

## REGULAR CITY COUNCIL MEETING

**JUNE 2, 2009**

**7:00 P.M.**

A Regular Meeting of the Terrell City Council was held on Tuesday, June 2, 2009 at 7:00 p.m. in the City Council Chambers located at 201 East Nash Street, Terrell, Texas with the following members present:

<b>COUNCILMEMBER #1</b>	<b>HAL RICHARDS</b>
<b>COUNCILMEMBER #2</b>	<b>SANDRA WILSON</b>
<b>COUNCILMEMBER #3</b>	<b>RICKY JORDAN</b>
<b>COUNCILMEMBER #4</b>	<b>JACK JONES</b>
<b>COUNCILMEMBER #5</b>	<b>DON THURMAN</b>

**1. Call to order.**

Mayor Hal Richards called the meeting to order.

**2. Invocation.**

Deputy Mayor Pro tem Ricky Jordan gave the opening prayer.

**3. Discuss and Consider Approval of Special City Council Meeting and Workshop Minutes of May 19, 2009, Regular City Council Meeting Minutes of May 19, 2009 and Special City Council Meeting Minutes of May 21, 2009.**

Councilmember Jack Jones made a motion to approve Special City Council Meeting and Workshop Minutes of May 19, 2009, Regular City Council Meeting Minutes of May 19, 2009 and Special City Council Meeting Minutes of May 21, 2009. The motion was seconded by Councilmember Sandra Wilson. Ayes – all; Nays – none. Motion carried.

**4. Hear Remarks from Visitors.**

None were made.

Mayor Hal Richards recognized Jerry Yates – 20 year veteran retired as Command Sergeant Major for the United States Army.

## NEW BUSINESS

**5. Discuss and Consider Approval of Financial Audit Report for Fiscal Year 2007-2008.**

John Manning representing Pattillo, Brown and Hill presented to Council for discussion and consideration Financial Audit Report for Fiscal Year 2007-2009. Mayor Pro tem Don Thurman made a motion to receive and accept the Financial Audit Report for Fiscal Year 2007-2009. The motion was seconded by Deputy Mayor Pro tem Ricky Jordan. Ayes – all; Nays – none. Motion carried.

**6. Discuss and Consider Approval of Resolution No. 635 – A Resolution of the City of Terrell, Texas Supporting Funding for Transportation Projects in Kaufman County.**

Mayor Hal Richards and Mike Sims, Assistant City Manager presented to Council for discussion and consideration Resolution No. 635 – A Resolution of the City of Terrell, Texas Supporting Funding for Transportation Projects in Kaufman County. Deputy Mayor Pro tem Ricky Jordan made a motion to approve Resolution No. 635 – A Resolution of the City of Terrell, Texas Supporting Funding for Transportation Projects in Kaufman County. The motion was seconded by Councilmember Jack Jones. Aye – Sandra Wilson; Aye – Jack Jones; Aye – Hal Richards; Aye – Don Thurman; Aye – Ricky Jordan. Nays – none. Motion carried.

### RESOLUTION NO. 635

**A RESOLUTION OF SUPPORT BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS FOR TRANSPORTATION PROJECTS IN KAUFMAN COUNTY, TEXAS EFFECTIVE JUNE 8, 2009.**

WHEREAS, TXDOT transportation projects in Kaufman County are vital to the mobility, safety, air quality, economic development interests and quality of life for all citizens, visitors and businesses of the State of Texas;

WHEREAS, funding is being shifted from some projects outside of Kaufman County;

WHEREAS, federal stimulus funding is freeing up monies that could go to projects in Kaufman County;

WHEREAS, the North Central Texas Council of Government staff has identified approximately \$20 million in un-allocated funds that perhaps could be used in the near term in Kaufman County;

WHEREAS, Kaufman County Commissioners have evaluated numerous un-funded projects in Kaufman County;

Now, THEREFORE BE IT RESOLVED, by the City Council of the City of Terrell, Texas, that:

The following projects declared are the priorities of Kaufman County with number one being the highest priority and number 8 being the least highest priority.

1. State Hwy. 34 separation in Terrell from Grove St. to High St.
2. State Hwy. 34 in Terrell from Airport Rd. to Grove St.
3. State Hwy. 34 in Kaufman from SW of FM 1388 to SH 243
4. US 175 in Crandall from FM 148 to CR 4106
5. US 80 Bridge at proposed new parkway east of FM 548.
6. US 175 new grade separation in Kemp.
7. Re-alignment of FM 148 in Crandall from south of US 175 to North of US 175
8. Re-alignment of State Hwy. 34 from North of Kaufman to South of Terrell

Now, MAY IT BE FURTHER RESOLVED, if the NTCOG wishes for a specific recommendation for \$20 Million in un-allocated funds, by the Commissioners Court of Kaufman County, we declare to support the distribution in the following manner immediately:

\$16.5 Million to State Hwy. 34 related projects outlined in Number 1 and 2 above.  
\$3.5 Million to State Hwy. 34 related project outlined in Number 3 above.

Passed and Approved this the 2<sup>nd</sup> day of June, 2009.

**7. Discuss and Consider Approval of City Policy for Naming or Re-Naming of Public Facilities, Streets and Parkland.**

Mike Sims, Assistant City Manager presented to Council for discussion and consideration City Policy for Naming or Re-Naming of Public Facilities, Streets and Parkland. Mayor Pro tem Don Thurman made a motion to table this item to the next meeting. The motion was seconded by Councilmember Jack Jones. Ayes – all; Nays – none. Motion carried.

**8. Discuss and Consider Bids and Award of Contract for 2009 Park Improvements – Project No. 09-26-01.**

Dan Abell, Public Works Supervisor presented to Council for discussion and consideration Bids and Award of Contract for 2009 Park Improvements – Project No. 09-26-01. Mayor Hal Richards expressed concern over the bid process. Councilmember Jack Jones made a motion to reject all bids received for 2009 Park Improvements – Project No. 09-26-01. The motion was seconded by Councilmember Sandra Wilson. Ayes – all; Nays – none. Motion carried.

**9. Discuss and Consider Setting City Council Meeting Schedule for July 2009.**

John Rounsavall, City Secretary/Finance Director presented to Council for discussion and consideration Setting City Council Meeting Schedule for July 2009. Mayor Pro tem Don Thurman made a motion to hold Special City Council Meeting and Workshop on July 16<sup>th</sup> and Regular City Council Meeting on July 21, 2009 and a potential meeting on July 30, 2009 if needed. The motion was seconded by Deputy Mayor Pro tem Ricky Jordan. Ayes – all; Nayses – none. Motion carried.

**10. Discuss and Consider Setting Date, Time and Location for City Council 2009-2010 Budget Retreat.**

Councilmember Jack Jones made a motion to meet on July 9-10, 2009 at the City Service Center for City Council 2009-2010 Budget Retreat. The motion was seconded by Councilmember Sandra Wilson. Ayes – all; Nayses – none. Motion carried.

**CONSENT AGENDA**

**11. Discuss and Consider Adoption on Second Reading of Ordinance No. 2414 – Budget Amendment.**

Councilmember Jack Jones made a motion to adopt on CONSENT AGENDA Ordinance No. 2414 – Budget Amendment on second reading. The motion was seconded by Mayor Pro tem Don Thurman. Ayes – all; Nayses – none. Motion carried.

**ORDINANCE NO. 2414**

**AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING THE ANNUAL BUDGET FOR THE YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009, AS PASSED AND ADOPTED ON SEPTEMBER 16, 2008 TO PROVIDE FOR INCREASES IN CERTAIN ACCOUNTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:**

**SECTION I.**

The following funds are amended to reflect the following in the budget:

<b>GENERAL FUND REVENUES</b>	<b>BUDGETED</b>	<b>AMOUNT</b>	<b>AMENDED</b>
010-00-3706 Other	\$70,000.00	\$41,185.64	\$111,185.64

<b>GENERAL FUND EXPENDITURES</b>	<b>BUDGETED</b>	<b>AMOUNT</b>	<b>AMENDED</b>
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Terrell Fire Department

010-33-4350	Vehicle Maintenance	\$20,000.00	\$41,185.64	\$61,185.64
<b><u>UTILITY FUND EXPENDITURES</u></b>		<b>BUDGETED</b>	<b>AMOUNT</b>	<b>AMENDED</b>
<u>Utility Office</u>				
020-80-4406	Legal Services	\$-0-	\$50,000.00	\$50,000.00

**SECTION II.**

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**SECTION III.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionally shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the city council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION IV.**

This Ordinance will take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

Passed and Approved on this the 19<sup>th</sup> day of May, 2009.  
Passed and Adopted on this the 2<sup>nd</sup> day of June, 2009.

**END OF CONSENT AGENDA**

**12. Receive City Manager's Reports and Correspondence: Letter from Manageable Lifestyle Center, Inc.**

City Manager Torry Edwards presented Reports and Correspondence to Council.

**13. Adjourn into Executive Session in Accordance with Section 551 of the Texas Government Code to Discuss the Following:**  
**a.) Section 551.071 – Consultation with Attorney – Growth Management.**  
**b.) Section 551.071 – Consultation with Attorney.**

Council adjourned into Executive Session.

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

There was no action taken in Executive Session.

**15. 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**