

REGULAR CITY COUNCIL MEETING

AUGUST 19, 2008

7:00 P.M.

A Regular Meeting of the Terrell City Council was held on Tuesday, August 5, 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.

Deputy Mayor Pro tem Don Thurman gave the opening prayer.

3. Discuss and Consider Approval of Special City Council Workshop and Retreat Minutes of July 17-18, 2008, Special City Council Meeting and Workshop Minutes of August 1, 2008 and Regular City Council Meeting Minutes of August 5, 2008.

Councilmember Ricky Jordan made a motion to approve Special City Council Workshop and Retreat Minutes of July 17-18, 2008, Special City Council Meeting and Workshop Minutes of August 1, 2008 and Regular City Council Meeting Minutes of August 5, 2008. The motion was seconded by Deputy Mayor Pro tem Don Thurman. Ayes – all; Nays – none. Motion carried.

4. Hear Remarks from Visitors.

Melissa Alphin expressed her concern to the Council regarding the Hospital closure.
Denise Cregan expressed her concern to the Council regarding the Hospital closure.

PUBLIC HEARING

5. Conduct a Public Hearing to Receive Comment Regarding the Proposed Ad Valorem Tax Rate.

John Rounsavall, City Secretary/Finance Director gave opening comments regarding the Proposed Ad Valorem Tax Rate. Mayor Hal Richards opened a Public Hearing to Receive Comment Regarding the Proposed Ad Valorem Tax Rate. No one spoke for or against the Proposed Ad Valorem Tax Rate. Mayor Hal Richards closed the Public Hearing.

6. Conduct a Public Hearing to Receive Comment Regarding the Fiscal Year 2008-2009 Budget.

John Rounsavall, City Secretary/Finance Director gave opening comments regarding the Fiscal Year 2008-2009 Budget. Mayor Hal Richards opened a Public Hearing to Receive Comment Regarding the Fiscal Year 2008-2009 Budget. No one spoke for or against the Fiscal Year 2008-2009 Budget. Mayor Hal Richards closed the Public Hearing.

7.

a.) Conduct a Public Hearing to Receive Comment Regarding Amending Appendix 1, Fee Schedule, Section 27: Water Services Rates Paragraphs (1) through (7).

John Rounsavall, City Secretary/Finance Director gave opening comments Regarding Amending Appendix 1, Fee Schedule, Section 27: Water Services Rates Paragraphs (1) through (7). Mayor Hal Richards opened a Public Hearing to Receive Comment Regarding Amending Appendix 1, Fee Schedule, Section 27: Water Services Rates Paragraphs (1) through (7). No one spoke for or against Amending Appendix 1, Fee Schedule, Section 27: Water Services Rates Paragraphs (1) through (7). Mayor Hal Richards closed the Public Hearing.

b.) Discuss and Consider Approval of Ordinance No. 2376 - Amending Appendix 1, Fee Schedule, Section 27: Water Services Rates Paragraphs (1) through (7).

Deputy Mayor Pro tem Don Thurman made a motion to approve Ordinance No. 2376 - Amending Appendix 1, Fee Schedule, Section 27: Water Services Rates Paragraphs (1) through (7) on first reading. The motion was seconded by Councilmember Ricky Jordan. Ayes – all; Nays – none. Motion carried.

ORDINANCE NO. 2376

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING APPENDIX 1, FEE SCHEDULE, SECTION 27: WATER SERVICE RATES, PARAGRAPHS (1) THROUGH (7) 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.

8.

c.) Conduct a Public Hearing to Receive Comment Regarding amending the comprehensive zoning ordinance (ord. 2371) and establishing specific use permit number sixteen (sup-16) for a governmental service facility on property located at 287 F.M. 429 North, being a 22.080 acre tract of land,

being Lot 1, Precinct Three Maintenance Facility Addition and being situated partly in the W.M. McMurry Survey, Abstract No. 348 and the W.C. Moody Survey, Abstract No. 322, City of Terrell, Kaufman County, Texas.

Terry Capehart, Director of Municipal Development gave opening comments Regarding amending the comprehensive zoning ordinance (ord. 2371) and establishing specific use permit number sixteen (sup-16) for a governmental service facility on property located at 287 F.M. 429 North, being a 22.080 acre tract of land, being Lot 1, Precinct Three Maintenance Facility Addition and being situated partly in the W.M. McMurry Survey, Abstract No. 348 and the W.C. Moody Survey, Abstract No. 322, City of Terrell, Kaufman County, Texas. Mayor Hal Richards recognized Kaufman County Commission Kenneth Schoen and County Chair for the Republican Party Bill Baker. Mayor Hal Richards opened a Public Hearing to Receive Comment Regarding amending the comprehensive zoning ordinance (ord. 2371) and establishing specific use permit number sixteen (sup-16) for a governmental service facility on property located at 287 F.M. 429 North, being a 22.080 acre tract of land, being Lot 1, Precinct Three Maintenance Facility Addition and being situated partly in the W.M. McMurry Survey, Abstract No. 348 and the W.C. Moody Survey, Abstract No. 322, City of Terrell, Kaufman County, Texas. No one spoke for or against amending the comprehensive zoning ordinance (ord. 2371) and establishing specific use permit number sixteen (sup-16) for a governmental service facility on property located at 287 F.M. 429 North, being a 22.080 acre tract of land, being Lot 1, Precinct Three Maintenance Facility Addition and being situated partly in the W.M. McMurry Survey, Abstract No. 348 and the W.C. Moody Survey, Abstract No. 322, City of Terrell, Kaufman County, Texas. Mayor Hal Richards closed the Public Hearing.

- d.) **Discuss and Consider Approval of Ordinance No. 2378 - amending the comprehensive zoning ordinance (ord. 2371) and establishing specific use permit number sixteen (sup-16) for a governmental service facility on property located at 287 F.M. 429 North, being a 22.080 acre tract of land, being Lot 1, Precinct Three Maintenance Facility Addition and being situated partly in the W.M. McMurry Survey, Abstract No. 348 and the W.C. Moody Survey, Abstract No. 322, City of Terrell, Kaufman County, Texas.**

Councilmember Ricky Jordan made a motion to approve Ordinance No. 2378 - amending the comprehensive zoning ordinance (ord. 2371) and establishing specific use permit number sixteen (sup-16) for a governmental service facility on property located at 287 F.M. 429 North, being a 22.080 acre tract of land, being Lot 1, Precinct Three Maintenance Facility Addition and being situated partly in the W.M. McMurry Survey, Abstract No. 348 and the W.C. Moody Survey, Abstract No. 322, City of Terrell, Kaufman County, Texas on first reading. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Naves – none. Motion carried.

ORDINANCE NO. 2378

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE (ORD. 2371) AND ESTABLISHING SPECIFIC USE PERMIT NUMBER SIXTEEN (SUP-16) FOR A GOVERNMENTAL SERVICE FACILITY ON PROPERTY LOCATED AT 287 F.M. 429 NORTH, BEING A 22.080 ACRE TRACT OF LAND, BEING LOT 1, PRECINCT THREE MAINTENANCE FACILITY ADDITION AND BEING SITUATED PARTLY IN THE W.M. McMURRY SURVEY, ABSTRACT NO. 348 AND THE W.C. MOODY SURVEY, ABSTRACT NO. 322, CITY OF TERRELL, KAUFMAN COUNTY, TEXAS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

NEW BUSINESS

9. **Consider all matters incident and related to the issuance and sale of "City of Terrell, Texas, Tax and Waterworks and Sewer System (Limited Pledge) Revenue Certificates of Obligation, Series 2008", including the adoption of an ordinance authorizing the issuance of such certificates of obligation**

Jason Hughes representing First Southwest Company presented to Council for consideration all matters incident and related to the issuance and sale of "City of Terrell, Texas, Tax and Waterworks and Sewer System (Limited Pledge) Revenue Certificates of Obligation, Series 2008", including the adoption of an ordinance authorizing the issuance of such certificates of obligation. Councilmember Ricky Jordan made a motion to adopt Ordinance No. 2379 – Authorizing the Issuance of Certificates of Obligation, Series 2008. The motion was seconded by Mayor Pro tem Jack Jones. Ayes – all; Nays – none. Motion carried.

10. **Discuss and Consider Award of Bid for Project 07-02- Terrell Municipal Airport New City Hangar 2004 NPE Funds, TxDOT Project No. CSJ: 0718TEREL.**

Steve Rogers, City Engineer presented to Council for discussion and consideration Award of Bid for Project 07-02- Terrell Municipal Airport New City Hangar 2004 NPE Funds, TxDOT Project No. CSJ: 0718TEREL. Deputy Mayor Pro tem Don Thurman authorized City Manager to enter into a contract with Coda Construction, Inc. in the amount of \$277,645.08. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

11. **Discuss and Consider Blazing Broncos Track Club Request for Funding.**

Reverend Morgan Hill III representing the Blazing Broncos Track Club presented to Council for discussion and consideration Blazing Broncos Track Club Request for Funding. Mayor Pro tem Jack Jones made a motion to expend \$1,000 from the 2008 budget to meet the request for Mr. Hill's group. The motion was seconded by Deputy Mayor Pro tem Don Thurman. Ayes – all; Nays – none. Motion carried. Mayor Hal Richards instructed staff to develop a budget in the amount of \$4,500 in the 2009 budget.

12. **Discuss and Consider KART Public Transportation Request for Funding.**

Omega Hawkins representing KART Public Transportation presented to Council for discussion and consideration KART Public Transportation Request for Funding. Mayor Pro tem Jack Jones

made a motion to table this item and have staff bring back to Council. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

13. Discuss and Consider Manageable Lifestyle Center Request for Funding.

Billy Gardner representing Manageable Lifestyle Center presented to Council for discussion and consideration Manageable Lifestyle Center Request for Funding. Deputy Mayor Pro tem Don Thurman made a motion to table this item and have staff develop a budget. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

14. Discuss Regional Transportation Issues.

Mike Sims, Assistant City Manager presented to Council for discussion Regional Transportation Issues. There was no action taken on this item.

15. Discuss and Consider Authorizing the City of Terrell to Enter into Discussions with Dallas Area Rapid Transit to Explore Providing Regional Transit Services.

Mike Sims, Assistant City Manager presented to Council for discussion and consideration Authorizing the City of Terrell to Enter into Discussions with Dallas Area Rapid Transit to Explore Providing Regional Transit Services. Deputy Mayor Pro tem Don Thurman made a motion to authorize the Mayor to sign a letter Authorizing the City of Terrell to Enter into Discussions with Dallas Area Rapid Transit to Explore Providing Regional Transit Services. The motion was seconded by Mayor Pro tem Jack Jones. Ayes – all; Nays – none. Motion carried.

CONSENT AGENDA

There were no items on Consent Agenda.

END OF CONSENT AGENDA

16. Receive City Manager's Reports and Correspondence:

City Manager Torry Edwards presented Reports and Correspondence to Council.

- e.) **TML Annual Conference – October 28-31, 2008.**
- f.) **Special City Council Meeting and Workshop Scheduled for Thursday, August 21, 2008.**

17. Adjourn into Executive Session in Accordance with Section 551 of the Texas Government to Discuss Section 551.071 – Consultation with Attorney.

Council adjourned into Executive Session.

18. Reconvene into Regular Session and Consider Action, if any, on Item Discussed in Executive Session.

There was no action taken in Executive Session.

19. 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