

## **REGULAR CITY COUNCIL MEETING**

**January 19, 2016**

**7:00 P.M.**

**A Regular City Council Meeting was held on Tuesday, January 19, 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 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.

Councilmember D.J. Ory gave the opening prayer and led the Pledge of Allegiance.

3. Discuss and Consider Approval of Meeting Minutes of the Special City Council Meeting and Workshop of January 5, 2016, and the Regular City Council Meeting of January 5, 2016.

Councilmember Sandra Wilson made a motion to approve Meeting Minutes of the Special City Council Meeting and Workshop of January 5, 2016, and the Regular City Council Meeting of January 5, 2016. Mayor Pro Tem Charles Whitaker seconded the motion. Ayes - All. Nays - None. Motion Carried.

4. Hear Remarks from Visitors.

There were no remarks from visitors.

### **NEW BUSINESS**

5. Discuss and Consider Ordinance No. 2652; An Ordinance of the City of Terrell, Texas, Amending the Annual Budget for the Year Beginning October 1, 2015, and Ending September 30, 2016, as Passed and Adopted on September 15, 2015, to Provide for Increases in Certain Accounts; Providing for Severability; and Providing an Effective Date.

John Rounsavall, City Secretary, and Mike Sims, Assistant City Manager, presented to Council for Discussion and Consideration Ordinance No. 2652; An Ordinance of the City of Terrell, Texas, Amending the Annual Budget for the Year Beginning October 1, 2015, and Ending September 30, 2016, as Passed and Adopted on September 15, 2015, to Provide for Increases in Certain Accounts; Providing for Severability; and Providing an Effective Date. Councilmember Sandra Wilson made a motion to approve Ordinance No. 2652; An Ordinance of the City of Terrell, Texas, Amending the Annual Budget for the Year Beginning October 1, 2015, and Ending September 30, 2016, as Passed and Adopted on September 15, 2015, to Provide for Increases in Certain Accounts; Providing for Severability; and Providing an Effective Date. Councilmember D.J. Ory seconded the motion. Ayes - All. Nayses - None.

6. Discuss and Consider Appointment to Building Standards Commission (BSC).

Councilmember D.J. Ory, made a motion to appoint Cary Harwell to the Building and Standards Commission (BSC). Councilmember Sandra Wilson seconded the motion. Ayes - All. Nayses - None.

7. Discuss and Consider Appointment to Zoning Board of Adjustments (ZBA).

Mayor Hal Richards, made a motion to table this item. Mayor Pro Tem Charles Whitaker seconded the motion. Ayes - All. Nayses - None.

8. Discuss and Consider Appointment of Board Member to Tax Increment Financing Reinvestment Zone No. 1 Board of Directors.

Mayor Hal Richards, made a motion to appoint Douglas Howie to the Tax Increment Financing Reinvestment Zone No. 1 Board of Directors. Mayor Pro Tem Charles Whitaker seconded the motion. Ayes - All. Nayses - None.

9. Discuss and Consider Appointment of Board Member to Power Center Board of Directors.

Mayor Hal Richards, made a motion to appoint Douglas Howie to the Power Center Board of Directors. Councilmember D.J. Ory seconded the motion. Ayes - All. Nayses - None.

10. Discuss and Consider Appointment of Board Member to Terrell Economic Development Corporation Board of Directors.

Mayor Hal Richards, made a motion to appoint Robert Messer to the Terrell Economic Development Corporation Board of Directors. Councilmember D.J. Ory seconded the motion. Ayes - All. Nayses - None.

11. Discuss and Consider Park Board Member Forfeited Term.

Councilmember D.J. Ory, made a motion to appoint Mayrani Velazquez replacing Chris Pearson to complete his unexpired term.

## CONSENT AGENDA

Councilmember D.J. Ory, made a motion to adopt on CONSENT AGENDA Ordinance No. 2651 on second reading. Councilmember Sandra Wilson seconded the motion. Ayes - All. Nays - None. Motion carried.

12. Discuss and Consider Adoption on Second Reading Ordinance No. 2651; An Ordinance Of The City Of Terrell, Kaufman County, Texas Amending Chapter 3, Animal Control Of The Revised Code Of Ordinances Of The City Of Terrell By Amending Section 8 : Keeping Of Swine Providing For The Repeal Of Conflicting Ordinances; Providing For Severability And Providing An Effective Date.

### Ordinance No. 2651

**AN ORDINANCE OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS AMENDING CHAPTER 3, ANIMAL CONTROL OF THE REVISED CODE OF ORDINANCES OF THE CITY OF TERRELL BY AMENDING SECTION 8 : KEEPING OF SWINE PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL TEXAS:**

### ARTICLE I.

That the Revised Code of Ordinances of the City of Terrell, Chapter 3, Animal Control, Section 8 shall be amended follows:

#### **Section 8: Keeping of Swine**

- A. It shall be unlawful subject to the provisions of subsection B below, for any person to keep or have on his premises any hogs or pigs, other than potbellied pigs within the city limits unless a specific use permit has been granted by the city council in accordance with the city's zoning regulations.
- B. Requirements for Keeping Potbellied Pigs
  - (1) It shall be unlawful for any person to keep, harbor or raise more than two (2) adult potbellied pigs in any one (1) household within the city.
  - (2) It shall be unlawful for any person to keep or maintain potbellied pigs outdoors. A person may permit potbellied pigs outdoors for brief periods, as necessary for exercise or for the elimination of waste. The outdoor area used for exercise and waste elimination must be a secure area from which the potbellied pig may not escape. Potbellied pigs are subject to all other sections of this chapter, including, but not limited to, the sections on restraint of animals.

- (3) All potbellied pigs kept within the city must be either spayed or neutered. Under no circumstances may a person engage in the propagation or breeding of potbellied pigs within the city limits.
- (4) All potbellied pigs kept within the city must be vaccinated against erysipelas, parvo virus and leptospirosis in accordance with all applicable state regulations.
- (5) All potbellied pigs kept within the city must be registered with the animal control officer within fourteen (14) days from the time the animal is taken to its place of residence. The following requirements shall apply to registration of all potbellied pigs;
  - (a) The filing of a health certificate from a licensed veterinarian;
  - ~~(b) Payment of an annual fee of seventy five dollars (\$75.00) to the City Secretary;~~
  - (c) Obtaining a registration tag from the animal control officer.
- (6) All locations where potbellied pigs are kept shall be kept in a clean and sanitary condition. Exercise areas shall be cleaned of swine excrement on a daily basis.

## ARTICLE II.

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

## ARTICLE III.

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 without such unconstitutional phrase, clause, sentence, paragraph or section.

## ARTICLE IV.

This Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

**PASSED AND APPROVED** on first reading this the 5th day of January, 2016.

**PASSED AND ADOPTED** on second reading this the 19th day of January, 2016.

13. Adjourn.

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

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**Hal Richards, Mayor**

**Attest:**

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**John Rounsavall, City Secretary**