



THE CITY OF

JARRELL

City of Jarrell
Regular Called City Council Meeting
Jarrell City Council Chambers
161 Town Center Blvd. Jarrell, Texas 76537
Tuesday, February 28, 2023, at 7:00 p.m.

MINUTES

Mayor Patrick Sherek - **Present**
Alderman Place 1, Daniel Klepac - **Present**
Alderman Place 2, Jeff Seidel - **Present**

Alderman Place 3, Tanya Clawson - **Present**
Mayor Pro-Tem Place 4, Rusty Bryson - **Present**
Alderman Place 5, Daniel Islas - **Present**

1. CALLED MEETING TO ORDER AT 7:00 P.M.

- Roll Call
- Invocation by **Alderman Jeff Seidel**
- Pledge of Allegiance

2. PUBLIC COMMENTS

Those wishing to speak to the City Council must complete the appropriate color card listed below and present the card to the Municipal Clerk prior to the beginning of the meeting. Please wait to be invited to approach the podium and observe a **three-minute** time limit when speaking.

Orange Sign in Card – Items not listed on the agenda

- a) Peter Garon signed up for comments regarding Balcones Flatz Section 8 Housing and inquired regarding annexing Sonterra into the City.**
- b) Thomas Slowbe requested for agenda packets to be posted online.**
- c) Joshua Viera, Sr. promoted child safety lanes.**

An individual may speak; however, the topics presented are considered informational only and may result in placement on a future agenda. No formal discussion or action will be conducted at this time.

Yellow Sign in Card – Item listed on the agenda

An individual may speak once the regular agenda item is announced for consideration and/or when the speaker is invited to approach the podium.





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- a) **Debra Doss gave comments regarding Agenda Item 5.2, 5.3 and 6.2 against the use of eminent domain to obtain the easement.**

3. **CONSENT AGENDA ITEMS**

The Consent Agenda items listed below are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Councilmember, in which event, the item will be removed from the Consent Agenda and considered as a Regular Agenda item.

- 3.1 Consideration and possible action regarding the approval of the minutes of the Regular City Council Meeting on January 24, 2023.
- 3.2 Consideration and possible action regarding the approval of the Minutes for the Special Called City Council Meeting on February 9, 2023.
- 3.3 Consideration and possible action regarding the January 2023 Financials.
- 3.4 Consideration and possible action regarding a JEDC budget amendment to allocate funds for the Understanding the Economic Development Process Workshop in an amount not to exceed \$3500.
- 3.5 Consideration and possible action regarding a budget amendment for the JEDC Executive Director to attend the Dare to Lead program hosted by the Jarrell ISD in an amount not to exceed \$800.

Rusty Bryson made a motion to approve the consent agenda items as printed. Second by Tanya Clawson. The motion was approved by a unanimous vote.

4. **REGULAR AGENDA ITEMS**

- 4.1 The Retail Coach Presentation.

Rusty Bryson made a motion to table Item 4.1. Second by Jeff Seidel. The motion was approved by a unanimous vote.

- 4.2 Consideration and possible action regarding Ordinance No. 2023-0228-01, An Ordinance Providing For The Participation In The Texas Municipal Retirement System And The Supplemental Death Benefits Fund By The City Of Jarrell, Texas; And To Make Current Service And Prior Service





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Contributions To The City's Account In The Benefit Accumulation Fund Of The Texas Municipal Retirement System At The Actuarially Determined Rate Of Total Employee Compensation.

The ordinance caption was read by Mayor Patrick Sherek. Rusty Bryson made a motion to approve Ordinance No. 2023-0228-901 and move to TMRS at 6 (six)% at 1 to 1 contribution, beginning April 1, 2023. Second by Jeff Seidel. The motion was approved by a unanimous vote.

- 4.3 Consideration and possible action regarding Resolution No. 2028-0228-02, a Resolution Approving Submission Of The Grant Application For The Ballistic Shields For Officers Responding To Schools To The Office Of The Governor.

The resolution caption was read by Mayor Patrick Sherek. Tanya Clawson made a motion to approve Resolution No. 2028-0228-02. Second by Daniel Klepac. The motion was approved by a unanimous vote.

- 4.4 Consideration and possible action regarding the Heritage Broadband Agreement with the City of Jarrell.

Rusty Bryson made a motion to table Item #4.4. Second by Jeff Seidel. The motion was approved by a unanimous vote.

- 4.5 Discussion and possible action regarding a recommendation to City Council for the amendment of the JEDC By-laws.

Rusty Bryson made a motion to approve. Second by Jeff Seidel. The motion was approved by a unanimous vote.

- 4.6 Consideration and possible action regarding an appointment of a TIRZ committee.

Rusty Bryson made a motion to appoint the TIRZ committee as Alderwoman Tanya Clawson for Position 1; Jason Oliver for Position 2; Thomas Hertel for Position 3; Brady Lantz for Position 4; and Jarrett Dooley for Position 5. Second by Jeff Seidel. The motion was approved by a unanimous vote.

- 4.7 Consideration and possible action regarding Resolution No. 2023-0228-03, a Resolution calling for Public Hearing on March 28th, 2023 for Cardinal Farms Annexation.





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The resolution caption was read by Mayor Patrick Sherek. Tanya Clawson made a motion to approve Resolution No. 2023-0228-03. Second by Rusty Bryson. The motion was approved by a unanimous vote.

- 4.8** Consideration and possible action regarding Resolution No. 2023-0228-04, a Resolution calling for Public Hearing on March 28th 2023 for Brook Meadows Annexation.

The resolution caption was read by Mayor Patrick Sherek. Tanya Clawson made a motion to approve Resolution No. 2023-0228-04 as presented. Second by Rusty Bryson. The motion was approved by a unanimous vote.

- 4.9** Consideration and possible action regarding the Proposal from MRB Engineering to begin design for WWTP Phase III.

Daniel Klepac made a motion to approve to begin design for WWTP Phase III. Second by Rusty Bryson. Daniel Klepac, Rusty Bryson and Tanya Clawson voted for the motion. Jeff Seidel and Daniel Islas abstained from voting. The motion was approved by a majority vote.

- 4.10** Consideration and possible action regarding the Proposal from MRB Engineering to redesign the headworks of current WWTP.

Jeff Seidel made a motion to redesign the headworks of current WWTP. Second by Rusty Bryson. The motion was seconded Rusty Bryson. The motion was approved by a unanimous vote.

- 4.11** Consideration and possible action regarding the Proposal from MRB Engineering to begin permitting the Willis WWTP.

Rusty Bryson made a motion to begin permitting the Willis Creek WWTP. Second by Daniel Klepac. The motion was approved by a unanimous vote.

- 4.12** Consideration and possible action regarding the Proposal from MRB Engineering to begin permitting possible Salado WWTP.

Tanya Clawson made a motion to table Item 4.12 to the March 2023 meeting. Second by Jeff Seidel. The motion was approved by a unanimous vote.





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4.13 Consideration and possible action regarding an amendment to the minutes of the Special Called Meeting on November 1, 2022.

Jeff Seidel made a motion to approve Item 4.13. The motion failed for a lack of a second.

Tanya Clawson made a motion to table Item 4.13 to the March meeting. Second by Daniel Klepac. The motion was approved by a unanimous vote.

4.14 Jarrell ISD Updates by Dr. Toni Hicks. No formal action was taken.

4.15 4A Jarrell Economic Development Corporation Updates by Traci Anderson, Executive Director. No formal action was taken.

4.16 Interim Police Chief Updates by Interim Police Chief Pacer Korn. No formal action was taken.

4.17 Mayor Updates by Mayor Patrick Sherek. No formal action was taken.

4.18 Interim City Manager Updates by Interim City Manager Grace Matlock. No formal action was taken.

5. EXECUTIVE SESSION:

At any time during the meeting the Council reserves the right to adjourn into executive session on any of the above posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [deliberations about real property], 551.073 [deliberations about gifts and donations to city], 551.074 [deliberations on certain personnel matters] or 551.076 [deliberations about deployment/ implementation of security personnel or devices] and 551.087 [Economic Development].

ADJOURNED INTO CLOSED SESSION/EXECUTIVE SESSION AT 8:47 P.M.:

5.1 Closed Session pursuant to Texas Government Code Section 551.071 for a consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551, to wit: discussion regarding the City's TPDES discharge permit and related matters incident thereto.

5.2 Closed Session To Deliberate The Purchase, Exchange, Lease, Or Value Of Real Property, As Permitted By Section 551.071 Of The Texas Open Meetings Act, Chapter 551 Of The Texas Government Code , To Wit: Property Generally Described In The Williamson County Real Property Records At Volume 1709, Page 13, Volume 752, Page 516, Volume 337, Page 64, Williamson County Real Property Record Instrument Nos. 2016071284, 2016071285 And/Or 9642133,





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Williamson County Appraisal District Property Nos. R012195, R012107, R011337, R008120, R008115, R328196, R008407, R011334, R011338, R012106, R328195, R012194, R012196, R316863, R099467, And/Or R008121, Said Properties Owned Wholly Or Partially By Louise Straka, Louis Straka, Jr., Annie Hyzak, Chrles Barton, Michele Barton, Joe Fojtik, Jo Ann Fojtik, Donald Schwertner And/Or Deborah Schwertner

- 5.3** Closed Session To Receive Legal Advice From Its Attorney(S) And Will Discuss Pending Or Contemplated Litigation, And/Or Settlement Offers, As Permitted By Section 551.071 Of The Texas Open Meetings Act, Chapter 551 Of The Texas Government Code Or On A Matter In Which The Duty Of The Attorney(S) To The City Council Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflicts With Chapter 551 Of The Texas Government Code, To Wit: (A) Generally Described In The Williamson County Real Property Records At Volume 1709, Page 13, Volume 752, Page 516, Volume 337, Page 64, Williamson County Real Property Record Instrument Nos. 2016071284, 2016071285 And/Or 9642133, Williamson County Appraisal District Property Nos. R012195, R012107, R011337, R008120, R008115, R328196, R008407, R011334, R011338, R012106, R328195, R012194, R012196, R316863, R099467, And/Or R008121, Said Properties Owned Wholly Or Partially By Louise Straka, Louis Straka, Jr., Annie Hyzak, Chrles Barton, Michele Barton, Joe Fojtik, Jo Ann Fojtik, Donald Schwertner And/Or Deborah Schwertner; And (B) Eastern Wells Subdivision Development Agreement/Utility Agreement With Wbw Single Development Group, Llc-Series 133.
- 5.4** Closed Session pursuant to Texas Government Code Section 551.071 for a consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551, to wit: the Eastern Wells Utility Agreement and Oversizing Reimbursement.
- 5.5** Executive Session pursuant to 551.074 of the Texas Government Code to deliberate the appointment, employment evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, to wit: Police Chief.
- 6. RECONVENED INTO OPEN SESSION FOR DISCUSSION AND POSSIBLE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION AT 10:02 P.M.:**
- 6.1** Discussion and possible action regarding the regarding the City's TPDES discharge permit and related matters incident thereto.
- No formal action was taken.**
- 6.2** Discussion And Possible Action Regarding The Use Of Eminent Domain To Condemn Property, To Wit: Resolution No. 2023-0228-05, A Resolution Of The City Council Of The City Of Jarrell, Texas Finding And Reaffirming That A Public Necessity Exists To Acquire Additional Public Utility Easements For Municipal Purposes To Upgrade And Install Public Utilities For The Purpose Of Sewage Collection, Drainage, Treatment, Disposal, Emptying, Such Appurtenant Facilities As May Be Necessary, Water Distribution And Other Public Uses In Real Properties As Portions Or Whole Of Tracts Of





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Land Generally Described In The Williamson County Real Property Records At Volume 1709, Page 13, Volume 752, Page 516, Volume 337, Page 64, Williamson County Real Property Record Instrument Nos. 2016071284, 2016071285 And/Or 9642133, Williamson County Appraisal District Property Nos. R012195, R012107, R011337, R008120, R008115, R328196, R008407, R011334, R011338, R012106, R328195, R012194, R012196, R316863, R099467, And/Or R008121, Said Properties Owned Wholly Or Partially By Louise Straka, Louis Straka, Jr., Annie Hyzak, Chrles Barton, Michele Barton, Joe Fojtik, Jo Ann Fojtik, Donald Schwertner And/Or Deborah Schwertner And Being More Particularly Described Herein; Providing And Reaffirming Notice Of An Official Determination To Acquire Real Properties For Public Utility Easements For Municipal Purposes; Providing And Reaffirming Authorization For The City Administrator To Obtain The Necessary Appraisal Report(S) And The Making Of Bona Fide Offers Of Just Compensation For The Easements And/Or Fee Simple; Ratifying Prior Documents And Acts Made For Acquisition Of The Easements And/Or Fee Simple; Authorizing And/Or Reaffirming The Authority Of Legal Counsel To Institute Eminent Domain Proceedings On Behalf Of The City For The Acquisition Of The Easements And/Or Fee Simple On Said Tracts If Negotiations Are Unsuccessful; Authorizing And Reaffirming Appropriation Of Funds From A Lawful Source; And Providing For An Effective Date.

The resolution caption was ready by Mayor Patrick Sherek.

Tanya Clawson made a motion to accept the proposal that was presented. The motion failed for lack of a second.

Rusty Bryson made a motion to approve Resolution No. 2023-0228-05. Second by Daniel Klepac. The motion was approved by the following individual votes:

**Daniel Klepac – Yes
Tanya Clawson – No
Daniel Islas – Yes**

**Jeff Seidel – Yes
Rusty Bryson – Yes**

The motion was approved by a majority vote.

6.3 Consideration and Possible Action regarding the Eastern Wells Utility Agreement and Oversizing Reimbursement.

No formal action was taken.





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6.4 Discussion and possible action regarding the appointment, employment evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, to wit: Police Chief.

Daniel Klepac made a motion for the Interim City Manager to begin the hiring process for the new Police Chief. Second by Jeff Seidel. The motion was approved by a unanimous vote.

7. ADJOURNMENT AT 10:10 P.M.

PASSED AND APPROVED on 28TH DAY of MARCH 2023.

CITY OF JARRELL, TEXAS

Patrick Sherek, Mayor



Attest:

Dianne Peace, Municipal Clerk

