

MINUTES: CITY COUNCIL MEETING
December 15, 2008

MEMBERS

PRESENT: Mayor Joe Higgs, Councilman Andy Garza, Councilman Robert Patton, Councilman Mike Walker, Councilman Thomas Muir

MEMBERS

ABSENT: Glenn Ervin

OTHERS

PRESENT: Mike Brice City Manager, Rose Chavez City Secretary/Asst. City Manager, Scott Hoelzle with KSA, Larry Klein, Bill Wright, Shannon Graves, Norman Bulaich and Carolyn Bucher.

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

Mayor Higgs called meeting to order, Councilman Garza led the invocation, followed by Councilman Patton 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 that are brought up during this section.

Bill Wright addressed the City Council concerning the minutes of the September 2nd meeting. He expressed a concern with the minutes and the statement where it indicates he would be devaluating Miguelito's property. He indicated he did not come to Sanger run down someone else's property. He did not come to invest money in something that goes "hay wire". Mr. Wright discussed the type of building and the type of road that will access his business. He wanted to let everyone know he is not here to devalue anyone's property.

Jim Bob Klein indicated there was a lady on a wheel chair on 5th Street trying to get back from the Post Office. His thought was if the City had sidewalks up to the Post Office it would keep this lady from getting on the street to get back home. His expressed this was a safety issue.

CONSENT AGENDA

- 3. a) Approve Minutes: November 17, 2008 - Work Session
November 17, 2008 - City Council**
- b) Disbursements**
- c) Award Bid to Auldridge Griffin, C.P.A. on Audit Services for Fiscal Year 2007/2008**
- d) Approve Integrated Library System Agreement Between North Texas Regional Library System and the Sanger Public Library**
- e) Approve Resolution #R12-17-08 - Providing for a New Article 13.26, Establishing an Identity Theft Prevention Program, to set out Definitions, Policies and Procedures for Implementation of the Identify Theft Prevention Program Pursuant to the Federal Trade Commission's Red Flags Rule**

f) Approve K.S.A. Engineering Agreement for Professional Services on a Water/Wastewater System Master Plan

Motion was made by Councilman Patton to approve the consent agenda as presented. Seconded by Councilman Walker. Motion carried unanimously.

4. Consider any Items Removed from Consent Agenda.

None

5. Consider and Possible Action on the Preliminary Plat of Wright Way Park.

The City Manager advised there was an error in the plat. The correction is in the plat dedication on third line where it states Wright Way Industrial Park Addition. He requested that if it is approved, the motion needs to include the deletion of Industrial and the correction of the plat to be referred as Wright Way Park Addition.

Councilman Garza asked if the Planning and Zoning had approved the current plat as Industrial Park.

City Manager indicated the plat was approved as Industrial. This does not keep the Council from approving it correctly. The Council is the final authority.

Councilman Garza expressed a concern as to how the Planning and Zoning approved the plat.

Discussion concerning the plat.

Mr. Wright indicated the Planning and Zoning approved it as industrial property.

Councilman Walker indicated that on one hand this is a zoning issue and on the other it is name correction of the plat.

City Manager advised even if the plat is called Industrial Park, it does mean the burden is on the Council to allow it to be industrial use.

Councilman Garza continued to express that if the plat was approved by Planning & Zoning with the wording as an Industrial Park, he would like to see it approved correctly. The Planning and Zoning reviews all plats first and the plat was approved with the name of Industrial Park.

City Manager advised this is correct, but the Council is the final authority.

Councilman Garza advised that in a prior Council meeting there was a request for zoning change from Business 2 District to Industrial Zoning use.

City Manager advised this is correct and the zoning change was denied by Council.

Discussion continued. The City Manager advised that the only change on this plat is a word change. The property is still zoned as Business 2 and not Industrial.

Councilman Garza indicated that as long as it conforms to business zoning he has no problem.

Councilman Walker made a motion to approve preliminary plat for Wright Way Park as presented. It is to be approved as Wright Way Park instead of Wright Way Industrial. Seconded by Councilman Muir. Motion carried unanimously.

6. **Public Hearing on a Proposed Zoning Change From Old SF-3 Single Family Residential District - 3 to SF-8 Single Family Residential District - 8 on Property Legally Described as Tract 194 and Tract 195 of the Reuben Beebe Survey, Abstract 29, Located at 105 and 107 North 7th Street.**

Mayor Higgs declared public hearing opened.

Carolyn Bucher a 25 year resident of Sanger, addressed the Council concerning her request to rezone two lots on the west side of 7th Street and Locust Street from SF-3 to SF-8. Mrs. Bucher advised she has currently purchase this property. The SF-8 zoning will allow for a 1,000 sq. ft. home. Mrs. Bucher advised she has researched the value of the existing homes in the area and the value of those homes range from \$85,000 and higher. The homes they want to build will range in property value of \$85,000.

Mr. Klein addressed Council and indicated this property is directly north of his property. The change in zoning will allow for a smaller home and this will devalue the properties in the area. He presented a petition from the property owners in the area who are opposing this zoning.

City Manager indicated the proper notices were sent to the property owners.

Discussion concerning the property that consists of two tract numbers.

Joe Iliff, Director of Development Services indicated there was only one letter sent back to the City for approval, and it was from the property owners.

7. **Consider and Possible Action on Ordinance #12-37-08 - Amending the Comprehensive Ordinance and Central Zoning Map by Changing the Zoning Classification From Old SF-3 Single Family Residential District - 3 to SF-8 Single Family Residential District - 8 on Property Legally Described as Tract 194 and Tract 195 of the Reuben Beebe Survey, Abstract 29, Located at 105 and 107 North 7th Street.**

The Planning and Zoning Commission recommended denial.

Mayor Higgs asked Mr. Klein if the property owners are within 200 ft of the property that is for re-zoning.

It was determine the list is from the property owners who were mailed the notices.

Discussion followed concerning the notices and the petition.

Motion was made by Councilman Patton to deny the request. Seconded by Councilman Walker. Motion carried unanimously.

- 8. Consider and Possible Action on Request from I.E.S.I. for the Consumer Price Index Increase of 3.7% Effective January 1, 2009 on Solid Waste Charges as Allowed per Their Contract.**

Norman Bulaich gave Council thanks of appreciation for the City's business. He continued in addressing the consumer price increase of 3.7%. He advised that per their contract IESI is allowed to go up on the CPI each year. This is the cost for doing business.

Brief discussion concerning the monthly increase of 42 cents.

Motion was made by Councilman Walker to approve the request from IESI for the Consumer Price Index Increase of 3.7%. Seconded by Councilman Muir. Motion carried unanimously,

- 9. Information Items:**

- a) City of Sanger Investment Report**
- b) City of Sanger Monthly Financial Statement**
- c) Chamber of Commerce Financial Report**
- d) Library Monthly Report**
- e) Legislative Update**

- 10. Adjournment.**

Mayor Higgs adjourned the meeting.