

**CITY OF SANGER, TEXAS**

**MINUTES: REGULAR CITY COUNCIL MEETING**  
**January 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**

**All 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, Kim Flood, Rick Brown, James Frank Jones**

**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. He noted he appreciated the cooperation he received from the City Council at the last meeting with his plan for a residence to improve Jones Street. He said he is trying to, and believes he is, beginning to create an impression that he is an improvement person. He said that everybody knows that Ranger Creek is the nicest Subdivision in Sanger and he prides himself in doing and supporting nice things.

**3. CONSENT AGENDA:**

**a) Approval of Minutes:**

**a. City Council Regular Meeting January 3, 2017**

**b) Disbursements**

**c) Approve a Resolution Authorizing the Parks Director to Execute on Behalf of the City the Attached Sanger Parks Department Facility Use Agreement With the Sanger Parks Department and Youth Sports Association.**

**d) Approve a 2017 Rate Adjustment For Waste Connections (Formerly Progressive Waste Solutions) From \$12.58 per Month to \$12.96 Effective February 1, 2017.**

Mayor Muir recognized Kim Flood of Waste Connections. She gave a short explanation of the increase noting they have incurred a 2% CPI increase along with the prices of the landfills going up. She stated they are allowed by contract to have an increase every

year and they have not requested one since January 2015. There was brief discussion. There was also minor discussion regarding the Parks Department Facility Use Agreement. City Manager Brice noted that it would be used primarily for Softball and Baseball, but would be used for other sports events.

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

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

There were no items removed from the Agenda.

**REGULAR AGENDA**

**5. Conduct A Second 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 7:10 p.m. There being no citizens recognized who wished to speak, the Public Hearing was closed at 7:11 p.m.

**6. Consider, Discuss and Possibly Approve A Development Agreement in Lieu of Annexation with Trustee of Delores S. Brown for the Property Legally Described as A0029A R Beebe, Tr. 39, 82.355 Acres, Old Dcad Sht 1, Tr. 18.**

City Manager Brice noted that this is the 80-acre tract to the east that a woman in Florida owns. Staff has been in contact with her son and they have asked for a Development Agreement. It was noted that her son, Rick Brown was in the audience. This will put the property under a Development Agreement for 10 years. The way it works is as long as the land is undeveloped, it stays out of the City Limits; if it changes use and/or develops in any way it will be brought into the City limits. There were some minor questions regarding the wording in the Development Agreement and it was noted they were drafted by the City Attorney.

Mr. Rick Brown was recognized and advised that his mother's interest is in keeping the property Agricultural and she has the idea that it should be that way forever. He and his sister have convinced her that Sanger is growing and it is inevitable that it is going to be annexed and will be an important part of that side of Town. They took this agreement to her and explained it and she was very happy and feels good about it. He noted one thing she did say was that she did not want Denton to annex it. That was her big deal. She has no problem with always being a part of Sanger.

A Motion was made by Councilman Allison to Approve a Development Agreement in lieu of Annexation with Trustee of Delores S. Brown for the Property legally described as A0029A R Beebe, Tr. 39, 82.355 Acres, Old DCAD, Sht 1, Tr. 18. Motion was seconded by Councilman Boutwell. Motion carried unanimously (5-0 vote)

**7. Consider, Discuss and Possibly Approve A Development Agreement in Lieu of**

**Annexation with Brady Boyce Beard, Ronalee Roberts and Jody Roberts for the Property Legally Described As A0029A R Beebe, Tr. 70(PT), 10.51 Acres, Old Dcad Sht 3, Tr 39.**

It was noted that this is an identical agreement other than it is a different piece of property. Since Councilman Allison was absent at the last meeting a brief summary was provided regarding Jody Robert's attendance at the last meeting and his request for this agreement. It was noted that Mr. Roberts biggest concern was that they had some projects that were under construction or about to begin through permits from Denton County. He wanted to know if this was going to affect his property. He also noted concern regarding utilities and it was noted he has Bolivar Water and he could contact them.

A Motion was made by Councilman Bilyeu to Approve A Development Agreement in Lieu of Annexation with Brady Boyce Beard, Ronalee Roberts and Jody Roberts for the Property Legally Described As A0029A R Beebe, Tr. 70(PT), 10.51 Acres, Old Dcad Sht 3, Tr 39. Motion was seconded by Councilman Allison. Motion carried unanimously (5-0 vote).

**8. Consider, Discuss and Possibly Approve Ordinance #01-01-17 – Amending The City of Sanger Code of Ordinances Article 1.500 Local Governing Body.**

City Manager Brice advised as a preamble that one thing we are going to do this year is go through all of the Code of Ordinances and clean them up. There has not been a comprehensive look at this for quite some time. There are areas that are contradictory and some items that need to be in other areas of the Code instead of where they are currently located. Some areas need to be beefed up and some cleaned up. The two Ordinances tonight just need to be cleaned up. On this Ordinance, Article 1.500 - the Council will not be compensated for the meetings. It was noted that at some point the City was paying the City Council and when they passed the Homerule Charter in 1999 it says that Council does not get compensation. This just never got taken out of the Ordinance. The other item that changed is under Meetings, added "(e) The City Manager may cancel or reschedule a meeting to another date in the even of a lack of quorum or the lack of necessary business to transact after notifying the city council." This would allow the City Manager to cancel or reschedule the meeting for a lack of quorum or necessary business after notifying the City Council. The way that it is written now is that you have to vote at the meeting before and know that you are not going to have a quorum and not have a meeting. Those are the two changes on 1.500.

A Motion was made by Councilman Bilyeu to Approve Ordinance #01-01-17 – Amending The City of Sanger Code of Ordinances Article 1.500 Local Governing Body. Motion was seconded by Councilman Boutwell. Motion carried unanimously (5-0 vote).

**9. Consider, Discuss and Possibly Approve Ordinance #01-02-17 – Amending The City of Sanger Code of Ordinances Article 1.600 Claims For Damages Against City.**

City Manager Brice noted that the City Attorney cleaned this ordinance up. There were some things in it that were probably violation of the law. One thing that was in the Ordinance is that before a person could file a lawsuit the City Council would have to hear the case to make a determination. The City Council is not a court of law and can not keep someone from filing a lawsuit because it made a determination.

A motion was made by Councilman Bilyeu to Approve Ordinance #01-02-17 amending the City of Sanger Code of Ordinances Article 1.600 Claims for Damages Against City. Motion was seconded by Councilman Boutwell. Motion carried unanimously (5-0 vote)

Councilman Bilyeu asked since we are cleaning up the Ordinances if we could take a closer look at the subdivision ordinance regarding landscaping for new homes to add some requirements such as sod, trees, etc. City Manager Brice advised that the Subdivision Ordinance is currently being reviewed by staff and will be brought to a Work Session.

**10. INFORMATION ITEMS**

- a) Financial and Investment Reports – November 2016**
- b) All American Dogs Report – December 2016.**

Councilman Chick asked if they could get a review of the CIP projects. City Manager Brice advised that he was going to bring that information to Council at the next meeting.

**11. ADJOURN.**

There being no further items Mayor Muir adjourned the meeting at 7:30 p.m.