

CITY COUNCIL OF THE CITY OF SACHSE

MEETING MINUTES

SEPTEMBER 17, 2018

The City Council of the City of Sachse held a combined workshop and regular meeting on Tuesday, September 17, 2018 at 6:30 p.m. at the City Council Chambers, 3815 Sachse Road, Sachse, Texas. Those present were Mayor Mike Felix, Mayor Pro Tem Cullen King, Councilmembers Brett Franks, Michelle Howarth, Paul Watkins, Bill Adams, and Jeff Bickerstaff; City Manager, Gina Nash; City Secretary, Michelle Lewis Sirianni; Assistant to the City Manager, Lauren Rose; Interim Development Services Director, Lata Krishnarao; Director of Public Works and Engineering, Greg Peters; Finance Director, Teresa Savage; Finance Manager, Berna Fitzpatrick; Accountant, Karen Ramirez; Human Resources Director, Melinda Walter; Parks and Recreation Director, Lance Whitworth; Recreation Supervisor, Cynthia Wiseman; Library Manager, Daniel Laney; Fire Chief, Marty Wade; Fire Prevention Coordinator, Diana Navarrete, and Police Chief, Bryan Sylvester.

Mayor Felix opened the workshop meeting at 6:31 p.m.

Discuss the Sachse Community Center project.

Mr. Ron Hobbs presented the City Council with potential value engineering options, timelines, and bid process options. Mr. Hobbs requested feedback on four specific items, which included the roof on the gym, windows in the gym, the folding walls in the classrooms, and the under-slab plumbing support system. Mr. Hobbs indicated that the proposed schedule is to advertise for bids by October 19 with a pre-bid conference on October 30, 2018. The bids would be received by November 15, with the construction contract to be awarded on December 3, 2018.

The City Council discussed the various options presented. The consensus on the four items listed above was to move forward with a flat roof, reduce the windows in the gym, leave in the folding walls, and eliminate the under-slab plumbing system.

ADJOURNMENT:

At 7:32 p.m., Mayor Felix adjourned the workshop meeting.

Mayor Felix opened the regular meeting at 7:48 p.m.

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

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 City Councilmember or citizen so requests.

A. - Approve the minutes of the September 4, 2018 combined meeting.

Councilman Bickerstaff made a motion to approve items on the Consent Agenda as presented. Mayor Pro Tem King seconded that motion and the motion was unanimously approved.

MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS:

Councilwoman Howarth announced upcoming Library events including the Willy Wonka Party and the "Tallulah the Owlet" themed yoga for kids on September 25.

Councilman King announced the upcoming Animal Shelter low cost shot clinic on October 6, encouraged fall class registrations through the Parks and Recreation Department, and shared information about the the Sachse Historical event: Cotton Farm to Market on September 22 from 10:00 a.m. to noon.

Councilman Bickerstaff stated that he, along with Mayor Felix and Mayor Pro Tem King, participated in the Five Loaves Pantry Fund-a-thon. The goal of the event was to raise \$20,000. That goal was met and exceeded.

Mayor Felix announced upcoming events which included National Night Out (NNO) on October 2, the Pumpkin Prowl on October 20, and Fall Fest put on by the Sachse Chamber of Commerce on October 27.

Mrs. Nash introduced the City's Interim Development Services Director, Lata Krishnarao. She recently retired from the City of Pearland after 14 years of service and now does interim work for cities.

CITIZENS INPUT:

Butch Kemper, 7107 Longmeadow Drive, cautioned the City Council on using value engineering for the Community Center. Mr. Kemper stated that it is a great tool, but encouraged the City Council to be careful and not over value engineer the building.

REGULAR AGENDA ITEMS:

Conduct a public hearing to consider and act on a request by Tracy Burns to rezone approximately 1.23 acres of land from R-1 (Residential 1) and R-2A (Residential 2A) to R-15 (Residential 15) for the purposes of building an additional home.

Ms. Krishnarao presented an overview of the subject property indicating that the property is currently zoned R-1 and R-2A, which are inactive single-family zoning districts. The applicant is requesting to rezone the property to R-15, which could then be legally subdivided into two lots. The Future Land Use Plan (FLUP) supports the rezoning request. Ms. Krishnarao stated that the Planning and Zoning Commission unanimously recommended approval at its August 27 meeting with six people speaking during the public hearing. Of those six, three were opposed, two in favor, and one asked if the rezoning was for apartments. Those in opposition cited concerns over property value impacts, loss of privacy, and the importance of maintaining a country feel. Staff is recommending approval of the rezoning request.

Mayor Felix opened the public hearing.

Russell Hill, 4706 Sachse Road, stated he is in favor of the request.

Tracy Burns, 4706 Sachse Road, owner of the property, stated she believes this will improve the community and neighborhood, and will also allow them to update and build a new home.

Mayor Felix closed the public hearing.

Councilman Bickerstaff made a motion to approve an ordinance granting a change of zoning from Residential 1 (R-1) and Residential 2A (R-2A) to Residential 15 (R-15) on approximately 1.23 acres of land, generally located at the southeast corner of Sachse Road and Getha Lane, more commonly known as 4706 Sachse Road. Mayor Pro Tem King seconded that motion and the motion was unanimously approved.

Receive a presentation about the findings from the People with Disabilities Community Round Table event.

Mrs. Rose provided a recap of the People with Disabilities Community Round Table event. The event was held on August 23 with the discussion focused on Parks and Recreation, the Library, Public Safety, and Public Infrastructure. Approximately 12 guests attended and the conversation lasted about two hours. The event was co-hosted with the Texas Governor's Committee on People with Disabilities and supported with representatives from REACH Plano, the Texas Workforce Commission, and My Possibilities. The event was also live-streamed and can be found on the City's website. Mrs. Rose outlined feedback received from each area and categorized items into short-term, mid-term, or long-term actions relative to fiscal year feasibility. Mrs. Rose stated that staff would begin working on the action items presented.

Councilman King thanked Mrs. Rose for her work and commented on the feedback from the event. Councilman Franks asked if the entities involved would be able to guide or give direction for any grants possible in this area. Mrs. Rose responded yes.

No further comments were made.

Receive presentation from the Fire Department regarding Fire Prevention Week.

Chief Wade and Diana Navarrete, Fire Prevention Coordinator, presented an overview of Fire Prevention Week to the City Council. Ms. Navarrete focused on the programs within the Fire Department including community outreach programs they are currently involved with and other community functions the Fire Department routinely attends throughout the year.

Councilman Watkins expressed his gratitude and appreciation to the Fire Department for a recent event at his residence. Mayor Pro Tem King commended Chief Wade for reaching out to him about the inclusion of the home school population in Sachse and is looking forward to their further involvement in fire prevention activities. Councilman Adams expressed his appreciation as well.

No further comments were made.

Consider an ordinance approving and adopting the budget for the fiscal year beginning October 1, 2018 and ending September 30, 2019.

Mrs. Savage stated the next items are linked together and are in a specific order for the City Council's consideration. Mrs. Savage stated two of the items refer to an increase, but that language must be included due to state requirements associated with the effective rate. It is not reflective of an actual property tax rate increase.

Councilman Watkins made a motion to approve an ordinance adopting the budget for the fiscal year beginning October 1, 2018 and ending September 30, 2019. Councilman Franks seconded that motion and the motion was unanimously approved.

Make a motion to ratify the property tax increase in the budget for Fiscal Year 2018-2019.

Councilman Franks made a motion to ratify the property tax increase in the budget for Fiscal Year 2018-2019. Councilman Adams seconded that motion and the motion was unanimously approved.

Consider an ordinance levying ad valorem taxes for the year 2018 (Fiscal Year 2018-2019) at a rate of \$0.72 per one hundred dollars (\$100) assessed valuation on all taxable property within the corporate limits of the City of Sachse as of January 1, 2018.

Mayor Pro Tem King made a motion to approve the property tax rate be increased by the adoption of a tax rate of \$0.72 per one hundred dollars (\$100) assessed valuation on all taxable property, which is effectively a 2.13 percent increase in the tax rate. Councilman Bickerstaff seconded that motion.

Councilwoman Howarth stated even though they have a 2 and $\frac{3}{4}$ cent reduction in the tax rate, she would like to see the City get to the effective tax rate moving forward.

The motion was unanimously approved.

Consider a resolution amending the Master Fee Schedule by amending health permits, new home construction/remodel/addition; general contractor registration; preliminary plat application fees; printing/copying charges in library, three inch and above meter installation performed in-house; meter supply costs; refuse service fees; water and wastewater rates; and 5/8" meter deposits and providing an effective date.

Mrs. Savage stated the proposed fee schedule includes the change of water rates for next year including the freeze in tier one.

Mayor Pro Tem King made a motion to approve a resolution amending the Master Fee Schedule by amending health permits, new home construction/remodel/addition; general contractor registration; preliminary plat application fees; printing/copying charges in library, three inch and above meter installation performed in-house; meter supply costs; refuse service fees; water and wastewater rates; and 5/8" meter deposits and providing an effective date. Councilman Watkins seconded that motion and the motion was unanimously approved.

Consider an ordinance amending the Code of Ordinances, Chapter 10, "Utilities," by amending Section 2 "Sewer Service Fees," by amending Section 3 "Water and Sewer Service Billing Procedures," and by amending Section 6 "Regulating the Discharge of Industrial Wastes into Public Sewers" to provide for service billing policies and procedures.

Mrs. Savage stated there have been no changes since the City Council last saw this item on August 20. The amendments are procedural in nature.

Councilman Bickerstaff made a motion to approve an ordinance amending the Code of Ordinances, Chapter 10, "Utilities," by amending Section 2 "Sewer Service Fees," by amending Section 3 "Water and Sewer Service Billing Procedures," and by amending Section 6 "Regulating the Discharge of Industrial Wastes into Public Sewers" to provide for service billing policies and procedures. Mayor Pro Tem King seconded that motion and the motion was unanimously approved.

Consider a resolution approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2018 Rate Review Mechanism filings.

Mrs. Savage stated the City Council approved a new Rate Review Mechanism (RRM) annual review process in March 2018. In April 2018, Atmos applied for the first annual review under the new RRM. The Atmos Cities Steering Committee (ACSC) reviewed the initial application by Atmos and proposed a settlement that they deemed fair and reasonable, which will increase the

residential customer charge by \$0.50 per month and the commodity charge will increase by \$0.011. New rates will become effective October 1, 2018. The ACSC Executive Committee is urging members to pass the proposed resolution.

Mayor Pro Tem King made a motion to approve a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2018 Rate Review Mechanism filings. Councilwoman Howarth seconded that motion.

The motion carries with a 6-1 vote. Councilman Watkins abstained.

Consider an ordinance amending Chapter 11 titled "Zoning Ordinance" by amending Exhibit 1 by amending Article 2 titled "Definitions" by adding a definition for Alternate Financial Services and amending the definition for Microbrewery; by amending Article 3 titled "[Districts]" by amending Section 10 titled "Planned Development District" by amending Subsection 10.2 titled "Creation" by removing the required acreage requirement for a Planned Development District; by deleting Section 13 titled "OP Office Park District" in its entirety and renaming Section 13 "Use Designations" to set forth regulations for each zoning district and to add new Use Charts showing the permitted uses for each district by adding Subsection 13.2 titled "Land Uses", by adding Subsection 13.2 titled "Use Charts Organization" to include Use Chart 13.2.1 titled "Primary Residential Uses", Use Chart 13.2.2 titled "Accessory and Incidental Uses", Use Chart 13.2.3 titled "Institutional and Special Uses", Use Chart 13.2.4 titled "Commercial Uses", Use Chart 13.2.5 titled "Transportation Uses" and Use Chart 13.2.6 titled "Industrial and Utility Uses", by adding Subsection 13.3 titled "Classification of New/Unlisted Uses" and by adding Subsection 13.4 titled "Special Zoning Districts"; by amending Section 14 titled "PGBT Zoning District" by amending Subsection 14.5 titled "Schedule of Uses" by amending table 14.5.1 titled "Schedule of Uses" by deleting "Religious Institutions"; by amending Section 15 titled "Old Town Zoning District" by amending Subsection 15.4 titled "Schedule of Uses" by amending table 15.4.4 titled "Schedule of Uses" by deleting "Religious Institutions"; and by deleting Schedule 1 titled "Permitted Uses" in its entirety.

Ms. Krishnarao presented an overview regarding the proposed ordinance changes to the Use Chart. The Use Chart determines what land uses are allowed in each zoning district and lists out uses of land as rows with different zoning districts as columns. Ms. Krishnarao also outlined land uses, as they are categorized and designated. It is important to note that existing Planned Developments (PD) sometimes have their own use charts i.e. PGBT and Old Town. Formatting changes were also made to provide a more modern and user-friendly document. General updates were done in order to provide clarification including updating definitions, how to use and interpret the Use Chart, as well as using broad land use categories in lieu of long lists of every possible land use.

Ms. Krishnarao stated the following line item changes made were: assisted living proposed to require an SUP, allowing municipal facilities by right in all districts, microbrewery definition revised to match TABC's definition, greater flexibility for when Planned Development Districts are allowed, Minor Auto Repair allowed in C-1, Major Auto Repair must obtain an SUP from the

City Council in C-1 and C-2, and deletion of the old Office Park district. No changes were made for the following: car washes, gas stations, assembly uses, childcare centers, and consolidation of zoning districts.

The Planning and Zoning Commission held a public hearing and unanimously recommended approval of the proposed Use Chart. The Commission arrived at the same conclusion as the City Council on all line items except one regarding the SUP requirement for drive-thru restaurants.

Staff is recommending approval as the ordinance is proposed, which is currently written to keep the SUP requirement on drive-thru restaurants. If the City Council does not wish to require an SUP, then a minor revision to the definition will need to be done.

Mayor Felix opened the public hearing. No comments were made.

Mayor Felix closed the public hearing.

Councilman Bickerstaff made a motion to approve an ordinance amending Chapter 11 titled "Zoning Ordinance" by amending Exhibit 1 by amending Article 2 titled "Definitions" by adding a definition for Alternate Financial Services and amending the definition for Microbrewery; by amending Article 3 titled "[Districts]" by amending Section 10 titled "Planned Development District" by amending Subsection 10.2 titled "Creation" by removing the required acreage requirement for a Planned Development District; by deleting Section 13 titled "OP Office Park District" in its entirety and renaming Section 13 "Use Designations" to set forth regulations for each zoning district and to add new Use Charts showing the permitted uses for each district by adding Subsection 13.2 titled "Land Uses", by adding Subsection 13.2 titled "Use Charts Organization" to include Use Chart 13.2.1 titled "Primary Residential Uses", Use Chart 13.2.2 titled "Accessory and Incidental Uses", Use Chart 13.2.3 titled "Institutional and Special Uses", Use Chart 13.2.4 titled "Commercial Uses", Use Chart 13.2.5 titled "Transportation Uses" and Use Chart 13.2.6 titled "Industrial and Utility Uses", by adding Subsection 13.3 titled "Classification of New/Unlisted Uses" and by adding Subsection 13.4 titled "Special Zoning Districts"; by amending Section 14 titled "PGBT Zoning District" by amending Subsection 14.5 titled "Schedule of Uses" by amending table 14.5.1 titled "Schedule of Uses" by deleting "Religious Institutions"; by amending Section 15 titled "Old Town Zoning District" by amending Subsection 15.4 titled "Schedule of Uses" by amending table 15.4.4 titled "Schedule of Uses" by deleting "Religious Institutions"; and by deleting Schedule 1 titled "Permitted Uses" in its entirety. Councilwoman Howarth seconded that motion and the motion was unanimously approved.

EXECUTIVE SESSION:

The City Council shall convene into Executive Session pursuant to Texas Government Code Section §551.087 Economic Development Deliberations: Discussion of a Development Agreement between the City of Sachse and PMB Acquisitions LLC and/or its affiliates to provide

incentives related to the development of approximately 119 acres of land within the PGBT Area Zoning District.

At 9:14 p.m., the City Council recessed into Executive Session.

At 10:09 p.m., the City Council reconvened back into Regular Session.

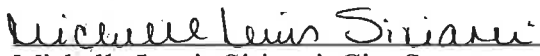
Councilman Adams made a motion to authorize the City Manager to negotiate and execute on behalf of the City a Development Agreement with PMB Acquisitions, LLC relating to the development of approximately 119 acres in the PGBT Zoning District and related financing substantially in the form presented at this meeting and with further authority to finalize the remaining terms to be negotiated, all subject to approval as to form by the City Attorney. Councilman Franks seconded that motion and the motion was unanimously approved.

ADJOURNMENT:

Mayor Felix adjourned the regular meeting at 10:10 p.m.


MIKE J. FELIX, MAYOR

ATTEST:


Michelle Lewis Sirianni, City Secretary

