Councilwoman Smajstlra. Approved with five ayes. Mayor Byrum-Bratsen abstained from the vote.

21. Consideration and possible action to appoint members of the Planning and Zoning Commission. Deferred until next meeting.

22. Consideration and possible action to appoint members to the Zoning Board of Adjustments and Appeals. Deferred until next meeting.

23. Consideration and possible action to appoint members to the Parks and Recreation Committee in light of resignations of original members. Deferred until next meeting.

24. Consideration and possible action to appoint members of the Building Codes Board of Adjustments and Appeals. Deferred until next meeting.

25. The meeting was adjourned at 10:50 by a unanimous vote.

APPROVED THIS 15th DAY OF FEBRUARY, 2021.

ATTEST:



Kaylen Rosser, City Secretary



Michael Byrum-Bratsen, Mayor

