



# CITY OF IOWA COLONY

## CITY COUNCIL MEETING MINUTES

Monday, October 14, 2024  
7:00 PM

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Iowa Colony City Council Chambers, 3144 Meridiana Parkway, Iowa Colony, Texas 77583

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STATE OF TEXAS  
COUNTY OF BRAZORIA  
CITY OF IOWA COLONY

BE IT REMEMBERED ON THIS, the 14th day of October 2024, the City Council of the City of Iowa Colony, Texas, held a meeting at 7:00 P.M. at the Iowa Colony City Council Chambers, there being present and in attendance the following members to wit:

Mayor Pro Tem Marquette Greene-Scott  
Councilmember McLean Barnett  
Councilmember Arnetta Murray  
Councilmember Tim Varlack  
Councilmember Kareem Boyce  
Councilmember Sydney Hargroder

And Mayor Wil Kennedy being absent, constituting a quorum at which time the following business was transacted.

### **CALL TO ORDER**

Mayor Pro Tem Greene-Scott called the meeting to order at 7:00 P.M.

### **INVOCATION**

Pastor Jeremy Gundling provided the invocation.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance and Texas Pledge were recited.

### **SPECIAL PRESENTATIONS & ANNOUNCEMENTS**

*Reserved for formal presentations and proclamations.*

1. Proclamation declaring Breast Cancer Awareness Month

Mayor Pro Tem Greene-Scott presented a Proclamation declaring Breast Cancer Awareness Month to the City Secretary.

2. Proclamation declaring Municipal Court Week

Mayor Pro Tem Greene-Scott presented a Proclamation declaring Municipal Court Week to the Court Administrator, Monica Suarez.

### **CITIZEN COMMENTS**

*An opportunity for the public to address City Council on agenda items or concerns not on the agenda. To comply with Texas Open Meetings Act, this period is not for question and answer. Those wishing to speak must identify themselves and observe a three-minute time limit.*

Brenda Dillon; 4402 Bullard Parkway wanted to speak on agenda item no. 11 and agenda item no. 12. She mentioned that she lives in the rural area of Iowa Colony, and they invite development in the rural areas. She stated that it is difficult to sell property when part of the property is zoned residential, and part is zoned commercial. She asked that City Council consider rezoning of this property.

## **PUBLIC HEARINGS**

3. Hold a public hearing to consider rezoning the following property from Single Family Residential to Planned Unit Development:

Being 20.00 Acres of land situated in the H.T. & B.R.R. Co. Survey, section 56, Abstract 515, Brazoria County, Texas, being out of a called 73.94-acre tract of land recorded under volume 987, pages 519, 521, 523 and 525 of the Brazoria County Deed Records.

Mayor Pro Tem Greene-Scott opened the public hearing at 7:16 P.M. Todd Johnson with Caldwell Companies started off by reciting their vision " Honor God by stewarding resources, cultivating relationships, and creating extraordinary communities that enrich lives." He provided photographs of other communities designed by Caldwell Companies. They focus on programming, meaning they want the residents out engaging with the community, not sitting in their apartments. They want to create a great community for the residents to live in. He played a quick video for council that provided reviews from residents in the current communities. He provided a concept plan of the cottages. Carolyn Bowen; 9102 Iowa Colony Boulevard stated that she is the realtor for this property, and she lives right down the street. She feels like this community may be the answer for many people. She relates to the people who live behind this area and are worried about it. She used to see corn and rice fields and knew everyone in the community and now she sees rooftops where those fields used to be. She is proud of Meridiana and thinks they have done a fabulous job on this nice development. Robert Willis; 3414 Delta Drive moved to Meridiana in 2017. He stated that the developer wants to change the adjacent buffer from 25 ft. to 10 ft. The 25 ft. is for privacy and drainage. He has a problem with the buffer only being 10ft. There are no sidewalks in front of the development. The height off the apartment complex is four stories. When the three-story apartments were brought up the Fire Department stated they did not have the equipment for that. He moved here because it was zoned, and his objection is that it looks like the developer wants us to give away a bunch of things that made Iowa Colony great. Councilmember Hargroder stated she has concerns about the setback and the points of egress and ingress. The developer stated they are putting one story cottages along the outside of the development that is why they are only asking for a 10ft. buffer. Mr. Johnson stated they will have at least two points of ingress and egress. Mayor Pro Tem Greene-Scott closed the public hearing at 7:39 P.M.

4. Hold a public hearing to consider rezoning the following property from Single Family Residential/ Business and Retail to Mixed Use:

Approximately 10 acres of land at the Intersection of County Road 48 and County Road 418 (Shaw Road), A0560 H.T. & B.R.R., Tract 162, Brazoria County, Texas.

Mayor Pro Tem Greene-Scott opened the public hearing at 7:39 P.M. There were no comments from the public. Mayor Pro Tem Greene-Scott closed the public hearing at 7:40 P.M.

## **EXECUTIVE SESSION- 7:41 P.M.**

*Executive session in accordance with 551.071, 551.074, and 551.087 of the Texas Gov't Code to deliberate and consult with attorney on the following:*

5. Discussion on Iowa Colony Development Authority/Tax Increment Reinvestment Zone No. 2 applications and appointments

6. Discussion on potential or threatened legal action related to development agreement default.
7. Discussion on Economic Development proposals

## **POST EXECUTIVE SESSION-8:49 P.M.**

### **ITEMS FOR CONSIDERATION**

8. Consideration and possible action on a resolution nominating candidates for the Brazoria County Appraisal District Board of Directors.  
  
Motion made by Councilmember Hargroder to adopt a resolution nominating Arnetta Murray for the Brazoria County Appraisal District Board of Directors, Seconded by Councilmember Varlack.  
Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce
  
9. Consideration and possible action on a Resolution accepting a grant award from the Community Oriented Policing Services (COPS) Grant Program.  
  
Motion made by Councilmember Varlack to approve a resolution accepting a grant award from the Department of Justice Community Oriented Policing Services Grant Program in the amount of \$250,000. Chief Bell stated that the Department of Justice allots a certain amount of money every year for agencies that need help bringing more officers on and getting more involved in the community. Chief mentioned we applied for two positions that were awarded. This will be for a three-year period. Councilmember Varlack asked who wrote the grant. Chief Bell stated they hired a company called Lexipol for the first one. Sergeant King, Robert, and Chief provided the information to them. Seconded by Councilmember Murray.  
Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce
  
10. Consideration and possible action on a Contract Award to GM Vera's Construction for ARPA CLFRF TX0833 - 12" Waterline Extension and Improvements on Iowa Colony Boulevard & 8" Extension on Kelly Leigh Drive.  
  
Motion made by Councilmember Varlack to award a contract to GM Vera's Construction ARPA CLFRF TX0833-12" Waterline Extension and Improvements on Iowa Colony Boulevard & 8" Extension on Kelly Leigh Drive, Seconded by Councilmember Hargroder. Dinh Ho stated that this is the extension from the ARPA grant. The city received approximately \$900,000.00. The project has been a little delayed, but they are ready to award it.  
Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce
  
11. Consideration and possible action on an ordinance rezoning 20 acres of land on Iowa Colony Boulevard to Planned Unit Development.  
  
Motion made by Councilmember Hargroder to approve an ordinance on first and final reading rezoning approximately 20 acres of land on Iowa Colony Boulevard from Single Family Residential to Planned Unit Development and to include all staff recommendations, Seconded by Councilmember Barnett. Councilmember Hargroder asked about the setback from the road. Dinh Ho provided an overview of the variance requests, and the staff comments and recommendations as listed below.

1. Request to buffer the development as single family adjacent to single family and not multi-family adjacent to single-family.

Recommendation: Staff have no objections to this request.

2. Request for side, rear, and front screening requirements.

Recommendation: Staff recommend requiring 6' masonry fencing along Iowa Colony Blvd. This is consistent with all SFR development.

3. Request to waive Neighborhood and Regional Parkland fees.

Recommendation: Staff recommend denying this request. The Regional Park fee is for the acquisition and development of regional parks per the adopted Master Park Plan within the Iowa Colony. Neighborhood Fees: "Private Neighborhood Parks" (Section 3.2.1.5) and can meet up to 50% of the required park land dedicated acreage. Developer shall be responsible for the balance if no public dedication.

4. Request for Building set back along Arterial frontage.

Recommendation: Staff recommend setbacks to be min 25' along Iowa Colony, consistent with SFR development.

5. Request for Building Height to allow for 4-story variance.

Recommendation: Staff recommend approval subject the following conditions: Two sets of elevators be provided on each side of the building. 2. Backup generator to be provided onsite for emergency backup for operation of both sets of elevators.

6. Request for Approval Building Materials

Recommendation: Staff have no objections to this request.

7. Request for variance of masonry percentage

Recommendation: Staff agrees with the proposed masonry percentage. The development will be gated, therefore visual impact will be negligible from the public roadway.

8. Request for PUD boundary variance

Recommendation: Staff have no objections to this request.

9. Request for separate access points on major thoroughfare variance.

Recommendation: Staff is recommending a 2nd point of access point based on the density of this development

Mayor Pro Tem Greene-Scott asked about the commercial part of the tract. Mr. Johnson stated they currently are focusing on this development for the whole tract. Councilmember Varlack asked about the power being cut off in the event of a fire as this would affect the emergency elevators. He asked about the price point of the apartments and the turnover rates of residents moving out. Mr. Johnson stated that the price point starts at about \$1600 and goes up to \$3000. He asked if the group has looked into the comprehensive plan and figured out how they are going to meet the requirements. Mr. Johnson stated they have looked into it but not in great depth as they wanted to see how this first conversation went. Councilmember Barnett asked about the lighting at night. Mr. Johnson stated they would adhere to the dark sky ordinance. Councilmember Hargroder asked how many units they will have in the complex. Mr. Johnson stated they will have 215 units.

The City Secretary read the ordinance caption aloud.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce

12. Consideration and possible action on an ordinance rezoning approximately 10 acres of land at the intersection of County Road 48 and County Road 418 (Shaw Rd.) to Mixed Use.

Motion made by Councilmember Boyce to approve an ordinance on first and final reading rezoning approximately 10 acres of land at the intersection of County Road 48 and County Road 418 (Shaw Rd.) to Mixed Use, Seconded by Councilmember Hargroder. The City Secretary read the ordinance caption aloud.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce

13. Consideration and possible action to designate a representative and alternate for the 2025 H-GAC General Assembly.

Motion made by Councilmember Murray to appoint Councilmember Sydney Hargroder as the representative for the H-GAC General Assembly and Councilmember Kareem Boyce as the Alternate, Seconded by Councilmember Barnett.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce

14. Consideration and possible action on a multi-party agreement to share the cost of the Northwest Regional Wastewater Treatment Plant Phase 1.

Motion made by Councilmember Varlack to approve a multi-party agreement to share the cost of the Northwest Regional Wastewater Treatment Plant Phase 1, Seconded by Councilmember Hargroder.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce

15. Consideration and possible action on a professional services contract with Adico Consulting Engineers for design the Northwest Regional Wastewater Treatment Plant Phase 1.

Motion made by Councilmember Murray to approve a professional services contract with Adico Consulting Engineers for design of the Northwest Regional Wastewater Treatment Plant Phase 1, Seconded by Councilmember Hargroder.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce

16. Consideration and possible action on a resolution updating and confirming the TIRZ/ICDA Board Member positions.

Motion made by Councilmember Boyce to approve a resolution updating and confirming the ICDA/TIRZ Board member positions and bank account access, Seconded by Councilmember Barnett.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce

17. Consideration and possible action on a contract for grant administrative services related to the 2025-26 TxCDBG Program.

Motion made by Councilmember Hargroder to award a contract to Public Management for grant administrative services related to the 2025-26 TxCDBG Program, Seconded by Councilmember Varlack.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce

## **CONSENT AGENDA**

*Consideration and possible action to approve the following consent agenda items:*

Motion made by Councilmember Hargroder to approve the consent agenda items as presented minus No. 22, Seconded by Councilmember Barnett.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce

18. Consider approval of the September 9, 2024 Work Session meeting minutes.
19. Consider approval of the September 9, 2024 City Council meeting minutes.
20. Consider approval of the September 16, 2024 City Council special meeting minutes.
21. Consideration and possible action on an ordinance authorizing the Iowa Colony Development Authority to issue its 2024 Bond Series in an amount not to exceed \$8 million.
22. Consideration and possible action on request for projects to be included in the FY 25 interlocal agreement (ILA) with Brazoria County for road projects.

Motion made by Councilmember Hargroder to approve on the request for projects to be included in the fiscal year 25 interlocal agreement with Brazoria County for road projects, Seconded by Councilmember Barnett.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Councilmember Hargroder, Councilmember Varlack, Councilmember Boyce

23. Consider approval of the Replat of NE 1/2 of the NE 1/2 of the H.T. & B.R.R. Co. Survey 68.
24. Consider approval of the Meridiana Section 55C Preliminary Plat.
25. Consider approval of the Sierra Vista Section 10 Amended Final Plat.
26. Consider approval of the Caldwell Lakes Section 1 Final Plat.
27. Consider approval of the Caldwell Lakes Section 2 Final Plat.
28. Consider approval of the Caldwell Crossing Section 3 Final Plat.
29. Consider approval of the Caldwell Crossing Section 4 Final Plat.
30. Consider approval of the Caldwell Crossing Section 5 Final Plat.
31. Consider approval of the Caldwell Crossing Section 6 Final Plat.
32. Consider approval of the Brazoria County Municipal Utility District No. 57 Water Plant No. 1 Final Plat.
33. Consider approval of the Ellwood Detention Reserves "A" and "B" Final Plat.
34. Consider approval of the Ellwood Karsten Boulevard Phase I Final Plat.
35. Consider approval of the Ellwood Section 1A Final Plat.
36. Consider acceptance of Brazoria County Municipal Utility District No. 87 Detention & Grading Phase 1 into One-Year Maintenance Period.
37. Consider acceptance of Caldwell Crossing Section 1 - Water, Sanitary Sewer, Drainage and Paving Facilities into the One-Year Maintenance Period.
38. Consider approval of an Early Plat Application for Sterling Lakes North Section 8.

39. Consider acceptance of the Quarterly Investment Report.
40. Consider approval of investment of city funds in a Certificate of Deposit with Veritex Community Bank

## **COUNCIL COMMENTS**

Mayor Pro Tem Greene-Scott thanked those in attendance. She had a good time at TML. She reminded everyone that election day is November 5th. Early voting is October 21st through November 1st. She is looking forward to our Festival of Lights.

Councilmember Hargroder thanked those in attendance and for the comments. She thanked staff for their due diligence.

Councilmember Boyce mentioned a Fright Fest event at the park on October 19th from 5:30 P.M. until 9:30 P.M. Costumes are encouraged. He thanked public works for their efforts. The Teen Advisory committee is advocating for community service activities.

Councilmember Varlack thanked those in attendance. He congratulated Chief Bell and Staff on the national night out event. He congratulated the staff and council at TML this week. He mentioned the Veteran's Day event coming up.

Councilmember Barnett had no comments.

Councilmember Murray thanked everyone in attendance.

## **STAFF REPORTS**

Chief Bell shared information regarding a shooting that took place at the 711 store between two men that knew each other. One of the men was taken into custody and they heard that the other went to Florida. Neither of the men are residents of Iowa Colony.

41. Building Official / Fire Marshal Monthly Report
42. Police Department Monthly Report
43. Municipal Court Monthly Report
44. Public Works Monthly Report
45. City Engineer Monthly Report
46. Finance Monthly Reports
47. Technology Department Monthly Report
48. Water/Wastewater Utility Monthly Report

## **ADJOURNMENT**

The meeting was adjourned at 9:41 P.M.

APPROVED THIS 18<sup>TH</sup> DAY OF NOVEMBER 2024



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Kayleen Rosser, City Secretary

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Wil Kennedy, Mayor