

CITY OF SANGER, TEXAS

MINUTES: REGULAR CITY COUNCIL MEETING
June 4, 2018 – 7:00 PM.
502 Elm Street, Sanger, Texas

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

COUNCIL MEMBERS ABSENT: The Mayor and all Council Members were present constituting a quorum.

STAFF MEMBERS PRESENT: Alina Ciocan, Acting City Manager; Ramie Hammonds, Building Official; Muzaib Riaz, Planner; Jim Berman, Parks and Recreation Director; Cheryl Price, City Secretary.

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

The Regular City Council Meeting was called to order by Mayor Muir on Monday, June 4th, 2018 at 7:07 PM. The Invocation was given by Councilman Allison. The Pledge of Allegiance was led by Councilman Bilyeu.

2. Issue Certificate of Election, Statement of Elected Official and Oath of Office to Council Member Place 4, Allen Chick.

City Secretary, Cheryl Price administered the Certificate of Election, Statement of Elected Official and Oath of Office to Allen Chick, Councilman Place 4.

3. CITIZEN 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 who approached the podium to speak.

4. CONSENT AGENDA:

a) Approval of Minutes:

- 1. City Council Work Session May 21, 2018**
- 2. City Council Regular Meeting May 21, 2018**

b) Disbursements.

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

5. Consider Any Items Removed from Consent Agenda.

None.

REGULAR AGENDA

6. **First Reading of Resolution # 06-06-18 – Approving a Project and Grant Agreement Between the Sanger Texas Development Corporation and the City of Sanger Providing for the Construction of a 3,200 Square Feet Picnic Pavilion at the John Porter Park at a Cost Not to Exceed \$85,000.**

Jim Berman, Director of Parks and Recreation was recognized. He summarized that Tatum Whitewood came to the 4B Development Corporation and made her presentation for the Pavilion. The only way we could do the project is if it became a city project. The reason why the amount is different than her funding request is that in the event that she walked away from the project, we would have to finish it. There was a Public Hearing Held on April 17th and there was no opposition to the project. The 4B Development Corporation approved the project and forwarded it to Council. According to Section 505 of the Texas Local Government Code we have to have two readings of the Resolution and tonight would be the first reading. Councilman Bilyeu noted for the record that Tatum Whitewood, through her hard work and donations, was able to get the amount for the Pavilion to just under \$56,000.

Mayor Muir read Resolution #06-06-18 in its entirety as the required first reading:

RESOLUTION # 06-06-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS, APPROVING A PROJECT AND GRANT AGREEMENT BETWEEN THE SANGER TEXAS DEVELOPMENT CORPORATION AND THE CITY OF SANGER PROVIDING FOR THE CONSTRUCTION OF A 3,200 SQUARE FEET PICNIC PAVILION AT THE JOHN PORTER PARK AT A COST NOT TO EXCEED \$85,000; AUTHORIZING EXECUTION OF THIS AGREEMENT AND ALL NECESSARY DOCUMENTS BY THE MAYOR; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Sanger Texas Development Corporation desires to enter into an agreement with the City of Sanger to construct a picnic pavilion, 3,200 square feet in area (“Project”) at a cost not to exceed \$85,000;

WHEREAS, this Project will provide additional covered space in the John Porter Park, which would allow for large scale events under a covered facility;

WHEREAS, Section 505.158 (b) of the Texas Local Government Code requires that such Project should not be undertaken until the City Council has given a resolution approving such Project at least two separate readings; and

WHEREAS, the City Council desires to give the resolution approving the Project such readings and approval so that the Project may proceed to enhance and expand the quality of life opportunities within the City of Sanger, Texas in accordance with the terms of the Grant Agreement which is attached hereto as Exhibit “A”;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COUNCIL OF SANGER, TEXAS THAT:

Section 1. That the City Council has reviewed the Project described herein and has determined that the Project will promote community activity and enhance the quality of life of the City and accordingly promotes a public purpose.

Section 2. That the terms and conditions of the Grant Agreement, attached hereto as Exhibit “A” and made part hereof for all purposes, having been reviewed by the City Council of the City of Sanger, Texas, and found to be acceptable and in the best interests of the City of Sanger and its citizens, said Agreement is hereby in all things approved.

Section 3. That the Sanger Texas Development Corporation is authorized to enter into appropriate agreement with the City of Sanger for the construction of a picnic pavilion at the John Porter Park, to provide such or appropriate grants or funds available at the discretion of the Board of Directors of the Development Corporation.

Section 4. That the Mayor is hereby authorized to execute the attached Agreement and all other necessary documents in connection therewith on behalf of the City of Sanger, according to the terms and conditions set forth in the Agreement and this Resolution.

Section 5. This Resolution shall take effect after its second reading and immediately from and after its passage by the City Council, and it is, accordingly, so resolved.

Mayor Muir noted that Council would take this under advisement and there would be no action can be taken until the second reading.

7. **Consider, Discuss and Act on Resolution # 06-07-18 – Establishing a Grant Program for the Sanger Texas Development Corporation; Approving Grant Guidelines and Providing for an Effective Date.**

RESOLUTION #06-07-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS, APPROVING CONSIDERATION OF GRANT GUIDELINES AND GRANT APPLICATION FOR THE SANGER TEXAS DEVELOPMENT CORPORATION AND PROVIDING FOR AN EFFECTIVE DATE.

Jim Berman, Director of Parks and Recreation was recognized. He advised that when Tatum Whitewood went before the 4B Development Corporation with her project, it was discovered that the 4B Development Corporation did not have a procedure to do community grants. The Board wanted to establish a grant program so this Resolution is to establish grant guidelines and an application process. The 4B Development Corporation approved this resolution at the April 17th meeting. Once the Resolution is in place, the Board will have to budget for it and also advertise that it is available. He advised that the guidelines note the types of projects, scheduling and review process for grants and the 4B Board will set priorities. Acting City Manager, Alina Ciocan noted that the 4B Board is very conservative with the direction they want to take with their funding. Tatum Whitewood’s project opened their eyes that there may be an opportunity for such grants; and, that they did not have a process in place. This will set up the process. It was noted that \$10,000 is their threshold. Councilman Bilyeu noted that the there were some discrepancies in the Sanger Texas Development Corporation name

and acronyms (STDC) the Grant Agreement and staff noted the Scribner's errors would be corrected.

A motion was made by Councilman Bilyeu approve Resolution #06-07-18 – Establishing a Grant Program for the Sanger Texas Development Corporation; approving Grant Guidelines and providing for an effective date. The motion was seconded by Councilman Boutwell. The motion carried unanimously 5-0.

8. Consider, Discuss and Act on Resolution # 06-08-18 – Appointing Members to the Fire Code Board of Appeals and Providing for an Effective Date.

RESOLUTION #06-8-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS APPOINTING MEMBERS TO THE FIRE CODE BOARD OF APPEALS; AND PROVIDING FOR AN EFFECTIVE DATE.

Acting City Manager, Alina Ciocan advised that when we adopted the 2012 International Fire Code, we in essence created a board. To this point we have not appointed anyone to the board; however, we recently have been challenged on an interpretation of the code for one of our projects. We are appointing members to the board and per the International Fire Code the members have to have knowledge, training and expertise to issue on matters related to fire. Board members would not have to live in the city limits because they are required to have the knowledge and expertise to rule on the matters; and, they cannot be employees of the jurisdiction. Mayor Muir noted the experience that was on the applications for the board members. Councilman Clark questioned how long the board members would hold the position on the board. Ms. Ciocan noted that she initially had a term limit on the resolution and after review by the City Attorney he stated that based on the Fire Code that the board members serve at the pleasure of Council. Council may appoint them on a two-year basis like any other board. The same rules apply as any other board. They will meet as needed.

A motion was made by Councilman Bilyeu to approve Resolution # 06-08-18 – Appointing Members to the Fire Code Board of Appeals and Providing for an Effective Date. The motion was seconded by Councilman Chick. The motion carried unanimously 5-0 vote.

9. Consider, Discuss and Possibly Act on Ordinance # 06-16-18 – Amending Chapter 15, Parks and Recreation, Article 15.500 “Parkland Dedication”, Sec. 15.502 “Applicability” and Sec. 15.508 “Submitting Fee.”

ORDINANCE #06-16-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS AMENDING CHAPTER 15, PARKS AND RECREATION OF THE CODE OF ORDINANCES; ARTICLE 15.500 “PARKLAND DEDICATION”, SEC. 15.502 ‘APPLICABILITY’ AND SEC 15.508 ‘SUBMITTING FEE’; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Jim Berman, Director of Parks and Recreation was recognized. He advised that in February of 2017 he came to the Council with Ordinance No. 02-07-17 Establishing Parkland Dedication Fees and since that was done staff has discovered some areas that need clarification in our ordinance. He reviewed the changes. In applicability changing to 6 or more lots. On the fee submittal the fee to be paid prior to filing recordation. Staff noted that it was vague and this would help make the requirement clear. A typographical error was noted by Councilman Bilyeu change filling to "Filing".

A motion was made by Councilman Boutwell to approve Ordinance # 06-16-18 – amending Chapter 15, Parks and Recreation, Article 15.500 "Parkland Dedication", Sec. 15.502 "Applicability" and Sec. 15.508 "Submitting Fee." The motion was seconded by Councilman Allison. The motion carried unanimously with a 5-0 vote.

- 10. Conduct a Public Hearing Regarding a Request to Amend Planned Development District Created by Ordinance #06-18-17 (PD-SF-06) to Extend Boundaries from Willowood Addition to Include an Approximate Additional 3.634 Acres and Rezone Said Acreage From "A" Agricultural District to Planned Development District (PD-SF-06). The Property is Generally Located West of Rector Road and Railroad Line and North of Eider Drive and First Street.**

Planner, Muzaib Riaz summarized the request. This request by the applicant adds 3.634 Acres into the planned development which will add 13 residential lots and two (2) common area lots into the development. The lots will meet the PD requirements and four lots will meet the minimum dwelling size requirements of 1800 square feet and two of them will have a minimum dwelling size of 1600 square feet. The zoning change meets the future land use plan at 6 units per acre and meets all subdivision regulations and staff recommends approval.

Mayor Muir opened the Public Hearing at 7:40 PM and solicited anyone who wished to speak. There being no citizens approaching the podium who wished to speak, the public hearing was closed at 7:41 PM.

- 11. Consider, Discuss and Act on Ordinance # 05-10-18 - Amending the Comprehensive Zoning Ordinance and the Official Zoning Map by Amending the Planned Development District Created by Ordinance #06-18-17 (PD-SF-06) to Extend the Boundaries to Include An Approximately 3.634 Acre Tract and Rezone Said Tract From "A" Agricultural District to Planned Development District PD-SF-06 and Amending Section 3 "Area Regulations." The Property is Generally Located West of Rector Road and Railroad Line and North of Eider Drive and First Street.**

ORDINANCE# 05-10-18

AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP. AS HERETOFORE AMENDED BY AMENDING THE PLANNED DEVELOPMENT DISTRICT CREATED BY ORDINANCE 06-18-17 (PD-SF-06) TO EXTEND THE BOUNDARIES THEREOF TO INCLUDE AN APPROXIMATELY 3.634 ACRE TRACT THEREIN AND REZONE SAID TRACT FROM "A" AGRICULTURE DISTRICT TO PLANNED DEVELOPMENT DISTRICT PD-SF-06 AND AMENDING SECTION 3 "AREA

REGULATIONS"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Muir noted for the record that Councilman Allison recused himself for this item because his engineering firm worked on the project.

Planner, Muzaib Riaz noted that in Section 3 G there was an addition to the Ordinance which reads as follows:

- G. Lots may be reallocated administratively; and, on a case-by-case basis by City staff at the request of the developer and or builder as long as the total number of lots for each category of minimum dwelling unit size remains the same within the Willowood PD (PD-SF-06) as a whole, and the developer and/or builder owns the lots proposed for reallocation.

Staff noted that this was not in the original Ordinance and that it allows for a little more flexibility. Mayor Muir noted that this was an area that the developer acquired after approval after the original plat. The developer was encouraged to try and obtain the property so that First Street could be extended into the Quail Run addition. This incorporates the extra property they were able to acquire into the Planned Development.

Councilman Boutwell noted that 26 notices were mailed out for Notification of the Public Hearing and none were returned. Staff has reviewed this and recommends Approval. A motion was made by Councilman Boutwell to approve Ordinance #05-10-18 - amending the Comprehensive Zoning Ordinance and the Official Zoning Map by amending the Planned Development District created by Ordinance #06-18-17 (PD-SF-06) to extend the boundaries to include an approximately 3.634 acre tract and rezone said tract From "A" Agricultural District to Planned Development District PD-SF-06 and amending Section 3 "Area Regulations." The property is generally located west of Rector Road and Railroad Line and north of Eider Drive and First Street. Councilman Bilyeu asked a few questions regarding the layout and it was noted that it would be further discussed on the plat approval later in the agenda. The Motion was seconded By Councilman Chick. The motion carried unanimously with a 4-0 with no vote from Councilman Allison who recused himself from the meeting because his engineering firm was involved with the subdivision.

12. Conduct a Public Hearing Regarding the Replat of the Willowood Addition, Approximately 34.58 Acres of Land Situated in the H. Tierwester Survey Abstract No. 1241, Generally Located West of Rector Road and Railroad Line and North of Eider Drive and First Street.

Planner, Muzaib Riaz summarized. He noted this is the replat of the Willowood Addition to include 13 residential lots and 2 lots to be used for drainage and detention purposes. The total number of lots proposed for Willowood Addition is 174 residential lots and 3 common area lots. The lots meet the regulations for size of yards and size of lots as mentioned in the Planned Development Stipulations. The property is located within the City of Sanger City limits. All public utilities will be provided by the City of Sanger.

The Public Hearing was opened at 7:50 PM and solicited anyone who wished to speak. There being no citizens approaching the podium who wished to speak, the public hearing was closed at 7:51 PM.

13. Consider, Discuss and Act on the Replat of the Willowood Addition, Approximately 34.58 Acres of Land Situated in the H. Tierwester Survey Abstract No. 1241, Generally Located West of Rector Road and Railroad Line and North of Eider Drive and First Street.

There was discussion regarding the location of the common areas and the location of the additional lots. Planner, Muzaib Riaz noted the locations of the lots and the minimum square footage. It was noted by the developer that the detention pond would be fenced in and sprinklered. There would be a combination lock access for residents. And it would be maintained by the Homeowners Association. It was noted the pond was about 12 feet deep. They got rid of one of the ponds with the additional land. It was noted that the street would be constructed by the developer.

A motion was made by Councilman Boutwell to approve the replat of the Willowood Addition, approximately 34.58 acres of land situated in the H. Tierwester Survey Abstract No. 1241, generally located west of Rector Road and Railroad Line and north of Eider Drive and First Street. The motion was seconded by Councilman Clark. The motion carried unanimously 4-0 Vote – with no vote from Councilman Allison who recused himself from the meeting because his engineering firm was involved with the subdivision.

Councilman Allison returned to the meeting.

14. Conduct a Public Hearing Regarding a Request to Amend the Comprehensive Land Use Plan and Future Land Use Map from Rural Residential Use and Commercial Use to Industrial Use for Approximately 55.147 Acres Situated in the William Mason Survey Abstract No. 801, and Generally Located West of I-35 North and Approximately 650 feet South of View Road.

Planner, Muzaib Riaz summarized. This is a request for an amendment to the Comprehensive Plan and Future Land Use Plan to amend the land use designation on sites totaling approximately 55.147 acres, from Rural Residential use and Commercial use, to Industrial use to allow for industrial development. The property on the North, West and South have a designation of Rural Residential use and Commercial use. The property on the east across I-35 has a designation of Industrial use in the Comprehensive Open and Future Land Use Plan. Part of the zoning is Industrial Use and part of it is Mobile Home Park. They are proposing to expand the current “Trailer or Mobile Home Sales or Rental” use and develop a 93,754 square foot building RV Sales with associated improvements.

Mayor Muir noted that items 14-18 on the Agenda are all tied together.

Mayor Muir opened the Public Hearing at 8:05 PM and solicited anyone who wished to speak. There being no citizens approaching the podium who wished to speak, the public hearing was closed at 8:06 PM.

15. **Consider, Discuss and Act on Ordinance #05-11-18 - Amending the Comprehensive Land Use Plan and Future Land Use Map by Changing the Use Classification from Rural Residential Use and Commercial to Industrial On a Certain Approximately 55.147 Acres Situated in the William Mason Survey Abstract No. 801, and Generally Located West of I-35 North and Approximately 650 feet South of View Road.**

ORDINANCE# 05-12-18

AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION FROM "A" AGRICULTURAL DISTRICT TO "I-1" INDUSTRIAL DISTRICT ON APPROXIMATELY 55.147 ACRES SITUATED IN THE WILLIAM MASON SURVEY ABSTRACT NO. 801, AND GENERALLY LOCATED WEST OF I-35 NORTH AND APPROXIMATELY 650 FEET SOUTH OF VIEW ROAD; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The building they propose to build will be a 93,754 square foot building for RV Sales. It was noted the RV Parking was actually a non-conforming use. If it were to get destroyed by an act of nature, it could not be rebuilt.

Councilman Allison noted that it surprises him that an RV Sales would be allowed in Industrial zoning. It was noted that in the near future staff would be reviewing the zoning table and looking at these types of issues. The Applicant's Representative, Hannah Blackwell was recognized. She noted they do have an existing building that they want to expand. They do a lot of work on the RV's and want to make sure they are in pristine condition before they are sold. She noted that they are not going to close any of their other facilities to expand this one. They want to get the property zoned all industrial. There are some infrastructure and TCEQ requirements that only allow a certain amount of septic area per lot. They are having to divide the size of the lot to facilitate this. Councilman Boutwell asked if there were sewer lines anywhere near the area? It was noted there was no sewer lines near the property they could tie into. It was noted that this property is completely within the city limits. There was further discussion regarding providing sewer to the property.

A motion was made by Councilman Allison to approve Ordinance #05-11-18 - amending the Comprehensive Land Use Plan and Future Land Use Map by changing the Use Classification from Rural Residential Use and Commercial to Industrial on a certain approximately 55.147 acres situated in the William Mason Survey Abstract No. 801, and generally located west of I-35 north and approximately 650 feet south of View Road. The motion was seconded by Councilman Boutwell. Councilman Chick prompted further discussion regarding the zoning around the property, the Comprehensive Land Use Plan, zoning and zoning buffers. Acting City Manager Alina Ciocan noted that the last time we looked at the Comprehensive Plan was in 2007 It was noted that the existing building is on the back lot and the new building will be on the front area. The

motion carried unanimously with a 5-0 vote.

16. **Conduct a Public Hearing Regarding a Request to Rezone Approximately 55.147 Acres From "A" Agricultural District to I-1 Industrial District, Situated in the William Mason Survey Abstract No. 801, and Generally Located West of I-35 North and Approximately 650 feet South of View Road.**

The Public Hearing was opened at 8:34 PM and solicited anyone who wished to speak. There being no citizens approaching the podium who wished to speak, the public hearing was closed at 8:34 PM.

17. **Consider, Discuss and Act on Ordinance # 05-12-18 - Amending the Comprehensive Zoning Ordinance and the Official Zoning Map by Changing the Zoning Classification From "A" Agricultural District to I-1 Industrial District on Approximately 55.147 Acres Situated in the William Mason Survey Abstract No. 801, and Generally Located West of I-35 North and Approximately 650 feet South of View Road.**

ORDINANCE# 05-12-18

AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION FROM "A" AGRICULTURAL DISTRICT TO "I-1" INDUSTRIAL DISTRICT ON APPROXIMATELY 55.147 ACRES SITUATED IN THE WILLIAM MASON SURVEY ABSTRACT NO. 801, AND GENERALLY LOCATED WEST OF I-35 NORTH AND APPROXIMATELY 650 FEET SOUTH OF VIEW ROAD; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Councilman Allison to approve Ordinance # 05-12-18 - amending the Comprehensive Zoning Ordinance and the Official Zoning Map by changing the Zoning Classification From "A" Agricultural District to I-1 Industrial District on approximately 55.147 acres situated in the William Mason Survey Abstract No. 801, and generally located west of I-35 north and approximately 650 feet south of View Road. The motion was seconded by Councilman Boutwell. The motion carried unanimously 5-0 vote.

18. **Consider, Discuss and Act on the Final Plat of Lot 1 and Lot 2, Block 1, McClain Acres, Being 55.147 Acres and Situated in the William Mason Survey Abstract No. 801, and Generally Located West of I-35 North and Approximately 650 Feet South of View Road.**

Planner, Muzaib Riaz summarized noting the property is 55.147 acres and is proposing to subdivide into two lots of record with Lot 1 being 23.512 acres; and, Lot 2 being 31.635 acres. It meets the subdivision regulations and has septic and they have water wells.

A motion was made by Councilman Boutwell to approve the Final Plat of Lot 1 and Lot 2, Block 1, McClain Acres, being 55.147 acres and situated in the William Mason Survey Abstract No. 801, and generally located West of I-35 North and Approximately 650 Feet South of View Road. The motion was seconded by Councilman Allison. There were questions by Councilman Bilyeu and it opened discussion regarding the uses and it was noted that on the front side is mobile home sales and the back side is grandfathered as a mobile home park. Mobile home park is not permitted in Industrial but mobile home sales is allowed. The motion carried unanimously with a 5-0 vote.

19. Conduct a Public Hearing Regarding a Request for a Specific Use Permit (SUP) for a Temporary Concrete Batch Plant at the R & L Carriers Job Site Zoned as I-1 Industrial District, Situated in B.F. Lynch Survey, Abstract #725, Known as R-L Carriers Addition, Block 1, Lot 1, and Generally Located East of I-35 and North of View Road.

Planner, Muzaib Riaz summarized noting they are requesting to set up a temporary concrete batch plant on 0.5 acres of property. They meet the 300-foot setback required by TCEQ and the SUP is in conformance with the zoning ordinance and staff recommends approval.

The Public Hearing was opened at 8:52 PM and solicited anyone who wished to speak. There being no citizens approaching the podium who wished to speak, the public hearing was closed at 8:53 PM.

20. Consider, Discuss and Act on Ordinance # 05-13-18 – Amending the Comprehensive Zoning Ordinance and Zoning Map to Grant a Specific Use Permit to Allow a Temporary Concrete Batch Plant as a Use at the R & L Carriers Job Site, Generally Located East of I-35 and North of View Road.

ORDINANCE# 05-13-18

AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A SPECIFIC USE PERMIT TO ALLOW A TEMPORARY CONCRETE BATCH PLANT AS A USE AT R&L CARRIERS JOB SITE, GENERALLY LOCATED EAST OF I-35 AND NORTH OF VIEW ROAD; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Planner, Muzaib Riaz noted that the applicant is proposing to have the temporary batch plant for a term of approximately 1 year.

A motion was made by Councilman Boutwell to approve Ordinance # 05-13-18 – amending the Comprehensive Zoning Ordinance and Zoning Map to grant a Specific Use Permit to allow a temporary concrete batch plant as a use at the R & L Carriers job site, generally located east of I-35 and north of View Road. Councilman Clark noted they had the SUP for one year; and, questioned if they are finished in 6 months will they remove the site or use it for somewhere else. Staff noted that the plant is specific for the site. There was discussion regarding temporary batch plants and it was noted that this item needs to be reviewed by staff and to look at a possible change to the land use

table to allow short term batch plants. The motion was seconded by Councilman Bilyeu. The motion carried unanimously with a 5-0 vote.

- 21. Consider, Discuss and Act on the Final Plat of Lots 1-3, Block A of Kirkland Addition, Being 0.50 Acres Situated in the R. BeBee Survey A-29, and Generally Located South of Kirkland Street and Approximately 76.80 Feet West of Sims Street.**

Planner, Muzaib Riaz summarized noting that this is a Final Plat of three lots located in SF-10 zoning, it meets all of the minimum setbacks, and lot size requirements for SF-10. Staff has found the plat to be in compliance with the requirements of the subdivision ordinance and recommends approval. The subdivision will be served by all of the City of Sanger utilities.

A motion was made by Councilman Bilyeu to approve the Final Plat of Lots 1-3, Block A of Kirkland Addition, being 0.50 acres situated in the R. BeBee Survey A-29, and generally located South of Kirkland Street and approximately 76.80 feet west of Sims Street. The motion was seconded by Councilman Clark. The motion carried unanimously with a 5-0 vote.

- 22. Consider, Discuss and Act on the Final Plat of Lots 1-2, Block A of Higgs Addition, Being 5.779 Acres in the R. Beebee Survey Abstract No. 29 in the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, and Generally Located South of Lois Road East, Approximately 264.02 Feet West of Huling Road, and Approximately 2397 Feet East of Marion Road.**

Planner, Muzaib Riaz summarized noting the applicant is proposing to subdivide a tract of land into two lots of record Lot 1 being 2.719 acres and Lot 2 being 2.719 acres. The site is in the ETJ of the City of Sanger. Staff has sent the plat to Denton County for courtesy review. County comments have been incorporated into the Plat. Staff has found the plat to be in compliance with the requirements of the Subdivision Ordinance and recommends approval.

Councilman Boutwell noted he was confused about the location and there was brief discussion regarding the location. Councilman Bilyeu noted that there was a shortage on the noted acreage and it was noted the missing amount was the dedicated right-of-way.

A motion was made by Councilman Bilyeu to approve the final plat of Lots 1-2, Block A of Higgs Addition, being 5.779 Acres in the R. Beebee Survey Abstract No. 29 in the extraterritorial jurisdiction (ETJ) of the City of Sanger, and generally located south of Lois Road East, approximately 264.02 feet west of Huling Road, and approximately 2397 feet east of Marion Road. The motion was seconded by Councilman Clark. The motion carried unanimously with a 5-0 vote.

- 23. Consider, Discuss and Act on the Minor Plat of the Jeff Thomas Addition, Being 0.29 Acres in the W.A. Thompson Survey Abstract No. 1238, Generally Located on the Southwest Corner of Elm Street and North 8th Street.**

Planner, Muzaib Riaz summarized noting the applicant is proposing to plat a single 0.29

acre lot for the purpose of developing a duplex. It is located on the southwest corner of Elm and North 8th Street. The subject property is located within the 2-F District and meets the minimum setback requirements and minimum lot size requirements. Utilities will be provided by the City of Sanger.

A motion was made by Councilman Allison to approve the minor plat of the Jeff Thomas Addition, being 0.29 Acres in the W.A. Thompson Survey Abstract No. 1238, generally located on the Southwest Corner of Elm Street and north 8th Street. There was discussion as to the location. The motion was seconded by Councilman Clark. The motion carried with four (4) in favor and one (1) against – Councilman Chick voting in opposition.

24. Consider, Discuss and Act on the Amended Plat of Lot 5R1-R and 5R2-R, Block A, N.L. Hobbs Addition, Being an Amendment of Lot 5R1 and Lot 5R2, Block A, N.L. Hobbs Addition, being 5.89 Acres of Land Situated in the Reuben Bebee Survey Abstract No. 29, and Generally Located Northeast of the Intersection of Marion Road and Sanger Circle Drive.

Planner, Muzaib Riaz summarized noting this is an amendment of an existing plat to include a parking lot on the back lot to slightly change the configuration of the lots to make sure that the parking stays with the storage unit. Staff has found the plat to be in compliance with the requirements of the Subdivision Ordinance and Texas Local Government Code.

A motion was made by Councilman Bilyeu to approve the Amended Plat of Lot 5R1-R and 5R2-R, Block A, N.L. Hobbs Addition, Being an Amendment of Lot 5R1 and Lot 5R2, Block A, N.L. Hobbs Addition, being 5.89 Acres of Land Situated in the Reuben Bebee Survey Abstract No. 29, and Generally Located Northeast of the Intersection of Marion Road and Sanger Circle Drive. The motion was seconded by Councilman Boutwell. The motion carried with four (4) in favor and one (1) against – Councilman Chick voting in opposition.

25. Consider, Discuss and Act on the Preliminary Plat of Arrowhead Estates, Being Approximately 3 Acres of Land and Being Subdivided into 14 Single Family Residential Lots, situated in the H. Tierwester Survey, Abstract No. 1241, and Generally Located at the Southeast corner of Willow Street and Railroad Avenue.

Planner, Muzaib Riaz summarized noting they are proposing to subdivide the property into 16 single family residential lots per existing SF-10 zoning district standards on approximately 3 acres. The property meets the minimum setback requirements and minimum lot size requirements for SF-10 District. Staff has found the plat to be in compliance with the requirements of the Subdivision Ordinance and recommends approval of the preliminary plat. Staff noted that the applicant engineer is present.

A motion was made by Councilman Boutwell to approve the preliminary plat of Arrowhead Estates, being approximately 3 acres of land and being subdivided into 16 single-family residential lots, situated in the H. Tierwester Survey, Abstract No. 1241, and generally located at the southeast corner of Willow Street and Railroad Avenue. The motion was seconded by Councilman Chick. Staff noted that the subdivision would be served by City of Sanger utilities. The motion carried unanimously with a 5-

0 vote.

26. EXECUTIVE SESSION: CLOSED MEETING

Pursuant to the Open Meetings Act, Chapter 551, the City Council Will Meet in in a Closed Executive Session in Accordance with the Texas Government Code:

Section 551.074 to Discuss Personnel Matters:

- a) To Deliberate Regarding A Proposed Employment Agreement Between the City of Sanger and Alina Ciocan for the Position of City Manager.**

The Mayor and City Council convened into closed Executive Session at 9:21 PM.

27. RECONVENE: OPEN MEETING

Council reconvened into open meeting at 10:16 PM

- a) Act on a Proposed Employment Agreement Between the City of Sanger and Alina Ciocan for the Position of City Manager.**

Mayor Muir asked what Council's pleasure was coming out of Executive Session.

Councilman Bilyeu stated that with it is with pleasure that he proposes a motion to approve the agreement that was discussed and offer the position of City Manager to Alina Ciocan. The motion was seconded by Councilman Clark. The motion carried unanimously with a 5-0 vote.

28. INFORMATION ITEMS:

- a) Financial Statements - April 30, 2018**
b) Capital Projects - May 31, 2018

There was brief discussion regarding Capital Project expenditures regarding the wastewater treatment plant.

- 29. FUTURE AGENDA ITEMS: *(The purpose of this item is to allow the Mayor and members of Council to bring forward items they wish to discuss at a future meeting, A Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting. Items may be placed on a future meeting agenda with a consensus of the Council or at the call of the Mayor).***

None.

30. ADJOURN.

There being no further business Mayor Muir adjourned the meeting at 10:23 PM.