



# CITY OF IOWA COLONY

## CITY COUNCIL MEETING MINUTES

Monday, June 26, 2023  
7:00 PM

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Iowa Colony City Hall, 12003 Iowa Colony Blvd., Iowa Colony, TX 77583

Phone: 281-369-2471

Fax: 281-369-0005

[www.iowacolonytx.gov](http://www.iowacolonytx.gov)

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STATE OF TEXAS  
COUNTY OF BRAZORIA  
CITY OF IOWA COLONY

BE IT REMEMBERED ON THIS, the 26th day of June 2023, the City Council of the City of Iowa Colony, Texas, held a Council Meeting at 7:00 P.M. at Iowa Colony City Hall, there being present and in attendance the following members to wit:

Mayor Wil Kenendy  
Councilmember McLean Barnett  
Councilmember Arnetta Murray  
Mayor Pro Tem Marquette Greene-Scott  
Councilmember Tim Varlack  
Councilmember Steven Byrum-Bratsen  
Councilmember Sydney Hargroder

And none being absent, constituting a quorum at which time the following business was transacted.

### **CALL TO ORDER**

Mayor Kennedy called the meeting to order at 7:10 P.M.

### **INVOCATION**

Councilmember Varlack prayed aloud.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance and Texas Pledge were recited.

### **SPECIAL PRESENTATIONS & ANNOUNCEMENTS**

*Reserved for formal presentations and proclamations.*

1. Presentation of a Proclamation for Juneteenth.

Mayor Kennedy presented the Juneteenth Proclamation to the NAACP, the Iowa Colony/Manvel Juneteenth Celebration Committee, and the Brazoria County Juneteenth Celebration Committee.

2. Consideration and possible action to adopt a resolution accepting the Fourth of July donations.

Motion made by Councilmember Murray to approve the resolution adopting the 4th of July donations, Seconded by Councilmember Barnett.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Byrum-Bratsen, Councilmember Varlack

## **CITIZEN COMMENTS**

Armanda Roberts mentioned the HOA provided landscape and that majority of the residents in these sections have put online that they want to get rid of the requirement.

Robert Wall asked that the City Council consider making updates to the zoning ordinance. He also thinks we should look at hiring a part time planner.

Lucy Ruiz stated there is an issue with loud music after 9:00 P.M and we do not currently have an ordinance addressing this.

Troy Frost stated that there is no way for residents to communicate the issues of the lawn services being provided by the HOA in this section of Meridiana. The quality of work is poor.

Colton Cockerall asked that the Council remove the requirement of lawn maintenance in these specific sections.

## **EXECUTIVE SESSION- 7:34 P.M.**

*Executive session in accordance with 551.071, 551.072, and 551.074 of the Texas Gov't Code to deliberate and consult with attorney on the following:*

3. Discussion on potential real estate acquisition and matters related thereto.
4. Discussion on appointments to the Planning and Zoning Commission and the Iowa Colony Development Authority/Tax Increment Reinvestment Zone No. 2.

## **POST EXECUTIVE SESSION- 8:25 P.M.**

## **COUNCIL COMMENTS**

Councilmember Barnett thanked those in attendance. He did not have any other comments.

Councilmember Murray thanked those in attendance. She was absent from the last meeting as she was taking care of her elderly parents.

Mayor Pro Tem Greene-Scott thanked everyone who attended the Veteran's Day event and the Juneteenth celebration. She is looking forward to 4th of July. She would like us to play Whitney Houston's version of the National Anthem at the 4th of July event.

Councilmember Varlack mentioned that the heavy trucks utilizing roads cause difficulty and we need to look into that. There is a concrete crushing plant lot off SH 288 and Meridiana and is causing large stones to end up on the roads. We need to see if the contractors can sweep the streets, so residents are not having damage to their windshields. He had a great time at the Juneteenth celebration. He appreciates the community coming out to celebrate.

Councilmember Byrum-Bratsen mentioned the mulch in the park is not looking good. He asked if we can ask the landscapers to put out cones when they park on the street while working. Cedar Rapids needs to be looked at due to the potholes and damage to the road. We need to look at the noise ordinance. He stated that we did not do a Pride Proclamation this year.

Councilmember Hargroder thanked Mayor Pro Tem Greene-Scott for the Veteran's Day program. She agreed that we need to look at the noise ordinance. She is looking forward to the 4th of July event.

Mayor Kennedy thanked everyone for coming out to the meeting. He thanked Councilmember Byrum-Bratsen for bringing to our attention the lack of Proclamation. He enjoyed the Juneteenth and Veteran's Day events and is looking forward to the 4th of July.

## **STAFF REPORTS**

5. Fire Marshal/Building Official Monthly Report
6. Police Department Monthly Report
7. Municipal Court Monthly Report
8. Public Works Monthly Report
9. City Engineer Monthly Report
10. Finance Monthly Reports

## **ITEMS FOR CONSIDERATION**

11. Consideration and possible action related to the purchase of real property.  
No action was taken.
12. Consideration and possible action to appoint members to the Planning and Zoning Commission.  
Motion made by Councilmember Hargroder to appoint Mr. Warren Davis JR to the Planning and Zoning Commission, Seconded by Councilmember Murray.  
Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Varlack
13. Consideration and possible action to appoint members to the Iowa Colony Development Authority/Tax Increment Reinvestment Zone No. 2 Board.  
Motion made by Councilmember Varlack to reappoint all existing members and those who are up for re appointment to the ICDA/TIRZ Board, Seconded by Councilmember Murray.  
Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Byrum-Bratsen, Councilmember Varlack
14. Consideration and possible action to set the date, time, and place for the public hearing on the proposed Crime Control and Prevention District budget.  
Motion made by Councilmember Hargroder to hold the public hearing in the council chambers at City Hall at 7:00 P.M. on July 17, 2023 on the proposed Crime Control and Prevention District budget.  
Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Byrum-Bratsen, Councilmember Varlack
15. Consideration and possible action to adopt an ordinance on first and final reading approving a variance to the transparency requirements in the City's Unified Development Code at 2320 Meridiana Parkway.  
Motion made by Mayor Pro Tem Greene-Scott to adopt the ordinance to include the terms agreed upon in the staff report as presented, Seconded by Councilmember Murray. The City Secretary read the ordinance aloud. Motion failed with a five to two vote.  
Voting Yea: Councilmember Murray, Mayor Pro Tem Greene-Scott  
Voting Nay: Councilmember Barnett, Mayor Kennedy, Councilmember Hargroder, Councilmember Byrum-Bratsen, Councilmember Varlack

16. Consideration and possible action authorizing a service agreement with Kendig Keast Collaborative for Community Planning Services under the HGACBuy Cooperative Purchasing Program.

Motion made by Councilmember Varlack to approve a service agreement with Kendig Keast Collaborative for Community Planning Services under the HGACBuy Cooperative Purchasing Program, Seconded by Councilmember Byrum-Bratsen.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Byrum-Bratsen, Councilmember Varlack

17. Consideration and possible action to adopt an ordinance on first and final reading authorizing the Iowa Colony Development Authority to issue its 2023 Bond Series in an amount not to exceed \$15 million.

Motion made by Councilmember Hargroder to adopt an ordinance on first and final reading authorizing the Iowa Colony Development Authority to issue its 2023 Bond Series in an amount not to exceed \$15 million, Seconded by Mayor Pro Tem Greene-Scott.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Byrum-Bratsen, Councilmember Varlack

18. Consideration and possible action authorizing the purchase of furniture and equipment in the amount of \$289,702.11 for the Public Safety Building from the Texas Correctional Industries in accordance with the Local Government Code Chapter 497, Subchapter A, Prison Made Goods Act.

Motion made by Councilmember Hargroder to approve the purchase of furniture and equipment in the amount of \$289,702.11 for the Public Safety Building from the Texas Correctional Industries in accordance with the Local Government Code Chapter 497, Subchapter A, Prison Made Goods Act, Seconded by Councilmember Varlack.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Byrum-Bratsen, Councilmember Varlack

19. Consideration and possible action approving a contract for engineering and design services with Adico Consulting Engineers for the HGAC Mitigation Method of Distribution Grant Program through the Texas General Land Office.

Motion made by Councilmember Murray approving a contract for engineering and design services with Adico Consulting Engineers for the HGAC Mitigation Method of Distribution Grant Program through the Texas General Land Office, Seconded by Councilmember Barnett.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Byrum-Bratsen, Councilmember Varlack

20. Consideration and possible action approving a resolution committing local matching funds for the HGAC Mitigation Method of Distribution Grant Program through the Texas General Land Office.

Motion made by Councilmember Varlack approving a resolution committing local matching funds for the HGAC Mitigation Method of Distribution Grant Program through the Texas General Land Office, Seconded by Mayor Pro Tem Greene-Scott.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Byrum-Bratsen, Councilmember Varlack

21. Consideration and possible action approving a proposed multifamily development in Sierra Vista, MUD 32. Ms. Kate Good resumed her discussion with the City Council regarding the proposed multifamily development. She asked the council if they were open to allowing them to put apartments on both tracts which would satisfy the requirement, due to the number of apartments they would be building on the two sites. Both parcels allow multiuse. Some of the council had reservations about these sites both having apartments due to the amount of people and traffic at the intersection. Ms. Good stated to the council that this is a good site as you want diversity in your community and the city currently does not have apartments. They are local developers. They feel good that this can meet their budget requirements. Councilmember Hargroder asked about projected rent. They are projecting around \$1500 a month. Councilmember Varlack mentioned that the previous developer did not mention anything about the renter's experience and that Ms. Good did. He does not see an issue with both tracts being apartments. His issue is what type of masonry will be used. Ms. Good and City Council members discussed that the masonry needs to be a certain percentage. Ms. Good individually spoke to each council member on the dais in a one-on-one discussion. After the discussion Councilmember Murray expressed her concern with the site in reference to all the changes that this site has been presented as including the lagoon, town homes, and now just apartments. Robert Hemminger, City Manager stated that per the development agreement they have two projects each consisting of up to 300 units. What they are presenting would satisfy the requirement of both with 312 units. Councilmember Hargroder and Councilmember Varlack are okay with this as it meets the requirement. City Engineer, Dinh Ho provided information on the site and provided city council with the land plan of this development. Mayor Pro Tem Greene-Scott stated she does not want all those apartments on that side. She stated the only reason she will support it is because it reduces the number of apartments. Ms. Good mentioned all residents living in these apartments will have to get a background check. Mayor Kennedy stated this would satisfy the multifamily in Sierra Vista and Sterling Lakes. Robert Hemminger, City Manager wanted it stated so there is no confusion that the parcel that has been discussed as the Sterling Lakes Entertainment District that if this comes as part of the PID proposal they could come up with condos on the land plan. Councilmember Barnett asked about the height of the ceilings. Ms. Good stated that the ceilings are 9ft with a 12-inch cavity fully insulated. Councilmember Varlack asked about masonry. The first floor can be achieved with 100% masonry Councilmember Hargroder asked. They want to discuss the negotiation of the 60% plus on top of the first floor. The developer and council discussed the number of parking spaces as well as the number of parking spaces that would be covered. They discussed the cost of covered parking spaces in this area due to building requirements for wind speed. Robert Hemminger, City Manager looked at requirements for facade to see if they were listed in the development agreement or in an ordinance. Robert confirmed that the requirement was in the development agreement and could be changed by City Council. Individual conversations took place between the presenter and council members. The Mayor asked the City Attorney what options for action can take place. Robert Hemminger, City Manager stated that they are voting on apartments and the council would take action and specify the deviations they are asking for. There was a discussion between Councilmember Byrum-Bratsen and Ms. Good on the percentage of masonry on the buildings.

Motion made by Councilmember Byrum-Bratsen to approve the proposed multifamily development in Sierra Vista MUD 32 with the stipulations of 100% masonry on the first floor building one west side and north side facing, building two north side, building three west side, building 4 not applicable, building five and six west side, building seven south and west side, and building eight and nine north and east side, eliminating covered parking and 60% masonry thereafter and approving the second site being apartments, Seconded by Mayor Pro Tem Greene-Scott.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Byrum-Bratsen, Councilmember Varlack

## **CONSENT ORDINANCES – SECOND READING**

*Consideration and possible action to approve the following ordinances on second and final reading.*

22. Consideration and possible action to approve an ordinance on second and final reading amending ordinance 2014-05 related to the additional homestead exemption for senior and disabled citizens.

Motion made by Councilmember Hargroder to adopt an ordinance on second and final reading amending ordinance 2015-05 related to the additional homestead exemption for seniors and disabled, Seconded by Mayor Pro Tem Greene-Scott.

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

Voting Nay: Councilmember Byrum-Bratsen

## **CONSENT AGENDA**

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

Motion made by Councilmember Hargroder to approve consent agenda items minus item number 32, Seconded by Councilmember Varlack.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Byrum-Bratsen, Councilmember Varlack

23. Consider approval of the May 15, 2023 worksession minutes.
24. Consider approval of the May 15, 2023 city council meeting minutes.
25. Consider approval of the May 18, 2023 city council meeting minutes.
26. Consider approval of the June 12, 2023 council budget work session minutes.
27. Consider approval of the 2022 annual TIRZ audit report.
28. Consider approval of a resolution for the body-worn camera grant.
29. Consider approval of the Sierra Vista Section 8B1 Final Plat.
30. Consider approval of the Sierra Vista Center Preliminary Plat.
31. Consider approval of the Garza's Lots Abbreviated Plat.
32. Consider approval of the Sterling Lakes Retail Preliminary Plat.

Motion made by Councilmember Hargroder to approve the Sterling Lakes Retail Preliminary Plat, Seconded by Councilmember Byrum-Bratsen.

Voting Yea: Councilmember Murray, Councilmember Barnett, Mayor Pro Tem Greene-Scott, Mayor Kennedy, Councilmember Hargroder, Councilmember Byrum-Bratsen, Councilmember Varlack

33. Consider approval of the Hayes Creek Estates Final Plat.
34. Consider approval of Infrastructure approval/acceptance for Sierra Vista Section 8A-Water, Sanitary, Drainage, and Paving Facilites into one year maintenance period.

## **ADJOURNMENT**

The meeting was adjourned at 10:52 P.M.

APPROVED ON THIS 17<sup>TH</sup> DAY OF JULY 2023

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Kayleen Rosser, City Secretary

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Wil Kennedy, Mayor

