

## **MINUTES OF CITY COUNCIL MEETING MARCH 1, 2022**

- 1. Call to order.** Meeting was called to order at 6:00 P.M. by Mayor Bert Echterling.
- 2. Invocation:** Paster Gerry Harrow, with Gathering Robinson Lutheran Church provided the invocation.
- 3. Roll Call:** Councilmembers present: Mayor Echterling, Mayor Pro Tem Jeremy Stivener, Jimmy Rogers, Brittany McLean, Matt Birkes and Steve Janics. Councilmember Jeremy Holland was absent.
- 4. Citizen Comments:** Linda Vaughn, Robinson Chamber of Commerce, provided announcements: Business After Hours event from 5-7PM on March 10, 2022 at the Bevy Boutique; Quarterly luncheon on April 21, 2022 at noon at Tejun; Annual membership banquet, July 21, 2022 at the Texas Sports Hall of Fame. Please check the website for events and updates. Mike Sanders, 981 Peevy Lane, would like to address the road conditions specifically the pot holes in Robinson. He counted 49 potholes in a three-quarter mile. His wife has called 9 times to report the potholes.

### **PRESENTATIONS**

- 5. Presentation recognizing 2021 Employee of the Year.** City Manager, Craig Lemin announced and recognized Gary Bell, Equipment Operator III, Street Department, as the 2021 Employee of the Year.
- 6. Presentation of the Robinson Police Department 2021 Annual Statistic Report.** Chief of Police, Rich Andreucci presented the 2021 Annual Statistic Report to Council. No action taken.

### **CONSENT AGENDA**

- 7. Approve Minutes: February 1, 2022 Regular City Council Meeting.**
- 8. Consider approval of Resolution 2022-002-R authorizing continued participation with the Steering Committee of cities served by Oncor.**
- 9. Consider authorizing the City Manager to sign the Texas Subdivision and Special District Election Release Forms Exhibit A, Endo/Par agreement, and Exhibit B, Teva agreement, in relation to the Texas State-Wide Opioid Settlement Agreement.**

Mayor Pro Tem Jeremy Stivener motioned to approve consent agenda items 7-9 as presented. Councilmember Rogers seconded this motion. Voting in favor: Rogers, Echterling, Stivener, McLean, Birkes and Janics. There were no opposing votes and the motion carried unanimously 6-0.

## **REGULAR AGENDA**

- 10. PUBLIC HEARING:** Conduct a public hearing, consider and possible action on Ordinance 2022-007 regarding the application of Andrew Mellencamp for approval of a specific use permit for a hosted and unhosted residential bed and breakfast in the RE District on 1.946 acres known as a tract in the C. O'Campo Survey, addressed at 724 N. Old Robinson Road.

Mayor Echterling opened the Public Hearing at 6:22 PM

City Manager, Craig Lemin presented the zoning request. The owner of the property intends to operate a hosted and unhosted residential bed and breakfast use at the subject site in the Rural Estate District, which requires City Council approval of a Specific Use Permit (SUP) if it is to be allowed. The Future Land Use (FLU) Map within the Community Visions 2034 Comprehensive Plan designates the subject site and surrounding properties to the Low Density Residential land use category. The hosted and unhosted residential bed and breakfast uses are consistent with the City's comprehensive plan. On February 3, 2022, the Planning and Zoning Commission recommended approval with the stipulation that the SUP expires in five years. The applicant, Andrew Mellencamp, was in attendance.

Mayor Echterling closed the Public Hearing at 6:23 PM

Applicant stated it would be an unhosted bed and breakfast. It is his primary residence and would be rented out while he was out of town. Council discussed to reduce the expiration of the SUP from five to two years.

Councilmember Jimmy Rogers made a motion to approve Ordinance 2022-007 regarding the application of Andrew Mellencamp for approval of a specific use permit with a two-year term for a hosted and unhosted residential bed and breakfast in the RE District on 1.946 acres known as a tract in the C. O'Campo Survey, addressed at 724 N. Old Robinson Road. Councilmember Janics seconded the motion. Voting in favor: Rogers, Echterling, Stivener, McLean, Birkes and Janics. There were no opposing votes and the motion carried unanimously 6-0.

- 11. PUBLIC HEARING:** Conduct a public hearing, consider and possible action on Ordinance 2022-008 regarding the application of White Haven Canine represented by Alan White on behalf of The Lord's Work Inc. represented by Thomas Wright for approval of a specific use permit for a dog training center with kennel and outside pens in the C-2 District on 0.782 of an acre in the C. O'Campo Survey, addressed at 1208 N. Robinson Drive.

Mayor Echterling opened the Public Hearing at 6:29 PM

City Manager, Craig Lemin presented the zoning request. The owner of the property intends to operate a dog training center with kennel and outside pens at the subject site in the C-2 District, which requires City Council approval of a Specific Use Permit (SUP) if it is to be allowed. The Future Land Use (FLU) Map within the Community Visions 2034 Comprehensive Plan designates the subject site and surrounding properties to the Commercial land use category. The Comprehensive Plan states that this site is designated for low and mid-rise office development providing professional, financial, medical, corporate offices and major employment centers, and other office services to residents in nearby neighborhoods. It also designates this site for most retail, commercial, auto-related, and storage related uses such as sales, restaurants, grocery stores, auto dealerships with complete servicing facilities, building material sales, light manufacturing, heavy machinery sales and small-scale office/warehouses. The proposed use is consistent with the Future Land Use plan; however, the City's comprehensive plan also states the following objective: Protect residences from consequences of commercial growth. On February 17, 2022, the Planning and Zoning Commission recommended approval by a vote of 7-0. One letter received opposed with no comments. Does not require super majority vote. Applicant, Alan White, was in attendance.

Councilmember Janics asked applicant on the number of dogs that would be housed on site. Mr. White stated typically 5 to 6 dogs. He stated training of 5 dogs a quarter. The dogs are from the humane society and are based off temperament not breed. Only no bite history dogs are taken. Cindy Abbott, 3061 Andalusian Lane, spoke on behalf of the applicant in full support of the program. Mr. White state the dogs would be housed inside during the evening hours.

Mayor Echterling closed the Public Hearing at 6:35 PM

Mayor Pro Tem Jeremy Stivener made a motion to approve Ordinance 2022-008 regarding the application of White Haven Canine represented by Alan White on behalf of The Lord's Work Inc. represented by Thomas Wright for approval of a specific use permit for a dog training center with kennel and outside pens in the C-2 District on 0.782 of an acres in the C. O'Campo Survey, addressed at 1208 N. Robinson Drive. Councilmember McLean seconded the motion. Voting in favor: Rogers, Echterling, Stivener, McLean, Birkes and Janics. There were no opposing votes and the motion carried unanimously 6-0.

- 12. PUBLIC HEARING:** Conduct a public hearing, consider and possible action on Ordinance 2022-009 regarding the application of Mike Sanders on behalf of Charles Ellison for a zoning change from C-1 Commercial District to C-2 Commercial District on 0.5817 of an acre, known as a portion of Lot 1, Block 17 of the Original Town of Robinsonville Addition, addressed at 502 S. Robinson Drive.

Mayor Echterling opened the Public Hearing at 6:41 PM

City Manager, Craig Lemin presented the zoning request. The buyer of the subject site proposes to develop the site with portable building sales and understands TxDOT improvements to the drive approaches will be required as well as landscaping and surface improvements. On February 17, 2022, the Planning and Zoning Commission recommended approval by a vote of 7-0. Letters were sent out, no letters in opposition, one letter received in support. The applicant, Mr. Sanders, was in attendance.

Councilmember Janics questioned what type of portable buildings were to be sold. Mr. Sanders stated similar to what is next to city hall right now. Mr. White stated the new owner is Dave Spellman out of McGregor. The buildings would be made in McGregor and that Mr. Spellman is aware of the TX Dot and SUP requirements. Mr. Sanders stated that Pizza Junction would remain as is. Back of the property is already zoned C-2. Joyce Hennig with Fidelity Bank questioned the setback for the buildings. Mr. Lemin stated there is a twenty-five (25) foot minimum setback requirement. Mayor Echterling asked the applicant to explain the obstacles in selling this property. Mr. Sanders stated the size of the land and having Pizza Junction up front. He has had several contracts, but the price and expense to have the property meet the city guidelines.

Mayor Echterling closed the Public Hearing at 6:51 PM

Mayor Echterling made a motion to approve Ordinance 2022-009 regarding the application of Mike Sanders on behalf of Charles Ellison for a zoning change from C-1 Commercial District to C-2 Commercial District on 0.5817 of an acre, known as a portion of Lot 1, Block 17 of the Original Town of Robinsonville Addition, addressed at 502 S. Robinson Drive. Councilmember Rogers seconded the motion. Voting in favor: Rogers, Echterling, Stivener, McLean, Birkes and Janics. There were no opposing votes and the motion carried unanimously 6-0.

- 13. PUBLIC HEARING:** Conduct a public hearing, consider and possible action on Ordinance 2022-010 regarding the application of Constance and Dustin Holmes for a zoning change from Agriculture District to Rural Estate District on 4.42 acres, known as a portion of a tract in the M. Martinez Survey, addressed at 812 Ivan Road.

Mayor Echterling opened the Public Hearing at 7:01 PM

City Manager, Craig Lemin presented the zoning change. The property is technically a non-conforming agricultural zoning district; under 5 acres. The owner intends to plat the property into two lots and sell each. One lot will continue to have the existing residence while the other vacant lot will be the site of a future residence. Consistent with the Comprehensive Plan. On February 17, 2022, the Planning and Zoning Commission recommended approval by a vote of 7-0. Notification letters were sent and non were received back. Applicant representative was in attendance.

Mayor Echterling closed the Public Hearing at 7:03 PM

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Councilmember Rogers made a motion to approve Ordinance 2022-010 regarding the application of Constance and Dustin Holmes for a zoning change from Agriculture District to Rural Estate District on 4.42 acres, known as a portion of a tract in the M. Martinez Survey, addressed at 812 Ivan Road. Councilmember Janics seconded the motion. Voting in favor: Rogers, Echterling, Stivener, McLean, Birkes and Janics. There were no opposing votes and the motion carried unanimously 6-0.

**14. 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, 2021.**

Darla Deer with Belt Harris Pechacek, LLP presented the City of Robinson Annual Financial Report for the Fiscal Year ending September 30, 2021.

Mayor Echterling made a motion to accept the City of Robinson, Texas Annual Financial Report presented by Belt Harris Pechacek, LLP for Fiscal Year ending September 30, 2021 as presented. Councilmember McLean seconded the motion. Voting in favor: Rogers, Echterling, Stivener, McLean, Birkes and Janics. There were no opposing votes and the motion carried unanimously 6-0.

**15. Consider approval of the proposal from Strategic Event Initiatives Inc. (SEII) to conduct a complete audit of city events and produce a 5-year strategic event plan in Fiscal Year 2023.**

Assistant to the City Manager, Destiny DeLillo, presented the item and introduced Wanda Daza with Strategic Event Initiative Inc. to help with the discussion of what kind of events would be best for the City of Robinson. Ms. Daza presented an overview on event strategy for the City of Robison; Phase 1: Conduct Event Audit: Compilation and Development, Phase 2: Initial Findings and Strategic Recommendations-Framework Presented for Five Year Strategic Event Plan, Phase 3: Strategic Event Plan-Preliminary Plan Review, Phase 4: Final Phase: City of Robinson Final Approval of Five-Year Strategic Event Plan. Projected Cost Overview Discussion included the estimated duration: January 1, 2023 thru December 15, 2023 and a Total project fee of \$35,000. Mayor Echterling questioned what is it Destiny will see from in going with this direction. Ms. Daza stated a path to move forward and what it is to be achieved. Use assets, attract investors. Destiny DeLillo stated what intrigues her with this direction was the continuation of the success of having festivals. She felt this will give us a place to start and the how to build up our festivals. The logistics are, we don't have the staff and departments to offset some of these events and festivals. Mr. Lemin stated, knowing what kind and what are be capable of having in events. This will help us work out what is sustainable and how to offer and structure it to be successful. Mayor Echterling questioned the use of some hotel/motel tax funds. Mr. Lemin stated he thought yes, we would be able to use some. Mayor Pro Tem Stivener question is it possible to find an event planner to help host our event instead of this route. He is concerned with

the price tag. Ms. DeLillo stated that is something that could come from the analysis. Councilmember Rogers stated he would like to see the money invested into the festival itself instead of an analysis. Councilmember Janics stated we could survey the citizens to find out if they would help with staffing festivals. Mayor Echterling also stated having citizens help or serve on a committee. Councilmember Rogers stated again looking into a planner or volunteer organizations to assist.

Mayor Echterling made a motion to approve the proposal from Strategic Event Initiatives Inc. (SEII) to conduct a complete audit of city events and produce a 5-year strategic event plan in Fiscal Year 2023 and to be paid out of hotel/motel tax funds. Councilmember Janics seconded the motion. Voting in favor: Rogers, Echterling, McLean and Janics. Voting in opposition: Stivener and Birkes. The motion carried 4-2.

**16. Consider approval of a proposal from Walker Partners for services related evaluation and water quality testing related to the future expansion of the Water Treatment Plant, Rehabilitation of Reservoir 1B and Construction of Reservoir 2.**

Jeb Walker and Joe Jenkins with Walker Partners presented this item and a presentation. Mr. Jenkins presented based upon our initial meetings, we understand that City intends to replace the leaking pond liner for Reservoir 1B; increase the impoundment volume of raw water via the addition of Reservoir 2; re-rate and expand the capacity of the Water Treatment Plant (WTP); and improve the raw water supply system including the intake gates and the delivery system, to and between the reservoirs. Mayor Echterling questioned the time line. Mr. Jenkins stated about nine months on the study part, complete construction in a year to a year and half.

Mayor Echterling made a motion to approve a proposal from Walker Partners for services related evaluation and water quality testing related to the future expansion of the Water Treatment Plant, Rehabilitation of Reservoir 1B and Construction of Reservoir 2. Mayor Pro Tem Stivener seconded the motion. Voting in favor: Rogers, Echterling, Stivener, McLean, Birkes and Janics. There were no opposing votes and the motion carried unanimously 6-0.

**17. Consider approval of a proposal from Walker Partners for all engineering activities related to the design and construction of the first phase of a public roadway across the Robinson Business Park.**

City Manager, Craig Lemin presented this item. He stated not having a road is an issue for this property and gaining interest in it. McLennan County is considering whether they will participate on the project on March 1st, the same date as our meeting. If they agree to participate, we will plan on constructing 2,700 linear feet. If they decline to participate, then we will plan on constructing 2,200 linear feet. He stated he has put this on the agenda for consideration at this time as the WIF has one parcel under contract and significant interest in other parcels. Interest in the property is directly tied to access. In order to meet

deadlines should these projects start moving forward, we need to be able to get started sooner than later on the design. We need to get a survey started if nothing else.

Mayor Echterling made a motion to approve a proposal from Walker Partners for all engineering activities related to the design and construction of the first phase of a public roadway across the Robinson Business Park based on the county's participation. Councilmember Rogers seconded the motion. Voting in favor: Rogers, Echterling, Stivener, McLean, Birkes and Janics. There were no opposing votes and the motion carried unanimously 6-0.

**18. Consider approval of the purchase of a ClearGov Budgeting Software subscription at a prorated cost of \$14,583.33 for the remainder of FY 2021-22 followed by a 5-year subscription of \$132,728.**

City Manager, Craig Lemin presented this item. Mr. Lemin stated he currently builds the budget workbook and starts in March. This process takes time at work and at home to build and takes several hundred hours to complete. This process worked more efficient due to our budget lacking in information and not something the public could read and understand. The budget also did not meet all the charter requirements. He stated his intent was to find a long-term solution utilizing a budget specific software. Mr. Lemin stated taking into consideration what we need to include in our budget, quality of the budget document, transparency, and functionality with our existing software, he has determined that the software offered by ClearGov best meets our needs going forward. His plan was to propose this in the FY 2022-23 budget, but ClearGov has offered to provide the software subscription at a prorated price for the remainder of this year and waive the \$9,000 one-time setup cost. The subscription is for a 5-year period at an annual cost of \$25,000 but the agreement does include a non-appropriation clause should a future council choose not to continue it. They do include a 3% annual increase after the initial 18-month term. Making this move now allows us to implement the new software in lieu of going through the current process and having this implemented a year sooner.

Dennis Maher with ClearGov attended remotely. He explained the fees and summary and balance sheets to council. He explained a dashboard that would alert to imbalances and an audit trail is also installed in the software.

Councilmember Janics made a motion to approve the purchase of a ClearGov Budgeting Software subscription at a prorated cost of \$14,583.33 for the remainder of FY 2021-22 followed by a 5-year subscription of \$132,728. Councilmember McLean seconded the motion. Voting in favor: Rogers, Echterling, Stivener, McLean, Birkes and Janics. There were no opposing votes and the motion carried unanimously 6-0.

**19. DISCUSSION:** Regarding assisting the Greater Waco Sports Commission

Mr. Lemin stated he has not heard anything back from Mr. Vogelaar. Mr. Lemin stated at the last meeting Mr. Vogelaar stated he was working with Robinson ISD and he is unsure of that progress. Mr. Lemin stated he would reach out and see what he is receiving from other cities. Councilmember Rogers questioned if this would be an annual or one time contribution and would funds come out of hotel/motel tax dollars. Mr. Lemin stated that it would be whatever council wished to contribute. No action taken.

**20. DISCUSSION:** Regarding alcohol sales and licensing within the City of Robinson

Councilmember Stivener stated as the city is growing, is there interest in the city to have a specs or twin liquor type stores. He stated is it time to expand what we have currently. Mayor Echterling stated that the change would need to be by petition and an election. No action taken.

**21. 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 551.087 so that the City Council can discuss economic development negotiations.*

Mayor Echterling moved into Executive Session at 9:03 PM

Mayor and Council returned to Regular Session at 9:27 PM

No Action was taken during Executive Session.

**22. Mayor and Councilmember updates and requests for items to be placed on future agendas.**

Mayor Pro Tem Stivener would like to discuss Bentwood parking Ordinance.

**10. Adjourn.** Meeting adjourned at 9:28 p.m.



Bert Echterling, Mayor

ATTEST:



Misty Cryer, City Secretary



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