CITY OF IOWA COLONY

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STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF IOWA COLONY

BE IT REMEMBERED ON THIS, the 21st day of December, 2020, 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. at the regular meeting place thereof in the City Hall, there being present and in attendance the following members to wit:

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

And Councilwoman Kacy Smajstrla 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 6:03 P.M.
2. Discussion between the City Council and Staff of proposed rules of procedure.
3. Reception for Susan Cottrell. Mayor Byrum-Bratsen presented Susan Cottrell with a plaque in appreciation for her years of service on the Iowa Colony City Council.
4. The work session was adjourned.

REGULAR MEETING – 7:00 P.M.

1. Mayor Byrum- Bratsen called the meeting to order.
2. Pledge of Allegiance and Texas Pledge were recited.

3 Citizens Comments and Presentations.

- Timothy Varlack – wished everyone happy holiday season. Mr. Varlack stated that he noticed an item on the agenda regarding food trucks stating they must demonstrate they are not behind on state, federal or local taxes. He would like for Council to consider a threshold. He also discussed a recent fatality that occurred on Meridiana Parkway. He wants Council to consider drafting a letter to the developer to have better crosswalk markings, better lighting, and request they have better amenities for children on both sides of the road so children don't have to cross the busy roadway. Last, he mentioned he would like the city to designate a specific location for fireworks in a congregate site where they can operate in a safe environment. The staff responded that they will look into it.

- Sheila Coogan stated that her mother and father invested in property in 1969 at CR 48 and CR 56. At one time Intercontinental Airport was earmarked for this south area. They have owned and paid taxes. They did not want to abandon one of their road frontages. CR 48 is closed with a cul-de-sac and the believe it is being illegally closed. She said they don't understand why it is being abandoned without consent. They did not agree to the closing of the road. City Staff mentioned they will discuss this with them.

4. Mayor's comments or reports. Mayor Byrum-Bratsen wished everyone a Merry Christmas and Happy New Year. He asked that everyone continue to practice social distancing. He also asked Dinh Ho, the City Engineer to reach out to TXDOT to update the signage regarding the entity on Highway 288.

5. Council comments or reports.
   - Councilwoman Hargroder gave thanks to the voters for electing her. She thanked her husband and support system, Jeremy with public works, and the city staff for everything they do.
   - Councilwoman Murray wished everyone a Merry Christmas and Happy New Year.
   - Councilwoman Bradbery wished everyone a Merry Christmas.
   - Councilwoman Smajstrla was absent.
   - Councilman Wilsey inquired about the mapping for postal deliveries to the City Secretary. Kayleen responded that she has reached out to the postal service in Houston and google maps will need to update their system.

6. Staff Reports.
   - A. City Manager
   - B. City Engineer
   - C. Police Department
   - D. Building Official/Fire Marshal stated that he is currently working on other code amendments and updates.
   - E. City Secretary gave the filing dates for an application for a place on the ballot. The first day to file an application is January 13th and the deadline is February 12th by 5:00 pm. The positions are for Mayor, Position 3 (for a one-year transitional term), Position 4, and Position 5. All others are two-year terms.
   - F. Senior Accountant
   - G. Public Works

7. Consideration and possible action regarding the COVID-19 emergency. Chief Bell gave a report on COVID. There was a testing site set up at Legacy Field. They tested 123 people. Chief Bell stated that at the Council meeting in November the number of positive cases reported in the city was twenty-one. At this meeting they are reporting seventy-eight residents with COVID. The department of Health Services stated they have met the emergency thresholds for hospitals. As a paramedic the Mayor reported that they have almost exclusively been running COVID calls. No action was taken.

8. Consideration and possible action to approve the City sponsoring a Dr. Martin Luther King Day event at the Iowa Colony City Park. Councilwoman Bradbery made a motion to approve the

MLK event at the city park. Seconded by Councilman Wilsey. Approved unanimously with Councilwoman Smajstrla absent.

9. Consideration and possible action to approve a resolution opposing the location of the Ready-Mix Concrete Batch Plant. Councilwoman Hargroder moved to approve the resolution opposing the location of the Ready-Mix Concrete Batch Plant. Seconded by Councilwoman Murray. Approved unanimously.

10. Consideration and possible action to approve an ordinance on second and final reading to canvas and approve the results of the Charter Election. Councilwoman Hargroder moved to approve an ordinance on second and final reading to canvas the results of the charter election. Seconded by Councilwoman Murray. Approved unanimously.

11. Consideration and possible action to adopt the following ordinances on second and final reading.

- An ordinance creating the Office of the Fire Marshal
- An ordinance confirming the office of the Building Official

Councilwoman Murray moved to approve the ordinance creating the Office of the Fire Marshal and an ordinance confirming the Office of the Building Official. Seconded by Councilwoman Bradbery. Approved unanimously.

12. Consideration and possible action to appoint Albert Cantu as the Fire Marshal and appoint Albert Cantu as the Building Official. Councilwoman Murray moved to appoint Albert Cantu as the Fire Marshal and Building Official. Seconded by Councilwoman Hargroder. Approved unanimously.

13. Consideration and possible action to approve an ordinance on first reading establishing a Zoning Board of Adjustments and Appeals. Councilwoman Bradbery moved to approve the ordinance establishing a ZBOA on the first reading. Seconded by Councilwoman Murray. Approved unanimously.

14. Consideration and possible action to approve an ordinance on first reading establishing a Building Codes Board Adjustments and Appeals. No action as requested by the City Attorney.

15. Consideration and possible action to approve an ordinance on first 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. Councilman Wilsey moved to approve the ordinance on first reading. Seconded by Councilwoman Bradbery. Approved unanimously.

16. Consideration and possible action to approve an ordinance on first reading amending the fee schedule. Councilwoman Bradbery made a motion to approve the ordinance amending the fee schedule on first reading. Seconded by Councilwoman Hargroder. Approved unanimously.

17. Consideration and possible action to approve an ordinance on first reading establishing a permitting process for food truck vendors. Councilwoman Bradbery made a motion to approve

the ordinance for food truck permitting. Seconded by Councilwoman Hargroder. Discussion between Council and Staff to:

- Either remove the section entirely or reword section to give a threshold for being late on taxes. (Sales tax is paid to where their DBA is.) – Policy question – what should the threshold be? How long – two years. How do we actually regulate it?
- Amend the section prohibiting sale of nonfood items. Allow sale of small items that pertain to their branded business, no displays outside the unit. Up to Ninety percent of all sales should be food. **Omit this section entirely.**

Approved unanimously on first reading. Bring back to Council the two items mentioned above for consideration.

18. Consideration and possible action to approve an ordinance on first reading amending the FY 21 city budget. Councilwoman Hargroder to approve the ordinance on first reading. Seconded by Councilwoman Bradbery. Approved unanimously.

19. **Consent Agenda-** Consideration and possible action to approve the following consent agenda items. Councilwoman Murray moved to approve all consent items as presented. Seconded by Councilwoman Bradbery. Approved unanimously.

A. Approval of Minutes of the following meetings.
- November 16, 2020 - Regular Meeting

B. Approval of the following Plats as recommended by the Planning Commission.
- Replat of Lots 20 and 21, Block 1 of Dalton Investment Industrial Complex on 288.

C. Approve the following Infrastructure Approvals/Acceptances
- Meridiana Detention Basin 1A-1 to serve Meridiana Commercial Site-Approval into One Year Maintenance Period.
- Outfall Structures at West Fork of Chocolate Bayou to serve Meridiana – Approval into the One-Year Maintenance Period.
- Meridiana Section 39B Paving- Acceptance into One-Year Maintenance Period for the portion only within the City of Iowa Colony city limits only.

D. Consider approval of a revised Traffic Signal Participation agreement with Land Tejas.

E. Approval of a resolution authorizing participation in the Texas Smart Buy Program.

EXECUTIVE SESSION- 8:01 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
- District Boundaries Commission Members
- Parks and Recreation Committee Members

RETURN TO OPEN SESSION- 8:59 P.M.

20. Consideration and possible action regarding the sale of public safety site in Sterling Lakes to MUD 31. Councilwoman Murray made a motion to approve the following amendments to the contract. The sales price shall be paid in cash at the closing and shall be the larger of $250,000.00 or the appraised value of the property, the contract date to be February 8, 2021, twenty-eight days to provide a survey. Seconded by Councilwoman Bradbery. Approved unanimously.

21. Consideration and possible action to appoint members of the Planning and Zoning Commission. Councilwoman Hargroder moved to approve appointing the current Planning Commission members to be the Planning and Zoning Commission and expand the membership from the current five members to seven members. Seconded by Councilwoman Bradbery. Approved unanimously.

22. Consideration and possible action to appoint members to the District Boundaries Commission. No action taken.

23. Consideration and possible action to appoint members to the Parks and Recreation Committee in light of resignations of original members. No action taken.

24. The meeting was adjourned at 9:04 P.M. by a unanimous vote.

APPROVED THIS 25th DAY OF JANUARY, 2021

Kayleen Rosser

Kayleen Rosser, City Secretary

Michael Byrum-Bratsen, Mayor