

# Minutes

June 20<sup>th</sup> 2019 @ 6:00pm  
Regular Council Meeting

1. Call to Order @ 6:00 pm
2. Roll Call: Whitfill, M<sup>c</sup>Donald, Austin, Napoles, Sestito and Harrison
  - a. **Establish Quorum**
3. Invocation and Pledge of Allegiance led by Mayor Austin.
4. Citizen Comments: Citizens wishing to speak on an agenda item must sign up to do so (3 Minute Maximum)
5. Approve Minutes: May 16<sup>th</sup> 2019, May 22<sup>nd</sup> 2019 and June 13<sup>th</sup> 2019. Motion to approve was made by Council Member McDonald, second by Council Member Whitfill. Motion passed 5/0.
6. Approve Consent Agenda Items “A” thru “G”; Monthly Activity Reports for May 2019 as presented: (A) Municipal Court; (B) Police; (C) Financial and Expenditure; (D) Maintenance; (E) Building (F) Code Enforcement and; (G) Animal Control. Motion to approve was made by Council Member Whitfill, second by Council Member Sestito. Motion passed 5/0.
7. General discussion on proposed development of property located at 1900 S Tool Dr, Tool, TX 75143. James Lookabaugh, current owner, was present and stated that the use of the property has been in operation since 1965 and that the intent was to rent the units as apartments. Mayor Austin asked for clarification on the address, Mr. Lookabaugh did not know and stated that it was the Paradise Bay Motel. He went on to say that here are a total of 15 units, 12 that are eligible for rent or lease and the others are used as an office and laundry area. Mayor Austin confirmed that Mr. Lookabaugh was seeking a Multi Family use for the property. Council Member Whitfill asked Code Enforcement Officer Jeremy Lyons about the zoning. Mr. Lyons stated that the property is currently zones as Local Business; B-1 and that use as apartments was only allowed in a Multifamily; MF-1 zone. Council Member McDonald addressed the issue of spot zoning if a rezone was approved. Code Enforcement Officer Jeremy Lyons confirmed that it would be a spot zone and made a recommendation to consider a General Business; B-2 zone if the use of the property would fit into the ordinance definition of a “Residence Hotel”. Council Member Summer Harrison questioned Mr. Lookabaugh as to whether or not he was currently collecting the hotel occupancy tax? Mr. Lookabaugh stated that he was not. At this time prospective buyers, Alec Clark of Colosseus Property Group LLC and Brandon Richards of Fearless Properties LLC showed up to the meeting and approached Council. Mr. Clark introduced himself and stated that he had owned and sold many MF1 properties in Texas and is looking to do a large capital infusion at the location in question. He stated that his loan approval is contingent upon the City’s willingness to issue a Certificate of Occupancy with a MF1 use. Mr. Clark provided details of the remodels, upgrades and repairs that would take place that would include, secondary to the MF1 use, an adjoining property to be utilized as boat, boat trailer and RV storage. Council Member McDonald stated concerns that the boat storage location was at the entrance into a large sudations and wanted to ensure that any changes or development would not negatively impact the entrance to the addition. Mr. Clark indicated a willingness to work with Council on a design (landscaping) that they would approve. Mayor Austin and Council Member Whitfill expressed support of a rezone to a General Business District; B2 that would allow the use of the property as an extended stay and a specific use permit for the boat storage. Council Member Sestito was in favor of the rezone to a General Business District; B2 as well as the specific use permit for boat storage so long as great consideration was given to the entrance of the Paradise Bay Subdivision. City Secretary Lyons added; all specific use permits issued are required to be re-issued annually and because of this Council would have say each year whether or not to reissue if there were concerns with the aesthetics. Council Member Summer Harrison asked if they had other properties they could provide as visual references. Mr. Clark stated that they do have other properties but they are not comparable to what is being done at this location. At this time City Secretary Lyons asked Council to confirm the support of a rezone to General Business District; B2 for the Paradise Bay Motel and a Specific Use Permit for the adjoining property to be used as a boat, boat trailer and RV storage facility. The governing body gave consent to issue a letter of intent to Mr. Clark for presentation to his lender.
8. Action to amend Attachment B (Fee Schedule) of the Standard Professional Services Agreement between Bureau Veritas North America, Inc. and the City of Tool, Texas. Motion to approve was made by Council Member Whitfill, second by Council Member Napoles. Motion passed 5/0.

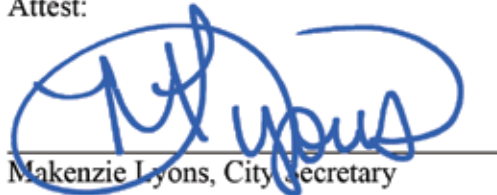
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9. Action to adopt ordinance 2016-05\_A1 amending attachment "A" of the building permit fee schedule pursuant to HB 852. Motion to approve was made by Council Member Whitfill, second by Council Member Napoles. Motion passed 5/0.
10. Action to approve the 2019-2020 Collections Contract with the Henderson County Tax Office. Motion to approve was made by Council Member Sestito, second by Council Member Napoles. Motion passed 5/0.
11. Staff
12. Next Meeting: July 18th,2019
13. Adjourn @ 6:50 pm.



Attest:

  
Makenzie Lyons, City Secretary

  
Tawnya Austin, Mayor