

CITY OF SANGER, TEXAS

MINUTES: REGULAR CITY COUNCIL MEETING
May 20, 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;

ELECTED COUNCIL MEMBERS TO BE SWORN IN PRESENT: Councilmember Marissa Barrett; Councilmember Dennis Dillion; Councilmember David Clark.

Councilmember Bill Boutwell and Councilmember Lee Allison officially leaving their positions on the City Council at this meeting.

COUNCIL MEMBERS ABSENT: None.

The Mayor and all 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; Cheryl Price, City Secretary, Josh Bishop, Police Department.

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

Mayor Muir called the Regular City Council Meeting to order on May 20th, 2019 at 7:03 p.m. Councilmember Boutwell gave the Invocation and Councilmember Allison led the Pledge of Allegiance.

2. Oath of Office and Presentation of Certificate of Election to Marissa Barrett, Place 1, Dennis Dillon, Place 3, and David Clark, Place 5.

Oaths of office were taken and Certificates of Election presented to Marissa Barrett, Place 1, Dennis Dillon, Place 3, and David Clark, Place 5 by City Secretary Cheryl Price.

3. Commend William “Bill” Boutwell and Lee Allison for their Service as Councilmembers.

Mayor Muir and Councilmembers complemented and thanked the former Councilmembers for their service to the community and were presented a commemorative gift of thanks.

4. CITIZEN 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*).

There were no citizens recognized who wished to speak on items not on the agenda.

5. CONSENT AGENDA:

- a) **Approval of Minutes**
 - 1) **City Council Work Session, May 6, 2019.**

2) Regular City Council Meeting, May 6, 2019.

A motion was made by Mayor Pro Tem Bilyeu to Approve the Consent Agenda as presented. The motion was seconded by Councilman Clark. The motion carried unanimously (3-0-2 with Councilmember Dillon and Councilmember Barrett Abstaining).

6. Consider Any Items Removed from Consent Agenda.

None.

REGULAR AGENDA

7. Consider, Discuss and Possibly Approve Ordinance #05-14-19 of the City of Sanger, Texas Authorizing and Ordering the Issuance of General Obligation Refunding Bonds, Series 2019, Authorizing a Pricing Officer to Approve the Amount, the Interest Rates, Price, Redemption Provisions and Terms Thereof and Certain Other Procedures and Provisions Related Thereto and Containing Other Matters Related Thereto.

Ted Christensen, President, Government Capital Securities Corporation was recognized to summarize. He noted that he has been a Financial Advisor for the City of Sanger for about 12 years. He noted that one of his jobs is to always be on the lookout on ways to save the City money. He noted that the Series 2009 Bonds are callable as of August 1st, which means that we can refinance them at that time. He noted that the rates are significantly down over the last year and noted what the debt service would be on the 2009 bonds and approximately what it would be on the 2019 and it works out about to an annual gross savings for about \$17,500. That can go up or down a little bit based on the markets by the time we price the bonds. He noted the average coupon on the current bonds is about 458 and if we priced these bonds today, we would be at about a 181. It is not a ton of savings but it is money on the table. He explained the process of the sale and that the City Council would be approving tonight to delegate the authority of Pricing Officer to the City Manager and/or the Mayor. He noted that they are moving to Standard and Poors as the rating agency and away from Moodys. Moodys has been slow to upgrade the City with its financial performance. He summarized a recent rating that another city received from Standard and Poors and the City of Sanger compares favorably to them. He felt that we are very close to getting an AA category rating which means we would not have to buy insurance. On these bonds which would bring the numbers up another ten to twelve thousand dollars. It is a good move to do this because everything that we do is prepping us for the next CO that we do. For water and sewer, streets, and all of the other needs of the city. These are all of the building blocks that go into building that for when the time comes.

Mayor Pro Tem Bilyeu asked when he is saying refunding, it means refinancing. Mr. Christensen stated he was correct; it is just a refinancing like if you had a mortgage and wanted to refinance it at a lower rate. It was noted the net savings would be about \$116,000 as of today and that is with insurance. He noted that the municipal market is really strong right now. He is planning on tentatively selling bonds on June 27th and the rates will lock and we can close on August 1st. Councilmember Chick asked if we would have our S & P rating by then. Mr. Christensen stated that we would. They will have a call with Standard and Poors this Thursday and the rating is due out on June 7th. It was noted that the City has improved at least two notches in the past few years. He reiterated that he felt that the city has a good chance at an AA- rating at least. If we can get an AA rating it brings it to a whole new level there are more funds and more banks that can

actually but the debt and the fact that we do not have to have the insurance. It was noted that this series will be done in 2026. For reference in 2022 we have about \$700,000 fall off. The City has good bond capacity available.

A motion was made by Mayor Pro Tem Bilyeu to approve Ordinance #05-14-19 of the City of Sanger, Texas authorizing and ordering the Issuance of General Obligation Refunding Bonds, Series 2019, authorizing a Pricing Officer to approve the amount, the interest rates, price, redemption provisions and terms thereof and certain other procedures and provisions related thereto and containing other matters related thereto. The motion was seconded by Councilman Chick. The vote was called by City Secretary Price carrying with it the adoption of the Ordinance prevailed and carried by the following vote:

Marissa Barrett, Councilmember Place 1	Yea
Gary Bilyeu, Councilmember Place 2	Yea
Dennis Dillon, Councilmember, Place 3	Yea
Allen Chick, Councilmember, Place 4	Yea
David Clark, Councilmember, Place 5	Yea

AYES: 5

NAYS: 0

ABSTENTIONS: 0

8. Consider, Discuss, and Possibly Act on Resolution #05-09-19 Recognizing the Necessity of Protecting the Natural Areas (Greenbelts) Adjacent to Creeks and Other Waterways; Adopting the Denton County Greenbelt Plan as a Tool for Preserving Greenbelts; Endorsing the Plan as an Urgent Regional Program for the County, Cities, Towns and Utilities to Help Protect Water Quality in Local Watersheds; and, Expressing the City of Sanger's Intent to Participate in Implementing Strategies that will Protect the Environment, and Safeguard Public Welfare.

Director of Development Services Ramie Hammonds was recognized to provide a summary. This was brought before the City Council a few months ago in a work session presentation. This is moving forward now as a resolution. This will be a guideline; it is not a requirement but will give our developers something to follow and guide them. This will also be beneficial as we move forward with the Comprehensive Plan in the future

Blake Aldridge, Water Education Coordinator with the Upper Trinity Regional Water District was recognized to provide a presentation and brief overview of the program and answer any questions. The Denton County Greenbelt Plan is an effort that the water district, the Upper Trinity Conservation Trust and Denton County Former County Judge Mary Horn worked on since 2015. He noted the definition of greenbelts as the vegetative areas along a streams, rivers and lakes in our region that act as a natural filter in our landscape to help capture floodwater, rainwater and filter it as it makes its way to the lakes which is our major source of drinking water in the DFW area. Denton County has three major water supply reservoirs and thousands of miles of streams and rivers which flow into them. He presented a power point and noted the potential for a lot of water in the county. He noted another attraction for the area is the potential for hike and bike trails to attract visitors and it is important that these areas be protected. The greenbelt plan is a guiding document it is not a regulation of any type. It is a guiding document to help the City as it plans for the future of the community to adapt these things to the City's unique circumstances as it moves forward. They would like to establish a common vision and provide a toolbox of strategies that can be implemented as the City looks at the unique circumstances in the

community. They have education and outreach available as well as the implementation tools. He provided a map with some high priority areas which have been identified in the area and summarized the areas and the focus of the plan. They have a video on you tube and a brochure hand out and training for citizens to be ambassadors for their own communities, and also working on developer recognition programs, etc. Preservation tools are the nuts and bolts of what the municipality can do and provided examples in the Lantana Community. He noted that some of the things that can be used as development tools are development standards, ordinances, conservation easements, alternative development ideas such as cluster developments, green stormwater infrastructure (rainwater harvesting, biofilters in parking lots, rain gardens, etc., to capture the rainwater and filter it before it makes it into the drainage system). They provide trail design standards to help the City to think about how to utilize the areas. He provided examples of some of the things other cities have done and noted that a few of them are an iSWM Silver City. He explained that NCTCOG has a program iSWM (Integrated Stormwater Management) that assists cities and counties to achieve their goals of water quality protection streambank protection and flood mitigation while helping communities meet their construction and post-construction obligations under state stormwater permits. He noted that in 2010 the Upper Trinity Conservation Trust was formed and it can accept and hold conservation easement in perpetuity, It is basically an agreement between a landowner and a land trust that restricts certain rights that they would have to the property such as subdividing, building house, certain things like that which would be a voluntary agreement which would be hashed out during development of a property and there could be tax benefits as well to the landowner which includes developers and cities as well. It does run with the land in perpetuity and it is a big deal, not the right tool for everyone, but for some it is that is why this tool was established by the water district. He noted that they have had 10 entities adopt the plan which consist of 9 cities and one utility which roughly covers an are of 102 square miles, not including the ETJ areas and a population of 242,000 people. What the are asking the City to do is adopt the plan and they have established a coordinating committee and the City can appoint someone to be on the committee and champion the plan for the future. The website is http://www.utct.org/greenbelt_plan.html. They are available to assist in any way they can.

Mayor Muir noted that as development comes to town it would be a good tool to include in the comprehensive plan as we are in this process of planning for the future.

There was discussion as to how other cities adopted the plan. It was noted that this plan is not regulatory. It is a guiding document to determine what is the best for Sanger.

Councilmember Dillion noted that he understands that the Council vote tonight is intent and staff would go to work and identify strategies.

Mr. Aldridge noted he was correct that it will be recognizing the importance that this plan has for a common vision for the County of Denton to protect local habitats, quality of life for residents and protecting local water sources such as the lakes.

Mayor Pro Tem Bilyeu noted that in recognizing that this is non-binding and does provide framework for the ability to provide resources without being restrictive and allowing the City to come up with its own plan. He proceeded to make a motion.

A motion was made by Mayor Pro Tem Bilyeu to approve Resolution #05-09-19 recognizing the necessity of protecting the natural areas (greenbelts) adjacent to creeks and other waterways;

adopting the Denton County Greenbelt Plan as a tool for preserving greenbelts; endorsing the plan as an urgent regional program for the County, Cities, Towns and Utilities to help protect water quality in local watersheds; and, expressing the City of Sanger's intent to participate in implementing strategies that will protect the environment, and safeguard public welfare. The motion was seconded by Councilmember Chick. The motion to approve carried unanimously (5-0 vote).

9. Conduct a Public Hearing on a Request for Approval of a Variance from the Maximum Letter/Logo Height of 36 Inches; and to Allow for a Maximum Letter/Logo Height of 61 Inches for a Proposed Sign Located at 600 N Stemmons Freeway.

Director of Development Services Ramie Hammonds summarized. The subject property is 600 N. Stemmons Freeway. The Holiday Inn Express site located on the east side of I-35 and approximately 325 feet north of Pecan Street. The property is zoned B-2 and is located on I-35. The applicant is seeking approval for a variance from the maximum letter/logo height of 36 inches to allow for a maximum letter logo height of 61 inches for a proposed wall sign on the Holiday Inn Express building.

Mayor Muir opened the public hearing at 8:01 PM and solicited anyone who wished to speak on the item. There being no citizens who wished to speak the public hearing was closed at 8:02 PM.

10. Consider, Discuss and Possibly Approve a Request for Approval of a Variance from the Maximum Letter/Logo Height of 36 Inches; And To Allow for a Maximum Letter/Logo Height of 61 Inches for a Proposed Sign Located at 600 N Stemmons Freeway.

Director of Development Services Ramie Hammonds noted that she would also like to point out that the maximum allowed building signage for this site is 391 square feet. The applicant is proposing two signs for a total of 318 square feet so they would still be within their allowable signage. Staff mailed 18 public hearing notices to the owners of property within 200 feet of the subject property and no responses have been returned.

Councilmember Chick asked if it was attached to the building and not free-standing signage. Ms. Hammonds noted he was correct.

There was brief discussion brought about by Councilmember Chick regarding the ordinance on the freestanding signs and the heights allowed with the construction of IH 35 and FM 455 coming. Ms. Hammonds noted that it is the City's stance that they would have to follow whatever ordinances are in place. The maximum height off of IH-35 is currently 50 feet. Mayor Muir noted this was certainly something that we should look at with the comprehensive plan and what we want those corridors to look like in the future.

A motion was made by Mayor Pro Tem Bilyeu to approve a request for approval of a variance from the maximum letter/logo height of 36 inches; and to allow for a maximum letter/logo height of 61 inches for a proposed sign located at 600 N Stemmons Freeway. There was brief discussion with Councilmember Chick reiterating that we need to visit the City's sign ordinance for this corridor in the future. The motion was seconded by Councilmember Chick. The motion carried unanimously (5-0 vote).

There was a brief update provided by the applicant on the hotel and it was noted that they hoped

to open in November.

11. Conduct a Public Hearing on a Request for Approval of Alternative Exterior Building Material To Allow For The Use of Hardie Board for a Proposed Accessory Building Located at 109 S. 8th Street.

Mayor Muir opened the public hearing at 8:08 PM and solicited anyone who wished to speak on the item.

Director of Development Services Ramie Hammonds summarized. The applicant is requesting to build a shed in his backyard which exceeds the square footage that would require brick which is 200 square feet. He is asking that the City allow for Hardie board siding be allowed as an alternative. The maximum lot coverage is 60% and he currently with this addition would be at 33%. Staff sent out notice and today received 12 returned responses in favor of the request.

Bryan Galloway, 109 S. 8th Street was recognized. He noted he is the owner requesting the variance. He noted he does not wish in any way to negate property values for his neighbors. He noted that he walked down the street today and got the 12 residents in his neighborhood in favor of the request and 7 of them offered to help him build it. He provided a story and history of why he wanted the building and has wanted a shop for 72 years. He wants to build a shop as a community thing. He was once a scout merit badge counselor and would love to have the hand tools that would be safe and help the scouts get their carpentry badge. He noted he wanted to provide the children in the community with something to do with themselves. He noted that he has been privileged in his life to have hundreds of tutors to teach him things and he wants to share that. If he goes to his grave without doing that it would be just like burying gold and not telling anybody where it is. He hoped the Council understood his reasoning and noted he would accept their decision. Mayor Muir thanked him for going to the neighbors and explaining and stressed how important that is in the process.

There being no further citizens who wished to speak, the public hearing was closed at 8:15 PM.

12. Consider, Discuss and Possibly Approve a Request for Approval of Alternative Exterior Building Material To Allow For The Use of Hardie Board for a Proposed Accessory Building Located at 109 S 8th Street.

Mayor Muir asked what the height of the building would be. Mr. Galloway noted it would be 12 feet or a little less.

A motion was made by Mayor Pro Tem Bilyeu to approve a request for approval of alternative exterior building material to allow for the use of Hardie board for a proposed accessory building located at 109 S 8th Street. Councilmember Chick asked, for consistency, if there were any similar requests which have come before the Council and have been turned down. Ms. Hammonds noted that she was not aware of any, there have been some approved but she did not recall any being declined. The motion was seconded by Councilmember Barrett. The motion carried unanimously (5-0 vote).

13. Conduct a Public Hearing Regarding Abandoning Approximately 0.046-Acre of Right-of-Way of Pecan Street Between North 7th and North 8th Street.

Mayor Muir opened the public hearing at 8:18 PM and solicited anyone who wished to speak on the item.

Ramie Hammonds Director of Development Services summarized. The applicant is in the process of combining/replatting two lots into one lot and they are in non conforming and do not meet the minimum width. One of the lots that currently has the home on it currently sits in the right-of-way. They are requesting the city to abandon 10 feet of the 80 feet of right-of-way that is along that street. This would allow everything but the tip of the porch to be out of the right-of-way and would make both lots conforming. The right-of-way is typically about a 50 foot of right-of-way for this type of street and for some reason this particular street (Pecan) has 80 feet of right-of-way. The streets around it that encase this block have less right-of-way; one has a 50 foot of right-of-way; and, one is a 60 foot right of way. The applicant did have an appraisal of the property and has expressed a willingness to compensate the city for that.

Mayor Pro Tem asked which portion of the right-of-way would be abandoned. Ms. Hammonds noted that the City would be abandoning a 10 foot of portion of right-of way on the south side of Pecan Street. She noted that the applicant is present if there are any questions.

Gerald Jenson Landmark surveyors noted that Ramie covered everything that they have covered.

An unidentified resident who lives on the other side of the road noted from the audience that there is a drainage ditch on that side of the road. Ms. Hammonds noted that there is an inlet and drainage there but it is outside the property that the city would be abandoning and there are no utilities in this area. It was noted that there is about 20 up onto the property. The unidentified resident noted that it would be great if the road could ever be paved. Mayor Muir noted that is on the list for improvements.

There being no citizens who wished to speak the public hearing was closed at 8:24 PM.

14. Consider, Discuss and Possibly Act on Ordinance #05-13-19 Abandoning Approximately 0.046-Acre of Right-of-Way of Pecan Street between North 7th and North 8th Street.

There was discussion as to not knowing for sure if there were any utilities in the right of way. Ms. Hammonds noted that if staff were to determine that there were utilities in that right of way the right of way would be held. Councilmember Clark noted concern regarding as to whether franchise utilities were located within the easement. It was noted by staff that if there are easements and utilities in them, they would still be existing and they could also be addressed by the plat.

A motion was made by Mayor Pro Tem Bilyeu to approve Ordinance #05-13-19 abandoning approximately 0.046-Acre of Right-of-Way of Pecan Street between North 7th and North 8th Street. The motion was seconded by Councilmember Dillon. The motion carried unanimously (5-0 vote).

15. INFORMATION ITEMS:

- a) **Monthly Financial Report – March 31, 2019.**
- b) **Capital Projects Recap – May 18, 2019.**

No discussion on Information Items.

16. **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 Clark noted that he would like to put the Sign Ordinance on a future agenda which was mentioned earlier in the meeting.

Councilmember Clark noted concern that the letters which were sent out for the Public Hearing notice on Ranger Creek were not received in a timely manner and staff needs to look into the matter.

Mayor Pro Tem Bilyeu asked when the Joint meetings were anticipated with 4A and 4B. City Manager Alina Ciocan noted that the 2nd meeting in June is when the Joint Meeting is planned.

Councilmember Clark asked to get a list of who is on each of the boards.

17. **ADJOURN.**

There being no further discussion, Mayor Muir adjourned the meeting at 8:38 p.m.