

**REGULAR MEETING**  
**OF THE**  
**CITY COUNCIL OF THE CITY OF SACHSE**  
**DECEMBER 2, 2013**

The City Council of the City of Sachse held a Regular Meeting on Monday, December 2, 2013 at 7:30 p.m. at the Sachse City Hall after proper notice. The roll of the duly constituted City Council Members was called which members are as follows, to wit:

Mayor Mike Felix  
Mayor Pro Tem Bill Adams  
Councilman Charles Ross  
Councilman Brett Franks  
Councilman Todd Ronnau  
Councilman Cullen King  
Councilman Jeff Bickerstaff

and all were present.

Staff present: City Manager Billy George, City Secretary Terry Smith, Project Coordinator Denise Vice, Community Development Director Marc Kurbansade, Police Chief Dennis Veach, Human Resources Manager Laura Morrow, Parks and Recreation Director Lance Whitworth, Library Manager Mignon Morse, City Engineer Greg Peters, Public Works Director Joe Crase, Finance Director Teresa Savage and Fire Chief Rick Coleman.

**Invocation and Pledge of Allegiance to U.S. and Texas Flags:**

The invocation was offered by Councilman Franks and the pledges were led by Councilman Ross.

**1. Consent Agenda:**

Mayor Felix stated that Corrine Smith requested in writing to remove 13-1913, 13-1928 & 13-1930 from the Consent Agenda for discussion.

Mayor Pro Tem Adams moved to approve the Consent Agenda consisting of: 13-1932 Consider canceling the December 16, 2013 City Council Workshop and Meeting.; 13-1924 Resolution No. 3547 of the City Council of the City of Sachse, Texas, approving the terms and conditions of the agreement for professional services between the City of Sachse, Texas, and Verdunity, Inc.; and 13-1931 Resolution No. 3548 of the City Council of the City of Sachse, Texas, approving the terms and conditions of the agreement for professional services between the City of Sachse, Texas, and Maddox Surveying & Mapping, Inc. The motion was seconded by Councilman Bickerstaff and passed unanimously.

13-1913 Consider approval of the minutes of the November 18, 2013, Regular Meeting: Corrine Smith 4008 Blossom, objected to the S.H. 78 Plan Committee membership and felt the Committee should have citizens and business leaders included on the Committee.

13-1928 Consider receiving the Monthly Revenue and Expenditure Report for the period ending October 31, 2013: Corrine Smith 4008 Blossom, urged caution in the debt service fund with an increase in interest versus principal, as she sees an increase in interest rates.

13-1930 Consider adoption of a Resolution of the City Council of the City of Sachse, Texas, approving the terms and conditions of an agreement, by and between the City of Sachse, Texas, and Economists.com to provide a Water and Wastewater Cost of Service Rate Study and long-term financial plan for the City of Sachse; and providing for an effective date: Corrine Smith 4008 Blossom, stated the consultant is out of Portland Oregon and we need a Texas based company.

Mayor Pro Tem Adams moved to approve Agenda Items: 13-1913 Consider approval of the minutes of the November 18, 2013, Regular Meeting; 13-1928 Consider receiving the Monthly Revenue and Expenditure Report for the period ending October 31, 2013; and 13-1930 Resolution No. 3549 of the City Council of the City of Sachse, Texas, approving the terms and conditions of an agreement, by and between the City of Sachse, Texas, and Economists.com to provide a Water and Wastewater Cost of Service Rate Study and long-term financial plan for the City of Sachse; and providing for an effective date. The motion was seconded by Councilman Franks and carried unanimously.

**2. Mayor and City Council Announcements regarding special events, current activities and local achievements:**

13-1918 Proclamation recognizing Mary Ann Olson's contributions to the Sachse Chamber of Commerce.

Councilman Bickerstaff announced upcoming events at the Library: December 3<sup>rd</sup>, P.J. Story Time; December 5<sup>th</sup>, Santa at the Library after the Christmas Tree Lighting; and December 9<sup>th</sup>, e-books kickoff.

Councilman King noted the Sachse Fraternal Order of Police is collecting toys and food for needy families until December 16<sup>th</sup>.

Councilman Franks announced the Parks and Recreation Department will host their annual Daddy/Daughter dance on Friday, December 6<sup>th</sup> from 7:00 p.m. until 9:00 p.m. at the Senior Center. It's a great time.

Mayor Felix noted the following upcoming holiday events: December 5<sup>th</sup>, is the Tree Lighting at City Hall at 6:30 p.m.; December 7<sup>th</sup>, the Sachse Firefighters Association will host Pancakes with Santa at Fire Station No. 1 from 8:00 a.m. until 11:00 a.m.; and December 14<sup>th</sup> is the annual Christmas Parade at 9:30 a.m.

**3. Citizen Input:**

No comments were made.

**4. Regular Agenda Items:**

**13-1915 Consider appointment to the Animal Shelter Board:**

Following discussion, Councilman King moved to appoint Jeff Williams to the Animal Shelter Board. The motion was seconded by Councilman Bickerstaff and carried unanimously.

**13-1927 Conduct a public hearing and consider an Ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map so as to grant a Special Use Permit for a Retail Sales with Gas Pumps use on an approximately 0.493-acre tract of land located at the northeast corner of Murphy Road and Blackburn Road, more particularly described in Exhibit "A" and located in a General Commercial (C-2) district; providing special conditions; providing for the approval of the Zoning Exhibit attached as Exhibit "B"; providing for the approval of the site plan attached as Exhibit "C".:**

Mayor Felix opened the public hearing.

Jim Becker 1105 Meadow Lane, stated the plan has no merits and gas pumps with no restrictions therefore needs to be rejected.

Bill Dahlstrom 901 Main Street, Dallas, stated the retail and gas pumps will be an ancillary use to the grocery store.

Dan Millner 5750 Genesis Ct. Frisco, stated the project will require the widening on Blackburn Road. The grocery store will be 42,000 square feet.

Corrine Smith 4008 Blossom, stated she is in favor of the retail but is opposed to the gas pumps. There are plenty of gas stations on Highway 78.

Mayor Pro Tem Adams moved to close the public hearing. The motion was seconded by Councilman Ronnau and carried unanimously.

Following discussion, Councilman King moved to approve Ordinance No. 3550 amending the Comprehensive Zoning Ordinance and Map so as to grant a Special Use Permit for a Retail Sales with Gas Pumps use on an approximately 0.493-acre tract of land located at the northeast corner of Murphy Road and Blackburn Road, more particularly described in Exhibit "A" and located in a General Commercial (C-2) district; providing special conditions; providing for the approval of the Zoning Exhibit attached as Exhibit "B"; providing for the approval of the site plan attached as Exhibit "C", with the restriction that there be no beer and wine sales from the gas station kiosk and such restriction shall be reflected in the deed restrictions and such deed restrictions shall be approved by the city attorney and staff before filing and also add as a condition to the SUP that the gas station use will be ancillary to the adjacent grocery store. The motion was seconded by Councilman Ronnau and carried unanimously.

**13-1922 Conduct a public hearing and consider the application of Wal-Mart Corporation requesting a variance from the Code of Ordinances, Chapter 3, Building Regulations, Section 3-10.C(3)(a) to permit a freestanding identification sign to be constructed as a monument-style pylon sign using non-masonry materials; a variance from Section 3-10.C(3)(d)(i) to permit a freestanding identification sign to be constructed with a maximum height of 50-feet above grade; a variance from Section 3-10.C(3)(e) to permit a freestanding identification sign to be constructed with a maximum sign area of 1,049 square feet; a variance from Section 3-10.C(3)(e) to permit a general business sign to be constructed with a maximum sign area of 64 square feet; a variance from Section 3-10.C(3)(k) to permit the identification portion of a multi-purpose sign to have an area of 186 square feet; a variance from Section 3-10.C(3)(k) to permit the directory portion of the sign to have an area of 863 square feet; and a variance from Section 3-10.C(4) to permit an advertising sign, for the property generally located on the northwest side of SH78/KCS Railroad, and on the south side of Woodbridge Parkway adjacent to the SH78/KCS Railroad rights-of-way.:**

Mayor Felix opened the public hearing.

Don Herzog, 800 E. Campbell Road, Richardson, stated the sign advertising is for a total retail development of 69 acres.

Chris Everetz 1437 S. Boulder, Tulsa, Oklahoma, stated the sign is vital to the advertising for all the tenants.

Joe Gampper 16200 N. Dallas Parkway, Dallas, stated the sign is subject to competitive pressures. Inferior signs = inferior sales = inferior tenants.

Jim Becker 1105 Meadow Lane, stated sign #1 because of the railroad tracks needs special consideration, and should be approved.

Councilman Ronnau moved to close the public hearing. The motion was seconded by Councilman Ross and carried unanimously.

Following discussion, Councilman King moved to approve the application of Wal-Mart Corporation requesting a variance from the Code of Ordinances, Chapter 3, Building Regulations, Section 3-10.C(3)(a) to permit a freestanding identification sign to be constructed as a monument-style pylon sign using non-masonry materials; a variance from Section 3-10.C(3)(d)(i) to permit a freestanding identification sign to be constructed with a maximum height of 50-feet above grade; a variance from Section 3-10.C(3)(e) to permit a freestanding identification sign to be constructed with a maximum sign area of 1,049 square feet; a variance from Section 3-10.C(3)(e) to permit a general business sign to be constructed with a maximum sign area of 64 square feet; a variance from Section 3-10.C(3)(k) to permit the identification portion of a multi-purpose sign to have an area of 186 square feet; a variance from Section 3-10.C(3)(k) to permit the directory portion of the sign to have an area of 863 square feet; and a variance from Section 3-10.C(4) to permit an advertising sign, for the property generally located on the northwest side of SH78/KCS Railroad, and on the south side of Woodbridge Parkway adjacent to the SH78/KCS Railroad rights-of-way. The motion was seconded by Councilman Ross and carried with Mayor Felix and Councilman Bickerstaff voting no.

**13-1933 Discuss and consider an ordinance of the City of Sachse, Texas, amending the Code of Ordinances, Chapter 12, "Miscellaneous Regulations," by adding Section 12-5, "E-Cigarette Regulations," for the purpose of prohibiting the sale and distribution of electronic cigarettes to minors and prohibiting the use and possession of electronic cigarettes by minors:**

Following discussion, Councilman Bickerstaff moved to approve Ordinance No. 3551 of the City of Sachse, Texas, amending the Code of Ordinances, Chapter 12, "Miscellaneous Regulations," by adding Section 12-5, "E-Cigarette Regulations," for the purpose of prohibiting the sale and distribution of electronic cigarettes to minors and prohibiting the use and possession of electronic cigarettes by minors, including any liquid products that are manufactured with e-cigarettes. The motion was seconded by Councilman King and carried unanimously.

The City Council recessed briefly from 10:12 p.m. until 10:21 p.m.

**13-1929 Conduct a public hearing and consider an Ordinance of the City of Sachse, Texas, amending the Code of Ordinances by amending Chapter 3, Building Regulations by relocating and amending Article II, "Tree Preservation" to Chapter 11, "Zoning", Article 4, "General Provisions Applying to All or Several Districts", creating a new Section 11, titled "Landscaping and Screening"; by relocating screening and site landscaping provisions from Chapter 11, "Zoning", Article 3, "[Districts]" to Section 11, "Landscaping and Screening"; relocating Article 4, "General Provisions Applying to All or Several Districts", Section 7, "Nonresidential Landscaping Requirements" to Section 11, "Landscaping and Screening"; relocating Article 4, "General Provisions Applying to All or Several Districts", Section 8, "Residential Landscaping Requirements" to Section 11, "Landscaping and Screening":**

Mayor Felix opened the public hearing. No Comments were made.

Councilman Franks moved to close the public hearing. The motion was seconded by Councilman Ronnau and carried unanimously.

Following discussion, Councilman Franks moved to approve Ordinance No. 3552 of the City of Sachse, Texas, amending the Code of Ordinances by amending Chapter 3, Building Regulations by relocating and amending Article II, "Tree Preservation" to Chapter 11, "Zoning", Article 4, "General Provisions Applying to All or Several Districts", creating a new Section 11, titled "Landscaping and Screening"; by relocating screening and site landscaping provisions from Chapter 11, "Zoning", Article 3, "[Districts]" to Section 11, "Landscaping and Screening"; relocating Article 4, "General Provisions Applying to All or Several Districts", Section 7, "Nonresidential Landscaping Requirements" to Section 11, "Landscaping and Screening"; relocating Article 4, "General Provisions Applying to All or Several Districts", Section 8, "Residential Landscaping Requirements" to Section 11, "Landscaping and Screening". The motion was seconded by Councilman King and carried unanimously.

**13-1917 Consider a resolution casting votes for member(s) of the Board of Directors of the Collin Central Appraisal District:**

Following discussion, Mayor Pro Tem Adams moved to approve Resolution No. 3553 casting our 10 votes for Dr. Leo Fitzgerald on the Board of Directors of the Collin Central Appraisal District. The motion was seconded by Councilman King and carried with Councilman Ronnau voting no.

**13-1916 Consider a resolution casting vote for the fourth member of the Board of Directors of the Dallas Central Appraisal District:**

Following discussion, Councilman Bickerstaff moved to approve Resolution No. 3554 casting Sachse's vote for Mr. Michael Hurtt as the fourth member of the Board of Directors of the Dallas Central Appraisal District. The motion was seconded by Councilman Franks and carried unanimously.

**5. Adjournment:**

There being no further business, Councilman Ronnau moved to adjourn. The motion was seconded by Councilman Bickerstaff and carried unanimously. The meeting adjourned at 11:06 p.m.

ATTEST:

APPROVED:

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CITY SECRETARY

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MAYOR