

CITY OF ENNIS COMMISSION REGULAR MEETING

APRIL 15, 2013

7:00 P.M.

Mayor Thomas called the meeting to order at 7:00 p.m. on April 15, 2013, in the City Commission Chambers of the Ennis City Municipal Building, 115 W. Brown Street, Ennis, Texas 75119.

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

Commissioner Haupt was not in attendance.

INVOCATION: Commissioner Holley

PLEDGE OF ALLEGIANCE was led by Mayor Thomas.

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 April 1, 2013, workshop were approved as presented on a motion by Commissioner Holley, seconded by Commissioner Salik with all members present voting AYE. Minutes of the April 1, 2013, regular meeting were approved as presented on a motion by Commissioner Taylor and seconded by Commissioner Frazier with all members present voting AYE.

PUBLIC HEARINGS

ORDINANCE 13-04-01 AMENDING ORDINANCE 08-05-01 (FLOODPLAIN MANAGEMENT ORDINANCE) OF THE CTIY OF ENNIS, TEXAS, PROVIDING FOR PUBLICATION AND CONTAINING A SEVERABILITY CLAUSE. At 7:02 p.m. the Mayor opened the public hearings. City Manager Howerton stated the public hearing notices have been published. Ordinance 13-04-01 amending Ordinance 08-05-01 was read. Article 3, Section B of Ordinance 08-05-01 is hereby amended by deleting the words “The areas of special flood hazard area identified by the Federal Emergency Management Agency in the Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map (FHBM), Community Number 480207, dated January 20, 1999, and any revisions hereto are hereby adopted by reference and declared to be a part of this ordinance” and replacing said words with the words “The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering reports entitled ‘The Flood Insurance Study (FIS) for Ellis County, TX and incorporated Areas’, dated June 3, 2013, with accompanying Flood Insurance Rate maps

(FIRM) dated June 3, 2013; and any revisions hereto are hereby adopted by reference and declared to be a part of this ordinance.”

FIRST READING ORDINANCE NO. 13-04-01 AMENDING ORDINANCE 08-05-01 (FLOODPLAIN MANAGEMENT ORDINANCE) OF THE CITY OF ENNIS, TEXAS; caption of which follows:

ORDINANCE NO. 13-04-01

AN ORDINANCE OF THE CITY OF ENNIS, TEXAS, AMENDING ORDINANCE 08-05-01 (FLOODPLAIN MANAGEMENT ORDINANCE) OF THE CITY OF ENNIS, TEXAS, PROVIDING FOR PUBLICATION AND CONTAINING A SEVERABILITY CLAUSE.

Commissioner Taylor moved to adopt Ordinance 13-04-01 on first reading and Commissioner Salik seconded. Taken under public comment and having none, Mayor Thomas requested the vote. Mayor Thomas, Commissioners Salik, Frazier, Taylor, Searcy and Holley voted AYE. The ordinance passed on the first reading.

RESOLUTION 13-04-02 AUTHORIZING AND APPROVING A “PROPOSED PROJECT” (ACQUISITION OF OPEN SPACE AND WALKING PATHS-APPROXIMATELY 71.968 ACRES) PURSUANT TO THE TEXAS LOCAL GOVERNMENT CODE, SECTION 505.151-505.161. The 71.968 acres are comprised of four separate tracts that were used as the north nine (9) holes of the Ennis Country Club. The property is offered for sale at a price of \$300,000.00. The Ennis Economic Development Corporation is proposing to purchase the property pursuant to the Texas Local government Code, Section 505.151-505.161 4B Sales Tax. The 71.968 acres will be used as an open space and walking paths with approximately 2.94 miles of hard surface walking paths. With the purchase of the property at this time, the City would secure the option of future development of a nine (9) hole golf course at a later date since the cost of constructing and operating a golf course is cost prohibitive at the present time. The City Commission will be asked to consider approval of the “Proposed Project” in the form of two separate readings of the resolution of approval, which will be considered at two separate meetings of the Commission on April 15, 2013 and May 6, 2013. Commissioner Taylor moved to approve the resolution and Commissioner Salik seconded the motion. Mayor Thomas asked for public comment. The following citizens in attendance spoke as proponents and opponents: Ken Hackney, Jimmy Boon, Leonard Brackeen, Richard Bell, and Julie Hejny. The Mayor requested the vote. Commissioners Salik, Frazier, Taylor and Searcy voted AYE. Commissioner Holley voted NAY. Mayor Thomas ABSTAINED. Resolution 13-04-02 is approved on First Reading. At 7:30 p.m. Commissioner Taylor moved to close the public hearings, seconded by Commissioner Holley, all members in attendance voted AYE.

NEW BUSINESS

NON-PRIMARY ENTITLEMENT (NPE) FUNDING (AGREEMENT FOR TRANSFER OF ENTITLEMENTS) FOR THE ENNIS REPLACEMENT AIRPORT PROJECT (TEXAS DEPARTMENT OF TRANSPORTATION-AVIATION DIVISION). Each fiscal year, the FAA apportions a designated amount of funding to non-primary airports to be used for capital improvement projects at the airport. If unused, the NPE funds may be rolled-over to the following fiscal year. The funds do expire after three years and revert back to the FAA. There is a transfer mechanism available from the FAA that allows the airport sponsor to release the NPE funds to TxDOT, who then places the funds back in the larger airport improvement program (AIP) funding pool and then redistributes the funds to other capital improvement projects at airports around the state. TxDOT has requested that the Ennis Airport FY 2010's NPE funds be released to TxDOT. Commissioner Frazier moved to approve the Agreement for Transfer of Entitlement, seconded by Commissioner Holley. All members in attendance voted AYE.

RESOLUTION 13-04-03 AUTHORIZING AWARD OF BID FOR PROPERTY (SUIT NUMBER 14,445-TX; ELLIS COUNTY VS RICHARD R. FRITZSCHE, ETAL). A bid of \$15,000 has been offered by David Ford, on behalf of E.M.A. Church, to purchase the property located at 711 W. Madison. The property was struck from the tax roll after there were no bids at Sheriff Sale in December 2003. Due against the property to the City of Ennis is \$11,991.80 in property taxes and \$1,429.12 in maintenance liens for a total due the city of \$13,420.92. The city will receive from the sale 25.5% of the offer resulting in \$3,602.99 payoff. City staff recommends accepting the offer. Commissioner Salik moved to accept the bid of \$15,000 and approve the resolution authorizing the award of the bid, motion seconded by Commissioner Frazier. All members in attendance voted AYE.

OLD BUSINESS

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

REQUEST FROM CITY COMMISSION AND ROUNDTABLE: Commissioner Salik reported that Rice Water Supply would connect a fire hydrant on E. Creechville Road if the City of Ennis would provide the hydrant. Commissioner Holley commended city staff for the immediate action on a utility issue.

With no further business, Mayor Thomas adjourned the meeting at 7:40 p.m.

Russell R. Thomas, Mayor

ATTEST:

Donna Batchler, City Secretary

