

CITY OF ENNIS COMMISSION REGULAR MEETING

JULY 21, 2014

7:00 P.M.

Mayor Thomas called the meeting to order at 7:00 p.m. on July 21, 2014, in the City Commission Chambers of the City of Ennis Municipal Building, 115 W. Brown Street, Ennis, Texas 75119.

PRESENT: Mayor Thomas, Commissioners Salik, Frazier, Hackney, Walker, Searcy, and Holley, City Manager Ewings, City Attorney Wilson, Chief Erisman, ED Coordinator Nelson, HR Coordinator Kellenberger, Captain Anthony, Chief Aycock, Chief Building Official Richardson, City Secretary Batchler, and News Media.

INVOCATION: Commissioner Walker

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 July 7, 2014, workshop were approved as presented on a motion by Commissioner Walker and seconded by Commissioner Frazier with all members present voting AYE. Minutes of the July 7, 2014 regular meeting were approved as presented on a motion by Commissioner Holley and seconded by Commissioner Hackney with all members present voting AYE.

FIRST READINGS

ORDINANCE 14-07-12

AN ORDINANCE AMENDING THE BUDGET FOR THE CITY OF ENNIS, TEXAS, FOR THE FISCAL YEAR OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014, FOR THE PURPOSE OF PROVIDING APPROPRIATION FOR ADDITIONAL DEBT SERVICE; PROVIDING APPROPRIATION FOR DRAINAGE IMPROVEMENTS; PROVIDING APPROPRIATION FOR CERTAIN PARK IMPROVEMENTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Due to the issuance of the street bonds in March, an interest payment is due in August raising the total bond payments for the current fiscal year. The payment was not appropriated during the budget process last year therefore the budget must be amended to accommodate the additional cost. Unanticipated drainage improvements required for a failing drainage pipe on Valley View must be appropriated and additional park funds to begin a re-grading of the ball fields. Funding for the ball field improvements is available in an existing park redevelopment fund.

Commissioner Salik moved to Pass, Approve, and Adopt Ordinance 14-07-12 amending the City of Ennis FY 13-14 Budget appropriating \$71,318 to the Interest and Sinking (I&S) for additional debt service and appropriating \$103,176 in the General Fund for unanticipated drainage improvements and appropriating \$36,000 for field grading in Bluebonnet Park and Veterans Park on first reading. Commissioner Frazier seconded and all members in attendance voted AYE.

#### ORDINANCE 14-07-13

AN ORDINANCE CONSIDERING ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE AND DELIVERY OF "CITY OF ENNIS, TEXAS GENERAL OBLIGATION REFUNDING BONDS, TAXABLE SERIES 2014"; AUTHORIZING THE ISSUANCE OF THE BONDS; APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING TO SAID BONDS; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.

Andrew Friedman, Financial Advisor with Southwest Securities, presented information regarding the refunding of General Obligation Bonds Series 2005, 2005 GO (Taxable Series 2014) in the principal amount of \$10,045,000 for a eleven year refinancing term beginning August 2014 to August 2025 with a 2.90 percent interest rate for the term at a present value for saving of \$224,595.69 to the city.

Commissioner Frazier moved to Pass, Approve, and Adopt Ordinance 14-07-13 regarding all matters incident and related to the issuance and sale of "City of Ennis, Texas, General Obligation Refunding Bonds, Taxable Series 2014", including the adoption of an Ordinance authorizing the issuance of such bonds and approving an Escrow Agreement. Commissioner Salik seconded and all members in attendance voted AYE.

#### SECOND READINGS

#### ORDINANCE 14-07-01

AN ORDINANCE AMENDING SECTION 10-409 OF ZONING ORDINANCE NO. 85-6-8; PROVIDING A SEVERABILITY CLAUSE; DECLARING THAT A PUBLIC HEARING WAS HELD; AND PROVIDING AN EFFECTIVE DATE. TURN OF THE CENTURY LIGHTING GUIDELINES: CONTINUE THE CITY'S EFFORT TO PROVIDE HIGH QUALITY, TURN-OF-THE CENTURY LIGHTING ON MAJOR THOROUGHFARES WHERE APPROPRIATE. USE TURN-OF-THE CENTURY LIGHTING IN RETAIL PLANNED DEVELOPMENT AREAS WHERE APPROPRIATE. GENERAL STANDARDS A MINIMUM OF ONE TURN-OF-THE-CENTURY LIGHT SHALL BE INSTALLED IN THE ROW ALONG MAJOR THOROUGHFARES ON EACH LOT OR TRACT DEVELOPED UNDER PLANNED DEVELOPMENT ZONING. EACH LIGHT SHALL BE SPACED A MINIMUM OF 300 FEET APART AND AT LEAST 300 FEET FROM EXISTING LIGHTS ALONG MAJOR THOROUGHFARES. TURN-OF-THE-CENTURY LIGHTS SHALL NOT

BE REQUIRED IN LI, I, M-1, OR M-2 ZONING DISTRICTS. Passed, approved, and adopted on second and final reading on a motion by Commissioner Hackney and seconded by Commissioner Walker. All members in attendance voted AYE.

ORDINANCE NO. 14-07-02

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; CONSIDER AMENDING THE ZONING ORDINANCE OF THE CITY OF ENNIS, TEXAS FROM “M-2” HEAVY MANUFACTURING DISTRICT TO “LI” LIGHT INDUSTRIAL DISTRICT FOR: A TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF ENNIS, ELLIS COUNTY, TEXAS AND BEING PART OF THE CLAIBORNE GARRETT SURVEY ABSTRACT 383 CONVEYED TO CHARLES O. WILLIAMS BY DEED RECORDED IN VOLUME 488 PAGE 17 OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS AND BEING KNOWN AS 2701 NORTH KAUFMAN ST. REQUESTED BY RUDY OEFTERING AND REPRESENTED BY TRACY MORGAN. P&Z CASE # 14.05.02 Passed, approved, and adopted on second and final reading on a motion by Commissioner Holley and seconded by Commissioner Salik. All members in attendance voted AYE.

ORDINANCE NO. 14-07-03

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; CONSIDER AMENDING THE ZONING ORDINANCE OF THE CITY OF ENNIS, TEXAS FROM “T” TRANSITION DISTRICT TO “HC-PD” HEAVY COMMERCIAL-PLANNED AND DEVELOPMENT DISTRICT FOR: A TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF ENNIS, ELLIS COUNTY, TEXAS AND BEING PART OF THE WILLIAM MCKINNEY SURVEY ABSTRACT 686, AND BEING PART OF THAT 13.3729 ACRE CONVEYED TO VICTORY IN HIM MINISTRIES BY DEED RECORDED IN VOLUME 2620 PAGE 1623 OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS AND BEING KNOWN AS 1855 HWY. 287 BYPASS. REQUESTED BY LYDIA GARCIA AND REPRESENTED BY LYDIA GARCIA. P&Z CASE # 14.05.03 Passed, approved, and adopted on second and final reading on a motion by Commissioner Salik and seconded by Commissioner Frazier. All members in attendance voted AYE.

ORDINANCE NO. 14-07-04

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; CONSIDER AMENDING READING JULY 7, 2014 THE ZONING ORDINANCE OF THE CITY OF ENNIS, TEXAS FROM “T” TRANSITION DISTRICT TO “LI” LIGHT INDUSTRIAL DISTRICT FOR: A TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF ENNIS, ELLIS COUNTY, TEXAS AND BEING PART OF THE SUTHERLAND MAYFIELD SURVEY ABSTRACT 670 AND ALSO BEING PART OF THAT 75.1818 ACRE TRACT OF LAND CONVEYED TO MP HOLDINGS, LLC BY DEED RECORDED IN VOLUME 2564 PAGE 778, AND DESCRIBED AS LOT 1 BLOCK 1 OF C&M TRAILERS ADDITION, AN ADDITION TO THE ORIGINAL CITY OF ENNIS AS RECORDED IN CABINET H SLIDE 248 OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS

AND BEING KNOWN AS 7501 WEST ENNIS AVE. REQUESTED BY MIKE PALMER AND REPRESENTED BY ED STEGEMOLLER. P&Z CASE # 14.06.01 Passed, approved and adopted on second and final reading on a motion by Commissioner Salik and seconded by Commissioner Frazier. All members in attendance voted AYE.

#### ORDINANCE 14-07-05

AN ORDINANCE AUTHORIZING AN EXCEPTION TO THE MASONRY REQUIREMENTS IN SECTION 10-409 OF ZONING ORDINANCE NO. 85-6-8 FOR PROPERTY AT 706 NORTH I-45; PROVIDING A SEVERABILITY CLAUSE; DECLARING THAT A PUBLIC HEARING WAS HELD; AND PROVIDING AN EFFECTIVE DATE. SECTION 1. THAT AN EXCEPTION TO SECTION 10-409 OF ORDINANCE 85-6-8, ENNIS ZONING ORDINANCE, IS APPROVED ALLOWING USE OF FIBER CEMENT SIDING IN PLACE OF THE 75% MASONRY REQUIREMENT AS DEFINED IN SAID SECTION. THIS EXCEPTION APPLIES ONLY TO PROPERTY LOCATED AT 706 NORTH I-45, ALSO KNOWN AS THE COTTON PATCH RESTAURANT. Passed, approved, and adopted on second and final reading on a motion by Commissioner Holley and seconded by Commissioner Walker. All members of the commission voted AYE.

#### OLD BUSINESS

#### RESOLUTION 14-07-06

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, PROPOSING THE CREATION OF A CRIME CONTROL AND PREVENTION DISTRICT.

Commissioner Salik moved to remove from the table for discussion Resolution 14-07-06 creating a Crime Control and Prevention District. Commissioner Frazier seconded. All members in attendance voted AYE. Motion carried.

Chief Erisman presented information regarding the creation of a Crime Control and Prevention District and explained that items such as a new police station, Crime Prevention Program, the hiring of a Crime Prevention Officer, (serving as a liaison between the police department, school district, community, and local businesses) traffic control devices, bike patrol, and drug control dogs may be funded with the sales tax collected. Within three to five years of creation of the Crime Control and Prevention District a second election must be held to reaffirm the creation of the district funding by sales tax and can be extended from five, ten, and up to twenty years depending on the proposal.

Commissioner Frazier moved to Pass and Approve Resolution 14-07-06 creating City of Ennis Crime Control and Prevention District. Commissioner Salik seconded. City Manager Ewings stated that Resolution 14-07-06 creates the district and the appointed Crime Control and Prevention District Board will meet and call a sales tax election for November 4, 2014 for funding

of the district. Mayor Thomas, Commissioners Salik, Frazier, Hackney, Walker, and Searcy voted AYE. Commissioner Holley voted NAY. Motion carried.

RESOLUTION 14-07-07

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS,  
APPOINTING TEMPORARY DIRECTORS OF THE CRIME CONTROL AND PREVENTION  
DISTRICT.

Commissioner Salik moved to Pass and Approve Resolution 14-07-07 appointing Mrs. Rhonda Aycock, Mrs. Carol Brazier, Dr. Kenneth Martin, Mr. Eddie Salazar, Mr. James Sanders, Mr. Tony Sinclair, and Mr. Jerry Wester Temporary Directors of the Crime Control and Prevention District. Mayor Thomas, Commissioners Salik, Frazier, Hackney, Walker, and Searcy voted AYE. Motion carried.

APPOINTMENTS TO CITY OF ENNIS BOARDS AND COMMISSIONS:

Commissioner Frazier moved to appoint and reappoint the following as proposed to the City of Ennis Boards and Commissions. Commissioner Salik seconded and all members in attendance voted AYE.

COMPREHENSIVE PLAN COMMITTEE

Julie Pierce  
Dr. Meg Sullivan

PARKS BOARD

Walter Beasley  
Ross Lewis  
Greg Vineyard  
Michael Sibley

PLANNING AND ZONING

Jake Holland  
Joyce Plasek  
Bill Vitovsky

BUILDING AND STANDARDS

Raymond Caldwell  
Jon Paul Honza  
Lynda Isbell  
Rowdy Pruitt

ZONING BOARD OF ADJUSTMENTS

Mike French

Rev. Jasper D. Hughes  
Drew Anderson  
Marty Donet (Alt.)  
Becky Herrera (Alt.)

HISTORIC LANDMARK COMMISSION

Juliana Gilmore  
Joe David Fulton  
Liz Taylor

ECONOMIC DEVELOPMENT COMMISSION

Les Harris  
Bernie Martinek

MUSEUM BOARD

Darrell Hooper  
Regina Adams  
Neal Blackstone

INDUSTRIAL DEVELOPMENT CORPORATION

Tom Abram  
Mike Montgomery  
Jess Haupt

REQUEST FROM CITY COMMISSION AND ROUNDTABLE:

Commissioner Searcy asked for the record that she has the guarantee of Mayor Thomas, City Manager Ewings, and Mayor Pro-tem Walker that the streets in the Fourth Ward will be fixed regardless of the outcome of the Crime Control and Prevention District sales tax election. Mayor Thomas stated that we will continue on with the sale of General Obligation Bonds for the future improvements of our streets as proposed. Commissioner Walker asked if the city has a tethering ordinance regarding dogs. City Manager Ewings stated that there is a state law that permits tethering with requirements of ten feet in length of the tethering material and animals must be provided adequate food and water.

With no further business, Mayor Thomas adjourned the meeting at 7:38 p.m.

ATTEST:

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Russell R. Thomas, Mayor

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Donna Batchler, City Secretary

