

CITY OF SANGER, TEXAS

MINUTES: REGULAR CITY COUNCIL MEETING

May 15, 2017, 7:00 p.m.

502 Elm Street, Sanger, Texas

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

COUNCIL MEMBERS ABSENT: Councilman Gary Bilyeu

The Mayor and Four (4) Council Members Were Present Constituting a Quorum.

STAFF MEMBERS PRESENT: Mike Brice City Manager, Cheryl Price City Secretary, Alina Ciocan, Director of Community and Economic Development, Jeriana Staton, Human Resources Coordinator.

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

Mayor Muir called the Regular City Council meeting to order for Monday May 15, 2017 at 7:07 p.m. The Invocation was led by Councilman Chick, followed by the Pledge of Allegiance led by Councilman Clark.

2. Consider, Discuss and Approve Ordinance #05-02-17– Canvassing the Results of Votes for the Purpose of Electing Candidates to the Office of City Council of the City of Sanger, Texas, for the General Election Held on May 6, 2017, Declaring the Results of That Election and Providing for an Effective Date.

A motion was made by Councilman Chick to Approve Ordinance #05-02-17– Canvassing the Results of Votes for the Purpose of Electing Candidates to the Office of City Council of the City of Sanger, Texas, for the General Election Held on May 6, 2017, Declaring the Results of That Election and Providing for an Effective Date. The Motion was seconded by Councilman Allison. The Motion carried unanimously with a 4-0 vote (Councilman Bilyeu Absent).

3. Issue Certificate of Election, Statement of Elected Official and Oath of Office.

City Secretary Price gave Certificates of Election, Statements of Elected Official and Oaths of Office to each Councilman Officially Elected into position as a result of the May 6th, 2017 Election. Councilman Lee Allison, Place 1, Councilman Bill Boutwell, Place 3 and Councilman David A. Clark, Place 5.

4. Elect Mayor Pro Tem.

A nomination was made by Councilman Chick to nominate Councilman Bilyeu for Mayor Pro Tem. The nomination was seconded by Councilman Clark. There were no other nominations. A vote was taken and the nomination to elect Councilman Gary Bilyeu as Mayor Pro Tem passed unanimously 4-0 vote (Councilman Bilyeu absent).

5. 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.

6. CONSENT AGENDA:

a) Approval of Minutes:

a. City Council Work Session, May 1, 2017

b. Regular City Council Meeting, May 1, 2017

b) Disbursements

- c) Approve Ordinance #05-03-17 Amending the Code of Ordinances, Chapter 7, Article 7.100 "Municipal Court Generally", Deleting in Entirety Section 7.111 "Warrant Officer". Providing for the Appeal of All Ordinances in Conflict, A Severability Clause, and Providing for an Effective Date.**

City Manager Brice advised that Warrant Officer was put into the Ordinance several years back to provide pay to Reserve Officers for delivering warrants. We no longer have Reserve Officers so it is a mute point. It no longer needs to be a part of the Municipal Court Ordinance, so we are taking it out. Mayor Muir noted this is a part of our ongoing review and clean up of all of the City Ordinances.

A motion was made by Councilman Boutwell to Approve the Consent Agenda, Items a., b., and c., as presented. The Motion to Approve was seconded by Councilman Allison. The Motion carried unanimously with 4-0 Vote (Councilman Bilyeu Absent).

7. Consider any Items Removed from Consent Agenda.

No Items were moved from the agenda.

REGULAR AGENDA

Mayor Muir moved Atmos, Item No. 10 to this point in the Agenda.

- 10. Consider, Discuss and Possibly Approve a Resolution No. 05-01-17 By the City of Sanger, Texas ("City") Approving a Change in the Rates of Atmos Energy Corporation, Mid-Tex Division ("ATMOS") As A Result of A Settlement Between Atmos and the Atmos Texas Municipalities ("ATM") Under the Rate Review Mechanism; Finding the Rates Set By the Attached Tariffs to be Just and Reasonable; Finding That the Meeting Complied with the Open Meetings Act; Declaring An Effective Date; and Requiring Delivery of the Resolution to the Company and Legal Counsel.**

City Manager Brice summarized that this is an item by Atmos for a rate increase that comes up every year. The City is a member of the "ATM" which is a consortium of cities that negotiate with ATMOS on their rate increases. This year they started at 57 Million and ended up at 48 Million and this is recommended for approval from our consultant. Councilman Boutwell noted that he did have questions until he read the detail and saw what it would take in going back and refighting the same battles that we have lost in the past, with the legal costs and the processes of going to the Railroad Commission, that this is probably the best we can expect without expending further funds futilely. Mayor Muir agreed with Councilman Boutwell's comment and added that we are a growing area and any help they (Atmos) could provide to us in facilitating that along the way we would appreciate it.

A Motion was made by Councilman Boutwell to Approve a Resolution No. 05-01-17 By the

City of Sanger, Texas (“City”) Approving a Change in the Rates of Atmos Energy Corporation, Mid-Tex Division (“ATMOS”) As A Result of A Settlement Between Atmos and the Atmos Texas Municipalities (“ATM”) Under the Rate Review Mechanism; Finding the Rates Set By the Attached Tariffs to be Just and Reasonable; Finding That the Meeting Complied with the Open Meetings Act; Declaring An Effective Date; and Requiring Delivery of the Resolution to the Company and Legal Counsel.

There were a few questions by Councilman Chick. It was noted through questioning that the last rate increase was last year. John Manganilla with Atmos Energy was recognized stated that the Cities have original jurisdiction over the rates in Texas and if a rate can not be agreed upon then it is appealed to the Railroad Commission. City Manager Brice noted it is approved by the individual cities by resolution (as the one being presented), and if one of the cities does not approve it, then it gets appealed to the railroad commission, just for the city that did not approve it. Mr. Manganilla noted that the Cities not approving it would be responsible for the legal fees at that point. Councilman Chick asked how much their rates would be increasing. Mr. Manganilla advised that the increase last year was about \$1.00 a month per customer and this year it is about \$2.00 a month per customer. He noted that their prices will continue to increase, not only because of growth, but because a lot of the infrastructure in the country is aging. They are doing a lot of pipe replacement projects, so a lot of this is for replacing infrastructure and increasing the reliability and safety of the system. He noted the only thing they are doing in this area is some road relocation work for some roads that are getting put in. The Motion was called and carried unanimously with 4-0 vote (Councilman Bilyeu Absent).

8. Services Update Presentation for Children’s Advocacy Center.

Mr. Troy Hamm, Board of Director for Children’s Advocacy Center was recognized. He noted his purpose for being here tonight is to provide some important information about the work the Children’s Advocacy Center does and to thank the City for its ongoing support. He noted it is difficult to talk about the subject of child abuse. That one in 10 children will be sexually abused before their 18th birthday. The sad reality is in 2016, the Children’s Advocacy Center for Denton County helped provide justice and healing for 1900 children and non-offending family members. The center saw 757 new children last year and provided forensics interviews for them in a child friendly location from a trained professional. More than 95% of those cases were child sexual abuse. Putting that number in perspective, the 757 children would fill every seat in every classroom in two Sanger elementary schools. He noted they helped 47 clients in Sanger in 2016 and provided 851 separate services for those 47 clients. The mission of the center is to provide justice and healing for the abused child and through interagency collaboration and community education. How does the Children’s Advocacy Center provide justice and healing? To help with justice they work closely with law enforcement and have worked with Chief Amyx and the Sanger Police Department and he wanted to thank them for their support and efforts to protect the children. He explained how the agency works and all of the entities involved and all of the services provided. He noted they have improved the conviction rate from 1997 when they opened from 8% to 78%. He advised of some of the educational programs they are having and to check their website for programs, dates and time. He thanked the Mayor, Council, City Staff and Chief Amyx and the entire Police Department for their time and support of the Children’s Advocacy of Denton County.

9. Consider, Discuss and Possibly Act on a Minor Plat of the Wallace Addition, 1.0 Acres in the W. Mason Survey, Located North of Belz Road and West of Metz Road.

Alina Ciocan, Director of Community and Economic Development was recognized. She

advised that this is a one acre lot located in the ETJ. About six months ago the Council approved another lot in the similar vicinity. The County performed a review and they had some comments. The comments have been addressed and staff finds the Plat to be in conformance with the subdivision ordinance. It was noted that the plat has an unusual shape and that it had to be reconfigured because some of the one acre lot which is required was in the flood plain. They had to show a full acre outside of the flood plain.

A motion was made by Councilman Boutwell to approve the Minor Plat of the Wallace Addition, 1.0 Acres in the W. Mason Survey, Located North of Belz Road and West of Metz Road. The Motion to Approve was seconded by Councilman Clark. Motion carried unanimously with 4-0 vote (Councilman Bilyeu Absent).

11. INFORMATION ITEMS

a) Capital Projects Update.

City Manager Brice noted through questioning, that they are moving dirt on the Wastewater treatment plant improvements and digging up rocks the size of his desk. They hit rock the second scoop in the ground. He noted the tools they were using and that they were doing a pretty good job. There was question on McReynolds Road and if we were still waiting on Atmos. City Manager Brice noted that Atmos has been out there the last two weeks and they may be almost done. John Manganilla with Atmos Energy was in the audience and noted he has made a note and will have an update emailed to the City Manager. Councilman Chick asked about the Cowling Lift Station. City Manager Brice noted we are still doing the engineering on it and looking at doing the route for the force main and the gravity main coming from Cowling to the new lift station which we are now calling the Railroad Lift Station. We will get all of those plans 100% done, and get the easements, and that project will go on the shelf until we have the money to do it. This was a part of what the Bond money would have paid for; however, plans are having to be reworked since the plan bid came at 11-million instead of 8-million. City Manager Brice noted that as long as we do not have a whole lot of growth on the west side of town, we should be ok; however, if we have growth on the west side of town we will have to buckle down and find the money to complete the project sooner. There was question as to electrical problems at Cowling that were mentioned in the past and it was noted they have been repaired. If we take in enough tap fees we may be able to go ahead and do it. It is about a 3-million-dollar project. City Manager Brice noted it was still going to be 18 months to two years before they even finish the engineering. Councilman Chick asked about the progress on the wells and it was noted we were just waiting on the SCATA to be completed.

14. ADJOURN

There being no further items Mayor Muir adjourned the meeting at 7:52 p.m.