

MINUTES OF PUBLIC HEARING: SEPTEMBER 5, 2023

Mayor Muska called the public hearing to order at 5:32 pm. The public hearing was regarding the 2023-2024 fiscal year proposed tax rate of \$0.600000 per \$100 valuation. The proposed tax rate is not greater than the voter-approval tax rate, the city is not required to hold an election. Mayor Muska asked the audience (three times) if there were any comments regarding the proposed tax rate/budget and no one responded with any comments. The public hearing session ended at 5:37 pm.

MINUTES OF WORKSHOP: SEPTEMBER 5, 2023

Mayor Muska called the workshop to order at 5:38 pm. Natalie Kelinske, David Pratka, Joe Pustejovsky, and Matt Miller were present. Cody Harris was not in attendance.

Mayor Muska spoke regarding agenda item #12. He said that after the fertilizer plant explosion in 2013, during the re-construction of Davis/Reagan Streets, there were some drainage issues and run-off was going into his tank. Gary Vrba owns property by the area in question and he said that his tank was filled with rock/debris from the drainage issue. Mayor Muska spoke to Jacob at Walker Partners and unfortunately, we cannot go back to Barnett Construction with this issue since it's past the statute of limitations. Gary Vrba received a quote of \$10,000 to remedy his tank issue and would like the city to pay for half.

Workshop ended at 5:43 pm.

MINUTES OF MEETING: SEPTEMBER 5, 2023

1. Call to order: Mayor Tommy Muska called the meeting to order at 6:00 pm.
2. Mayor Muska gave both the invocation and the pledge.
3. Roll Call: present council members – Mayor Muska, Natalie Kelinske, David Pratka, Joe Pustejovsky, and Matt Miller were present. Cody Harris was not in attendance.
4. On a motion by Matt Miller, seconded by Joe Pustejovsky; Approve minutes for August 1, August 3, August 8, and August 24, 2023. All in favor, motion carried.

5. On a motion by David Pratka, seconded by Matt Miller; Approve bills for August 2023. All in favor, motion carried.

6. On a motion by David Pratka, seconded by Natalie Kelinske; Approve monthly departmental reports. All in favor, motion carried.

7. Citizens Comments: We had two citizens that spoke.

Dave Smith is opposed to the rezoning of agenda item #14 (request to rezone residential property to commercial at 613 West Spruce Street). This property in question is located behind the Subway restaurant establishment. Mr. Smith would like to keep the zoning of this property as residential.

Jeff Holloman commented regarding his concern about a potential Love's Truck Stop that could be built next to his residential home in the Wolf Addition. The Wolf Addition is not located inside the city limits and the Love's Truck Stop has not asked the city to be annexed in.

8. On a motion by David Pratka, seconded by Matt Miller; Approve adoption of the 2023 – 2024 fiscal year budget. All in favor, motion carried.

9. On a motion by Natalie Kelinske, seconded by Joe Pustejovsky; Approve the property tax rate for the 2023 – 2024 budget by the adoption of a tax rate of \$0.600000. All in favor, motion carried.

10. Conner Lathern who is an Eagle Scout, presented the city with a proposal for his service Project. He would like to rehab the MKT Caboose that is in West. Conner has met with Dustin Matus who is the owner of Western Enterprises, and he will be helping with his project. He will start with cleaning and washing the exterior of the caboose, buff the existing paint job, address any rust management, and decay issues, and apply necessary primer and paint. Conner would like to assist in bringing this monument back to its former glory (free of paint/graffiti that vandals have inflicted on it in its current state). Conner estimates the total costs being between \$2,000 - \$4,000 and he plans to request donations to help fund it. No action was taken.

11. Matt Nemec was not present to discuss this agenda topic, street dance and food truck permits. No action was taken.

12. Gary Vrba claims his tank issue occurred while the streets on Davis and Reagan were being re-done (over 8 years ago). He states that the run-off from the streets and debris have since filled his tank due to heavy rains that occurred during the street construction. He has received an estimate of \$10,000 to make repairs to his tank and would like the city to pay for ½ (\$5,000). City Attorney, Charlie Buenger stated that the city is not obligated due to the statute of limitations being past due. On a motion by Natalie Kelinske, seconded by Matt Miller; Table this item until our city attorney can properly research this issue. All in favor, motion carried.

13. Matt Miller received a bid from Brazos Media Technologies to put in equipment to upgrade our live streaming capabilities and increase transparency. The total estimate was \$3,757.83 which includes a box camera, laptop, camera mount, cabling, labor, trip total, and testing. On a motion by Natalie Kelinske, seconded by David Pratka; Approve bid from Brazos Valley Technologies for \$3,757.83 for upgrading the Community Center livestream capabilities under this year's (2022 – 2023) repair and maintenance budget. All in favor, motion carried.

14. Request to rezone residential property to commercial at 613 West Spruce Street. Bill Hunt said that the Planning and Zoning Committee did not recommend rezoning and several residents were against the request as well. On a motion by Natalie Kelinske, seconded by Matt Miller; Decline the request to rezone residential property to commercial at 613 West Spruce West, TX, legal description CASEY FM lot 12, block 3, acres 0.376. All in favor, motion carried.

15. This request is for the Uptmore property located behind The Fillin' Station. On a motion by Matt Miller, seconded by David Pratka; Approve the request to rezone residential property to commercial at East Elm Street West, TX, legal description West OT lot 12, block 16. All in favor, motion carried.

16. Bill Hunt said that it states in our current zoning ordinance that we are to collect a fee for any rezonings that are requested. The city fee has not been established but Bill recommends a \$200 application fee which is in line with other cities. On a motion by Natalie Kelinske, seconded by Matt Miller; Approve the rezoning fee schedule of \$200 per application. All in favor, motion carried.

17. Homeowner for 600 W. Broadway St. West, Texas would like to replat this property to include the mobile home. Charles Buenger asked if the mobile home is in violation of the city setbacks, and Bill Hunt replied that he believes so. On a motion by Matt Miller, seconded by Natalie Kelinske; Table this item until further research can be completed. All in favor, motion carried.

18. Bill Hunt stated that the property next to 406 N. Harris St. West, Texas wasn't set back enough. Charles Buenger said if we were to replat it as is, then it would cause them to get a variance, which is in violation. Bill said that he thinks they can make it work if they amend their current survey and have the setbacks redone. Charles said they would need to have the structure included in the replat as well. On a motion by Joe Pustejovsky, seconded by Natalie Kelinske; Table this item until the survey can be redone and resubmitted. All in favor, motion carried.

19. Bill Hunt said that the owner owns both lots (410 W. Columbus and 408 W. Columbus) and a carport was built on the property a few years ago. Bill would like to know exactly where the property line is. On a motion by Matt Miller, seconded by Natalie Kelinske; Table this item until the property line can be determined.

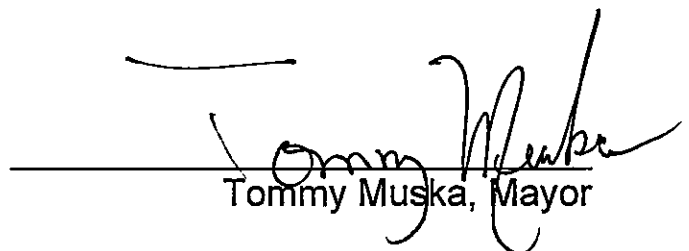
20. On a motion by Natalie Kelinske, seconded by Matt Miller; Approve the replat for (The Fillin' Station) 301 S. Main St., Legal Description West OT Lot 2 THRU 8A (0.009 AC ROW), B (0.088 Ac. OF ALLEY) Block 16 Acres 0.785 125'x250'. All in favor, motion carried.

21. No action was taken regarding the Kapavik parking lot variance.

22. There were no citizen comments/requests for items to be placed on future agendas.

23. Council adjourned at 7:13 pm.


Shelly Gillaspie, City Secretary


Tommy Muska, Mayor