

**MINUTES
REGULAR MEETING
JUNE 24, 2019**

The City Council of the City of Navasota, Grimes County, Texas met at the City Council Chambers, Room No. 161, located at 200 E. McAlpine Street at 6:00 p.m., Navasota, Texas on the above date with the following being present:

**Bernie Gessner, Councilmember, Place # 1
Geoff Horn, Councilmember, Place # 2
Josh M. Fultz, Councilmember, Place # 3
Bert Miller, Mayor, Place # 4
Grant E. Holt, Mayor Pro-Tem, Place # 5**

Thus constituting a quorum.

STAFF PRESENT: Brad Stafford, City Manager; Susie M. Homeyer, City Secretary; Lance Hall, Finance Director; William Moore, Intern; Hung Mai, IT Specialist; Jonathan Soresbee, Community Development Specialist; Michael Mize, Lieutenant; Jason Katkoski, Fire Chief/EMC; Kris Gruver, Community Outreach Specialist; Ethan Tyler, Police Officer and Cary Bovey, Legal Counsel.

VISITORS: Connie Clements, Deborah Richardson, Arlo Roberson, Andrea Perrard, Ben Leman, Patty Tokoly, Carolyn Katkoski, Dorothy Hassell, Jim Hassell, Steve Woody, John Henry, Bebb Francis, John Webb, Robert Swearingen, Karen Hughes, Roger Lawrence, Marti Luedtke, Wayne Rife, Tubie Pushee and Heather Deiss.

THE ITEMS ON THE AGENDA WERE TAKEN UP IN DUE ORDER AS FOLLOWS:

1. Mayor Bert Miller called the meeting to order at 6:00 p.m.
2. Invocation was given by Pastor Arlo Roberson. The City Council, staff members and visitors then recited the Pledge of Allegiance to the American Flag and the Texas Flag.
3. Remarks of visitors: None.

4. Staff report:
 - (a) Intern William Moore gave an update on the Independence Daze event;
 - (b) Chief of Police/Assistant City Manager Shawn Myatt introduced Ethan Tyler as the newest Police Officer;
 - (c) There was not an update on Boards and Commissions; and
 - (d) There were not any updates from City Staff or City Officials
5. State Representative Ben Leman provided the City Council with a wrap-up of the Legislative session and answered questions from the City Council and those present in the audience.
6. A public hearing was held on a conditional use permit application submitted by Hassell Development, Inc. to allow for the development of a 200-foot self-support tower serving a wireless telecommunication facility in the A/O: Agriculture Open Space. The property affected is located at 9256 FM 1227 legally described as A0046 J. Moore, Tract 1, Acres 75.96, Navasota, Grimes County, Texas. Mayor Bert Miller opened the hearing at 7:33 p.m. The following individuals spoke about the conditional use permit: Steve Woody, Jim Hassell, W. Bebb Francis III, and Robert Swearingen. After a lengthy discussion, Mayor Bert Miller closed the hearing at 8:38 p.m.
7. Councilmember Bernie Gessner moved to approve the first reading of Ordinance No. 893-19, granting a conditional use permit to Hassell Development, Inc. allowing for the development of a 200-foot self-support tower serving a wireless telecommunication facility in the A/O: Agricultural Open Space District, with the revised updated screening, seconded by Mayor Pro-Tem Grant Holt. The property affected is located at 9256 FM 1227 legally described as A0046, J. Moore, Tract 1, Acres 75.96, Navasota, Grimes County, Texas. The following votes were recorded:

AYES: Councilmember Bernie Gessner and Mayor Pro-Tem Grant Holt

NAYS: Mayor Bert Miller, Councilmember Josh Fultz and Councilmember Geoff Horn

ABSTAIN: None.

Mayor Bert Miller announced that the motion failed to approve Ordinance No. 893-19.

The City Council and Legal Counsel had a brief discussion about the conditional use permit and then Mayor Bert Miller announced the City Council will enter into Executive Session as permitted by Section 551.071 Texas Government Code, for the purpose of consultation with legal counsel regarding legal matters related to the conditional use permit requested by Hassell Development, Inc. allowing for the development of a 200-foot self-support tower serving a wireless telecommunication facility in the A/O: Agriculture Open Space District located at 9256 FM 1227. The time was 8:50 p.m.

The City Council reconvened in open session at 9:25 p.m.

Councilmember Josh Fultz moved to deny the conditional use permit requested by Hassell Development, Inc. because of:

- (1) The close proximity of the proposed 200' tower to the FM 379 and FM 1227 public right-of-way, creating safety concerns that would result from collapse of the proposed tower; and
- (2) The negative visual impact that would be caused by the additional tower and the proximity of the proposed tower to the existing tower; and
- (3) The safety concern that would be created by the location of the driveway to the proposed tower site in close proximity to the intersection of FM 379 and FM 1127, seconded by Councilmember Geoff Horn.

The following votes were recorded by a show of hands:

AYES: Councilmember Josh Fultz, Councilmember Geoff Horn and Mayor Bert Miller

NAYS: Mayor Pro-Tem Grant Holt and Councilmember Bernie Gessner

Mayor Bert Miller announced that the conditional use permit was denied.

8. A public hearing was held regarding a zoning change changing the current zoning from A/O: Agriculture/Open space district to B-1: General Business District for the property legally described as A0044 Jesse B. McNealy, Tract 31-1, 2, Par 1, acres 2.35, 31-1, 2, Par 1, changing the current zoning from split A/O: Agriculture/Open space district/B-1: General Business District to B-1: General Business District for the properties legally described as A0044 Jesse B. McNealy, Tract 50, acres 3.209, Thane 90 Subdivision, Lot A, Acres 2.057, changing the current zoning from A/O: Agriculture/open space district to R-3: high density, multi-dwelling unit, residential district, for the properties legally described as A0044 Jesse B. McNealy, Tract 51-4, Acres 25.6104, A0044 Jesse B. McNealy, Tract 48-7, Acres 18, A0044 Jesse B. McNealy, Tract 41-2, Acres 5.4156, located in Navasota, Grimes County, Texas. Mayor Bert Miller opened the hearing at 9:29 p.m. With no comments from the public, Mayor Bert Miller closed the public hearing at 9:33 p.m.
9. Councilmember Bernie Gessner moved to approve the first reading of Ordinance No. 892-19, changing the current zoning from A/O: Agriculture/Open space district to B-1: General Business District for the property legally described as A0044 Jesse B. McNealy, Tract 31-1, 2, Par 1, acres 2.35, 31-1, 2, Par 1, changing the current zoning from split A/O: Agriculture/Open space district/B-1: General Business District to B-1: General Business District for the properties legally described as A0044 Jesse B. McNealy, Tract 50, acres 3.209, Thane 90 Subdivision, Lot A, Acres 2.057, changing the current zoning from A/O: Agriculture/open space district to R-3: high density, multi-dwelling unit, residential district, for the properties legally described as A0044 Jesse B. McNealy, Tract 51-4, Acres 25.6104, A0044 Jesse B. McNealy, Tract 48-7, Acres 18, A0044 Jesse B. McNealy, Tract 41-2, Acres 5.4156, located in Navasota, Grimes County, Texas, seconded by Councilmember Josh Fultz and with each Councilmember voting AYE, the motion carried.
10. Mayor Pro-Tem Grant Holt moved to approve Change Order No. 4 for the 2018 Alleyway Reconstruction Project for a credit of (\$986.50) for materials not used due to future renovations, seconded by Councilmember Josh Fultz and with each Councilmember voting AYE, the motion carried.
11. Mayor Pro-Tem Grant Holt moved to approve the second reading of Ordinance No. 891-19, budget amendment for the street sidewalk repair by adding

\$120,000.00, seconded by Councilmember Geoff Horn and with each Councilmember voting AYE, the motion carried.

12. Councilmember Bernie Gessner moved to approve the agreement between the Navasota Police Department and the Brazos Valley Council of Governments for E9-1-1 Public Safety Answering Point (PSAP) services, seconded by Councilmember Josh Fultz and with each Councilmember voting AYE, the motion carried.

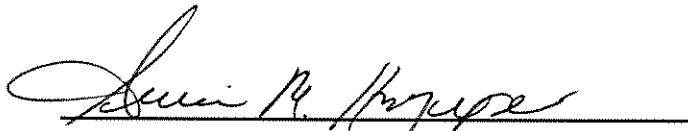
13. Mayor Bert Miller moved to support the Navasota Blues Review as it benefits the City of Navasota by bringing visitors to Navasota, the Blues Capital of Texas, seconded by Councilmember Josh Fultz and with each Councilmember voting AYE, the motion carried.

14. Mayor Bert Miller adjourned the meeting at 9:42 p.m.



BERT MILLER, MAYOR

ATTEST:


SUSIE M. HOMEYER, CITY SECRETARY