



**CITY OF
IOWA
COLONY**

**CITY COUNCIL WORKSESSION
MINUTES**

**Monday, July 17, 2023
6:00 PM**

Iowa Colony City Hall, 12003 Iowa Colony Blvd., Iowa Colony, TX 77583

Phone: 281-369-2471 • Fax: 281-369-0005 • www.iowacolonytx.gov

STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF IOWA COLONY

BE IT REMEMBERED ON THIS, the 17th day of July 2023, the City Council of the City of Iowa Colony, Texas, held a Council Meeting at 6:00 P.M. at Iowa Colony City Hall, there being present and in attendance the following members to wit:

Mayor Wil Kennedy
Councilmember Arnetta Murray
Councilmember McLean Barnett
Mayor Pro Tem Marquette Greene-Scott
Councilmember Tim Varlack
Councilmember Steven Byrum-Bratsen
Councilmember Sydney Hargroder

And none being absent, constituting a quorum at which time the following business was transacted.

CALL TO ORDER

Mayor Kennedy called the work session to order at 6:00 P.M.

CITIZEN COMMENTS

Shelby Crowe- 10414 Kiowa Ct. She stated she is a local realtor, and she will be speaking on the signs. She has been putting up signs up for a long time and all the sudden they are no longer able to put up their open house signs. She puts the signs up for two to three hours a day. She would like the council to look at the sign ordinance again and reconsider.

ITEMS FOR DISCUSSION

1. Discussion on possible zoning change request on Iowa Colony Blvd. Afsha Ali discussed the proposed zoning change request stating they are proposing office condos with a retail center. She asked if the city would be interested in going through the zoning list and narrowing down the list of uses. Their end goal is to bring a quality

family friendly center to the property, and they are willing to work with the city on this project. Councilmember Murray asked what they are thinking in terms of the uses? She asked for their top two uses. Afsha stated they are thinking of a restaurant and a after school activity. Councilmember Hargroder thanked Afsha for presenting and also her willingness to work with the city. Councilmember Hargroder is concerned that this would be a traffic issue and that there is not a collector street. Councilmember Byrum-Bratsen is concerned about the traffic as well. He asked if there will be warehouses in the back. Afsha stated they are only proposing office condos. Councilmember Varlack mentioned that the traffic including commercial traffic will be a bit of a concern. He is also concerned that when it's discussed about condos, that the ownership changes and that the items that are stated when the building goes in carries over to whoever purchases that property in the future. Afsha asked if they could tie that portion to the deed restrictions. Councilmember Varlack stated that they would need to work with the Attorney to see. Mayor Pro Tem Greene-Scott stated that we cannot think five years ahead, we must think further than that and we don't know who is going to buy these spaces and then who they will sell them to. They asked for recommendations at this point. The mayor stated the consensus was to work with Staff and Planning and Zoning to figure out how to move forward as Iowa Colony is open for business.

2. Discussion on HOA-provided landscape maintenance in certain subdivisions. City Attorney, Natasha Brooks provided two options for the City Council to consider regarding the HOA-provided landscape maintenance in certain subdivisions. (see attachment) The City Council concurred with adopting a policy statement by resolution as listed in the attachment. It is noted that the POA is under no obligation to lift the requirement. The mayor addressed that he received one email in favor of the current arrangement that the city has in place.
3. Discussion on the city's sign ordinance. City Manager, Robert Hemminger mentioned that this is a discussion to see what the Council's interest is in looking at the sign ordinance. Robert provided a brief PowerPoint of pictures taken of bandit signs that have been seen in the city. Code Enforcement has been going out and picking up these signs. The current sign ordinance does not allow bandit signs. With any sign, a city event is exempt from the regulation, which is consistent in most cities. Building Official, Albert Cantu provided his research findings to the council on this topic. He stated there are some other cities that do allow bandit signs for open houses; however, they go through a permit process. One city charges \$5 for a sticker that is placed on the back of the sign, and they are allowed to have the sign up during a specific time frame. Those cities did not have a cap on the number of signs that were allowed to be put out, however there were locations specified where the signs could be placed. Mayor Pro Tem Greene-Scott asked if this would be too burdensome. Albert stated that there are some challenges with this. Councilmember Hargroder asked about our current enforcement procedure. Albert stated that Ruben would go out and pick up the signs, then they would hold them for a couple days and if the owner does not come get them after so many days they go in the garbage. Councilmember Varlack feels like we need to do a fee / time analysis and make sure if we chose to charge a fee, that we are not charging a \$5 fee for a \$500 service. The mayor stated there seems to be a consensus to look at the sign ordinance and to look into a permitting process to allow realtors to put out bandit signs legally.

4. Discussion on proposed Noise Ordinance. Chief Bell and Natasha Brooks worked on a noise ordinance. Chief Bell stated the only way they can currently enforce loud noise is through the penal code. That requires a decibel reading and to be told by a peace officer or magistrate that it is a nuisance. This causes problems for the PD during shift change and things of that nature. This ordinance will help the PD to enforce when a neighbor's noise is a nuisance. Per the ordinance the officer can ask them to turn it down and they can issue a citation and the offender can come talk to the judge. The officer can still do a decibel reading if it is a big issue. Councilmember Varlack stated he thinks we need to have specific ordinances for residential and one for commercial areas. Councilmember Varlack stated that he supports Chief 100%. Councilmember Barnett asked if we have something for engine break. The Chief stated that they currently do not, but they can put that in before a second reading. The Chief mentioned that we will have to put signs up if this is added to the ordinance.
5. Discussion on Council Meeting schedule. City Manager, Robert Hemminger mentioned that a few council members have had discussions with him regarding our meetings. The previous mayor was considering a second meeting as the meetings were getting longer. Robert mentioned he has heard different viewpoints including to keep it at one meeting a month regardless of how long it lasts and the other was to have two meetings at a modest amount of time. Robert is asking the council to provide guidance on what they would like to see in the meeting schedule. Robert provided a list of the meetings and potential holidays that conflict with those meetings. Mayor Pro Tem Greene-Scott stated that the last two meetings were very long, and she does not have a problem with doing the work session the week before if we are going to be here late. If not, then she is good with just having one meeting. Councilmember Murray stated maybe looking into time limits for council members, as she has seen with the city of Houston meetings. Councilmember Varlack commented on Robert's list of potential holiday conflicts. He asked if the staff had a preference. He also stated the council could make better use of their time meaning that when developers come to the worksession, they need to arrive at worksession so they are not doing this during council meeting and all they will be doing is acting on the item. Councilmember Hargroder stated she would like to see the calendar overlaid with other local meetings that the council members may want to attend. She would also like to see joint meetings with the Planning and Zoning Commission. Robert mentioned that there will be worksesissions with Planning and Zoning as we have hired Kendig Keast to do UDC updates. Robert mentioned that the majority of the staff prefer the one night of the meetings, but all of the staff are committed to attending whatever meeting schedule the council decides on.

ADJOURNMENT

The work session was adjourned at 7:01 P.M.

APPROVED THIS 21st DAY OF AUGUST 2023

Kayleen Rosser

Kayleen Rosser, City Secretary

W. Kennedy

Wil Kennedy, Mayor



HOA-provided front yard maintenance

Meridiana is a Planned Unit Development (PUD)

PUD is a zoning document

Not a Development Agreement with the developer

Council may choose to amend the PUD through the formal process (ordinance)

Meridiana PUD; Section IV; Paragraph G – Changes

The PUD may be substantially amended by the procedure outlined in Article VIII of the City of Iowa Colony Zoning Ordinance.

Zoning Ordinance; Article VIII; Section 80

Nothing herein shall be construed to limit the City Council from initiating consideration of amendments to this Ordinance.

Procedure & Cost

Publish notice in newspaper

Sign(s) on Property – each pod

Mailed notices to property owners and all within 200' (~400 notices)

Approximate out of pocket cost \$2,500-\$3,000

Approximate staff time (mostly City Secretary) – 20-30 hours

Council may choose to adopt a policy statement (by resolution)

Acknowledge requirement in PUD

Establish policy of Council to:

No longer enforce this requirement in the PUD

Waive this obligation of developer

Defer to deed records and allow the HOA to enforce this (as with all deed restrictions)

Record this resolution in the deed records (so future buyers are aware)