

MINUTES: CITY COUNCIL MINUTES
September 21, 2009

PRESENT: Mayor Joe Higgs, Councilman Thomas Muir, Councilman Russell Martin,
Councilman Andy Garza, Councilman Robert Patton

MEMBERS

ABSENT: Councilman Glenn Ervin

OTHERS

PRESENT: Mike Brice City Manager, Rose Chavez City Secretary/Asst. City Manager

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

Mayor Higgs called meeting to order, Councilman Muir led invocation, followed by Councilman Martin leading the Pledge of Allegiance.

2. Citizens 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.

There was not any citizen's input.

CONSENT AGENDA

- 3. a) Approve Minutes: August 24, 2009 - Special Called Joint Meeting With 4B and
Parks Board
September 8, 2009 -- Work Session
September 8, 2009 -- City Council**

b) Disbursements

c) Appoint Penny Juarez to Keep Sanger Beautiful Board

Appoint Sonja Iliff to Library Board

Appoint Mary Wise and James "Scott" Harp to Parks Board

Appoint JC Smith to the Historic Preservation Commission

Councilman Muir made a correction to the September 8, 2009 to reflect that he was not present for that meeting.

Motion was made by Councilman Muir to approve the consent agenda as presented with the one change to the work session minutes. Seconded by Councilman Patton. Motion carried unanimously.

4. Consider any Items Removed from Consent Agenda.

5. **Consider and Possible Action on Ordinance #09-11-09 - Adopting Budget for Fiscal Year 2009/2010, Providing for the Appropriation of Funds for Operating and Capital Expenditures for the Fiscal Year Beginning October 1, 2009 and Ending September 30, 2010.**

Motion was made Councilman Patton to adopt Ordinance #09-11-09 as presented. Seconded by Councilman Martin. Motion carried unanimously.

Caption as follows:

ORDINANCE NO. #09-11-09

AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, ADOPTING THE BUDGET FOR THE CITY OF SANGER, TEXAS, PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010 PROVIDING FOR THE INTRA AND INTER DEPARTMENT AND FUND TRANSFERS; AND DECLARING AN EFFECTIVE DATE.

6. **Consider and Possible Action on Ordinance #09-12-09 - Ordinance of the City Council of the City of Sanger, Texas, Providing Levying the Ad Valorem Taxes for the Year 2009.**

The City Manager advised that the tax rate will remain the same as last year at \$0.620000.

Motion was made by Councilman Muir to approve Ordinance #09-12-09 as presented. Seconded by Councilman Garza. Motion carried unanimously.

Caption as follows:

ORDINANCE NO. 09-12-09

AN ORDINANCE OF THE CITY OF SANGER LEVYING THE AD VALOREM TAXES FOR THE YEAR 2009 AT A RATE OF \$0.620000 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF SANGER AS OF JANUARY 1, 2009, TO PROVIDE REVENUE FOR THE PAYMENT OF CURRENT EXPENSES; PROVIDING FOR AN INTEREST AND SINKING FUND FOR ALL OUTSTANDING DEBT OF THE CITY OF SANGER; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

7. **Consider and Possible Action on Ordinance #09-14-09 - Amending Article 8.800,**

Regulating Smoking and the Use of Tobacco Products in Certain Locations.

The City Manager advised that there was a change in the ordinance as suggested by Councilman Martin on Section 8.05 exceptions item number (2). The wording was changed to reflect, "Meeting and assembly areas, and rooms while in use for private social functions".

Councilman Muir indicated he is 90% in support of this ordinance. He understands second hand smoking does affect everyone. He supports this part of the ordinance, but on the other issue he feels they are slightly overstepping their bounds. He understands that it is a mess, unsightly and it can be smelled in some occasions; however, philosophically he thinks government maybe getting in the way of personal choice. He will support the ordinance.

Councilman Martin expressed he does not think they will be able to police it.

Councilman Garza indicated this should have been implemented on the City's buildings before implementing it on other people first. The City should have set the example.

Mayor Higgs indicated it will be difficult to police the "chewing".

A discussion continued concerning this issue.

Councilman Patton made a motion to pass the Ordinance #09-14-09 amending article 8.800, regulating smoking and the use of tobacco products in certain locations. Seconded by Councilman Garza. Motion carried unanimously.

Caption as follows:

ORDINANCE #09-14-09

THAT ARTICLE 8.80 "SMOKING" OF THE CODE OF ORDINANCES OF THE CITY OF SANGER, TEXAS, IS HEREBY AMENDED BY AMENDING ARTICLE 8.80 SMOKING; ALL SECTIONS; PROVIDING FOR TH REPEAL OF ALL ORDINANCES CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALATY; AND PROVIDING FOR AN EFFECTIVE DATE

- 8. Information Items:**
 - a) City of Sanger Investment Report**
 - b) City of Sanger Financial Statement as of August 31, 2009**
 - c) Monthly Library Report**
 - d) Memo from Library Regarding Surplus**
 - e) Chamber Investment Report**

9. Adjournment.

Mayor Higgs adjourned the meeting.