

REGULAR CITY COUNCIL MEETING

February 17, 2015

7:00 P.M.

A Regular City Council Meeting was held on Tuesday, February 17, 2015, 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 SANDRA WILSON
COUNCILMEMBER #4 CHARLES WHITAKER
COUNCILMEMBER #5 D.J. ORY**

1. Call to order.

Mayor Hal Richards called the meeting to order.

2. Invocation.

Deputy Mayor Pro Tem Charles Whitaker, gave the opening prayer.

3. Discuss and Consider Approval of Meeting Minutes of the Special City Council Meeting and Workshop of January 29, 2015 and the Regular City Council Meeting of February 3, 2015.

Mayor Pro Tem D.J. Ory made a motion to approve the Meeting Minutes of the Special City Council Meeting and Workshop of January 29, 2015 and the Regular City Council Meeting of February 3, 2015. Councilmember Tommy Spencer seconded the motion. Ayes - All. Nays - None. Motion carried.

4. Hear Remarks from Visitors.

This time is set aside on the agenda to invite any person to address the Council on issues not subject to a public hearing. Routine administrative matters are best discussed with the appropriate City Staff before bringing them to the Council. Speakers should limit their comments to 3 minutes and are asked to speak into the microphone provided, identifying themselves for the record. The total amount of time set aside for this place on the agenda is 15 minutes. Comments of a personal nature directed at the Council or Staff are inappropriate.

There were no remarks from visitors.

PUBLIC HEARING

5. a.) Conduct a Public Hearing to receive comments regarding a request for a zoning change from Single-Family 7.5 (SF-7.5) to Neighborhood Services (NS) Retail, located at 203 & 205 F.M. 148, described as Lots 1 and 2, Block 2, Mitchell Addition; City of Terrell, Kaufman County, Texas.

Terry Capehart, Municipal Development Director, gave opening comments regarding a request for a zoning change from Single-Family 7.5 (SF-7.5) to Neighborhood Services (NS) Retail, located at 203 & 205 F.M. 148, described as Lots 1 and 2, Block 2, Mitchell Addition; City of Terrell, Kaufman County, Texas.

Citizens who spoke in opposition of a zoning change:

Carolyn Spencer, P.O. Box 293, Terrell, Texas

Citizens who spoke in favor of a zoning change:

Jorge Vargas, 810 E. College, Terrell, Texas

Mayor Hal Richards closed the public hearing.

5. b.) Discuss and Consider a recommendation by the Planning and Zoning Commission regarding approval of Ordinance No. 2626 changing the Zoning Classification from Single-Family 7.5 (SF-7.5) to Neighborhood Services (NS) Retail on property located at 203 & 205 F.M. 148, described as Lots 1 and 2, Block 2, Mitchell Addition; City of Terrell, Kaufman County, Texas.

Mayor Pro Tem D.J. Ory made a motion to approve a request for a zoning change from Single-Family 7.5 (SF-7.5) to Neighborhood Services (NS) Retail, located at 203 & 205 F.M. 148, described as Lots 1 and 2, Block 2, Mitchell Addition; City of Terrell, Kaufman County, Texas on First Reading. Councilmember Sandra Wilson seconded the motion. Ayes - Deputy Mayor Pro Tem D.J. Ory, Councilmember Sandra Wilson, Mayor Hal Richards. Nays - Deputy Mayor Pro Tem Charles Whitaker, Councilmember Tommy Spencer. Motion carried.

6. a.) Conduct a Public Hearing to receive comments regarding a request for a zoning change from Light Industrial (LI) District to Multi-Family (MF-22) District on property located on S. Catherine between E. Cottage St and E. Rochester St; being Lots 1-4, Block 22, Terrell Original Addition, City of Terrell, Kaufman County, Texas.

Terry Capehart, Municipal Development Director, gave opening comments regarding a request for a zoning change from Light Industrial (LI) District to Multi-Family (MF-22) District on property located on S. Catherine between E. Cottage St and E. Rochester St; being Lots 1-4, Block 22, Terrell Original Addition, City of Terrell, Kaufman County, Texas.

No one spoke in opposition of a zoning change.

No one spoke in favor of a zoning change.

Mayor Hal Richards closed the public hearing.

- 6.b.) Discuss and Consider a recommendation by the Planning and Zoning Commission regarding approval of Ordinance No. 2625 changing the Zoning Classification from Light Industrial (LI) District to Multi-Family (MF-22) District on property located on S. Catherine between E. Cottage St and E. Rochester St; being Lots 1-4, Block 22, Terrell Original Addition, City of Terrell, Kaufman County, Texas.

Mayor Pro Tem D.J. Ory made a motion to approve a request for a zoning change from Light Industrial (LI) District to Multi-Family (MF-22) District on property located on S. Catherine between E. Cottage St and E. Rochester St; being Lots 1-4, Block 22, Terrell Original Addition, City of Terrell, Kaufman County, Texas. on First Reading. Deputy Mayor Pro Tem Charles Whitaker seconded the motion. Ayes - All. Nays - None

NEW BUSINESS

7. Discuss and Consider Racial Profiling Data Report for Calendar Year 2014.

Jody Lay, Chief of Police, presented to Council for discussion and consideration Racial Profiling Data Report for Calendar Year 2014. Mayor Pro Tem D.J. Ory made a motion to accept the Racial Profiling Data Report for Calendar Year 2014. Deputy Mayor Pro Tem Charles Whitaker seconded the motion. Ayes - All, Nays - None.

8. Discuss and Consider Award of Bid for Airport Utility Improvements 2014.

Mike Mikeska, Assistant City Engineer, presented to Council for discussion and consideration Award of Bid for Airport Utility Improvements 2014. Mayor Pro Tem D.J. Ory made a motion to accept low bid not to exceed \$215,032. Deputy Mayor Pro Tem Charles Whitaker seconded the motion. Ayes - All. Nays - None.

9. Discuss and Consider Ordinance No. 2623 Altering the Prima Facie Speed Limits on SH 34 from Airport Road to the southern City Limits, Within the Corporate Limits of the City of Terrell.

Steve Rogers, City Engineer, presented to Council for discussion and consideration Ordinance No. 2623 Altering the Prima Facie Speed Limits on SH 34 from Airport Road to the southern City Limits, Within the Corporate Limits of the City of Terrell. Mayor Pro Tem D.J. Ory made a motion to approve Ordinance No. 2623 Altering the Prima Facie Speed Limits on SH 34 from Airport Road to the southern City Limits, Within the Corporate Limits of the City of Terrell on First Reading. Councilmember Tommy Spencer seconded the motion. Ayes - All. Nays - None.

10. Discuss and Consider Ordinance No. 2624 Altering the Prima Facie Speed Limits on FM 148 from US 80 to the southern City Limits, Within the Corporate Limits of the City of Terrell.

Steve Rogers, City Engineer, presented to Council for discussion and consideration Ordinance No. 2624 Altering the Prima Facie Speed Limits on FM 148 from US 80 to the southern City Limits, Within the Corporate Limits of the City of Terrell. Mayor Pro Tem D.J. Ory made a motion to approve Ordinance No. 2624 Altering the Prima Facie Speed Limits on FM 148 from US 80 to the southern City Limits, Within the Corporate Limits of the City of Terrell on First Reading. Councilmember Sandra Wilson seconded the motion. Ayes - All. Nays - None.

11. Discuss and Consider bids for demolition of three (3) substandard and dangerous residential structures, City of Terrell, Kaufman County, Texas.

Terry Capehart, Municipal Development Director, presented to Council for discussion and consideration bids for demolition of three (3) substandard and dangerous residential structures, City of Terrell, Kaufman County, Texas. Mayor Pro Tem D.J. Ory made a motion to approve low bid:

Evo Tran	600 College Mound	\$3,500
Evo Tran	714 Newton	\$3,500
Construction Company Group	607 St. Luke	\$4,200

Councilmember Sandra Wilson seconded the motion. Ayes - All. Nays - None.

12. Discuss and Consider Developer's Agreement regarding the Residential Economic Incentive Program for the Vine Street project.

Terry Capehart, Municipal Development Director, presented to Council for discussion and consideration Developer's Agreement regarding the Residential Economic Incentive Program for the Vine Street project. Mayor Pro Tem D.J. Ory made a motion to accept Developer's Agreement regarding the Residential Economic Incentive Program for the Vine Street project. Councilmember Tommy Spencer seconded the motion. Ayes - All. Nays - None.

13. Discuss and Consider Ordinance No. 2629 proposed amendments to Ordinance No. 2533 amending Chapters 4 and 6 of the Code of Ordinances; adding rules regarding certain licensing exemptions as provided by Title 8, Occupations Code of the State of Texas (Sections 1301, 1302 & 1305) as they pertain to maintenance personnel and residential homesteads; Providing for the continuation and adoption by reference of the 2008 National Electrical Code (NEC), 2009 International Code Council Building Codes (ICC) and National Fire Protection Association Codes (NFPA) and certain Local Amendments as enumerated.

Terry Capehart, Municipal Development Director, presented to Council for discussion and consideration Ordinance No. 2629 proposed amendments to Ordinance No. 2533 amending Chapters 4 and 6 of the Code of Ordinances; adding rules regarding certain licensing exemptions as provided by Title 8, Occupations Code of the State of Texas (Sections 1301, 1302 & 1305) as they pertain to maintenance personnel and residential homesteads; Providing for the continuation and adoption by reference of the 2008 National Electrical Code (NEC), 2009 International Code Council Building Codes (ICC) and National Fire Protection Association Codes (NFPA) and certain Local Amendments as enumerated. Mayor Pro Tem D.J. Ory made a motion to approve Ordinance No. 2629 proposed amendments to Ordinance No. 2533 amending Chapters 4 and 6 of the Code of Ordinances; adding rules regarding certain licensing exemptions as provided by Title 8, Occupations Code of the State of Texas (Sections 1301, 1302 & 1305) as they pertain to maintenance personnel and residential homesteads; Providing for the continuation and adoption by reference of the 2008 National Electrical Code (NEC), 2009 International Code Council Building Codes (ICC) and National Fire Protection Association Codes (NFPA) and certain Local Amendments as enumerated on First Reading. Deputy Mayor Pro Tem Charles Whitaker seconded the motion. Ayes - All. Nays - None.

14. Discuss and Consider Terrell Economic Development Corporation Marketing Agreement with Tanger Outlet Mall.

Dawn Steil, Representing Terrell Economic Development Corporation presented to Council for discussion and consideration Terrell Economic Development Corporation Marketing Agreement with Tanger Outlet Mall. Mayor Pro Tem D.J. Ory made a motion to approve Terrell Economic Development Corporation Marketing Agreement with Tanger Outlet Mall not to exceed \$100,000. Councilmember Charles Whitaker seconded the motion. Ayes - All. Nays - None.

15. Discuss and Consider Resolution No.783 Supporting a Grant Application for an Update to the City of Terrell Comprehensive Plan.

Mike Sims, Assistant City Manager, presented to Council for discussion and consideration Resolution No.783 Supporting a Grant Application for an Update to the City of Terrell Comprehensive Plan. Councilmember Sandra Wilson made a motion to approve Resolution No.783 Supporting a Grant Application for an Update to the City of Terrell Comprehensive Plan. Deputy Mayor Pro Tem Charles Whitaker seconded the motion. Ayes - All. Nays - None.

16. Discuss and Consider Resolution No. 784 Supporting a Grant Application for Improvements to the Carnegie Library.

Mike Sims, Assistant City Manager, presented to Council for discussion and consideration Resolution No. 784 Supporting a Grant Application for Improvements to the Carnegie Library. Councilmember Sandra Wilson made a motion a to approve Resolution No. 784 Supporting a Grant Application for Improvements to the Carnegie Library. Deputy Mayor Pro Tem Charles Whitaker seconded the motion. Ayes - All. Naves None.

17. Discuss and Consider City of Terrell Wireless Lease Contract.

John Rounsavall, City Secretary presented to Council for discussion and consideration City of Terrell Wireless Lease Contract. Mayor Pro Tem D.J. Ory made a motion to authorize the City Manager to execute the City of Terrell Wireless Contract. Councilmember Sandra Wilson seconded the motion. Ayes - All. Naves - None.

18. Discuss and Consider Water Tower/Land Lease Agreement.

John Rounsavall, City Secretary presented to Council for discussion and consideration Water Tower/Land Lease Agreement. Mayor Pro Tem D.J. Ory made a motion to authorize the Mayor to execute the Water Tower/Lane Lease Agreement. Councilmember Sandra Wilson seconded the motion. Ayes - All. Naves - None.

19. Discuss and Consider Resolution No. 785 Approving an Extension to the Bank Depository Service Agreement.

John Rounsavall, City Secretary presented to Council for discussion and consideration Resolution No. 785 Approving an Extension to the Bank Depository Service Agreement. Mayor Pro Tem D.J. Ory recused himself from this item. Councilmember Sandra Wilson made a motion to approve Resolution No. 785 Approving an Extension to the Bank Depository Service Agreement. Deputy Mayor Pro Tem Charles Whitaker seconded the motion. Ayes - All. Naves - None.

20. Discuss and Consider Reappointments to the Economic Development Corporation.

Councilmember Sandra Wilson made a motion to reappoint Rick Carmona and Douglas Howie to the Economic Development Corporation Board.

21. 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