

Regular Meeting of the City Council of the City of Lindsay

Mayor	Scott Neu	
Alderman	Klay Gilbert	
	Jeff Neu	
	Glenn Block	
	Robert Sharp	
	Sam Sparkman	(absent)
City Secretary	Monica Laux	
Police Chief	Jimmy Yarbrough	

Visitors: Steve Snyder; *The Lindsay Letter*, Bradley Anderle; *TOASE*, Brandon Miller; *JBM Homes*, Tony Carcamo; *MES Modern Engineering*, David Perkins; *KSA Engineering*, Judy Smith; *Schalk & Smith*, Wes Swaney, Dominic Cole, Will Colwell, Josh Koelzer, Riley P. Metzler

Invocation and Pledge of Allegiances were led by Scott Neu. The Roll Call was then taken showing Sam Sparkman absent. Establishing a quorum, Mayor Neu called the meeting to order at 7:01PM.

No one signed in to speak under Citizen's Comments.

The Consent Agenda was approved as presented on a motion by Jeff Neu and a second by Klay Gilbert. Motion carried 4-0.

The first item discussed was the 2018-2019 audit. Judy Smith; *Schalk & Smith* explained audit findings to the Council. The areas she talked about was the fund balance, debt service, water, sewer and the general fund. She finished her presentation with the amount spent was \$30,579 under budget. A motion to accept the budget was made by Jeff Neu, seconded Glenn Block. Motion passed 4-0.

Brandon Miller spoke on the proposed 70' x 120' lot sizes. He explained to the Council that 47 lots will be made more desirable since the back yards will be larger with his proposed lot size. He presented the Council with a spreadsheet referencing the lot size range requirements in neighboring cities. He went on to say that the smallest lot will be .19 of an acre and the larger corner lots will be about ¼ of an acre. Tony Carcamo; *MES Modern Engineering* ensured the Council that the larger lot sizes will allow for larger pads to be built while maintaining the City's setback requirements. Brandon Miller informed the council he is aware if the 5% is not provided there may be an extra fee imposed, saying .799 acre is required and has planned for .739 acre. He also noted that the TXDOT written approval for the riprap is expected soon, which was one of the reasons why the preliminary plat was recommended for rejection.

The council entered into Executive Session at 7:27 PM with a motion made by Jeff Neu, seconded by Robert Sharp. Motion carried 4-0. Invited into Executive Session were Bradley Anderle and David Perkins. The Council entered into executive session Pursuant to Sec. 551.071 of the Texas Government code, the Board of Aldermen reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law. In addition, the Board may convene in executive session to receive advice from its attorney regarding the following: a. Pending or contemplated litigation or a settlement offer. b. A matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the chapter.

- Discuss and all matters related to legal options regarding Blackrock Construction.

Pursuant to Sec. 551.074, deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.

- Matters pertaining to the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of Public Works Employees.

Council Members returned from Executive Session at 8:34 PM with a motion made by Jeff Neu, seconded by Klay Gilbert. Motion carried 4-0.

Bradley Anderle spoke to the Council regarding Bailey Ranch Estates, advising them that a variance is typically granted when it is caused by an unnecessary hardship, but there can be discretion. He went on to say, if the variance and 5% public use land is not approved then the plat cannot be approved. Klay Gilbert made a motion to deny the variance for a lot size of 70'. Jeff Neu seconded the motion. Motion carried 3-1 with Robert Sharp voting against the denial of the variance. A motion denying relief for the 5% land use was made by Jeff Neu, seconded by Klay Gilbert. The motion carried 3-1 with Robert Sharp voting for relief. The plat was denied with a motion from Glenn Block for reasons recommended by the city engineer. 1). Minimum lot size, 2) riprap, 3) 5% public land use. Jeff Neu seconded the motion. Motion carried 3-1 with Robert Sharp voting against the denial. Discussion took place rather to redesign the plat for the 75" X 100" lot size or request a Planned Development for Bailey Ranch Estates.

A motion to accept the appeal for a permit denial before the Zoning Board of Adjustments (City Council) was made by Klay Gilbert, with setback regulations enforced. Jeff Neu seconded the motion to accept the appeal. Motion carried 4-0.

Bradley Anderle spoke briefly on Ordinance 0120-2, Amending the Regulations for Golf Cart and Utility Vehicles, stating changes made to the ordinance presented to the Council for review. Changes include a flag that must be displayed on agriculture utility vehicles and can only be used for such use, off-road vehicles will not be allowed unless they meet the requirements and park maintenance personnel will be allowed without a permit. Jeff Neu made a motion to accept the ordinance with the changes explained, seconded by Klay Gilbert. Motion carried 4-0.

Glenn Block made a motion to accept the matters pertaining to the appointment, evaluation, reassignment, duties, discipline or dismissal of public works employees. Klay Gilbert seconded the motion. Motion carried 4-0

Robert Sharp spoke under Information Reports, asking about the employment of a Reserve Police Officer. Police Chief Jimmy Yarbrough informed the Council that Ricky Crow was sworn in and is ready to start his employment with the City of Lindsay.

There being no further business before the Council, the meeting adjourned at 9:11PM. (For more detailed information you may consult the recording of this meeting available at City Hall).