

REGULAR CITY COUNCIL MEETING

OCTOBER 20, 2009

7:00 P.M.

A Regular Meeting of the Terrell City Council was held on Tuesday, October 20, 2009 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 SANDRA WILSON – ABSENT (EXCUSED)
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.

Mayor Pro tem Don Thurman gave the opening prayer.

3. Discuss and Consider Approval of Special City Council Meeting Workshop Minutes of October 1, 2009 and Regular City Council Meeting Minutes of October 6, 2009.

Mayor Pro tem Don Thurman made a motion to approve the Special City Council Meeting Workshop Minutes of October 1, 2009 and Regular City Council Meeting Minutes of October 6, 2009. The motion was seconded by Councilmember Jack Jones. Ayes – all; Nays – none. Motion carried.

4. Hear Remarks from Visitors.

None were made.

NEW BUSINESS

5. Discuss and Consider Approval of Ordinance No. 2434 - Request Regarding a Zone Change from Single Family (SF – 7.5) to Commercial (C) on Property Located at 371 FM 148, Described as Tract 4 of the J.C. Hale Survey, Abstract No. 202.

Terry Capehart, Director of Municipal Development presented to Council for discussion and consideration Ordinance No. 2434 - Request Regarding a Zone Change from Single Family (SF – 7.5) to Commercial (C) on Property Located at 371 FM 148, Described as Tract 4 of the J.C. Hale Survey, Abstract No. 202.

Mayor Hal Richards recognized Trinity Valley Community College student Grady Coltz attending the Council Meeting.

Councilmember Jack Jones made a motion to approve Ordinance No. 2434 - Request Regarding a Zone Change from Single Family (SF – 7.5) to Commercial (C) on Property Located at 371 FM 148, Described as Tract 4 of the J.C. Hale Survey, Abstract No. 202. The motion was seconded by Mayor Pro tem Don Thurman. Ayes – all; Nays – none. Motion carried.

ORDINANCE NO. 2434

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, CHANGING THE ZONING FROM SINGLE-FAMILY 7.5 (SF-7.5) TO COMMERCIAL (C) ON PROPERTY LOCATED AT 371 FM 148, DESCRIBED AS TRACT 4 OF THE J. C. HALE SURVEY, ABSTRACT NO. 202, CITY OF TERRELL, KAUFMAN COUNTY, TEXAS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

- 6. Discuss and Consider Approval of Resolution No. 642 - Approving a Prescribing the Method of Notice to be Given Regarding a Public Hearing to Receive Public Comment Regarding the Adoption of Text Revisions to the Comprehensive Zoning Ordinance, Including the Creation of a New Highway Corridor (HC) District in Accordance with Chapter 211.006(c) of the Texas Local Government Code.**

Mayor Pro tem Don Thurman made a motion to table this item to next meeting. The motion was seconded by Councilmember Jack Jones. Ayes – all; Nays – none. Motion carried.

- 7. Discuss and Consider Approval of Ordinance No. 2435 - Amending Chapter 11, Traffic Regulations – Section 4: Enforcement of Traffic Regulations.**

City Manager Torry Edwards and Terry Capehart, Director of Municipal Development presented to Council for discussion and consideration Ordinance No. 2435 - Amending Chapter 11, Traffic Regulations – Section 4: Enforcement of Traffic Regulations. Councilmember Jack Jones made a motion to approve Ordinance No. 2435 – Amending Chapter 11, Traffic Regulations – Section 4: Enforcement of Traffic Regulations on first reading. The motion was seconded by Mayor Pro tem Don Thurman. Ayes – all; Nays – none. Motion carried.

ORDINANCE NO. 2435

AN ORDINANCE OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS AMENDING CHAPTER 11, TRAFFIC REGULATIONS, SECTION 4: ENFORCEMENT OF TRAFFIC REGULATIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE:

CONSENT AGENDA

8. Discuss and Consider Adoption on Second Reading of Ordinance No. 2433 - Budget Amendment.

Mayor Pro tem Don Thurman made a motion to adopt on Second Reading Ordinance No. 2433 – Budget Amendment. The motion was seconded by Councilmember Jack Jones. Ayes – all; Nays – none. Motion carried.

ORDINANCE NO. 2433

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:

<u>GENERAL FUND REVENUE</u>	BUDGETED	AMOUNT	AMENDED
010-00-3101 Taxes	\$4,784,859.00	(\$40,001.00)	\$4,744,858.00
<u>TIF FUND REVENUE</u>	BUDGETED	AMOUNT	AMENDED
015-00-3304 Taxes	\$ -0-	\$40,001.00	\$40,001.00
<u>CAPITAL IMPROVEMENT FUND REVENUE</u>	BUDGETED	AMOUNT	AMENDED
026-00-3222 Grant Funds	\$ -0-	\$181,642.00	\$181,642.00

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 6th day of October, 2009.
Passed and Adopted on this the 20th day of October, 2009.

END OF CONSENT AGENDA

9. Adjourn into Executive Session in Accordance with Section 551 of the Texas Government Code to Discuss Section 551.071 – Consultation with Attorney – Pending or Contemplated Litigation.

Council adjourned into Executive Session.

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

There was no action taken in Executive Session.

11. 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