

CITY OF ENNIS COMMISSION REGULAR MEETING

JANUARY 7, 2013

7:00 P.M.

Mayor Pro-tem Taylor called the meeting to order at 7:00 p.m. on January 7, 2013, in the City Commission Chamber of the Ennis City Municipal Building, 115 W. Brown Street, Ennis, Texas 75119.

PRESENT: Mayor Pro-tem Taylor, Commissioners Salik, Frazier, Haupt, Searcy, and Holley, City Manager Howerton, Chief Erisman, City Attorney Wilson, and City Secretary Batchler.

Mayor Thomas was not in attendance.

INVOCATION: Commissioner Searcy

PLEDGE OF ALLEGIANCE was led by Commissioner Salik.

ROLL CALL to determine the presence of a quorum: The City Secretary called the roll and determined that a quorum was present.

MINUTES of the December 17, 2012, workshop were approved on a motion by Commissioner Searcy, seconded by Commissioner Haupt with all members present voting AYE. Minutes of the December 17, 2012 regular meeting were approved on a motion by Commissioner Haupt and seconded by Commissioner Holley with all members present voting AYE.

PUBLIC HEARING ORDINANCE 13-01-01 DESIGNATING A CERTAIN AREA AS INDUSTRIAL TAX ABATEMENT ZONE NO. 53 (JTEKT CORPORATION) WITHIN THE CITY OF ENNIS, TEXAS, ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO. Mayor Pro-tem Taylor opened the public hearing at 7:02 p.m. City Manager Howerton stated that the public hearing notice had been published. JTEKT has applied for a 75 percent, seven (7) year abatement from property taxes with a proposed improvement of \$24,500,000 to both real property and machinery, along with a pledge to create twenty-five (25) additional jobs.

FIRST READING ORDINANCE NO. 13-01-01 DESIGNATING A CERTAIN AREA AS INDUSTRIAL TAX ABATEMENT ZONE NO. 53 (JTEKT CORPORATION) WITHIN THE CITY OF ENNIS, TEXAS, caption follows.

ORDINANCE NO. 13-01-01

AN ORDINANCE OF THE CITY OF ENNIS, TEXAS DESIGNATING A CERTAIN AREA AS INDUSTRIAL TAX ABATEMENT ZONE NO. 53 (JTEKT AUTOMOTIVE OF TEXAS, L.P.) WITHIN THE CITY OF ENNIS, TEXAS, ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS.

Commissioner Haupt moved to adopt the ordinance designating a certain area as Industrial Tax Abatement Zone No. 53 JTEKT Automotive of Texas, L.P. on the first of two readings, seconded by Commissioner Salik. Taken under public comment and having none. Mayor Pro-tem Taylor, Commissioners Salik, Frazier, Haupt, Searcy, and Holley voted AYE. The ordinance approving the tax abatement passed on the first reading.

At 7:04 p.m. the public hearing was closed on a motion by Commissioner Searcy, seconded by Commissioner Frazier with all members present voting AYE.

SECOND READING ORDINANCE NO 12-02-02 AMENDING THE ZONING ORDINANCE OF THE CITY OF ENNIS FROM “T” (TRANSITION DISTRICT) TO “R-1” (DWELLING DISTRICT, SINGLE FAMILY) FOR APPROXIMATELY 11.831 ACRES OF THE JOSEPH A. LANE SURVEY, ABSTRACT NO. 658, LOCATED IN THE 100 AND 200 BLOCKS OF SUNRIDGE ROAD, ENNIS, ELLIS COUNTY, TEXAS. P & Z CASE #12.11.01

ORDINANCE NO. 12-12-02

AN ORDINANCE OF THE CITY OF ENNIS, ELLIS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTY A CLASSIFICATION; TO RE-CLASSIFY APPROXIMATELY 11.831 ACRES OF THE JOSEPH A. LANE SURVEY, ABSTRACT # 658, ALSO KNOWN AS THE 100 AND 200 BLOCK OF SUNRIDGE ROAD, ENNIS, ELLIS COUNTY, TEXAS. FROM “T” TRANSITION DISTRICT TO “R-1” DWELLING DISTRICT, SINGLE FAMILY AND DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL MAP OF THE CITY, AND PROVIDING A SAVING CLAUSE, SEPARABILITY CLAUSE, AND AN EFFECTIVE DATE.

PASSED, APPROVED, AND ADOPTED on second reading with a motion by Commissioner Frazier, seconded by Commissioner Salik with all members present voting AYE.

NEW BUSINESS

EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE, ANNOTATED (POTENTIAL LITIGATION-TAX ABATEMENT ZONE NO. 43-RETENTION OF LEGAL COUNSEL. City Manager Howerton read the order

calling the Executive Session. At 7:05 p.m. Commissioner Holley moved to adjourn into closed session, seconded by Commissioner Frazier with all members present voting AYE.

RECONVENE FROM EXECUTIVE SESSION At 7:22 p.m. a motion to reconvene into regular session was made by Commissioner Searcy and seconded by Commissioner Holley with all members present voting AYE. Mayor Pro-tem Taylor asked City Attorney Wilson to explain the action taken during Executive Session. Wilson stated that the Commission voted to retain the law firm Nichols, Jackson, Dillard, Hager, and Smith, L.L.P. to represent the City of Ennis in litigation regarding the default and breach of a tax abatement agreement in the amount of \$286,766.86 and the breach of an operating agreement in the amount of \$467,100.00 by Direct Energy Operations, Inc.

OLD BUSINESS

APPOINTMENTS TO CITY OF ENNIS BOARDS AND COMMISSIONS: The was no action taken.

REQUEST FROM CITY COMMISSION AND ROUNDTABLE: Commissioner Searcy again reported that there are drivers using excessive speed on Crisp Pike Road and requested that the police look into it.

With no further business, Mayor Pro-tem Taylor adjourned the meeting at 7:25 p.m.

R. E. Taylor, Mayor Pro-tem

ATTEST:

Donna Batchler, City Secretary

