

MINUTES OF THE CITY OF GLEN ROSE REGULAR CITY COUNCIL MEETING

Tuesday, November 08, 2022 at 5:30 PM

The City Council of the City of Glen Rose met in a Regular Meeting on Tuesday, November 08, 2022 in the Glen Rose City Hall, Council Chambers, 201 NE Vernon, Glen Rose, TX 76043 at 5:30 PM to consider the following items of business:

CALL TO ORDER

Julia Douglas, Mayor, called the meeting to order at 5:30 p.m.

INVOCATION

Michael Leamons, City Administrator, gave the invocation.

PLEDGES OF ALLEGIANCE

Mayor Douglas led the Pledges of Allegiance to the United States and Texas flags.

ROLL CALL

Council Present

Julia Douglas, Mayor
Kelly Harris, Council member
Demetra Conrad, Council member
TJ Walker, Council member

Staff Present

Michael Leamons, City Administrator
Staci L. King, City Secretary
Jim Holder, Director of Public Works
Buck Martin, Chief of Police

Council Absent

Chip Joslin, Mayor Pro Tem
George Freas, Council member

CITIZEN/VISITOR COMMENTS

No one came forward to address the council.

EXECUTIVE SESSION

In compliance with the provisions of the Texas Open Meetings Law, Subchapter D, Government Code, Vernon's Texas Codes, Annotated, in accordance with:

1. **Section 551.071 Consultation with Attorney** – to seek advice from its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with this chapter: ***Short Term Rental Regulations***.

Mayor Douglas called the meeting in to executive session at 5:32 p.m.

Mayor Douglas called the meeting back to regular session at 5:44 p.m.

ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY

2. **Discussion, consideration, and possible action regarding item discussed in Executive Session: Section 551.071 Consultation with Attorney** – to seek advice from its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with this chapter: ***Short Term Rental Regulations***

No action taken.

PUBLIC HEARINGS

Mayor Douglas opened the public hearings at 5:51 p.m.

3. **Board of Adjustment – Public hearing regarding a request for a variance from the parking requirements described in the City of Glen Rose Code of Ordinances for the property located just north of 1420 NE Barnard Street, being legally described as Acres 1.000, Tract B4-10, Abst A136 MILAM CO SCH LD and identified as Parcel No. R2342 by the Somervell County Appraisal District.**
4. **Board of Adjustment - Public hearing regarding a request for a variance from the 25' front, back and side (for corner lots) yard setbacks, in order to place a manufactured home at the southwest corner of Webster and 4th Streets, being legally described as Lot 6 of Block 4 of the J. J. Farr Addition and identified as Parcel No. R11028 by the Somervell County Appraisal District.**
5. **Public hearing regarding a request to rezone the property located at 800 Clay St, being legally described as Acres 0.307, Lot 1 & 2, Blk 00017, Subd F0100, Abst A41, Farr and identified as Parcel No. R10181, from R-1 (Single-Family Residential District) to R-2M (Single- and Two- to Four-Family Residential District and Multi-Building).**
6. **Public hearing regarding a request to rezone the property located at 1005 Holden, being legally described as Lot 7, Tract D7-30, Abst A136, Milam Co Sch LD, Holden Street Cottages and identified as Parcel No. R49110 by the Somervell County Appraisal District, from PD (Planned Development) to R-1 (Single-Family Residential District).**
7. **Public hearing regarding a request to for a Special Use Permit for the property located at 1005 Holden, being legally described as Lot 7, Tract D7-30, Abst A136, Milam Co Sch LD, Holden Street Cottages and identified as Parcel No. R49110 by the Somervell County Appraisal District, to operate a short-term rental.**
8. **Public hearing regarding proposed amendments to the City of Glen Rose Code of Ordinances, Chapter 14.02.005 *Definitions*, Chapter 14.02.152(f) *Amendments*, and Appendix A, Schedule of Uses *a) Notes to schedule of uses*.**

No one came forward to speak in favor of or opposition to the requests.

INDIVIDUAL ITEMS FOR CONSIDERATION

9. **Discussion, consideration and possible action by the Board of Adjustment, at the request of J3 Group LLC, applicant, for a variance to the City of Glen Rose Zoning Ordinance, specifically parking requirements, for the property located just north of 1420 NE Barnard Street, being legally described as Acres 1.000, Tract B4-10, Abst A136 MILAM CO SCH LD and identified as Parcel No. R2342 by the Somervell County Appraisal District.**

Michael Leamons, City Administrator, briefed the council on the request. John Thomas, spoke on behalf of the applicant. Mr. Thomas stated that the current requirement would be 53 parking spaces; the footprint of the building had been reconfigured to allow for a maximum of 39 parking spaces. Mr. Leamons explained that the Planning and Zoning Commission would be discussing parking requirements at their December meeting and it was possible this situation could be addressed by changes in the city's ordinance.

MOTION by Demetra Conrad, second by Kelly Harris, to deny the variance. MOTION CARRIED by unanimous vote.

10. **Discussion, consideration and possible action by the Board of Adjustment at the request of Jaime Robles, owner, for a variance from the 25' front, back and side (for corner lots) yard setbacks, in order to place a manufactured home at the southwest corner of Webster and 4th Streets, being legally described as Lot 6**

of Block 4 of the J. J. Farr Addition and identified as Parcel No. R11028 by the Somervell County Appraisal District.

Michael Leamons, City Administrator, briefed the council on the request. The combined setback requirements for a corner lot leaves an 18-foot width for a building, therefore the applicant is requesting a reduction of the 25-foot setback requirement to 7 feet.

MOTION by Demetra Conrad, second by Kelly Harris, to approve the variance request as presented. MOTION CARRIED by unanimous vote.

11. Discussion, consideration, and possible action regarding an ordinance rezoning the property located at 800 Clay Street, being legally described as Acres 0.307, Lot 1 & 2, Blk 00017, Subd F0100, Abst A41, Farr and identified as Parcel No. R10181 by the Somervell County Appraisal District, from R-1 (Single-Family Residential District) to R-2M (Single- and Two- to Four-Family Residential District and Multi-Building).

Michael Leamons, City Administrator, briefed the council on the request. On November 1, 2022, the Planning and Zoning Commission voted unanimously to recommend the rezone contingent upon confirmation from the City Attorney that this would not be “spot zoning.” City Attorney Lowry was consulted and stated that this was not spot zoning.

MOTION by Kelly Harris, second by Demetra Conrad, to approve Ordinance No. 2022.11.08.A rezoning 800 Clay Street from R-1 to R-2M. MOTION CARRIED by unanimous vote.

12. Discussion, consideration, and possible action regarding an ordinance rezoning the property located at 1005 Holden, being legally described as Lot 7, Tract D7-30, Abst A136, Milam Co Sch LD, Holden Street Cottages, and identified as Parcel No. R49110 by the Somervell County Appraisal District, from PD (Planned Development) to R-1 (Single-Family Residential District).

Michael Leamons, City Administrator, briefed the council on the request. On November 1, 2022, the Planning and Zoning Commission voted unanimously to recommend the rezone. Michael and Heidi Stephens were in attendance to answer questions.

MOTION by Kelly Harris, second by Demetra Conrad, to approve Ordinance No. 2022.11.08.B rezoning 1005 Holden from PD to R-1. MOTION CARRIED by unanimous vote.

13. Discussion, consideration, and possible action regarding a request to for a Special Use Permit for the property located at 1005 Holden, being legally described as Lot 7, Tract D7-30, Abst A136, Milam Co Sch LD, Holden Street Cottages, and identified as Parcel No. R49110 by the Somervell County Appraisal District to operate a short-term rental.

Michael Leamons, City Administrator, briefed the council on the request. On November 1, 2022, the Planning and Zoning Commission voted unanimously to recommend the special use permit with the following conditions:

- No more than 3 police calls per year for genuine disturbances, as determined by responding law enforcement
- Owners will provide contact information to neighbors so that they are able to contact owners if an issue arises
- No more than 4 individuals allowed during a short-term stay
- Day visitors’ vehicles would be allowed to park on the street, but are prohibited from parking overnight

Michael and Heidi Stephens were in attendance to answer questions. The Stephens’ stated that they agreed to the conditions of the permit, however they felt that they were unnecessary.

MOTION by Demetra Conrad, second by Kelly Harris, to approve the Special Use Permit with conditions as presented. MOTION CARRIED by unanimous vote.

14. Discussion, consideration, and possible action regarding an Ordinance amending the City of Glen Rose Code of Ordinances, Chapter 14.02.005 Definitions, Chapter 14.02.152(f) Amendments, and Appendix A, Schedule of Uses (a) Notes to schedule of uses.

Michael Leamons, City Administrator, briefed the council on the item. On November 1, 2022, the Planning and Zoning Commission voted unanimously to recommend the amendments. Discussion was held regarding parking recreational vehicles on public streets and it was recommended amend *Notes to schedule of uses (10)* to restrict parking recreational vehicles on city streets to a maximum of 48 hours as long as they are not impeding traffic.

MOTION by Kelly Harris, second by TJ Walker, to approve Ordinance No. 2022.11.08.C amending the City of Glen Rose code of Ordinances, amended as stated above. MOTION CARRIED by unanimous vote.

15. Discussion, consideration, and possible action regarding a petition for annexation by VRE Glen Rose 2.0, LLC for a 1.32-acre tract situated in the Milam County School, Abstract No. 136, being a portion of a certain tract of land in deed to Alvie Joe Mitchell, JR recorded under Instrument Number 20201505 and being located on the south side of Highway 67 adjacent and to the east of the 7-Eleven and authorization for staff to negotiate Development and Service Agreements.

Michael Leamons, City Administrator, briefed the council on the petition for annexation. Mr. Leamons explained that acceptance of the petition was the first step in the annexation process and that acceptance of the petition did not guarantee the property would be annexed. Chuck Stark was in attendance on behalf of the developer.

MOTION by TJ Walker, second by Kelly Harris, to accept the petition for annexation and authorize staff to negotiate Development and Service Agreements. MOTION CARRIED by unanimous vote.

16. Discussion, consideration, and possible action regarding a request to close streets for the Merry & Bright Christmas Bazaar and Tree Lighting.

MOTION by TJ Walker, second by Demetra Conrad, to approve the closure of Elm, Vernon, and Walnut Streets for the Merry & Bright Christmas Bazaar and Tree Lighting. MOTION CARRIED by unanimous vote.

17. Discussion, consideration and possible action regarding a request from Tammie Stone, ShooFly Soda Shop, to block off parking spaces for their annual Christmas party on December 3, 2022.

MOTION by Kelly Harris, second by TJ Walker, to approve a request from Shoo Fly Soda Shop to block off parking spaces for their annual Christmas Party. MOTION CARRIED by unanimous vote.

18. Discussion, consideration, and possible action regarding a resolution designating a Grant Administrator for the 2023-2024 Texas Community Development Block Grant (CDBG) Program.

Michael Leamons, City Administrator, briefed the council on the item. A three-person committee comprised of Mr. Leamons, Councilwoman Demetra Conrad, and Public Works Director Jim Holder reviewed proposals from Public Management, Inc, Langford Community Management Services, and Traylor & Associates. After scoring, the committee recommendation was to engage Public Management, Inc. for grant administration services.

MOTION by Demetra Conrad, second by Kelly Harris, to approve Resolution No. 2022-28 designating Public Management, Inc. as the City of Glen Rose's grant administrator for the 2023/2024 Texas Community Development Block Grant.

19. Discussion, consideration, and possible action on Interlocal Agreement with Somervell County for On-site Sewage Facilities (OSSF) regulatory services.

Michael Leamons, City Administrator, presented the item to council. Mr. Leamons explained that entering into an agreement with Somervell County would create a streamlined process for builders who would be

installing OSSF in their developments. Should the county object to any terms of the agreement, it will be brought back to council for additional review and approval.

MOTION by TJ Walker, second by Demetra Conrad, to approve an Interlocal Agreement with Somervell County for OSSF regulatory services. MOTION CARRIED by unanimous vote.

20. Discussion, consideration, and possible action on an amendment to the Interlocal Agreement with Somervell County and GRISD for Matching Funds for Glen Rose ISD SRTS/TA Project to increase the local match so that additional grant funding can be requested.

Michael Leamons, City Administrator, presented the item to council. Mr. Leamons explained that TxDOT informed staff that engineering costs would be exceeding the project's budget; an amended agreement with a 20% local match would make additional grant funding available.

MOTION by Demetra Conrad, second by TJ Walker, to approve an amended Interlocal Agreement with Somervell County and Glen Rose ISD for the Glen Rose Safe Routes to School Project. MOTION CARRIED by unanimous vote.

21. Discussion, consideration, and possible action regarding membership in the Tex-21 Coalition.

Council member Demetra Conrad presented this item to council. She explained that she and Council member George Freas had recently attended a Tex-21 Coalition meeting and felt that there were numerous benefits to becoming members and recommend the City join.

MOTION by Demetra Conrad, second by TJ Walker, to approve membership in the Tex-21 Coalition. MOTION CARRIED by unanimous vote.

22. Discussion, consideration, and possible action regarding proposed job descriptions for City Administrator and Director of Development.

Council member Demetra Conrad presented the council with redlined version of the City Administrator job description, as well as a proposed job description for a Director of Development. Discussion was held regarding the duties and responsibilities of both positions. No action was taken regarding a Director of Development.

MOTION by Demetra Conrad, second by Kelly Harris, to amend the City Administrator job description as discussed and post the job opening. MOTION CARRIED by unanimous vote.

ANNOUNCEMENTS/PRESENTATIONS

There were no announcements or presentations.

CONSENT AGENDA *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*

23. Consider approval or other action regarding the minutes of the October 11, 2022 Regular City Council Meeting.

24. Consider approval or other action regarding an accounts payable report for payments made during October 2022.

25. Consider approval or other action regarding a financial report for the month of October 2022.

This item was removed from the consent agenda by Council member TJ Walker.

26. Consider approval or other action regarding a Corporate Authorization Resolution for the City of Glen Rose Interbank InterFi account.

27. Consider approval or other action regarding a resolution designating the time, place, and dates of Regular City Council meetings for the 2023 calendar year.

This item was removed from the consent agenda by Council member TJ Walker.

MOTION by Kelly Harris, second by Demetra Conrad, to approve Consent Agenda Item Nos. 23, 24, and 26. MOTION CARRIED by unanimous vote.

MOTION by Kelly Harris, second by Demetra Conrad, to approve Consent Agenda Item No. 25. MOTION CARRIED by unanimous vote.

MOTION by TJ Walker, second by Demetra Conrad, to approve Consent Agenda Item No. 27 adopting Resolution No. 2022-29 adopting the 2023 Regular City Council Meeting dates with the following amendment: the February meeting date is to be moved from Tuesday, February 14 to Monday, February 13. MOTION CARRIED by unanimous vote.

STAFF REPORTS

28. Public Works Director Report

29. Police Chief Report

30. Building and Planning Department Report

31. Code Enforcement and Animal Control Report

32. Convention and Visitors Bureau Director Report

33. City Administrator's Report

34. City Secretary's Report

MAYOR AND COUNCIL MEMBER REPORTS

There were no reports or comments from the mayor or council.

ADJOURN

The meeting was adjourned at 8:02 p.m.