

ENNIS COMMISSION MEETING MINUTES
REGULAR MEETING
MONDAY, November 16, 2015
7:00 P.M.

CALL TO ORDER

A regular meeting of the Ennis City Commission was called to order on Monday, November 16, 2015 at 7:00 p.m. in the City Commission Chamber of Ennis Municipal Building, 115 W. Brown Street, Ennis Texas 75119.

Mayor Thomas asked Commissioner Ken Hackney to give the invocation.

1. INVOCATION

The Invocation was given by Commissioner Hackney

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Thomas

3. ROLL CALL

Mayor Thomas asked the Interim City Secretary to call the roll to determine the presence of a quorum. Interim City Secretary Acy-King called the roll with a quorum present to wit:

| | |
|-----------------|---------------------------|
| Russell Thomas | Mayor |
| Matt Walker | Mayor Pro Tem, Ward 6 |
| Jeremie Salik | Commission Member, Ward 1 |
| Marco Hernandez | Commission Member, Ward 2 |
| Ken Hackney | Commission Member, Ward 3 |
| Lola Searcy | Commission Member, Ward 4 |
| Brian Holley | Commission Member, Ward 5 |

The following Staff members were present when the meeting was called to order:

| | |
|------------------------|------------------|
| Interim City Manager | John Hatchel |
| Interim City Secretary | Shirley Acy-King |
| City Attorney | Richard Wilson |
| Chief of Police | John Erisman |
| ED Director | Marty Nelson |
| Director of Health | Chauncy Williams |
| Chief Building Insp | Mark Richardson |

1. Citizens Requests for Public Hearing

Mayor Russell made a statement that “presentations by citizens, with or without prior notification, shall be limited to three minutes, allowing discretion in the chair to reasonably extend those limits.”

The following person(s) spoke during the Citizens’ Request for Public Hearing period.

Cody Bolton, 504 E. Milam St. spoke on behalf of Ennis Soccer Association, regarding lighting, maintenance, and irrigation system of Soccer fields and to leave Veterans Park as the practice facility in Ennis.

Karen Zambrano, 2002 Mobile Dr., regarding the lighting of Soccer fields in Ennis and leave Veterans’ Park as the practice facility.

Jessica Jiron, 138 Barker Road, regarding the lighting of practice Soccer fields in Ennis.

Joe Espino, 606 W. Freeman, regarding the lighting, irrigation and maintenance of Soccer fields in Ennis

Charlene Pagan, 1008 Vicksburg Dr., regarding the agenda items.

CONSENT AGENDA

Mayor Thomas read the Consent Agenda Items to be considered into the record.

2C. Approval of the City Commission Workshop Minutes of November 2, 2015.

3C. Approval of the City Commission Regular Meeting Minutes of November 2, 2015.

4C. Consider an Ordinance to adopt the current Texas Board of Health Rules on “Food Services Sanitation”.

5C. Consider an Ordinance amending the Zoning Ordinance of the City of Ennis, Texas from “R-7” Single Family District to “D” Duplex District.

Mayor Thomas called for a motion to approve the Consent Agenda. Commissioner Salik made a motion to approve all items on the Consent Agenda. Commissioner Hernandez seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the Consent Agenda was unanimously approved.

PUBLIC HEARING

Mayor Thomas stated that a public hearing would not be held on this item and did not read it into the record.

6. [HOLD] A Public Hearing to consider an Ordinance on First Reading to amend the FY 2015-2016 Crime Control and Prevention District Budget.

Mayor Thomas read the next item into the record and called for anyone in the audience that would like to address the Commission on the item.

7. A Public Hearing to consider a Resolution on First Reading approving a Historic Preservation Grant, a Type B economic Development project and performance agreement with District Partners, LTD in an amount of \$66,723.66 to make improvements to the building and property at 101 South West Main Street.

The following individual addressed the Commission on this item.

Charlene Pagan, 1008 Vicksburg Dr.

There being no other speakers to be heard, Mayor Thomas called for a motion to close the public hearing. Mayor Pro-tem Walker moved to close the public hearing. Commissioner Holley seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the Public Hearing closed.

Mayor Thomas read the next item into the record and called for anyone in the audience that would like to address the Commission on the item.

8. A Public Hearing to consider a Resolution on First Reading approving a Historic Preservation Grant, a Type B economic Development project and performance agreement with District Partners, LTD in an amount of \$115,296.94 to make improvements to the building and property at 103 South West Main Street.

The following individual addressed the Commission on this item.

Charlene Pagan, 1008 Vicksburg Dr.

There being no other speakers to be heard, Mayor Thomas called for a motion to close the public hearing. Mayor Pro-tem Walker moved to close the public hearing. Commissioner Salik seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the Public Hearing closed.

Mayor Thomas read the next item into the record and called for anyone in the audience that would like to address the Commission on the item.

9. A Public Hearing to consider a Resolution on First Reading approving a Historic Preservation Grant, a Type B economic Development project and performance agreement

with Lake-Moreno Partners, LLC in an amount of \$69,214.64 to make improvements to the building and property at 105 West Ennis Avenue.

The following individual addressed the Commission on this item.

Charlene Pagan, 1008 Vicksburg Dr.

There being no other speakers to be heard, Mayor Thomas called for a motion to close the public hearing. Commissioner Holley moved to close the public hearing. Commissioner Searcy seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the Public Hearing closed.

Mayor Thomas read the next item into the record and called for anyone in the audience that would like to address the Commission on the item.

10. A Public Hearing to consider a Resolution on First Reading approving a Historic Preservation Grant, a Type B economic Development project and performance agreement with Lake-Moreno, LLC in an amount of \$179,828.66 to make improvements to the building and property at 107-109 West Ennis Avenue.

The following individual addressed the Commission on this item.

Charlene Pagan, 1008 Vicksburg Dr.

There being no other speakers to be heard, Mayor Thomas called for a motion to close the public hearing. Mayor Pro-tem Walker moved to close the public hearing. Commissioner Hackney seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the Public Hearing closed.

Mayor Thomas read the next item into the record and called for anyone in the audience that would like to address the Commission on the item.

11. A Public Hearing to consider a Resolution on First Reading approving a Historic Preservation Grant, a Type B economic Development project and performance agreement with Lake-Moreno, LLC in an amount of \$138,556.00 to make improvements to the building and property 110 Wes Ennis Avenue.

The following individual addressed the Commission on this item.

Charlene Pagan, 1008 Vicksburg Dr.

There being no other speakers to be heard, Mayor Thomas called for a motion to close the public hearing. Commissioner Holley moved to close the public hearing. Mayor Pro-tem Walker

seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the Public Hearing closed.

Mayor Thomas read the next item into the record and called for anyone in the audience that would like to address the Commission on the item.

12 A Public Hearing to consider a Resolution on First Reading approving a Historic Preservation Grant, a Type B economic Development project and performance agreement with Lake-Moreno Partners, LLC in an amount of \$102,252.48 to make improvements to the building and property at 114 West Knox Street.

The following individual addressed the Commission on this item.

Charlene Pagan, 1008 Vicksburg Dr.

There being no other speakers to be heard, Mayor Thomas called for a motion to close the public hearing. Commissioner Salik moved to close the public hearing. Commissioner Holley seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the Public Hearing closed.

Mayor Thomas read the next item into the record and called for anyone in the audience that would like to address the Commission on the item.

13. A Public Hearing to consider a Resolution on First Reading approving a Historic Preservation Grant, a Type B economic Development project and performance agreement with Lake-Moreno, LLC in an amount of \$177,539.78 to make improvements to the building and property at 116 West Knox Street.

The following individual addressed the Commission on this item.

Charlene Pagan, 1008 Vicksburg Dr.

There being no other speakers to be heard, Mayor Thomas called for a motion to close the public hearing. Commissioner Searcy moved to close the public hearing. Commissioner Salik seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the Public Hearing closed.

Mayor Thomas read the next item into the record and called for anyone in the audience that would like to address the Commission on the item.

14. A Public Hearing to consider a Resolution on First Reading approving a Historic Preservation Grant, a Type B economic Development project and performance agreement with District Partners, LTD in an amount of \$143,940.72 to make improvements to the building and property at 115 South Dallas Street.

The following individual addressed the Commission on this item.

Charlene Pagan, 1008 Vicksburg Dr.

There being no other speakers to be heard, Mayor Thomas called for a motion to close the public hearing. Commissioner Hernandez moved to close the public hearing. Commissioner Holley seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the Public Hearing closed.

Mayor Thomas read the next item into the record and called for anyone in the audience that would like to address the Commission on the item.

15. A Public Hearing to consider a Resolution on First Reading approving a Historic Preservation Grant, a Type B economic Development project and performance agreement with District Partners, LTD in an amount of \$210,853.28 to make improvements to the building and property at 112 West Brown Street.

The following individual addressed the Commission on this item.

Charlene Pagan, 1008 Vicksburg Dr.

There being no other speakers to be heard, Mayor Thomas called for a motion to close the public hearing. Commissioner Searcy moved to close the public hearing. Commissioner Salik seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the Public Hearing closed.

Mayor Thomas stated that action being contemplated by the City may have an effect on a business entity or real property in which he had an interest; therefore he would not be participating or voting on this item. Mayor Thomas stated that the Interim City Secretary had his Affidavit Providing Notice of Potential Conflict of Interest already on file and left the room. Mayor Pro-tem Walker read the next item into the record and called for anyone in the audience that would like to address the Commission on the item.

16. A Public Hearing to consider a Resolution on First Reading approving a Historic Preservation Grant, a Type B economic Development project and performance agreement with Calhoun Knox Partners, LLC in an amount of \$109,102.07 to make improvements to the building and property at 200 West Knox Street.

The following individual addressed the Commission on this item.

Charlene Pagan, 1008 Vicksburg Dr.

There being no other speakers to be heard, Mayor Pro-tem Walker called for a motion to close the public hearing. Commissioner Hernandez moved to close the public hearing. Commissioner Salik seconded the motion. Mayor Pro-tem Walker called for all members present to vote by raising their right hand. All members present (6) voted in favor of the motion by raising their right hand, Mayor Thomas abstained. Mayor Pro-tem Walker declared the Public Hearing closed.

Mayor Thomas stated that action being contemplated by the City may have an effect on a business entity or real property in which he had an interest; therefore he would not be participating or voting on this item. Mayor Thomas stated that the Interim City Secretary had his Affidavit Providing Notice of Potential Conflict of Interest already on file and left the room. Mayor Pro-tem Walker read the next item into the record and called for anyone in the audience that would like to address the Commission on the item.

17. A Public Hearing to consider a Resolution on First Reading approving a Historic Preservation Grant, a Type B economic Development project and performance agreement with Freedom Properties, INC in an amount of \$33,605.33 to make improvements to the building and property at 113 West Knox Street.

The following individual addressed the Commission on this item.

Charlene Pagan, 1008 Vicksburg Dr.

There being no other speakers to be heard, Mayor Pro-tem Walker called for a motion to close the public hearing. Commissioner Holley moved to close the public hearing. Commissioner Salik seconded the motion. Mayor Pro-tem Walker called for all members present to vote by raising their right hand. All members present (6) voted in favor of the motion by raising their right hand, Mayor Thomas abstained. Mayor Pro-tem Walker declared the Public Hearing closed.

ITEMS FOR INDIVIDUAL CONSIDERATION

18. Consider an Ordinance to establish a Comprehensive Policy Statement and Program for Economic Development Incentives in the form of a Historic Preservation Grant Program

Mayor Thomas stated that action being contemplated by the City may have an effect on a business entity or real property in which he had an interest; therefore he would not be participating or voting on this item. Mayor Thomas stated that the Interim City Secretary had his Affidavit Providing Notice of Potential Conflict of Interest already on file and left the room. Mayor Pro-tem Walker read the item into the record. Mayor Pro-tem Walker called for a

discussion on the item. There being no discussion, Mayor Pro-tem Walker called for a motion. Commissioner Hackney moved to approve the item for two years. Commissioner Holley seconded the motion. Mayor Pro-tem Walker called for all members present to vote by raising their right hand. All members present (6) voted in favor of the motion by raising their right hand, Mayor Thomas abstained. Mayor Pro-tem Walker declared the Ordinance passed.

Mayor Thomas Re-enters the Chambers.

19. Consider Administrative Services Agreement with the International City Management Association Retirement Corporation (ICMA-RC).

Mayor Thomas read the item into the record. Mayor Thomas called for a discussion on the item. There being no discussion, Mayor Thomas called for a motion. Commissioner Salik moved to approve the resolution by expanding the retirement program. Mayor Pro-tem Walker seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the item was approved.

20. Consider all matters incident and related to the issuance and sales of City of Ennis, Texas, General Obligation Refunding Bonds, Series 2016”, including the adoption of an Ordinance authorizing the issuance of such bonds and approving an Escrow Agreement.

Mayor Thomas read the item into the record. Mayor Thomas called for a discussion on the item. There being no discussion, Mayor Thomas called for a motion. Commissioner Searcy moved to approve the General Obligation Refunding Bonds, Series 2016 sale. Commissioner Holley seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the Bond sale was approved.

21. Consider a Resolution accepting a Short Form Agreement between the City and Schaumburg & Polk, Inc., for Professional Services for the CDBG Waste Water Treatment Bar Screen Grant.

Mayor Thomas read the item into the record. Mayor Thomas called for a discussion on the item. There being no discussion, Mayor Thomas called for a motion. Commissioner Salik moved to approve the item. Commissioner Hernandez seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the item was approved.

22. Consider a Resolution accepting a Contract for Management Services between the City and Traylor & Associates Inc. for Grant Management Services for the CDBG Sewer Improvements Project Grant.

Mayor Thomas read the item into the record. Mayor Thomas called for a discussion on the item. There being no discussion, Mayor Thomas called for a motion. Commissioner Salik moved to approve the item. Commissioner Holley seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the Bond sale was approved.

23. Consider a Resolution entering into an Interlocal Lease Agreement with Ellis County for a tract of City-owned land located at 185 Old FM 85, formerly an old landfill site, for the purpose of housing a radio tower, associated buildings, and any required fixtures.

Mayor Thomas read the item into the record. Mayor Thomas called for a discussion on the item. There being no discussion, Mayor Thomas called for a motion. Commissioner Searcy moved to approve the item. Mayor Pro-tem Walker seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the item was approved.

BOARDS AND COMMISSIONS

24. Appointees (4) for Arts Commission Vacancies

- a. Tim Kowalski – 301 N Gaines St.**
- b. Megan Lewis – 1108 North Dallas**
- c. Michelle Beard – 2407 Country Club Road**
- d. Sandra Wakefield – 1400 Sundale**

Mayor Thomas read the item into the record. Mayor Thomas called for a discussion on the Board Appointments. There being no discussion, Mayor Thomas called for a motion. Commissioner Holley moved to appoint all four nominees to the Arts Commission. Commissioner Hackney seconded the motion. Mayor Thomas called for all members present to vote by raising their right hand. All members present (7) voted in favor of the motion by raising their right hand. Mayor Thomas declared the nominees for the Arts Commission were approved.

COMMISSION MEMBERS REQUESTS

25. Requests from City Commission Members and Round Table

Mayor Thomas read the item into the record. The following Commission Members spoke:

Commissioner Holley spoke about updating the recording equipment in the Chamber.

Commissioner Searcy spoke about the speed checker location in the city.

Mayor Pro-tem Walker asked the Interim City Manager the status of the Yorkstown curve project that was brought to the attention of the City Commission.

Commissioner Hernandez thanked the citizens for coming to the Commission meeting.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS.

26. Ennis City Commission shall convene into closed Executive Session pursuant to Section 551.071 Texas Government Code to consult with the City Attorney to seek his advice on legal matters.

Mayor Thomas read the item into the record. Mayor Thomas declared at 7:55 p.m. the City Commission would convene into Closed Executive Session.

Mayor Thomas declared that the City Commission had reconvened into open session at 9:58. He further stated that there was no action to be taken from the Executive Session.

27. ADJOURNMENT

With no other business before the Commission, Mayor Thomas declared the meeting adjourned at 9:00 p.m.

APPROVED:

MAYOR PRO-TEM

ATTEST:

INTERIM CITY SECRETARY