

## REGULAR CITY COUNCIL MEETING

**MARCH 3, 2009**

**7:00 P.M.**

A Regular Meeting of the Terrell City Council was held on Tuesday, March 3, 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>TOMMY SPENCER</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 Don Thurman gave the opening prayer.

**3. Discuss and Consider Approval of Special City Council Meeting and Workshop Minutes of February 12, 2009, Regular City Council Meeting Minutes of February 17, 2009 and Special City Council Meeting and Workshop of February 19, 2009.**

Mayor Pro tem Jack Jones made a motion to approve Special City Council Meeting and Workshop Minutes of February 12, 2009, Regular City Council Meeting Minutes of February 17, 2009 and Special City Council Meeting and Workshop of February 19, 2009. The motion was seconded by Deputy Mayor Pro tem Don Thurman. Ayes – all; Nays – none. Motion carried.

**4. Hear Remarks from Visitors.**

Reverend Billy Gardner – 518 New Hope, Terrell, Texas spoke to Council regarding youth in Terrell.

Lois Hanby – 10435 Dublin, Forney, Texas spoke to Council regarding barriers on New Highway 34.

Richard McCook – 3220 Vintage Way, Bedford, Texas spoke to Council regarding the proposed rental inspection ordinance.

John Helton, P.O. Box 2426, Terrell, Texas spoke to Council regarding the proposed rental inspection ordinance.

Nancy Gordon – P.O. Box 1555, Forney, Texas spoke to Council regarding the proposed rental inspection ordinance.

Mayor Hal Richards recognized students attending the Council Meeting.

## NEW BUSINESS

### 5. Discuss and Consider Approval of Fuel Surcharge Amendment for IESI.

Mike Sims, Assistant City Manager presented to Council for discussion and consideration Fuel Surcharge Amendment for IESI. Deputy Mayor Pro tem Don Thurman made a motion to approve Fuel Surcharge Amendment for IESI. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Naves – none. Motion carried.

## CONSENT AGENDA

Mayor Pro tem Jack Jones made a motion to adopt on CONSENT AGENDA Ordinance No. 2398 on second reading. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Naves – none. Motion carried.

### 6. Discuss and Consider Adoption on Second Reading of Ordinance No. 2398 - Regarding a Proposed Amendment to the Official Thoroughfare Plan of the Comprehensive Plan, Ordinance No. 2118 adopted on September 3, 2002, in Order to Establish an Official City of Terrell Policy in Regards to the Alignment of the Proposed Outer Loop Thoroughfare and the Realignment and/or Location of Associated Highway Interchanges and Thoroughfares Located in the Extraterritorial Jurisdiction (ETJ) and City Limits of Terrell, Kaufman County, Texas. (Case No. CP-09-01)

## ORDINANCE NO. 2398

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING THE OFFICIAL THOROUGHFARE PLAN OF THE COMPREHENSIVE PLAN, ORDINANCE NO. 2118 ADOPTED ON SEPTEMBER 3, 2003, IN ORDER TO ESTABLISH AN OFFICIAL CITY OF TERRELL POLICY IN REGARDS TO THE ALIGNMENT OF THE PROPOSED OUTER LOOP THOROUGHFARE AND THE REALIGNMENT AND/OR LOCATION OF ASSOCIATED HIGHWAY INTERCHANGES AND THOROUGHFARES IN THE EXTRATERRITORIAL JURISDICTION (ETJ) AND CITY LIMITS OF TERRELL, KAUFMAN COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN UPDATE TO THE OFFICIAL THOROUGHFARE MAP.

## ARTICLE I.

**WHEREAS**, the Planning and Zoning Commission of the City of Terrell, Texas, and the governing body of the City of Terrell, Texas, in compliance with the Charter of the City of Terrell, Texas and State law with reference to granting of changes to the Thoroughfare Plan of the Comprehensive Plan, Ordinance No. 2118 have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Terrell, Texas, is of the opinion that said amendments to the official Thoroughfare Plan are in the best interest of the general welfare of the public and should be made in order to promote future economic development, transportation safety and traffic demands for the City of Terrell, Kaufman County, Texas.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Terrell, Texas:

**THAT** the official Thoroughfare Plan of the Comprehensive Plan, Ordinance No. 2118, of the City of Terrell, Texas, be, and the same is hereby amended by amending the Thoroughfare Map, so as to depict changes for the Outer Loop and other associated thoroughfare alignments, highway interchanges and other being shown on Exhibit "A", hereinafter provided.

It is directed that the Official Thoroughfare Map of the City of Terrell, Texas, be changed to reflect the amendments established by this Ordinance.

That the above amendments shall be used only in the manner and for the purposes allowed by the Comprehensive Plan to guide future land development and construction of roadways and other capital improvements as amended heretofore, and as amended herein.

#### **ARTICLE II**

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

#### **ARTICLE 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 unconstitutionality 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 in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

#### **ARTICLE IV**

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

**PASSED AND APPROVED** this the 17<sup>th</sup> day of February, 2009.

**PASSED AND ADOPTED** this the 3<sup>rd</sup> day of March, 2009.

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

- 7. Adjourn into Executive Session in Accordance with Section 551 of the Texas Government Code to Discuss Section 551.074 – Personnel Matters – Police Chief Search.**

Council adjourned into Executive Session.

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

There was no action taken in Executive Session.

**9. 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**