

CITY OF SANGER, TEXAS

**MINUTES: REGULAR CITY COUNCIL MEETING
OCTOBER 1, 2018, 7:00 p.m.
502 Elm Street, Sanger, Texas**

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

COUNCIL MEMBERS ABSENT: Councilman Bill Boutwell, Councilman Gary Bilyeu.

The Mayor and three Council Members were present constituting a quorum.

STAFF MEMBERS PRESENT: City Manager Alina Ciocan, Human Resource Coordinator Jeriana Staton, Public Works Director Neal Welch, and Development Services Director Ramie Hammonds.

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

Mayor Muir called the Regular City Council Meeting to order on October 1st, 2018 at 7:03 p.m. Councilman Chick gave the Invocation and Councilman Clark led 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).

Roger Hartman, 3000 McReynolds Road was recognized and stated that he had multiple concerns related to McReynolds Road. The first concern, is lack of speed limit signs on McReynolds Road. The second concern, is Mr. Hartman would like to see more Police enforcement on McReynolds Road for speeding. The last topic is related to the location of his driveway. Mr. Hartman stated he had spoke with Erik Terry about moving his driveway by 10 feet to ensure a safer entrance to the Hartman's home. Mayor Muir requested that the Hartman's visit with Public Works Director Neal Welch after the meeting to discuss further as to what could or could not be done.

3. CONSENT AGENDA:

a) Approval of Minutes:

1. City Council Regular Meeting, September 17, 2018

A motion was made by Councilman Clark to approve the Consent Agenda as presented. The motion was seconded by Councilman Chick. The motion carried unanimously with a 4-0 vote. (Councilman Bilyeu and Councilman Boutwell Absent).

4. Consider Any Items Removed from Consent Agenda.

No items removed.

REGULAR AGENDA

5. **Conduct a Public Hearing For the Replat of Lots 1R, 2R, & 3R, Block 1, L.L.&T. Addition, Being a Replat of Lot 1, Block 1, L.L.& T. Addition, Being 7.026 Acres in the Reuben Bebee Survey A-29, and Being in the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, Generally Located North of FM 455 and Approximately 1300 Feet East of the Intersection of Union Hill Road and FM 455.**

Staff noted that that applicant is wishing to divide this lot into three lots. Staff went on to explain that the lot is currently zoned as RC 1 Acre minimum with The Lake Ray Roberts District. It currently has two buildings used for boat storage, and the east lot, has a commercial building on it as well. Staff submitted the replat to Denton County for a courtesy review. Denton County returned with several comments, part of it was they wanted a right of way dedication. The City also asked for a 60-foot access easement to the back lot. At this time the applicant has not responded to any of these comments and with that staff is recommending denial of this replat.

Mayor Muir opened the Public Hearing at 7:15pm, with no one wishing to speak on this matter the Public Hearing was closed at 7:15pm.

6. **Consider, Discuss and Act on the Replat of Lots 1R, 2R, & 3R, Block 1, L.L.&T. Addition, Being a Replat of Lot 1, Block 1, L.L.& T. Addition, Being 7.026 Acres in the Reuben Bebee Survey A-29, and Being in the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, Generally Located North of FM 455 and Approximately 1300 Feet East of the Intersection of Union Hill Road and FM 455.**

Staff noted that if the right of way dedication and the access easement were in place the one lot in the front would no longer meet the 1 acre requirement. That is part of the reason for staff's recommendation. Mayor Muir stated to also note that in the Planning and Zoning vote for approval it did state that all Denton County Comments must be addressed by September 24th. It was his understanding that the applicant has not addressed any of the Denton County comments to date. Staff did confirm that the applicant has not addressed any of the comments. Councilman Allison asked if the applicant had made any comment or indication that they will address the comments. Staff stated they have spoken to the applicant on several occasions, the applicant was to get with his surveyor to address the comments, but staff never received follow up from the applicant. The applicant was made aware that if the comments from Denton County were not addressed, staff would recommend denial on this item. Councilman Allison asked staff, if it would be an option for a continuance. Staff stated that the current way the law reads we cannot continue this.

Unidentified citizen stated her concerns for her parents' property that is located next to the lots in question. She stated that her parents the owners of the property located next door, had concerns that they would lose part or all of the easement on the property if it was to be re-plated. Mayor Muir stated that the easement the citizen was referring to was not shown on this plat.

A motion was made by Councilman Allison to deny the Replat of Lots 1R, 2R, & 3R, Block 1, L.L.&T. Addition, Being a Replat of Lot 1, Block 1, L.L.& T. Addition, Being 7.026 Acres in the Reuben Bebee Survey A-29, and Being in the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, Generally Located North of FM 455 and

Approximately 1300 Feet East of the Intersection of Union Hill Road and FM 455. The motion was seconded by Councilman Clark. The motion carried unanimously. (Councilman Boutwell and Councilman Bilyeu absent).

7. **Consider, Discuss and Act on the Final Plat of Lot 1, Block A, DeJernett Addition, Being 3.986 Acres in the R. Bebee Survey A-29, and Being in the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, Generally Located East of Union Hill Road and Approximately 335 Feet North of the Intersection of Union Hill Road and Muir Road.**

Staff stated that this is a final plat requested by the applicant for the 3.986 acres. This property is in Sanger's ETJ, and the plat has already been sent to Denton County for comments. All comments have been included in this final plat. Staff recommends approval on this final plat.

Councilman Allison asked staff if this plat meets the zoning requirements. Staff replied that it does meet the zoning requirements. The applicant did apply for zoning and it was granted on September 15th 2018 by Lake Ray Roberts. A motion was made by Councilman Allison to approve the Final Plat of Lot 1, Block A, DeJernett Addition, Being 3.986 acres in the R. Bebee Survey A-29, and Being in the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, Generally Located East of Union Hill Road and Approximately 335 Feet North of the Intersection of Union Hill Road and Muir Road. The motion was seconded by Councilman Clark. The motion carried unanimously. (Councilman Boutwell and Councilman Bilyeu absent).

8. **Consider, Discuss and Act on the Minor Plat of Lot 1, Block A, Gerritzen Addition, Being 6.08 Acres in the B.F. Lynch Survey Abstract Number 725, and Being in the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, Generally Located West of Melton Road and Approximately 1660 Feet North of the Intersection of Melton Road and Lois Road East.**

Staff stated this is a minor plat requested for the Gerritzen Addition. There currently is RV and Boat Storage on this lot. The applicant would like to continue expanding his business and that is why he is requesting this plat. This is not located within the Lake Ray Roberts zoning board. It is within the county and the City's ETJ. Denton County has submitted their comments and all comments have been addressed. Staff recommends approval.

Councilman Chick asked staff if there were any fire concerns with this lot. Staff stated that this plat did go before the DRC and that the fire department saw no concerns with this plat.

A motion was made by Councilman Clark to approve the Minor Plat of Lot 1, Block A, Gerritzen Addition, Being 6.08 Acres in the B.F. Lynch Survey Abstract Number 725, and Being in the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, Generally Located West of Melton Road and Approximately 1660 Feet North of the Intersection of Melton Road and Lois Road East. The motion was seconded by Councilman Allison. The motion carried unanimously. (Councilman Boutwell and Councilman Bilyeu absent)

9. **Consider, Discuss and Act on the Preliminary Plat of Lots 1-14, Block A, Lakeside**

Addition, Being 62.91 Acres in the Carmel Manchaca Survey, Abstract Number 790, Within the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, Generally Located between FM 2164 on the West and FM 455 on the East and Approximately 1200 Feet South of the Intersection of FM 2164 and FM 455.

Staff stated that this is an application to develop 14 lots between FM 455 and FM 2164. All lots have road frontage. The lots were recently re-zoned by the Lake Ray Roberts Zoning Board to a minimum of 3 acres and that is included in this plat. There is one lot that has some flood-plain in it and they have given it a minimum floor elevation to build on. All Denton County comments have been addressed and included in this plat, so at this time staff would recommend approval on this plat.

Councilman Allison asked the question if the applicant has had any conversations with TXDOT about this project. Staff replied they were unsure if the applicant has spoken to TXDOT, but they believed he had mentioned doing shared driveways.

A motion was made by Councilman Allison to approve the Preliminary Plat of Lots 1-14, Block A, Lakeside Addition, Being 62.91 Acres in the Carmel Manchaca Survey, Abstract Number 790, Within the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, Generally Located between FM 2164 on the West and FM 455 on the East and Approximately 1200 Feet South of the Intersection of FM 2164 and FM 455. The motion was seconded by Councilman Clark. The motion carried with a 3-1 vote, Councilman Chick voting in opposition to the vote. (Councilman Boutwell and Councilman Bilyeu absent)

10. **Consider, Discuss and Act on the Preliminary Plat of Lots I-29, Block A, Lots 1-6, Block B and Lots 1-24X, Block C, Parkbrook at Sanger Circle, Being a Replat of Part of Lots 1A-4A, and All of Lots 5A-8A, Block A of Marion Point Acres, and Being 19.51 Acres in the Reuben Bebee Survey, Abstract No. 29 Within the City of Sanger, Generally Located East of Marion Road and Approximately 1200 Feet North of the Intersection of Marion Road and FM 455.**

Staff stated that this is a preliminary plat for the Parkbrook Addition. This came before us previously as 8 lots, they are now adding 54 residential lots with 4 open spaces and 1 detention lot, for a total of 59 lots. This is in the R1 zoning district which calls for a minimum size homes of 2,000 square feet and the lot sizes are 6,900 square feet. We had sent this out to our reviewing engineer for comments, all the comments have been addressed and it meets the City's requirements so staff is recommending approval on this preliminary plat.

Mayor Muir asked if they have addressed the drainage issue to the south. Staff stated the applicant is looking into having the drainage go into the stream, the engineer is present this evening if you have questions for him.

Councilman Allison asked how the emergency access is being addressed. He understood it to be that there should be two access points yet it only shows one. Staff stated that this preliminary plat came in without that, but we will be glad to address this since it is in the City ordinance. DRC did not have any comments due to a second point of access.

Councilman Chick requested more of an explanation of the history behind this project. The applicant's engineer, staff and council had a brief discussion covering the history and how this preliminary plat came to be.

A motion was made by Councilman Allison to approve the Preliminary Plat of Lots I-29, Block A, Lots 1-6, Block B and Lots 1-24X, Block C, Parkbrook at Sanger Circle, Being a Replat of Part of Lots 1A-4A, and All of Lots 5A-8A, Block A of Marion Point Acres, and Being 19.51 Acres in the Reuben Bebee Survey, Abstract No. 29 Within the City of Sanger, Generally Located East of Marion Road and Approximately 1200 Feet North of the Intersection of Marion Road and FM 455. The motion was seconded by Councilman Chick. The motion carried unanimously. (Councilman Boutwell and Councilman Bilyeu absent)

- 11. Consider, Discuss and Act on the Minor Plat of Lot 1, Sanger Circle Amenity Center, Being 1.30 Acres in the Reuben Bebee Survey, Abstract No. 29 within the City of Sanger, and Generally Located South of Avion Drive and Approximately 290 Feet West of the Intersection of Avion Drive and Bridle Path.**

Staff stated this plat is 1.30 acres to build the Sanger Circle Amenity Center. This amenity center has not been included in any other plats they have submitted prior to this. This plat will be a stand-alone plat. The public improvements for this are included in the Phase 6 plans currently under review by the City's reviewing engineer and they are working with the developers engineer to work on all the comments addressed. The plat meets all of the City's subdivision requirements, and with that staff recommend approval of this plat.

A motion was made by Councilman Allison to approve the Minor Plat of Lot 1, Sanger Circle Amenity Center, Being 1.30 Acres in the Reuben Bebee Survey, Abstract No. 29 within the City of Sanger, and Generally Located South of Avion Drive and Approximately 290 Feet West of the Intersection of Avion Drive and Bridle Path. The motion was seconded by Councilman Clark. The motion carried unanimously. (Councilman Boutwell and Councilman Bilyeu absent)

- 12. Consider, Discuss and Possibly Act on Approving and Authorizing the City Manger to Execute Amendment #2 With Perkins Engineering Consultants, Inc. in the Amount of \$10,000.00 for Additional Engineering Services Related to the Cowling Road Pump Station Improvements (Nitrification Project).**

Neal Welch stated this is the Nitrification Project that TCEQ required the City to do and he provided a brief history on the project.

Mayor Muir stated the way he has read this is that Perkins Engineering had time and hours into this in the amount of \$14,000. Neal Welch confirmed that amount was correct. Mayor Muir, Neal Welch and Alina Ciocan had a short conversation to fill in council on the full situation that has caused the need for this change order.

A motion was made by Councilman Clark to Approve and Authorizing the City Manger to Execute Amendment #2 With Perkins Engineering Consultants, Inc. in the Amount of \$10,000.00 for Additional Engineering Services Related to the Cowling Road Pump Station Improvements (Nitrification Project). The motion was seconded by Councilman Allison. The motion carried unanimously. (Councilman Boutwell and Councilman Bilyeu absent)

13. Consider, Discuss and Possibly Act on Approving and Authorizing the City Manger to Execute Amendment #6 With Alan Plummer Associates, Inc. in an Amount Not to Exceed \$55,400.00 to Provide for Assistance in the Startup Operation of Plant 1 and Additional Services in Relation to the Sanger Wastewater Treatment Plant Improvement Project.

Neal Welch stated there has been conversation to bring in a lead operator come in to help with the start up of the new plant and ensure all is running smoothly. This operator would ensure we bring on the new system and shut down the old system without issues.

Mayor Muir stated that himself and Alina Ciocan meet with Jeff Caffey of Alan Plummer and Robert Macias the plant operator referred to and with the investment that has already been made in the plant we think that bringing him on to ensure the launch of the new plant goes seamless as possible is the correct next step to take.

Councilman Clark expressed his concerns with the cost to bring on the lead operator, Mayor Muir and Alina Ciocan explained in further detail as to the background reasons that are included in this cost.

Councilman Chick did request that a detailed update be provided to council from Robert Macias as a future council meeting.

A motion was made by Councilman Clark to Approve and Authorizing the City Manger to Execute Amendment #6 With Alan Plummer Associates, Inc. in an Amount Not to Exceed \$55,400.00 to Provide for Assistance in the Startup Operation of Plant 1 and Additional Services in Relation to the Sanger Wastewater Treatment Plant Improvement Project. The motion was seconded by Councilman Allison. The motion carried unanimously. (Councilman Boutwell and Councilman Bilyeu absent)

14. Consider, Discuss and Possibly Act on Approving and Authorizing the City Manager to Execute Change Order #4 for the McReynolds Project with Pavecon Public Works, LP in the Amount of \$108,267.11

Neal Welch stated Council has a breakdown of what Pavecon has proposed in the Council packet. Mayor Muir asked to confirm that Erik Terry was employed by Pavecon. Neal Welch confirmed that Mr. Terry is in fact employed by Pavecon. Mayor Muir then asked if this was the first time moving the driveway and gravel had been brought up. Neal Welch stated that it has been brought up in the past and that we had to have a survey done as well as have an engineer review. Mayor Muir then clarified he was speaking about Mr. Hartman's concern that he had brought up during citizens input, and wanted to know if there has been any conversation before this meeting with Pavecon about Mr. Hartman's concerns. Neal Welch and City Manager Alina Ciocan both commented that this was the first time they have heard of this concern.

Neal Welch had a brief conversation with the Council to cover in more detail the different items under the project that this change order would be covering.

Mayor Muir did have a brief follow up conversation to ensure within this change order,

was the correct amount to cover the work for Mr. Falls and that Mr. Falls has agreed to what work is to be done by Pavecon.

Councilman Clark referred back to several meetings when, the question was brought up about signage on McReynolds Road. Neal Welch stated that normally comes into play towards the end of the project and that they will quickly be approaching that point in this project. Councilman Clark continued that it is now a safety concern that needs to be addressed. Neal Welch stated he made note to contact Erik Terry with Pavecon to install the signage.

A motion was made by Councilman Chick to approve and Authorizing the City Manager to Execute Change Order #4 for the McReynolds Project with Pavecon Public Works, LP in the Amount of \$108,267.11 The motion was seconded by Councilman Allison. The motion carried unanimously (Councilman Boutwell and Councilman Bilyeu absent).

15. **Consider, Discuss and Act on Resolution # 10-01-18 - Acknowledging the Transfer of Electric Service from the City of Sanger to CoServ Electric for Certain Homes Within the Quail Run, Lakeridge, Southwest and Bourland Subdivisions; Authorizing the City Manager to Execute a Bill of Sale Between the City of Sanger and CoServ Electric for Certain Facilities Related to Said Transfer of Services; and Providing and Effective Date.**

Councilman Chick asked if we had a finalized map. City Manager Alina Ciocan commented saying we have the GIS data and we are working on the final map.

Councilman Allison asked what will happen to the current street lights in the area that will be absorbed into the CoServ area, someone is being invoiced for the street lights. City Manager Alina Ciocan responded that we have provided a count to CoServ on the amount of lights, we will look into this further as to how the cost will be handled.

Councilman Chick made a motion to ^{Approve (per recording) 10-1-2018} Act on Resolution # 10-01-18 - Acknowledging the Transfer of Electric Service from the City of Sanger to CoServ Electric for Certain Homes Within the Quail Run, Lakeridge, Southwest and Bourland Subdivisions; Authorizing the City Manager to Execute a Bill of Sale Between the City of Sanger and CoServ Electric for Certain Facilities Related to Said Transfer of Services; and Providing and Effective Date. The motion was seconded by Councilman Clark. The motion carried unanimously (Councilman Boutwell and Councilman Bilyeu absent).

16. **INFORMATION ITEMS:**

- a. **Update on the Status of the Solid Waste and Recycling Services Agreement.**
- b. **Denco Area 9-1-1 District Vote for Board of Managers – Jim Carter Won Vote.**

There was no discussion on Information items.

17. **ADJOURN.**

There being no further discussion, Mayor Muir adjourned the meeting at 8:42 p.m.