

**MINUTES: CITY COUNCIL WORK SESSION MINUTES
MARCH 16, 2009**

MEMBERS

**PRESENT: Mayor Joe Higgs, Councilman Garza, Councilman Robert Patton,
Councilman Thomas Muir**

MEMBERS

ABSENT: Councilman Glenn Ervin, Councilman Walker

OTHERS

**PRESENT: Mike Brice City Manager, Rose Chavez City Secretary/Asst. City Manager,
Director of Developer Services Joe Iliff, Bob Koger**

1. Call Meeting to Order.

Mayor Higgs called meeting to order at 6:13 p.m.

2. Discussion on Using Waste Water Tap Fees to Purchase Generator for Waste Water Treatment Plant.

City Manager addressed this item and advised Council that TCEQ (Texas Commission for Environmental Quality) requires emergency backup power source for all wastewater treatment plants. During the time-frame this was required by TCEQ the City was in the process of building the new sewer plant, and this is the reason for delaying the purchase. Since the new sewer plant has been postponed we have to comply with TCEQ requirements. Staff looked at the possibility of having a rental agreement. One company wanted \$3100.00 a month to supply a generator on stand-by basis and another company wanted less. Staff looked at various generators that would supply the capacity to run the plant, and that was also small enough to load on a trailer to utilize at other locations.

City Manager advised this is on the agenda as an action item for Council to approve spending the wastewater tap fee funds for the purchase of a used generator, not to exceed \$25,000. The estimated cost ranges from \$12,000 to \$21,000 plus the cost for the trailer.

Discussion followed concerning the generator. City Manager advised that \$322,468 was the balance in the reserve account. It was determined the used generator has 200 kw power capacity and it is adequate for the plant.

Councilman Muir discussed that if the equipment is kept in operating condition, and if at some point it is no longer utilized by the City as a backup, it can be placed in surplus to recover some of the cost.

City Manager gave a brief update on upcoming proposed legislation concerning the requirement of generators at every well, lift station, and sewer plant as a secondary source of backup power on site.

3. Discussion on the Masonry Ordinance and the Metal Building Ordinance.

City Manager advised that due to time constraint, and the absence of two council members, he would like Council to review their copy of the revisions on the Masonry ordinance. This will be placed on the next City Council work session for further review and discussion.

4. Discussion on Amendment to City Smoking Ban to Include Athletic Fields (Article 8.800).

City Manager advised that he has provided Council with a copy of the Parks Board recommendation concerning amending the City of Sanger Smoking Ordinance #03-04-06 regarding tobacco use on city athletic fields.

Bob Koger, representing the Parks Board, addressed the Council concerning regulating smoking on City youth sports athletic fields. Mr. Koger indicated there are three reasons these facilities should be non-smoking; first the State of Texas has a law that no one under the age of 18 can purchase cigarettes, second every sports activity in America has in their by-laws that the Coaches can not smoke, third issue covers the field itself. There is not a staging area for the youth to practice and the youth are basically practicing all over the field inside the complex. The Parks Board recommendation is that Council designate City athletic fields as non-smoking and to include the amendment to the ordinance by adding Section 8.809 to include the prohibition of smoking inside the parameters of a youth sports complex athletic activity.

Mr. Koger indicated that the definition of a youth sports complex activity included baseball fields; soft ball fields; soccer fields and football fields.

Councilman Patton asked if this is to include all club sport activity, school sponsored activity or any property that has an athletic complex with a fence area.

Mr. Koger indicated the complex does not have to have a fence; it would be regulated by signage. The amendment to the ordinance decreases the involuntary exposure to second hand smoking by individuals who are attending athletic activities on city owned property.

Discussion continued concerning to also prohibit the use of snuff or chewing tobacco in the current ordinance.

Councilman Patton asked that Council needs to possibly discuss this at a later date to get public input.

Councilman Garza indicated that Council took the initiative a year or two ago to prohibit smoking in public restaurants, and these properties were not City owned. Councilman Garza indicated the athletic fields are city owned properties. He expressed he is in support of including all tobacco products.

Councilman Muir indicated he is strongly in support. He explained how second hand smoke affects another individual's civil liberty to breathe clean air; whereas, if it is in their mouth it does not infringe on anyone's civil liberty. He continued to express his views on individuals who smoke versus chewing tobacco.

Discussion continued. Councilman Garza and Council Patton indicated that the ordinance is to include all city-owned athletic competitive facilities.

Councilman Garza expressed that non-smoking should include all athletic facilities and parks.

Bob Koger indicated the Parks Board approved the changes with a 3-2 vote.

Council agreed that this be placed on another work session to allow all the Council to be present to discuss it further.

5. Discussion on Changing the Subdivision Ordinance.

Joe Iliff, Director of Development Services addressed this item and advised that in 2009 the Denton County Clerk's Office made some changes on the process of accepting plats after they were approved by cities. The changes are necessary to match up to the requirements of the County. There were some items that were redundant and outdated that were removed. There was also some language clarification and information that was included when plat applications are submitted. The changes will make it easier for everyone to understand. There are State Laws that regulate when a plat is filed and how long the City has to process the plat.

City Manager advised the changes are mostly "clean-up".

Joe Iliff continued with an explanation of the 2009 schedule for submitting plats; publishing notice; mail-outs; Planning and Zoning, and City Council Meetings.

Discussion concerning the process continued.

6. Overview of Items on Regular Agenda.

7. Adjournment.

Mayor adjourned the meeting.

