

CITY OF ENNIS COMMISSION REGULAR MEETING

JUNE 1, 2015

7:00 P.M.

Mayor Thomas called the meeting to order at 7:02 p.m. on June 1, 2015, in the City Commission Chambers of the City of Ennis Municipal Building, 115 W. Brown Street, Ennis, Texas 75119.

PRESENT: Mayor Thomas, Commissioners Frazier, Hackney, Walker, and Holley, City Manager Ewing, City Attorney Wilson, City Secretary Batchler, Captain Anthony, and ED Coordinator Nelson.

Commissioners Salik and Searcy were not in attendance.

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

Minutes of the May 13, 2015, special workshop were approved as presented on a motion by Commissioner Frazier and seconded by Commissioner Hackney with all members present voting AYE. Minutes of the May 18, workshop were approved as presented on a motion by Commissioner Hackney and seconded by Commissioner Holley with all members in attendance voting AYE. Minutes of the May 18, 2015, regular meeting were approved as presented on a motion by Commissioner Holley. Seconded by Commissioner Walker with all members present voting AYE. 5-AYES, 0-NOES Measures carried.

CITIZENS REQUEST FOR PUBLIC HEARING

Cynthia Forney appeared regarding the drainage problem at Casa Linda and Phillips during the recent extreme rain fall. City Manager to discuss the situation with Mrs. Forney at a later date.

PUBLIC HEARINGS

AMENDMENTS FY BUDGET 2014-2015 Mayor Thomas opened the public hearing at 7:06 p.m. and requested public comment. There was none and the public hearing was closed at 7:07 p.m.

AMENDMENTS TO THE CODE OF ORDINANCES AS IT RELATES TO DISTANCE REQUIREMENTS FOR SALE OF ALCOHOL NEAR SCHOOLS, CHURCHES AND HOSPITALS Mayor Thomas opened the public hearing at 7:07 p.m. and requested public

comment. Dr. Meg Sullivan, president of the Main Street Board spoke as a proponent for a blanket variance to the Historic Downtown District regarding the 300 foot rule established by the City Code of Ordinances in reference to sale/serve of alcoholic beverages within 300 feet of schools, churches, and hospitals. Fran McCarthy, Dave Lindauer and Bramlet Beard downtown property owners spoke as a proponent of the blanket variance. Dennis Zembala inquired about the existing churches bordering the downtown district. Commissioner Holley requested a map that would include the other churches in the area. Harriet Adams, property owner, spoke urging the Commission to move forward in considering variances. Pastor Buck Marshall spoke as an opponent to the blanket variance and urged the Commission to consider the issuance of permits on a case by case basis. Mayor Thomas closed the public hearing at 7:36 p.m.

FIRST READING

ORDINANCE

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, AMENDING CHAPTER 10, ARTICLE II OF THE CODE OF ORDINANCES PERMITTING REQUESTS FOR VARIANCES TO THE DISTANCE REQUIREMENTS FOR THE SALE OF ALCOHOL NEAR CHURCHES, SCHOOLS, OR HOSPITALS, PROVIDING A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE. FIRST READING JUNE 1, 2015

First reading occurred. No action was taken. Maps of the existing and future Downtown Historic District depicting the locations of churches, schools, and hospitals in the 300 foot threshold are to be provided for Commission's review at the next meeting along with each option proposed.

SECOND READING

ORDINANCE 15-06-01

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, AMENDING THE BUDGET FOR THE CITY OF ENNIS, TEXAS, FOR THE FISCAL YEAR OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015, FOR THE PURPOSE OF PROVIDING ADDITIONAL APPROPRIATION FOR BUILDING INSPECTIONS; PROVIDING ADDITIONAL APPROPRIATION FOR DRAINAGE IMPROVEMENTS; PROVIDING ADDITIONAL APPROPRIATION FOR ADMINISTRATION; CREATING AN INTEREST AND SINKING FUND; CREATING A STREET MAINTENANCE SALES TAX FUND; PROVIDING ADDITIONAL APPROPRIATION FOR FIRE DEPARTMENT OVERTIME COSTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

The proposed budget for Fiscal Year 2014-2015 shall be amended appropriating \$34,000 to Building Inspection for the purchase of a vehicle and building improvements; that the budget for Fiscal Year 2014-2015 General Fund for the City of Ennis be amended appropriating \$41,000 in

the Street Division budget for drainage improvements on Valley View Drive; that the budget for Fiscal Year 2014-2015 be amended creating a separate Interest and Sinking (I & S) Fund and appropriating funds from the General Fund to the I & S Fund in the amount of \$3,748,258; that the budget for Fiscal Year 2014-2015 be amended creating a Street Maintenance Sales Tax Fund and appropriating \$235,000 for street maintenance activities and administrative costs; that the budget for Fiscal Year 2014-2015 be amended adding an increase in the FLSA overtime account of the Fire Department by \$30,000 to account for including the three (3) Captains, (3) Lieutenants and (6) drivers included in FLSA overtime; that the budget for Fiscal Year 2014-2015 General Fund be amended appropriating \$30,000 to Administration for fireworks; and that the budget for Fiscal Year 2014-2015 be amended to increase the appropriation in the Airport Construction Fund by \$14,000 to fund an airport flight obstruction survey in accordance with Federal Aviation Administration requirements.

Commissioner Fraizer moved to Pass, Approve, and Adopt the Ordinance amending the Budget for the Fiscal Year October 1, 2014 through September 30, 2015 as stated and to include an additional \$60,000 designated for the Downtown Master Plan this the second and final reading. Commissioner Holley seconded and the members in attendance voted AYE. 5-AYES, 0-NOES Measure carried.

ORDINANCE 15-06-02

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2014 AND 2015 RATE REVIEW MECHANISM FILINGS; APPROVING A SETTLEMENT AGREEMENT WITH ATTACHED RATE TARIFFS AND PROOF OF REVENUES; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

Commissioner Walker moved to Pass, Approve and Adopt on second and final reading an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Divisions referencing the 2014 and 2015 Rate Review Mechanism Filings. Commissioner Holley seconded and all members in attendance voted AYE. 5-AYES, 0-NOES Measure carried.

ORDINANCE 15-06-03

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 "HCPD" HEAVY COMMERCIAL PLANNED DEVELOPMENT DISTRICT FOR: A TRACT OR PARCEL OF LAND APPROXIMATELY 6.5622 ACRES (ALL PORTIONS OF SAID TRACT NEWLY ANNEXED INTO THE CORPORATE LIMITS) OF LAND 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 AND KNOWN AS 1855 HWY. 287 ENNIS, ELLIS COUNTY, TEXAS. REQUESTED BY DAVID AND LYDIA GARCIA. P&Z CASE 15.03.01

Commissioner Hackney moved to Pass, Approve, and Adopt on second and final reading an ordinance amending the zoning on the referenced parcel of land. Commissioner Frazier seconded and all members in attendance voted AYE. 5-AYES, 0-NOES Measure carried.

REQUEST FROM CITY COMMISSION AND ROUND TABLE

Commissioner Holley expressed his thanks to the citizens in attendance that participated and the news media for bringing the attention to the public. The Mayor extended his sentiments to those in attendance.

With no further business, Mayor Thomas adjourned the meeting at 7:45 p.m.

ATTEST:

Russell R. Thomas, Mayor

Donna Batchler, City Secretary

