

CITY COUNCIL OF THE CITY OF SACHSE

MEETING MINUTES

OCTOBER 2, 2017

The City Council of the City of Sachse held a regular meeting on Monday, October 2, 2017 at 7:30 p.m. at Sachse City Hall, 3815-B Sachse Road, Sachse, Texas. Those present were Mayor Mike Felix, Mayor Pro Tem Paul Watkins, Council Members Brett Franks, Charlie Ross, Bill Adams, Cullen King, and Jeff Bickerstaff. City Manager, Gina Nash; City Secretary, Michelle Lewis Sirianni; Human Resources Director, Melinda Walter; Public Works and Engineering Director, Greg Peters; Finance Director, Teresa Savage; Parks and Recreation Director, Lance Whitworth; Development Services Director, Dusty McAfee; Police Chief, Bryan Sylvester, and Fire Chief, Marty Wade.

Mayor Felix opened the meeting at 7:40 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND STATE FLAG: The invocation was offered by Councilman Franks and the pledges by Councilman King.

CONSENT AGENDA: All items listed on the Consent Agenda are considered routine and will be acted on by one motion, with no separate discussion of these items unless a Council member or citizen so requests.

17-3996 - Approve the minutes of the September 18, 2017 workshop meeting.

17-3997 - Approve the minutes of the September 18, 2017 regular meeting.

17-3985 – Approve a resolution to authorize the purchase of two (2) Ford Police Interceptor utility trucks from Sam Pack's 5 Star Ford through Texas Multiple Schedule Contract Program not to exceed budgeted funds of fifty-two thousand nine hundred ninety-two dollars and eighty cents (\$52,992.80).

17-3986 – Cancel the November 20, 2017 City Council Workshop and Meeting.

17-3994 - Approve a resolution authorizing the purchase of Toro Groundmaster 4000 Batwing Mower for the Parks and Recreation Department through the BuyBoard Cooperative Purchasing Program, via Professional Turf Products, in an amount not to exceed \$63,628.50.

17-4002 - Approve a resolution extending the depository bank agreement with American National Bank.

17-4003 - Accept the Monthly Revenue and Expenditure Report for the period ending August 31, 2017.

Councilman Bickerstaff made a motion to approve items the consent agenda items as presented. Councilman King seconded that motion and the motion was unanimously approved.

MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS:

Councilman King reminded everyone that on Saturday, October 7, the Animal Shelter was holding their low cost shot clinic. He also encouraged that anyone wanting to adopt that they are out of space for their dogs that need homes.

Councilman Ross announced upcoming events at the Library which included on October 10 at 5:30 p.m., a painting class on canvas, on October 17 at 6:00 p.m., a face painting class, and on October 24 at 6:00 p.m., a Halloween party and costume contest. He also announced the change in hours of operation. The Library is now open Monday through Friday from 10:00 a.m. to 6:00 p.m., Tuesday and Thursday from 11:00 a.m. to 8:00 p.m., and Saturday from 10:00 a.m. to 4:00 p.m. Councilman Ross reminded everyone that the Library is also now selling earbuds for \$1.00.

Councilman Franks announced the Daddy/Daughter Dance which will be in February and the upcoming Pumpkin Prowl being held on October 21 at Salmon Park.

Mayor Felix announced several upcoming events which included:

- October 3 – National Night Out
- October 4 – Walk to School Day
- October 11 – Fire Station Open House
- October 21 – Pumpkin Prowl at Salmon Park
- October 28 – Fall Fest at Heritage Park
- November 23 – Turkey Trot at Sachse High School
- December 6 – Christmas Extravaganza with night parade at 6:00 p.m. followed by the tree lighting with many more activities.

CITIZENS INPUT:

Dennis Watkinney and Addis Gonte invited the Council to an event being held on October 22 at 2:00 p.m. at the Sachse Senior Center by the Sachse Spiritual Assembly of the Bahá'í.

REGULAR AGENDA ITEMS:

17-3991 Consider a resolution nominating candidate(s) for the Collin Central Appraisal District (CCAD) Board of Directors.

Mrs. Lewis Sirianni gave Council an overview of nominating and election process for the CCAD Board of Directors.

Councilman Bickerstaff nominated Wayne Mayo of Richardson to the board.

Councilman Franks reminded Council of what this board does and the importance they have regarding property taxes.

Mayor Pro Tem Watkins seconded that motion. The motion passes with a 6-1 vote. Mayor Felix was in opposition.

17-3995 Consider a resolution nominating a candidate(s) for the Dallas Central Appraisal District (DCAD) Board of Directors.

Mrs. Lewis Sirianni gave Council an overview of nominating and election process for the DCAD Board of Directors. Mrs. Nash added that since each board member represents an agency, they are limited to nominating either the current member or someone that meets their criteria.

Councilman Franks echoed his same comments from the previous item.

Mayor Pro Tem Watkins nominated Brett Franks. Councilman Bickerstaff that motion and the motion was unanimously approved.

17-4004 Conduct a public hearing to consider an ordinance amending Chapter 11 (Zoning Ordinances) of the Code of Ordinances by amending Exhibit 1 by amending Article 4 titled "General Provisions Applying to All or Several Districts" by amending and replacing Section 5 titled "Off-Street Automobile and Vehicle Parking and Loading" with a new Section 5 providing new parking requirements and regulations for off-street automobile and vehicle parking and loading.

Mr. McAfee presented to Council an overview of the proposed regulations which included that the regulations would have a stand-alone section within Chapter 11 of the Code of Ordinances, updating parking ratios for new development, requiring decorative paving, cross access, and bike racks, include maintenance provisions for parking lots and vehicular use areas, and allow for minor adjustments during the plan review. Example pictures were provided to illustrate how decorative paving is used at internal crosswalks, store entrances, major internal intersections, right-of-way intersections, trail crossings, ADA crosswalks, site entrances to subdivisions and kinds of bike racks. Staff is recommending approval.

Mayor Felix opened the public hearing.

Don Herzog of Herzog Development stated that he has no problem with the parking standards. His concern are the entrances along SH 78 and requests that the existing developments off the major thoroughfares be exempt from the parking requirements.

Corinne Smith, 4008 Blossom Drive, listed several concerns within the Sections of the proposed ordinance and questioned if this matched to other cities and who is being identified as the 'Director' within the ordinance.

Kathy Cobb, 3820 6th Street, asked Council what would be the appeal process.

Mrs. Nash stated that the appeal process would be the same as it is today going to Planning and Zoning then Council for final approval. Mrs. Nash clarified by stating the word "Director" means City Manager or its designee.

Councilman Bickerstaff made a motion to close the public hearing. Councilman Franks seconded that motion and the motion was unanimously approved.

Council discussed entrances along SH 78 and when it would require decorative paving. Mayor Pro Tem Watkins asked Mr. Herzog what if any burden it would cause on installing decorative paving. Mr. Herzog responded that his concern is the ambiguity and the aesthetics primarily; however, there is no cost burden.

Councilman Bickerstaff made a motion to approve an ordinance amending Chapter 11 (Zoning Ordinances) of the Code of Ordinances by amending Exhibit 1 by amending Article 4 titled "General Provisions Applying to All or Several Districts" by amending and replacing Section 5 titled "Off-Street Automobile and Vehicle Parking and Loading" with a new Section 5 providing new parking requirements and regulations for off-street automobile and vehicle parking and loading. Councilman King seconded that motion and the motion was unanimously approved.

17-4006 Conduct a public hearing to consider an ordinance to amend Chapter 10 (Utilities) of the Code of Ordinances by amending Chapter 10 titled "Utilities," by adding Section 10-9 titled "Municipal Drainage Utility System" to establish requirements for a municipal drainage utility system by providing for drainage service, billing, exemptions, drainage charges, and appeals; by adding a new Section 10-10 titled "Municipal Drainage Utility System Fee Schedule" to establish fees for the municipal drainage utility system.

Mr. Peters presented an overview of this item which included the goals and process of the study, and the public input which was received and utilized to identify areas with stormwater needs. Staff and the consultant identified 26 locations of existing drainage concerns. Each site was visited and the consultant prepared reports for the focus areas. The Steering Committee which consisted of six members reviewed the need for the stormwater utility, provided input on ranking capital drainage projects, reviewed the potential fee structures and rates for funding stormwater needs, and provided recommendations to the Council. Mr. Peters stated their recommendations included the following: establish a stormwater utility to fund general storm system maintenance activities with a single tier system for single-family residential properties, and a calculated rate per "ERU" for non-residential properties, maintain adopted rate for a minimum of five years (or longer), provide no exemptions (except as required by law), continue funding compliance activities through the General Fund, fund capital stormwater projects through the General Fund, if a future sales and use tax for park development is approved, consider incorporating drainage improvements to be funded within those development projects, and pursue available cost sharing or matching opportunities with partners. Mr. Peters discussed the eight projects and their rankings, the policy considerations, the rate considerations, and how our fee would compare to surrounding cities. Staff recommends approval.

Mayor Felix opened the public hearing.

Tom Gomer, 7010 Coral Lane, is in opposition to this item. Mr. Gomer stated the last time work was done on his property, his land shifted and caused foundation and driveway issues.

Rich Chadbourne, 7004 Coral Lane, stated that he has no objection to the fee. His concern is if any dredging the ditch on Coral Lane would occur, this will cause foundation issues on the homes.

Frank Millsap, 3904 Miles Road, stated his concerns are the increase in rates and questions how the money can go into the General Fund. It was noted that monies for a stormwater utility feed have to legally go into a separate fund.

Kathy Cobb, 3820 6th Street, stated that the citizens need to be educated ahead of time on the fee and maybe an insert in the water bill would be a good idea. Mrs. Cobb is concerned of having another fund to keep track of and if the ordinance can be changed.

Councilman Adams made a motion to close the public hearing. Councilman Franks seconded that motion and the motion was unanimously approved.

Mayor Felix asked staff what the total amount it would cost in the identified projects. Mr. Peters stated roughly 10 million in capital projects and one million in maintenance projects. Mayor Felix stated they are trying to identify the issues and address the problems the City currently has.

Councilman Adams stated that he would like to see Coral Lane done due to the number of houses it affects.

Councilman King made a motion to approve an ordinance to amend Chapter 10 (Utilities) of the Code of Ordinances by amending Chapter 10 titled "Utilities," by adding Section 10-9 titled "Municipal Drainage Utility System" to establish requirements for a municipal drainage utility system by providing for drainage service, billing, exemptions, drainage charges, and appeals; by adding a new Section 10-10 titled "Municipal Drainage Utility System Fee Schedule" to establish fees for the municipal drainage utility system. Mayor Pro Tem Watkins seconded that motion and the motion was unanimously approved.

17-4005 Conduct a public hearing to consider an ordinance to amend Chapter 3 (Building Regulations) of the Code of Ordinances by amending Article 1 (In General) by amending Section 3-15 titled "Flood Hazard Area Regulations" by amending subsection E titled "Definitions" by adding new definitions and amending subsection H titled "Provisions for Flood Hazard Reduction" to provide a new requirement for subdivision proposals; by amending Section 3-17 titled "Drainage and Stormwater Control" by amending subsection D titled "Responsibility of Owner or Developer for Storm Damage" by amending (6) and (10) to amend the responsibilities for the owner and City Engineer in developing drainage and floodwater control; by amending (2) of Section E titled "Engineering Design" to amend requirements for engineering design and computation; by amending (3) of subsection E titled "Engineering Design" to amend requirements for predicting volume of runoff.

Mr. Peters stated as part of the process for the stormwater utility study, staff and the consultant reviewed the City's existing regulations related to flood hazard, drainage, and stormwater controls. It was determined that some minor updates to the regulations were required. Mr. Peters reviewed current development requirements and proposed development regulations for the ordinance. The proposed changes would impact new development, and will not be imposed upon existing developed properties in the City, unless and until the property is redeveloped. Staff is recommending approval.

Mayor Felix opened the public hearing.

Nick Earwood, 4602 Lee Hutson, stated his concern is the flooding problem that continues to occur at his residence. There are several garages on his street that have separated from the house and the sinking of the street.

Councilman Adams closed the public hearing. Councilman Bickerstaff seconded that motion.

Councilman Franks stated for new construction, this will help stop existing issues as they will be able to address them during the development phase.

The motion was unanimously approved.

17-3998 Consider approval of an Economic Development Incentive Agreement made by and between the City of Sachse, Texas and Skorburg Retail Corporation.

Mr. Peters presented this item with a history regarding the Sable Hills Estate Subdivision, which was platted in 1961. The subdivision included public right-of-way for both Vicuna Circle and Ermine Circle. However, the developer never completed the construction of the public water, sewer, storm drainage, and paving improvements on these streets. There are 44 single family residential lots that are privately owned and not usable for the intended purpose of the land. Mr. Peters discussed infrastructure costs and based on current construction costs, staff estimates that the total cost necessary for paving, drainage, water, and sanitary sewer improvements would be \$1,100,000.00.

The City's current subdivision ordinance prohibits the recording of a final plat prior to completion of all public improvements. Until a plat is filed, individual lots may not be legally sold. Mr. Peters stated that since the lots are not accessible by a paved public street, and lack proper public utility access, the lots are of very little financial value to the landowners as well as the City since limited property tax revenues are received from the undeveloped lots. Making these lots developable is beneficial to both the property owners and the City. Mr. Peters touched on the original variance request, which would allow the Skorburg Retail Corporation to construct a non-standard street section for Ermine and Vicuna. The variance request based upon the drainage concerns and city paving standards was denied. Since that time, staff has been working with Skorburg to identify a way to move their project forward while addressing the concerns voiced by the citizens.

The proposed development would intend to have paving and drainage improvements that are to City standard and include 31' concrete streets with curb and gutter, 5' wide concrete sidewalks, underground drainage systems in Ermine and Vicuna, stormwater detention in the pipe system in Ermine and Vicuna, and grading of existing drainage ways to improve drainage along Williford and the west property lines of the development. Mr. Peters highlighted points within the incentive agreement which include: Skorburg will develop at least 25 of the 44 residential lots, the property owners of the remaining 19 lots may choose to keep their lots, develop their lots, or sell their lots, the minimum square footage of each Skorburg home will be 2,500 square feet, Skorburg agrees to construct the necessary street paving, sidewalks, underground drainage, water, and sanitary sewer public improvements to City standards, upon completion of the public improvements, the City will provide payment of \$110,000.00 toward the construction of Ermine Circle, and upon final inspection of each residential lot developed by Skorburg, the City will provide a grant in the

amount of \$6,829.79 per home, currently estimated at \$170,744.00. The proposed City contributions would come from Impact Fees, not from property tax or sales tax. Impact fees are dedicated funding sources. They may only be used to construct new roadway, water, or sewer infrastructure. Staff is recommending approval.

Mayor Felix opened the floor to take comments from the public.

Charles Schaefer, 4811 Williford Road, is in opposition to this item to the multiple drainage concerns. Mr. Schaefer expressed concerns regarding the FEMA floodplain and what would happen in a 100 year event or if happens more than once. Mr. Schaefer also questioned how the detention system would work.

Eugene Chambers, 4935 Williford Road, has major concerns regarding water runoff and the erosion, and the current flooding to his residence.

Ellis Tomlinson, 6708 Coral Lane, stated that the creek behind has always been an issue and questions how to control the water flow and could get worse with development. Mr. Tomlinson is opposed to this item.

Denise Crandall, 12080 US Hwy 175E, is a current property owner in Sable Hills Estates. Ms. Crandall is in favor of this item. Ms. Crandall expressed the long history of having this property in her family and with it having not been developed in over 51 years has made it difficult to sell. Ms. Crandall would like to see these lots developed.

Robert Corbin, 4951 Williford Road, stated his concern is the way the water flows and the current flooding at his shop.

Jackie Eichelberger, 7121 Bailey Road, stated she is for the development, but is concerned about the City putting up the money. She is against the taxpayers having to fund part of the infrastructure that the developer should be funding. Mrs. Eichelberger also asked if they would be required to set aside green space for a park or open space.

James Cron, 4912 Williford Road, asked if the City vetted the financial stability of the developer and the \$110,000 seems high, and would like to see Bailey Road repaved.

Corrine Smith, 4008 Blossom Drive, asked where the grant money was coming from and if negotiations were taking place with the property owners.

Thomas Gomer, 7010 Coral Lane, is concerned about erosion control and drainage.

Rich Chadbourne, 7004 Coral Lane, asked if there would be sidewalks the full length of the road and is concerned about the water detention.

Mrs. Nash stated that the developer today can come in by right and build just to City standards. The funding is coming from impact fees, which is paid by developers when development occurs and due to the subdivision being platted before park dedication fees were required, Skorburg would not be required to dedicate park land in this project. Mr. Peters added that the City does not financially vet developers, but the City is familiar with Skorburg.

Mr. Peters noted that the developer will conduct detailed storm water drainage design and have more specific information in the formal design and construction process.

John Arnold with Skoburg Development reiterated that they will continue to meet with staff and address citizen concerns. They are willing to do the drainage study and fix the problems by working with the residents.

Council discussed what they could do in regards to drainage with or without development in this area as well as how they prefer to work with the developer to enhance the minimum standards and make improvements to the creek, otherwise, the properties will not develop.

Councilman Bickerstaff made a motion to approve an Economic Development Incentive Agreement made by and between the City of Sachse, Texas and Skoburg Retail Corporation. Mayor Pro Tem Watkins seconded that motion. The motion passes with a 5-2 vote. Mayor Felix and Councilman King voted in opposition.

17-4000 Discussion regarding the City's newspaper of record.

Mrs. Nash introduced this item stating that the City had initially established a newspaper of record. It was removed from the Charter in 1990. It is no longer required being a Home Rule City, however, the City Attorney recommends having one.

Mayor Felix asked if the City had researched any details. Mrs. Nash stated the newspaper used must be of a wide circulation in the City, which would limit to either the Sachse News or the Dallas Morning News. Mrs. Nash stated the City currently spends \$8,000 to \$11,000 a year with the Sachse News depending on how many legal notices, etc. are published. If the Council chose to go with the Dallas Morning News with a contract rate of \$5,000 to \$10,000, the costs would be comparable or less.

Councilman Adams asked if this would extend our reach to vendors. Councilman Bickerstaff asked if the \$5,000 or \$10,000 is on an annual basis. Mayor Pro Tem Watkins asked if they would get more reach with the Dallas Morning News. Councilman King asked if we have current circulation numbers and if it was necessary to have a paper of record. Mrs. Nash stated it is a best practice so that citizens will know where to look for publications of items.

Councilman Franks asked if the contract included the online fee and if someone doesn't have a subscription, could they search online. Mrs. Nash replied the fee is included and would get a clarification on the other.

ADJOURNMENT:

Mayor Felix adjourned the meeting at 8:39 p.m.



MIKE J FELIX, MAYOR

ATTEST:



Michelle Lewis Sirianni, City Secretary

