

## **CITY OF SANGER, TEXAS**

### **MINUTES: REGULAR CITY COUNCIL MEETING**

**November 21, 2016, 7:00 PM**

**502 Elm Street, Sanger, Texas**

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

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, Mike Prater Director of Electric Utilities**

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

Mayor Muir called the meeting to order at 7:02 p.m. Councilman Chick led the Invocation followed by Councilman Clark 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 mentioned the condemnation hearing scheduled for tomorrow and that he thought it would be postponed. He asked that the City Council reconsider their plans for wastewater treatment improvements.

#### **3. CONSENT AGENDA**

a) **Approval of Minutes: October 17, 2016 Work Session  
October 17, 2016 – Regular City Council Meeting**

b) **Disbursements**

#### **4. Consider any Items Removed From Consent Agenda.**

A Motion was made by Councilman Allison, to approve the consent agenda as presented. The Motion was seconded by Councilman Boutwell. Motion carried unanimously (5-0).

#### **REGULAR AGENDA**

#### **5. Consider, Discuss, and Possibly Act on Ordinance 11-23-16 Annexing Properties Located Along the East Side of Marion Road Approximately 2,000 Feet North of FM 455.**

City Manager Brice noted the only caveat is that we are still awaiting seven of the deeds and approval should be contingent on receiving those deeds. There are 24 lots and each one of the lots has a separate deed. There are multiple owners. Since it is a voluntary annexation we are doing our due diligence to make sure that the people that requested the annexation are the people that are the actual owners of the property.

Alina Ciocan advised that they were expecting the seven remaining deeds today but have not received them yet. Staff advised it would probably be sometime this week. Alina checked with Denton County but it takes a few weeks to update their files so they had no record yet.

There was brief discussion on whether to wait until we receive all of the deeds. It was noted that if voted on tonight, that once all of the deeds were received that the annexation would take effect. If all of the deeds were not received, or there were any discrepancies, the annexation would be invalid and they would have to come back to Council.

A Motion was made by Councilman Boutwell to Approve Ordinance #11-23-16 Annexing properties located along the east side of Marion Road Approximately 2,000 feet north of FM 455 contingent upon receiving the appropriately titled deeds on any outstanding lots. Motion carried unanimously (5-0).

**6. Conduct a Public Hearing Regarding Amending the Comprehensive Zoning Ordinance by Changing the Zoning Classification From SF-10 Single Family Residential District to PD-SF-10 Planned Development Single Family Residential District on Properties Within Sanger Circle Development Phase 3 and Phase 4.**

Mayor Muir opened the Public Hearing at 7:17 p.m. and solicited anyone who wished to speak.

Matt Hackley with Impression Homes was recognized. He advised they are currently starting a model at Sanger Circle. He noted the backyard setback has been an issue for them because some of their larger one-story homes won't fit on the lots so they had to pick and choose the lots and could not take as many lots as they wanted because of this. The 10 feet gives them a lot more flexibility of what they can do. What they are seeing is that everybody is preferring a one-story home and the extra room will help their larger homes fit on the lots. They build from 1600 to 2400 square foot homes.

Donnie Mack, 12097 FM 2153. He wanted to encourage the Council to look at the easement enlargements. He noted that if they are trying to build the bigger homes and make them more aesthetically pleasing this would give them the opportunity to make them more appealing and keep the larger square footage without going to a two-story house.

Carolyn Cashion, 227 Blackjack in Aubrey, Ultra Homes was recognized. She provided the Council with a booklet of their home plans. She noted that she agreed with what the last two gentlemen mentioned. They are seeing a market where everyone wants one-story homes and it is very hard to put them on the lots with the current required setbacks. Some of the extra features like a third car garage would be able to be accommodated with the additional space the smaller setbacks would allow. With the lots as they currently are they would have to keep their homes under the 2000 square foot range, currently averaging about 1500 square feet. Would like for the Council to consider it.

Marcus Mathis, 229 Jones Street. He noted this has nothing to do with what the Council is talking about and advised the Council that he wanted to be heard regarding the problems with the Water Treatment plant and the odor. He wanted to know what the plans are to fix it. Mayor Muir noted that it is not on the Agenda so the Council can not visit on it now; however, if they are willing to stay after the meeting, staff would be able to share some details on what is being done regarding the issue.

There being no further citizens who wished to speak the Public Hearing was closed at 7:25 p.m.

**7. Consider, Discuss, and Possibly Act on Ordinance #11-24-16 Amending the Comprehensive Zoning Ordinance by Changing the Zoning Classification From SF-10 Single Family Residential District to PD-SF-10 Planned Development Single Family Residential District on Properties Within Sanger Circle Development Phase 3 and Phase 4.**

Mayor Muir noted that the City Council has recently resolved to have a vision of larger homes and set visionary percentages for the larger homes. The new R-Residential zoning does allow for smaller setbacks to place larger homes on lots. There was brief discussion regarding the larger homes and it was noted that they could currently build 1200 square foot homes in this Planned Development.

Alina Ciocan was recognized and summarized that the request is to change the setbacks for the rear yard and the side yard. The minimum square footage for the homes will stay the same as in SF-10. It is zoned to allow for 1200 square foot homes. The request is just for the setbacks. It was noted that there was no notice sent out to change the square footage of the homes, just the setbacks. A few of the builders that were recognized during the Public Hearing noted that there are deed restrictions or HOA requirements that require 1500-1600 square feet and that none of the homes are 1200 square feet. The market is for larger one story homes with smaller yards for ease of maintenance. It was noted the current Rear Yard Setback is 25 Feet and they want to reduce them to 15 feet and the Side Yards are 8 feet and they want to reduce them to 6 feet. Discussion ensued and it was discussed that it is the desire of the City Council to have larger homes in the City.

A Motion was made by Councilman Allison to Approve Ordinance #11-24-16 Amending the Comprehensive Zoning Ordinance by Changing the Zoning Classification From SF-10 Single Family Residential District to PD-SF-10 Planned Development Single Family Residential District on Properties Within Sanger Circle Development Phase 3 and Phase 4. The Motion was seconded by Councilman Bilyeu. The Motion carried Unanimously (5-0).

**8. Consider, Discuss, and Possibly Act on Ordinance #11-22-16 Amending Chapter 13 of the Code of Ordinances to Adopt Rules and Regulations for Interconnection and Parallel Operation of Distributed Generation.**

Alina Ciocan was recognized to summarize the request and it was noted that Mike Prater Director of Electric Utilities was also present to answer any questions. This Ordinance is being introduced to address renewable energy, in particular solar panels. This Ordinance will establish and put a process in place on how to apply, and sets rules and regulations for the residents to connect to our electrical grid. This establishes how the system is installed and covers the structural aspects of the house top to bottom. It also takes care of Fire Department safety concerns. They have to submit a site plan, i.e., to make sure the roof load is appropriate, etc. Everything to make sure it is safe to operate. They are limited to 10 kW and the system would have to be owned and maintained by the homeowner.

Councilman Boutwell advised that he has dealt with Electrical for years and has a lot of knowledge on this subject, his opinion was that the Ordinance was thorough and commended staff.

There was brief discussion about the aesthetics of the solar panels. It was noted there was a home in Quail Run with the entire roof covered and it looked good. The question was asked what would

happen if the customer did not use all of the power the panels generated. It was noted the city would issue credit if they do not use the whole 10 kW and it would be credited to the customer's account. Mike Prater noted that the main issue is that they are being installed right now and we have no way of regulating them. This Ordinance will help accomplish this and add some control to the situation.

A motion was made by Councilman Clark to approve Ordinance #11-22-16 Amending Chapter 13 of the Code of Ordinances to Adopt Rules and Regulations for Interconnection and Parallel Operation of Distributed Generation. The Motion was seconded by Councilman Boutwell. The Motion carried unanimously (5-0).

**9. INFORMATION ITEMS:**

a) **None.**

**9. ADJOURN.**

There being no further items Mayor Muir Adjourned the Meeting at 7:56 p.m.