

CITY OF SANGER, TEXAS

MINUTES: REGULAR CITY COUNCIL MEETING
January 3, 2017, 7:00 PM
502 Elm Street, Sanger, Texas

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

COUNCIL MEMBERS ABSENT: Councilman Lee Allison

Five Council Members present constituting a quorum.

STAFF MEMBERS PRESENT: Mike Brice City Manager, Cheryl Price City Secretary, Alina Ciocan Director of Economic and Community Development

CITIZENS RECOGNIZED DURING MEETING: Joe Falls, Marcus Mathis, Jody Roberts

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

Mayor Muir called the meeting to order at 7:00 p.m. Councilman Chick led the Invocation followed by Councilman Boutwell 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).

Joe Falls, 4489 McReynolds Road was recognized and said he is disappointed that Sanger is not moving with his vision would like to see Sanger move forward. He repeated his plea to the City Council to reconsider their plans for the wastewater treatment improvements and relocate the plant. He again let the Council know that he would be glad to meet with them individually or in a Work Session.

3. CONSENT AGENDA:

a) Approval of Minutes:

- a. City Council Work Session, December 19, 2016**
- b. Regular City Council Meeting, December 19, 2016**

b) Disbursements

A Motion was made by Councilman Bilyeu to approve the Consent Agenda with a minor correction on the Minutes for Agenda Item 5, correcting the spelling on name of Applicant from "Matt" to "Mark" Carpenter. Councilman Chick posed a few questions to staff regarding the disbursements. The Motion was seconded by Councilman Bilyeu. Motion Carried unanimously (4-0 vote, Councilman Allison Absent).

4. Consider any Items Removed from Consent Agenda.

No Items Removed from Agenda.

REGULAR AGENDA

5. Conduct a Public Hearing to Consider the Possible Annexation of Land Located East of Marion Road and North of FM 455.

Mayor Muir opened the Public Hearing at 7:15 p.m. and solicited any citizens who wished to speak. There being no citizens recognized who wished to speak the Public Hearing was closed at 7:17 p.m.

6. Consider, Discuss and Possibly Act on A Proposed Final Plat (Corbin Estates II), 19.979 Acres in the A. Lynde Survey, Abstract No. 731, Located East of Sam Bass Road and South of Belz Road.

Economic and Community Director Alina Ciocan was recognized to summarize the Proposed Corbin Estates II Final Plat. She noted the property is located in the City's ETJ. It will be subdivided into nine (9) two (2) Acre lots. The lots will be Septic. Denton County has reviewed the plat and made improvement statements that were added to the plat. Staff recommends approval.

A motion was made by Councilman Bilyeu to Approve the Final Plat of Corbin Estates II consisting of 19.979 Acres in the A. Lynde Survey, Abstract No.731. Motion was seconded by Councilman Boutwell. Motion carried unanimously (4-0 vote, Councilman Allison Absent).

7. Conduct a Public Hearing Concerning a Minor Plat (Jones Street Addition), 0.173 Acres in the Henry Tierwester Survey, Abstract No. 1241 Located on the West Side of Jones Street, Approximately 400 Feet South of Willow Street.

Mayor Muir opened the Public Hearing at 7:20 p.m. and solicited any citizens who wished to speak.

Marcus Mathis, 229 Jones Street was recognized. He said he was curious what this is since it is on his street. It was noted it is a plat for a residential home. It was noted that the Lot width noted on the plat was non-conforming. The Minimum Lot Width requirement is Sixty feet (60') and the Lot Width on the Plat is 50 feet (50').

Joe Falls, 4489 McReynolds Road was recognized and advised he has a plan for the home and it is an upgrade. He and Roger Otwell have been working on this for two years and many improvements have been made. He noted this home is an improvement for the area.

Jody Roberts was recognized and advised he was here on the annexation item. Mayor Muir advised that the Public Hearing has been Closed for that item; however, he would re-open the Public Hearing at the end of the Agenda to hear Mr. Roberts comments.

There being no citizens recognized who wished to speak the Public Hearing was closed at 7:23 p.m.

8. Consider, Discuss and Possibly Act on a Minor Plat (Jones Street Addition), 0.173 Acres in the Henry Tierwester Survey, Abstract No. 1241 Located on the West Side of Jones Street, Approximately 400 Feet South of Willow Street.

Economic and Community Director Alina Ciocan was recognized to summarize the Minor Plat of the Jones Street Addition. The proposed plat is on Jones Street and is zoned SF-10. The proposed lot does not meet the zoning requirements of SF-10 because the width of the lot is 50 feet and the requirement for SF-10 is 60 feet. This is a replat of a lot that is currently 50' wide. The applicant would like to maintain the same width as what was originally platted. The applicant owns the surrounding property and has been advised that future lots will have to conform to the zoning.

Councilman Chick asked if the applicant could make it 60 feet instead of 50 feet and just be in compliance. Joe Falls answered; No, this is not a subdivision it is a replat of an old ancient plat and it fits real well. He advised he did increase the lot size from 5500 to 6500 square feet. It is an upscale home for the area.

Councilman Chick asked if he could make it deeper why could he not make it wider? Joe Falls answered, to make it simple, he will not, it does not fit the area and does not fit his plans and it doesn't fit the right thing for Sanger. It was set up that way from year one.

Mayor Muir advised staff is working with Mr. Falls on this request since it is a replat of an existing 50-foot lot knowing that they will need a variance to build on the lot.

Mike Brice advised that if the house is actually built they will have to come back with a variance request to shorten up the setbacks for the house itself. The Subdivision regulations apply regarding the width of the lot. The 6,500-square foot requirement is in the Zoning Regulations and also applies.

Councilman Boutwell asked if there is a firm understanding that any future lots need to come in with 60-foot width. It was noted that this has been discussed with Mr. Falls.

Councilman Bilyeu noted that if you were looking to improve Sanger at every opportunity that you would try to plat a conforming lot. Joe Falls noted that there are two 50 foot lots south of it that he does not own and there is a flood plain issue there. He noted there are plans for the property but he does not have them laid out. Those plans are changeable. He advised he would work out something nice there, this is nice. He noted there is an error in the survey and it has to be corrected and it is going to require a good deal of effort.

Councilman advised that Mr. Falls has made a good faith effort in working with staff.

A motion was made by Councilman Clark approving a Minor Plat (Jones Street Addition), 0.173 Acres in the Henry Tierwester Survey, Abstract No. 1241 Located on the West Side of Jones Street, Approximately 400 Feet South of Willow Street. Councilman Boutwell Discussed was if there could be a caveat that this would not be setting a precedent. Mike

Brice noted that you could not include that in the motion for the plat, that it would be a decision for a future council. Motion was seconded by Councilman Boutwell. Councilman Bilyeu wanted to note for the record, that the property owner knows that he is building a house in close proximity to the wastewater treatment plant. Motion tied (2-2) with Councilman Clark and Boutwell voting in Favor of the Motion and Councilman Bilyeu and Councilman Chick voting Against the Motion. Mayor Muir voted in Favor of the Motion breaking the tie vote. (Motion Carried 3-2, Councilman Allison Absent)

9. Consider, Discuss and Possibly Act on Soliciting Bids for the Rehabilitation of the Wastewater Treatment Plant.

A motion was made by Councilman Bilyeu that the City Act on Soliciting Bids for the Rehabilitation of the Wastewater Treatment Plant. Motion was seconded by Councilman Boutwell. Motion Carried unanimously (4-0 Councilman Allison Absent).

Mayor Muir took the opportunity to advise citizens in the audience on the efforts of the City to improve the odor issues at the plant. He also noted that the reason that Council has leaned towards rehabilitation is because the extra cost would be about 14 to 15 million dollars. If you issue a 20-year bond at 3.5 % rate it would be a payment of over 1 million dollars a year. It could produce about a 30% increase in property tax rate. Not saying the math is exact, but it is not a small number but possibly like 25% to 30%. Looking at revenues on wastewater (Sewage Cost) there would over a 60% increase to fund it out of wastewater. He feels it is important that everyone understand that and if anyone is asking why Council has chosen this direction over what seems like a nicer option. We are just trying to use the tax payer dollars most efficiently.

Councilman Bilyeu advised that another good point to make is that the rehabilitation will double the capacity of the plant. Building a new plant would not be give us as much of an increase in capacity.

Councilman Boutwell noted that he felt the Mayor is very close on his figures. If somebody wanted to write a check for 25 million dollars we would start the plant tomorrow. He noted we have bonds out now for 9 million dollars. We can not exceed this and maintain the good credit standing we have in this city. For those of you that have not attended previous council meetings, we are very good at managing the publics funds to maintain our city. We, in all consciousness, have been trying to do the best we can and still financially watch over the income of our citizens.

Councilman Bilyeu added while keeping our effective tax rate the same the last six years, trying to keep our taxes low and doing more with less.

5. Conduct a Public Hearing to Consider the Possible Annexation of Land Located East of Marion Road and North of FM 455.

Mayor Muir re-opened the Public Hearing at 7:49 for a citizen in the audience who requested to speak because he arrived after the public hearing closed. Jody Roberts was recognized and said he was over at the old City Hall Building for the meeting. That it has been a long time since he has come to one. He noted his property is in the ETJ being

annexed. He has investigated the local government codes. He wanted to know the time frame and was under the impression that it is a three-year process. He said they only received one notice.

Director Community and Economic Development Alina Ciocan advised that notices were sent out on December 2nd. Mike Brice noted the City is not using the three-year process. There is an annexation process that is a three-year process. The state allows you to use either process. The three-year process is for larger tracts of land.

He was concerned if the City took in his property he would lose his AG Exemption Status and he wants his land to stay Agricultural Exempt and he also has permits with the County to build buildings on his property.

Mike Brice advised that we would do a Development Agreement on the property as long as it is not developed. He also noted that if he has a permit to build a building he would be allowed to complete the building as permitted.

The Mayor advised that it is a protection for the citizens to have a development agreement or annexation on the properties so that there is more control on what is developed on the properties around them. Things such as future buildings that are not permitted, etc.

Councilman Boutwell noted that Denton has annexed to the south side of FM 2153.

Mr. Roberts noted he understands and wanted to know if there is any thing in the works to bringing future utilities to the area.

Mayor Muir advised that Bolivar Water has the CCN for the area. We can not provide sewer if we don't have the water. It was noted Mr. Roberts could approach Bolivar Water and discuss this with them.

Joe Falls, was recognized and said he wanted to give some history. He said that Denton will not encroach Clear Creek because when Jerry Jenkins was here he effectively blocked Denton to 2164. He said they could not cross the creek

There was brief discussion regarding Denton acquiring ETJ.

The Public Hearing was closed at 8:05 p.m.

10. INFORMATION ITEMS

No Information Items.

11. ADJOURN.

There being no further items Mayor Muir Adjourned the Meeting at 8:05 p.m.