

CITY COUNCIL

MEETING MINUTES

SEPTEMBER 05, 2023, 6:00 PM

CITY COUNCIL REGULAR MEETING

HISTORIC CHURCH BUILDING - 403 N 7TH STREET, SANGER, TEXAS



CALL THE WORK SESSION TO ORDER AND ESTABLISH A QUORUM

Mayor Muir called the work session to order at 6:00 p.m.

COUNCILMEMBERS PRESENT

Mayor	Thomas Muir
Mayor Pro Tem, Place 2	Gary Bilyeu
Councilmember, Place 1	Marissa Barrett
Councilmember, Place 3	Dennis Dillon
Councilmember, Place 4	Allen Chick
Councilmember, Place 5	Victor Gann

COUNCILMEMBERS ABSENT

None

STAFF MEMBERS PRESENT:

City Manager John Noblitt, City Secretary Kelly Edwards, and City Attorney Hugh Coleman.

EXECUTIVE SESSION

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 551.086. CERTAIN PUBLIC POWER UTILITIES: COMPETITIVE MATTERS.
For deliberations regarding a Wholesale Electric Power Agreement with Lower Colorado River Authority (LCRA).

Council convened into executive session at 6:01 p.m.

RECONVENE INTO WORK SESSION

Reconvene into the Work Session. Any action deemed necessary as a result of Executive Session will be taken during the Regular Session.

Council reconvened into open session at 7:11 p.m.

No action taken.

OVERVIEW OF ITEMS ON THE REGULAR AGENDA

No discussion.

ADJOURN THE WORK SESSION

There being no further business, Mayor Muir adjourned the work session at 7:11 p.m.

CALL THE REGULAR MEETING TO ORDER AND ESTABLISH A QUORUM

Mayor Muir called the regular meeting to order at 7:20 p.m.

COUNCILMEMBERS PRESENT

Mayor	Thomas Muir
Mayor Pro Tem, Place 2	Gary Bilyeu
Councilmember, Place 1	Marissa Barrett
Councilmember, Place 3	Dennis Dillon
Councilmember, Place 4	Allen Chick
Councilmember, Place 5	Victor Gann

COUNCILMEMBERS ABSENT

None

STAFF MEMBERS PRESENT:

City Manager John Noblitt, Assistant City Manager Alina Ciocan, City Secretary Kelly Edwards, City Attorney Hugh Coleman, Finance Director Clayton Gray, Director of Development Services Ramie Hammonds, Parks & Recreation Director Ryan Nolting, Director of Human Resources and Special Projects Jeriana Staton, and Police Lieutenant Justin Lewis.

INVOCATION AND PLEDGE

Councilmember Chick gave the Invocation. The Pledge of Allegiance was led by Councilmember Dillon.

CITIZENS COMMENTS

Reva Stevens, 3827 View Road, Sanger, regarding the EMS response time for an accident at the Senior Center and spending money for new Police vehicles.

CONSENT AGENDA

1. Consideration and possible action on the minutes from the August 14, 2023, meeting.
2. Consideration and possible action on the minutes from the August 21, 2023, meeting.
3. Consideration and possible action to purchase one new Ford F150 Patrol Truck from Silsbee Ford and one new Chevrolet Tahoe Patrol vehicle from Holiday Chevrolet.
4. Consideration and possible action on ratifying Change Request No. 3 in the amount of \$5,372.00 with North Rock Construction for the Porter Park Softball Field Renovations.

Councilmember Chick had questions regarding Item 3 and Councilmember Dillon had questions regarding Item 4 of the consent agenda.

Motion to approve Item 1 and Item 2 made by Councilmember Bilyeu, Seconded by Councilmember Chick.

Voting Yea: Councilmember Barrett, Councilmember Dillon, and Councilmember Gann.
Motion passed unanimously.

Staff responded to the different patrol packages for the applications of the vehicles.

Motion to approve Item 3 made by Councilmember Chick, Seconded by Councilmember Bilyeu.

Voting Yea: Councilmember Barrett, Councilmember Dillon, and Councilmember Gann.
Motion passed unanimously.

Staff responded to install costs for the wireless controled scoreboards and timers.

Motion to approve Item 4 made by Councilmember Chick, Seconded by Councilmember Dillon.

Voting Yea: Councilmember Barrett, Councilmember Bilyeu, and Councilmember Gann.
Motion passed unanimously.

PUBLIC HEARING ITEMS

5. Conduct a public hearing on Ordinance No. 09-23-23 amending Planned Development 04-11-22 (PD 04-11-22) to extend the boundaries to include approximately 21.17 acres of land, described as A0029A R BEEBE, 65B, from Agricultural (A) to Planned Development (PD) within the City of Sanger, and generally located south of FM 455 and East of Indian Lane.

Mayor Muir opened the public hearing at 7:37 p.m.

Director Hammonds stated that the applicant requested the item be withdrawn from the agenda.

Mayor Muir closed the public hearing at 7:37 p.m.

6. Conduct a public hearing on a request for a Specific Use Permit (SUP) for a Quick Service Food and Beverage use, at 904 S 5th Street, parking lot, located on approximately 0.291 acres of land described as A1241A TIERWESTER, TR, and generally located on the north side of 5th Street approximately 183 feet east of the intersection of 5th Street and Freese Drive.

Mayor Muir opened the public hearing at 7:38 p.m.

Director Hammonds provided an overview of the item and placement of the Food Truck.

Mayor Muir closed the public hearing at 7:41 p.m.

7. Conduct a public hearing on a request for the Replat of Lot 1R, Block A of the Powell Addition, being 1.05 acres located within the City of Sanger, generally located along the north side of Duck Creek Road approximately 511 feet west of the intersection of Duck Creek Road and South Stemmons Frwy.

Mayor Muir opened the public hearing at 7:41 p.m.

Director Hammonds provided an overview of the items, stating the current building was built across the property line.

Mayor Muir closed the public hearing at 7:42 p.m.

8. Conduct a public hearing on a rezoning from Planned Development-Townhome (PD-TH) to Planned Development-SF-1 (PD-SF-1) of approximately 14.908 acres of land, described as A0029A R BEEBE, 72B(2A), within the City of Sanger, and generally located on west side of Marion Road approximately 820 feet south of the intersection of Marion Road and Huling Road.

Mayor Muir opened the public hearing at 7:43 p.m.

Director Hammonds provided an overview of the item and the and variances requested by the applicant.

Mayor Muir closed the public hearing at 7:47 p.m.

ACTION ITEMS

Mayor Muir moved to Items 17 and 18 of the agenda.

9. Consideration and possible action on Ordinance No. 09-23-23 amending Planned Development 04-11-22 (PD 04-11-22) to extend the boundaries to include approximately 21.17 acres of land, described as A0029A R BEEBE, 65B, from Agricultural (A) to Planned Development (PD) within the City of Sanger, and generally located south of FM 455 and East of Indian Lane.

Applicant withdrew request - no action taken.

10. Consideration and possible action on Ordinance No. 09-24-23 a request for a Specific Use Permit (SUP) for a Quick Service Food and Beverage use, at 904 S 5th Street, parking lot, located on approximately 0.291 acres of land described as A1241A TIERWESTER, TR, and generally located on the north side of 5th Street approximately 183 feet east of the intersection of 5th Street and Freese Drive.

Director Hammonds stated that no responses were received from the notification regarding the item.

Discussion ensued regarding the location of the Food Truck, any similar considerations to other mobile vendors, and required permits.

Motion to approve made by Councilmember Chick, Seconded by Councilmember Dillon. Voting Yea: Councilmember Barrett, Councilmember Bilyeu, and Councilmember DGann.

Motion passed unanimously.

11. Consideration and possible action on a request for the Replat of Lot 1R, Block A of the Powell Addition, being 1.05 acres located within the City of Sanger, generally located along the north side of Duck Creek Road approximately 511 feet west of the intersection of Duck Creek Road and South Stemmons Frwy.

Director Hammonds provided an overview of the item to create one Commercial lot and that staff recommends denial due to the applicant not satisfying all the comments.

Motion to deny made by Councilmember Bilyeu, Seconded by Councilmember Chick. Voting Yea: Councilmember Barrett, Councilmember Dillon, and Councilmember Gann. Motion passed unanimously.

12. Consideration and possible action on Ordinance No. 09-25-23 a rezoning from (PD-TH) Planned Development-Townhome to (PD-SF1) Planned Development-SF1 of approximately 14.908 acres of land, described as A0029A R BEEBE, 72B(2A), within the City of Sanger, and generally located on west side of Marion Road approximately 820 feet south of the intersection of Marion Road and Huling Road.

Discussion ensued regarding Current zoning in the Planned Development, the use of the R-Code, the meandering sidewalk, the open space, and variances requested by the applicant, which would be similar to the proposed Residential Code.

Motion to approve the zoning change from (PD-TH) Planned Development-Townhome to (PD-R-1) Planned Development-Residential District R-1. made by Councilmember Bilyeu, Seconded by Councilmember Dillon.

Voting Yea: Councilmember Barrett, Councilmember Chick, and Councilmember Gann.
Motion passed unanimously.

13. Consideration and possible action on Resolution 2023-14, Appointing members to the Parks and Recreation / Keep Sanger Beautiful Board.

Mayor provided an overview of the applications.

Motion to approve made by Councilmember Chick, Seconded by Councilmember Barrett.

Voting Yea: Councilmember Bilyeu, Councilmember Dillon, and Councilmember Gann.
Motion passed unanimously.

14. Consideration and possible action on the Final Plat of the Bentley Addition, being 1.064 acres of land described as A0658A JANUARY TR 33A, 34A, and 35A(PT) located in the City of Sanger's ETJ, and generally located on the east side of FM 2450 approximately 162 feet north of the intersection of FM 2450 and FM 455.

Director Hammonds provided an overview of the item and that staff recommends denial due to the applicant not satisfying all the comments.

Motion to deny made by Councilmember Bilyeu, Seconded by Councilmember Chick.

Voting Yea: Councilmember Barrett, Councilmember Dillon, and Councilmember Gann.
Motion passed unanimously.

15. Consideration and possible action on the Minor Plat of Sims Street Addition, Block A, Lot 1 being 0.129 acres, located in the City of Sanger, and generally located on the east side of Sims Street approximately 97 feet north of the intersection of Sims St and Kirkland St.

Director Hammonds provided an overview of the item and allowance requested to build a home.

Motion to approve made by Councilmember Chick, Seconded by Councilmember Gann.

Voting Yea: Councilmember Barrett, Councilmember Bilyeu, and Councilmember Dillon.
Motion passed unanimously.

Mayor Muir recused himself for Item 16 of the Agenda.

16. Consideration and possible action on the Final Plat of Coffee Bistro 1187, being 0.779 acres, located in the City of Sanger, and generally located on the east side of FM 455

and approximately 218 feet n of the intersection of FM 455 and N Stemmons Frwy corner of FM 455 and N Stemmons Frwy.

Director Hammonds provided an overview of the item and dedication of the Right-of-Way on the plat.

Discussion ensued regarding the dedication of the Right-of-Way and the location of the building on the lot and 10th Street access.

Thomas Muir, 1201 Cowling Road, Sanger, partial property owner, spoke in favor of the plat.

Motion to approve made by Councilmember Barrett, Seconded by Councilmember Dillon.

Voting Yea: Councilmember Bilyeu, Councilmember Chick, and Councilmember Gann. Motion passed unanimously.

17. Consideration and possible action on the Preliminary Plat of Sanger Middle School, being 28.791 acres, located in the City of Sanger, and located at 105 Berry Street approximately 205 feet southwest of the intersection of Acker Street and Bolivar Street.

Director Hammonds provided an overview of the item.

Motion to approve made by Councilmember Gann, Seconded by Councilmember Dillon. Voting Yea: Councilmember Barrett, Councilmember Bilyeu, and Councilmember Chick. Motion passed unanimously.

18. Consideration and possible action on the Preliminary Plat of Clear Creek Intermediate School, being 13.356 acres, located in the City of Sanger, and generally located on the west side of South Stemmons Frwy approximately 667 feet south of the intersection of the Business I-35 ramp and South Stemmons Frwy.

Director Hammonds provided an overview of the item.

Discussion ensued regarding property line boundaries.

Motion to approve made by Councilmember Chick, Seconded by Councilmember Gann. Voting Yea: Councilmember Barrett, Councilmember Bilyeu, and Councilmember Dillon. Motion passed unanimously.

Mayor Muir moved back to Item 9 of the agenda.

19. Consideration and possible action on authorizing staff to issue a Request for Proposals for Solid Waste and Recycling Services (RFP# 2023-05).

Assistant City Manager Ciocan provided an overview of the item, including the revisions per Council direction.

Discussion ensued regarding the reporting requirements of the proposed vendors regarding the percentages of recycling load diverted to the landfill due to contamination.

Motion to approve made by Councilmember Bilyeu, Seconded by Councilmember Gann.

Voting Yea: Councilmember Barrett, Councilmember Chick, and Councilmember Dillon.
Motion passed unanimously.

FUTURE AGENDA ITEMS

Mayor Muir stated Denton County Appraisal District is accepting nominations to the board.

INFORMATIONAL ITEMS

20. Disbursements Report June and July
21. Financial Statements May - July 2023

EXECUTIVE SESSION

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 551.086. CERTAIN PUBLIC POWER UTILITIES: COMPETITIVE MATTERS.
For deliberations regarding a Wholesale Electric Power Agreement with Lower Colorado River Authority (LCRA).

Section 551.074. PERSONNEL MATTERS
For deliberations regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee. - City Attorney

Council convened into executive session at 9:00 p.m.

RECONVENE INTO REGULAR SESSION

Council reconvened into open session at 9:16 p.m.

Motion to approve a Wholesale Electric Power Agreement as discussed during executive session made by Councilmember Bilyeu, Seconded by Councilmember Chick.

Voting Yea: Councilmember Barrett, Councilmember Dillon, and Councilmember Gann.

Motion passed unanimously.

The council then reconvened into executive session at 9:17 p.m., pursuant to 551.074.

Council reconvened into open session at 11:22 p.m.

No action taken pursuant to Section 551.074.

ADJOURN

There being no further business, Mayor Muir adjourned the meeting at 11:22 p.m.

Thomas E. Muir, Mayor

Kelly Edwards, City Secretary