

## REGULAR CITY COUNCIL MEETING

December 4, 2012

7:00 P.M.

A Regular City Council Meeting of the Terrell City Council was held on Tuesday, December 4, 2012, 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 CHARLES WHITAKER**  
**COUNCILMEMBER #5 D.J. ORY**

1. Call to order.

Mayor Hal Richards, called meeting to order.

2. Invocation.

Councilmember Tommy Spencer, gave the opening prayer.

3. Discuss and Consider Approval of Meeting Minutes of Special City Council Meeting and Workshop November 1, 2012, and Regular City Council Meeting of November 6, 2012.

Deputy Mayor Pro Tem D. J. Ory, made a motion to approve Meeting Minutes of Special City Council Meeting and Workshop November 1, 2012, and Regular City Council Meeting of November 6, 2012. Councilmember Tommy Spencer, seconded the motion. Ayes - All. Nayses - None. Motion carried.

4. Hear Remarks from Visitors.

There were no remarks from visitors.

### NEW BUSINESS

5. Discuss and Consider a Memorandum of Understanding Between the City of Terrell and the City of McLendon-Chisholm.

Mayor Hal Richards; Gary Moody, Mayor of McLendon-Chisholm; Chris Kooney Engineer Representing Developer; and Torry Edwards City Manager, Presented to Council for Discussion and Consideration a Memorandum of Understanding Between the City of Terrell and the City of McLendon-Chisholm. Deputy Mayor Pro Tem D. J. Ory, made a motion to authorize the Mayor to execute the Memorandum of Understanding Between the City of Terrell and the City of McLendon-Chisholm. Mayor Pro Tem Ricky Jordan, seconded the motion. Ayes - All. Nayses - None. Motion carried.

6. Discuss and Consider Ordinance No. 2555; An Ordinance Of The City Council Of The City Of Terrell, Texas, Rescinding And Repealing Ordinance 1948 In Its Entirety.

John Rounsavall, City Secretary, Presented to Council for Discussion and Consideration Ordinance No. 2555; An Ordinance of the City Council of the City of Terrell, Texas, Rescinding and Repealing Ordinance 1948 In Its Entirety. Deputy Mayor Pro Tem D. J. Ory, made a motion to approve Ordinance No. 2555; An Ordinance of the City Council of the City of Terrell, Texas, Rescinding and Repealing Ordinance 1948 In Its Entirety. Councilmember Charles Whitaker, seconded the motion. Ayes - All. Nayses - None. Motion carried.

#### ORDINANCE NO. 2555

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TERRELL,  
TEXAS, RESCINDING AND REPEALING ORDINANCE 1948 IN ITS  
ENTIRETY

7. Discuss and Consider Bid and Award of Contract for Reconstruction of a Maximum of five (5) homes through the Texas Department of Housing and Community Affairs Housing Rehab/Reconstruction Assistance Program - HRA 1001409 2012-13.

Debbie Zajac, Director of Housing, Presented to Council for Discussion and Consideration Bid and Award of Contract for Reconstruction of a Maximum of five (5) homes through the Texas Department of Housing and Community Affairs Housing Rehab/Reconstruction Assistance Program - HRA 1001409 2012-13. Deputy Mayor Pro Tem D. J. Ory, made a motion to award lowest bid to Pete's Construction in an amount not to exceed \$334,780. Mayor Pro Tem Ricky Jordan, seconded the motion. Ayes - All. Nayses - None. Motion carried.

8. Discuss and Consider a Recommendation by the Planning and Zoning Commission regarding a plat generally located at 807 N. Catherine Street; being Lot 5, Block 156, Paschall's Addition; City of Terrell, Kaufman County, Texas. (PL-12-07).

Terry Capehart, Municipal Development Director, and Torry Edwards, City Manager, Presented to Council for Discussion and Consideration a Recommendation by the Planning and Zoning Commission regarding a plat generally located at 807 N. Catherine Street; being Lot 5, Block 156, Paschall's Addition; City of Terrell, Kaufman County, Texas. (PL-12-07). Deputy Mayor Pro Tem D. J. Ory, made a motion to approve a Recommendation by the Planning and Zoning Commission regarding a plat generally located at 807 N. Catherine Street; being Lot 5, Block 156, Paschall's Addition; City of Terrell, Kaufman County, Texas. (PL-12-07). Mayor Pro Tem Ricky Jordan, seconded the motion. Ayes - All. Nayses - None. Motion carried.

9. Discuss and Consider Bids received on November 2, 2012 regarding the asbestos abatement and demolition projects located at 106 College Mound Road and 601 South Park Street, Terrell, Texas. Bid No. 20-04-12.

Terry Capehart, Municipal Development Director, Presented to Council for Discussion and Consideration Bids received on November 2, 2012 regarding the asbestos abatement and demolition projects located at 106 College Mound Road and 601 South Park Street, Terrell, Texas. Bid No. 20-04-12. Deputy Mayor Pro Tem D. J. Ory, made a motion to award bid in an amount not to exceed \$39,000. Mayor Pro Tem Ricky Jordan, seconded the motion. Ayes - All. Nays - None. Motion carried.

10. Discuss and Consider Ordinance No. 2556; An Ordinance Of The City Of Terrell, Texas, Authorizing Closure Of The Railroad Highway Grade Crossing At County Road 305 And Railroad Milepost 186.41 And Closing County Road 305 Between U.S. Highway 80 And Spur 557 At Railroad Milepost 186.41; Providing For Repeal Of Conflicting Ordinances; Providing For Severability And Providing An Effective Date.

Mike Sims, Assistant City Manager and Stephen Scott Representing Sinacola, Presented to Council for Discussion and Consideration Ordinance No. 2556; An Ordinance Of The City Of Terrell, Texas, Authorizing Closure Of The Railroad Highway Grade Crossing At County Road 305 And Railroad Milepost 186.41 And Closing County Road 305 Between U.S. Highway 80 And Spur 557 At Railroad Milepost 186.41; Providing For Repeal Of Conflicting Ordinances; Providing For Severability And Providing An Effective Date. Mayor Pro Tem Ricky Jordan, made a motion to approve Ordinance No. 2556; An Ordinance Of The City Of Terrell, Texas, Authorizing Closure Of The Railroad Highway Grade Crossing At County Road 305 And Railroad Milepost 186.41 And Closing County Road 305 Between U.S. Highway 80 And Spur 557 At Railroad Milepost 186.41; Providing For Repeal Of Conflicting Ordinances; Providing For Severability And Providing An Effective Date. Councilmember Charles Whitaker, seconded the motion. Ayes - All. Nays - None. Motion carried.

#### ORDINANCE NO. 2556

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AUTHORIZING CLOSURE OF THE RAILROAD HIGHWAY GRADE CROSSING AT COUNTY ROAD 305 AND RAILROAD MILEPOST 186.41 AND CLOSING COUNTY ROAD 305 BETWEEN U.S. HIGHWAY 80 AND SPUR 557 AT RAILROAD MILEPOST 186.41; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

11. Discuss and Consider Metrocrest Business Park Pavement Repairs.

Steve Rogers, City Engineer, Presented to Council for Discussion and Consideration Metrocrest Business Park Pavement Repairs. Deputy Mayor Pro Tem D. J. Ory, made a motion to approve Metrocrest Business Park Pavement Repairs in an amount not to exceed \$40,000. Councilmember Charles Whitaker, seconded the motion. Ayes - All. Nays - None. Motion carried.

12. Discuss and Consider Ordinance No. 2557; An Ordinance Of The City Of Terrell, Texas, Amending The Annual Budget For The Year Beginning October 1, 2012, And Ending September 30, 2013, As Passed And Adopted On September 4, 2012 To Provide For Increases In Certain Accounts; Providing For Severability; And Providing An Effective Date.

John Rounsavall, City Secretary, Presented to Council for Discussion and Consideration Ordinance No. 2557; An Ordinance Of The City Of Terrell, Texas, Amending The Annual Budget For The Year Beginning October 1, 2012, And Ending September 30, 2013, As Passed And Adopted On September 4, 2012 To Provide For Increases In Certain Accounts; Providing For Severability; And Providing An Effective Date. Mayor Pro Tem Ricky Jordan, made a motion to approve Ordinance No. 2557; An Ordinance Of The City Of Terrell, Texas, Amending The Annual Budget For The Year Beginning October 1, 2012, And Ending September 30, 2013, As Passed And Adopted On September 4, 2012 To Provide For Increases In Certain Accounts; Providing For Severability; And Providing An Effective Date. Deputy Mayor Pro Tem D. J. Ory, seconded the motion. Ayes - All. Nays - None. Motion carried.

ORDINANCE NO. 2557

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING THE ANNUAL BUDGET FOR THE YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013, AS PASSED AND ADOPTED ON SEPTEMBER 4, 2012 TO PROVIDE FOR INCREASES IN CERTAIN ACCOUNTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

13. Discuss and Consider Tower Attachment Lease Agreement between the City of Terrell, Texas, and Student Transportation of America d/b/a GoldStar Transit.

John Rounsavall, City Secretary, Presented to Council for Discussion and Consideration Tower Attachment Lease Agreement between the City of Terrell, Texas, and Student Transportation of America d/b/a GoldStar Transit. Mayor Pro Tem Ricky Jordan, made a motion to authorize City Manager to execute Tower Attachment Lease Agreement between the City of Terrell, Texas, and Student Transportation of America d/b/a GoldStar Transit. Councilmember Charles Whitaker, seconded the motion. Ayes - All. Nays - None. Motion carried.

14. Discuss City Manager's Reports and Correspondence:
  - a.) Council Board Recruitment.

Torry Edwards, City Manager, Presented to Council for Discussion Council Board Recruitment. No action was taken on this item.

15. 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 - pending or contemplated litigation.
  - b.) Section 551.072 - Deliberations about Real Property.

Council adjourned into Executive Session.

16. Reconvene into Regular Session and Consider Action, if any, on Items Discussed in Executive Session.

There was no action taken in Executive Session.

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**