

REGULAR CITY COUNCIL MEETING

May 6, 2014

7:00 P.M.

A Regular City Council Meeting of the Terrell City Council was held on Tuesday, May 6, 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.

Mayor Pro Tem Ricky Jordan, gave the opening prayer.

4. Discuss and Consider Approval of Meeting Minutes of Special City Council Meeting and Workshop of April 15, 2014, and Regular City Council Meeting of April 15, 2014.

Deputy Mayor Pro Tem D. J. Ory, made a motion to approve Meeting Minutes of Special City Council Meeting and Workshop of April 15, 2014, and Regular City Council Meeting of April 15, 2014. Mayor Pro Tem Ricky Jordan, seconded the motion. Ayes - All. Nayses - None. Motion carried.

5. Hear Remarks from Visitors.

There were no remarks from visitors.

NEW BUSINESS

6. Discuss and Consider Bid for Project 14-01 2014 Pavement Maintenance Program.

Steve Rogers, City Engineer, presented to Council for discussion and consideration Bid for Project 14-01 2014 Pavement Maintenance Program. Deputy Mayor Pro Tem D. J. Ory, made a motion to reject all bids. Mayor Pro Tem Ricky Jordan, seconded the motion. Ayes - All. Nayses - None. Motion carried.

7. Discuss and Consider Award of Bid for Project 14-04 2014 Utility Systems Improvements, Phase 4.

Steve Rogers, City Engineer, presented to Council for discussion and consideration Award of Bid for Project 14-04 2014 Utility Systems Improvements, Phase 4. Deputy Mayor Pro Tem D. J. Ory, made a motion to approve bid to UtilitTex Construction, L.L.P. in an amount not to exceed \$1,251,307.00. Councilmember Charles Whitaker, seconded the motion. Ayes - All. Nays - None. Motion carried.

3. Presentation of "National Nursing Week" Proclamation to Ricky Jordan.

Mayor Hal Richards presented "National Nursing Week" Proclamation to Ricky Jordan and Katherine Griffin.

8. Discuss and Consider Work Authorization No. 4E for FM 148 South Phase II - Design Supplemental Services Traffic Signals.

Mike Sims, Assistant City Manager, presented to Council for discussion and consideration Work Authorization No. 4E for FM 148 South Phase II - Design Supplemental Services Traffic Signals. Deputy Mayor Pro Tem D. J. Ory, made a motion to approve Work Authorization No. 4E for FM 148 South Phase II - Design Supplemental Services Traffic Signals in an amount not to exceed \$66,000.00. Ayes - All. Nays - None. Motion carried.

9. Discuss and Consider Work Authorization No. 12A for FM 148 North Phase II - Design Supplemental Services Traffic Signals.

Mike Sims, Assistant City Manager, presented to Council for discussion and consideration Work Authorization No. 12A for FM 148 North Phase II - Design Supplemental Services Traffic Signals. Deputy Mayor Pro Tem D. J. Ory, made a motion to approve Work Authorization No. 12A for FM 148 North Phase II - Design Supplemental Services Traffic Signals in an amount not to exceed \$34,000.00. 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. 2601 on second reading. Mayor Pro Tem Ricky Jordan, seconded the motion. Ayes - All. Nays - None. Motion carried.

10. Discuss and Consider Adoption On Second Reading Ordinance No. 2601 changing the Zoning Classification from Retail (R) District to Multi-family-22 (MF-22) District in order to correct the zoning for an existing multifamily four-plex and for a proposed new four-plex on property located at 300 W Jackson Street; being Lots 5R & 6R, Block 313, Terrell Revised Addition, Texas; City of Terrell, Kaufman County, Texas.

Ordinance No. 2601

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, CHANGING THE ZONING CLASSIFICATION FROM RETAIL (R) TO MULTI-FAMILY 22 (MF-22) DISTRICT ON PROPERTY LOCATED AT 300 WEST JACKSON STREET, BEING LOTS 5R & 6R,

BLOCK 313, TERRELL REVISED ADDITION, CITY OF TERRELL, KAUFMAN COUNTY, TEXAS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH AND EVERY OFFENSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Article I.

Whereas, the Planning and Zoning Commission of the City of Terrell, Texas, held a public hearing on March 25, 2014, on a request to change the zoning from Retail (R) District to Multi-family 22 (MF-22) District on property located at 300 West Jackson Street, being Lots 5R & 6R, Block 313, Terrell Revised Addition, City of Terrell, Kaufman County, Texas; and

Whereas, the City Council of the City of Terrell, Texas, held a public hearing on April 15, 2014, and has determined that it would be in the best interest of the citizens of Terrell to change the zoning from Retail (R) District to Multi-family 22 (MF-22) District, City of Terrell, Kaufman County, Texas; and

Whereas, the City Council has determined that all notice requirements have been given in compliance with the laws and ordinances of the City of Terrell and State Law.

Now, Therefore, be it ordained by the City Council of the City of Terrell, Texas:

That the zoning classification be and is hereby changed from Retail (R) District to Multi-family 22 (MF-22) District on property located at 300 West Jackson Street, being Lots 5R & 6R, Block 313, Terrell Revised Addition, City of Terrell, Kaufman County, Texas.

Article II

That operation will be in conformance with requirements of the City of Terrell Zoning Ordinance. In addition, the official Zoning Map of the City of Terrell, Texas, shall be annotated to show the change in zoning status from Retail (R) District to Multi-family 22 (MF-22) District thereon.

Article III

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

Article III

Any person, entity or corporation violating any provisions of this Ordinance shall be considered in violation of the adopted Comprehensive Zoning Ordinance of the City of Terrell and be subject, upon conviction, to the penalties and remedies therein.

Article IV

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 V

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 15th day of April, 2014.

Passed and adopted this the 6th day of May, 2014.

END CONSENT AGENDA

11. 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.

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

This item was passed by Council.

13. 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