

**MINUTES: CITY COUNCIL WORK SESSION MINUTES**  
**April 6, 2009**

**MEMBERS**

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

**OTHERS**

**PRESENT:** Mike Brice City Manager, Rose Chavez City Secretary/Asst. City Manager, Director of Development Services Joe Iliff, Nel Armstrong, Pat Kerby, Russell Martin, Shannon Cox

**1. Call Meeting to Order.**

Mayor Higgs called meeting to order.

**2. Discussion on the Masonry Ordinance and the Metal Building Ordinance.**

City Manager advised this item was on the agenda at the last meeting and it was rescheduled from the last work session. There have been some issues that have come up in the last few months on the residential and the business masonry ordinance. There are some areas in the ordinance that needed to be clarified to make them more comprehensive, and to address certain issues correctly as to the intent of the ordinance.

The items of discussion were the following issues concerning the exterior construction of residential dwellings.

- Standards should apply to all construction on single-family, duplex, and multifamily residential construction (except for exceptions described below)
  - New construction
  - Additions
  - Remodels
  - Primary structures
  - Accessory structures
- Possible Exception
  - A-Agricultural Zoning District (farm buildings only)
  - Small accessory buildings (storage & buildings 200 sq. ft. or less)
  - Potential historic preservation district
- Requirements
  - First Floor: At least 90% of one or more of the following:
    - Brick, Stone, Granite, Marble, or Stucco
  - First Floor: May be up to 10% fiber cement (hardy board), but fiber cement cannot be used around porches and entrances.
  - Other floors: 50% of the exterior must be brick, stone, granite, marble or stucco.

- **Accessory buildings: Larger than 200 sq. ft. must have at least the same percentage as the first floor of the main building.**
  - **Additions and reconstructions must maintain or increase the ratio of brick, stone, etc. to all other materials.**
- **Alternatives**
  - **Approved by City Council upon finding that the proposed material and design is equivalent to the desired qualities of the materials listed.**

**The City Manager indicated the current ordinance only addresses new construction and the correction addresses any remodels, or additions, primary structures and accessory structures. It was also discussed that an accessory building larger than 200 sq. ft. must have at least the same percentage of masonry as the first floor of the residential dwelling.**

**A discussion continued on the quality, appearance and grade of hardy board.**

**The City Manager indicated if someone wants to use hardy board, the way to control it is to have them submit a request prior to using it.**

**Councilman Muir expressed a concern and indicated that his personal preference would be that the percentage be higher than 50%. He indicated this needed to be changed, and he agrees with the 10% use around the porches or entrances. He continued to express a concern with those homes that are built where the first floor is brick and the rest is hardy board.**

**The City Manager indicated that possibly an allowance be made in the ordinance to specify the areas it can be used and the example given was over the garage.**

**Councilman Muir indicated to possibly increase the percentage to 75% or 80%.**

**City Manager indicated he will research homes that have a mix to determine the percentage used and the appearance. He does not want to set the percentage too high that someone can't build a home.**

**Councilman Patton expressed if we raise the percentage too high then we are over-regulating. He indicated that we need to give the builder some flexibility to fall in an expectable norm for appearance. His concern was the cost of the structure and affordability.**

**Councilman Muir indicated the homes he has seen have been built as square boxes and this is his concern. The homes are bricked in the bottom and top floor is entirely fiber board. If the homes are accented with dormers or as an offset of the house for a different look architecturally, then a percentage can be determined. If the City Manager checks homes that have it mixed in and determines a percentage of what it would take for these homes to survive architecturally, then Council can set an acceptable percentage.**

The last issue the City Manager addressed concerning the proposed change to the ordinance was the exception approval. The Council will be the approving authority on the use of any new proposed material and design.

The City Manager continued with a discussion of the masonry ordinance in reference to non-residential buildings. In the past it applied to B-1, B-2, B-3 and anything that was within 250 ft. of the Interstate. If it was in I-1 or I-2 zoning it did not apply. It also left the option that after 250 ft. there was not any requirements to be met. This was not the intent of the ordinance. This section was clarified. The permitted materials in all circumstances are brick, stone (natural or artificial), stucco, limestone, granite or split-face concrete block (up to 10% of each wall).

The permitted requirement on any building in the Industrial District that is at least ten acres and the building is at least 50,000 sq. ft. can include the following: concrete, tilt wall, or concrete block. On exterior walls visible from Interstate 35 or major thoroughfares, it can be up to 75% concrete, with at least 25% being brick, stone, etc. On the other exterior walls, 100% tilt wall and/or block can be used. The side that faces Interstate 35 has to have masonry.

There was discussion concerning the wording “visible” from Interstate 35 or a major thoroughfare.

Council Muir indicated that the word “visible” needed to be changed to facing the street (Interstate 35 or major thoroughfare).

The City Manager discussed that if the building faces an Industrial Road, for example View Road, then it does not make sense for the brick requirement to be met. This is only if the road is not utilized for thru traffic. If it is a thoroughfare, then the requirement has to be met. Discussion continued concerning the thoroughfare plan.

The ordinance will also require approval by City Council upon finding of a proposed material and design that is equivalent to the desired qualities of the materials listed.

Discussion continued as to the percentage requirement of hardy board.

The City Manager indicated staff will proceed in the preparation of an ordinance.

**3. Discussion on Amendment to City Smoking Ban to Include Athletic Fields (Article 8.800).**

The City Manager gave a brief overview as to what was discussed at the last meeting concerning the Parks Board recommendation concerning amending the City Smoking Ban to include athletic fields. The discussion at the last meeting was to possibly expand the ban to include parks and to include smokeless tobacco. At the last meeting the Council decided that all the members needed to be present to discuss this item.

**The Mayor indicated that he felt it would be difficult to enforce if we included smokeless tobacco.**

**A lengthy discussion continued regarding the smoking ban.**

**Councilman Muir recommended that staff prepare an ordinance, and then Council can vote on what they want to approve.**

**Councilman Patton indicated the ordinance needs to include banning all tobacco use in athletic fields and parks.**

**Councilman Ervin indicated he would like to take the ban to include all city vehicles and all city property. This is what he proposed a few years ago and he would like the ordinance to include this also.**

**Councilman Muir indicated that employees need a designated area. Discussion followed concerning allowing smokeless tobacco in the city vehicles.**

**The City Manager indicated that even at the Athletic Park people need a designated area.**

**The City Manager will prepare an ordinance and bring it back to Council to review.**

**4. Discussion on Memorial for Elisabeth Huling in the Downtown Park.**

**Nel Armstrong representing Sanger Area Historical Society that has been organized since 1999, and whose main purpose is to preserve the history and enhance the future of Sanger. One of the primary functions of the Historical Society is the placement of a historical memorial marker in areas that represent the history of Sanger. The society has done several of these markers in prior years. Patsy Kirby, vice-president and chairman of their committee, is the person who is in charge of the placement of these markers. The committee would like to place one of these markers at the downtown park. Mrs. Armstrong discussed possible locations for placement of the marker. She also discussed the wording in detail that they would like to put on the marker. The marker would be in memory of Ms. Elizabeth Bullock Huling who was one of the pioneer women of Texas and who played an important part in the establishment of Sanger. She donated the plot for the City Park, cemetery, the school and three churches. She was born on April 12, 1820 in Bourbon County, Kentucky. On May 15, 1839, Elizabeth Bullock married Thomas Huling. The Hulings owned the land on which Sanger was built. Mrs. Huling died in Lampasas on March 8, 1906.**

**Mrs. Armstrong indicated Sanger has historical markers at the Sullivan Center, Landmark Baptist Church, Masonic Lodge and the Nance Farm. She discussed the locations at the downtown park where the marker would be placed. The Historical Society would like for Council to give their approval to put the marker up. The committee is not asking for the Council to pay for the marker, the committee will bear**

**the entire expense.**

**Discussion continued concerning the marker and how it will be displayed. Councilman Patton mentioned that for longevity reasons it can be brass or marble.**

**Councilman Muir indicated he would support their request, but his concern was the placement of the marker in an area that would limit any problems.**

**Councilman Garza indicated this is a worthy cause and personally feels that the placement of the marker should be left up to the committee and he trusts they will do what is right.**

**Mrs. Armstrong indicated that they may come back with some areas for possible locations and let the Council decide the most appropriate location.**

- 5. Overview of Items on Regular Agenda.**
- 6. Adjournment.**

**Mayor Higgs adjourned the meeting.**