

REGULAR CITY COUNCIL MEETING

MAY 20, 2008

7:00 P.M.

A Regular Meeting of the Terrell City Council was held on Tuesday, May 20, 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 – ABSENT (EXCUSED)
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.

Councilmember Don Thurman gave the opening prayer.

Mayor Hal Richards recognized Ladonna Thurman for attending the meeting.

3. Discuss and Consider Approval of Special City Council Meeting and Workshop Minutes of May 1, 2008 and Regular City Council Meeting Minutes of May 6, 2008.

Councilmember Don Thurman made a motion to approve Special City Council Meeting and Workshop Minutes of May 1, 2008 and Regular City Council Meeting Minutes of May 6, 2008 with corrections. The motion was seconded by Mayor Pro tem Ricky Jordan. Ayes – all; Nays – none. Motion carried.

May 1, 2008

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

Deputy Mayor Pro tem Jack Jones made a motion to authorize the City Manager to execute a contract that will allow the City to acquire a 2.0 acre site for a future water tower. The motion was seconded by Councilmember Tommy Spencer. Ayes – all; Nays – none. Motion carried.

4. Conduct Canvass of Votes for Municipal Election Held May 10, 2008.

Mayor Hal Richards and Deputy Mayor Pro tem Jack Jones conducted Canvass of Votes for Municipal Election Held May 10, 2008. Deputy Mayor Pro tem Jack Jones made a motion to approve Canvass of Votes for Municipal Election Held May 10, 2008:

Ricky Jordan: 59

Laura Dodson: 2

The motion was seconded by Mayor Hal Richards. Ayes – all; Nays – none. Motion carried.

5. Administer Oath of Office to Officers-Elect.

Mary Gayle Ramsey, City Attorney administered the Oath of Office to Don Thurman and Ricky Jordan.

6. Consider Selection of Mayor Pro tem and Deputy Mayor Pro tem.

Mayor Pro tem Ricky Jordan made a motion to appoint Jack Jones as Mayor Pro tem and Don Thurman as Deputy Mayor Pro tem. The motion was seconded by Don Thurman. Ayes – all; Nays – none. Motion carried.

7. Presentation Regarding Atlantic Health Group.

Jerome Mee representing Atlantic Health Group made a Presentation to Council regarding Atlantic Health Group.

8. Hear Remarks from Visitors.

None were made.

PUBLIC HEARING

9.

- 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 Retail Uses for Property Located at 812 N. Park Avenue, Described as Lot 8, Block 6, Warren Addition, City of Terrell, Kaufman County, Texas.**

Terry Capehart, Director of Municipal Development gave the opening comments 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 Retail Uses for Property Located at 812 N. Park Avenue, Described as Lot 8, Block 6, Warren Addition, City of Terrell, Kaufman County, Texas. 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 Retail Uses for Property Located at 812 N. Park Avenue, Described as Lot 8, Block 6, Warren Addition, City of Terrell, Kaufman County, Texas. No one spoke for or against the Amendment to the Comprehensive Plan and Future Land Use Map. Mayor Hal Richards closed the Public Hearing.

- b.) **Discuss and Consider Approval of Ordinance No. 2372 - 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 Retail Uses for Property Located at 812 N. Park Avenue, Described as Lot 8, Block 6, Warren Addition, City of Terrell, Kaufman County, Texas.**

Deputy Mayor Pro tem Don Thurman made a motion to approve Ordinance No. 2372 - 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 Retail Uses for Property Located at 812 N. Park Avenue, Described as Lot 8, Block 6, Warren Addition, City of Terrell, Kaufman County, Texas on first reading. The motion was seconded by Mayor Pro tem Jack Jones. Ayes – all; Nays – none. Motion carried.

ORDINANCE NO. 2372

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP CHANGING THE USE FROM LOW DENSITY RESIDENTIAL TO RETAIL FOR A TRACT OF LAND LOCATED AT 812 N. PARK AVENUE, DESCRIBED AS LOT 8, BLOCK 6, WARREN ADDITION, CITY OF TERRELL, KAUFMAN COUNTY, TEXAS.

PUBLIC HEARING

10.

- c.) **Conduct a Public Hearing to Receive Public Comment Regarding a Zone change from Single Family (1-F2) to Neighborhood Services (NS) on Property Located at 812 N. Park Avenue, Described as Lot 8, Block 6, Warren Addition.**

Terry Capehart, Director of Municipal Development gave opening comments to Council regarding a Zone change from Single Family (1-F2) to Neighborhood Services (NS) on Property Located at 812 N. Park Avenue, Described as Lot 8, Block 6, Warren Addition. Mayor Hal Richards opened a Public Hearing to Receive Public Comment Regarding a Zone change from Single Family (1-F2) to Neighborhood Services (NS) on Property Located at 812 N. Park Avenue, Described as Lot 8, Block 6, Warren Addition. No one spoke for or against the Zone Change. Mayor Hal Richards closed the Public Hearing.

- d.) **Discuss and Consider Approval of Ordinance No. 2373 - Approving a Zone change from Single Family (1-F2) to Neighborhood Services (NS) on Property Located at 812 N. Park Avenue, Described as Lot 8, Block 6, Warren Addition.**

Deputy Mayor Pro tem Don Thurman made a motion to approve Ordinance No. 2373 - Approving a Zone change from Single Family (1-F2) to Neighborhood Services (NS) on Property Located at 812 N. Park Avenue, Described as Lot 8, Block 6, Warren Addition. The motion was made by Councilmember Ricky Jordan. Ayes – all; Nays – none. Motion carried.

11.

- e.) **Conduct a Public Hearing to Receive Public Comment Regarding a Replat of a Certain 13,988 square feet (0.32 acre) Tract of Land in Accordance with Chapter 212.015 of the Texas Local Government Code; Located at 603 Fourth St., Described as Lots 3A, 3B & 4B, Block 17, Johnson Addition, City of Terrell, Kaufman County, Texas.**

Terry Capehart, Director of Municipal Development gave opening comments to Council Regarding a Replat of a Certain 13,988 square feet (0.32 acre) Tract of Land in Accordance with Chapter 212.015 of the Texas Local Government Code; Located at 603 Fourth St., Described as Lots 3A, 3B & 4B, Block 17, Johnson Addition, City of Terrell, Kaufman County, Texas. Mayor Hal Richards opened a Public Hearing to Receive Public Comment Regarding a Replat of a Certain 13,988 square feet (0.32 acre) Tract of Land in Accordance with Chapter 212.015 of the Texas Local Government Code; Located at 603 Fourth St., Described as Lots 3A, 3B & 4B, Block 17, Johnson Addition, City of Terrell, Kaufman County, Texas. No one spoke for or against the Replat. Mayor Hal Richards closed the Public Hearing.

- f.) **Discuss and Consider Approval of a Replat of a Certain 13,988 square feet (0.32 acre) Tract of Land in Accordance with Chapter 212.015 of the Texas Local Government Code; Located at 603 Fourth St., Described as Lots 3A, 3B & 4B, Block 17, Johnson Addition, City of Terrell, Kaufman County, Texas.**

Councilmember Ricky Jordan made a motion to approve Replat of a Certain 13,988 square feet (0.32 acre) Tract of Land in Accordance with Chapter 212.015 of the Texas Local Government Code; Located at 603 Fourth St., Described as Lots 3A, 3B & 4B, Block 17, Johnson Addition, City of Terrell, Kaufman County, Texas. The motion was seconded by Deputy Mayor Pro tem Don Thurman. Ayes – all; Nays – none. Motion carried.

NEW BUSINESS

- 12. Discuss and Consider Approval of Resolution No. 604 - Authorizing the Filing of a Project Application with the North Central Texas Council of Governments for a Regional Solid Waste Program Local Implementation Project.**

Marilyn May representing the Environmental Cooperative presented to Council for discussion and consideration Resolution No. 604 - Authorizing the Filing of a Project Application with the North Central Texas Council of Governments for a Regional Solid Waste Program Local Implementation Project. Mayor Pro tem Jack Jones made a motion to approve Resolution No. 604 - Authorizing the Filing of a Project Application with the North Central Texas Council of Governments for a Regional Solid Waste Program Local Implementation Project. The motion was seconded by Deputy Mayor Pro tem Don Thurman. Ayes – all; Nays – none. Motion carried.

13. Discuss and Consider Approval of Resolution No. 606 - Supporting the Grant Application for Terrell Senior Terraces Phase III to the Texas Department of Housing and Community Affairs.

Terry Capehart, Director of Municipal Development and Barry Halla representing Life Rebuilders, Inc. presented to Council for discussion Resolution No. 606 - Supporting the Grant Application for Terrell Senior Terraces Phase III to the Texas Department of Housing and Community Affairs. This item was passed. There was no action taken.

14. Discuss and Consider Approval of Resolution No. 605 – Supporting Proposed Expansion of the Metropolitan Planning Area Boundary for the Dallas-Fort Worth Region.

Mike Sims, Assistant City Manager presented to Council for discussion and consideration Resolution No. 605 – Supporting Proposed Expansion of the Metropolitan Planning Area Boundary for the Dallas-Fort Worth Region. Mayor Pro tem Jack Jones made a motion to approve Resolution No. 605 - Supporting Proposed Expansion of the Metropolitan Planning Area Boundary for the Dallas-Fort Worth Region. The motion was seconded by Councilmember Ricky Jordan. Ayes – all; Naves – none. Motion carried.

15. Discuss and Consider Appointments to the Planning and Zoning Commission.

Deputy Mayor Pro tem Don Thurman made a motion to re-appoint Bill Baker to the Planning and Zoning Commission. The motion was seconded by Mayor Pro tem Jack Jones. Ayes – all; Naves – none. Motion carried.

16. Discuss and Consider Appointments to the Airport Board.

Councilmember Ricky Jordan made a motion to re-appoint Carlton Tidwell and Charles Carpenter to the Airport Board. The motion was seconded by Deputy Mayor Pro tem Don Thurman. Ayes – all; Naves – none. Motion carried.

17. Discuss and Consider Adoption on Second Reading Ordinance No. 2370 – Amending Chapter 2, Administration, by the Addition of Section 11: Providing for the Creation of the Terrell Youth Advisory Board.

Torry Edwards, City Manager presented to Council for Adoption on Second Reading Ordinance No. 2370 – Amending Chapter 2, Administration, by the Addition of Section 11: Providing for the Creation of the Terrell Youth Advisory Board. Councilmember Ricky Jordan made a motion to adopt Ordinance No. 2370 - Amending Chapter 2, Administration, by the Addition of Section 11: Providing for the Creation of the Terrell Youth Advisory Board. The motion was seconded by Mayor Pro tem Jack Jones. Ayes – all; Naves – none. Motion carried.

CONSENT AGENDA

18. Discuss and Consider Adoption on Second Reading Ordinance No. 2371 - Adopting a New Comprehensive Zoning Ordinance.

Terry Capehart, Director of Municipal Development added for the record Enclosures for safety devices and Storage or warehousing, wholesale distribution and light manufacturing to the ordinance. Deputy Mayor Pro tem Don Thurman made a motion to adopt on Second Reading Ordinance No. 2371 - Adopting a New Comprehensive Zoning Ordinance with correction. The motion was seconded by Mayor Pro tem Jack Jones. Ayes – all; Nays – none. Motion carried.

END OF CONSENT AGENDA

19. Receive City Manager's Reports and Correspondence:

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

- g.) ICSC Conference Update.
- h.) City Council 2008-2009 Budget Priorities.

20. Adjourn into Executive Session in Accordance with Section 551 of the Texas Government Code to Discuss Section 551.071 – Consultation with Attorney – Pending or Contemplated Litigation.

Council adjourned into Executive Session.

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

There was no action taken in Executive Session.

22. 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