SPECIAL CITY COUNCIL MEETING AND WORKSHOP

October 15, 2015

6:00 P.M.

A Special City Council Meeting and Workshop of the Terrell City Council was held on Thursday, October 15, 2015, at 6:00 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 ABSENT
COUNCILMEMBER #4 CHARLES WHITAKER - ABSENT (EXCUSED)
COUNCILMEMBER #5 D.J. ORY

1. Call to order.

Mayor Hal Richards, called the meeting to order.

2. Invocation.

Councilmember D.J. Ory, gave the opening prayer.

PUBLIC HEARING

3. Conduct a Public Hearing and receive comments regarding a proposed annexation of approximately 1037.10 acres being more particularly described as follows; "Tract 1" being a 943.73 acre Political Subdivision situated in the JW Ward Survey, Abstract No. 595, and the JC Hale Survey, Abstract No. 202, the D McIver Survey, Abstract No. 331, the TB Finley Survey, Abstract No. 165 the MC Wing Survey, Abstract No. 512 and the R Turner Survey, Abstract No. 551 of Kaufman County, Texas; and "Tract 2" being a 93.37 acre Political Subdivision situated in the JC Hale Survey, Abstract No. 202, of Kaufman County, Texas.

Mary Gayle Ramsey, City Attorney, gave opening comments regarding a proposed annexation of approximately 1037.10 acres being more particularly described as follows; "Tract 1" being a 943.73 acre Political Subdivision situated in the JW Ward Survey, Abstract No. 595, and the JC Hale Survey, Abstract No. 202, the D McIver Survey, Abstract No. 331, the TB Finley Survey, Abstract No. 165 the MC Wing Survey, Abstract No. 512 and the R Turner Survey, Abstract No. 551 of Kaufman County, Texas; and "Tract 2" being a 93.37 acre Political Subdivision situated in the JC Hale Survey, Abstract No. 202, of Kaufman County, Texas.

Mike Sims, Assistant City Manager, read the Summary Statement regarding the Service Plan for the Annexed Area as follows:

CITY OF TERRELL
Public Hearing Summary Statement Regarding the Service Plan
10/15/2015

1. Kaufman County Sheriff's Department currently provides police protection. Terrell police will become the lead police service for the newly annexed area.

2. Kaufman County Emergency Service District No. 3 currently provides fire services through the Terrell Volunteer Fire Department. The City of Terrell will become the lead service provider for the newly annexed area. In addition, the City has a Mutual Aid Agreement with the Terrell Volunteer Fire Department.

3. The City contracts with Progressive Waste to provide waste management services; property owners may switch upon annexation or may continue with their current waste hauler for up to two (2) years.

4. Residents in the annexed area will have full access to City parks, the City pool, and the City library.

5. Existing water service is provided by Rose Hill Special Utility District (SUD). This will continue until the City elects to extend services. This will be based on new development, not on a timeline.

6. Wastewater service is currently provided by on-site septic systems. Based on City guidelines, new public facilities are not warranted at this time. Operation and maintenance of private on-site septic systems will continue to be the owner's responsibility.

7. The portion of County Road 305 in the annexed area will be designated a City street and will be maintained to City standards. IH 20, FM148, and Champion Road will remain State property, with the roadway and right-of-way maintained by TxDOT. Davis Lane and all other private driveways will remain private. No portion of County Road 304 right-of-way is in the current annexation area. It will remain in the Kaufman County roadway system.

8. Enforcement of health ordinances that address concerns such as overgrown weeds and brush, junk and abandoned vehicles, and animal control will begin within sixty (60) days of the annexation's effective date.

9. The City with provide Inspection services including, but not limited to, the review of building plans and issuance of permits (grading, construction, plumbing, mechanical and electrical) as of the date of annexation.

10. The inhabitants of the property annexed shall be entitled to all the rights and privileges of other citizens of the City and they shall be bound by the acts, ordinances, resolutions and regulations of the City.

11. Permanent zoning classifications and land uses will be according to the Terrell Comprehensive Plan, Future Land Use Map, and zoning ordinances. All land annexed will enter the City zoned agricultural.

12. The annexed property will be subject to valuation for City of Terrell property taxes effective January 1, 2016, at the effective rate of $0.69 per $100.00 valuation.

Mayor Hal Richards opened the public hearing.

Citizens who spoke in opposition of Annexation:

Mrs. F.R. Long - 7662 CR 304 - lighting concerns, requesting reflectors.

Norma Hennig - 1450 Champion Road & CR 305 - Amount of taxes we have to pay. Is the city going to allow any grandfathering in? We are an RV park will we continue to pay Kaufman County taxes?

Rosa Allen - PO Box 214, Terrell - (11287 FM 148) Taxes, business taxes, how will it affect the trucking business. When a person chooses to live outside the city they should be allowed to do what you want on your property.

Billy Holmes & Stephanie Thomas (niece) - 11259 CR 305 - Opposes annexation because he is afraid it will affect his cattle business.

John Brown - 10991 N. FM 148 - Concerned about taxes.

Chad Dunn - 10415 CR 305 - Does not see what the city wants 305 for. Doesn't understand the purpose of this and wants to know about future development.

Rick Clark - Is currently building a metal structure and wants to know how this will affect him.

Tim Sanders - Why is the annexation chopped up like it is?

Mike Hennig - Concerned. Spoke about his investment of 125K on septic system. Also concerned about land that is being taxed and service that he won't get. It would be helpful to know what the city's intent is.

Randall Noe - 1608 W. Moore Avenue - 45 acre tract you're taking more taxes and not giving. Don't understand the plan. No growth plan, what services will land owner get? Why is the city taking AG land and taxing it?

Dorcus Wynn - 11237 FM 2578 - Why taking my land and not taking other land that is adjacent to hers?

Citizens who spoke in favor of Annexation:

Danny Booth - Terrell Economic Development - 1314 W. Moore Avenue - Commented that this is a chance to improve the area and that we should be concerned about what the city looks like, must control negative development.

Mayor Hal Richards closed the public hearing.

NEW BUSINESS

4. Discuss a request for approval of an Acquiescence to Encroachment located at 509 Warren Street, being Lot 4, Block 9 of the Warren Addition, City of Terrell; and being the same land described in a deed to Ray Lawrence Witke as recorded in Volume 84, Page 38, Deed Records of Kaufman County, Texas.

Terry Capehart, Municipal Development Director presented to Council for discussion a request for approval of an Acquiescence to Encroachment located at 509 Warren Street, being Lot 4, Block 9 of the Warren Addition, City of Terrell; and being the same land described in a deed to Ray Lawrence Witke as recorded in Volume 84, Page 38, Deed Records of Kaufman County, Texas.

5. Discuss the results of an open bid to mitigate asbestos and demolish the city owned building located at 105 N. Rockwall, being Lots 1A & 1B, Block 106, Western Addition, City of Terrell, Kaufman County, Texas.

Terry Capehart, Municipal Development Director presented to Council for discussion the results of an open bid to mitigate asbestos and demolish the city owned building located at 105 N. Rockwall, being Lots 1A & 1B, Block 106, Western Addition, City of Terrell, Kaufman County, Texas.

6. Discuss a request by the family members of Fred Sr. and Mamie Frazier to add an honorary street name topper (Fred and Mamie Frazier, Sr.) to portions of Rochester Street, from S. Rockwall Street to S. Frances Street in accordance with established city policy for naming or renaming of public facilities, streets and parkland (Resolution 636).

Terry Capehart, Municipal Development Director presented to Council for discussion a request by the family members of Fred Sr. and Mamie Frazier to add an honorary street name topper (Fred and Mamie Frazier, Sr.) to portions of Rochester Street, from S. Rockwall Street to S. Frances Street in accordance with established city policy for naming or renaming of public facilities, streets and parkland (Resolution 636).

7. Discuss appointments and reappointments to the Planning and Zoning Commission.

Terry Capehart, Municipal Development Director presented to Council for discussion appointments and reappointments to the Planning and Zoning Commission.

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

Item passed by Council.

a. Section 551.072 - Deliberations About Real Property.

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

Item passed by Council

10. 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