

REGULAR CITY COUNCIL MEETING

APRIL 15, 2008

7:00 P.M.

A Regular Meeting of the Terrell City Council was held on Tuesday, April 15, 2008 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 RICKY JORDAN
COUNCILMEMBER #4 JACK JONES
COUNCILMEMBER #5 DON THURMAN

1. Call to order.

Mayor Hal Richards called the meeting to order.

2. Invocation.

Reverend Chuck Schorlemmer gave the opening prayer.

3. Presentation of Proclamation.

Mayor Hal Richards presented a Proclamation proclaiming the month of May as “Motorcycle Safety and Awareness Month”.

4. Discuss and Consider Approval of Special City Council Meeting and Retreat Minutes of March 19-20, 2008 and Regular City Council Meeting Minutes of April 1, 2008.

Mayor Pro tem Ricky Jordan made a motion to approve Special City Council Meeting and Retreat Minutes of March 19-20, 2008 and Regular City Council Meeting Minutes of April 1, 2008. The motion was seconded by Councilmember Don Thurman. Ayes – Hal Richards, Don Thurman, Ricky Jordan and Jack Jones. Councilmember Tommy Spencer not available for vote Motion carried.

5. Hear Remarks from Visitors.

Thomas Brown came before Council to complain about not being awarded a pavement maintenance bid.

PUBLIC HEARING

6.

- a) **Conduct a Public Hearing to receive public comment regarding an Amendment to the Comprehensive Plan and Future Land Use Map to change the current land use designation from Low Density Residential**

Uses to Commercial Uses for property located at 607 W. Nash St., described as Lot 1, Block 112, Western Addition Tilton Resub Life Est of E. M. Robinson, City of Terrell, Kaufman County, Texas.

Terry Capehart, Director of Municipal Development gave opening comments. Mayor Hal Richards opened a Public Hearing to receive public comment regarding an Amendment to the Comprehensive Plan and Future Land Use Map to change the current land use designation from Low Density Residential Uses to Commercial Uses for property located at 607 W. Nash St., described as Lot 1, Block 112, Western Addition Tilton Resub Life Est of E. M. Robinson, City of Terrell, Kaufman County, Texas. Marsha Miller – 8124 Karen Lane, Terrell, Texas spoke for the Amendment. No one spoke against the amendment. Mayor Hal Richards closed the Public Hearing.

- b) Consider Approval of Ordinance No. 2367 - approving an Amendment to the Comprehensive Plan and Future Land Use Map to change the current land use designation from Low Density Residential Uses to Commercial Uses for property located at 607 W. Nash St., described as Lot 1, Block 112, Western Addition Tilton Resub Life Est of E. M. Robinson, City of Terrell, Kaufman County, Texas.**

Councilmember Don Thurman made a motion to approve Ordinance No. 2367 - approving an Amendment to the Comprehensive Plan and Future Land Use Map to change the current land use designation from Low Density Residential Uses to Commercial Uses for property located at 607 W. Nash St., described as Lot 1, Block 112, Western Addition Tilton Resub Life Est of E. M. Robinson, City of Terrell, Kaufman County, Texas. The motion was seconded by Mayor Pro tem Ricky Jordan. Ayes – all; Nays – none. Motion carried.

7.

- c.) Conduct a Public Hearing to receive public comment regarding a Zone Change from Two-Family (2F) to Commercial (C) on property located at 607 W. Nash St., described as Lot 1, Block 112, Western Addition Tilton Resub Life Est of E. M. Robinson, City of Terrell, Kaufman County, Texas.**

Mayor Hal Richards opened a Public Hearing to receive public comment regarding a Zone Change from Two-Family (2F) to Commercial (C) on property located at 607 W. Nash St., described as Lot 1, Block 112, Western Addition Tilton Resub Life Est of E. M. Robinson, City of Terrell, Kaufman County, Texas. No one spoke for or against the Zone Change. Mayor Hal Richards closed the Public Hearing.

- d.) Consider Approval of Ordinance No. 2368 - approving a Zone Change from Two-Family (2F) to Commercial (C) on property located at 607 W. Nash St., described as Lot 1, Block 112, Western Addition Tilton Resub Life Est of E. M. Robinson, City of Terrell, Kaufman County, Texas.**

Deputy Mayor Pro tem Jack Jones made a motion to approve Ordinance No. 2368 - approving a Zone Change from Two-Family (2F) to Commercial (C) on property located

at 607 W. Nash St., described as Lot 1, Block 112, Western Addition Tilton Resub Life Est of E. M. Robinson, City of Terrell, Kaufman County, Texas. The motion was seconded by Mayor Pro tem Ricky Jordan. Ayes – all; Nays – none. Motion carried.

NEW BUSINESS

- 8. Discuss and consider approval of a request to vacate a Plat for Lots 2, 3 and 4, Block A, of the Venture Addition Phase 1, being generally located south of Interstate 20 and west of Tanger Mall, being situated in the Ransom Sowell Survey, Abstract No. 443, City of Terrell, Kaufman County, Texas.**

Terry Capehart, Director of Municipal Development presented to Council for discussion and consideration a request to vacate a Plat for Lots 2, 3 and 4, Block A, of the Venture Addition Phase 1, being generally located south of Interstate 20 and west of Tanger Mall, being situated in the Ransom Sowell Survey, Abstract No. 443, City of Terrell, Kaufman County, Texas. Councilmember Don Thurman made a motion to approve a request to vacate a Plat for Lots 2, 3 and 4, Block A, of the Venture Addition Phase 1, being generally located south of Interstate 20 and west of Tanger Mall, being situated in the Ransom Sowell Survey, Abstract No. 443, City of Terrell, Kaufman County, Texas. The motion was seconded by Deputy Mayor Pro tem Jack Jones. Ayes – all; Nays – none. Motion carried.

- 9. Receive and Consider Financial Audit Report for Fiscal Year 2006-2007.**

John Manning representing Pattillo, Brown and Hill presented to Council for consideration the Financial Audit Report for Fiscal Year 2006-2007. Deputy Mayor Pro tem Jack Jones made a motion to approve the Financial Audit Report for Fiscal Year 2006-2007. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

- 10. Discuss and Consider Approval of Agreement Between City of Terrell and Terrell Volunteer Fire Department.**

Jim Harper, Fire Chief requested Council to give the Volunteer organization the opportunity to review the Contract. Councilmember Tommy Spencer made a motion to table this item to May 1, 2008. The motion was seconded by Deputy Mayor Pro tem Jack Jones. Ayes – all; Nays – none. Motion carried.

- 11. Discuss and Consider Approval of Proposal for Emergency Notification System.**

Jim Harper, Fire Chief presented to Council for discussion and consider a Proposal for Emergency Notification System. Councilmember Don Thurman made a motion to authorize the City Manager to execute the contract for Emergency Notification System. The motion was seconded by Mayor Pro tem Ricky Jordan. Ayes – all; Nays – none. Motion carried.

12. Discuss and Consider Approval of Resolution No. 602 – Supporting the Design and Construction of Auto Parking, Entrance Road and Terminal Building.

Mayor Hal Richards and Steve Rogers, City Engineer presented to Council for discussion and Resolution No. 602 – Supporting the Design and Construction of Auto Parking, Entrance Road and Terminal Building. Deputy Mayor Pro tem Jack Jones made a motion to approve Resolution No. 602 – Supporting the Design and Construction of Auto Parking, Entrance Road and Terminal Building. The motion was seconded by Councilmember Don Thurman. Ayes – all; Nays – none. Motion carried.

RESOLUTION NO. 602

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TERRELL SUPPORTING THE DESIGN AND CONSTRUCTION OF AUTO PARKING, ENTRANCE ROAD AND TERMINAL BUILDING.

WHEREAS, the CITY OF TERRELL intends to make certain improvements to the TERRELL MUNICIPAL AIRPORT; and

WHEREAS, the general description of the project is described as the design and construction of auto parking, entrance road and terminal building.

WHEREAS, the CITY OF TERRELL intends to request financial assistance from the Texas Department of Transportation for these improvements; and

WHEREAS, the total project cost are estimated to be \$2,635,000, and the City of Terrell will be responsible for 50% of the total project costs currently estimated to be \$1,317,500; and

WHEREAS, the CITY OF TERRELL names the Texas Department of Transportation as its agent for the purposes of applying for, receiving and disbursing all funds for these improvements and for the administration of contracts necessary for the implementation of these improvements.

NOW, THEREFORE, BE IT RESOLVED, that the CITY OF TERRELL hereby directs the CITY MANAGER to execute on behalf of the CITY OF TERRELL, at the appropriate time, and with the appropriate authorizations of this governing body, all contracts and agreements with the State of Texas, represented by the Texas Department of Transportation, and such other parties as shall be necessary and appropriate for the implementation of the improvements to the TERRELL MUNICIPAL AIRPORT.

PASSED and APPROVED this 15th day of April, 2008.

13. Discuss and Consider Bid and Award of Contract for Project 08-62-02 – Market Center Lift Station Repairs.

Steve Rogers, City Engineer presented to Council for discussion and consideration Bid and Award of Contract for Project 08-62-02 – Market Center Lift Station Repairs. Mayor Pro tem Ricky Jordan made a motion to reject bids for Project 08-62-02 – Market Center Lift Station Repairs and re-bid. The motion was seconded by Councilmember Don Thurman. Ayes – all; Naves – none. Motion carried.

14. Discuss and Consider Bid and Award of Contract for Project 08-26-01 – 2008 Park Improvements.

Steve Rogers, City Engineer presented to Council for discussion and consideration Bid and Award of Contract for Project 08-26-01 – 2008 Park Improvements. Deputy Mayor Pro tem Jack Jones made a motion award Contract for Project 08-26-01 – 2008 Park Improvements to low bidder Brown’s Construction in the amount of \$83,673.55. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Naves – none. Motion carried.

CONSENT AGENDA

15. Discuss and Consider Adoption on Second Reading of Ordinance No. 2366 – Budget Amendment.

Councilmember Don Thurman made a motion to Adoption on Second Reading of Ordinance No. 2366 – Budget Amendment. The motion was seconded by Mayor Pro tem Ricky Jordan. Ayes – all; Naves – none. Motion carried.

ORDINANCE NO. 2366

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING THE ANNUAL BUDGET FOR THE YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008, AS PASSED AND ADOPTED ON SEPTEMBER 25, 2007 TO PROVIDE FOR INCREASES IN CERTAIN ACCOUNTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION I.

The following funds are amended to reflect the following in the budget:

<u>GENERAL FUND</u>	BUDGETED	AMOUNT	AMENDED
<u>REVENUES</u>			
010-00-3801 Terrell Police Department	\$ 10,306.72	\$ 5,352.89	\$15,659.61
010-00-3818 Other	\$-0-	\$35,000.00	\$35,000.00

010-00-3835 Lone Star Library Grant	\$ 4,656.00	\$ 4,807.00	\$ 9,463.00
<u>GENERAL FUND</u>	BUDGETED	AMOUNT	AMENDED
<u>EXPENDITURES</u>			
<u>Legislative</u>			
010-11-4408 AutoZone Chapter 380 Rebate	\$300,000.00	\$105,920.24	\$405,920.24
<u>Information Technology</u>			
010-14-4304 Automated Equipment Maintenance General Fund	\$ 40,000.00	\$20,000.00	\$60,000.00
<u>Municipal Building</u>			
010-16-4320 Buildings	\$100,000.00	\$35,000.00	\$135,000.00
<u>Police Service</u>			
010-32-4105 Overtime	\$ 87,006.72	\$ 5,352.89	\$ 92,359.61
<u>Library</u>			
010-34-4291 Lone Star Library Grant	\$ 4,700.00	\$ 4,763.00	\$ 9,463.00

SECTION II.

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

SECTION 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 unconstitutionally shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the city council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION IV.

This Ordinance will 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 this the 1st day of April, 2008.
 Passed and Adopted on this the 15th day of April, 2008.

END OF CONSENT AGENDA

16. Receive City Manager's Reports and Correspondence: City of Terrell Presentation to DFW Mayors' Conference.

City Manager Torry Edwards presented Reports and Correspondence to Council.

17. 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