

**REGULAR CITY COUNCIL MEETING**

**October 1, 2013**

**7:00 P.M.**

A Regular City Council Meeting of the Terrell City Council was held on Tuesday, October 1, 2013, 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.

Mayor Pro Tem Ricky Jordan, gave the opening prayer.

3. Discuss and Consider Approval of Meeting Minutes of Special City Council Meeting and Workshop of September 12, 2013, and Regular City Council Meeting of September 17, 2013.

Deputy Mayor Pro Tem D. J. Ory, made a motion to approve Meeting Minutes of Special City Council Meeting and Workshop of September 12, 2013, and Regular City Council Meeting of September 17, 2013. Councilmember Charles Whitaker, seconded the motion. Ayes - All. Nays - None. Motion carried.

4. Hear Remarks from Visitors.

There were no remarks from visitors.

Mayor Hal Richards recognized Trinity Valley Community College students attending the meeting.

**NEW BUSINESS**

5. Discuss and Consider Proposal from Freese and Nichols, Inc. for Engineering Services for Wastewater System Improvements.

Steve Rogers, City Engineer, Presented to Council for Discussion and Consideration Proposal from Freese and Nichols, Inc. for Engineering Services for Wastewater System Improvements. Deputy Mayor Pro Tem D. J. Ory, made a motion to authorize City Manager to execute and enter into an

agreement with Freese and Nichols, Inc. for Engineering Services for Wastewater System Improvements in an amount not to exceed \$88,400.00. Mayor Pro Tem Ricky Jordan, seconded the motion. Ayes - All. Nays - None. Motion carried.

6. Discuss and Consider Resolution No. 745; A Resolution Of The City Council Of The City Of Terrell, Texas, Adoption The Kaufman County Debris Management Plan.

Jim Harper, Fire Chief, Presented to Council for Discussion and Consideration Resolution No. 745; A Resolution Of The City Council Of The City Of Terrell, Texas, Adoption The Kaufman County Debris Management Plan. Deputy Mayor Pro Tem D. J. Ory, made a motion to approve Resolution No. 745; A Resolution Of The City Council Of The City Of Terrell, Texas, Adoption The Kaufman County Debris Management Plan. Councilmember Charles Whitaker, seconded the motion. Ayes - All. Nays - None. Motion carried.

7. Discuss and Consider Ordinance No. 2583; An Ordinance Of The City Council Of The City Of Terrell, Texas, Approving A Negotiated Resolution Between The Atmos Cities Steering Committee And Atmos Energy Corp., Mid-Tex Division Regarding The Company's 2013 Annual Rate Review Mechanism Filing In All Cities Exercising Original Jurisdiction; Declaring Existing Rates To Be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With The Negotiated Settlement And Finding The Rates To Be Set By The Attached Tariffs To Be Just And Reasonable; Requiring The Company To Reimburse Cities' Reasonable Ratemaking Expenses; Repealing Conflicting Resolutions Or Ordinances; Determining That This Ordinance Was Passed In Accordance With The Requirements Of The Texas Open Meetings Act; Adopting A Savings Clause; Declaring An Effective Date; Providing A Most Favored Nations Clause; And Requiring Delivery Of This Ordinance To The Company And The Steering Committee's Legal Counsel.

John Rounsavall, City Secretary, and Liz Beecham, Representing Atmos, Presented to Council for Discussion and Consideration Ordinance No. 2583; An Ordinance Of The City Council Of The City Of Terrell, Texas, Approving A Negotiated Resolution Between The Atmos Cities Steering Committee And Atmos Energy Corp., Mid-Tex Division Regarding The Company's 2013 Annual Rate Review Mechanism Filing In All Cities Exercising Original Jurisdiction; Declaring Existing Rates To Be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With The Negotiated Settlement And Finding The Rates To Be Set By The Attached Tariffs To Be Just And Reasonable; Requiring The Company To Reimburse Cities' Reasonable Ratemaking Expenses; Repealing Conflicting Resolutions Or Ordinances; Determining That This Ordinance Was Passed In Accordance With The Requirements Of The Texas Open Meetings Act; Adopting A Savings Clause; Declaring An Effective Date; Providing A Most Favored Nations Clause; And Requiring Delivery Of This Ordinance To The Company And The Steering Committee's Legal Counsel. Deputy Mayor Pro Tem D. J. Ory, made a motion to approve Ordinance No. 2583; An Ordinance Of The City Council Of The City Of Terrell, Texas, Approving A Negotiated Resolution Between The Atmos Cities Steering Committee And Atmos Energy Corp., Mid-Tex Division Regarding The Company's 2013 Annual Rate Review Mechanism Filing In All Cities Exercising Original Jurisdiction; Declaring Existing Rates To Be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With The Negotiated Settlement And Finding The Rates To Be Set By The Attached Tariffs To Be Just And Reasonable; Requiring The Company To Reimburse Cities' Reasonable Ratemaking Expenses; Repealing Conflicting Resolutions Or Ordinances; Determining That This Ordinance Was Passed In Accordance With The Requirements Of The Texas Open

Meetings Act; Adopting A Savings Clause; Declaring An Effective Date; Providing A Most Favored Nations Clause; And Requiring Delivery Of This Ordinance To The Company And The Steering Committee's Legal Counsel. Councilmember Tommy Spencer, seconded the motion. Ayes - All. Nays - None. Motion carried.

8. Discuss and Consider Ordinance No. 2584; 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. 2584; 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, made a motion to approve with changes Ordinance No. 2584; 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, seconded the motion. Ayes - All. Nays - None. Motion carried.

9. Discuss and Consider Hotel/Motel Occupancy Tax Fund Allocations for Fiscal Year 2013-2014.

John Rounsavall, City Secretary, Presented to Council for Discussion and Consideration Hotel/Motel Occupancy Tax Fund Allocations for Fiscal Year 2013-2014. Deputy Mayor Pro Tem D. J. Ory, made a motion to approve Hotel/Motel Occupancy Tax Fund Allocations for Fiscal Year 2013-2014 as follows:

<b>Applicant</b>	<b>Amount Requested</b>	<b>Suggested Allocation</b>
Southwestern Christian College	34,500	27,620
E! Terrell Entertainment Series	17,000	15,104
North East Texas Fine Arts Alliance	1,780	1,693
Terrell Chamber of Commerce Convention & Visitors Bureau	164,093	144,588
No. 1 British Flying Training Museum	51,500	39,538
Lake Country Production	40,000	15,369
Terrell Heritage Society	16,000	13,311
Terrell Heritage Society	11,900	9,807
The Vagabond Players	1,400	1,327
Terrell ISD Performing Arts	23,156	22,171
Terrell Garden Club	1,375	1,307
City of Terrell Public Safety	20,000	18,166
City of Terrell Carnegie Museum	25,000	20,631
City of Terrell Historic Preservation	15,000	11,516
<b>Total</b>	<b>422,704</b>	<b>342,147</b>

Mayor Pro Tem Ricky Jordan, seconded the motion. Ayes - All. Nays - None. Motion carried.

10. Discuss and Consider Work Authorizations for FM 148N.

Mike Sims, Assistant City Manager, Presented to Council for Discussion and Consideration Work Authorizations for FM 148N. Deputy Mayor Pro Tem D. J. Ory, made a motion to approve Work Authorization 11 in the amount of \$106,000.00 and Work Authorization 12 in the amount of \$300,000.00. Councilmember Charles Whitaker, seconded the motion. Ayes - All. Nays - None. Motion carried.

11. Discuss and Consider Approval of Lease with Terrell Lions Club for Lions Club Park.

Mike Sims, Assistant City Manager, Presented to Council for Discussion and Consideration Approval of Lease with Terrell Lions Club for Lions Club Park. Deputy Mayor Pro Tem D. J. Ory, made a motion to approve and authorize City Manager to execute Lease with Terrell Lions Club for Lions Club Park. Councilmember Tommy Spencer, seconded the motion. Ayes - All. Nays - None. Motion carried.

12. Discuss and Consider City Council Meeting Schedule for November, 2013, December, 2013 and January, 2014.

Mayor Hal Richards, made a motion to schedule City Council Meetings for November, 2013, December, 2013, and January 2014 as follows:

Regular Council Schedule for November 2013.

December 17, 2013, Workshop beginning at 5:30 p.m. and Council beginning at 7:00 p.m.

January 7, 2014, Workshop beginning at 5:30 p.m. and Council beginning at 7:00 p.m.

13. Adjourn into Executive Session in Accordance with Section 551 of the Texas Government Code to Discuss the following:

- a.) Section 551.071 - Consultations with Attorney - pending or contemplated litigation.
- b.) Section 551.072 - Deliberations about Real Property.
- c.) Section 551.087 - Deliberation Regarding Economic Development Negotiations.

Council adjourned into Executive Session.

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

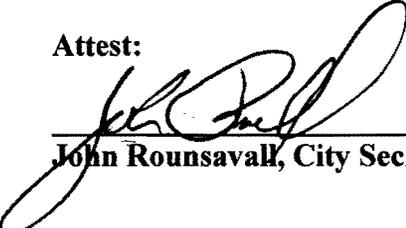
No action was taken out of Executive Session.

15. Adjourn.

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

  
\_\_\_\_\_  
Hal Richards, Mayor

Attest:

  
\_\_\_\_\_  
John Rounsavall, City Secretary