

## **SPECIAL CITY COUNCIL MEETING**

**DECEMBER 11, 2007**

**7:00 P.M.**

**A Special Meeting of the Terrell City Council was held on Tuesday, December 11, 2007 at 7:00 p.m. in the City Council Chambers located at 201 East Nash Street, Terrell, Texas with the following members present:**

**COUNCILMEMBER #1 HAL RICHARDS  
COUNCILMEMBER #2 TOMMY SPENCER  
COUNCILMEMBER #3 RICKY JORDAN – ABSENT (EXCUSED)  
COUNCILMEMBER #4 JACK JONES  
COUNCILMEMBER #5 DON THURMAN**

**1. Call to order.**

Mayor Hal Richards called the meeting to order.

**2. Invocation.**

Councilmember Don Thurman gave the opening prayer.

**3. Consider Approval of Special City Council Meeting and Workshop Minutes of November 15, 2007 and Regular City Council Meeting Minutes of November 20, 2007.**

Councilmember Don Thurman made a motion to approve Special City Council Meeting and Workshop Minutes of November 15, 2007 and Regular City Council Meeting Minutes of November 20, 2007. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

**4. Hear Remarks from Visitors.**

None were made.

### **NEW BUSINESS**

**5. Discuss and Consider Approval of Kaufman County Interlocal Agreement for Wireless Communications Equipment.**

Lt. Ernie Zepeda representing Kaufman County Sheriff's Office presented to Council for discussion and consideration Kaufman County Interlocal Agreement for Wireless Communications Equipment. Deputy Mayor Pro tem Jack Jones made a motion to approve Kaufman County Interlocal Agreement for Wireless Communications. The

motion was seconded by Councilmember Tommy Spencer. Ayes – all; Naves –none. Motion carried.

Mayor Hal Richards for the record stated Mayor Pro tem Ricky Jordan is not with us tonight but we would consider this an excused absence since his son is graduating and he is attending those related festivities.

**6. Discuss and Consider Approval of License Agreement for Joint Use of Poles Between Trinity Valley Electric Cooperative and the City of Terrell.**

Jim Harper, Fire Chief presented to Council for discussion and consideration License Agreement for Joint Use of Poles Between Trinity Valley Electric Cooperative and the City of Terrell. Councilmember Don Thurman made a motion to approve License Agreement for Joint Use of Poles Between Trinity Valley Electric Cooperative and the City of Terrell and that Section 19 of this Agreement be revised to reflect another form of security other than a bond. The motion was seconded by Deputy Mayor Pro tem Jack Jones. Ayes – all; Naves – none. Motion carried.

**7. Discuss and Consider Approval of Change Order No. 2 – Project 07-08 – Apache Trail Reconstruction – Paving.**

Danny Booth representing Terrell Economic Development Corporation presented to Council for discussion and consideration Change Order No. 2 – Project 07-08 – Apache Trail Reconstruction – Paving. Councilmember Don Thurman made a motion to approve Change Order No. 2 – Project 07-08 – Apache Trail Reconstruction – Paving. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Naves – none. Motion carried.

**9. Discuss and Consider Approval of Resolution No. 596 – Authorizing the Filing of a Project Application with the North Central Texas Council of Governments for a Regional Solid Waste Program Local Implementation Project.**

Marilyn May representing Kaufman County Environmental Cooperative presented to Council for discussion and consideration Resolution No. 596 – Authorizing the Filing of a Project Application with the North Central Texas Council of Governments for a Regional Solid Waste Program Local Implementation Project. Councilmember Don Thurman made a motion to approve Resolution No. 596 – Authorizing the Filing of a Project Application with the North Central Texas Council of Governments for a Regional Solid Waste Program Local Implementation Project. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Naves – none. Motion carried.

**RESOLUTION NO. 596**

**A RESOLUTION OF CITY OF TERRELL AUTHORIZING THE FILING OF A PROJECT APPLICATION WITH THE NORTH CENTRAL TEXAS COUNCIL**

OF GOVERNMENTS FOR A REGIONAL SOLID WASTE PROGRAM LOCAL IMPLEMENTATION PROJECT; "UPDATE & ENHANCE RECYCLING FACILITIES IN KAUFMAN COUNTY" AUTHORIZING MARILYN MAY, EXECUTIVE DIRECTOR OF THE ENVIRONMENTAL CO-OP, TO ACT ON BEHALF OF CITY OF TERRELL IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF FUNDING FOR THIS PROJECT IS RECEIVED, THE CITY OF TERRELL WILL COMPLY WITH ALL PROJECT REQUIREMENTS OF NCTCOG, TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS.

WHEREAS, the North Central Texas Council of Governments is directed by the Texas Commission on Environmental Quality to administer solid waste project funds for the implementation of North Central Texas Council Of Governments' adopted See Less Trash Regional Solid Waste Management Plan; and

WHEREAS, the City of Terrell in the State of Texas is qualified to apply for project funds under the Request for Project Applications.

NOW, THEREFORE, BE IT RESOLVED BY CITY OF TERRELL CITY COUNCIL IN TERRELL, TEXAS;

1. That Marilyn May is authorized to request project funding under the North Central Texas Council of Governments' Request for Project Applications of the Regional Solid Waste Local Project Funding Program and act on behalf of the City of Terrell in all matters related to the project application and any subsequent project contract that may result.
2. That if the project is funded, the City of Terrell will comply with the requirements of the North Central Texas Council of Governments, Texas Commission on Environmental Quality and the State of Texas.
3. The project funds and any project-funded equipment or facilities will be used only for the purposes for which they are intended under the project.
4. That activities will comply with and support the adopted regional (and local) solid waste management plans adopted for the geographical area in which the activities are performed.
5. That there is no cash match required from the City of Terrell.

PASSED AND APPROVED on this the 11<sup>th</sup> day of December, 2007.

**8. Discuss and Consider ECS Refining.**

Danny Booth representing Terrell Economic Development Corporation presented to Council for discussion and consideration ECS Refining. Deputy Mayor Pro tem Jack Jones made a motion to approve offer to ECS Refining. Mayor Hal Richards spoke for the record that offer would be negotiated would be \$1,500.00 per the jobs created, extension of Jamison Court and the sale of 8 acres of land at \$7,500.00 an acre. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

**10. Discuss and Consider Approval of Ordinance No. 2356 – Amending Chapter 11, Traffic Regulations, Section 11-57: Automated Traffic Signal Enforcement.**

Todd Miller, Chief of Police presented to Council for discussion and consideration Ordinance No. 2356 – Amending Chapter 11, Traffic Regulations, Section 11-57: Automated Traffic Signal Enforcement. Councilmember Tommy Spencer made a motion to approve Ordinance No. 2356 – Amending Chapter 11, Traffic Regulations, Section 11-57: Automated Traffic Signal Enforcement on first reading. The motion was seconded by Councilmember Don Thurman. Ayes – all; Nays – none. Motion carried.

ORDINANCE NO. 2356

AN ORDINANCE OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS AMENDING CHAPTER 11, TRAFFIC REGULATIONS; SECTION 11-57: AUTOMATED TRAFFIC SIGNAL ENFORCEMENT; BY DELETING FEES APPLIED TO ADMINISTRATIVE ADJUDICATION HEARINGS; BY PROVIDING ADDITIONAL REQUIREMENTS FOR VIOLATION NOTICES; BY EXTENDING THE DEADLINE TO REQUEST AN ADMINISTRATIVE HEARING; BY ESTABLISHING PROCEDURES FOR AN ADMINISTRATIVE HEARING; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE IMPOSITION OF CIVIL PENALTIES; AND PROVIDING AN EFFECTIVE DATE:

**11. Discuss and Consider Approval of Ordinance No. 2357 – Amending Chapter 13: Zoning, Section 16-100: Board of Adjustments, Subsection 16-110: Organization; and Subsection 16-111: Authority of the Board, Subparagraph (c).**

John Rounsavall, City Secretary/Finance Director presented to Council for discussion and consideration Ordinance No. 2357 – Amending Chapter 13: Zoning, Section 16-100: Board of Adjustments, Subsection 16-110: Organization; and Subsection 16-111: Authority of the Board, Subparagraph (c). Deputy Mayor Pro tem Jack Jones made a

motion to approve Ordinance No. 2357 - Amending Chapter 13: Zoning, Section 16-100: Board of Adjustments, Subsection 16-110: Organization; and Subsection 16-111: Authority of the Board, Subparagraph (c) on first reading. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

#### ORDINANCE NO. 2357

AN ORDINANCE OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS, AMENDING CHAPTER 13: ZONING, SECTION 16-100 BOARD OF ADJUSTMENT, SUBSECTION 16-110: ORGANIZATION; AND SUBSECTION 16-111: AUTHORITY OF THE BOARD, SUBPARAGRAPH (c) OF THE REVISED CODE OF ORDINANCES OF THE CITY OF TERRELL, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

#### **12. Discuss and Consider Appointments to the Building Standards Commission.**

Deputy Mayor Pro tem Jack Jones made a motion to appoint Carolyn Fairley to replace Douglas Howie on the Building Standards Commission. The motion was seconded by Councilmember Don Thurman. Ayes – all; Nays – none. Motion carried.

#### **13. Discuss and Consider Appointments to Terrell Economic Development Corporation.**

Councilmember Don Thurman made a motion to re-appoint Mike Cronin for a final term and re-appoint Jack Jones to Terrell Economic Development Corporation. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

#### **14. Discuss and Consider Appointments to Terrell Park Board.**

Councilmember Tommy Spencer made a motion to re-appoint John Leigh, Hetty Smith (Final Term), David Wells (Final Term), and Bobby Willie (Final Term) to the Terrell Park Board. The motion was seconded by Deputy Mayor Pro tem Jack Jones. Ayes – all; Nays – none. Motion carried.

#### **CONSENT AGENDA**

There were no items on Consent Agenda.

#### **END OF CONSENT AGENDA**

#### **15. Adjourn into Executive Session in Accordance with Section 551 of the Texas Government Code to Discuss Section 551.071 – Consultation with Attorney – Contemplated Litigation.**

Passed.

**16. Reconvene into Regular Session and Consider Action, if Any, on Item Discussed in Executive Session.**

Passed.

**17. Adjourn.**

There were no other matters discussed or acted on at this meeting. There being no further business the meeting was adjourned.

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**Hal Richards, Mayor**

**Attest:**

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**John Rounsavall, City Secretary**