



THE CITY OF
JARRELL

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

MINUTES

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

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

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

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

Moved Agenda Item #5.1 Proclamation for April 2023 as Child Abuse Awareness and Prevention Month was moved to the beginning of the meeting. The proclamation was ready by Alderwoman Rusty Bryson and presented by Mayor Patrick Sherek.

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

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.

- Joe Stephens made comments regarding General City Information pertaining to transparency and forums.**
- Michael Lafler inquired regarding the use of the baseball fields.**
- David Bryson expressed concerns regarding the appearance of the Council's division.**
- Dianne Johns provided information pertaining to the growth of the Jarrell Community Food Pantry.**





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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.

- a. Mark McAdams spoke regarding Agenda Item #5.6 pertaining to fireworks.
- b. Don Schwertner spoke regarding Agenda Item 7.5 expressing his concerns pertaining to the condemnation proceedings.
- c. Debra Doss spoke regarding Agenda Item 7.5 expressing her concerns pertaining to the condemnation proceedings.
- d. Chuck Barton spoke regarding Agenda Item 7.3 expressing his concerns pertaining to the condemnation proceedings.

3. PUBLIC HEARINGS

3.1 Opened a Public Hearing at 7:35 p.m. regarding a request for a Conditional Use Permit for 'All Other Medical Facilities' located at 11775 IH 35 North, Suite 110, Jarrell, Texas, 76537. (Dental Office).

3.2 Closed the Public Hearing at 7:35 p.m.

3.3 Discussion, consideration, and possible action regarding a recommendation from the Planning and Zoning Commission regarding the request for a Conditional Use Permit for 'All Other Medical Facilities' Located at 11775 IH 35 North, Suite 110, Jarrell, Texas 76537 (Dental Office).

Rusty Bryson made a motion to accept the recommendation from the Planning and Zoning Commission and approve the Conditional Use Permit. Second by Daniel Islas. The motion was approved by a unanimous vote.

3.4 Opened a Public Hearing at 7:40 p.m. regarding an approximate 51.108-acre tract of land out of the Isaac Bunker survey, Abstract No. 54, Williamson County, Texas. for the Brook Meadows Annexation

3.5 Closed Public Hearing at 7:40 p.m.





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- 3.6 Discussion, consideration and possible action regarding Ordinance No. 2028-0328-01, An Ordinance Of The City Of Jarrell, Texas, Annexing Certain Hereinafter Described Adjacent And Contiguous Territory; Known To Be A Sparsely Populated Area; Into The Incorporated Municipal Boundaries Of The City Of Jarrell, Texas On Petition Of The Landowners Of The Proposed Annexed Area; Extending The Boundary Limits Of The City Of Jarrell So As To Include Said Property Within The Jarrell City Limits; Finding That All Necessary And Required Legal Conditions Have Been Satisfied; Providing That Such Area Shall Become Ap Art Of The City And That The Owners And/Or Any Inhabitants Thereof Shall Be Entitled To The Rights And Privileges Of Other Citizens And Be Bound By The Acts, Ordinances, Resolutions And Regulations Of The City Now In Effect And Those Which Are Hereinafter Adopted; Providing For A Finds Of Facts Clause; Annexation Of Territory Clause; Proper Notice And Meeting Requirements Clause; Publication Clause; Severability Clause; Repealing Clause; Open Meetings Clause; Effective Date Clause; for the Brook Meadows Annexation; A 51.108 Acre Tract Of Land, Out Of The Isaac Bunker Survey, Abstract No. 54, Williamson County, Texas.

The ordinance caption was read by Mayor Patrick Sherek. Jeff Seidel made a motion to approve Ordinance No. 2028-0328-01. Second by Rusty Bryson. The motion was approved by a unanimous vote.

4. 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.

- 4.1 Consideration and possible action regarding the approval of the minutes of the Regular City Council Meeting on February 28, 2023.
- 4.2 Consideration and possible action regarding the February 2023 Financials.

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

5. REGULAR AGENDA ITEMS

- 5.1 Proclamation for April 2023 as Child Abuse Awareness and Prevention Month.





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The agenda item was moved to the beginning of the meeting.

- 5.2** Consideration and possible action regarding Resolution No. 2028-0328-02, a Resolution Delaying Action On An Ordinance Authorizing The Issuance Of The City Of Jarrell, Texas Combination Tax And Revenue Certificates Of Obligation, Series 2023; Levying An Ad Valorem Tax And Pledging Certain Surplus Revenues In Support Of The Certificates; Approving An Official Statement, A Paying Agent/Registrar Agreement And Other Agreements Relating To The Sale And Issuance Of The Certificates; And Ordaining Other Matters Relating To The Issuance Of The Certificates.

The Resolution caption was read by Mayor Patrick Sherek. Rusty Bryson made a motion to approve Resolution No. 2028-0328-02. Second by Daniel Klepac. Rusty Bryson, Daniel Klepac, Tanya Clawson and Daniel Islas voted for the motion. Jeff Seidel voted against the motion. The motion was approved by a majority vote.

- 5.3** Consideration and possible action regarding Amendment 3 to the Balcones Flats Development Agreement.

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

- 5.4** Consideration and possible action regarding Resolution No. 2028-0328-003, appointing members to Impact Fee Committee.

Tanya Clawson made a motion to approve Resolution No. 2028-0328-03. Second by Jeff Seidel. The motion was approved by a unanimous vote.

- 5.5** Consideration and possible action regarding approval of the Water and Wastewater Request For Proposal.

Jeff Seidel made a motion to table the item to a future date. Second by Tanya Clawson. The motion was approved by a unanimous vote.

- 5.6** Consideration and possible action regarding Fireworks.

Jeff Seidel made a motion to table the item to a future date. Second by Rusty Bryson. The motion was approved by a unanimous vote.

- 5.7 Jarrell ISD Updates by Dr. Toni Hicks. No formal action taken.**





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5.8 4A Jarrell Economic Development Corporation Updates by Executive Director, Traci Anderson. No formal action taken.

5.9 Interim Police Chief Updates by Interim Police Chief, Pacer Korn. No formal action taken.

5.10 Mayor Updates by Mayor Patrick Sherek. No formal action taken.

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

6. 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 8:34 P.M.:

6.1 Closed 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: City Manager.

6.2 Closed Executive Session pursuant to Texas Government Code Section 551.071 for a consultation with the City Attorney on a matter regarding pending or contemplated litigation or a settlement offer or 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:

- i. City of Jarrell v. BE Theon East Partnership No. 3, Ltd, In the Texas Court of Appeals, Third District, Docket No. 03-21-00651 CV.
- ii. City of Jarrell v. Charles A. Barton and Michele Barton, in County Court at Law No. 1, Williamson County, Docket No. 23-0368-CC1.
- iii. City of Jarrell v. Joe R. Fojtik and Jo Ann Fojtik, in County Court at Law No. 2, Williamson County, Docket No. 23-0034-CC2.
- iv. City of Jarrell v. Donald G. Schwertner and Deborah D. Schwertner, in County Court at Law No. 3, Williamson County, Docket No. 23-0035-CC3.





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v. City of Jarrell v. Louis Straka, Louise Straka and Annie Hyzak, in County Court at Law No. 2, Williamson County, Docket No. 23-0385-CC2.

7. **RECONVENED INTO OPEN SESSION AT 10:11 P.M.:**

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

No formal action taken.

7.2 Discussion and possible action regarding City of Jarrell v. BE Theon East Partnership No. 3, Ltd, In the Texas Court of Appeals, Third District, Docket No. 03-21-00651 CV.

No formal action taken.

7.3 Discussion and possible action regarding City of Jarrell v. Charles A. Barton and Michele Barton, in County Court at Law No. 1, Williamson County, Docket No. 23-0368-CC1.

No formal action taken.

7.4 Discussion and possible action regarding City of Jarrell v. Joe R. Fojtik and Jo Ann Fojtik, in County Court at Law No. 2, Williamson County, Docket No. 23-0034-CC2.

No formal action taken.

7.5 Discussion and possible action regarding City of Jarrell v. Donald G. Schwertner and Deborah D. Schwertner, in County Court at Law No. 3, Williamson County, Docket No. 23-0035-CC3.

No formal action taken.

7.6 Discussion and possible action regarding City of Jarrell v. Louis Straka, Louise Straka and Annie Hyzak, in County Court at Law No. 2, Williamson County, Docket No. 23-0385-CC2.

No formal action taken.

8. **ADJOURNMENT AT 10:14 P.M.**





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PASSED AND APPROVED on 25TH DAY of APRIL 2023.

CITY OF JARRELL, TEXAS

Patrick Sherek, Mayor



Attest:

Dianne Peace, Municipal Clerk

