

REGULAR CITY COUNCIL MEETING

JULY 15, 2008

7:00 P.M.

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

Deputy Mayor Pro tem Don Thurman gave the opening prayer.

3. Discuss and Consider Approval of Special City Council Meeting and Workshop Minutes of June 12, 2008, Regular City Council Meeting Minutes of June 17, 2008 and Special City Council Meeting and Workshop Minutes of June 19, 2008.

Deputy Mayor Pro tem Don Thurman made a motion to approve Special City Council Meeting and Workshop Minutes of June 12, 2008, Regular City Council Meeting Minutes of June 17, 2008 and Special City Council Meeting and Workshop Minutes of June 19, 2008 with corrections. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

June 19, 2008 Special City Council Meeting and Workshop

3. Discuss Elevated Storage Tank.

Steve Rogers, City engineer and Brian Colthrop representing Freese & Nichols presented to Council for discussion Elevated Storage Tank. There was no action taken on this item.

4. Hear Remarks from Visitors.

None were made.

PUBLIC HEARING

5.
 - a.) **Conduct a Public Hearing to Receive Comment on a Request Regarding a Specific Use Permit for Outside Storage of Landscape Materials Incidental to Business on Property Located at 106 S. Hattie Street, Described as Lot 2A, PT, Block 96, Western Addition, City of Terrell, Kaufman County, Texas.**

Terry Capehart, Director of Municipal Development gave opening comments regarding a Request Regarding a Specific Use Permit for Outside Storage of Landscape Materials Incidental to Business on Property Located at 106 S. Hattie Street, Described as Lot 2A, PT, Block 96, Western Addition, City of Terrell, Kaufman County, Texas and stated for the record the types of materials to be stored are woodchip mulch, pine bark, redwood wood – natural hardwood, decorative gravel, sand, compost, bedding mix and pea gravel. Freddie Kirkpatrick – 106 S. Hattie provided additional comments. Mayor Hal Richards opened a Public Hearing to Receive Comment. No one spoke for or against the Specific Use Permit. Mayor Hal Richards closed the Public Hearing.

- b.) **Discuss and Consider Approval of Ordinance No. 2377 – Approving a Specific Use Permit for Outside Storage of Landscape Materials Incidental to Business on Property Located at 106 S. Hattie Street, Described as Lot 2A, PT, Block 96, Western Addition, City of Terrell, Kaufman County, Texas.**

Councilmember Tommy Spencer made a motion to approve Ordinance No. 2377 - Approving a Specific Use Permit for Outside Storage of Landscape Materials Incidental to Business on Property Located at 106 S. Hattie Street, Described as Lot 2A, PT, Block 96, Western Addition, City of Terrell, Kaufman County, Texas on first reading with materials list added. The motion was seconded by Mayor Pro tem Jack Jones. Ayes – all; Nays – none. Motion carried.

NEW BUSINESS

6. **Discuss and Consider Approval of Final Plat for Lot 1, Precinct Three Maintenance Facility Addition, Generally Located North of US Highway 80 and Northwest of F.M. 429, Being a 22.080 Acre Tract of Land and Part of That Certain Called 103.14 Acre Tract of Land Conveyed to the Shamrath Foundation as Recorded in a Deed in Volume 911, Page 660 of the Deed Records of Kaufman County, and Being Situated Partly in the W.M. McMurry Survey, Abstract 348 and the W.C. Moody survey, Abstract No. 322, City of Terrell, Kaufman County, Texas.**

Terry Capehart, Director of Municipal Development presented to Council for discussion and consideration Final Plat for Lot 1, Precinct Three Maintenance Facility Addition, Generally Located North of US Highway 80 and Northwest of F.M. 429, Being a 22.080 Acre Tract of Land and Part of That Certain Called 103.14 Acre Tract of Land Conveyed

to the Shamrach Foundation as Recorded in a Deed in Volume 911, Page 660 of the Deed Records of Kaufman County, and Being Situated Partly in the W.M. McMurry Survey, Abstract 348 and the W.C. Moody survey, Abstract No. 322, City of Terrell, Kaufman County, Texas. Councilmember Tommy Spencer made a motion to approve Final Plat for Lot 1, Precinct Three Maintenance Facility Addition, Generally Located North of US Highway 80 and Northwest of F.M. 429, Being a 22.080 Acre Tract of Land and Part of That Certain Called 103.14 Acre Tract of Land Conveyed to the Shamrach Foundation as Recorded in a Deed in Volume 911, Page 660 of the Deed Records of Kaufman County, and Being Situated Partly in the W.M. McMurry Survey, Abstract 348 and the W.C. Moody survey, Abstract No. 322, City of Terrell, Kaufman County, Texas. The motion was seconded by Deputy Mayor Pro tem Don Thurman. Ayes – all; Naves – none. Motion carried.

7. Discuss and Consider Proposal to Increase the Total Tax Revenues of the City of Terrell.

John Rounsavall, City Secretary/Finance Director presented to Council for discussion and consideration Proposal to Increase the Total Tax Revenues of the City of Terrell. The two (2) required public hearings are to be held on August 19, 2008 and September 2, 2008 as required by Section 26.05 of the Tax Code. Deputy Mayor Pro tem Don Thurman made a motion to approve Proposal to Increase the Total Tax Revenues of the City of Terrell. The motion was seconded by Councilmember Ricky Jordan. Ayes – all; Naves – none. Motion carried.

8. Discuss and Consider Approval of Resolution No. 608 – Approving and Authorizing Publication of Notice of Intention to Issue Certificates of Obligation for Various Capital Improvements.

Jason Hughes representing First Southwest Company presented to Council for discussion and consideration Resolution No. 608 - Approving and Authorizing Publication of Notice of Intention to Issue Certificates of Obligation for Various Capital Improvements. Mayor Pro tem Jack Jones made a motion to table Resolution No. 608 – Approving and Authorizing Publication of Notice of Intention to Issue Certificates of Obligation for Various Capital Improvements. The motion was seconded by Councilmember Tommy Spencer. Ayes – Jack Jones, Tommy Spencer. Naves – Hal Richards, Don Thurman, Ricky Jordan. Motion fails.

Councilmember Ricky Jordan made a motion to approve Resolution No. 608 – Approving and Authorizing Publication of Notice of Intention to Issue Certificates of Obligation for Various Capital Improvements. The motion was seconded by Deputy Mayor Pro tem Don Thurman. Ayes – Hal Richards, Don Thurman, Ricky Jordan. Naves – Jack Jones, Tommy Spencer. Motion carried.

9. Discuss and Consider Approval of Applications to Youth Advisory Council.

Lynnette Nadeau, Marketing Coordinator presented to Council for discussion and consideration Applications to Youth Advisory Council. Mayor Hal Richards recognized student applicants attending the council meeting Lizzette Valazquez, Fedor Weems, Gary Persall and Britton Tidwell. . Deputy Mayor Pro tem Don Thurman made a motion to approve candidates to the Youth Advisory Council. Lindsey Johnson, Rachel Pool, Jessie Redmon, Cheyenne Self, Lizzette Velazquez, Fedor Weems, Gary Persall, Britton Tidwell. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Naves –none. Motion carried.

10. Discuss and Consider Approval of Lease with Kaufman Area Rural Transportation (KART).

Mike Sims, Assistant City Manager presented to Council for discussion and consideration Lease with Kaufman Area Rural Transportation (KART). Councilmember Ricky Jordan made a motion to approve Lease with Kaufman Area Rural Transportation (KART). The motion was seconded by Deputy Mayor Pro tem Don Thurman. Ayes – all; Naves – none. Motion carried.

11. Discuss and Consider Approval of Lease with No. 1 British Flying Training School Museum, Inc.

Mike Sims, Assistant City Manager presented to Council for discussion and consideration Lease with No. 1 British Flying Training School Museum, Inc. Councilmember Tommy Spencer made a motion to approve Lease with No. 1 British Flying Training School Museum, Inc. The motion was seconded by Councilmember Ricky Jordan. Ayes – all; Naves – none. Motion carried.

12. Discuss Target Vitality Report.

Mike Sims, Assistant City Manager presented to Council for discussion Target Vitality Report. There was no action taken on this item.

13. Discuss and Consider Approval of Ordinance No. 2375 – Amending Chapter 5, Business Regulations, Section 15: Wrecker Service.

Todd Miller, Chief of Police presented to Council for discussion and consideration Ordinance No. 2375 – Amending Chapter 5, Business Regulations, Section 15: Wrecker Service. Deputy Mayor Pro tem Don Thurman made a motion to approve Ordinance No. 2375 – Amending Chapter 5, Business Regulations, Section 15: Wrecker Service on first reading. The motion was seconded by Councilmember Ricky Jordan. Ayes – all; Naves – none. Motion carried.

CONSENT AGENDA

14. Discuss and Consider Adoption on Second Reading Ordinance No. 2374 - Proposed Revisions to the Current Fee Schedule for Building Permits.

Councilmember Ricky Jordan made a motion to adopt on Second Reading Ordinance No. 2374 – Proposed Revisions to the Current Fee Schedule for Building Permits. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nayses – none. Motion carried.

END OF CONSENT AGENDA

15. Receive City Manager’s Reports and Correspondence:

- c.) **City Council Budget Retreat – July 17-18, 2008.**
- d.) **City Council Budget Priorities for Fiscal Year 2008-2009.**

City Manager Torry Edwards presented City Manager’s Reports and Correspondence to Council.

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

This item was passed.

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

This item was passed.

18. Adjourn.

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

Hal Richards, Mayor

Attest:

John Rounsavall, City Secretary