



**CITY OF FLATONIA
REGULAR CITY COUNCIL MEETING
Council Chambers/City Hall
125 E. South Main, Flatonia, Texas 78941
November 14, 2023**

**City Council Meeting 6:00 pm
AGENDA**

Opening Agenda

Call to Order
Invocation & Pledge
Citizens' Participation

Reports

Police Chief	October Activity
Utility Director	October Report
Code Enforcement	October Report
City Manager	October Report

Consent Agenda

- C1.** Consider and take appropriate action on the October 4, 2023, meeting minutes.
- C2.** Consider and take appropriate action on the October 16, 2023, meeting minutes.
- C3.** Consider and take appropriate action on the financial statements for October 2023.

Deliberation Agenda

- DA11.1.2023.1** Consider and take appropriate action to approve the Planning & Zoning variance request from John Estrada. The property is located at 507 W. 1st Street, Flatonia, Texas 78941, and is identified with Fayette County Appraisal District as PID #27407. The request is to seek relief in the required minimum width for a subdivision main thoroughfare.
- DA11.1.2023.2** Consider and take appropriate action to approve the Planning & Zoning variance request from Cliff Kozelsky. The property is located at 103 W. 2nd Street, Flatonia, Texas 78941, and is identified with Fayette County Appraisal District as PID #27427. The request is to seek relief of the required setback distance for an accessory structure.

- DA11.1.2023.3** Consider and take appropriate action to approve appointing Herbert Mann and Ted Bratton to serve on the Housing Authority's Slate of Commissioners for a term of two (2) years.
- DA11.1.2023.4** Consider and take appropriate action to accept the bid received on November 13, 2023, for the CDBG CDV21-0342 grant.
- DA11.1.2023.5** Consider and take appropriate action to accept the bid received on October 24, 2023, for the GLO CDBG MIT #22-119-001-D359 grant.
- DA11.1.2023.6** Consider and take appropriate action to approve the proposed projects using funds from the GLO CDBG MIT-MOD grant application.
- DA11.1.2023.7** Consider and take appropriate action to approve transferring ownership of the softball field to Flatonia Independent School District pursuant to Section 272/001(b)(1) and (5), Texas Local Government Code.
- DA11.1.2023.8** Consider and take appropriate action to approve an Amendment to the Lease previously entered into on December 7, 1995, between the Jerome Michael Post 94 of the American Legion of Flatonia, Texas, and the City of Flatonia.
- DA11.1.2023.9** Consider and take appropriate action to approve transferring ownership of the baseball field to Flatonia Independent School District pursuant to Section 272.001(b)(1) and (5), Texas Local Government Code.
- DA11.1.2023.10** Consider and take appropriate action to approve the SignAd annual contract for \$6,110 for the City of Flatonia advertising billboard in Sealy, Texas.
- DA11.1.2023.11** Consider and take appropriate action to approve the nominee for the City of Flatonia representative on the Fayette County Appraisal District Board of Directors.

Adjournment

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board outside the front door of the City Hall of the City of Flatonia, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time **November 10, 2023, by 5:00 p.m.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Jacqueline Ott, City Secretary, City of Flatonia

**NOTICE OF ASSISTANCE
AT THE PUBLIC MEETING**

The Flatonia City Hall is wheelchair accessible. Access to the building is available at the primary entrance facing Main Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print are requested to contact the City Secretary's Office at 361-865-3548 or by FAX 361-865-2817 at least two working days prior to the meeting so that appropriate arrangements can be made.

EXECUTIVE SESSION STATEMENT

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551.071 (Consultations with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations Regarding Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations Regarding Security Devices or Security Audits), 551.086 (Certain Public Power Utilities: Competitive Matters) and 551.087 (Deliberation Regarding Economic Development Negotiations).

Agenda Removal Notice

This Public Notice was removed from the official posting board at the Flatonia City Hall on the following date and time:

By: _____

Jacqueline Ott,
City Secretary, City of Flatonia



FLATONIA POLICE DEPARTMENT

205 E. South Main St. Flatonia, TX 78941 Office: 361-865-3337 Fax: 361-865-3039

October 2023 Monthly Report

To: Flatonia City Council
From: Flatonia Police Department
Subject: October Monthly Report

Calls for Service:

There were **377** calls for service for this month.

Offense / Incident Report Activity:

On October 3, 2023, Investigator Titus and Chief Dick responded to a call from a Prosperity Bank manager to assist an individual whom she believed to be the victim of an online scam. Chief Dick and Investigator Titus researched the purchase, contacted the subject, and determined the sale was fraudulent. Afterwards they were able to advise the victim to cancel the transaction.

On October 15, 2023, Officer Roggenkamp conducted a traffic stop. During the stop, Officer Roggenkamp asked pertinent questions that led to the discovery of a controlled substance. The individual was arrested and transported the Fayette County Jail.

On October 25, 2023, Officers Amos, Titus, Tunis, and Chief Dick participated in the Flatonia ISD annual "Trunk or Treat." Officers passed out candy and greeted over 300 children and parents.

On October 27, 28, and 29, all members of the FPD provided security at Czhilispiel. During this time, normal patrol duties were also maintained.

On October 29, 2023, Officer Kalina responded to a report of an individual attempting to burglarize an apartment. Officer Kalina was able to locate and arrest the individual during the burglary and transport him to Fayette County Jail.

On October 30, 2023, Officer Amos and Chief Dick assisted Fayette County deputies in the apprehension of six individuals charged with theft of a vehicle. Because Officer Amos and Chief Dick were prepared, their assistance was essential to the arrest of these individuals.

NO FURTHER DETAILED INFORMATION IS PUBLISHED DUE TO ON GOING INVESTIGATION OF CASES.

Arrests and Pending Charges

There were 2 (two) direct custody arrests for the month of October.

Traffic Contacts:

All Flatonia Police Officers, including command staff, have conducted traffic control throughout the city and specifically in the areas of town that complaints have been received related to speeding and stop sign violations. Flatonia officers will continue to conduct stationary and mobile radar and observe traffic at intersections to address the traffic concerns.

In-Service Training and Events:

Chief Dick completed multiple EMS related continuing education courses and one state mandated course required to maintain his arson investigator certification.

August	
Type	Number
Agency Assist	13
Accidents	2
Animal Complaint	7
Citizen Assist	3
Civil Matter	6
Close Patrol	165
Funeral Escort	0
Ministerial Voucher	1
Motorist Assist	1
School Patrol/Security	103
Suspicious Person	4
Traffic Hazard	2
Transient Call	2
Walk In	5
Disturbance	3
Welfare Check	2
Traffic Stops	80
Incident Reports	17
Offense Reports	4
Follow Ups	2
Scam	3
Traffic Control	71
Training	4
Other	43
Total	543

October 2023

10/2

- Take water samples to Bastrop.
- Meet with school officials about fencing installation.
- Move Czhilispiel electric service to another pole due to future sidewalk construction.
- Dig holes in an area of the school, with many underground utilities until hydro-vac broke down.
- Meet with pool contractor about care of new plaster.
- Start fall cleanup.

10/3

- Take hydro-vac to R&B Truck repair in LG.
- Wire in internet hub for Czhilispiel use.
- Secure Christmas lights on Henry K's building.
- Fall cleanup.

10/4

- Find sewer line on lot at the corner of Old Hallettsville Rd & Hudson for new home construction.
- County working on 7th St.
- Slick off remaining streets on this year's project.
- Remove small trees from Grifaldo property.
- Dig out fallen post oak @ 7 Acre.
- Fall cleanup.
- Video meeting with Befco & Langford about CDBG project (IH-10 bore).

10/5

- Maintenance of vehicles & shop
- Cut down dead tree on Garbade Ln.
- Water leak on 2nd & Colorado.
- Fall cleanup.

10/6

- Repair water leak @ Balcones.
- Go back around to pick up limbs.
- Work on 7th St.
- Flat on maintainer.
- Roller died and wouldn't start.

- Fall cleanup.

10/7

- Fall cleanup all day.
- Evening call out for power outage on Freytag hill.

10/10

- Fix flat on the maintainer with assistance from County.
- Cut 2 trees, damaged from storm, out of the power lines.
- Last round of limb pickup
- Meet with electrician & general contractor about the school project.
- Patching
- Shredding

10/11

- Cut in extra return air inlet in AC unit for the main office of city hall.
- Build meter loop for 7 acre park.
- PU rewound aerator motor @ Electric Motor Service in LG.
- Cut trees out of primary line behind Rhinestone Angel.

10/12

- Put aerator motor back on and get aerator back in service.
- Make sewer and water taps for new house on Hudson & 2nd.
- Pull unused pole by S&S.

10/13

- Take mower deck to Allan's welding for repair.
- Read meters.
- Untangle Czhalispiel sign.

10/16

- Touch up streets for paving.
- Prime streets to be paved.
- Read meters.

10/17

- Read meters.
- Pave streets plus had leftover to do 7th St from N. Converse most of the way to 609 (one course).
- Had new tire put on the maintainer after one blew out.

10/18

- Reinstall repaired mower deck.
- Finished reading meters.
- Set pole for new house on Old Hallettsville & Hudson.
- Hook up meter loop on 95 @ Vyvjala Ln.

10/19

- Hook up new electric service on 95 @ Vyvjala Ln.
- Swap transformer and run secondary to pole on Old Hallettsville & Hudson.
- Clean up spoil around newly paved streets.
- Mowing & patching (pre-czh).
- Sewer blockage on W North Main.

10/20

- Shredding, mowing, weed eating, patching (pre-czh).

10/23

- Shredding, mowing, weed eating (pre-czh).
- Disconnect meters for non-payment.

10/24

- Czh prep.
- Meter re-reads.
- Discussions with Langford & Befco about projects to take the place of sludge removal.

10/25

- Meter re-reads.
- Czh prep.

10/26

- Czh prep.

10/27

- Finish prep.
- Hook up venders.
- After hours call for breaker tripping downtown.

10/28

- Call for power out downtown, bad breaker, replaced.

10/29

- Early am call to accident where a truck clipped off a pole and pulled an anchor out of the ground. Replaced pole & anchor, spliced wires in.
- Disconnect vendors as needed. Move panels from A&C out of the road.

10/30

- Early am call for power out on S. La Grange. Trim tree and replace blown fuse.
- Tear down Czhlispiel.
- Pre-meeting meeting with Befco about GLO MOD projects.
- Meeting with Befco & Langford about GLO MOD projects.
- Towers have low water level, turn on boosters manually.
- Assist Mercer Control in restoring radio connection between the tower & boosters. (after hours)

10/31

- Trim trees near primary on S. La Grange near Elm.
- Trim tree @ donut shop, requested by TDS.
- Repair water leak in the alley between 4th & 5th St. off of Market.
- Clean out valve stacks for easier access for upcoming leak repairs.



CODE COMPLIANCE OFFICE

Araceli Mancilla de Hernandez, Code Compliance Official

125 E. South Main St.

PO Box 329

Flatonia, TX 78941

Phone: 361-865-3548

Email: code@ci.flatonia.tx.us

To: Flatonia City Council

From: Araceli Mancilla de Hernandez

Subject: Monthly report

Date: October 2023

Compliance Report Summary

- 5 Citizen Concerns/Complaints

Phone calls made for:

- Trash/debris – 1

In-person meetings:

- Trash/debris – 1

Notes:

- Enrolled in Code Enforcement certification course November 13-17, 2023.

City Manager's Report

To: Mayor Geesaman & City Council

CC: Staff

From: Sonya Bishop, City Manager

Date: November 14, 2023

Re: Monthly City Manager's Report

Mayor and Council,

1. **Planning and Zoning:**

During the planning and zoning on October 17, 2023, the following was voted on.

- a. The committee denied a variance at 103 W 2nd Street. The request was for a building setback by 10 feet.
- b. The committee denied a request for a variance on the minimum requirement of street width. The committee asked the property owner to have plans drawn up and come back to the committee for replating the property.

Upcoming Planning and zoning items:

John Estrada - request for subdivision plat approval at 507 W. 1st.

Stephen Reddish - request for replat at 734 S. Market and 115 S. Mesquite.

Linda Wiley - request for replat at 714 S. Faires.

2. **Economic Development:**

During a special called EDC meeting on October 4, 2023

- a. A business incentive grant was issued to FayCo Sports and Spine in the amount of \$10,000.00.
- b. A business incentive grant was issued to Hey Poppy for \$1010.42

During the regular schedule meeting September 14, 2023, the following actions were taken.

- a. The EDC budget was agreed upon.
- b. Discussion for EDC to assist with the sewer projects.
- c. Discussion to move money into a 9-month CD.

Code Enforcement:

- a. A report will be submitted.

Road Construction:

- a. The crews finished the driveway at McWhirter Park.
- b. Jack will give updates regarding streets.

Utility Projects:

- a. The GLO CDBG MIT SUP (22-119-001-D359 grant for the sewer is moving along. Opening bids were held on November 13th. This is a deliberation item at this meeting.

Parks and Pool:

- a. The pool has been resurfaced. We have a ten-year warranty.
- b. The restrooms at 7 Acre Park are in the process of being built. There are some concerns with the company. They are requesting more money before the project is completed.
- c. I requested documentation for warranty of the restrooms and final payment will not be paid until it is inspected and documented warranty is supplied.
- d. We extended the time for Memorial Park to be cleared of personal belongings, however, by the direction of the attorney items were removed and put on the property owner's side. This was documented with pictures. Mr. Hardgrove, Ginny Sears, Jon and I met at the park to verify property lines.

Administration:

- a. I will be attending a conference on January 7-11. This conference is offered by TEEEX and is paid for by a grant from FEMA. I am taking advantage of all free classes they offer that relate to the city business.
- b. The restrooms are still under construction and there are some concerns. We are going to require some warranty documentation and an inspection prior to making the final payment. The builder asked for more money. I reminded him per his contract he received 30% deposit and the final payment upon completion. He said he is out of pocket over \$8,500.00 because of the plumber.
- c. The 150th celebration will be on Saturday November 18th. We worked very hard to get this together for the city. Office staff have volunteered much of their time. We have live music, vendors, food trucks, a kid zone with bouncy houses. Should be fun for everyone. We encouraged ALL businesses to participate. There is a soup contest and a pie in the face.
- d. We had the old police station tested for asbestos and we are getting bids to have it removed.

Financial Report:

- a. The auditors are working on the 2020 they were in the office the week of October 23, 2023.
- b. We received a grant to purchase Rifle Resistant Body Armor for the police department. The grant is \$11,986.70.

This concludes the City Manager Report for submission at the October 4, 2023, City Council meeting.



**Minutes
Flatonia City Council
Regular Meeting
October 4, 2023, at 6:00 p.m.**

Present:

Mayor	Dennis Geesaman
Mayor Pro Tem	Joanye Eversole
Councilmembers	Ginny Sears
	Allen Kocian
	Donna Cockrell
	Travis Seale
City Manager	Sonya Bishop
City Secretary	Jacqueline Ott
Police Chief	Lee Dick
Utilities Director	Jack Pavlas
City Attorney	Barbara Boulware-Wells

Opening Agenda

Call to Order Mayor Geesaman called the meeting to order at 6:01 p.m.

Invocation & Pledge Councilman Kocian led the invocation and pledges.

Reports

Police Chief September Activity
Councilwoman Cockrell asked about an accident that involved a police vehicle. Chief Dick reported no parties were harmed, and the vehicle is under insurance inspection for repair.

Utility Director September Report
Councilwoman Cockrell commended the utility department on their excellent work during the microburst storm on September 14th and clean up thereafter.

Code Enforcement September Report

City Manager September Report

City Manager Bishop clarified on her report that EDC is installing lights for the historic signs, not Memorial Park. She also added that we must hold a special city council meeting later this month to reject the bids received for the CDBG-CDV21-0342 grant, as the bids received were incomplete and cannot be accepted. It was decided that a Special City Council meeting would be held on Monday, October 16th, at 5:00 p.m. to hold a vote. Councilman Seale voiced concerns on the quality of construction on the bathrooms at Garbade Park. City Attorney Boulware-Wells suggested hiring an inspector to ensure the job is completed properly.

Consent Agenda

C1.

Councilman Seale motioned to approve the September 12, 2023, meeting minutes. Councilwoman Cockrell seconded the motion. None opposed. Motion carried.

C2.

Councilman Seale motioned to approve the September 21, 2023, meeting minutes. Councilwoman Cockrell seconded the motion. None opposed. Motion carried.

C3.

Councilman Seale made a motion to approve the financial statements for September 2023. Mayor Pro Tem Eversole seconded the motion. None opposed. Motion carried.

Discussion Agenda

D1.

It was discussed to fill the vacancy for the City of Flatonia representative on the Fayette County Appraisal District Board of Directors. Mayor Pro Tem Eversole suggested Jyl Stavinoha and stated she is waiting for a decision. A formal vote will be held at the next regular city council meeting.

D3.

It was discussed to review the Fiscal Year 2023-2024 budget for the Chamber of Commerce.

Deliberation Agenda

DA10.1.2023.1

Councilwoman Sears moved to approve Resolution #2023.10.1 affirming the park boundaries for Memorial Park and directing the City Manager and City Attorney to coordinate cleanup and lighting of the park property, including removing any remaining personal items after ten (10) days. Mayor Pro Tem Eversole seconded the motion. None opposed. Motion carried. Councilman Seale and Councilman Kocian cautioned City Manager Bishop against appearing biased and targeting certain citizens. It was decided that City Attorney Boulware-Wells would write a letter and send it to both property owners adjacent to the park, giving them ten (10) days to clean up their personal items encroaching on park property. On the eleventh day, city workers will remove any remaining items. The city will not pursue financial compensation for any clean-up efforts made. However, if the

problem persists, the adjacent property owners will be held responsible for breaking the established ordinance.

DA10.1.2023.2

Councilman Seale moved to approve the proposed city projects using funds from the GLO MOD grant. The projects include sludge removal from the wastewater treatment plant, replacing water well #10, replacing AC water lines on the southwest side of town, and upgrading from 6" to 8" water line in the vicinity of Flatonia ISD. Mayor Pro Tem Eversole seconded the motion. None opposed. Motion carried. Councilman Seale asked how to prioritize projects to ensure the most critical projects are completed as funds are available. Alyssa Bickford, the City of Flatonia's project manager from Langford Community Management Services, verified the flexibility of the project list.

DA10.1.2023.3

No action was taken to approve two designated parking spots in front of Clover Connection for use during morning drop-off hours.

DA10.1.2023.4

Mayor Pro Tem Eversole moved to approve Ordinance #2023.10.1 revising the code of ordinances to delete the curfew established in Ordinance #410 adopted March 3, 2007, an ordinance to establish curfew hours for minors of the City of Flatonia, Texas. Councilman Seale seconded the motion. None opposed. Motion carried.

DA10.1.2023.5

Councilwoman Sears moved to approve Resolution #2023.10.2, updating the hazard mitigation action plan. Mayor Pro Tem Eversole seconded the motion. None opposed. Motion carried.

DA10.1.2023.6

Councilwoman Cockrell moved to approve the Assessment and Collection Services contract with the Fayette County Appraisal District. Mayor Pro Tem Eversole seconded the motion. None opposed. Motion carried.

DA10.1.2023.7

Councilman Seale moved to approve Ordinance #2023.10.2, an ordinance relating to the use of hotel occupancy taxes for the construction of improvements related to interconnectivity and accessibility between municipal parks and local tourist attractions and lodging. Councilwoman Sears seconded the motion. None opposed. Motion carried.

DA10.1.2023.8

Mayor Pro Tem Eversole motioned to approve the proposed oil and gas lease with Rosewood Resources. The proposed property location is 21.936 acres, M. Muldoon League #14, A-76 and the W.A. Faires Survey, A-180 Fayette County, Texas. Councilwoman Cockrell seconded the motion. None opposed. Motion carried.

Adjournment

Councilman Seale moved to end the meeting. Mayor Pro Tem Eversole seconded the motion. None opposed. Motion carried. Mayor Geesaman adjourned the meeting at 6:57 p.m.

Signed

Dennis Geesaman
Mayor

Attest

Jacqueline Ott
City Secretary



Minutes
Flatonia City Council
Special Meeting
October 16, 2023, at 5:00 p.m.

Present:

Mayor	Dennis Geesaman
Councilmembers	Ginny Sears Donna Cockrell Travis Seale
City Manager	Sonya Bishop
City Secretary	Jacqueline Ott
Absent	Joanye Eversole Allen Kocian

Opening Agenda

Call to Order Mayor Geesaman called the meeting to order at 5:00 p.m.

Invocation & Pledge Mayor Geesaman led the invocation and pledges.

Deliberation Agenda

DA10.2.2023.1 Councilman Seale moved to approve rejecting the bids received on September 29, 2023, for the CDBG CDV21-0342 grant. Councilwoman Cockrell seconded the motion. Joseph Willrich from BEFCO Engineering was present to explain his recommendation to reject bids.

Adjournment

Councilman Seale moved to end the meeting. Councilwoman Cockrell seconded the motion. None opposed. Motion carried. Mayor Geesaman adjourned the meeting at 5:11 p.m.

Signed

Dennis Geesaman
Mayor

Attest

Jacqueline Ott
City Secretary

Planning and Zoning Report

Meeting held October 17, 2023.

Six members of the Flatonia Planning and Zoning Commission for the City of Flatonia were present and reviewed and made recommendations for the following agenda items:

10.1.2023.1 – Considered request John Estrada for a variance on PID #27407, the property located at 507 West 1st Street, Flatonia, Texas 78941. The request was to seek relief in the minimum width requirement of a subdivision main thoroughfare.

The item was tabled, and the commission advised Mr. Estrada to redesign the subdivision to meet the setback requirements stated in the City of Flatonia Code of Ordinances.

Commissioners for: Increase in residential housing available.

Commissioners against: Sighting safety concerns in emergencies.

10.1.2023.2 – Considered request from Cliff Kozelsky for a variance on PID #27427, the property located at 103 West 2nd Street, Flatonia, Texas 78941. The request was to seek relief of the required setback distance for an accessory structure.

The item was denied for recommendation to the City Council by a 4-2 commission vote.

Commissioners for: The property line is already on a forty-foot (40') setback due to city easement.

Commissioners against: Sighting aesthetics of established setbacks.

Report filed by:
Jacqueline Ott
City Secretary
City of Flatonia Planning and Zoning Commission

CITY OF FLATONIA

Agenda Summary Form

Agenda # DA11.1.2023.1	Title: Consider and take appropriate action to approve the Planning & Zoning variance request from John Estrada. The property is located at 507 W. 1 st Street, Flatonia, Texas 78941, and is identified with Fayette County Appraisal District as PID #27407. The request is to seek relief in the required minimum width for a subdivision main thoroughfare.
Summary: A Planning & Zoning request to seek relief in the required minimum width for a subdivision main thoroughfare.	
Option(s): <input type="checkbox"/> I move to approve the Planning & Zoning variance request from John Estrada. The property is located at 507 W. 1 st Street, Flatonia, Texas 78941, and is identified with Fayette County Appraisal District as PID #27407. The request is to seek relief in the required minimum width for a subdivision main thoroughfare. <input type="checkbox"/> If you are opposed to not 2 nd or make any motion. If a motion is not made, the item is dead.	
Sears: _____ Seale: _____ Kocian: _____ Cockrell: _____ Mayor Pro Tem Eversole: _____ Mayor Geesaman _____	

"Negative" motions are generally not permitted. To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.

City of Flatonia
Zoning Review Request Form

- Request for Zoning Change (\$100.00 Application fee)
- Request for Variance (\$100.00 Application fee)
- Request for Conditional Use Permit (\$100.00 Application fee)
- Other - explain below (Application fee \$ _____)

Date 8-9-23

Receipt # 222131

Name of Property Owner John Estrada

Physical address of property affected 507 W 1st St

Appraisal District Property ID# _____ Zone R-3

Requested change Size of driveway

Mailing address of property owner 1225 LaGrange St

Contact phone number of property owner 512-705-2607

Email address john.estrada67@gmail.com

Check all of the items for documentation you are providing for your hearing:

- Map(s)
- Survey
- Photograph(s)
- Plans/blueprint
- PowerPoint presentation
- Other

Additional information may be necessary.


Signature of Property Owner

FOR CITY USE ONLY:

REQUEST IS APPROVED DENIED

I. Date of notification to City <u>8-09-23</u>	II. Deadline for publication in paper <u>9-25-23</u>	III. Deadline to notify property owners by mail <div style="border: 1px solid black; height: 15px; width: 100%;"></div>
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P & Z Meeting date: 10-17-23 @ 6pm City Council Meeting date: _____

NOTES: _____



Properties that are within the city limits of Flatonia and within 200' of the Property ID 27407, 507 W First St



The information on the map has been compiled by Fayette County staff from a variety of sources and is subject to change without notice. Fayette County makes no claims, guarantees, or promises about the accuracy or completeness of this data and liability obtains for any errors or omissions. Representations are approximate and should not be used for exact measurement or legal documentation.

2022 Pictometry



prop_id	file_as_na	legal_acre	situs_num	situs_stre	situs_st_1	situs_city	addr_line2	addr_city	addr_state	zip
27407	ESTRADA JOHN ERIK & ESTRADA ROY	0.5000	507		W FIRST	FLATONIA	219 N LA GRANGE ST	FLATONIA	TX	78941
27409	MILES BARBARA ANN	3.0000			1st ST	FLATONIA	PO BOX 358	FLATONIA	TX	78941
27453	CEDILLO EVODIO & RAQUEL	0.8035	COLORADO		& 1ST ST	FLATONIA	P O BOX 1051	FLATONIA	TX	78941
28024	RING CO THE	9.8000	602	W	FIRST ST	FLATONIA	P O BOX 128	FLATONIA	TX	78941
112884	ESTRADA JOHN ERIK & ESTRADA ROY	0.2500		W	FIRST ST	FLATONIA	219 N LA GRANGE ST	FLATONIA	TX	78941
112885	ESTRADA JOHN ERIK & ESTRADA ROY	0.2500		W	FIRST ST	FLATONIA	219 N LA GRANGE ST	FLATONIA	TX	78941
112886	ESTRADA JOHN ERIK & ESTRADA ROY	0.2500		W	FIRST ST	FLATONIA	219 N LA GRANGE ST	FLATONIA	TX	78941
112887	ESTRADA JOHN ERIK & ESTRADA ROY	0.2500		W	FIRST ST	FLATONIA	219 N LA GRANGE ST	FLATONIA	TX	78941
112888	ESTRADA JOHN ERIK & ESTRADA ROY	0.2500		W	FIRST ST	FLATONIA	219 N LA GRANGE ST	FLATONIA	TX	78941
112889	ESTRADA JOHN ERIK & ESTRADA ROY	0.2700		W	FIRST ST	FLATONIA	219 N LA GRANGE ST	FLATONIA	TX	78941
112890	ESTRADA JOHN ERIK & ESTRADA ROY	0.3200		W	FIRST ST	FLATONIA	219 N LA GRANGE ST	FLATONIA	TX	78941
112892	ESTRADA JOHN ERIK & ESTRADA ROY	0.3300		W	FIRST ST	FLATONIA	219 N LA GRANGE ST	FLATONIA	TX	78941
112893	ESTRADA JOHN ERIK & ESTRADA ROY	0.2500		W	FIRST ST	FLATONIA	219 N LA GRANGE ST	FLATONIA	TX	78941
112894	ESTRADA JOHN ERIK & ESTRADA ROY	0.2500		W	FIRST ST	FLATONIA	219 N LA GRANGE ST	FLATONIA	TX	78941



CITY OF FLATONIA

125 E. South Main Street
P.O. Box 329
Flatonia, TX 78941
(361) 865-3548
(361) 865-2817 fax

October 5, 2023

Notice to Landowners Variance Application

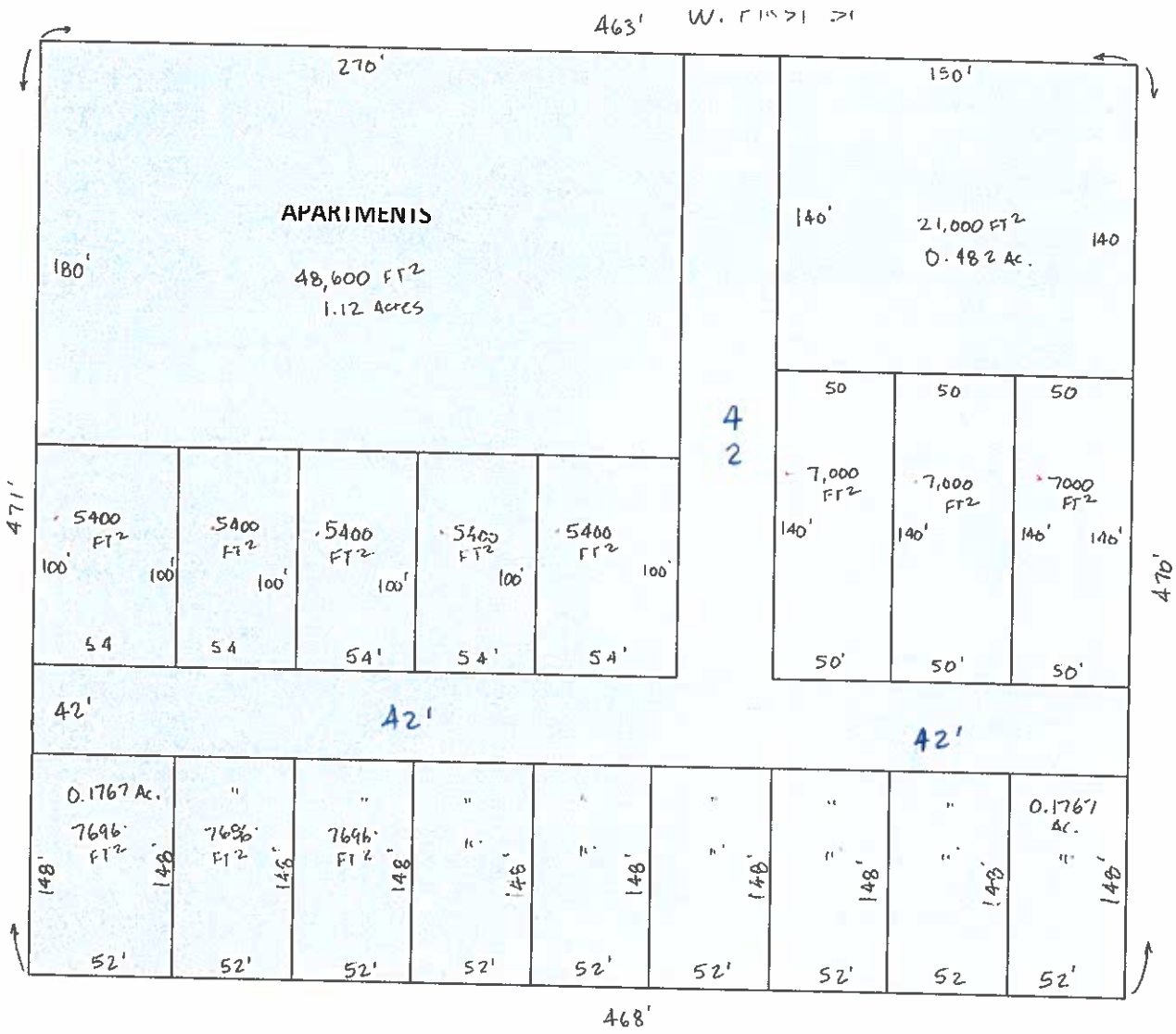
An application has been filed by John Estrada with the City of Flatonia requesting a variance in subdivision street regulations at an undeveloped lot located at 507 W 1st Street, Flatonia, Texas 78941.

A Public Hearing on the requested variance to the minimum width requirement of a subdivision main thoroughfare, based on the recommendation of the committee appointed by the City Council.

A public hearing with the Planning and Zoning Commission will be held on Tuesday, October 17, 2023, at the Flatonia City Hall (125 E. South Main Street) at 6:00 p.m. concerning this request. The Flatonia Planning and Zoning Commission will make a recommendation to the Flatonia City Council regarding the request. The City Council will hold a second public hearing on Tuesday, November 14, 2023, at 6:00 p.m. and may act on the recommendation from the Planning and Zoning Commission.

The public hearing is open to any interested person. Opinions, objections, and/or comments on this matter may be expressed in writing or in person at the hearing. The reply form included in this letter can be used if you would like to submit written comments.

Notice of the public hearing has already been published in the Flatonia Argus. If you have any questions regarding this notice or the Zoning Change Application, please contact City Manager Sonya Bishop at manager@ci.flatonia.tx.us or 361-865-3548.



R-3

Set Backs are from lot line to structure/item/etc

JSFA/DFSD

min Ft² = 5,000

min width = 50 Ft

in Front yard - 25 Ft

in side yard - 5 Ft - Interior
25 Ft - street side

in Rear yard = 25 Ft (40 Ft when adjacent to R1 R2)
 Lot depth = 100 Ft - (min depth on corner lot 100-88, if Ft² is ~~retained~~ ~~retained~~)
 Building coverage per lot = 50% total area

CITY OF FLATONIA

Agenda Summary Form

Agenda # DA11.1.2023.2	Title: Consider and take appropriate action to approve the Planning & Zoning variance request from Cliff Kozelsky. The property is located at 103 W. 2 nd Street, Flatonia, Texas 78941, and is identified with Fayette County Appraisal District as PID #27427. The request is to seek relief of the required setback distance for an accessory structure.
Summary: A Planning & Zoning request to seek relief of the required setback distance for an accessory structure.	
Option(s): <input type="checkbox"/> I move to approve the Planning & Zoning variance request from Cliff Kozelsky. The property is located at 103 W. 2 nd Street, Flatonia, Texas 78941, and is identified with Fayette County Appraisal District as PID #27427. The request is to seek relief of the required setback distance for an accessory structure. <input type="checkbox"/> If you are opposed to not 2 nd or make any motion. If a motion is not made, the item is dead.	
Sears: _____ Seale: _____ Kocian: _____ Cockrell: _____ Mayor Pro Tem Eversole: _____ Mayor Geesaman _____	

"Negative" motions are generally not permitted. To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.

**City of Flatonia
Zoning Review Request**

- Request for Zoning Change (\$100.00 Application Fee)
- Request for Variance (\$100.00 Application Fee)
- Request for Conditional Use Permit (\$100.00 Application Fee)
- Other –explain below (Application Fee _____)

Date turned in to City Offices 8-23-23 Receipt # 222503

Name of Property Owner CLIFF KOZELSKY

Physical address of property affected 103 W 2ND ST

Appraisal District Property ID Number 27427

Zoning of property (if known) R1

Requested change ACCESSORY STRUCTURE SET BACK
FROM PROPERTY LINE

Mailing address of property owner 103 W 2ND ST FLATONIA, TX 78941

Contact phone number of property owner 361-798-0693

Other Information (attach additional page if necessary):

Additional information may be necessary.



Signature of Property Owner

FOR CITY USE ONLY:

Date of notification to City 8-23-23

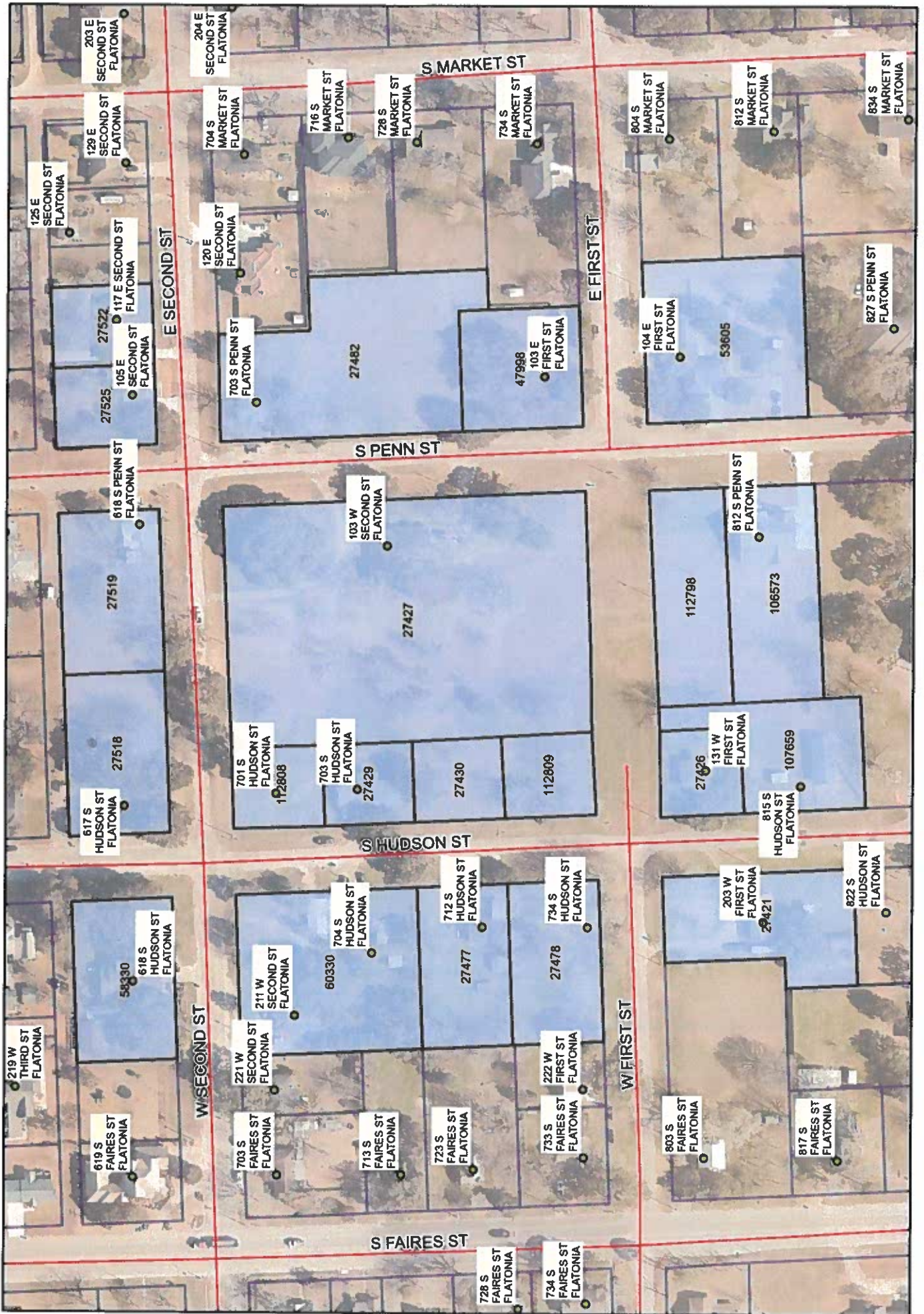
Deadline for publication in paper 9-25-23

Deadline for notification of property owners by mail 10-3-23

NOTES:

1 of 3

Shop construction. The dimensions of the shop will be 32' x 42' and we would like to build as close to the property line as possible. The distance from the drainage ditch property line is 20' and from street to property line is 40' currently.



Properties that are within the city limits of Flatonia and within 200' of the Property ID 27427, 103 W Second St

The information on the map has been compiled by Fayette County staff from a variety of sources. We attempt to change without notice. Fayette County makes no claim, warranty, or responsibility for the accuracy, completeness, or timeliness of this data and expressly disclaims accountability for any errors or omissions. Represented boundaries are approximate and should not be used for exact measurement or legal documentation.

2022 Pictometry



prop_id	file_as_na	legal_acre	situs_st_1	situs_city	situs_stat	situs_zip	addr_line2	addr_city	addr_state	zip
27421	MASEK CHRISTOPHER & TINA	0.6580	W 1ST ST	FLATONIA	TX	78941	P O BOX 622	FLATONIA	TX	78941
27426	ESTRADA LAWRENCE	0.2430	W 1ST ST	FLATONIA	TX	78941	131 W 1ST ST	FLATONIA	TX	78941
27427	KOZELSKY CLIFF & ROBYN	3.0950	W 2ND	FLATONIA	TX	78941	103 W 2ND ST	FLATONIA	TX	78941
27429	DUPERROIR BENJAMIN & TOVAR RAUL	0.2583	HUDSON	FLATONIA	TX	78941	P O BOX 816	FLATONIA	TX	78941
27430	OROSCO TOMMIE MRS	0.2582	ST	FLATONIA	TX	78941	P O BOX 205	FLATONIA	TX	78941
27477	WEBSTER JULIA & PERALES SIXTO	0.5165	S HUDSON	FLATONIA	TX	78941	P O BOX 48	FLATONIA	TX	78941
27478	PERALES MICHAEL	0.5165	HUDSON ST	FLATONIA	TX	78941	P O BOX 384	FLATONIA	TX	78941
27478	OROSCO TOMMIE MRS	0.5165	HUDSON ST	FLATONIA	TX	78941	P O BOX 205	FLATONIA	TX	78941
27478	OROSCO FELIPE & TOMMIE	0.5165	HUDSON ST	FLATONIA	TX	78941	P O BOX 205	FLATONIA	TX	78941
27478	OROSCO TOMMIE & FELIPE	0.5165	HUDSON ST	FLATONIA	TX	78941	P O BOX 205	FLATONIA	TX	78941
27478	ROBICHAUD JANE	0.5165	HUDSON ST	FLATONIA	TX	78941	P O BOX 205	FLATONIA	TX	78941
27478	RAMIREZ BEATRICE	0.5165	HUDSON ST	FLATONIA	TX	78941	4611 SHAWNA	HOUSTON	TX	77084
27482	WEISS ALAN	1.0700	PENN	FLATONIA	TX	78941	16650 ROYAL MILE	HOUSTON	TX	77084
27518	SODEK CHRIS & LEIGH ANN	0.5739	S HUDSON	FLATONIA	TX	78941	P O BOX 2448	HENDERSON	TX	75653
27519	GARCIA ANGEL	0.5739	PENN ST	FLATONIA	TX	78941	617 S HUDSON	FLATONIA	TX	78941
27522	DELGADO STEPHANIE & KURTZ ERIC	0.2870	2ND ST	FLATONIA	TX	78941	P O BOX 842	FLATONIA	TX	78941
27525	OLIVARES JAIME & TERESA	0.2870	2ND ST	FLATONIA	TX	78941	P O BOX 437	FLATONIA	TX	78941
47998	STAVINOHA DEAN & JYL	0.5165	E 1ST	FLATONIA	TX	78941	PO BOX 1034	FLATONIA	TX	78941
53605	BRUNS SHAWN & SHAWNA	1.2876	E 1ST ST	FLATONIA	TX	78941	P O BOX 334	FLATONIA	TX	78941
58330	TRUSSELL JOHN & TARYN	0.5740	HUDSON	FLATONIA	TX	78941	P O BOX 705	FLATONIA	TX	78941
60330	AGUILLON GABRIELA	1.0330	SECOND ST	FLATONIA	TX	78941	P O BOX 1083	FLATONIA	TX	78941
106573	GOLD LAWRENCE & JOYCE EST	0.6910	PENN ST	FLATONIA	TX	78941	P O BOX 491	FLATONIA	TX	78941
107659	RIVERA RAQUEL ET AL	0.5600	HUDSON	FLATONIA	TX	78941	14506 BELVAN CT	CYPRESS	TX	77429
112798	GOLD KEITH	0.5680	PENN ST	FLATONIA	TX	78941	815 S HUDSON ST	FLATONIA	TX	78941
112808	DOUBLE K CUSTOM HOMES LLC	0.2580	HUDSON ST	FLATONIA	TX	78941	P O BOX 1089	FLATONIA	TX	78941
112809	PITTS JOHN & ELISA	0.2630	HUDSON ST	FLATONIA	TX	78941	5353 HERMAN LANE	FLATONIA	TX	78941
							15005 DANUBE WAY	HAYMARKET	VA	20169



CITY OF FLATONIA

125 E. South Main Street
P.O. Box 329
Flatonia, TX 78941
(361) 865-3548
(361) 865-2817 fax

October 5, 2023

Notice to Landowners Variance Application

An application has been filed with the City of Flatonia requesting a variance to lower the required setback distance for an accessory structure at 103 W. 2nd Street, Flatonia, Texas 78941.

A Public Hearing on the requested variance to lower the required setback distance for an accessory structure based on the recommendation of the committee appointed by the City Council.

A public hearing with the Planning and Zoning Commission will be held on Tuesday, October 17, 2023, at the Flatonia City Hall (125 E. South Main Street) at 6:00 p.m. The Flatonia Planning and Zoning Commission will make a recommendation to the Flatonia City Council regarding the request. The City Council will hold a second public hearing on Tuesday, November 14, 2023, at 6:00 p.m. and may act on the recommendation from the Planning and Zoning Commission.

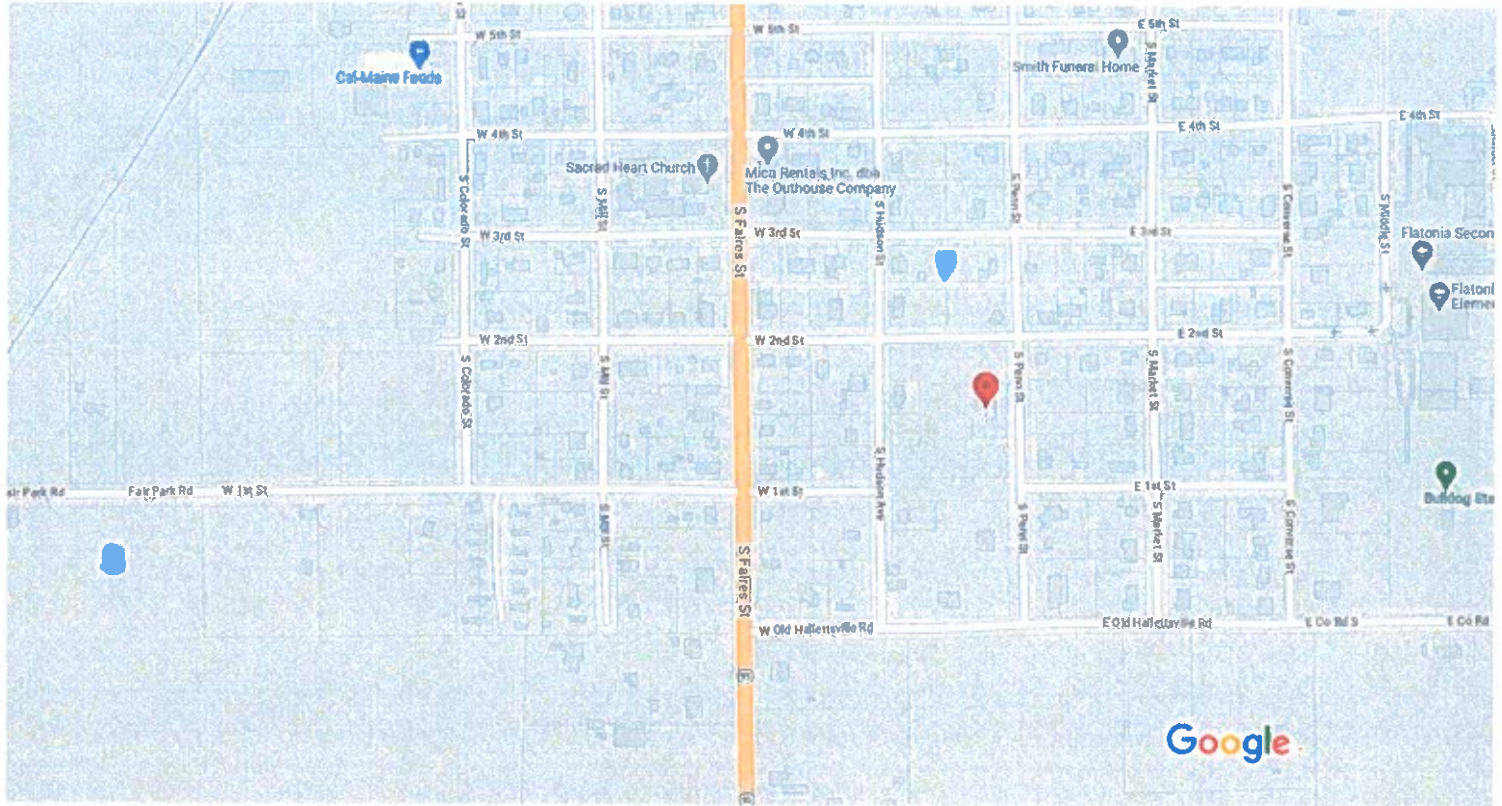
The public hearing is open to any interested person. Opinions, objections, and/or comments on this matter may be expressed in writing or in person at the hearing. The reply form included in this letter can be used if you would like to submit written comments.

Notice of the public hearing has already been published in the Flatonia Argus. If you have any questions regarding this notice or the Zoning Change Application, please contact City Manager Sonya Bishop at managern@ci.flatonia.tx.us or 361-865-3548.



103 W 2nd St

PID 27427



Map data ©2023 Google 200 ft



103 W 2nd St

Building



Directions



Save



Nearby



Send to phone



Share

105 W AND 21

Fayette CAD Web Map

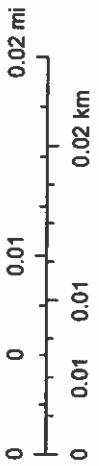


9/7/2023, 1:52:20 PM

Parcels

Abstracts

1:564



© OpenStreetMap (and) contributors, CC-BY-SA

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

Fayette County Appraisal District, BIS Consulting - www.bisconsulting.com



103 W. 2nd St.

National Flood Hazard Layer FIRMette



100 W Concord ST

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

CROSS SECTIONS

- 20.2 Cross Sections with 1% Annual Chance
- 17.9 Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

OTHER FEATURES

- Digital Data Available
- No Digital Data Available
- Unmapped

MAP PANELS

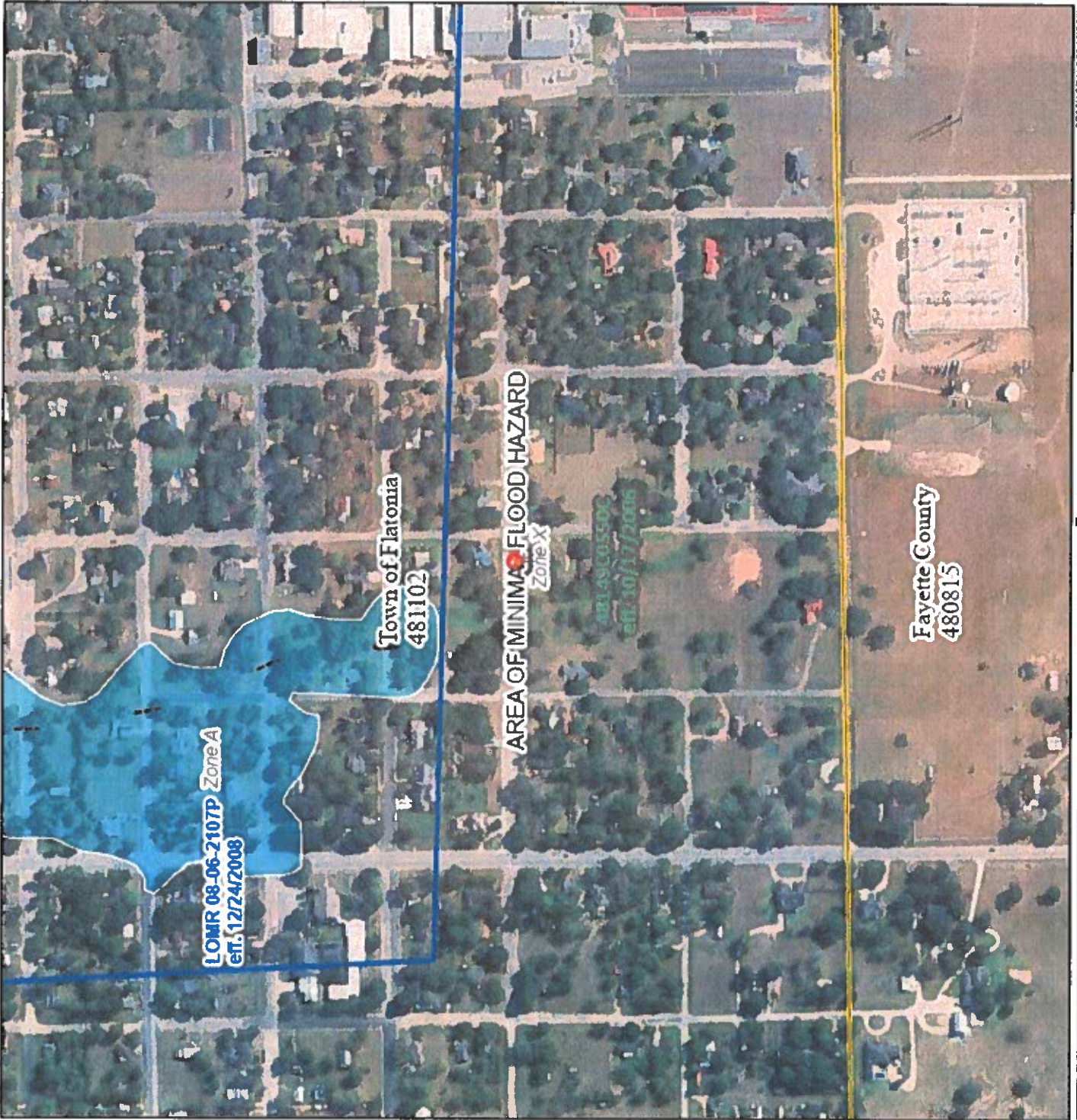
- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/23/2023 at 11:42 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



97°6'12\"/>

1:6,000

0 250 500 1,000 1,500 2,000 Feet

CITY OF FLATONIA

Agenda Summary Form

Agenda # DA11.1.2023.3	Title: Consider and take appropriate action to approve appointing Herbert Mann and Ted Bratton to serve on the Housing Authority's Slate of Commissioners for a term of two (2) years.
Summary: Appointing nominees to the Housing Authority's Slate of Commissioners.	
Option(s): <input type="checkbox"/> I move to approve appointing Herbert Mann and Ted Bratton to serve on the Housing Authority's Slate of Commissioners for a term of two (2) years. <input type="checkbox"/> If you are opposed to not 2 nd or make any motion. If a motion is not made, the item is dead.	
Sears: _____ Seale: _____ Kocian: _____ Cockrell: _____ Mayor Pro Tem Eversole: _____ Mayor Geesaman _____	

"Negative" motions are generally not permitted. To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.

"HIGH PERFORMER"
HOUSING AUTHORITY OF THE CITY OF FLATONIA
701 EAST MULBERRY/P.O. BOX 152
FLATONIA, TEXAS 78941
(361) 865-2534
(361) 865-2599-FAX

October 25, 2023

City Manager
Sonya Bishop
City of Flatonia
P.O. Box 329
Flatonia, Texas 78941

Dear Sonya Bishop:

Please place on the agenda, for the next scheduled city council meeting, the Mayor's appointment of Herbert Mann and Ted Bratton to serve on the Housing Authority's Slate of Commissioners.


All terms shall be for two years commencing with appointment date and ending on November 14, 2025.

These prospective commissioners have been in contact with the Housing Authority and have agreed to serve in this capacity.

Mayor Dennis Geesaman will need to complete the Certificate of Appointment forms, for these appointments, as attached and return to the Housing Authority.

Thank you for your cooperation. Please call or come by my office, in the event you have any questions or concerns.

Sincerely,


Nancy M. Jasek
Executive Director

CITY OF FLATONIA

Agenda Summary Form

Agenda # DA11.1.2023.4	Title: Consider and take appropriate action to accept the bid received on November 13, 2023, for the CDBG CDV21-0342 grant.
Summary: Approval of grant bids.	
Option(s): <input type="checkbox"/> I move to approve and accept the bid received on November 13, 2023, for the CDBG CDV21-0342 grant. <input type="checkbox"/> If you are opposed to not 2 nd or make any motion. If a motion is not made, the item is dead.	
Sears: _____ Seale: _____ Kocian: _____ Cockrell: _____ Mayor Pro Tem Eversole: _____ Mayor Geesaman _____	

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CITY OF FLATONIA

Agenda Summary Form

Agenda # DA11.1.2023.5	Title: Consider and take appropriate action to accept the bid received on October 24, 2023, for the GLO CDBG MIT #22-119-001-D359 grant.
Summary: Approval of grant bids.	
Option(s): <input type="checkbox"/> I move to approve and accept the bid received on October 24, 2023, for the GLO CDBG MIT #22-119-001-D359 grant. <input type="checkbox"/> If you are opposed to not 2 nd or make any motion. If a motion is not made, the item is dead.	
Sears: _____ Seale: _____ Kocian: _____ Cockrell: _____ Mayor Pro Tem Eversole: _____ Mayor Geesaman _____	

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CITY OF FLATONIA

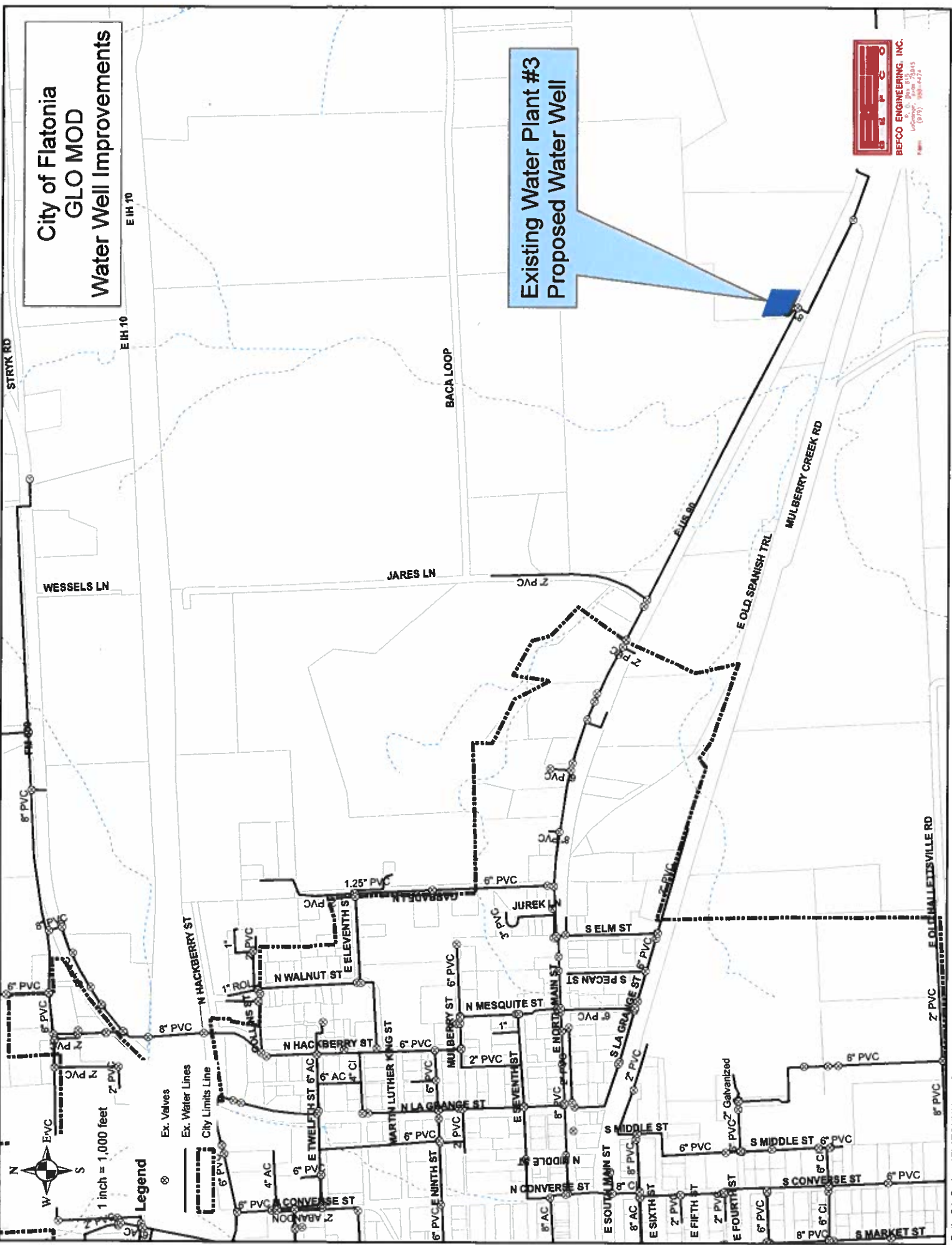
Agenda Summary Form

Agenda # DA11.1.2023.6	Title: Consider and take appropriate action to approve the proposed projects using funds from the GLO CDBG MIT-MOD grant application.
Summary: Approval of grant bids.	
Option(s): <input type="checkbox"/> I move to approve the proposed projects using funds from the GLO CDBG MIT-MOD grant application. <input type="checkbox"/> If you are opposed to not 2 nd or make any motion. If a motion is not made, the item is dead.	
Sears: _____ Seale: _____ Kocian: _____ Cockrell: _____ Mayor Pro Tem Eversole: _____ Mayor Geesaman _____	

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**City of Flatonia
GLO MOD
Water Well Improvements**

**Existing Water Plant #3
Proposed Water Well**



- Legend**
- Ex. Valves
 - Ex. Water Lines
 - City Limits Line

CITY OF FLATONIA
GLO MOD
WATER LINE
IMPROVEMENTS
AREA B

EXISTING 8" WATER LINE

PROPOSED WATER LINE

EXISTING 8" WATER LINE

EXISTING 8" WATER LINE

EXISTING 8" WATER LINE

PROPOSED 8" WATER LINE

EXISTING 6" WATER LINE

EXISTING 8" WATER LINE

LAT: 29.68801
LONG: -97.10544

LAT: 29.68758
LONG: -97.10567

LAT: 29.68668
LONG: -97.10545

LAT: 29.68626
LONG: -97.10546

LAT: 29.68683
LONG: -97.10565

LAT: 29.68623
LONG: -97.10695



CITY OF FLATONIA
GLO MOD
WATER LINE IMPROVEMENTS
AREA A

PROPOSED
WATER LINE

PROPOSED EMERGENCY
INTERCONNECT WITH FWSC
(EXISTING 6 INCH WATER LINE)
LAT: 29.72299
LONG: -97.11477

LAT: 29.72207
LONG: -97.11382

EXISTING 4"
WATER LINE

LAT: 29.71879
LONG: -97.10027

PROPOSED 8"
WATER LINE

LAT: 29.72032
LONG: -97.11313

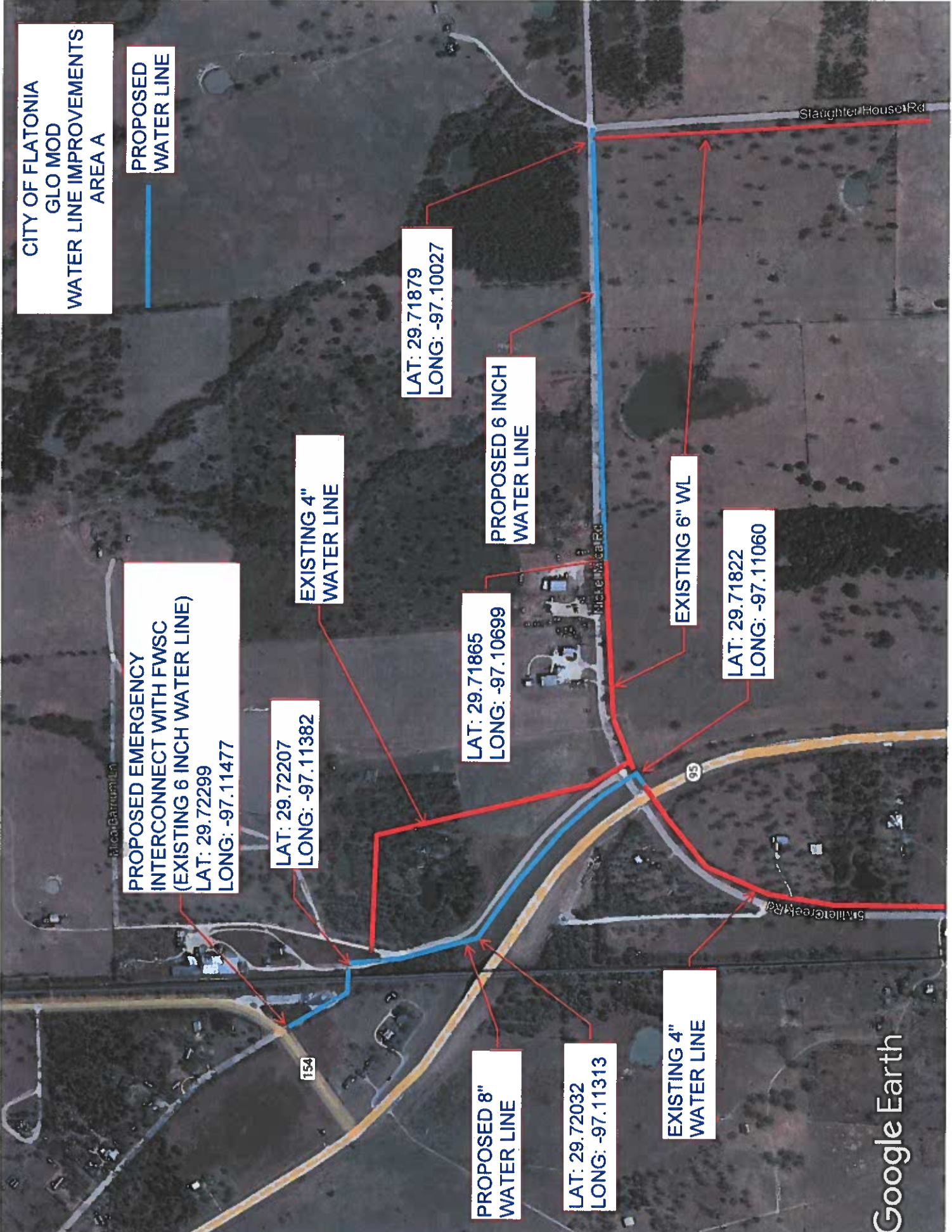
EXISTING 4"
WATER LINE

LAT: 29.71865
LONG: -97.10699

PROPOSED 6 INCH
WATER LINE

EXISTING 6" WL

LAT: 29.71822
LONG: -97.11060



CITY OF FLATONIA

Agenda Summary Form

Agenda # DA11.1.2023.7	Title: Consider and take appropriate action to approve transferring ownership of the softball field to Flatonia Independent School District pursuant to Section 272/001(b)(1) and (5), Texas Local Government Code.
Summary: Approval of land transfer from the City of Flatonia to Flatonia ISD.	
Option(s): <input type="checkbox"/> I move to approve transferring ownership of the softball field to Flatonia Independent School District pursuant to Section 272/001(b)(1) and (5), Texas Local Government Code. <input type="checkbox"/> If you are opposed to not 2 nd or make any motion. If a motion is not made, the item is dead.	
Sears: _____ Seale: _____ Kocian: _____ Cockrell: _____ Mayor Pro Tem Eversole: _____ Mayor Geesaman _____	

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CITY OF FLATONIA

Agenda Summary Form

Agenda # DA11.1.2023.8	Title: Consider and take appropriate action to approve an Amendment to the Lease previously entered into on December 7, 1995, between the Jerome Michael Post 94 of the American Legion of Flatonia, Texas, and the City of Flatonia.
Summary: Approval of an amended lease between the City of Flatonia and the American Legion.	
Option(s): <input type="checkbox"/> I move to approve an Amendment to the Lease previously entered into on December 7, 1995, between the Jerome Michael Post 94 of the American Legion of Flatonia, Texas, and the City of Flatonia. <input type="checkbox"/> If you are opposed to not 2 nd or make any motion. If a motion is not made, the item is dead.	
Sears: _____ Seale: _____ Kocian: _____ Cockrell: _____ Mayor Pro Tem Eversole: _____ Mayor Geesaman _____	

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**LEASE AMENDMENT AGREEMENT
BETWEEN
THE CITY OF FLATONIA AND THE
AMERICAN LEGION OF FLATONIA, TEXAS**

Whereas, the parties entered into a lease on December 7, 1995 (“Lease”), for the City of Flatonia (City) to lease property identified in **Exhibit A** (“Leased Premises”), which includes park and recreational property, to the American Legion of Flatonia (ALF);

Whereas, for a period of years prior to the effective date of this contract, the Flatonia Independent School District (FISD) has been the primary user of the ballfield within the Leased Premises;

Whereas, FISD has also accepted primary responsibility for the physical and financial burden of maintaining the ballfield within the Leased Premises;

Whereas, the ballfields require significant improvement to retrain their usefulness which FISD desires to do at their own expense;

Whereas, the parties desire to amend the Lease, as provided herein, to enable FISD to make the desired improvements;

This Lease Amendment Agreement (hereinafter “Amended Lease”) is made and entered into by and between the Jerome Michael Post 94 of the American Legion of Flatonia, Texas, referred to in this Amended Lease as **Lessee**, and the City of Flatonia, located in Fayette County, Texas, referred to in this Amended Lease as **Lessor**.

ARTICLE 1. DESCRIPTION OF PREMISES

1.01 Lessor leases to Lessee, and Lessee accepts, and hires Lessor as herein provided, that certain real property, with the improvements, fixtures, equipment thereon, all in their present condition, near Flatonia, Fayette County, Texas, shown in **Exhibit A**. The parties will update and clarify with a survey provided by the City no more than 12 months after the effective date of this lease to be entitled **Exhibit B**. Any addition to this Amended Lease must be approved in writing by both parties.

1.02 The Leased Premises does not include the restrooms and storage room on the northern part of the covered patio in the northwest corner of the building. Lessee is not responsible for the upkeep of the described restrooms or the storage room.

1.03 The Leased Premises also does not include the Mineral Estate (“**Mineral Estate and Rights**”). “Mineral Estate” means all oil, gas, and other minerals in and under and that may be produced from the Property, any royalty under any existing or future mineral lease covering any part of the Property, executive rights (including the right to sign a mineral lease covering any part of the Property), implied rights of ingress and egress, exploration and development rights, production and drilling rights, mineral lease payments, and all related rights and benefits. The Mineral Estate does NOT include water, sand,

gravel, limestone, building stone, caliche, surface shale, near-surface lignite, and iron, but DOES include the reasonable use of these surface materials for mining, drilling, exploring, operating, developing, or removing the oil, gas, and other minerals from the Property.

(a) Subject to subsection (b), Lessor reserves for itself all of the Mineral Estate owned by City under the Lease and the Amended Lease.

(b) Lessor does not waive rights of ingress and egress and of reasonable use of the Property (including surface materials) that are part of the Mineral Estate and Rights for mining, drilling, exploring, operating, developing, or removing the oil, gas, and other minerals. Lessor shall coordinate any exercise or use of all rights relative to the Mineral Estate reserved hereunder with Lessee prior to exercising or using such rights.

ARTICLE 2. TERM

2.01 This Amended Lease will start on the effective date herein and continue for 99 years, ending on the month and date signed below in 2121 unless terminated earlier by either party.

ARTICLE 3. RENT

3.01 The rent of this Amended Lease is the sum of Fifty and NO/100 Dollars (\$50.00) per year due and payable on the first day of each January, beginning January 1, 2024, and continuing annually thereafter.

ARTICLE 4. USE, RIGHTS, AND RESPONSIBILITIES

4.01 Lessee shall only use the Leased Premises for a public community hall, meeting hall, and recreational hall. Lessee will not have any use of the baseball fields as they are excluded from the Leased Property.

4.02 Lessor shall retain the right to encumber or sell its interest in the Leased Premises if said sale or transfer is made subject to the terms of this Amended Lease.

4.03 Lessee shall not commit, or allow to be committed, any waste on the Leased Premises, create or allow any nuisance to exist on the Leased Premises, or permit any use of the Leased Premises for any purposes that are unlawful or not permitted by this agreement. Lessee shall comply with all laws, rules, and orders of Federal, State, or Municipal Governments, and shall promptly comply with any requirements of any insurer covering the Leased Premises.

4.04 Lessee shall pay for any telephone, electricity, gas, water, and sewer services for the main hall. Exterior utilities, if any, shall be paid for by Lessor. Lessor shall

also pay for all engineering fees, architectural fees, and survey fees, involving the Leased Premises.

4.05 Lessor, at its expense, shall maintain and keep the exterior of the buildings, the premises, plumbing system, electrical system, cooling and heating system, sewer system, fences, improvements, as identified in **Exhibit C**, Fixture and Appliance Lists, thereon/in in good repair. LESSOR shall resurface the parking lot and driveway on the premises as needed. Lessee shall be responsible for general cleaning and maintenance inside the building as well as maintenance, repair, permanent or temporary removal, and replacement of fixtures and appliances so listed on **Exhibit C**. Lessee shall maintain and keep the interior of the building in good repair; submitting written work requests as needed to the City Manager's office for repairs to be performed by Lessor and notice and permission requests for repairs and maintenance to be performed by Lessee. Lessee shall also be responsible for the maintenance and repair of the Memorial Garden and its contents. Annually, no later than 31 January, the Lessor and Lessee shall conduct a facility inspection to identify repair and maintenance issues/concerns. A written report of this joint inspection shall be maintained by the City Manager.

4.06 Lessor reserves the right, and shall have the right, to enter the premises at reasonable times to inspect them.

4.07 Lessee shall have the right to erect or place on the Leased Premises portable or removable structures. Lessee retains ownership to and the right to remove those portable structures upon termination or expiration of this Amended Lease.

4.08 Lessee shall not have the right to develop all or any portion of the Mineral Estate owned by City under this Amended Lease. Lessor shall have the right to develop all or any of the Mineral Estate, and following such development, shall grant to Lessee the Royalties that such development provides after costs.

ARTICLE 5. INSURANCE AND INDEMNITY

5.01 Lessee, at its' own expense, shall provide, maintain, and enforce during the term of this Amended Lease, a Lessor's risk liability insurance policy written by a responsible company authorized to do business in Texas, protecting Lessor against claims for damages in an amount equal to or greater than One Million Dollars, (\$1,000,000.00) for bodily injuries and One Million Dollars (\$1,000,000.00) for property damage arising out of, or in connection with, incidents occurring in, on, and/or around the Leased Premises.

5.02 Lessee shall deliver a proof of such coverage, and the applicable policy, annually to Lessor. Lessee agrees that if an insurance policy is not provided to Lessor or is not kept in full force and effect for the entire term of the Amended Lease, and any extension thereof, Lessor may terminate this Amended Lease as provided in Article 6 herein, or may procure the necessary insurance and charge such costs to Lessee on demand, or as additional rent installment.

5.03 Lessee agrees to indemnify and hold harmless Lessor from and against all liabilities, claims, lawsuits, losses, damages, demands, debts, liens, costs, judgments, penalties, actions or causes of action that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of Lessee. Lessee will further attempt to have all persons renting or using the Leased Premises execute an indemnity agreement in a form satisfactory to both Lessee and Lessor.

ARTICLE 6. LEASE TERMINATION
Termination By Right or For Cause

6.01 In the event Lessee fails to make the required payment by January 31 of any given year, fails to maintain insurance on the premises, or otherwise violates the terms or conditions herein, Lessor may terminate the Amended Lease only after providing written notice to Lessee of the breach via Certified mail, return receipt requested, and providing Lessee with sixty (60) days opportunity to cure. The Lessor's only remedy for failure to pay is termination of the Amended Lease. Lessor may elect to unilaterally extend the cure period.

6.02 Lessee may terminate the Amended Lease at any time and for any reason with thirty (30) days' notice. Lessor may also terminate the Amended Lease if the building is rendered unfit for safe occupancy and Lessor is unable to make the necessary repairs. In that event, if the building is repaired and rendered fit for safe occupancy within 365 days of termination, the City must offer for Lessee to resume the lease.

ARTICLE 7. MISC

7.01 This Amended Lease and the covenants and conditions herein shall apply to and shall be binding on the heirs, successors, executors, administrators, and assigns of parties hereto.

7.02 This Amended Lease is entered into under the laws of Texas. The venue for any action shall be in Fayette County, Texas.

7.03 This written instrument is a complete agreement between the parties. No agreement not reflected in this instrument shall be enforced against the parties. No amendments or alterations to this document shall be binding unless made in writing and duly executed by both parties.

7.04 If any term or provision of any this Amended Lease shall be determined to be illegal or unenforceable all other terms and provisions of this Amended Lease shall nevertheless remain effective and shall be enforced to the fullest extent permitted by applicable law. This Amended Lease may be separately executed in any number of counterparts and by different parties hereto in separate counterparts, each of which when so executed shall be deemed to constitute one and the same Amended Lease.

The undersigned Lessor and Lessee execute this Amended Lease the _____ day of _____, 2023 at Flatonia, Fayette County, Texas.

LESSOR
City of Flatonia, Texas

LESSEE
American Legion of Flatonia, Texas

ATTEST:

Tammy Louvier, City Secretary

Exhibit C Fixture and Appliance Lists

A. Fixtures and Appliances Repaired and Maintained by City of Flatonia

I. Plumbing Fixtures

Qty	Fixture Description	Location
1	Vanity Sink	Main Hall Women's Restroom
2	Commode	Main Hall Women's Restroom
1	Vanity Sink	Main Hall Men's Restroom
1	Commode	Main Hall Men's Restroom
2	Urinal	Main Hall Men's Restroom
1	Vanity Sink	Meeting Room (Annex) Women's Restroom
2	Commode	Meeting Room (Annex) Women's Restroom
1	Vanity Sink	Meeting Room (Annex) Men's Restroom
2	Commode	Meeting Room (Annex) Men's Restroom
3	Urinal	Meeting Room (Annex) Men's Restroom
1	Food Prep Sink w/ Faucet	Kettle Room
1	Wall-mounted Spigot	Kettle Room
2	Countertop Sink w/ Faucet	Kitchen
1	Wall-mounted Spigot	Kitchen

II. Electrical Fixtures

Qty	Fixture Description	Location
3	Incandescent Light	Main Hall Women's Restroom
1	Incandescent Light	Main Hall Men's Restroom
1	Exhaust Fan	Main Hall Men's Restroom
1	Incandescent Light	Main Hall – Gun Room
1	Incandescent Light	Main Hall – Bingo Room
10	Ceiling Fan	Main Hall
8	Florescent Light	Main Hall
21	Incandescent Light	Main Hall
1	Incandescent Light	Main Hall – Foyer
2	Florescent Light	Auxiliary Meeting Room
6	LED Light	Meeting Room (Annex)
4	Ceiling Fan w/ Light	Meeting Room (Annex)
1	Incandescent Light	Meeting Room (Annex) – Foyer
1	Florescent Light	Meeting Room (Annex) Men's Restroom
1	Incandescent Light	Meeting Room (Annex) Men's Restroom
3	Incandescent Light	Meeting Room (Annex) Women's Restroom
3	Florescent Light	Bar
3	Incandescent Light	Bar (1 Fixture Inside Walk-in Cooler)

2	Water Heater	Kitchen & Kettle Room (1 each)
1	Walk-in Cooler	Kettle Room
5	Incandescent Light	Kitchen (4), Kettle Room (1)
9	Florescent Light	Kitchen (4), Kettle Room (5)
1	Exhaust Fan	Kettle Room

III. Cooling and Heating Fixtures

Qty	Fixture Description	Location
1	Walk-in Cooler	Bar
3	Air Conditioner/Heat Pump	Main Hall
1	Air Conditioner/Heat Pump	Meeting Room (Annex)

IV. Fixtures and Appliances Repaired and Maintained by American Legion

I. Electrical Fixtures

Qty	Fixture Description	Location
1	Window Air Conditioner	Auxiliary Meeting Room
2	Free-standing Beverage Cooler	Bar
1	Chest Freezer	Bar
1	Oven w/ Range Top	Kitchen
1	Double Oven	Kitchen
1	Countertop Microwave	Kitchen
	All interior lightbulbs and tubes	Throughout

II. Cooling and Heating Fixtures

Qty	Fixture Description	Location
1	Propane Tank – 500 Gal	Outside Meeting Room (Annex)

III. Other Fixtures

Qty	Fixture Description	Location
8	Kettle & Gas burner	Kettle Room

CITY OF FLATONIA

Agenda Summary Form

Agenda # DA11.1.2023.9	Title: Consider and take appropriate action to approve transferring ownership of the baseball field to Flatonia Independent School District pursuant to Section 272.001(b)(1) and (5), Texas Local Government Code.
Summary: Approval of land transfer from the City of Flatonia and Flatonia ISD.	
Option(s): <input type="checkbox"/> I move to approve transferring ownership of the baseball field to Flatonia Independent School District pursuant to Section 272.001(b)(1) and (5), Texas Local Government Code. <input type="checkbox"/> If you are opposed to not 2 nd or make any motion. If a motion is not made, the item is dead.	
Sears: _____ Seale: _____ Kocian: _____ Cockrell: _____ Mayor Pro Tem Eversole: _____ Mayor Geesaman _____	

"Negative" motions are generally not permitted. To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.

CITY OF FLATONIA

Agenda Summary Form

Agenda # DA11.1.2023.10	Title: Consider and take appropriate action to approve the SignAd annual contract for \$6,110 for the City of Flatonia advertising billboard in Sealy, Texas.
Summary: Approval of SignAd contract.	
Option(s): <input type="checkbox"/> I move to approve the SignAd annual contract for \$6,110 for the City of Flatonia advertising billboard in Sealy, Texas. <input type="checkbox"/> If you are opposed to not 2 nd or make any motion. If a motion is not made, the item is dead.	
Sears: _____ Seale: _____ Kocian: _____ Cockrell: _____ Mayor Pro Tem Eversole: _____ Mayor Geesaman _____	

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SIGNAD

OUTDOOR

October 19, 2023

The City of Flatonia
125 E. South Main, PO BOX 329
Flatonia, TX 78941

Re: Billboard Renewal Contract

I hope this letter finds you having a great day thus far. I've attached your billboard renewal contract for review. If you would like to continue advertising on the billboard, please sign and return at your earliest convenience.

If you do not wish to continue advertising at this location, please let us know as soon as possible, as SignAd requires 30-day's prior written notice of intent to terminate a contract. If you would like to receive information on additional/alternative locations, please let your account executive know what areas are of interest to you.

Amy's contact information is as follows:

Amy Morgan, 281-546-7469

amy@signad.com

Thanks so much for your continued business! Please do not hesitate to contact us if you have any questions, comments or concerns.

Regards,

Shelley Ruffins
Sales & Marketing Coordinator
Shelley@signad.com

043120

SIGNAD

OUTDOOR

Contract # 045649 R
Date: 10/12/2023

P.O. Box 8626
Houston, TX 77249
713-861-6013

Outdoor Advertising Contract

Customer #:	C000230200
Agency Name:	
Client Name:	THE CITY OF FLATONIA
Address:	125 E. SOUTH MAIN, PO BOX 329
City, State, Zip:	FLATONIA, TX 78941

Board Location	Size	Start Date / End Date	4-Week Period(s)*	4-Week Net Rate	Contract Total
70960.3 I-10/ 3.2 mi E/O FM 949/ Sealy-B-RHWWB # of Vinyls Included: 1	RHWWB 10 x 32	12/15/2023 / 12/12/2024	13.00	\$470.00	\$6,110.00

4-Week Net Total \$470.00

* 4-Week Period(s) is an approximation

THIS CONTRACT IS NOT SUBJECT TO CANCELLATION UNLESS SO STATED HEREIN.

Total Contract Amount \$6,110.00

The undersigned hereby authorizes SIGNAD, LTD. to print and execute from designs mutually agreed upon, on bulletin described above, (which is now and shall remain under SIGNAD, LTD. ownership and/or control) and upon conditions stated above. Client hereby promises to pay to the order of SIGNAD, LTD. in Houston, Harris County, Texas, their successors, or assigns, the Total Contract Amount in periodic four (4) week installments, in the amount shown in the Period Rate column or as otherwise stated above, beginning on the Start Date. We further agree to pay for any displays not printed by reason of failure on our part to furnish or approve copy within fifteen (15) days after the SIGNAD, LTD signature date of this contract. Required upfront deposit will be applied towards the total contract sum. Signer(s) accept full financial responsibility. Any advertising agency that executes this outdoor advertising contract understands and agrees that they are a principal to the contract and responsible for any and all payments. Guarantor personally guarantees payment of all sums due to SIGNAD, LTD under this outdoor advertising contract. Payment terms are NET 10.

SIGNAD

OUTDOOR

Account Executive: Amy Morgan

Client: THE CITY OF FLATONIA

SignAd Approval: _____

Printed Name: _____ Title: _____

Title: _____ Date: _____

Signature: _____ Date: _____

NOT VALID UNTIL APPROVED BY AN OFFICER OF SIGNAD

Guarantor: _____

CORPORATION
 PARTNERSHIP
 INDIVIDUAL

The signature above confirms that I have read and understood the attached terms and conditions of this contract.



Contract no.: 045649

CONTRACT TERMS & CONDITIONS FOR OUTDOOR ADVERTISING

1. Provided the payments agreed upon are not delinquent, agreed upon re-vinyls are to be given at approximately regular intervals in new copy submitted or approved by advertiser, or existing copy may be re-vinylled, if needed, if new copy has not been submitted or approved by SIGNAD, LTD. All re-vinyls furnished by SignAd must be used prior to the last 60 days of the end date of this contract. Forfeited re-vinyls will not carry over to a new contract and have no value.
2. Illuminated spaces are to be lighted from sunset to midnight unless otherwise stated herein. Where agreed illumination service for any reason is not furnished, a pro rata credit of not more than 10% of the applicable period rate for bulletin will be rendered by SIGNAD, LTD. beginning the day SIGNAD, LTD became aware of outage.
3. If use of contracted location becomes impractical through loss of lease, obstruction of view, or for any other cause, or service on same by materially interrupted, such event shall not breach or terminate this contract, but such lost location may be replaced by another mutually agreed upon location of equal value and any service lost shall be made without added charge by pro rata extension of expiration and/or cancellation date of said contract.
4. It is expressly agreed that SIGNAD, LTD. shall not be held liable for loss or damage on account of delays due to strikes, fires, governmental or municipal laws, rules or regulation or acts of Providence, or war, nor for liability to secure specific material, or to maintain said display or any part thereof by reason of any legislation heretofore or hereafter enacted by the Federal Government, or any State or Municipal Government, or any rules or regulation made by any departments of the Federal, State or Municipal Government, or for other causes. SIGNAD, LTD reserves the right to cancel this contract if an opportunity to upgrade location stated herein arises.
5. It is expressly agreed that SIGNAD, LTD. shall not be bound by any stipulations, representations or agreements not embodied in the contract.
6. It is hereby agreed that upon advertiser's failure, neglect or delay to pay herein specified, SIGNAD, LTD. may at its option declare the full consideration hereof due and payable and add reasonable attorney fees which advertiser agrees to pay. Notice, protest and demand on default are waived. Should such default remain uncured for a period of thirty (30) days, SIGNAD, LTD. shall have the right to block out such display in an attempt to resell to a paying customer, in which case the undersigned shall still be liable for the period of time remaining under this contract wherein such display remains unsold plus any additional costs associated with such resell. Such cost can include, but is not limited to, vinyl cost, vinyl removal fee, and/or resell fee. Deposits will be forfeited if this contract goes into an uncured default. It is agreed that venue is proper Harris County, Texas.
7. Payments hereunder past due over sixty (60) days from the date of billing shall bear interest at one and one-half (1 1/2%) percent of computed periodically on the 11th day of each billing period. The ANNUAL PERCENTAGE RATE is nineteen and a half (19.5%) percent per annum. Payments received shall be first applied to any such interest and then to the oldest invoices outstanding.
8. For the purposes of this contract, NOTICE DATE is thirty (30) days prior to the original expiration date as stated hereunder. SIGNAD, LTD. will guarantee advertiser first right of refusal on renewal should such renewal be agreed upon prior to Notice Date. After Notice Date, no guarantee is expressed or implied as to Advertiser's right to renew. In the event written notice of cancellation is not received from Advertiser prior to Notice Date, SIGNAD, LTD. may, at its sole option, extend this contract, subject to any applicable rate increases, after expiration and continue advertising until thirty (30) days after receipt of notice. SignAd has the option to cancel extended contract with zero (0) days notice.

Initial: _____

CITY OF FLATONIA

Agenda Summary Form

Agenda # DA11.1.2023.11	Title: Consider and take appropriate action to approve the nominee for the City of Flatonia representative on the Fayette County Appraisal District Board of Directors.
Summary: Appointing a nominee to the Fayette County Appraisal District Board of Directors.	
Option(s): <input type="checkbox"/> I move to approve the nominee for the City of Flatonia representative on the Fayette County Appraisal District Board of Directors. <input type="checkbox"/> If you are opposed to not 2 nd or make any motion. If a motion is not made, the item is dead.	
Sears: _____ Seale: _____ Kocian: _____ Cockrell: _____ Mayor Pro Tem Eversole: _____ Mayor Geesaman _____	

"Negative" motions are generally not permitted. To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.

RESOLUTION NO. 2023.11.1

A RESOLUTION OF THE CITY OF FLATONIA TO NOMINATE, APPOINT, AND CAST VOTES IN FAVOR OF APPRAISAL DISTRICT DIRECTORS

WHEREAS, the Texas Tax Code authorizes the City of Flatonia to appoint candidates for the position of director of the Fayette County Appraisal District (CAD); and

WHEREAS, the taxing entities which participate in Fayette CAD have provided that directors be appointed by individual or combined taxing entities rather than selected by voting entitlements based on levy;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLATONIA THAT the following individual(s) be nominated and appointed for the position of director of the Fayette County Appraisal District and that all votes assigned the City of Flatonia are hereby cast in favor of the appointment of the following individual(s):

Dated this ____ day of _____, 2023.

Presiding Officer

Attested:

Secretary