

CITY OF SANGER, TEXAS

MINUTES: REGULAR CITY COUNCIL MEETING

Monday, November 5, 2018 - 7:00 PM.

502 Elm Street, Sanger, Texas

COUNCIL MEMBERS PRESENT: Mayor Thomas Muir, Mayor Pro Tem Gary Bilyeu, Councilman Lee Allison, Councilman Bill Boutwell, Councilman David Clark, Councilman Allen Chick.

COUNCIL MEMBERS ABSENT: None

The Mayor and five (5) Council Members were present constituting a quorum.

STAFF MEMBERS PRESENT: City Manager Alina Ciocan; Finance Director Clayton Gray; Director of Development Services/Building Official Ramie Hammonds; Muzaib Ruiz, Planner; City Secretary Cheryl Price, Library Director Audrey Tolle.

1. Call Meeting to Order, Invocation, Pledge of Allegiance.

Mayor Muir called the Monday, November 5th, 2018 City Council Meeting to order at 7:05 PM. The Invocation was given by Councilman Allison and the Pledge of Allegiance was led by Councilman Boutwell.

2. CITIZEN INPUT: (Citizens are allowed 3 minutes to speak. The City Council is unable to respond or to discuss any issues brought up during this section).

No citizens approached the podium who wished to speak.

3. CONSENT AGENDA:

a) Approval of Minutes

1. City Council Regular Meeting, October 1, 2018
2. City Council Regular Meeting, October 15, 2018

Item 3b) was Removed from Consent Agenda so that Councilman Boutwell could vote on the item. He was not present at the last two meetings and noted he would abstain from voting on the approval of the minutes.

A motion was made by Councilman Clark to approve Consent Agenda Item a) 1. City Council Regular Meeting, October 1, 2018; 2. City Council Regular Meeting, October 15, 2018. The motion was seconded by Councilman Allison. The motion to approve carried with a 4-0 vote with Councilman Boutwell abstaining because he was not present at the meetings.

4. Consider Any Items Removed from Consent Agenda.

b) Approval of Interlocal Cooperation Agreement for Library Services Between Denton County and the City of Sanger; Authorizing the Director of Library Services to Execute the Agreement.

A motion was made by Councilman Boutwell to approve the Interlocal Cooperation Agreement for Library Services between Denton County and the City of Sanger and

authorizing the Director of Library Services to Execute the agreement. The motion was seconded by Mayor Pro Tem Bilyeu. The motion to approve carried unanimously with a 5-0 vote.

REGULAR AGENDA

5. **Consider, Discuss and Act on Ordinance No. 11-01-18 – Granting to Waste Connections Lone Star Inc., the Exclusive Right, Privilege, and Franchise for the Term of Five (5) years to Use the Public Streets, Highways, or Thoroughfares Within the City of the Purpose of Engaging in the Business of Collecting, Transporting, Recycling and disposing of Solid Waste Using Roll-Out Containers, Construction Roll-Off Containers From Commercial and Industrial Premises, and Development Projects Within the City, and Other Types of Containers; Approving an Exclusive Franchise Agreement Attached as Exhibit “A” and Authorize the Mayor to Execute the Agreement; Providing a Severability Clause; and Providing an Effective Date.**

City Manager Alina Ciocan summarized that staff was able to negotiate the contract successfully with all of the points which were discussed in the prior City Council meeting. She summarized the following discussion points:

- The agreement covers the option to request that the Service Provider reduce the frequency of service from twice a week to once a week.
- If there is a decision by City Council to change the frequency of service to once a week, the Service Provider will agree to provide larger (95 Gallon) recycle carts as requested by the residents.
- If decision is changed to once a week, the rate will be the rate provided with the Request for Proposal (RFP) in addition to any approved rate increase increments that have occurred prior to the change.
- Provide two (2) special events per year (previously only provided one (1) event).
- Agreed to provide thirteen (13) Recycling containers for City facilities.
- Agreed to provide twenty (20) containers for the annual trash-off.
- Agreed to all reporting as noted in Section 20 of the Agreement.

Staff is satisfied with the contract as presented and recommends approval. Mayor Muir thanked staff for all of the effort spent on this contract. Norm Bulaich, Municipal Marketing Manager, Waste Connections was recognized and introduced Brian Culhane, the Site Manager; and, Marty Grant District, Manager. He thanked the City for the business and confidence in them and for granting them the contract for the next five years. He introduced Brian Culhane the Site Manager who runs the Justin office and Marty Grant District Manager. Mayor Muir thanked them for coming to the meeting. City Manager Alina Ciocan noted to Waste Connections that the City will need a letter from them within 60 days that says they accept the franchise. This was requested per our City Attorney who also reviewed the contract.

A motion was made by Mayor Pro Tem Bilyeu to approve Ordinance No. 11-01-18 – granting to Waste Connections Lone Star Inc., the exclusive right, privilege, and franchise for the term of five (5) years to use the public streets, highways, or thoroughfares within the City for the purpose of engaging in the business of collecting, transporting, recycling and disposing of solid waste using roll-out containers, construction roll-off containers from commercial and industrial premises, and development projects within the City, and other types of containers; approving an

exclusive franchise agreement attached as Exhibit "A" and authorize the Mayor to execute the agreement; providing a severability clause; and providing an effective date. The motion was seconded by Boutwell. The motion to approve carried unanimously with 5-0 vote.

6. **Conduct a Public Hearing for a Replat of Lot 1R, Lot 2R, and Lot 3R, Block A, Sanger Industrial Addition, Being a Replat of Blocks 1, 2, 7 & 8 of Original Town of Sanger in the City of Sanger, Being Approximately 5.06 Acres of Land Situated in the Reuben Bebee Survey, Abstract No. 29 Generally Located East of 2nd Street and North of Bolivar Street.**

Director of Development Services Ramie Hammonds summarized. This is a City property that went before the Planning and Zoning Commission in September of 2017; and, there was no quorum at the following Council Meeting. To be fully transparent they are bringing it before Council tonight. This plat was recommended for approval by the Planning and Zoning Commission and did not go to Council because there was no quorum so it was approved because of the time period requirement. Mayor Muir informed members of the audience that this is a property owned by the City and is being platted by the City. The zoning is also being considered to lower the uses from heavy industrial to a lighter zoning which would be more conducive to the downtown area.

Mayor Muir opened the Public Hearing at 7:18 PM and solicited any persons who wished to speak. There being no citizens approaching the podium who wished to speak, Mayor Muir closed the Public Hearing at 7:19 PM.

7. **Consider, Discuss and Act on a Replat of Lot 1R, Lot 2R, and Lot 3R, Block A, Sanger Industrial Addition, Being a Replat of Blocks 1, 2, 7 & 8 of Original Town of Sanger in the City of Sanger, Being Approximately 5.06 Acres of Land Situated in the Reuben Bebee Survey, Abstract No. 29 Generally Located East of 2nd Street and North of Bolivar Street.**

Director of Development Services Ramie Hammonds summarized. This is basically a replat from four lots to three lots and is putting it into a configuration that is better for development. Mayor Muir noted that in the future there will be a work session and further discussion regarding the property. Ms. Hammonds noted that this will be brought in for zoning change in the future, the larger lot will be brought forward as I-2 to I-1 and the other two lots from I-1 to B-3. There was brief discussion regarding Elm Street which is adjacent to the property.

A motion was made by Mayor Pro Tem Bilyeu to approve the replat of Lot 1R, Lot 2R, and Lot 3R, Block A, Sanger Industrial Addition, being a replat of Blocks 1, 2, 7 & 8 of Original Town of Sanger in the City of Sanger, being approximately 5.06 Acres of land situated in the Reuben Bebee Survey, Abstract No. 29 generally located east of 2nd Street and north of Bolivar Street. The motion was seconded by Councilman Boutwell. There was a brief discussion regarding Elm Street. The motion to approve carried unanimously with a 5-0 vote.

8. **Consider, Discuss and Act on the Final Plat of Lots 1 and 2, Block A, of Lois Business Park Addition, Being 4.29 Acres in the R. Bebee Survey Abstract Number 29, an Addition to the City of Sanger, Generally Located South of Lois Road East and Approximately 1250 Feet East of the Intersection of Lois Road East and I-35 Northbound Service Road.**

Director of Development Services Ramie Hammonds summarized noting that this is the Lois Road Business Park and is located directly to the south of Walmart. The Applicant is proposing to divide this into two lots of approximately two acres each to build approximately two (2) 30,000

square foot warehouses. This went before the Planning and Zoning Commission who recommended approval contingent upon the Civil Plans being completed. The Civil Plans have been approved, and all of the engineer's items have been addressed. Staff recommends approval. She also noted there is a twelve (12) foot access dedicated on the plat; and, there was an additional twelve (12) foot access which was dedicated by separate instrument totaling 24 feet of access dedicated. There was brief discussion and Mayor Pro Tem Bilyeu voiced concern on development in the area and if it was going to be a cohesive development of property and that Council did not want to see patchwork developments. Ms. Hammonds noted that the land directly to the west of the development is owned by the same people and it will be a part of a phased development. They are wanting to come back at a different time to finalize those phases and wanted to start with these two phases first. She did note that the corner piece does not belong to them. City Manager Alina Ciocan noted that a few years back she met with the property owner on this development and they were envisioning an Industrial Park which is being driven by need. She advised that they have about 134 acres in that area. Mayor Muir requested noted that he would like to see a conceptual type plan. Councilman Allison summarized that this is not an unusual requirement to ask from developer. That it should be something that we do with projects such as this so we can see what it would look like. Ms. Hammonds noted that she could visit with the engineer and see if they could provide something. Mayor Pro Tem Bilyeu noted that they are not trying to micro-manage but it is the opportunity for input on what it is going to look like. If we take the time for residential subdivisions we should look at the Commercial and Industrial items in the same way.

A motion was made by Mayor Pro Tem Bilyeu Councilman to approve the final plat of Lots 1 and 2, Block A, of Lois Business Park Addition, being 4.29 Acres in the R. Bebee Survey Abstract Number 29, an addition to the City of Sanger, generally located south of Lois Road East and approximately 1,250 feet east of the intersection of Lois Road East and I-35 northbound service road. The motion was seconded by Councilman Chick. The motion to approve carried unanimously with 5-0 vote.

9. Consider, Discuss and Act on the Minor Plat of Lots 1-3, Block A, of Railroad Avenue Addition, Being 0.667 Acres of Land Situated in the Reuben Bebee Survey A-29, an Addition to the City of Sanger Generally Located Northeast of the Intersection of Railroad Avenue and Smith Street.

Director of Development Services Ramie Hammonds summarized noting this is a piece of property that was one (1) lot and they are dividing it into three (3) lots. It is in the SF-10 zoning district. Two (2) of the lots did not meet the minimum depth for the lots and have been before the Zoning Board of Adjustments and a variance was granted. With the variance approved, the lots do conform and staff recommends approval. There was concern as to how sewer was being brought to the lots and it was noted that it has been taken care of. The property is on the corner of Jones and Smith Streets. The Planning and Zoning Commission recommended approval with a 6-0 vote.

Councilman Allison asked what the concern was about the sewer. There was brief discussion regarding options and details and it was noted that they will bring the sewer down the front of the property.

Councilman Clark asked what the variance was on the depth of the lot that was granted. Ms. Hammonds noted that it was from a 100-foot depth to a 95-foot depth. The lots still meet the minimum square footage.

A motion was made by Councilman Boutwell to approve the minor plat of Lots 1-3, Block A, of Railroad Avenue Addition, being 0.667 acres of land situated in the Reuben Bebee Survey A-29, an addition to the City of Sanger generally located northeast of the intersection of Railroad Avenue and Smith Street. There was minor discussion with the applicant regarding the quality of homes that were to be built. The motion was seconded by Councilman Allison. The motion to approve carried unanimously with a 5-0 vote.

10. INFORMATION ITEMS:

- a. **Monthly Financial Report – September 30, 2018.**
- b. **Capital Projects Recap – October 30, 2018.**
- c. **Disbursements - October 2018**

- City Manager Alina Ciocan noted that the General Fund has exceeded projections and we have collected 106 percent of projected revenues. The General Fund expenditures were at 89 percent and all of the expenditure's categories were within the projections. The exception is Solid Waste where there has been an increase in expenditures, but also an increase in revenues. In the Enterprise Fund we have collected 102 percent water; and, wastewater performed over projections. Electric got very close at 99 percent of projected revenue. Expenditures were at 101% which was due to higher operating costs (purchase of more electricity). Overall, we ended the year in good shape.

City Manager Alina Ciocan noted regarding Capital Projects that there will be a Work Session at the next Council on FM 455. The engineer that is performing the engineering work for TxDOT will be there and speak of the timing and the options we will have for this project. It was noted that the City will use the same engineer.

Councilman Clark asked for an update on McReynolds. It was noted that staff will provide an update.

11. FUTURE AGENDA ITEMS: *(The purpose of this item is to allow the Mayor and members of Council to bring forward items they wish to discuss at a future meeting, A Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting. Items may be placed on a future meeting agenda with a consensus of the Council or at the call of the Mayor).*

Councilman Boutwell noted speed limits in subdivisions and that he did not see any signage in the subdivisions. It was noted that it is a standard in residential areas to be 30 MPH unless otherwise posted.

City Manager Alina Ciocan questioned if the Mayor and Councilmembers were going to be at the next City Council meeting because it is Thanksgiving week. It was noted all Council Members would be at the meeting. She noted there would be a work session at 6:00 PM.

12. ADJOURN.

There being no further business Mayor Muir adjourned the meeting at 7:53 PM.