

REGULAR CITY COUNCIL MEETING

February 4, 2014

7:00 P.M.

A Regular City Council Meeting of the Terrell City Council was held on Tuesday, February 4, 2014, 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.

Deputy Mayor Pro Tem D. J. Ory, gave the opening prayer.

3. Discuss and Consider Approval of Meeting Minutes of Special City Council Meeting of January 16, 2014, and Regular City Council Meeting of January 21, 2014.

Councilmember Charles Whitaker, made a motion to approve Meeting Minutes of Special City Council Meeting of January 16, 2014, and Regular City Council Meeting of January 21, 2014. Councilmember Tommy Spencer, seconded the motion. Ayes - All. Nays - None. Motion carried.

4. Hear Remarks from Visitors.

Deric Raymond, 306 Main Street, Terrell, Texas, 214-918-6412, came before Council to request road way repairs on Fourth Street at Main Street.

NEW BUSINESS

5. Discuss and Consider Interlocal Agreement between Kaufman County and City of Terrell.

Jim Harper, Fire Chief, presented to Council for discussion and consideration Interlocal Agreement between Kaufman County and City of Terrell. Deputy Mayor Pro Tem D. J. Ory, made a motion to authorize Mayor to execute an Interlocal Agreement between Kaufman County and City of Terrell. Mayor Pro Tem Ricky Jordan, seconded the motion. Ayes - All. Nays - None. Motion carried.

6. Discuss and Consider Work Authorization #13 Extension for Right-of-Way and utility coordination services for the Spur 557 Frontage Road Extension from FM 148 to IH20.

Mike Sims, Assistant City Manager, presented to Council for discussion and consideration Work Authorization #13 Extension for Right-of-Way and utility coordination services for the Spur 557 Frontage Road Extension from FM 148 to IH20. Deputy Mayor Pro Tem D. J. Ory made a motion to authorize City Manager to execute Work Authorization #13 Extension for Right-of-Way and utility coordination services for the Spur 557 Frontage Road Extension from FM 148 to IH20 in an amount not to exceed \$30,872.00. Councilmember Charles Whitaker, seconded the motion. Ayes - All. Nays - None. Motion carried.

7. Discuss and Consider Resolution No. 757; A Resolution Of The City Council Of The City Of Terrell, Texas Establishing A Public Hearing Date To Consider Approval Of Amendments To The Land Use Assumptions, Capital Improvement Plans And Impact Fees For Water, Wastewater And Roadways; And Providing An Effective Date.

Mike Sims, Assistant City Manager, presented to Council for discussion and consideration Resolution No. 757; A Resolution Of The City Council Of The City Of Terrell, Texas Establishing A Public Hearing Date To Consider Approval Of Amendments To The Land Use Assumptions, Capital Improvement Plans And Impact Fees For Water, Wastewater And Roadways; And Providing An Effective Date. Deputy Mayor Pro Tem D. J. Ory, made a motion to approve Resolution No. 757; A Resolution Of The City Council Of The City Of Terrell, Texas Establishing A Public Hearing Date To Consider Approval Of Amendments To The Land Use Assumptions, Capital Improvement Plans And Impact Fees For Water, Wastewater And Roadways; And Providing An Effective Date. Mayor Pro Tem Ricky Jordan, seconded the motion. Ayes - All. Nays - None. Motion carried.

8. Discuss and Consider Resolution No. 758; A Resolution Of The City Of Terrell, Texas, Calling The Regular Municipal Election For The City Of Terrell, Texas For The Election Of Councilmember From District No. 3 And District No. 5 To Be Held On Saturday, May 10, 2014.

John Rounsavall, City Secretary, presented to Council for discussion and consideration Resolution No. 758; A Resolution Of The City Of Terrell, Texas, Calling The Regular Municipal Election For The City Of Terrell, Texas For The Election Of Councilmember From District No. 3 And District No. 5 To Be Held On Saturday, May 10, 2014. Councilmember Charles Whitaker, made a motion to approve Resolution No. 758; A Resolution Of The City Of Terrell, Texas, Calling The Regular Municipal Election For The City Of Terrell, Texas For The Election Of Councilmember From District No. 3 And District No. 5 To Be Held On Saturday, May 10, 2014. Councilmember Tommy Spencer, seconded the motion. Ayes - All. Nays - None. Motion carried.

CONSENT AGENDA

Deputy Mayor Pro Tem D. J. Ory, made a motion to approve and adopt on CONSENT AGENDA Ordinance No. 2592 on second reading. Mayor Pro Tem Ricky Jordan, seconded the motion. Ayes - All. Nays - None. Motion carried.

9. Discuss and Consider Adoption On Second Reading Ordinance No. 2592; An Ordinance Of The City Of Terrell, Texas Vacating And Abandoning A Portion Of The Polly Drive Right-of-Way Located Adjacent To Lot 33, Block 1, Wallace Addition, City Of Terrell, Kaufman County, Texas.

ORDINANCE NO. 2592

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS VACATING AND ABANDONING A PORTION OF THE POLLY DRIVE RIGHT-OF-WAY LOCATED ADJACENT TO LOT 33, BLOCK 1, WALLACE ADDITION, CITY OF TERRELL, KAUFMAN COUNTY, TEXAS.

WHEREAS the owner of the property adjoining Polly Drive has requested that a portion of the Polly Drive public right-of-way located adjacent to Lot 33, Block 1, Wallace Addition of the City of Terrell, Kaufman County, Texas, be vacated and abandoned; and

WHEREAS the Polly Drive right-of-way is less than (24') feet wide and does not meet the minimum width standards for a public street and has never been developed or improved; and

WHEREAS the subject portion of the Polly Drive right-of-way that is to be abandoned will be utilized to correct an encroachment of a single-family residence over an existing property line and to correct other nonconformances on Lots 33 and 34, Block 1, Wallace Addition, City of Terrell, Kaufman County, Texas; and

WHEREAS it appears that there is no present or foreseeable public transportation or utility requirement for that certain right-of-way and no public purpose for which said right-of-way is needed.

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

ARTICLE I.

THAT any interest the City of Terrell might claim, now or in the future, in the real property be vacated and abandoned, the real property being more particularly described in the survey thereof attached as Exhibit "A". Realignment of the property lines of Lots 33 and 34 for the purposes of allocating the abandoned right-of-way shall be in accordance with Exhibit "B" attached hereto and made a part hereof for all purposes.

ARTICLE II.

THAT said right-of-way, as set forth above, save any exceptions noted, is hereby vacated and abandoned and every claim, right or rights, either the City of Terrell or the public generally has in and to said right-of-way is hereby released and relinquished forever; and whatever control, right of control, jurisdiction or dominion the City of Terrell has or may have had, either for itself or on behalf of the public generally, over the same as public right-of-way is hereby abandoned so that the City of Terrell neither for itself, nor on behalf of the public generally, shall hereafter have or assert any claim or right whatsoever to the same or any part thereof.

ARTICLE III.

THAT this Ordinance shall be filed of record in the Real Property Records of Kaufman County;
and

THAT the Mayor is hereby authorized to execute a Quit Claim Deed on behalf of the City of Terrell to the interest in the above described right-of-way upon the request of the adjoining property owner.

Passed and approved on first reading this the 21st day of January, 2014.

Passed and adopted on second reading this the 4th day of February, 2014.

10. 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.

This item was passed by Council.

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

This item was passed by Council.

12. 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