

## **CITY OF SANGER, TEXAS**

### **MINUTES: REGULAR CITY COUNCIL MEETING**

**April 17, 2017, 7:00 PM**

**502 Elm Street, Sanger, Texas**

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

The Mayor and All Council Members Were Present Constituting a Quorum.

**STAFF MEMBERS PRESENT:** Mike Brice City Manager, Cheryl Price City Secretary, Alina Ciocan, Director of Economic and Development Services, Ramie Hammonds Building Official.

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

Mayor Muir called the meeting to order at 7:05 p.m. The Invocation was led by Councilman Allison, followed by the Pledge of Allegiance led by Councilman Bilyeu.

**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 were no citizens recognized who wished to speak on items not on the agenda.

**3. CONSENT AGENDA:**

**a) Approval of Minutes:**

**a. City Council Work Session, April 3, 2017**

**b. Regular City Council Meeting, April 3, 2017**

**b) Disbursements**

There was brief questioning by Councilmembers regarding disbursements.

A motion was made by Councilman Boutwell to approve the Consent Agenda as presented. The Motion was seconded by Councilman Clark. Motion carried unanimously (5-0).

**4. Consider any Items Removed from Consent Agenda.**

No items were moved from the consent agenda.

**REGULAR AGENDA**

**5. Consider, Discuss and Possibly Approve Proclamation #04-01-2017 Proclaiming the Month of May as Motorcycle Safety and Awareness Month in the City of Sanger, Texas.**

A Motion was made by Councilman Bilyeu to Approve Proclamation #04-01-2017 Proclaiming the Month of May as Motorcycle Safety and Awareness Month in the City of Sanger, Texas. Motion was seconded by Councilman Clark. Mayor Muir read the Proclamation. Motion to Approve carried unanimously (5-0). The Proclamation was presented By Mayor Muir and a

photo was taken.

**6. Consider, Discuss and Act on a Request Made by the Sanger Independent School District to Grant a Meritorious Exception to the Sign Ordinance for a Proposed LED Sign at 1901 S. Stemmons (Clear Creek Intermediate School).**

Alina Ciocan, Director of Community and Economic Development was recognized to present the request. She advised there is a representative with Starlite Signs available to answer any questions the City Council may have. There was brief discussion. It was noted that the Sanger Bank has received a similar sign. The sign will go into the existing masonry sign structure. The dimensions of the sign do not change much, it will be slightly shorter. Councilman Allison noted, not for tonight, but asked if we need to start thinking for the future regarding this type of sign (LED) and the restrictions regarding it possibly being a distraction. He asked if anyone was looking into this, i.e., number of views that can change within a minute which could be a possible distraction for drivers. Staff noted that other cities have looked at these types of regulations; and, while we are in the process of overhauling our ordinances this could be something to look at when the Sign Ordinance is updated.

A Motion was made by Councilman Boutwell to Approve a Meritorious Exception to the Sign Ordinance for a Proposed LED Sign at 1901 S. Stemmons (Clear Creek Intermediate School) for the Sanger Independent School District. The Motion was seconded by Councilman Clark. Motion carried unanimously (5-0).

**7. Consider, Discuss and Act on a Request Made by Sanger Dental to Grant a Meritorious Exception to the Sign Ordinance for A Proposed Window Sign at 617 N 10<sup>th</sup> Street, Suite #204.**

Alina Ciocan, Director of Community and Economic Development was recognized to summarize the request. She advised that this request, based on Sec. 3.1407(h)(1) which allows for window signs, provided that not more than 25 percent of the transparent area is occupied at one time. The proposed sign does not comply with this section of the sign ordinance, therefore at staff level the permit would be denied. The proposed signage covers about 75% of the transparent area and they are asking for a Meritorious Exception to get their permit approved, as they have proposed it. They have been issued a sign permit for the face of the building with the Sanger Dental logo and phone number. She noted that the applicant is not present at the meeting tonight.

Councilman Bilyeu inquired if the applicant had any other consideration for their design, like such as having just the decals on their windows. It was noted that they wanted the solid color covering for privacy purposes. Councilman Chick asked what the process would be; does the Council take action or table the request, and have them come back? Mayor Muir noted that the Council would just not approve meritorious exception and let them come back with some other option. He noted the Council could give staff general feedback tonight in regard as to what the Council might be willing to give a meritorious exception for. Councilman Bilyeu noted he did not see where this falls under meritorious exception. Alina Ciocan advised that the client asked that staff submit it as a meritorious exception. It was noted that if the request was denied, they could bring it back with something else and would not have to pay another fee to resubmit, that staff would apply the fees to the new request. If there is no action on the request, the permit fee would be refunded. Councilman Boutwell noted that they already have a well-lit sign in place and that there is a difference in window tinting and covering up all of the window. Mayor Muir noted that they could have window coverings such as blinds or drapes for privacy and use

smaller logos on their windows. Staff noted the idea of window coverings was discussed with them and they chose to proceed with the request. Consensus of Council was that there were a lot of questions and there was no one there to answer them.

A Motion was made by Councilman Bilyeu to Deny the Request by Sanger Dental to Grant a Meritorious Exception to the Sign Ordinance for a proposed window sign at 617 N 10<sup>th</sup> Street, Suites #204 A & B and 203. The Motion was seconded by Councilman Clark. The Motion to Deny carried unanimously (5-0).

**8. Consider, Discuss and Possibly Act on Ordinance #04-11-17 – Amending Appendix A "Fee Schedule" of the Code of Ordinances, Article 2.000 "Building and Construction Fees".**

Alina Ciocan, Director of Community and Economic Development was recognized to present the Ordinance. She stated that based on the feedback from the last Council Meeting they have addressed the valuation (fixed the formula) for residential homes valued over \$500,000. Also, based on recent developments staff realized the we do not have a fee for modular homes and it has been included in the fees. There were a few questions and comments regarding enforcement, various parts of the Ordinance, and fees.

A motion was made by Councilman Bilyeu to Approve Ordinance #04-11-17 – Amending Appendix A "Fee Schedule" of the Code of Ordinances, Article 2.000 "Building and Construction Fees". The Motion was seconded by Councilman Boutwell. Motion carried unanimously (5-0).

**9. Consider, Discuss and Possibly Act on Ordinance #04-12-17 – Amending Chapter 3 of the Code of Ordinances, Article 3.100 "Building Inspection Department Established", Article 3.200 "Building Code", Article 3.300 "Plumbing Code", Article 3.400 "Mechanical Code", Article 3.500 "Electrical Code", Article 3.600 "International Residential Code" and Adopting Article 3.2500 "Energy Conservation Code", Article 3.2600 "Fuel Gas Code", Article 3.2700 "International Existing Building Code" And Article 3.2800 "Construction Site Standards".**

Ramie Hammonds, Building Official was recognized to present the Ordinance. She advised that the main significant residential changes are as follows:

- Carbon Monoxide Detectors (CO Detectors) will be required in any home that has gas or an attached garage.
- Panel Boxes will not be allowed on the outside of homes
- Water Heaters will not be allowed to be installed in attics in new homes

There was brief discussion and questions regarding enforcement, and various code regulations. Councilman Allison noted that it appeared that a lot of the codes had to do with Commercial Construction and he asked if they have received any feedback from the building community. Ramie Hammonds noted that a lot of the Codes are for Commercial Development and in the event we get commercial projects in we want to be prepared. She also noted that she did get input from one of the builders that she sent the amendments to, and they seemed to be more concerned with the energy amendments being adopted because they are the more difficult codes to meet. She noted that most of the Builders are already building to the 2012 Building Code which is being proposed for adoption. Councilman Bilyeu reiterated that if there is something that we find that is not working, or items that we need to add, that we do have the flexibility to change the ordinance.

Carolyn Cashion, Cashion Custom Homes was recognized and said she thought there was going to be a workshop. Alina noted that they sent out e-mails and they ended up cancelling it because of

low response.

Mayor Muir noted that if there was something we found out that the broad building community did not agree with, that perhaps a code or requirement wasn't standard and/or they had a hard time dealing with a code/requirement, staff would give suggestions for modification and bring them forward to Council to act on.

A Motion was made by Councilman Bilyeu to Approve Ordinance #04-12-17 as stated. Amending Chapter 3 of the Code of Ordinances, Article 3.100 "Building Inspection Department Established", Article 3.200 "Building Code", Article 3.300 "Plumbing Code", Article 3.400 "Mechanical Code", Article 3.500 "Electrical Code", Article 3.600 "International Residential Code" and Adopting Article 3.2500 "Energy Conservation Code", Article 3.2600 "Fuel Gas Code", Article 3.2700 "International Existing Building Code" And Article 3.2800 "Construction Site Standards". The Motion was seconded by Councilman Boutwell. The Motion carried unanimously (5-0).

**10. Consider, Discuss and Possibly Act on Ordinance #04-13-17 – Amending Chapter 14 of the Code of Ordinances, Article 14.100, Section 48 “Landscape Regulations”.**

Alina Ciocan, Director of Community and Economic Development was recognized to present the Ordinance. This item was discussed at a Council Work Session. She took the Council's feedback into account and it is reflected in this ordinance. She advised, as discussed in the work session, by adopting this ordinance it will establish minimum landscape requirements within all residential districts. This is something that we do not have currently. These regulations are similar to what you looked at during the work session. We also are enhancing landscaping for non-residential uses and added a category for multi-family and townhomes. Within those districts, we looked at landscape buffers, parking area landscaping, and buffering between different zoning districts. She noted that they have done a lot of research and it is a good compromise. It is not as strict as a lot of the cities around us as far as regulations go. This will give us room to grow and we can amend as we need to.

Councilman Allison noted 48.3 Minimum landscaping requirement... Numbers 2 and 3 have the statement "additional" large tree(s) and noted it was confusing. Alina noted that staff could take the word "additional" out of the language.

Carolyn Cashion, Cashion Custom Homes was recognized and asked what the residential landscaping requirements are and a summary was provided. She noted that she totally agreed with it.

Ramie Hammonds, Building Official advised that the tree/shrub requirements would be checked upon the final inspection of the property. Councilman Clark asked where the number of (18) eighteen shrubs came from. Staff noted that they looked at other cities and actually toned the number down. After brief discussion and various suggestions on the residential landscaping it was suggested to change the requirement on 48.3 (c) (1) from "Lots less than 9,000 square feet" to "Lots less than 10,000 square feet" and (2) would also change from 10,000 to 19,999. Alina Ciocan summarized the commercial landscaping requirements and noted that she has actually went and looked at various landscaping in other cities. There was brief discussion on the Commercial landscaping.

A Motion was made by Councilman Bilyeu to Approve Ordinance #04-13-17 – Amending Chapter 14 of the Code of Ordinances, Article 14.100, Section 48 "Landscape Regulations" with

the following change: Section 48.3 Item (c) 1. Change to “Lots less than 10,000 square feet” and Section 48.3 Item (c) 2. Change to “Lots between 10,000 and 19,999”. Discussion to clarify by removing the word “additional” from Section 48.3 Numbers 2 and 3. Councilman Bilyeu noted he was not including deleting the word “additional” in his motion, that it was a clarification issue that staff could correct. The motion was seconded by Councilman Allison. The Motion carried unanimously (5-0).

**11. Consider, Discuss and Possibly Act on Ordinance #04-14-17 – Amending the Code of Ordinances, Chapter 5 Fire Prevention and Protection, Article 5.200 International Fire Code, Sec. 5.201 Adopted.**

Alina Ciocan advised that this is aligning the Fire Code with the other codes.

A Motion was made by Councilman Boutwell to Approve Ordinance #04-14-17 – Amending the Code of Ordinances, Chapter 5 Fire Prevention and Protection, Article 5.200 International Fire Code, Sec. 5.201 Adopted. The Motion was seconded by Councilman Bilyeu. The Motion carried unanimously (5-0).

**12. Consider, Discuss and Possibly Approve Authorizing City Manager to Move Forward with Re-platting, Rezoning and Selling by Sealed Bid the City Property Located at 125 Bolivar.**

Mayor Muir noted this was an item discussed in executive session and no action has been taken yet. A Motion was made by Councilman Bilyeu to Authorize the City Manager to move forward with only re-platting and rezoning the city property located at 125 Bolivar. Omitting selling by sealed bid from the motion. The Motion was seconded by Councilman Clark. The Motion carried unanimously (5-0)

There was brief discussion. Councilman Allison clarified that this does not mean we won't sell the property at some time. That, for this immediate moment, we are just moving forward with these two items; and, selling could be considered at a later date. The Motion was called and carried unanimously (5-0)

**13. INFORMATION ITEMS**

**a) All American Dogs Report - March 2017**

Mayor Muir noted he looked at the numbers on the report and they seemed reasonable.

**14. ADJOURN**

There being no further items Mayor Muir adjourned the meeting at 8:27 p.m.