

**CITY COUNCIL OF THE CITY OF SACHSE
MEETING MINUTES
JULY 18, 2022**

The City Council of the City of Sachse held a regular meeting on Monday, July 18, 2022, at 6:30 p.m. at Sachse City Hall, 3815-B Sachse Road. Those present were Mayor Jeff Bickerstaff; Mayor Pro Tem Brett Franks; Councilmembers Michelle Howarth, Frank Millsap, Chance Lindsey, Lindsay Buhler, and Matt Prestenberg; City Manager, Gina Nash; City Attorney, Joe Gorfida; City Secretary, Leah Granger; Assistant City Manager, Lauren Rose; IT Manager, Mike Pastor; Finance Director, David Baldwin; Assistant Finance Director Ryan Bredehoeft; Director of CIP and Public Works, Corey Nesbit; Development Services Director, Matt Robinson; Police Chief, Bryan Sylvester; Fire Chief, Marty Wade; Human Resources Director, Kristi Wong; Assistant to the City Manager, Amanda Chi; and Economic Development Manager, Jerod Potts.

Mayor Bickerstaff called the workshop to order at 6:30 p.m.

INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS:

Mayor Pro Tem Franks lead the invocation and Councilmember Buhler led the pledges.

MAYOR AND CITY COUNCIL ANNOUNCEMENTS:

Mayor and City Council announcements regarding special events, current activities, and local achievements.

Councilmember Prestenberg announced that August is “Clear the Shelter” month at the Animal Shelter. He encouraged people to adopt a pet. Mayor Pro Tem Franks reminded residents that the Michael J Felix Community Center is open and can be a refuge from the heat while you work out or participate in activities. Councilmember Howarth thanked staff for an excellent Red, White, and Blue Blast event and commented about how impressive the fireworks were.

Ms. Nash congratulated Jerod Potts for being promoted to the new Economic Development Manager. He has been doing an outstanding job and will be handling the day-to-day operations of the EDC. Chief Richardson has been elected to the board of directors of the International Association Fire Chiefs (IAFC) Emergency Medical Services section. This section addresses fire-based EMS issues and provides guidance and direction to the IAFC board, membership, the federal government, and other interest groups. Two school resource officers have received commendations for their commitment to the Sachse Community: Officer Morris showed her initiative in her preparation for Cops and Campers to help create a meaningful and successful program. Officer Price demonstrated his compassion when he recognized that one of his students was riding a bicycle that was unsafe and in disrepair. His concern lead to him purchasing a new bicycle for this student. These are the kind of efforts that make Sachse a great place to live. Ms. Nash thanked these two officers for their outstanding work and commitment to the community.

Mayor Bickerstaff noted that the Red, White, and Blue Blast drew over 20,000 attendees. He said it was awesome, it made him very proud, and he thanked sponsors, staff, and volunteers for all

their efforts. The Sachse Police Department and Sachse Fire-Rescue will be hosting a free bicycle safety event on Saturday, July 23, from 9-11 a.m. Kids are encouraged to attend with a parent or guardian, and participants must bring their own helmet.

Proclamation recognizing July 29, 2022, as Early Intervention Day in the City of Sachse.

Mayor Bickerstaff presented a proclamation to The Warren Center recognizing Early Intervention Day to bring awareness to children with developmental delays and disabilities.

PUBLIC COMMENT:

Diana Smith, 4802 Sachse Road, declared that the Mayor Pro Tem position should have gone to Councilmember Lindsey rather than Mayor Pro Tem Franks to follow the previous tradition of the title going to the next in line. She encouraged new councilmembers to ask questions and do better.

Cullen King, 7315 High Point Drive, reminded people to put Fallfest on their calendars. He also noted that along with "Clear the Shelter" there will be a low-cost shot clinic in the fall.

CONSENT AGENDA: All items listed on the consent agenda will be considered by the City Council and will be enacted on by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests.

1. Approve the June 20, 2022, meeting minutes.
2. Approve the July 12, 2022, special meeting minutes.
3. Accept the monthly revenue and expenditure report for the period ending May 31, 2022.
4. Approve an ordinance amending Chapter 10 titled "Utilities", by amending Article I titled "In General" by deleting Section 10-8 titled "Testing of backflow prevention assemblies" in its entirety, and by adding a new Article III titled "Cross Connection Control Regulation".
5. Approve and adopt a resolution amending the Master Fee Schedule by adding a new Section XVII titled "Cross Connection Control Fees" to provide backflow testing, retest fees, and licensed BPAT registration fees.
6. Approve the Consent Agenda Items as presented.

Councilmember Howarth made a motion to approve the consent agenda as presented. Mayor Pro Tem Franks seconded the motion and it carried unanimously.

REGULAR AGENDA ITEMS:

Receive a recommendation and a report from the Charter Review Commission.

Ms. Nash introduced the Chairperson of the Charter Review Commission, Scott McMurdie, to provide the recommendation of the Commission. Mr. McMurdie presented the summary and findings for the proposed amendment to the Sachse Home Rule Charter. He explained the changes to each paragraph that were discussed and voted on. Some of the changes were minor, such as grammar, gender neutrality, and historical reference. Term limits was a big topic among

Commission members with the majority recommending a maximum six-term plan (three terms as councilmember and three terms as mayor), with a two-year break after the term limit before being eligible to run for office again. The Commission also discussed updating language regarding the type of technology that can be used to post various items; this would give flexibility if the state chooses to amend posting requirements. Mr. McMurdie recommended that all minutes and memos of the Commission be read to become familiar with all aspects of the review. Defining the role of "Council Liaison" and its structure was discussed but it was determined that the Charter was not the place to address this issue. Finally, Mr. McMurdie laid out the timeline for Council should they choose to call an election in November.

Councilmember Millsap asked if there was discussion for shorter term limits. Mr. McMurdie referenced the petition circulating for a shorter limit was mentioned but the Commission did not choose to pursue that option. Councilmember Millsap noted several other concerns. Other councilmembers thanked the Commission members for their time and hard work in creating this report of recommendations to bring to Council.

Jeanie Marten, 4908 Maple Shade Avenue, described the efforts of a resident group to gain signatures for term limits:

"In December, myself and 9 other Sachse residents delivered to the City Secretary a petition for a charter amendment to reinstate term limits in the City of Sachse. From December to June, we worked hard to get signatures, this was during a COVID surge, the council deciding to have a charter review discussion in February/March which lead to a huge discussion with city council members and the city attorney about whether we could even have this petition running at the same time as a Charter review (I want to be clear that this did cause a delay) an election and ultimately a Charter review with it's [sic] own discussions about term limits.

We were required to get 5% of the total registered voters and there are 17,673 in Sachse so 884 signatures to ensure that this amendment was on the ballot. Other fun facts, only 1448 Sachse residents voted in the last election which is only 564 more than the signatures than we needed. Mayor Bickerstaff was elected with 784 votes so we had to get 100 more signatures than what it took to elect our mayor. This has been truly a grassroots effort with no money being spent on companies that specialize in this kind of endeavor. As you can see, this was a daunting task. Ultimately, we were only able to get 660 signatures before the June 20th deadline. That is huge. 660 Sachse residents want not only term limits but the limits specified in this petition.

Several weeks ago, the council handpicked community members to a charter review committee. Ultimately 13 people (one member resigned after the first meeting) sat in a room and discussed at length term limits. In an 8-5 vote, it was decided that the group was recommending term limits of some kind.

Ultimately, I believe that the message is clear from the committee and the residents of Sachse that it's time to reinstate term limits in Sachse. 660 Sachse residents took the time to read and personally sign a petition for 2 terms for a council member and 2 additional

terms for the mayor and for this to be retroactive. The charter review committee recommendation is not what the 660 Sachse residents want.

Please listen to the 660 residents and put this amendment on the ballot in November. I have copies of the proposed amendment for each of you.

Thank you.”

Matthew Holboke, 5511 Oak Ridge Circle, believed the presentation was very good and a fair representation of what was discussed at the meetings. He commented that a shorter term-limit was discussed but the three and three plan was a good compromise. He told the Council they need to do a better job with the Council Liaison positions and let the boards/commissions know what to expect.

Cullen King, 7315 High Point Drive, congratulated the Commission on the work they did. He declared that the voters at elections are the term limits, but believes the Commission’s plan is a good compromise. Four terms are too long and two terms are not long enough to gain the experience needed to be effective. Three terms are the minimum a councilmember should be allowed. He commended the petitioners but agrees with the Commission. He also agreed with the Commission regarding pay for councilmembers.

Kirk Wood, 6322 Falcon Crest Court, thanked Ms. Rose and Ms. Granger for their work with the Commission. He believes a few things were left out from the report, including political views of the City Attorney. He thinks the general feel was that the term limits would be retroactive but the red-lines presented to the commission were to begin with the May 2023 election. He recommended putting multiple term limits options and the retrospective verses prospective option on the ballot.

Butch Kemper, 7107 Longmeadow Drive, pointed out that the discussion about term limits being prospective or retrospective was voted on and the previous gentleman was mistaken.

Brad Ford, 3605 Potomac Drive, thanked the Council for allowing him to be on the Commission and commended the chairperson for the job he did. He felt the discussion and petition make it obvious that the city wants term limits. He agreed that an election is effectively limiting terms, but including term limits on the ballot would show the public that the Council is listening.

Mayor Bickerstaff reviewed the options and timeline for the Council. After some discussion the Council thanked the commissioners for their work.

Conduct a public hearing to consider and act on a request for a Special Use Permit for TNT Gaming Center, located at 7010 State Highway 78.

Mr. Robinson detailed the project and purpose of the Special Use Permit (SUP) and noted that staff is recommending approval.

Mayor Bickerstaff opened the Public Hearing at 7:42 p.m.

Kirk Wood, 6322 Falcon Crest Court, thinks the gaming center is a great idea and wonders if any other tax would be collected besides food. Ms. Nash responded that there is no tax on the gaming machines.

Matthew Holboke, 5511 Oak Ridge Circle, asked if alcohol would be served. Mr. Robinson replied that alcohol would be for sale.

Mayor Bickerstaff closed the Public Hearing at 7:43 p.m.

Kendall Wallace, 105 Queensgate, owner of the prospective establishment, said they would have a beer and wine license. Councilmembers asked several questions regarding the process and business hours. Mr. Wallace stated that the gaming card would be rechargeable and the establishment will be family-friendly. Councilmember Millsap asked about deed restrictions being enforced. Mr. Gorfida and Mr. Robinson explained that the City does not enforce deed restrictions. Councilmember Howarth suggested that Pirates of the Caribbean pinball would be a welcomed addition.

Councilmember Lindsey made a motion to approve the item as presented. Councilmember Howarth seconded the motion and it carried unanimously.

Receive an update from HUB International, the City's benefits consultant, regarding the City's current claims status.

Ms. Nash introduced Andrew Weeger, the City's benefits advisor from HUB International, to give the Council the benefits strategy for the upcoming plan year, the mid-year claims update, and a budget projection. He reminded Council that last year, the City's costs were increased by 19% due to high claims. There was a catastrophic claim this year that accounted for 60% of all expenses. That employee is no longer with the City. Without the high claimant, the City performs very well and is within appropriate industry standards. Since that major hit is still on the City's account, Mr. Weeger warned that there could be as much as a 26% increase if the City were to remain with the same provider. As a result, HUB recommends putting out an RFP again this year. The firm is looking at several options to keep costs down and Mr. Weeger noted that the City has done a fantastic job promoting the health and wellness programs that are put in place to help reduce claims. He explained that they are also considering other resources and plans that will assist employees and be considered as an asset to prospective employees.

Councilmember Prestenberg showed concern about the projected increase. Mr. Weeger expounded that he anticipates a large increase from United Healthcare because they have incurred these losses during the last two years. However, the market is attractive and there is potential for less significant rate increases. After continued discussion, Councilmember Howarth stated her concern about the premium increases over the last four years and how that increase will be covered moving forward.

Receive an annual update from Community Waste Disposal (CWD), the City's solid waste and recycling services provider.

Ms. Nash introduced Jason Roemer with Community Waste Disposal (CWD) who gave a summary of the current process and programs CWD provides in Sachse. He noted that the next X-treme Green event will be September 10. One of the biggest challenges was the freeze in February of 2021. The company expected a large amount of trash and bulk the following week, but they had not anticipated the amount of dead vegetation that would need to be disposed of, and the associated significant increases in bulk and brush collections that followed for many weeks after the event. The following six weeks showed a 34% spike in bulk and brush across the industry. CWD made some route changes to help ensure that they meet the needs of the city. Mr. Roemer announced that there is a CWD mobile app to make service more convenient for residents and a paint reuse program is available if Sachse chooses to opt-in. CWD processes all of the paint surrendered at events, processes it, and a beige paint is created. This paint is then available, for free, to go back to the communities. In summary, Sachse recycled 2,203 tons of material in 2021 with equates to 37,451 trees, 837,140 gallons of oil, 15,421,000 gallons of water, 7,270 yards of landfill space, and 9,032,300 kilowatt hours of electricity. He thanked the City for their partnership. Councilmembers discussed previous issues, enforcement and education, and the resident survey.

Matthew Holboke, 5511 Oak Ridge Circle, gave kudos to CWD for the skills of his recycling truck driver and the service that he has received lately. He asked for the potential of being able to schedule bulk pick up rather than only having standard days. Ms. Rose explained that scheduling bulk pickup is a contractual change, as it is not in the current structure, and would incur increased charges. Mr. Roemer answered that he did not have a current cost estimate but scheduling could potentially increase service requests considerably since there is not a predictable schedule and those resources would need to be available. Currently, there is a paid collection available for special pickup projects and residents may contact CWD for a quote.

Receive an update on the City's long-range financial plan.

Mr. Baldwin provided a thorough summary of the City's long-range financial plan. He explained that 76% of general fund revenues come from taxes, 58% being from property taxes. Expenditures from the same fund are below budget largely due to employee vacancies. With the larger number of residents working from home, sales tax receipts have increased from purchases such as home deliveries. Mr. Baldwin described the anticipated general fund balance, summarized the utility fund projection, tax rate history, debt capacity, and the capital fund.

Mayor Pro Tem predicted that the revenues are not sustainable with a potential property tax correction. He expressed frustration that the fund balance has not been spent and considers Council not doing their job if the fund continues to rise. Ms. Nash said staff will be coming back to Council this budget season with a plan for how to spend some of the fund balance. It happened to be beneficial to have a healthy fund balance that increased the City's bond rating. As this became more evident, her suggestion was to get through the bond before addressing the fund. Now, this balance will give the Council the opportunity to look at some projects that may not have made the cut previously. Councilmember Buhler is also excited to see what the fund balance can do for Sachse. Councilmember Howarth also feels that holding the fund balance is doing a disservice to

the residents. It has built up from outperforming conservative projections and it needs to be spent conservatively knowing that costs are rising and project budgets will likely be pushed.

Consider authorizing the City Manager to execute and award the bid for the construction of the Southeast Water Tower Lighting project to FSG Electric in an amount not to exceed Two Hundred Twelve Thousand, Nine Hundred Ninety-Five and No/100 Dollars (\$212,995.00).

Mr. Nesbit gave a summary of the previous lighting plan of three white lights as compared to the new plan of seven colored LED lights. The project was bid incorrectly and has caused major delays. Councilmember Lindsey asked how the policy for setting the colors would work. Ms. Nash recommends changing the colors for certain City events, but the colors would be set internally. Councilmember Lindsey would prefer not to have the lights changed by resident requests as to not offend anyone. Mayor Pro Tem Franks has been wanting this project to be completed for two years. As the money is from the Utility Fund, could it be spent on a different utility project. Ms. Nash said the money could be used on other utility projects if the Council so chooses. She also noted that the project is eligible to be repaid from TIRZ funds once generated.

Councilmember Millsap does not think this is a good use of money and does not see the need for advertising the city. He would prefer to address the deteriorating screening walls. Councilmember Buhler asked for more explanation for the difference in cost.

After further discussion, Matthew Holboke, 5511 Oak Ridge Circle, submitted that the cost of the project should be reimbursed from the TIRZ and not paid for by tax dollars. Ms. Cat Hussy, 4608 Sachse Road, does not want the tower to be lit due to light pollution. She stated that one of the reasons she was excited to move to Sachse was being able to see the stars in the night sky. She also does not understand why The Station needs to be focused on rather than the community as a whole. Councilmember Prestenberg asked for clarification about spending the money since this particular amount cannot be spent on anything but utility projects. The screening wall would not be eligible for use but were other projects considered. Ms. Nash commented that there is no shortage of potential projects; however, the tank needs to be lit year-round and LED is the industry standard. It has been a challenge to find contractors that are willing to bid the project and supply issues have made this a less attractive project. Councilmember Prestenberg and Mayor Pro Tem Franks cleared up some misconception that lighting the tower would only benefit The Station but rather the entire city, especially since it is a prime location coming off of the President George Bush Highway.

Mayor Pro Tem Franks made a motion to approve the item as presented. Councilmember Prestenberg seconded the motion and it passed 6-1. Councilmember Millsap voted against the measure.

Mayor Bickerstaff adjourned the meeting to executive session at 9:54 p.m.

EXECUTIVE SESSION

The City Council shall convene into Executive Session pursuant to the Texas Government Code, Section §551.074: Personnel Matters: Regarding the review of the Municipal Judge.

The City Council shall convene into Executive Session pursuant to the Texas Government Code, Section §551.074: Personnel Matters: Regarding the review of the City Prosecutor.

The meeting reconvened at 10:58 p.m.

REGULAR AGENDA ITEMS / ADJOURNMENT:

Take action as a result of Executive Session pursuant to the Texas Government Code, Section §551.074: Personnel Matters: Regarding the review of the Municipal Judge.

Councilmember Howarth made a motion to authorize the City Attorney to draw up a contract for two years for the Municipal Judge with a rate of \$500 per session and \$75 per signature. Mayor Pro Tem Franks seconded the motion and it carried unanimously.

Take action as a result of Executive Session pursuant to the Texas Government Code, Section §551.074: Personnel Matters: Regarding the review of the City Prosecutor.

Councilmember Howarth made a motion to authorize the City Attorney to draw up a contract for two years for the City Prosecutor with compensation of a flat of \$2,000 per month. Mayor Pro Tem Franks seconded the motion and it carried unanimously.

Mayor Bickerstaff adjourned the meeting at 11:00 p.m.

ATTEST:


Jeff Bickerstaff, Mayor


Leah K Granger, City Secretary

