

## **December 5, 2023**

### **Minutes**

The Florence City Council met on December 5, 2023, with Mayor Mary Condon presiding and Council members Denise Deichmann, Lesa Ragsdale, Amy Hansson, Debra Bartos Cahill and Mike Harrell were present.

Staff members present: Mary Dixon, Josh Teitge and Daniel Ortiz, Dan Hejl – City Engineer

Legal Counsel present: Ben Whitehead, Bojorquez Law Firm, PC

Guests present: Ben Daniel, Forrest Hyde, Craig Townsend, Donald Allman, Jake Roberts, Brian Evans, Clayton Skidmore and Jeanne Knauth

Mayor Mary Condon called the meeting to order at 6:00 pm

Alderman Mike Harrell provided Invocation.

Mayor Mary Condon asked any Guests addressing the Council to speak at this time. **No public comments.**

#### **Consent Agenda-**

5. a. Debra Bartos Cahill made the motion to approve November 14, 2023 minutes; as presented. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Denise Deichmann- for

Lesla Ragsdale- for

Mike Harrell - for

Amy Hansson- for

Debra Bartos Cahill-for

Motion carried.

#### **Committee, Council Members, and City Staff Reports:**

6. **Mayor Mary Condon/Council Report-** Mayor provided updates on the CDBG project progress and the capping of Well #1.

7. **Municipal Court, Ramona Batchelor-** See report.

8. **City Secretary (Interim), Mary Dixon -** See Report.

9. **Police Department, Chief Josh Teitge -** See Report.

Comments: Chief provided an update on the animal control issues and the policy with Williamson County; requiring an annual fee of \$16,000 to receive animals or \$50 per animal with no guarantees of acceptance. He also stated after the first of the year, the PD would start addressing animal registrations ordinance requirements.

10. **Public Works Department-** See Report.

11. **Florence Chamber of Commerce-** No report.

12. **Florence Planning and Zoning Committee-** No report.

13. **Florence ISD Afterschool Centers on Education-ACE- Angel Callan-** No Report.

14. **Florence Community Garden Project –** No Report.

15. **Building Services Director-** See Report.

16. Debra Bartos Cahill made the motion to approve the fiscal audit ending 9/30/2022; as presented by Donald Allman - CPA. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Denise Deichmann- for

Lesa Ragsdale- for  
Mike Harrell - for  
Amy Hansson- for  
Debra Bartos Cahill-for  
Motion carried.

17. Mayor Mary Condon called the public hearing to order at 6:43 pm to hear public comments and/or concerns regarding consideration of the land use assumptions and capital improvements plan under which an impact fee may be imposed. **No public comments.** Mayor Mary Condon closed the public hearing at 6:44 p.m.

18. Dan Hejl, City Engineer with Hejl, Lee and Associates, gave a brief explanation of the purpose of the Ordinance. Debra Bartos Cahill made the motion to approve the first reading of **Ordinance No. 12052023-03**, an ordinance of the City Council of the City of Florence, Texas, adopting land use assumptions and a capital improvement plan relating to the possible adoption of wastewater impact fees; providing for the incorporation of premises; providing for severability, repealer, and savings clauses, and an effective date; providing that the meeting at which this ordinance was passed was open to the public in accordance with the Texas Open Meetings Act. Denise Deichmann- seconded the motion. Mayor Mary Condon asked to poll the Council.

Denise Deichmann- for  
Lesa Ragsdale- for  
Mike Harrell - for  
Amy Hansson- for  
Debra Bartos Cahill-for  
Motion carried.

19. Denise Deichmann made the motion to accept **Resolution No. 12052023-1** a resolution of the City Council of Florence, Texas, setting a public hearing date to discuss and review proposed wastewater impact; providing for the provision of notice of the hearing; and providing an effective date. Debra Bartos Cahill seconded the motion. Mayor Mary Condon asked to poll the Council.

Denise Deichmann- for  
Lesa Ragsdale- for  
Mike Harrell - for  
Amy Hansson- for  
Debra Bartos Cahill-for  
Motion carried.

20. Mayor Mary Condon called the public hearing to order at 6:15 p.m. to hear public comments and/or concerns regarding consider to repeal and replace the City's Zoning Code with a new Zoning Code; amending the Official Zoning Map of the City based on the zoning districts established in the new Zoning Code; providing for findings of fact, enactment, repealer, severability, penalties, a schedule of permits and fees, codification and publication, an effective date, and proper notice and meeting. Ben Daniel spoke with his concerns of approving the ordinance without the planning and zoning commission's recommendation. Ben Whitehead, City Attorney, went over the procedures of the City Council to adopt ordinances and stated if only "minor" changes were being made Council could make the motion to approve the 1<sup>st</sup> ready and changes could be reflected in the revised ordinance for the 2<sup>nd</sup> reading. If the changes were going to be major then the agenda item should be tabled. If tabled, the current public hearing would suffice for meeting the requirement. Mary Dixon, Interim City Secretary, responded to the Mayor Pro-Tem's question on why the ordinance was not completed at the prior scheduled P&Z meeting that was scheduled for November 30, 2023; stating it was cancelled due to lack of quorum. Ben Daniel made additional comments in regards to the cancelled meeting. Clayton Skidmore spoke expressing his concerns with the amended Ordinance as presented online. Those notes are attached to these minutes as Exhibit A. Mayor Mary Condon closed the public hearing at 6:42 p.m.



21. Debra Bartos Cahill made the motion to **TABLE** discussion, consideration, and possible action on Ordinance No. 12052023-01, an ordinance amending Chapter 14, Zoning, of the Code of Ordinances of the City of Florence, Texas, to repeal and replace the City's Zoning Code with a new Zoning Code; amending the Official Zoning Map of the City based on the zoning districts established in the new Zoning Code; providing for findings of fact, enactment, repealer, severability, penalties, a schedule of permits and fees, codification and publication, an effective date, and proper notice and meeting. [1st Reading.] so the planning and zoning commissioners could meet to further review the ordinance for additional changes. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Denise Deichmann- for  
Lesa Ragsdale- for  
Mike Harrell - for  
Amy Hansson- for  
Debra Bartos Cahill-for  
Motion carried.

22. Mayor Mary Condon called the public hearing to order at 6:51 pm to hear public comments and/or concerns regarding authorizing a special use permit zoning request received from 5R Field Services, LLC and TTSCG, LLC with permission from owner John L. Shive, for the purpose of allowing a mix of Business & Professional Office, Limited Retail, and certain Commercial Recreation uses within the Central Business District for a non-profit business to raise funds to support local organizations within the City of Florence, to be located in the Central Business District (CBD) – WCAD Parcel R010878 also known as 206 E. Main Street, Florence, Texas 76527 with proposed changes allowing TTSCG, LLC to be removed and 5R Field Services, LLC to remain with adding 60% retail sales and office space upstairs; in addition to fundraising. Applicant representative, Jake Roberts, spoke and stated they wanted to withdraw the application and would be moving the business to another county. Mayor Mary Condon closed the public hearing at 6:53 p.m.

23. No action taken on **Ordinance No. 12052023-02**, as applicant representative, Jake Roberts, stated they wanted to withdraw the application.

24. Denise Deichmann made the motion to accept **Ordinance No. 08012023-01** authorizing a special use permit zoning request from Krasniqi Real Estate Holdings, LLC, for the purpose of a fitness gym as a Commercial Recreation use, to be located in the Central Business District (CBD) – WCAD Parcel R010892 also known as 212 E. Main Street, Suite 102, Florence, Texas 76527, as initially considered and approved by Council by motion during its August 1, 2023 regular Council Meeting. Lesa Ragsdale seconded the motion. Mayor Mary Condon asked to poll the Council.

Denise Deichmann- for  
Lesa Ragsdale- for  
Mike Harrell - for  
Amy Hansson- for  
Debra Bartos Cahill-for  
Motion carried.

25. Debra Bartos Cahill made the motion to allow the Mayor and Director of Public Works authorization to order a 100 KW Generator for the WWTP, not to exceed \$60,000, based on payment plans and interest rates available. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Denise Deichmann- for  
Lesa Ragsdale- for  
Mike Harrell - for  
Amy Hansson- for

Debra Bartos Cahill-for  
Motion carried.

**26.** Debra Bartos Cahill made the motion to approve the change order from Westar Construction in the amount of \$19,740.00 for the 2021/2022 TX CDBG project. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Denise Deichmann- for  
Lesa Ragsdale- for  
Mike Harrell - for  
Amy Hansson- for  
Debra Bartos Cahill-for  
Motion carried.

**27.** Debra Bartos Cahill asked about selling the animal control vehicle. Chief Teitge stated it had no mileage and they got it for a good price and wanted to keep it for now. Debra Bartos Cahill made the motion to authorize the purchase of one replacement Police Canine Patrol Vehicle and three replacement Patrol Vehicles to replace units 800, 802 (Tahoe), 803 and 804 with 2024 Chevrolet Tahoe from Defender Supply Police Outfitters; utilizing Forfeiture Seizure funds and the suggestion to consider budget items adjustments after the Forfeiture Seizure funds are depleted. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Denise Deichmann- for  
Lesa Ragsdale- for  
Mike Harrell - for  
Amy Hansson- for  
Debra Bartos Cahill-for  
Motion carried.

**28.** Amy Hansson made the motion to authorize the Florence Police Department IT to proceed with the purchase of the 7 Year plan, in the amount of \$92,329, for IT support from Strattmont; to be paid through Asset Forfeiture Account. Lesa Ragsdale seconded the motion. Mayor Mary Condon asked to poll the Council.

Denise Deichmann- for  
Lesa Ragsdale- for  
Mike Harrell - for  
Amy Hansson- for  
Debra Bartos Cahill-for  
Motion carried.

**29.** Debra Cahill Bartos mentioned a traffic study being done near Patterson and Tomlinson for the future elementary area and suggest a future agenda item then made the motion to allow TxDOT to pass a Commission Minute Order to update the speed for FM 970 West of Florence to reduce the speed from 50 to 45 MPH and the School Zone from 35 to 30 MPH. Lesa Ragsdale seconded the motion. Mayor Mary Condon ask to poll the Council.

Denise Deichmann- for  
Lesa Ragsdale- for  
Mike Harrell - for  
Amy Hansson- for  
Debra Bartos Cahill-for  
Motion carried.

**30.** Amy Hansson made the motion to approve an additional 20 hours of consultant time for Amy Crane Debra Bartos Cahill seconded the motion. Mayor Mary Condon asked to poll the Council.

Denise Deichmann- for  
Lesa Ragsdale- for  
Mike Harrell - for  
Amy Hansson- for  
Debra Bartos Cahill-for  
Motion carried.

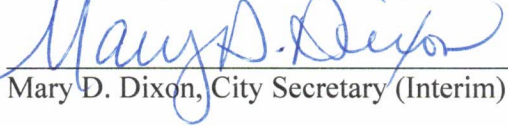
31. Debra Bartos Cahill made the motion to approve the Expenditures. Amy Hannson seconded the motion. Mayor Mary Condon asked to poll the Council.

Denise Deichmann- for  
Lesa Ragsdale- for  
Mike Harrell - for  
Amy Hansson- for  
Debra Bartos Cahill-for  
Motion carried.

32. The next Council meeting is scheduled for Tuesday, January 9, 2024 at 6:00 pm. Mayor Mary Condon polled the Council who would be present at the next meeting.

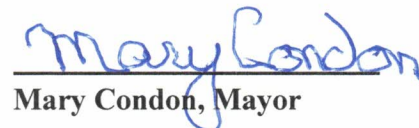
Lesa Ragsdale- absent  
Denise Deichmann- confirmed  
Mike Harrell- confirmed  
Amy Hansson- confirmed  
Debra Bartos Cahill- confirmed

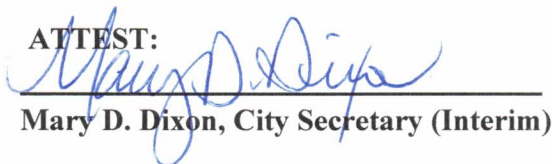
33. Meeting adjourned at 7:57 pm

  
Mary D. Dixon, City Secretary (Interim)

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**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, TEXAS, this 9th day of January, 2024.**

  
Mary Condon, Mayor

**ATTEST:**  
  
Mary D. Dixon, City Secretary (Interim)