

REGULAR CITY COUNCIL MEETING

August 16, 2016

7:00 P.M.

A Regular City Council Meeting was held on Tuesday, August 16, 2016, 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 DJ ORY
COUNCILMEMBER #2 TOMMY SPENCER
COUNCILMEMBER #3 SANDRA WILSON
COUNCILMEMBER #4 CHARLES WHITAKER
COUNCILMEMBER #5 TIM ROYSE**

1. Call to order.

Mayor D.J. Ory called the meeting to order.

2. Invocation.

Councilmember Tommy Spencer Gave the Opening Prayer and Led the Pledge of Allegiance.

4. Discuss and Consider Approval of Meeting Minutes of the Special City Council Meeting and Workshop of July 28, 2016 and the Regular City Council Meeting of August 2, 2016.

Mayor Pro Tem Sandra Wilson made a motion to approve the Meeting Minutes of the Special City Council Meeting and Workshop of July 28, 2016 and the Regular City Council Meeting of August 2, 2016. Deputy Mayor Pro Tem Charles Whitaker Seconded the Motion. Ayes – All. Nays – None.

3. Introduction of Youth Recreational Manager.

Torry Edwards, City Manager, Introduced Preston Darby, Youth Recreational Manager.

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

- 6.a. Conduct a Public Hearing to Receive Comments Regarding A Recommendation By The Planning And Zoning Commission To Approve A Request To Establish Permanent Zoning On Eight Tracts Of Land Annexed Into The City Of Terrell Under Ordinance No. 2668. The Proposal Would Zone Four Of The Tracts To EE-32 Executive Estate And Four Of The Tracts To HC Highway Corridor. The Property Is Located In The Vicinity Of County Road 305, Interstate Highway 20, FM 148, And County Road 304 And Is Currently Zoned AG Agricultural.

Charles Fenner, Muncipal Development Director, gave opening comments regarding a Public Hearing to Receive Comments Regarding A Recommendation By The Planning And Zoning Commission To Approve A Request To Establish Permanent Zoning On Eight Tracts Of Land Annexed Into The City Of Terrell Under Ordinance No. 2668. The Proposal Would Zone Four Of The Tracts To EE-32 Executive Estate And Four Of The Tracts To HC Highway Corridor. The Property Is Located In The Vicinity Of County Road 305, Interstate Highway 20, FM 148, And County Road 304 And Is Currently Zoned AG Agricultural. Mayor D.J. Ory opened a Public Hearing to Receive Comments Regarding A Recommendation By The Planning And Zoning Commission To Approve A Request To Establish Permanent Zoning On Eight Tracts Of Land Annexed Into The City Of Terrell Under Ordinance No. 2668. The Proposal Would Zone Four Of The Tracts To EE-32 Executive Estate And Four Of The Tracts To HC Highway Corridor. The Property Is Located In The Vicinity Of County Road 305, Interstate Highway 20, FM 148, And County Road 304 And Is Currently Zoned AG Agricultural. No one spoke in favor for or against A Recommendation By The Planning And Zoning Commission To Approve A Request To Establish Permanent Zoning On Eight Tracts Of Land Annexed Into The City Of Terrell Under Ordinance No. 2668. The Proposal Would Zone Four Of The Tracts To EE-32 Executive Estate And Four Of The Tracts To HC Highway Corridor. The Property Is Located In The Vicinity Of County Road 305, Interstate Highway 20, FM 148, And County Road 304 And Is Currently Zoned AG Agricultural. Mayor D.J. Ory closed the Public Hearing.

- 6.b. Discuss and Consider Ordinance No. 2668; An Ordinance Of The City Council Of The City Of Terrell, Kaufman County, Texas, Amending Appendix 2, Zoning Ordinance Of The City Of Terrell By Establishing Permanent Zoning On Eight Tracts Of Land Annexed Into The City Of Terrell Under Ordinance No. 2650 As Shown On The Plats Including Metes And Bounds Attached Hereto As Exhibits 1 Through 8 And Made A Part Hereof For All Purposes With Four Tracts Being Zoned EE-32 Executive Estate And Four Tracts Being Zoned HC Highway Corridor: Providing For Severability And Providing An Effective Date.

Mayor Pro Tem Sandra Wilson made a motion to approve Ordinance No. 2668; An Ordinance Of The City Council Of The City Of Terrell, Kaufman County, Texas, Amending Appendix 2, Zoning Ordinance Of The City Of Terrell By Establishing Permanent Zoning On Eight Tracts Of Land Annexed Into The City Of Terrell Under Ordinance No. 2650 As Shown On The Plats Including Metes And Bounds Attached Hereto As Exhibits 1 Through 8 And Made A Part Hereof For All Purposes With Four Tracts Being Zoned EE-32 Executive Estate And Four Tracts Being Zoned HC Highway Corridor: Providing For Severability And Providing An Effective Date. Tommy Spencer seconded the motion. Ayes – All. Nays – None. Motion Carried.

- 7.a. Conduct a Public Hearing to Receive Comments Regarding A Recommendation By The Planning And Zoning Commission To Approve A Request To Amend Multiple Changes To The Text Of The Terrell Zoning Ordinance Regarding Thrift Stores.

Charles Fenner, Municipal Development Director, gave opening comments regarding a Public Hearing to Receive Comments Regarding A Recommendation By The Planning And Zoning Commission To Approve A Request To Amend Multiple Changes To The Text Of The Terrell Zoning Ordinance Regarding Thrift Stores. Mayor D.J. Ory opened a Public Hearing to Receive Comments Regarding A Recommendation By The Planning And Zoning Commission To Approve A Request To Amend Multiple Changes To The Text Of The Terrell Zoning Ordinance Regarding Thrift Stores. No one spoke in favor for or against A Recommendation By The Planning And Zoning Commission To Approve A Request To Amend Multiple Changes To The Text Of The Terrell Zoning Ordinance Regarding Thrift Stores. No one spoke in favor for or against A Recommendation By The Planning And Zoning Commission To Approve A Request To Amend Multiple Changes To The Text Of The Terrell Zoning Ordinance Regarding Thrift Stores. Mayor D.J. Ory closed the Public Hearing.

- 7.b. Discuss and Consider Ordinance No. 2669; An Ordinance Of The City Council Of The City Of Terrell, Kaufman County, Texas, Amending Appendix 2, Zoning Ordinance Of The City Of Terrell By Amending Section 32, Use Regulations (Charts) Chart 8, Retail Uses, Non-Residential Zoning Districts, By Eliminating Secondhand Thrift Store Or Used Merchandise (Inside Only) And Adding Thrift Store (No Outside Storage Or Display) In The Commercial (C) Zoning District By Specific Use Permit Subject To The Provisions Of Article V, Section 42.6; Amending Article V, Section 42, Special Regulations For Certain Types Of Uses By Eliminating Language In Existing Section 42.6 And Adding New Section 42.6 Requiring A Minimum Separation Of 1,000 Feet From A Residential District Boundary, The Central Business District, An Area Designated For Agricultural Purposes, And/Or Any Planned Development District That Allows Residential Uses; Amending Section 44.1 Definitions, By Eliminating Used Merchandise Store And Adding A Definition For Thrift Store; Providing For Severability And Providing An Effective Date.

Mayor Pro Tem Sandra Wilson made a motion to approve Ordinance No. 2669; An Ordinance Of The City Council Of The City Of Terrell, Kaufman County, Texas, Amending Appendix 2, Zoning Ordinance Of The City Of Terrell By Amending Section 32, Use Regulations (Charts) Chart 8, Retail Uses, Non-Residential Zoning Districts, By Eliminating Secondhand Thrift Store Or Used Merchandise (Inside Only) And Adding Thrift Store (No Outside Storage Or Display) In The Commercial (C) Zoning District By Specific Use Permit Subject To The Provisions Of Article V, Section 42.6; Amending Article V, Section 42, Special Regulations For Certain Types Of Uses By Eliminating Language In Existing Section 42.6 And Adding New Section 42.6 Requiring A Minimum Separation Of 1,000 Feet From A Residential District Boundary, The Central Business District, An Area Designated For Agricultural Purposes, And/Or Any Planned Development District That Allows Residential Uses; Amending Section 44.1 Definitions, By Eliminating Used Merchandise Store And Adding A Definition For Thrift Store; Providing For Severability And Providing An Effective Date. Councilmember Tommy Spencer seconded the motion. Ayes – Tommy Spencer, Sandra Wilson, Tim Royse, D.J. Ory. Nays – Charles Whitaker. Motion Carried.

8.a. Conduct a Public Hearing to Receive Comments Regarding Utility Rate Increase.

John Rounsavall, City Secretary, gave opening comments regarding a Public Hearing to Receive Comments Regarding Utility Rate Increase. Mayor D.J. Ory opened a Public Hearing to Receive Comments Regarding Utility Rate Increase. No one spoke in favor for or against a Utility Rate Increase. Mayor D.J. Ory closed the Public Hearing.

8.b. Discuss and Consider Ordinance No. 2670: An Ordinance Of The City Of Terrell, Texas, Amending Appendix 1, Fee Schedule, Section 27: Water Service Rates And Charges, Paragraphs (1) Through (4) And Section 28: Sewer Service Rates And Charges, Paragraph (1) Of The Revised Code Of Ordinances Of The City Of Terrell, Texas; Providing For Repeal Of Conflicting Ordinances; Providing For Severability And Providing An Effective Date.

Mayor Pro Tem Sandra Wilson made a motion to approve Ordinance No. 2670: An Ordinance Of The City Of Terrell, Texas, Amending Appendix 1, Fee Schedule, Section 27: Water Service Rates And Charges, Paragraphs (1) Through (4) And Section 28: Sewer Service Rates And Charges, Paragraph (1) Of The Revised Code Of Ordinances Of The City Of Terrell, Texas; Providing For Repeal Of Conflicting Ordinances; Providing For Severability And Providing An Effective Date. Deputy Mayor Pro Tem Charles Whitaker seconded the motion. Motion Carried.

9.a. Conduct a Public Hearing to Receive Comments Regarding Fiscal Year 2016-2017 Budget

John Rounsavall, City Secretary, gave opening comments regarding a Public Hearing to Receive Comments Regarding Fiscal Year 2016-2017 Budget. Mayor D.J. Ory opened a Public Hearing to receive comments regarding Fiscal Year 2016-2017 Budget. No one spoke in favor for or against Fiscal Year 2016-2017 Budget. Mayor D.J. Ory closed the Public Hearing.

9.b. Discuss and Consider Ordinance No. 2671; An Ordinance Of The City Of Terrell, Texas Approving And Adopting A Budget For The Fiscal Year Beginning October 1, 2016, And Ending September 30, 2017; Providing That Expenditures For Said Fiscal Year Shall Be Made In Accordance With Said Budget; Appropriating And Setting Aside The Necessary Funds Out Of The General Fund And Other Fund Revenues For Said Fiscal Year For The Maintenance And Operation Of The Various Departments And For Various Activities And Improvements Of The City; Providing A Repealing Clause; Providing A Severability Clause And Providing An Effective Date.

Mayor Pro Tem Sandra Wilson made a motion to approve Ordinance No. 2671; An Ordinance Of The City Of Terrell, Texas Approving And Adopting A Budget For The Fiscal Year Beginning October 1, 2016, And Ending September 30, 2017; Providing That Expenditures For Said Fiscal Year Shall Be Made In Accordance With Said Budget; Appropriating And Setting Aside The Necessary Funds Out Of The General Fund And Other Fund Revenues For Said Fiscal Year For The Maintenance And Operation Of The Various Departments And For Various Activities And Improvements Of The City; Providing A Repealing Clause; Providing A Severability Clause And Providing An Effective Date. Deputy Mayor Pro Tem Charles Whitaker seconded the motion. Ayes – All. Nays – None. Motion Carried.

- 10.a. Conduct a Public Hearing to Receive Comments Regarding 2016 Tax Rate Increase for Fiscal Year 2016-2017.

John Rounsavall, City Secretary, gave opening comments regarding a Public Hearing to Receive Comments Regarding 2016 Tax Rate Increase for Fiscal Year 2016-2017. Mayor D.J. Ory opened a Public Hearing to Receive Comments Regarding 2016 Tax Rate Increase for Fiscal Year 2016-2017. No one spoke in favor for or against 2016 Tax Rate Increase for Fiscal Year 2016-2017. Mayor D.J. Ory closed the Public Hearing.

- 10.b. Discuss and Consider Ordinance No. 2672; An Ordinance Of The City Of Terrell, Texas, Fixing The Tax Rate Of All Taxable Property Within The City Of Terrell, Texas, For Fiscal Year 2016-2017 And Levying And Ordering Collection For The Year 2016 And Providing A Lien On All Real And Personal Property To Secure The Payment Of Taxes Assessed; Containing A Severability Clause; Repealing All Ordinances And Parts Thereof In Conflict Herewith And Providing An Effective Date.

Mayor Pro Tem Sandra Wilson made a motion to approve Ordinance No. 2672; An Ordinance Of The City Of Terrell, Texas, Fixing The Tax Rate Of All Taxable Property Within The City Of Terrell, Texas, For Fiscal Year 2016-2017 And Levying And Ordering Collection For The Year 2016 And Providing A Lien On All Real And Personal Property To Secure The Payment Of Taxes Assessed; Containing A Severability Clause; Repealing All Ordinances And Parts Thereof In Conflict Herewith And Providing An Effective Date. Councilmember Tommy Spencer seconded the motion. Ayes – All. Nays – None. Motion Carried.

NEW BUSINESS

11. Discuss and Consider Options for New City Logo.

Torry Edwards, City Manager, presented to Council for Discussion and Consideration Options for New City Logo. Councilmember Tim Royses made a motion to approve Options for New City Logo. Deputy Mayor Pro Tem Charles Whitaker seconded the motion . Ayes – All. Nays – None. Motion Carried.

12. Discuss and Consider Award of Bid For Asbestos Abatement And Demolition Of Vacant Substandard Structure Located At 502 W. College Street, Western Block 100 & Block 100 & W. ½ Hattie Street, City Of Terrell, Kaufman County, Texas – Bid No. 08-02-16.

Charles Fenner, Municipal Development Director, presented to Council for Discussion and Consideration Award of Bid For Asbestos Abatement And Demolition Of Vacant Substandard Structure Located At 502 W. College Street, Western Block 100 & Block 100 & W. ½ Hattie Street, City Of Terrell, Kaufman County, Texas – Bid No. 08-02-16. Mayor Pro Tem Sandra Wilson made a motion to award bid to Arc Abatement, Inc. in the amount of \$41,314.00. Deputy Mayor Pro Tem Charles Whitaker seconded the motion. Ayes – All. Nays – None. Motion Carried.

13. Discuss and Consider Building and Standards Commission Board appointment.

Councilmember Tim Royse, made a motion to appoint Laurie Blair to replace Robert Brown on the Building and Standards Commission Board. Mayor Pro Tem Sandra Wilson seconded the motion. Ayes – All. Nays – None.

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

- a. **551.071 – Consultations with Attorney - Pending or Contemplated Litigation.**
- b. **551.074 - Personnel Matters - City Manager Evaluation.**

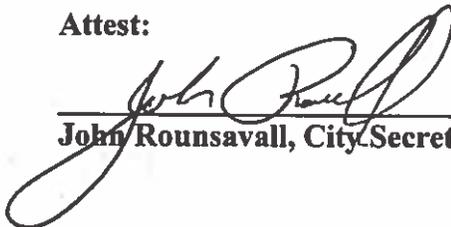
15. **Reconvene into Regular Session and Consider Action, if any, on Items Discussed in Executive Session.**

There was no action was taken

16. **Adjourn.**

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

Attest:



John Rounsavall, City Secretary



DJ Ory, Mayor