

REGULAR CITY COUNCIL MEETING

APRIL 1, 2008

7:00 P.M.

A Regular Meeting of the Terrell City Council was held on Tuesday, April 1, 2008 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
COUNCILMEMBER #4 JACK JONES
COUNCILMEMBER #5 DON THURMAN

1. Call to order.

Mayor Hal Richards called the meeting to order.

2. Invocation.

Reverend Chuck Schorlemmer gave the opening prayer.

3. Discuss and Consider Approval of Special City Council Meeting and Workshop Minutes of March 13, 2008 and Regular City Council Meeting Minutes of March 18, 2008.

Councilmember Don Thurman made a motion to approve the Special City Council Meeting and Workshop Minutes of March 13, 2008 and Regular City Council Meeting Minutes of March 18, 2008. The motion was seconded by Mayor Pro tem Ricky Jordan. Ayes – all; Nays – none. Motion carried.

4. Hear Remarks from Visitors.

Thomas Brown came before Council to complain about not being awarded a Pavement Maintenance Bid.

NEW BUSINESS

5. Discuss and Consider Approval of Proposal for Professional Services to Update the Water Conservation and Drought Contingency Plan.

City Manager Torry Edwards and Steve Rogers, City Engineer presented to Council for discussion and consideration Proposal for Professional Services to update the Water Conservation and Drought Contingency Plan. Councilmember Tommy Spencer made a motion to authorize the City Manager to execute the Proposal with Freese and Nichols, Inc. for Professional Services to Update the Water Conservation and Drought

Contingency Plan for a not to exceed fee of \$25,900. The motion was seconded by Deputy Mayor Pro tem Jack Jones. Ayes – all; Nays – none. Motion carried.

6. Discuss and Consider Bid and Award of Contract for Project 07-03 – Service Center Remodel.

City Manager Torry Edwards and Steve Rogers, City Engineer presented to Council for discussion and consideration Bid and Award of Contract for Project 07-03 – Service Center Remodel. Councilmember Don Thurman made a motion to award contract to low bidder Plyler Construction in the amount of \$2,268,180. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

7. Discuss and Consider Approval of Resolution No. 601 – A Resolution Approving and Prescribing the Method of Notice to be Given Regarding a Public Hearing to Receive Public Comment Regarding the Adoption of a Major Update to the Comprehensive Zoning Ordinance.

Terry Capehart, Director of Municipal Development presented to Council for discussion and consideration Resolution No. 601 – A Resolution Approving and Prescribing the Method of Notice to be Given Regarding a Public Hearing to Receive Public Comment Regarding the Adoption of a Major Update to the Comprehensive Zoning Ordinance. Greg Shumpert, Assistant City Attorney stated for the record that this item requires a 2/3 vote of Council. Mayor Pro tem Ricky Jordan made a motion to approve Resolution No. 601 - A Resolution Approving and Prescribing the Method of Notice to be Given Regarding a Public Hearing to Receive Public Comment Regarding the Adoption of a Major Update to the Comprehensive Zoning Ordinance. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

RESOLUTION NO. 601

A RESOLUTION APPROVING AND PRESCRIBING THE METHOD OF NOTICE TO BE GIVEN REGARDING A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT REGARDING THE ADOPTION OF A MAJOR UPDATE TO THE COMPREHENSIVE ZONING ORDINANCE.

WHEREAS, the City Council of the City of Terrell, Texas, has determined that it is in the best interest of the citizens, property owners and businesses of Terrell to publish special notices of the public hearing regarding the adoption of a major update to the Comprehensive Zoning Ordinance, in accordance with Local Government Code, Title 7, Subchapter A of Chapter 211.006(a) and (c) (“The Act”), for the purpose of receiving public comment; and

WHEREAS, the adoption of the major update to the Comprehensive Zoning Ordinance, regarding text revisions throughout the Ordinance, will clarify and strengthen the zoning regulations, in order to build a better community, protect the health, safety and welfare of the citizens of Terrell, preserve property values, improve the quality of life and implement the goals and strategies of the Comprehensive Plan. The proposed text

revisions are to be applied city-wide and will not change any Zoning District Boundary or the Zoning Classification on any real property.

WHEREAS, a zoning regulation is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard, and before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the municipality, the same in accordance with the provisions of the Act; and

WHEREAS, the governing body of a home-rule municipality may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the public hearing; now, therefore:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:

SECTION 1: The City Secretary is hereby authorized and directed to cause notice to be published of the public hearing to be held at the regular City Council meeting to be held at 7:00 p.m., Tuesday, May 6, 2008 in the City Council Chambers, Terrell City Hall, 201 East Nash Street, Terrell, Texas 75160.

SECTION 2: The City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, beginning on Sunday, April 6, 2008 and continue once a week for five (5) consecutive weeks, the date of the first publication to be at least fifteen (15) days prior to the date of the public hearing in accordance with the aforementioned Act..

SECTION 3: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by V.T.C.A., Government Code, Chapter 551, as amended.

SECTION 4: This Resolution shall be in force and effect from and after its passage on the date shown below.

Passed and Approved by the Terrell City Council on this the 1st day of April, 2008.

8. Discuss and Consider Approval of Ordinance No. 2366 – Budget Amendment.

John Rounsavall, City Secretary/Finance Director presented to Council for discussion and consideration Ordinance No. 2366 – Budget Amendment. Deputy Mayor Pro tem Jack Jones made a motion to approve Ordinance No. 2366 – Budget Amendment on first reading. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

ORDINANCE NO. 2366

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING THE ANNUAL BUDGET FOR THE YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008, AS PASSED AND ADOPTED ON SEPTEMBER 25, 2007 TO PROVIDE FOR INCREASES IN CERTAIN ACCOUNTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

CONSENT AGENDA

There were no items on Consent Agenda.

END OF CONSENT AGENDA

9. Adjourn.

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

Hal Richards, Mayor

Attest:

John Rounsavall, City Secretary