

## **SPECIAL CITY COUNCIL MEETING AND WORKSHOP**

**May 12, 2016**

**6:00 P.M.**

**A Special City Council Meeting was held on Thursday, May 12, 2016, 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  
COUNCILMEMBER #4 CHARLES WHITAKER  
COUNCILMEMBER #5 VACANT**

1. Call to order.

Mayor Hal Richards, called the meeting to order.

2. Invocation.

Mayor Pro Tem Charles Whitaker, gave the opening prayer and led the Pledge of Allegiance.

3. Discuss and Consider Award of Project 04-09-16 to Demolish Houses at Various Locations.

Councilmember Sandra Wilson made a motion to award 1212 S. Rockwall to Kennedy Construction, the lowest bidder. Mayor Pro Tem Charles Whitaker seconded the motion. Ayes – All. Nays – None.

Councilmember Sandra Wilson made a motion to award 817 N. Virginia to R-Crow Construction, the lowest bidder. Mayor Pro Tem Charles Whitaker seconded the motion. Ayes – All. Nays – None.

Councilmember Sandra Wilson made a motion to award 606 West End to Kennedy Construction, the lowest bidder. Mayor Pro Tem Charles Whitaker seconded the motion. Ayes – All. Nays – None.

Councilmember Sandra Wilson made a motion to award 305 Lee Street to Pee Paw Enterprise, the lowest bidder. Mayor Pro Tem Charles Whitaker seconded the motion. Ayes – All. Nays – None.

Councilmember Sandra Wilson made a motion to award 812 Griffith to R-Crow Construction, the lowest bidder. Mayor Hal Richards seconded the motion. Ayes – Hal Richards and Sandra Wilson. Nays – Tommy Spencer, and Charles Whitaker. Motion Failed.

4. Discuss Ordinance No. 2661; An Ordinance Of The City Of Terrell, Texas, Granting A Specific Use Permit In The Retail (R) District To Allow A Contractor Office/Shop, With No Outside Storage Including Vehicles, Subject To Approval Of Site Plan, On Lot 1A, Block 61, Original Town, Terrell, Texas, And Being Located At 309 N. Virginia Street, Terrell, Texas; And Being The Southwest Comer Of North Virginia Street And East College Street; Providing For The Repeal Of Conflicting Ordinances; Providing For Severability; And Providing An Effective Date.

Steve Rogers, City Engineer, presented to Council for Discussion Ordinance No. 2661; An Ordinance Of The City Of Terrell, Texas, Granting A Specific Use Permit In The Retail (R) District To Allow A Contractor Office/Shop , With No Outside Storage Including Vehicles, Subject To Approval Of Site Plan, On Lot 1A, Block 61, Original Town, Terrell, Texas, And Being Located At 309 N. Virginia Street, Terrell, Texas; And Being The Southwest Comer Of North Virginia Street And East College Street; Providing For The Repeal Of Conflicting Ordinances; Providing For Severability; And Providing An Effective Date.

5. Discuss Ordinance No. 2662; An Ordinance Of The City Of Terrell, Texas, Granting A Specific Use Permit In The Retail (R) District To Allow An Amusement Arcade Within A Proposed Movie Theater/Bowling Alley Facility Subject To Special Conditions, On An 8.417-Acre Site Within 255.68 Acres Of The J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, Generally Located At The Northwestem Intersection Of FM 148 And Interstate 20, And Being All Of A Called 255.68 Acre Tract As Described In A Foreclosure Sale Deed From 255 Terrell, L.P. To Terrell 80/20 Ltd., Dated October 5, 2010 And Recorded In Document No. 2010-0016297 In The Deed Records Of Kaufman County, Texas; Providing For The Repeal Of Conflicting Ordinances; Providing For Severability; And Providing An Effective Date.

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6. Discuss Ordinance No. 2663; An Ordinance Of The City Of Terrell, Texas, Granting A Specific Use Permit In The Retail (R) District To Allow Billiards/Pool Tables Within A Proposed Movie Theater/Bowling Alley Facility Subject To Special Conditions, On An 8.417-Acre Site Within 255.68 Acres Of The J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, Generally Located At The Northwestem Intersection Of FM 148 And Interstate 20, And Being All Of A Called 255.68 Acre Tract As Described In A Foreclosure Sale Deed From 255 Terrell, L.P. To Terrell 80/20 Ltd., Dated October 5,

2010 And Recorded In Document No. 2010-0016297 In The Deed Records Of Kaufman County, Texas; Providing For The Repeal Of Conflicting Ordinances; Providing For Severability; And Providing An Effective Date.

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7. Discuss Ordinance No. 2664; An Ordinance Of The City Of Terrell, Texas, Changing The Zoning Classification From Retail (R) To Multi-Family 22 (Mf-22) District To Allow The Construction Of Attached Housing Units On Lots 3a, 4a, 4b And 4c, Block 90, Moore And Nash Addition, Terrell, Kaufman County, Texas, Being The Southwest Corner Of East Dallas Street And South Adelaide Street; Being Limited To A Maximum Of Eight (8) Dwelling Units And Height Restricted To One-Story Structures; Providing For The Repeal Of Conflicting Ordinances; Providing For Severability; And Providing An Effective Date.

Steve Rogers, City Engineer, presented to Council for Discussion Ordinance No. 2664; An Ordinance Of The City Of Terrell, Texas, Changing The Zoning Classification From Retail (R) To Multi-Family 22 (Mf-22) District To Allow The Construction Of Attached Housing Units On Lots 3a, 4a, 4b And 4c, Block 90, Moore And Nash Addition, Terrell, Kaufman County, Texas, Being The Southwest Corner Of East Dallas Street And South Adelaide Street; Being Limited To A Maximum Of Eight (8) Dwelling Units And Height Restricted To One-Story Structures; Providing For The Repeal Of Conflicting Ordinances; Providing For Severability; And Providing An Effective Date.

8. Discuss Ordinance No. 2658; An Ordinance Of The City Council Of The City Of Terrell, Kaufman County, Texas, Amending Ordinance No. 2612, Zoning Ordinance Of The City Of Terrell, Texas By Amending Article Iv, Section 32 Use Regulations (Charts) Chart 7, Personal And Service Uses, Non-Residential Zoning Districts, Commercial (C) District, To Add Check Cashing Businesses, Payday Advance/Loan Businesses And Car Title Loan Businesses In The Commercial (C) Zoning District By Specific Use Permit Subject To The Provisions Of Article V, Section 42.8; Amending Article V, Section 42, Special Regulations For Certain Types Of Uses By Adding Section 42.8 Requiring A Minimum Separation Of 1,000 Feet Between A Check Cashing Business, A Payday Advance/Loan Business, And/Or A Car Title Loan Business From A Residential Zoning District Boundary; Amending Section 44.1 Definitions, By Adding Definitions For The Check Cashing Business, The Payday Advance/Loan Business And The Car Title Loan Business; Providing For Severability And Providing An Effective Date.

Greg Shumpert, Assistant City Attorney, presented to Council for Discussion Ordinance No. 2658; An Ordinance Of The City Council Of The City Of Terrell, Kaufman County, Texas, Amending Ordinance No. 2612, Zoning Ordinance Of The City Of Terrell, Texas By Amending Article IV, Section 32 Use Regulations (Charts) Chart 7, Personal And Service Uses, Non-Residential Zoning Districts, Commercial (C) District, To Add Check Cashing Businesses, Payday Advance/Loan Businesses And Car Title Loan Businesses In The Commercial (C) Zoning District By Specific Use Permit Subject To The Provisions Of Article V, Section 42.8; Amending Article V, Section 42, Special Regulations For Certain Types Of Uses By Adding Section 42.8 Requiring A Minimum Separation Of 1,000 Feet Between A Check Cashing Business, A Payday Advance/Loan Business, And/Or A Car Title Loan Business From A Residential Zoning District Boundary; Amending Section 44.1 Definitions, By Adding Definitions For The Check Cashing Business, The Payday Advance/Loan Business And The Car Title Loan Business; Providing For Severability And Providing An Effective Date.

9. Discuss Ordinance No. 2660; An Ordinance Of The City Council Of The City Of Terrell, Texas, Approving A Negotiated Settlement Between The Atmos Cities Steering Committee ("ACSC") And Atmos Energy Corp., Mid-Tex Division Regarding The Company's 2016 Rate Review Mechanism Filings; Declaring Existing Rates To Be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With The Negotiated Settlement; Finding The Rates To Be Set By The Settlement Tariffs To Be Just And Reasonable And In The Public Interest; Requiring The Company To Reimburse ACSC's Reasonable Ratemaking Expenses; Determining That This Ordinance Was Passed In Accordance With The Requirements Of The Texas Open Meetings Act; Adopting A Savings Clause; Declaring An Effective Date; And Requiring Delivery Of This Ordinance To The Company And The A CSC's Legal Counsel.

John Rounsavall, City Secretary, Presented To Council For Discussion Ordinance No. 2660; An Ordinance Of The City Council Of The City Of Terrell, Texas, Approving A Negotiated Settlement Between The Atmos Cities Steering Committee ("ACSC") And Atmos Energy Corp., Mid-Tex Division Regarding The Company's 2016 Rate Review Mechanism Filings; Declaring Existing Rates To Be Unreasonable; Adopting Tariffs That Reflect Rate Adjustments Consistent With The Negotiated Settlement; Finding The Rates To Be Set By The Settlement Tariffs To Be Just And Reasonable And In The Public Interest; Requiring The Company To Reimburse ACSC's Reasonable Ratemaking Expenses; Determining That This Ordinance Was Passed In Accordance With The Requirements Of The Texas Open Meetings Act; Adopting A Savings Clause; Declaring An Effective Date; And Requiring Delivery Of This Ordinance To The Company And The ACSC's Legal Counsel.

10. Discuss Resolution No. 820; A Resolution Of The City Council Of The City Of Terrell, Texas, Supporting Construction Of Single-Family Homes In The Creekside Estates Addition Phase One And Authorizing The City Manager To Negotiate And Execute A Developer's Agreement With Terrell Creekside Development, L.P. And Terrell/Forest Creek Development, Inc.

Steve Rogers, City Engineer, and Torry Edwards, City Manager, presented to Council for Discussion Resolution No. 820; A Resolution Of The City Council Of The City Of Terrell, Texas, Supporting Construction Of Single-Family Homes In The Creekside Estates Addition Phase One And Authorizing The City Manager To Negotiate And Execute A Developer's Agreement With Terrell Creekside Development, L.P. And Terrell/Forest Creek Development, Inc.

11. Discuss Setting Date, Time, and Location for City Council Spring Retreat.

Torry Edwards, City Manager, presented to Council for Discussion Setting Date, Time, and Location for City Council Spring Retreat.

12. Discuss Setting Date, Time, and Location for City Council Budget Retreat.

Torry Edwards, City Manager, presented to Council for Discussion Setting Date, Time, and Location for City Council Budget Retreat.

13. Discuss City Manager's Reports and Correspondence:

- Encourage Council to Submit Individual Budget Item Suggestions.

Council Passed this Item.

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 – Municipal Development Director Vacancy.

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

No action was taken out of Executive Session.

16. Adjourn.

There were no other matters discussed or acted on at this meeting.

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**Hal Richards, Mayor**

**Attest:**

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**John Rounsavall, City Secretary**