



Minutes

August 15, 2023 @ 6:30pm

Regular Council Meeting

Agenda

1. Called to order by Mayor Pro-Tem Spahlinger @ 6:30pm.
2. Pledge of Allegiance was lead by Mayor Pro-Tem Spahlinger.
3. Roll Call; Mayor Pro-Tem Spahlinger, Councilman Haag, Councilwoman Hanson, Councilman Rottino. Mayor Miller and Councilman Barnett was not present. Mayor Pro-Tem Spahlinger was unable to vote at this meeting.
4. Rottino made a motion to approve Minutes: Workshop Meeting 6/13/2023, Special Called Meeting 7/11/2023 and Regular Meeting 07/18/2023. Seconded by Haag. Motion carried 3/0
5. Hanson made a motion to approve Consent Agenda Items “A” thru “E”; Monthly Activity Reports for July 2023 as presented: (A) Financial and Expenditure; (B) Police; (C) Municipal Court; (D) Streets: (E) Equipment. Seconded by Rottino. Motion carred 3/0.
6. Fire Department report for July 2023 reported by Rottino.
7. Citizen Comments: Citizens wishing to speak must sign up to do so (3 Minute Maximum)
 - a **Jessica Heller** spoke on when her special road would be getting paved.
8. Hanson made a motion approve Ordinance 2023-08 Amendment of Chapter 9, section 1101© Size of property required for Building to be 5000 sq ft with city serwer available, and .5 acres and higher with an arobic system. Seconded by Rottino. Motion carred 3/0.
9. Discuss and possibly approve Variance for 203 & 204 Sierra Madre property size. **Size of lot passed** no need to approve or deny this request.
10. **Open Public Hearing pertaining to Annexation of Sunrise Harbor.**
Time started @ 6:56 pm. Citizen Rod Whiddon was against the annexation of Sunrise Harbor.
11. Discuss Annexation of Sunrise Harbor – Sunrise Harbor Residential Development by SMJ Real Estate Holdings, LLC: SMJ REAL ESTATE HOLDINGS LLC, is the owner of all of that certain 24.481 acre tract of land situated in the I.V. Michelli Survey, Abstract Number 485, Henderson County, Texas, said tract being all of a called 11.55 acre tract described in a General Warranty Deed to SMJ REAL ESTATE HOLDINGS LLC, recorded in Document Number 2021-00003674 and a called 11.91 acre tract described in a General Warranty Deed to SMJ REAL ESTATE HOLDINGS LLC, recorded in Document Number 2021-00007753 of the Official Records of Henderson

County, Texas (ORHCT), and a called 0.27 acre tract described in a General Warranty Deed to SMJ REAL ESTATE HOLDINGS LLC, recorded in Document Number 2022-00000462 of the Official Records of Henderson County, Texas (ORHCT).

12. **Close Public Hearing** Time finised @ 7:16pm.
13. Hanson made a motion to approve the annexation of Sunrise Harbor Residential Development by SMJ Real Estate Holdings, LLC: SMJ REAL ESTATE HOLDINGS LLC, is the owner of all of that certain 24.481 acre tract of land situated in the I.V. Michelli Survey, Abstract Number 485, Henderson County, Texas, said tract being all of a called 11.55 acre tract described in a General Warranty Deed to SMJ REAL ESTATE HOLDINGS LLC, recorded in Document Number 2021-00003674 and a called 11.91 acre tract described in a General Warranty Deed to SMJ REAL ESTATE HOLDINGS LLC, recorded in Document Number 2021-00007753 of the Official Records of Henderson County, Texas (ORHCT), and a called 0.27 acre tract described in a General Warranty Deed to SMJ REAL ESTATE HOLDINGS LLC, recorded in Document Number 2022-00000462 of the Official Records of Henderson County, Texas (ORHCT). Seconded by Rottino. Motion carred 3/0
14. Hanson made a motion to approve the Economic Incentive Agreement for the Development of SMJ Real Estate Holdings, LLC: SMJ REAL ESTATE HOLDINGS LLC, is the owner of all of that certain 24.481 acre tract of land situated in the I.V. Michelli Survey, Abstract Number 485, Henderson County, Texas, said tract being all of a called 11.55 acre tract described in a General Warranty Deed to SMJ REAL ESTATE HOLDINGS LLC, recorded in Document Number 2021-00003674 and a called 11.91 acre tract described in a General Warranty Deed to SMJ REAL ESTATE HOLDINGS LLC, recorded in Document Number 2021-00007753 of the Official Records of Henderson County, Texas (ORHCT), and a called 0.27 acre tract described in a General Warranty Deed to SMJ REAL ESTATE HOLDINGS LLC, recorded in Document Number 2022-00000462 of the Official Records of Henderson County, Texas (ORHCT). Seconded by Haag. Motion carried 3/0.
15. Hanson made a motion to approve the Tax Abatement proposed by SMJ Real Estate Holdings, LLC for the development of the Sunrise Harbor Residential Development:
SMJ REAL ESTATE HOLDINGS LLC, is the owner of all of that certain 24.481 acre tract of land situated in the I.V. Michelli Survey, Abstract Number 485, Henderson County, Texas, said tract being all of a called 11.55 acre tract described in a General Warranty Deed to SMJ REAL ESTATE HOLDINGS LLC, recorded in Document Number 2021-00003674 and a called 11.91-acre tract described in a General Warranty Deed to SMJ REAL ESTATE HOLDINGS LLC, recorded in Document Number 2021-00007753 of the Official Records of Henderson County, Texas

(ORHCT), and a called 0.27-acre tract described in a General Warranty Deed to SMJ

REAL

ESTATE HOLDINGS LLC, recorded in Document Number 2022-00000462 of the Official Records of Henderson County, Texas (ORHCT). Seconded by

Rottino. Motion carried 3/0.

16. Discuss 2024 Budget

17. Discuss 2023 Tax rate

18. Discuss and possibly take action on Special Meeting 8/29/2023 @ ~~6:30~~ 6:00 pm.

Closing

1. Next Regular Meeting September 19, 2023 @ 6:30pm

2. Adjourned @ 7:45pm.

A meeting that is “open to the public”, pursuant to the Open Meetings Act, is one that the public is permitted to attend. The act does not entitle the public to choose the items to be discussed or to speak about items on the agenda. If the City Council, during the course of the meeting covered by this notice, should determine that an executive session is required, then such executive session, as authorized by the Texas Open Meetings Act, Texas Government Code, Section 551.001 et seq., will be held by the Council at the date, hour and place given in this notice, concerning but not limited to the following sections and purposes of the Act: 551.071 Private consultation with the city’s attorney; 551.072 Deliberations about Real Property; or, 551.074 Discussing personnel or to hear complaints against personnel. Should any final action, final decision or final vote be required in the opinion of the City Council with regard to any matter considered in such executive session, then the final action, final decision or final vote shall be in the open meeting covered by this Notice upon the reconvening of the public meeting.

“Pursuant to Texas Government Code section 551.007, members of the public may speak on an agenda item during the citizens comment section of the meeting or at the time the agenda item is called for discussion by the mayor. Speakers must sign up with the City Secretary to speak and shall be given three (3) minutes to speak. A speaker needing a translator and/or interpreter may be given six (6) minutes to speak. Criticism of city employees or staff is prohibited. Those wishing to address the Council regarding an item not on the agenda must be a citizen, property owner or business owner of Payne Springs. Comments on such non-agenda items shall be limited to three minutes. The Council will not comment on items not on the agenda; however, the Council may refer the item to city staff for research, resolution or referral of the matter to the Council as a future agenda item.”

I certify that the above notice of the meeting, a true and correct copy was posted in the screening box in front of the City Hall of Payne Springs prior to the required 72 hours and that the city’s official newspaper was notified.

Attest/S:

Andrea Colaizzi Miller –Mayor

Beth Billings - City Secretary.