

CITY OF SANGER, TEXAS

MINUTES: REGULAR CITY COUNCIL MEETING
March 6, 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,

CITIZENS RECOGNIZED DURING MEETING:

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

Mayor Muir called the meeting to order at 7:14 p.m. The Invocation led by Councilman Boutwell, followed by the Pledge of Allegiance led by Councilman Clark.

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 said he would have liked to have interjected into the last hour and a half discussion. He noted he wanted to talk about neighborliness. He voiced his frustrations that he has not been able to talk with the Engineers from Alan Plummer and Associates that he has been denied that opportunity by Mike Brice. He said he is being run over and has not been able to be a part of the discussions even though it is in the middle of his property and he made it available to the city 46 years ago, He noted that Mike Brice has spoken with Mike Riley and that he is being excluded. He asked that staff direct Mike Riley and the Engineers to talk with him about what can be done with the stream restoration and the pipeline. He noted, something that the City has ignored is that he has a permit from TCEQ for that water and that water belongs to him. He noted he would release the water to other entities. He originally planned to release that water to the entity that would build a Golf Course in the flood plain at Ranger Creek. He is not using the water right now but has a permit that says the water is his for as long as the sewer is there and he can use it for irrigation and for recreational purposes and that option is still available. He said the city does not need a pipeline, it will be taking the water away from him, and he will contest that. The City can do stream restoration He said he is a City tax payer and he let that plant be there, Mike Riley is not a tax payer in the Sanger system, but the city is talking with him. He has been excluded from any input on how best to handle that sewer plant by this administration and if you don't like that, put it in your pipe and smoke it. He stated he was a bit irritated and is a little outspoken and has danced around this issue but you are

not going to get an easement to go across him for a pipeline, you can do stream restoration on Mike Riley if you want to give him three and a half million dollars. Take that three and a half million dollars and put it into a small plant downstream and reduce the flow that goes through this plant and you wont have any trouble with TCEQ. TCEQ is a subservient organization to the EPA and the EPA has just changed because the former Attorney General of the State of Oklahoma has filed a suit against the EPA to change the plans and operations of the EPA and the WOTUS that has been in the courts since it started and Trump has signed an order that stops all of that and asked that it be completely redone because of the agricultural and forest industry and others that are concerned about the clean water act. The Clean Water act of 1970 has been a problem for all of us. It is a good act and deserves its day in public opinion but doesn't need to get in the water that runs off of my yard. The Corp of Engineers has been to interpret that they have control of every drop of water that enters into every stream. And one of the proposals of that legislation was, for each individual violation you can be fined thirty-seven thousand dollars. That is in the planning stage. He stated, he needs to be a part of this plan, and that he get the courtesy and the neighborliness that Mike Riley is getting. More importantly because he is a part of this community and he is a taxpayer; get with him.

Larry Peoples, 719 Chaparral Road, was recognized and stated he did not want to speak at this time and his comments on the Citizen Input Form were good for right now. The Citizen Input Form he submitted noted the following in "Comments Below:" section of the forms, "How is the monies for Item 6 to be spent (i.e., new sewer plant located further from town)? On Item 5 where does the effluent go now?"

Georgia Royal, 203 E. Willow was recognized and asked if she could get help with an issue regarding a private road around the 200 block of Rail Road Avenue. She advised she wants to fill the holes and fix the road and can not do it because an adjacent property owner will not let her fix the road. She and if the Police Department or someone could help her get this done. She has had a survey done and pays taxes on the property and can prove it is her property. Mayor Muir noted that the Council could not comment or act on the issue because it is not an agenda item and advised that she should work with staff.

3. CONSENT AGENDA:

a) Approval of Minutes:

- 1. City Council Work Session Meeting Minutes February 21, 2017**
- 2. City Council Regular Meeting Minutes February 21, 2017**

b) Disbursements

c) Approve a Proclamation For The North Texas Poison Center Marking the 55th Annual Observance of Poison Prevention Week.

David Clark had a few questions on the disbursements. A motion was made by Councilman Bilyeu to approve the agenda as presented. The Motion was seconded by Councilman Boutwell. The motion carried unanimously (5-0)

4. **Consider any Items Removed from Consent Agenda.**
There were no items removed from the Consent Agenda.

REGULAR AGENDA

5. **Consider, Discuss, and Possibly Act on authorizing Alan Plummer and Associates To Continue With Design of Either The Stream Restoration Or Outfall Pipeline For Discharge of Effluent from the Wastewater Treatment Plant.**

There was no action on this item.

Councilman Bilyeu asked when they anticipate the engineers would be coming back with this item. It was noted it may put back on the agenda two meetings from now.

6. **Consider, Discuss, and Possibly Act on Resolution Authorizing Publication of Notice of Intention to Issue Certificates of Obligation in a Principal Amount Not To Exceed \$9,000,000, And Authorizing Certain Other Matters Relation Thereto.**

Ted Christenson was recognized to present the item. He noted, what we are doing tonight is notifying the public that we intend to issue these Certificates of Obligation. The way it works is that we have to run newspaper ads and they have to run two consecutive weeks and the meeting and the meeting to approve the CO's can be no less than 31 days from the first newspaper ad. That puts us to the first Monday in May. The only other thing is the "not to exceed" amount. Once there is a vote on this amount we can not go one dollar over that. So, if the Council desires to make a change based on anything they saw tonight, now would be the time to do it. It does not commit the council to use that much, but it will have a not to exceed amount and that includes the cost of commissions. Mayor Muir asked if City Manager Brice could comment. He noted that we have built some cushion into the 9,000,000. He is thinking it may be closer to \$8,000,000 and had hoped that we would have had the bid opening on the plant by now but it had to be postponed due to some addendums so, we do not have that hard number. It was noted the bids would be in on the 16th of March. Basically, the numbers he is using are \$8,000,000 for the plant and \$4,000,000 for the restoration or pipeline. And given the money we still have left over from the last bond issue and some other funds he believed that 9 million would be sufficient. He noted he created a spreadsheet that has every project on it and every revenue stream - bottom line is that he got to about 8.4 million. Ted Christenson advised that if the City happens to have some money left over because, say the project comes under budget; they added some flexibility that would allow the city to do some other projects and what we added in this one was street and drainage improvements. He noted that he and Mike Brice would be in contact throughout this issue and when the amount is determined then Mike can let him know, but it cannot go over the amount decided. After a short question and discussion session it was noted, that with the fact that they would not have to issue the whole amount but want to be sure there is enough, consensus of the Councilmembers was that they would go with \$10,000,000.

A Motion was made by Councilman Bilyeu to Approve the Resolution Authorizing Publication of Notice of Intention to Issue Certificates of Obligation in a Principal Amount Not to Exceed \$10,000,000, and Authorizing Certain Other Matters Relating thereto. The Motion was seconded by Councilman Allison. Motion carried unanimously (5-0).

7. Consider, Discuss, and Possibly Act on Approving and Authorizing City Manager to Sign Professional Services Agreement with Perkins Engineering Consultants, Inc. For the Design of Improvements To The Cowling Road Pumping Station Not to Exceed \$30,127.

Mayor Muir noted a correction, that the, "Not to Exceed" amount added to \$30,129. City Manager Brice advised that a couple of years ago TCEQ changed their regulations that if you blend surface water and ground water then you have to do nitrification testing. The first thing we had to do is develop a plan for TCEQ on how we were going to do that. We hired Perkins Engineering to develop the plan which was presented a few meetings ago. This is to do the engineering to actually make our adjustments to our delivery point on Cowling Road so that we don't have to do as much testing. Basically, what we do is inject Chlorine into the system at the delivery point. To kill the chloramines. If we make these improvements all we have to do is test at Cowling. If we don't make the improvements, we have to test the entire system daily at multiple points. This is the cheapest, most effective, most efficient way to fix the problem that we don't have. Councilman Clark noted that all cities have to do it. It was noted that this requirement has been around for a while and they just now started enforcing it.

A Motion was made by Councilman Bilyeu approving and authorizing City Manager to sign Professional Services Agreement with Perkins Engineering Consultants, Inc. For the design of improvements to the Cowling Road Pumping Station not to Exceed \$30,129. Motion was seconded by Councilman Boutwell. Motion carried unanimously (5-0).

8. INFORMATION ITEMS

a) All American Dogs Report – January

Councilman Chick asked when we were due to renew with All American Dogs? City Manager Brice advised he would have to look up the contract. Councilman Chick noted he has not heard of any complaints.

9. ADJOURN.

There being no further items Mayor Muir adjourned the meeting at 7:53 p.m.