

## Meeting March 21, 2023- Special

### Regular Meeting of the City Council of the City of Lindsay

**Meeting called to order** at 6:01PM, with Council members present: Mayor Pro tem Sam Sparkman, Klay Gilbert, Jeff Neu, and Glenn Block ZOOM-Robert Sharp

Jimmy Yarbrough; *Police Chief*, Monica Laux; *City Secretary*

**Visitors:** Bradley Anderle; *TOASE-* Steven Snider; *Lindsay Letter*, Kenny Marchant; *Bonita Estates*, Joshua Stringfellow; *Bonita Estates*, Kevin Sebade, Abiel Carrillo; *KSA Engineering on ZOOM*

**Invocation and Pledge:** Mayor Scott Neu

**Roll Call and Establish a Quorum:** Mayor Scott Neu

**Citizen Comments:** None

**Consider/take action on development agreement with Bonita Land & Cattle LP concerning the development of 91.81 acres of land in Cooke County, Texas.** Mr. Anderle explained this is an agreement between the property owner in the ETJ and the city. This states the zoning will be the lifetime of this agreement. It establishes this agreement will be subject to follow all the SF1 development regulation. Deadlines are given in the agreement as well as special provisions including a waterline loop and a second entrance to the subdivision.

Motion carried Motion- Klay Gilbert Second-Sam Sparkman Vote 5-0

**Open Public Hearing to receive public comments on Annexation of 27.307 acres requested by Bonita Land & Cattle LP.** 6:13

**Close Public Hearing:** 6:14PM

**Consider/take action on Annexation Services Agreement with Bonita Land & Cattle LP concerning 27.307 acres of land to be annexed into the City of Lindsay, Texas.** The City will provide the same services to this property that they provide to other property owners in the city. Motion carried Motion- Klay Gilbert Second- Glenn Block Vote 5-0

**Consider/take action on Ordinance No. 0323-2 providing for the annexation into the City of Lindsay of approximately 27.307 acres of land situated in the Henry Wilkey Survey, Abstract Number 1090, Cooke County, Texas, located within the current ETJ of the City of Lindsay, Texas, for all municipal purposes; directing amendment of the official maps; establishing the rights and duties of inhabitants in the annexed area; providing for filing notice of this annexation in deed records of Cooke County and with the Cooke County Appraisal District; approving an annexation services agreement for such territory; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause; providing for the exclusion of areas excepted from annexation; providing for engrossment and enrollment; and providing an effective date.** No discussion took place. Motion carried Motion- Klay Gilbert Second-Glenn Block Vote 5-0

**Open Public Hearing to receive public comments on Zoning Change for 27.307 acres requested by Bonita Land & Cattle LP.** 6:20PM Response Letter mailed 3 for potential 6 people responding. There we 2 opposition and 2 no option and 2 no response. Mr. Sebade stated the adjacent property owners will feel the largest impact with the surface water. He stated concern regarding the ingress and egress and the amount of traffic in the subdivision with only one way in and out. The mayor responded that the engineer does not allow more

water to go across the water than presently goes across. There will be studies done on the water flow. The design will be to control the water flow. After Phase 2 is completed a second entrance will be required and no building permit will be issued until it is completed. Mr. Marchant ensured the flow of water would go toward the creek.

**Close Public Hearing:** 6:31PM

**Consider/take action on Ordinance No. 0323-3 of the City of Lindsay, Texas, amending the zoning map of the City of Lindsay by changing the zoning designation of a parcel of land being 23.307 acres in the Henry Wilkey Survey, Abstract Number 1090, Cooke County, Texas, located North of Highway 82 and East of FM 1199, from "A" – Agriculture to "PD" – Planned Development for Single Family Residential; the parcel is shown graphically and described by the legal description provided on Exhibit "A"; waiving the separate public hearing for approval of detailed site plan; providing that this ordinance shall be cumulative of all ordinances; providing a penalty clause; providing that this ordinance shall be cumulative of all ordinances; providing a penalty clause; providing a savings clause; providing a severability clause; providing for publication; and providing an effective date.** Motion carried

Motion-Jeff Neu Second- Sam Sparkman Vote -5

**Entered into executive session:** 6:34PM Motion- Jeff Neu Second- Klay Gilbert Vote 5-0

Invited into Executive Session was Bradley Anderle and Abiel Carrillo

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: Pending or contemplated litigation or a settlement offer- claim for reconstruction of turn lane for Bailey Ranch by JBM Interests- Claim for driveway repair.

**Return from Executive Session:** 7:10PM. Motion- Jeff Neu Second-Klay Gilbert Vote 5-0

**Take any action necessary after executive session.** Motion to approve the agreement between JBM Interest LLC and Philadelphia Indemnity Insurance Company and the City of Lindsay as discussed in executive session. Motion- Klay Gilbert Second- Jeff Neu Vote 5-0

**Information Reports:** none

**Adjournment:** 7:11PM

For more detailed information you may consult the recording of this meeting available at City Hall.

*Leather*  
Mayor

*Monica Lamy*  
City Secretary