

CITY OF SANGER, TEXAS

MINUTES: REGULAR CITY COUNCIL MEETING
January 7, 2019, 7:00 p.m.
502 Elm Street, Sanger, Texas

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

COUNCIL MEMBERS ABSENT: Mayor Pro Tem Gary Bilyeu (left after work session)

The Mayor and Four (4) Council Members were present constituting a quorum.

STAFF MEMBERS PRESENT: City Manager Alina Ciocan; City Secretary Cheryl Price; Director of Development Services Ramie Hammonds; Planner Muzaib Ruiz; Interim Director of Public Works Jim Berman.

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

Mayor Muir called the Regular City Council Meeting to order on January 7th, 2019 at 7:00 p.m. Councilman Allison 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).

Joe Falls, McReynolds Road was recognized and stated he was going to defer his three minutes to a later date because he has not prepared his statement because he just received some information he needs to review.

There were no further citizens approaching the podium who wished to speak.

3. CONSENT AGENDA:

a) Approval of Minutes

1) City Council Regular Meeting Minutes, December 17, 2018

b) Consider Any Items Removed from Consent Agenda.

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

REGULAR AGENDA

4. Consider, Discuss and Possibly Act on Approving and Authorizing the City Manager to Execute Change Order 5R Inclusive of Change Orders 5,6,7 and 8 with Pavecon Public Works, LP Regarding the McReynolds Road Reconstruction Project for a Total Reduction in Project Cost of \$147,485.04.

City Manager Alina Ciocan summarized. She noted there is a representative from Pavecon if the Council has any questions. As mentioned in the header, Change Order 5R is inclusive of Orders 5, 6, 7 and 8. Change Order #5 removes the proposed work on Bolivar Street. This was proposed in lieu of removing and replacing the incorrect cross slope of the pavement installed along McReynolds. However, this work was not completed due to the railroad coordination not taking place and circumstances with the railroad making this work not feasible to be done in the next few months. This change order removes the cost of the proposed work for Bolivar Street. Change Order #6 This change order is a credit for the aforementioned pavement installed at an incorrect cross slope. This is a credit in lieu of removing and replacing the nearly 1,000 LF of concrete. Change Order #7 This change order reconciles the fencing in place and the requests for the fencing from Mr. Joe Falls. This completes the fence along his property along with water gaps. It has been stated that this is contingent on his contractor installing and Pavecon will reimburse Mr. Falls directly upon his signature of their form(s). Change Order #8 – This is a change order to remove some of the guard rail installed at Lake Ridge. It was noted that the construction traffic within the subdivision kept hitting the ending terminus of the guard rail so removing a portion and reinstalling the guard rail terminus would help pull the guard rail back for the turning trucks. This is a total reduction in project cost. Eric Terry, the representative from Pavecon, was recognized and answered questions regarding the guardrail. Councilman Clark asked about the asphalt pile that was there and noted it was removed but there is a big mess where it was. Pavecon noted that the City said that they did not want it so they removed it and the Street Supervisor, Eddie Piercy said that he would clean up the area. It was the City loader that picked it up and he said that they would clean it up. Mr. Joe Falls was recognized and spoke about his fence. He noted his punch list and that he requested Mr. Welch's punch list and it has no items on his list. He noted he just received the punch list and just received it along with a disk showing McReynolds Road before the construction. He stated he wants to get with staff to solve the HRM agreement and that there are several things that have not been done. He mentioned a third entry to be moved from the top of the hill which he believed has not been done yet. Eric Terry with Pavecon stated that this needs to be discussed with the Engineer Christopher Cha. City Manager Alina Ciocan noted that the Engineer did send a letter stating that the items have been completed. Mr. Falls noted that he just wanted the Council to know that he does not believe that all of the items are completed yet. Mayor Muir noted Mr. Falls point is well taken and the items he is mentioning are not related to this approval tonight. Tonight, for Mr. Falls, the fence is the only item on the agenda. Mr. Falls noted that he was satisfied with the amount they were offering for the fence and that he was being reimbursed for putting up the fence; and, that he would sign a release for Pavecon and would take full responsibility for his fence since he had his contractor do it to his specifications.

A motion was made by Councilman Boutwell to approve Approving and Authorizing the City Manager to Execute Change Order 5R Inclusive of Change Orders 5,6,7 and 8 with Pavecon Public Works, LP Regarding the McReynolds Road Reconstruction Project for a Total Reduction in Project Cost of \$147,485.04. The motion was seconded by Councilman Allison. After discussion, the motion by Councilman Boutwell, and the second by Councilman Allison were both amended to state that Change Order #7 is contingent on Mr. Joe Falls signing the release. The amended motion carried unanimously with a 4-0 vote (Mayor Pro Tem Bilyeu absent).

- 5. Conduct a Public Hearing Regarding a Replat of Lot 19R, Block A, of Sanger Estates, Being a Replat of Lot 19, Block A of Sanger Estates, Being 0.76 Acres, and Generally**

Located South of Adtel Lane and Approximately 900 Feet East of the Intersection of Marion Road and Adtel Lane.

Director of Development Services, Ramie Hammonds was recognized to summarize. She advised that this replat is to allow for a road to connect Parkbrook and Sanger Estates which would give both subdivision dual access points and also add a 15-foot utility easement to the lot. The lot meets all of the regulations and staff recommends approval. The one-acre lot is on septic. The applicant is present if there is questions.

Mayor Muir opened the public hearing at 7:24 PM and solicited any persons who wished to speak on the item. The applicant was recognized and stated that Lot 19 will be sewerred via public sewer. This is conditioned upon Parkbrook following through on a later case. So, if Parkbrook does not follow through; this will not follow through. There was discussion regarding Parkbrook and it was noted there are some issues getting Parkbrook approved. There was discussion regarding procedure. There being no additional citizens who approached the podium to speak Mayor Muir closed the public hearing at 7:26 PM.

6. Consider, Discuss and Act on a Replat of Lot 19R, Block A, of Sanger Estates, Being a Replat of Lot 19, Block A of Sanger Estates, Being 0.76 Acres, and Generally Located South of Adtel Lane and Approximately 900 Feet East of the Intersection of Marion Road and Adtel Lane.

Mayor Muir asked if this would create a burden on staff. Director of Development Services Ramie Hammonds noted that they would not be able to issue any building permits on the lot and the owner would not be able to sell the lot. It was noted that this was something that staff could control. It was noted that it should be recorded at the county.

A motion was made by Councilman Allison to approve a replat of Lot 19R, Block A, of Sanger Estates, being a Replat of Lot 19, Block A of Sanger Estates, being 0.76 Acres, and Generally Located South of Adtel Lane and approximately 900 feet west of the Intersection of Marion Road and Adtel Lane. The motion was seconded by Councilman Boutwell. The motion carried unanimously with a 4-0 vote (Mayor Pro Tem Bilyeu absent).

7. Conduct a Public Hearing Regarding a Replat of Lot R and Lot 2R, Block A of O'Dell Addition, Being a Replat of Part of Lot 1, Block A of O'Dell Addition, in the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, Being 9.23 Acres, and Generally Located East of the Intersection of McReynolds Road and FM 455.

Director of Development Services Ramie Hammonds summarized. The applicant is wanting to replat this into two lots. The Council has seen this before. They have made some minor changes to the lot configuration which is the reason for the replat. Staff just received comments from the County today and there are items that have not been addressed. Staff would recommend approval based on the conditions of the County being met.

Mayor Muir opened the public hearing at 7:32 PM and solicited any persons who wished to speak on the item. There being no citizens who approached the podium to speak. Mayor Muir closed the public hearing at 7:33 PM.

8. Consider, Discuss and Act on A Replat of Lot 1R1 and Lot 2R, Block A of O'Dell Addition, Being a Replat of Part of Lot 1, Block A of O'Dell Addition, in the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, Being 9.23 Acres, and Generally Located East of the Intersection of McReynolds Road and FM 455.

Mayor Muir questioned what the comments from the County were which needed to be addressed. Director of Development Services Ramie Hammonds advised that there were multiple comments from the County; three that were not incorporated into this plat. It was noted that the applicant is aware of the County comments and is ok with them. The comments that would have to be corrected are 1) Add x y coordinates and the NAD83 at POB; Add 30' ROW dedication from centerline of McReynolds; All setback lines must be shown on the plat – Add all building setbacks per R2 zoning: Minimum Front Yard – 30 feet; Minimum Side Yard – 15 feet; Minimum Side Yard at Corner – 20 Feet; Minimum Rear Yard – 30 feet; Maximum height - 35 feet. These were not incorporated into the plat because we just received them today. Staff recommend approval based on the above three conditions. It was noted that this is regulated by Lake Ray Roberts Zoning.

A motion was made by Councilman Boutwell to approve a replat of Lot 1R1 and Lot 2R, Block A of O'Dell Addition, being a Replat of Part of Lot 1, Block A of O'Dell Addition, in the extraterritorial jurisdiction (ETJ) of the City of Sanger, being 9.23 Acres, and generally located east of the intersection of McReynolds Road and FM 455 with the following County items being incorporated into the plat: 1) Add x y coordinates and the NAD83 at POB; Add 30' ROW dedication from centerline of McReynolds; All setback lines must be shown on the plat – Add all building setbacks per R2 zoning: Minimum Front Yard – 30 feet; Minimum Side Yard – 15 feet; Minimum Side Yard at Corner – 20 Feet; Minimum Rear Yard – 30 feet; Maximum height - 35 feet. The motion was seconded by Councilman Allison. The motion carried unanimously with a 4-0 vote (Mayor Pro Tem Bilyeu absent).

9. Consider, Discuss, and Act on a Final Plat of Lots 1-39, Block A, and Lots 1-39, Block B of Lake Country Estates Addition, Being 50.337 Acres of Land, and Generally Located South of FM 455, North of Union Hill Road, and Approximately 2500 Feet East of the Intersection of FM 455 and Union Hill Road.

Director of Development Services Ramie Hammonds advised that this has been withdrawn. They are pending civil plan approval.

10. Consider, Discuss, and Act on the Minor Plat of Lots 1 through 3, Block A of Lakeway Crossing in the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, Being 9.397 Acres, and Generally Located South of the Intersection of FM 455 and FM 2164.

Mayor Muir noted for the record that Councilman Allison stepped out of the room recusing himself from the meeting because his firm is involved with this item. Ramie Hammonds advised that the applicant is requesting to divide this into three commercial lots. This property is in the ETJ. They have gone before the Ray Roberts Zoning board for the zoning RC which is Recreational Commercial. This plat meets all of the subdivision requirements and staff recommends approval. We received all of the County requirements and they have been incorporated into the plat.

A motion was made by councilman Boutwell to approve the minor plat of Lots 1 through 3, Block A of Lakeway Crossing in the Extraterritorial Jurisdiction (ETJ) of the City of Sanger, being 9.397 Acres, and generally Located South of the Intersection of FM 455 and FM 2164. The motion was seconded by Councilman Clark. The motion carried unanimously with a 4-0 vote (Mayor Pro Tem Bilyeu absent).

11. INFORMATION ITEMS:

a) **Monthly Financial Report – November 30, 2018**

b) **Capital Projects Recap – December 31, 2018**

There was brief discussion regarding McReynolds Road Project.

12. 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).*

a. **Confirm Calendars - City Council Strategic Planning Retreat – February 22, 2019 – 12:00 Noon to 5:00 PM**

There was discussion regarding the Strategic Planning Retreat – Councilman Chick noted that he could not attend on the February 22nd. Other dates were discussed. It was agreed that a new date be set – Thursday, February 28, 2019. From 12:00 to 5:00 PM.

13. ADJOURN.

There being no further discussion, Mayor Muir adjourned the meeting at 7:52 PM.