

## **MINUTES OF REGULAR CITY COUNCIL MEETING AUGUST 2, 2022**

### **OPENING ITEMS**

- 1. Call to order:** Meeting was called to order at 6:00 P.M. by Mayor Bert Echterling.
- 2. Invocation:** Jerry Freedman, Bethel Methodist Church provided the invocation.
- 3. Pledge of Allegiance was said aloud.**
- 4. Roll Call:** Councilmembers present: Mayor Echterling, Jimmy Rogers, Mayor Pro Tem Stivener, Brittany McLean and Steve Janics. Jeremy Holland and Matt Birkes were absent.
- 5. Citizen Comments:** Linda Vaughn, Robinson Chamber of Commerce, announcements; The Annual Banquet was a success and with the most attendance yet, she thanked the city council and city staff that attended. August 4<sup>th</sup> is the Quarterly Luncheon at Tejun, August 9<sup>th</sup> a Business After Hours at K4 Construction, September 10<sup>th</sup> the First Responders Event and September 27<sup>th</sup> a Business After Hours at Moon River Ranch. Please check the chambers newsletter and website for calendar events.

### **PRESENTATIONS**

- 6. Present Quarterly Investment Report:**  
City Manager, Craig Lemin presented the quarterly investment report from Valley View Consulting, LLC for the quarter ending June 30, 2022. No action taken.

### **REGULAR AGENDA**

- 7. Approve Minutes: July 5, 2022 Regular City Council Meeting**  
Councilmember Janics motioned to approve the July 5, 2022 Regular City Council Meeting minutes as presented. Mayor Pro Tem Stivener seconded the motion. Voting in favor: Echterling, Rogers, Stivener, McLean and Janics. There were no opposing votes, the motion carried 5-0.
- 8. Consider and possible action on the approval of the application of Daniel Cogburn, RPLS with Bowman Consulting, Ltd. on behalf of Echterling Builders, Inc. for preliminary plat approval of the Magnolia Court Addition, being 9.642 acres in the C. O'Campo Survey, Abstract 32, with the approximate address of 644 N. Stovall Drive.**

Mayor Echterling recused himself at 6:08 PM.

Mayor Pro Tem Stivener continued the meeting.

Director of Planning and Development, Justin French, presented the item:  
The applicant plans to plat 13 residential lots. The site is presently zoned SF-2 Single Family Residential District. The proposed preliminary plat complies with the SF-2 zoning

district. The final plat must be submitted for review by the Planning and Zoning Commission and City Council prior to plat and construction plan approval. Other than discretionary matters for the Commission and Council, the preliminary plat application is administratively complete, and the City's Development Review Committee (DRC) recommends the Commission approve the preliminary plat application. On July 7, 2022, the Planning and Zoning Commission approved the preliminary plat by a vote of 7-0.

Councilmember Janics made a motion to approve the application of Daniel Cogburn, RPLS with Bowman Consulting, Ltd. on behalf of Echterling Builders, Inc. for preliminary plat approval of the Magnolia Court Addition, being 9.642 acres in the C. O'Campo Survey, Abstract 32, with the approximate address of 644 N. Stovall Drive. Councilmember McLean seconded the motion. Voting in favor: Rogers, Stivener, McLean and Janics. There were no opposing votes, the motion carried 4-0.

Mayor Echterling returned to the meeting at 6:13 PM

**9. Consider and possible action on the approval of the application of Rojelio Jasso on behalf of Versatile Capital Management for preliminary plat approval of the Surrey Village Addition Phase 5, being 3.902 acres in the C. O'Campo Survey, Abstract 32, with the approximate address of 504 Paso Fino Street.**

Director of Planning and Development, Justin French, presented the item: The applicant plans to plat nine residential lots on 3.902 acres zoned PH Patio Home District. The proposed preliminary plat complies with the zoning district criteria of the PH District. The final plat must be submitted for review by the Planning and Zoning Commission and City Council prior to plat and construction plan approval. Other than discretionary matters for the Commission and Council, the preliminary plat application is administratively complete, and the City's Development Review Committee (DRC) recommends the Commission approve the preliminary plat application. On July 7, 2022, the Planning and Zoning Commission approved by a vote of 7-0. Significant discussion of drainage and maintenance of drainage facilities should occur with the submittal of the first phase of the final plat, which must include detailed drainage plans for the entire site. Kirk Region was in attendance for the applicant.

Mayor Pro Tem Stivener made a motion to approve the application of Rojelio Jasso on behalf of Versatile Capital Management for preliminary plat approval of the Surrey Village Addition Phase 5, being 3.902 acres in the C. O'Campo Survey, Abstract 32, with the approximate address of 504 Paso Fino Street. Councilmember Rogers seconded the motion. Voting in favor: Echterling, Rogers, Stivener, McLean and Janics. There were no opposing votes, the motion carried 5-0.

**10. Consider and possible action on Ordinance 2022-023 ordering a General Election for the City of Robinson on November 8, 2022 to be held as a Joint Election with McLennan County.**

City Secretary, Misty Cryer, presented this item: per City Charter our election is ordered by Ordinance, this is Ordinance 2022-023 ordering a General Election to elect one (1) person for Mayor, each Place 2, 4, and 6 to serve the full term of two (2) years for (4) four places for City Council.

Councilmember Rogers made a motion to approve Ordinance 2022-023 an ordinance ordering a General Election for the City of Robinson on November 8, 2022 to be held as a Joint Election with McLennan County. Councilmember McLean seconded the motion. Voting in favor: Echterling, Rogers, Stivener, McLean and Janics. There were no opposing votes, the motion carried 5-0.

**11. Conduct a vote by the City Council to propose a property tax rate, to call for and set a hearing on the proposed property tax rate prior to action on adoption, and to set the date for action on adoption of the property tax rate.**

City Manager, Craig Lemin, presented the item:

The process for approving a tax rate is dependent on whether the proposed rate will be above or below the Voter Approval Rate. Depending on whether a council chooses to adopt a rate above or below the voter approval rate dictates how quickly we must hold the hearing and adopt a rate. A public hearing must also be held on the budget and the budget must be approved prior to adopting the tax rate. The rates based our certified property values are:

No New Revenue Rate: \$0.450081  
Voter Approval Rate: \$0.460819  
De Minimis Rate: \$0.484305

The budget includes a proposed tax rate at or below the voter approval rate. The rate in the proposed budget is \$0.4600 which is just below the Voter Approval Rate. The proposed rate is 4.7 cents below the current rate of \$0.5070. Council may vote on the proposed rate or any other rate they so choose. A vote above the De Minimis rate will require an election. The eventual adopted rate cannot exceed the rate chosen at this time.

The following dates have been set for public hearing and adoption:

Public Hearing on Rate & Budget 8/16/2022  
Vote to Approve Rate & Budget 8/23/2022

Mayor Echterling motioned to place a proposal to adopt a tax rate of \$0.4600 on August 23, 2022, and call for a public hearing on a proposed tax rate to be held on August 16, 2022. Councilmember McLean seconded the motion. Voting in favor: Echterling, Rogers, Stivener, McLean and Janics. There were no opposing votes, the motion carried 5-0.

- 12. Consider and possible action approving Resolution 2022-007-R designating the City Manager and Utility Director of the City to conduct the hearings (including issuing notices of the hearing, taking evidence, and transmitting a report (with recommendations) to City Council) in accordance with Section 19-248 of the Sanitary Sewer Use Regulations in Chapter 19 “Utilities” of the City of Robinson Code of Ordinances.**

City Manager, Craig Lemin, presented the item:

Council approved the new Sanitary Sewer Use Regulation in Chapter 19 “Utilities” at its July 5th meeting. Section 19-248 of the ordinance falls under Division 10 – Administrative Enforcement Remedies. Under this Division the City may serve upon a user who is in violation of the ordinance a Notice of Violation. The ordinance provides for the party receiving the notice to request a show cause hearing within 10 days of receiving the Notice. Council may itself conduct the hearing and take evidence, or they may designate any officer or employee of the city to:

- a. Issue in the name of the City Council notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
- b. Take the evidence;
- c. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the City Council for action thereon.

Either way, council is still charged with making the final determination. Designating others to conduct the show cause hearing expedites the process and allows council to receive a complete overview before having to make a decision.

Councilmember Janics motioned to approve Resolution 2022-007-R designating the City Manager and Utility Director of the City to conduct the hearings (including issuing notices of the hearing, taking evidence, and transmitting a report (with recommendations) to City Council) in accordance with Section 19-248 of the Sanitary Sewer Use Regulations in Chapter 19 “Utilities” of the City of Robinson Code of Ordinances. Mayor Echterling seconded the motion. Voting in favor: Echterling, Rogers, Stivener, McLean and Janics. There were no opposing votes, the motion carried 5-0.

- 13. 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 City Manager.*

*Council entered into Executive Session at 6:28 P.M.  
Council reconvened from Executive Session at 7:24 P.M.*

- 14. Consideration and possible action on matters discussed in Executive Session:**
- a. City Manager Evaluation*
  - b. City Manager Contract*

Mayor Pro Tem Stivener motioned to approve a two-year contract beginning August 18, 2022 and expiring August 17, 2024 as discussed in Executive Session. Councilmember Janics seconded the motion. Voting in favor: Echterling, Rogers, Stivener, McLean and Janics. There were no opposing votes, the motion carried 5-0.

- 15. Mayor and Councilmember updates and requests for items to be placed on future agendas.** Councilmember McLean would like to discuss the name change for Ranch Creek Drive.

- 16. Adjourn:** The meeting adjourned at 7:27 P.M.

  
Bert Echterling, Mayor

ATTEST:

  
Misty Cryer, City Secretary

