

CITY OF SANGER, TEXAS

MINUTES: REGULAR CITY COUNCIL MEETING
May 6, 2019, 7:00 p.m.
502 Elm Street, Sanger, Texas

COUNCIL MEMBERS PRESENT: Mayor Thomas Muir; Mayor Pro Tem Gary Bilyeu; Councilmember Allen Chick; Councilmember Bill Boutwell; Councilmember Lee Allison; Councilmember David Clark.

COUNCIL MEMBERS ABSENT: None.

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

STAFF MEMBERS PRESENT: City Manager Alina Ciocan; Public Works Director Jim Berman; Director of Development Services Ramie Hammonds; City Planner Muzaib Riaz; City Engineer Tracy LaPiene; Shani Bradshaw, Economic Development Director; Cheryl Price, City Secretary.

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

Mayor Muir called the Regular City Council Meeting to order on May 6th, 2019 at 7:02 p.m. Councilmember Allison gave the Invocation and Councilmember Boutwell 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).

Mr. Cliff McLeod, 4910 Sanger Circle Drive was recognized. He noted he lived in Denton for forty years and his wife was the special events coordinator for the City of Denton for 30 years. He noted that he can not figure out how why his sewer bill was more than his water bill when it is based on the water usage. Also, he wanted to know why he received a Public Notice regarding a variance request on some duplexes near his home and they were already building them. Mayor Muir noted that the Council could not comment on the Citizens Participation and that staff would contact him regarding the issues he mentioned.

3. CONSENT AGENDA:

a) Approval of Minutes

- 1) City Council Work Session, April 15, 2019.**
- 2) Regular City Council Meeting, April 15, 2019.**

A motion was made by Councilmember Boutwell to approve the Consent Agenda as presented. The motion was seconded by Councilmember Clark. The motion to approve carried unanimously (5-0).

4. Consider Any Items Removed from Consent Agenda.

No items were removed.

PROCLAMATIONS

Presentation of Items 5 and 6 were switched.

- 5. (6) Consider, Discuss, Possibly Approve and Present Proclamation #05-02-2019 Proclaiming the Month of May as Motorcycle Awareness Month in the City of Sanger.**

A motion was made by Mayor Pro Tem Bilyeu to approve and present Proclamation #05-02-2019 proclaiming the Month of May as Motorcycle Awareness Month in the City of Sanger. The motion was seconded by Councilmember Clark. The motion carried unanimously (5-0 vote).

Mayor Muir read Proclamation #05-02-2019 proclaiming the month of May as Motorcycle Awareness Month in the City of Sanger, urging all residents to do their part to increase safety and awareness in our community. There was no one present at the meeting to accept the proclamation.

- 6. (5) Consider, Discuss, Possibly Approve and Present Proclamation #05-01-2019 Proclaiming May 6th, 2019 as Children's Mental Health Awareness Day in the City of Sanger.**

A motion was made by Mayor Pro Tem Bilyeu to approve and present Proclamation #05-01-2019 proclaiming May 6th, 2019 as Children's Mental Health Awareness Day in the City of Sanger. The motion was seconded by Councilmember Clark. The motion carried unanimously (5-0 Vote).

Mayor Muir read Proclamation #05-01-2019 Proclaiming May 6th, 2019 as Children's Mental Health Awareness Day in the City of Sanger, encouraging all citizens to support these organizations as they promote the mental well-being of children, youth, and families in our community. The presentation of the proclamation was given after; and, in conjunction with Item #7 below. Also present for receipt of the Proclamation were: Pam Gutierrez (Executive Director of Denton County MHMR), Terry Donsbach (Works with the Children's Advocacy Center and is the Leadership Representative from Watch Coalition and Behavioral Health Leadership Team), and Phyliss Finley (Business Development Coordinator for Denton County MHMR).

REGULAR AGENDA

- 7. Presentation for Children's Advocacy Center for Denton County, presented by Troy Hamm, Board Member.**

Troy Hamm, Children's Advocacy Board Member was recognized and summarized thanked the City for its ongoing support and provided updates and statistics to the Mayor and City Council on the Children's Advocacy Center.

Proclamation #05-01-2019 proclaiming May 6th, 2019 as Children's Mental Health Awareness Day in the City of Sanger which was read as Item #6 was presented at this time.

- 8. Conduct a Public Hearing Regarding a Replat of Lots 1R, and Lot 2R, Block A, 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.**

Mayor Muir opened the public hearing at 7:26 PM soliciting any input from citizens in the audience. There being no citizens approaching the podium to speak, the public hearing was closed at 7:27 PM.

- 9. Consider, Discuss and Act on the Replat of Lots 1R, and Lot 2R, Block A, 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.**

Director of Development Services Ramie Hammonds was recognized to summarize. She advised that this is the same plat that staff has seen before. The applicant is also present if there are any questions. There was brief discussion regarding the easement and Ms. Hammonds noted that the easement is remaining untouched as was discussed at the previous presentation of this item. Mayor Pro Tem Bilyeu wanted to note that the easement would provide access all the way to the back half the property to provide for possible future development of the property. The letter received in opposition from the Freemans in the original request has been addressed. City Planner Muzaib Riaz stated that the Freeman's attended the Planning and Zoning Commission meeting and indicated that their concerns have been satisfied.

A motion was made by Mayor Pro Tem Bilyeu to approve the replat of Lots 1R, and Lot 2R, Block A, 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 to approve was seconded by Councilmember Boutwell. The motion carried unanimously (5-0 vote)

- 10. Consider, Discuss and Possibly Act on a Contract with NO-DIGTEC, LLC on a Potential Sewer Replacement Project Along Peach Street at a Cost of \$188,819.42 and Authorize Director of Public Works to Execute Agreement.**

Public Works Director, Jim Berman was recognized to present the item. He noted this technique was presented at the work session and the request will replace the sewer line along Peach Street from 10th Street to 5th Street. It has been determined that we should take a proactive approach to replace and upsize this line. They propose to use NO-DIGTEC and the TIPS Program to perform a pipe-bursting project along Peach Street to upsize the pipe from six-inch (6") clay tile to eight-inch PVC line and install four new manholes. He provided a rendering of the proposed work and noted that he requested a 2% Maintenance bond on the project since this was the first project they are doing in Sanger.

City Manager Alina Ciocan noted that the funding for this project will be from the CIP

Enterprise Funds.

Mayor Pro Tem Bilyeu asked when he anticipated doing this project. Public Work Director Jim Berman noted it would be in June and it should take about three weeks. It was noted that school would be out so it would be a good time to get it done. It was also noted that residents would be notified by doorhangers and various other ways, such as website, news releases and social media, etc. There was brief general discussion on the time and logistics of the project.

A motion was made by Councilmember Boutwell to approve the contract with NO-DIGTEC, LLC on a potential sewer replacement project along Peach Street at a cost of \$188,819.42 and authorize Director of Public Works to execute agreement. The motion was seconded by Mayor Pro Tem Bilyeu. The motion carried unanimously (5-0 vote).

11. Consider, Discuss and Possibly Act on Resolution No. 05-08-19 of the City of Sanger Texas authorizing signatures for banking services on behalf of the City of Sanger Texas; providing for an Effective Date.

This is the final step on the banking services. City Manager Alina Ciocan noted that with this contract, the bank is updating their files and needs to have new signature cards.

A motion was made by Mayor Pro Tem Bilyeu to approve Resolution No. 05-08-19 of the City of Sanger Texas authorizing signatures for banking services on behalf of the City of Sanger Texas; providing for an effective date. the motion was seconded by Councilmember Clark. The motion to approve carried unanimously (5-0 vote).

12. Consider, Discuss and Possibly Act on Resolution No. 05-07-19 of the City Council of the City of Sanger, Texas, Ratifying a Contract for the Emergency Repair of Water Well; Making Findings Exempting Such Contract From the Requirements of Competitive Bidding, and Providing an Effective Date.

Public Works Director Jim Berman was recognized. He noted that the city experienced a major water well failure in 2019 and it was necessary to preserve the public health, safety and welfare due to unforeseen damages to the city's water well #8. It was necessary to get a contractor in and pull the pump and motor and replace it. It was out of warranty. It was the same contractors who did well #9 did well #8 and we have not had any problems with well #9. There have been some modifications to the depth of the well and to try to keep sand out of the system. We got it back up and running and it ran for about a month and it burned up again, but was under warranty and was replaced under that warranty. Basically this request was an emergency, we made the repair and we have to come back with a Resolution ratifying it as an emergency because we had to spend over \$50,000. The actual cost was \$52,716.25. There was brief discussion as to what may be causing the problems.

Public Works Director Jim Berman noted that the monies to fund this project were pulled from the Acker Water Tower painting project. Mayor Pro Tem Bilyeu noted concern that they have been talking about painting the water tower since he has been on the Council and noted his concern regarding maintenance of the water tower.

A motion was made by Councilmember Boutwell to approve Resolution No. 05-07-19 of the City Council of the City of Sanger, Texas, ratifying a contract for the emergency repair of water well; making findings exempting such contract from the requirements of competitive bidding, and providing an effective date. The motion was seconded by Mayor Pro Tem Bilyeu. The motion carried unanimously (5-0 vote).

13. Consider, Discuss and Possibly Act on Authorization to Utilize the Interlocal Purchasing Agreement With the City of Grand Prairie for Contract for Services with Reynolds Asphalt & Construction Company for Street Reconstruction of 11th Street from Elm to Hughes, 12th Street from Elm to Bolivar, 13th Street from Bolivar to Hughes, and Hughes from 10th Street to the Service Road at an Amount Not to Exceed \$120,000.

Public Works Director Jim Berman was recognized and noted there was a work session with Council in January where he summarized the benefits of the Master Interlocal Agreement with Grand Prairie. This is one of the projects that was being discussed at that time. Staff proposes to move forward with Reynolds Asphalt. He noted that the cost estimates add up to \$106,249.20; and, that there may be a few unknowns that are not included and noted that he does not intend to spend more than \$120,000. He noted they are going to make the road as wide as they can in the City's right-of-way platform. There was discussion as to how they were going to reconstruct the roads. They are planning on milling them up and use either lime or cement stabilization which will be based on the PH of the soil and they will then be over-laid with two inches of asphalt. It was noted this project is also projected to start in June and it should be done before school starts. It was noted that all of the homeowners would be notified with door knockers. It will also be put on the social media and on the website.

A motion was made by Mayor Pro Tem Bilyeu to authorize utilizing the Interlocal Purchasing Agreement with the City of Grand Prairie for contract for services with Reynolds Asphalt & Construction Company for street reconstruction of 11th Street from Elm to Hughes, 12th Street from Elm to Bolivar, 13th Street from Bolivar to Hughes, and Hughes from 10th Street to the Service Road at an Amount Not to Exceed \$120,000. The motion was seconded by Councilmember Clark. The motion carried unanimously (5-0 vote).

14. EXECUTIVE SESSION: CLOSED MEETING

Pursuant to the Open Meetings Act, Chapter 551, the City Council Will Meet in a Closed Executive Session in Accordance with the Texas Government Code:

- Section 551.074 – Personnel Matters
(City Manager Annual Performance Review)

Mayor Muir read the Item #14 and convened into Executive Session at 7:54 PM.

15. RECONVENE: OPEN MEETING

Any Action Taken.

Mayor Muir reconvened calling the City Council Meeting back into regular session at 9:23 PM.

A motion was made by Mayor Pro Tem Bilyeu to approve amending the City Manager's contract as discussed in the Executive Session. The motion was seconded by Councilmember Clark. The motion carried unanimously (5-0 vote).

16. INFORMATION ITEMS:

a) **Disbursements for April 2019.**

- 17. 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).*

Councilmember Chick noted that he would like to what the status is on the strategy plan since it is getting to be mid-year.

Mayor Pro Tem Bilyeu – Downtown Development and Code Enforcement.

18. ADJOURN.

There being no further discussion, Mayor Muir adjourned the meeting at 9:27 p.m.