

# **CITY COUNCIL**

## **MEETING MINUTES (REVISED)**

**SEPTEMBER 06, 2022, 7:00 PM**

**CITY COUNCIL REGULAR MEETING**

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



### **CALL THE REGULAR MEETING TO ORDER AND ESTABLISH A QUORUM**

Mayor Muir called the regular meeting to order at 7:00 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, Assistant City Manager Alina Ciocan, City Secretary Kelly Edwards, City Attorney Hugh Coleman, Finance Director Clayton Gray, Director of Development Services Ramie Hammonds, and Assistant Chief Jonathan Perkins.

### **INVOCATION AND PLEDGE**

Councilmember Bilyeu gave the invocation, the Pledge of Allegiance was led by Councilmember Gann.

### **CITIZENS COMMENTS**

No one addressed the Council.

### **CONSENT AGENDA**

1. Consideration and possible action on the minutes from the August 15, 2022, meeting.
2. Consideration and possible action on the minutes from the August 22, 2022, special meeting.

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

## **PUBLIC HEARING ITEMS**

3. Conduct a public hearing for the City of Sanger's Annual Budget for the fiscal year 2022-2023.
4. Conduct a public hearing for the 2022 tax year proposed property tax rate.

Mayor Muir opened the public hearing at 7:03 p.m.

No speakers.

Mayor Muir closed the public hearing at 7:04 p.m.

5. Conduct a Public Hearing on Ordinance No. 09-26-22 regarding a change to the Future Land Use Map from Medium Residential to Industrial for approximately 99.986 acres of land, described as A0029A R.BEBEE, TR 123, and 124, generally located on the east side of I-35 approximately 1897 feet north of 5th St and at the end of Sable Ave.

Mayor Muir opened the public hearing at 7:04 p.m.

Director Hammonds provided an overview of the request and the reasons the request was denied by the Planning & Zoning Commission.

Mayor Muir closed the public hearing at 7:07 p.m.

6. Conduct a Public Hearing on Ordinance 09-27-22 regarding a zoning change from A (Agricultural District) to I-1 (Industrial 1) for approximately 99.986 acres of land, described as A0029A R.BEBEE, TR 123, and 124, generally located on the east side of I-35 approximately 1897 feet north of 5th St and at the end of Sable Ave.

Mayor Muir opened the public hearing at 7:07 p.m.

Director provided an overview of the site.

Mayor Muir closed the public hearing at 7:09 p.m.

## **ACTION ITEMS**

7. Consideration and possible action to award the Request for Qualifications (RFQ) for the rewrite for Chapter 10, Subdivision, Chapter 14, Zoning, and Chapter 3, Article 3.1400 Sign Regulations.

Director Hammonds provided an overview of the item stating that no RFQs were submitted by the deadline.

Discussion ensued regarding the bidding process, acknowledging that no bids were received and staff republishing the RFQ.

Motion made by Councilmember Bilyeu, Seconded by Councilmember Barrett to acknowledge that no bids were received and reauthorize/ratify the City to reissue the RFQ seeking new bids.

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

8. Consideration and possible action on Ordinance No. 09-26-22 regarding a change to the Future Land Use Map from Medium Residential to Industrial for approximately 99.986 acres of land, described as A0029A R.BEBEE, TR 123, and 124, generally located on the east side of I-35 approximately 1897 feet north of 5th St and at the end of Sable Ave.

Director Hammonds provided an overview of the item.

Developer Tim Keith, Cawley Partners, and Josh Millsap, applicant with KFM Engineering, spoke regarding the proposed development utilizing this property for Industrial Use with direct access to Interstate 35.

Discussion ensued regarding the current zoning, zoning designated on the Future Land Use Map, using the Comprehensive Plan as a guiding document, and the railroad crossing.

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

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

9. Consideration and possible action on Ordinance No. 09-27-22 regarding a zoning change from A (Agricultural District) to I-1 (Industrial 1) for approximately 99.986 acres of land, described as A0029A R.BEBEE, TR 123, and 124, generally located on the east side of I-35 approximately 1897 feet north of 5th St and at the end of Sable Ave.

Director Hammond stated that this item is the companion item for item 8 to change the zoning of the property.

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

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

Applicant Tim Keith provided an overview proposed buildout of the property, the number of employees, and the tax revenue that will be generated.

10. Consideration and possible action voting for Places 6-9 of the Texas Municipal League (TML) Intergovernmental Risk Pool Board of Trustees and authorize the Mayor or City Manager to complete the ballot certification.

City Manager Noblitt provided an overview of the item and recommendations of Trustees.

Motion made by Councilmember Bilyeu, Seconded by Councilmember Gann to appoint to Place 6, Allison Heyward, Place 7 Mary Dennis, Place 8 Mike Land, and to Place 9 Opal Mauldin-Jones.

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

11. Consideration and possible action on Ordinance 09-23-22, adopting the budget providing for the appropriation of funds for operating and capital expenditures for the fiscal year beginning October 1, 2022 and ending September 30, 2023, providing for the intra- and inter-department and fund transfers, providing for unexpected revenues such as grants, donations, and insurance proceeds, providing for an effective date, and providing for approval of the investment policy.

Director Gray provided an overview of the item, republication, postponing the vote, and scheduling a second public hearing on September 19, 2022.

Motion made by Councilmember Barrett, Seconded by Councilmember Bilyeu to postpone the public vote on the budget and set the second public hearing on 2022-2023 Budget for September 19, 2022.

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

12. Consideration and possible action on Ordinance 09-25-22, setting the City's Ad Valorem tax rate at \$0.589497/\$100 of taxable assessed valuation for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023.

Director Gray provided an overview of the item, the order of approval of the budget and tax items, and requested to set the second public hearing on September 19, 2022.

Motion made by Councilmember Barrett, Seconded by Councilmember Bilyeu to postpone the public vote on the tax rate and schedule the second public hearing for September 19, 2022.

Roll Call voting Yea: Councilmember Barrett, Councilmember Dillon, Councilmember Gann, Councilmember Bilyeu, and Councilmember Chick.  
Motion passed unanimously.

## **FUTURE AGENDA ITEMS**

Councilmember Chick requested an update regarding future development of the Downtown area.

Councilmember Bilyeu requested an update regarding Wastewater; City Manager Noblitt stated an update could be provided during the Plant tour in October.

Councilmember Dillon requested an update on the Road Projects budgeted for Fiscal Year 2021-2022.

Councilmember Barrett requested a list of roads that are maintained by the City and/or Denton County; City Manager Noblitt stated a list could be provided in a Council Update.

## **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 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; This chapter does not require a governmental body to conduct an open meeting: (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

- Clear Creek Municipal Utility District No. 1

Council convened into executive session at 7:52 p.m.

## **RECONVENE INTO REGULAR SESSION**

Council reconvened into open session at 8:32 p.m.

Motion made by Councilmember Bilyeu, Seconded by Councilmember Barrett, authorizing the City Manager to engage in negotiations with representatives of the Clear Creek Municipal Utility District No. 1, and engage in any extensions as necessary for those negotiations.

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

**ADJOURN**

There being no further business, Mayor Muir adjourned the meeting at 8:34 p.m.

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Thomas E. Muir, Mayor

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Kelly Edwards, City Secretary