

THE STATE OF TEXAS }  
COUNTY OF DAWSON} }  
CITY OF LAMESA }

**MINUTES OF THE CITY COUNCIL REGULAR CALLED MEETING:  
AUGUST 18, 2015**

On this the 18th day of August, 2015, at 5:32 P.M. there came on and was held a regular called session of the City Council of the City of Lamesa, Dawson County, Texas. Notice of such meeting having been posted at the City Hall at 601 South First Street in the City of Lamesa, Texas in accordance with the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551). The following items were listed on the notice and the following proceedings were had, viz.:

**CALL TO ORDER:** Mayor Nix announced that the meeting was being held in accordance with the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551), and that discussion and actions are limited to the agenda items as posted. A quorum being present as evidenced by the presence 6 the Council Members were present:

DAVE NIX	MAYOR
MARIE BRISENO	COUNCIL MEMBER – DISTRICT 2
JOSH STEVENS	MAYOR PRO-TEM /COUNCIL MEMBER – DISTRICT 1
FABIAN RUBIO	COUNCIL MEMBER – DISTRICT 3
BOBBY G. GONZALES	COUNCIL MEMBER – DISTRICT 4
FRED VERA	COUNCIL MEMBER – DISTRICT 5
CHANCE BRITT	COUNCIL MEMBER - DISTRICT 6

City staff members present at the meeting:

SHAWNA D. BURKHART	CITY MANAGER
VACANT	CITY SECRETARY
RUSSELL CASSELBERRY	CITY ATTORNEY

Members of the public present at the meeting:

Herrell Hallmark	Dale Alwan	Victor Dimas	Sylvia Dimas
Larry Duyck	Terri Stahl	Wayne Smith	Wayne Chapman
Irma Ramirez	Robert Ramirez	Leticia Dimas	Jim Clement
Nathan Tafoya	Dioncio Garza Jr.	Richard Leonard	Joey Rivas
Stephen Hatchett	Darby Hatchett	Lenda Vogler	Melba Rush

Invocation was given by Council Member Bobby Gonzales.

**CONSENT AGENDA:** All consent agenda items listed 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 a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

a. **APPROVAL OF THE MINUTES:** Approval of the minutes of the council meetings held on July 21, July 28 and August 4, 2015.

Motion by Council Member Briseno to approve item 3a. Motion seconded by Council Member Britt and upon being put to a vote the motion passed.

VOTING:                      "AYE" 7                      "NAY" 0                      "ABSTAIN" 0

**PUBLIC HEARING OF STEVEN HATCHETT:** Public hearing to consider the petition of Steven Hatchett to change the zone of the following property: Lot 2, Block 5 of Park Terrace Addition from R-1 (Single Family Residential) to C-1 for use as a residence and a hair salon to be located in the back yard of the property of the following property to-wit:

All of Lot 2, Block 5, Park Terrace Addition to the Town of Lamesa, Dawson County, Texas. (204 North Avenue S)

Mayor Nix opened the public hearing with respect to the proposed petition.

Code Enforcement Officer Wayne Smith spoke regarding the petition and suggested a Specific Use Permit be granted rather than a Zoning Change. City Attorney Russell Casselberry stated that similar actions have been taken in the past. Council Member Britt and Council Member Rubio asked Stephen Hatchett several questions regarding parking, commercial signage and traffic impact in his neighborhood. City Council then asked Mr. Hatchett if a Specific Use Permit would be agreeable with him. Mr. Hatchett responded in the affirmative. There being no other person speaking the Mayor closed the public hearing.

**REQUEST FOR ZONE CHANGE (STEVEN HATCHETT):** Consider taking action on the appeal of Steven Hatchett appealing the decision of the Planning & Zoning Commission denying his application for a zone change from R-1 (Single Family Residential) to C-1 (Local Retail) of the following property to-wit:

All of Lot 2, Block 5, Park Terrace Addition to the Town of Lamesa, Dawson County, Texas. (204 North Avenue S)

Motion by Council Member Britt to pass an ordinance on first reading issuing a specific use permit for a home occupation to Stephen Hatchett All of Lot 2, Block 5, Park Terrace Addition to the Town of Lamesa, Dawson County, Texas. (204 North Avenue S) which is in a R-1 Zone, Single Family Residential (home occupation – hair salon). Motion seconded by Council Member Gonzales to and upon being put to a vote the motion passed.

VOTING:                    “AYE” 7                    “NAY” 0                    “ABSTAIN” 0

**PUBLIC HEARING OF DANNY AND KAREN COLDIRON:** Public hearing to consider the petition of Danny and Karen Coldiron to change the zone from R-1 (Single Family Residential) with a zoning variance for placement of a manufactured home for use as a single family residential lot with a manufactured home variance of the following property:

Lots 3 and 4, Block 13 of the Lee Addition to the City of Lamesa, Dawson County, Texas (406 S. 7<sup>th</sup> Street). Mayor Nix opened the public hearing with respect to the proposed petition.

Code Enforcement Officer Wayne Smith spoke regarding the petition. Mr. Smith informed the City Council that the manufactured home to be located on the above property had not been purchased to date. No action was taken.

**REQUEST FOR ZONE CHANGE – 406 S. 7<sup>th</sup> Street:** Consider taking action on the petition of Danny and Karen Coldiron to change the zone from R-1 (Single Family Residential) with a zoning variance for placement of a manufactured home for use as a single family residential lot with a manufactured home variance of the following property:

Lots 3 and 4, Block 13 of the Lee Addition to the City of Lamesa, Dawson County, Texas (406 S. 7<sup>th</sup> Street).

No action was taken.

**USDA GRANT APPLICATION:** Consider passing a resolution authorizing the Mayor to authorize and direct to make application for grant assistance to USDA RHS and to sign the acceptance of the grant assistance and any other grant documents to complete the project, on behalf of the City of Lamesa.

Motion by Council Member Vera to pass a resolution authorizing the Mayor to sign the acceptance of the grant assistance and any other grant documents to complete the project, on behalf of the City of Lamesa. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" 0 "ABSTAIN" 0

**Res. No. R-15-15 Ord. Book No. 11 Page 316**

**PROPOSITION 7 (TRANSPORTATION):** Consider passing a resolution in support of a constitutional amendment for increased state funding for transportation.

Motion by Council Member Gonzales to pass a resolution in support of a constitutional amendment for increased state funding for transportation. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" 0 "ABSTAIN" 0

**Res. No. R-16-15 Ord. Book No. 11 Page 313**

**ACCEPTANCE OF EASEMENT FROM BORDER MANAGEMENT – 7<sup>TH</sup> STREET BETWEEN LYNN AND DALLAS AVENUES:** Consider taking action to accept an easement from Border Management Corp. on N. 7<sup>th</sup> Street between Lynn and Dallas Avenues.

Motion by Council Member Britt to pass a resolution to accept an easement from Border Management Corp. on N. 7<sup>th</sup> Street between Lynn and Dallas Avenues. Motion seconded by Council Member Rubio and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" 0 "ABSTAIN" 0

**Res. No. R-17-15 Ord. Book No. 11 Pages 314 and 317**

**STREETS – SEAL COAT PROGRAM & REHABILITATION OF ALLEYWAYS:** Discuss and consider taking action to allow a portion of FY 2014/2015 Seal Coat Program to be re-purposed for the rehabilitation of alleyways throughout the City through the purchase of a mix of caliche and aggregate.

Motion by Council Member Vera to re-purpose Seal Coat Program funding for FY 2014/2015 due to lack of availability and supply of Seal Coat aggregate for Seal Coat Program. The re-purposed funds would be used to purchase a mix of caliche and aggregate for rehabilitation of alleyways throughout the City. Motion seconded by Council Member Stevens and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" 0 "ABSTAIN" 0

**BUDGET WORK SESSION III:** Council met with city staff to discuss and set priorities for the 2015 – 2016 operating budget.

**CITY MANAGER REPORT:** City Manager reported on current activities and answered questions from the City Council.

- Clean-up efforts and mowing of right-of-ways within the City limits
- City Secretary search

**ADJOURNMENT:** Mayor Nix announced that the next regular called meeting of the City Council of the City of Lamesa, Texas would be held on September 15, 2015. There being no other business, the meeting was adjourned.

Pursuant to the provisions of the Texas Open Meetings Act, the City Council certifies that the items above are a full record of the subject matter of each deliberation and indicates each vote, order, decision or other action taken by the City Council of the City of Lamesa, Texas at the meeting held on the date indicated above. Ratified and approved at the regular meeting of the City Council of the City of Lamesa, Texas held on August 18, 2015.

ATTEST:

APPROVED:

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Shawna D. Burkhart  
City Manager

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Dave Nix  
Mayor