

# CITY COUNCIL OF THE CITY OF SACHSE

## MEETING MINUTES

October 19, 2015

The City Council of the City of Sachse held a regular meeting on Monday, October 19, 2015 at 7:30 p.m. at Sachse City Hall, 3815-B Sachse Road, Sachse, Texas. Those present were Mayor Mike Felix, Mayor Pro Tem Brett Franks, Council Members Charlie Ross, Paul Watkins, Bill Adams, Cullen King, and Jeff Bickerstaff; City Manager, Gina Nash; City Secretary, Michelle Lewis Sirianni; City Engineer, Greg Peters; Community Development Director, Dustin McAfee; Parks and Recreation Director, Lance Whitworth; Human Resources Director, Stacy Buckley; Fire Chief, Rick Coleman; Police Chief, Bryan Sylvester; and Finance Director, Teresa Savage.

**INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND STATE FLAG:** The invocation was offered by Councilman King and the pledges by Councilman Watkins.

**CONSENT AGENDA:** All items listed on the Consent Agenda are considered routine and will be acted on by one motion, with no separate discussion of these items unless a Council member or citizen so requests. **15-3067** Approve the minutes of the September 14, 2015 special Council meeting. **15-3068** Approve the minutes of the October 5, 2015 workshop meeting. **15-3085** Consider authorizing the City Manager to execute an Interlocal Agreement with the City of Garland governing access and use as a subscriber participant to the City of Garland's existing 800 MHz radio system and the future P-25 compliant digital trunked radio system. **15-3069** Consider authorizing the City Manager, after review and approval by the City Attorney, to enter into a Memorandum of Understanding (MOU) with the Garland Independent School District regarding the provision of School Resource Officer (SRO) services to GISD. **15-3073** Consider a resolution authorizing the purchase of two (2) 2016 Ford Interceptor Utility police package vehicles from Sam Pack's Five Star Ford through the Texas Multiple Schedule Contract Program ('TXMAS') in the amount not to exceed fifty two thousand dollars (\$52,000) for the City of Sachse Police Department; and providing for an effective date. **15-3075** Consider a resolution authorizing the purchase of two (2) 2016 Chevrolet Impala Limited 4-door police sedans from Freedom Auto Group through Tarrant County Bid not to exceed the budgeted funds of forty one thousand eight hundred dollars (\$41,800) for the City of Sachse Police Department; and providing for an effective date. **15-3076** Consider a resolution authorizing the purchase of one (1) 2016 Ford F-250 Chassis Cab from Sam Pack's Five Star Ford through Texas Multiple Schedule Contract Program ('TXMAS') not to exceed the budgeted funds of twenty-three thousand five hundred dollars (\$23,500) for the City of Sachse Police Department; and providing for an effective date. **15-3081** Consider a resolution approving a Clean Fleet Policy for the City of Sachse; and providing for an effective date.

Councilman Bickerstaff made a motion to approve items 15-3067, 15-3068, 15-3085, 15-3069, 15-3073, 15-3075, 15-3076, and 15-3081 as submitted. Councilman Ross seconded that motion and the motion was unanimously approved.

**MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS, CURRENT ACTIVITIES AND LOCAL ACHIEVEMENTS:**

Mayor Pro Tem Franks commented on the Pumpkin Prowl and how fun it was for the children and was a really good time had for those who attended. Mayor Pro Tem Franks stated that on Saturday, December 4, the Daddy/Daughter Dance will take place at the Senior Center.

Councilman King stated that he recently checked out an audiobook through the e-books at the Library and encouraged others to use the online system and how easy it was to do. Councilman King stated that Fallfest will take place on Saturday, October 24; The Historical Society will host their Veteran's Day Event on Saturday, November 7 at 11:00 a.m.; and the Turkey Trot will take place again this year on Thursday, November 26.

Councilman Bickerstaff stated that Wednesday, October 21 the Sachse High School will compete in a Marching Band contest and encouraged residents to attend.

Mayor Felix stated that the Library will host a Halloween Party on Tuesday, October 27 at 6:00 p.m., and a pet parade at 11:00 a.m. on Thursday, October 29; Sachse Fallfest will be on Saturday, October 24; the Senior Center is hosting an AARP Smart Driving Class on Monday, November 2 at 9:00 a.m.; Thursday, December 3 at 6:30 p.m. will be the annual Tree Lighting at City Hall; and Saturday, December 12 the annual Christmas Parade and Cookies with Santa.

Mayor Felix gave a special thanks to staff and all those who participated in the Pumpkin Prowl. The City had an awesome turnout and everyone had a great time.

**CITIZENS INPUT:**

No comments were made.

**REGULAR AGENDA ITEMS:**

**15-3080 Consider the application of Mustang Creek Estates for a Preliminary Plat for Mustang Creek Sachse Addition, Lots 1-2, Block A, being a total of 49.654 acres.**

Mr. Peters presented the item by providing an overview of the property location. The application is for an assisted living facility, which would be known as Mustang Assisted Living Sachse. Mr. Peters discussed the current (I-1) and surrounding zoning of the subject property. The proposed use is permitted by right in the current zoning of I-1 Restricted Manufacturing and Warehouse

District. Mr. Peters outlined the proposed site layout including building location, detention pond location, parking, and utility easements. At the September 28, 2015 Planning and Zoning Commission meeting, the commission recommended approval of the proposed Preliminary Plat. Mr. Peters stated the proposed Preliminary Plat meets the requirements outlined in the City's subdivision ordinance and that the engineering plans are sufficient for the project to move forward. Therefore, staff recommends approval of the Preliminary Plat for Mustang Creek Sachse Addition.

The Council discussed the one access entry point for the public safety vehicles. Mr. Peters commented that the one access entry point has been accepted by Public Safety and that no vehicles would be able to block the entry based on the divided median at the entrance. The width of the entrance would fully accommodate the safety vehicles.

Councilman Watkins made a motion to approve the Preliminary Plat for Mustang Creek Sachse Addition as presented. Councilman Adams seconded that motion with discussion.

Cathy Cobb, 3820 6<sup>th</sup> Street, asked if there would be a deceleration lane into the property entrance, where would the trash dumpsters be located and if there would be screening, if there would be sidewalks behind the property that connected to adjacent properties, and where would the extra parking be located if it was added at a later date. Mr. Peters responded that most of these will be addressed on the Final Plat, and pointed out the location of where the extra parking spaces would be placed.

The motion was unanimously approved by Council.

**15-3064 Consider authorizing the City Manager to execute a purchase order to Motorola Solutions Incorporated in the amount of \$600,361.00 for the purchase and acquisition of equipment and infrastructure related to the P-25 Digital Radio Upgrade.**

Mrs. Nash introduced this item stating that it is part of the ongoing upgrade for the P-25 radio system. Mrs. Nash noted that the funds for this item will be expended throughout the year based services as they are delivered to the City.

Fire Chief Rick Coleman stated that this second and final request will authorize the City Manager to move forward with this upgrade. The purchase order is for the infrastructure, which includes dispatch consoles, receivers, and other system integration components.

Councilman Adams made a motion to authorize the City Manager to execute a purchase order to Motorola Solutions Incorporated in the amount of \$600,361.00 for the purchase and acquisition of equipment and infrastructure related to the P-25 Digital Radio Upgrade. Mayor Pro Tem Franks seconded that motion and the motion was unanimously approved.

**15-3087 Consider approval of a Chapter 380 Grant Agreement made by and between the City of Sachse, Texas (the "City") and First Texas Homes, Inc. (the "Company").**

Mrs. Savage presented this item stating that Council initially discussed and received background information at their September 1, 2015 meeting. Mrs. Savage stated that First Texas Homes has applied for a direct payment permit which authorizes them to self-assess and pay applicable state and local use taxes directly to the State of Texas related to selected portions of the Company's taxable purchases; the local portion of use taxes on building materials purchased for use in constructing homes within the City of Sachse will now be allocated to the City. The City will in turn grant a rebate of 0.8% of the total local use tax of 1.75% to the Company. Mrs. Savage stated that having a direct payment sales tax permit will allow First Texas Homes to file use taxes on building materials purchased rather than sales tax. Currently, the local portion of sales taxes paid on building materials goes to the city where the supplier is located; Sachse has no suppliers within the City, so Sachse does not currently receive any sales tax revenue on the purchase of those materials. The local portion of the use taxes paid by the Company will be filed with the delivery location, so Sachse will receive the local portion of those taxes. Mrs. Savage commented that if Council so desires, an allocation agreement between the City and the Sachse EDC is possible with a separate Economic Development Agreement.

Councilman Ross asked when Council could consider such agreement. Mrs. Savage responded that she would recommend waiting a few months to see how the rebates progress.

Councilman Ross made a motion to approve a Chapter 380 Grant Agreement by and between the City of Sachse and First Texas Homes. Councilman Adams seconded that motion and the motion was unanimously approved.

**15-3031 Conduct a public hearing and consider an ordinance amending the Comprehensive Zoning Ordinance and Map, grant a Special Use Permit for a Retail Sales with Gas Pumps use on an approximately 1.116 acre tract of land located at the southeast corner of State Highway 78 and Woodbridge Parkway, more particularly described in Exhibit "A" and located in a Planned Development District (PD-11); providing special conditions; providing for the approval of the Site Plan attached as Exhibit "C".**

Mr. Peters presented this item by providing an overview of the request. The applicant, The Dimension Group, who is representing 7-Eleven, is requesting a Special Use Permit (SUP) with gas pumps for the retail sales facility. Mr. Peters identified the project location, as well as the current and surrounding zoning. The property is currently zoned Planned Development (PD-11), which provides for a variety of land uses, including commercial retail. However, the SUP would be required for the gas pumps since a PD-11 does not specify this as an allowed use. Mr. Peters provided project information including the proposed landscaping, entrances off SH 78 and Woodbridge Parkway, building elevations, and building materials. Mr. Peters stated that notices were mailed to property owners within a 1,000 feet of the proposed project location. Of those notices, the city received seven in favor and 47 in opposition to the proposed project. The applicant did however meet with the residents from the neighboring communities to address their concerns. The Planning and Zoning Commission unanimously recommended approval at their September 15, 2015 meeting. The Commission did have several questions regarding Federal, State, and Local requirements for underground fuel storage, which staff has researched and addressed with Council. Therefore, staff recommends approval.

Mayor Felix opened the public hearing.

Don Herzog with Herzog Development, 800 E. Campbell Road, Suite 130, Richardson, TX stated that he is the owner of the property and in favor of this project. Mr. Herzog stated that this 7-Eleven has a new proto type building and will be unique to Sachse. Mr. Herzog commented that when the neighboring communities sent out emails to over 2400 residences for the meetings, only approximately two dozen people attended at each meeting. He also indicated they received approval from TxDOT in October, 2014 for the turn lanes and entrance access.

Councilman Adams made a motion to close the public hearing. Mayor Pro Tem Franks seconded that motion and the motion was unanimously approved.

Council questioned the inspection frequency of the gas pumps and the regulations set forth by TCEQ and any implications that may occur. Councilman Bickerstaff expressed concerns over the wall signage and would like to add a condition that they do not exceed two times the store frontage. Mayor Pro Tem Franks expressed that he is not a fan of the hooded turn lane entrance off SH 78. Councilman Ross asked if there would be full cut off lighting. Mr. Herzog noted the lighting would be box covered and have no infiltration and when he acquired the strip of land, TxDOT set the entrances; therefore, he matched the restrictions they set.

Councilman Bickerstaff made a motion to approve the ordinance as submitted with a condition added that the wall signs do not exceed two times the store frontage. Councilman Adams seconded that motion.

The motions passed with a 6-1 vote. Mayor Pro Tem Franks voting against.

**15-3082 Discuss and consider Friends of Sachse Parks and Recreation request for Sachse area dog park sites that were denied by the Parks and Recreation Board on October 8, 2015, as well as denied by the Parks and Recreation Director. These sites include approximately two acres of 3.18 acres of open space on the Sachse Road side of the Animal Shelter and 1.5 acres of 7.43 acres of dedicated park land at Ingram Road to Industrial.**

Mike Kellam, representing Friends of the Sachse Parks and Recreation introduced this item stating that the Sachse Park Pals according to their memorandum of understanding with the City, submit projects to the Parks Director to determine whether any individual project or program is consistent with the Master Plan. The determination on the dog park was that it was not consistent with the Parks Master Plan and came in at number six on the most recent citizen survey. Mr. Kellam stated that the Park Pals may appeal to the Park and Recreation Director at the next regularly scheduled Park Board Meeting. The appeal was denied by a three to one vote. The Park Pals then have the option to appeal to City Council. Mr. Kellam stated that the key question is the following: Will the Sachse citizens who joined the Sachse Park Pals organization be allowed to pursue a dog park in Sachse working with the City of Sachse? Mr. Kellam outlined the purpose of the Sachse Park Pals, project mission objectives, the two potential sites for the dog park, benefit and sponsorship levels, benefits of having a dog park, and a cost break down. Mr. Kellam stated that they believe a dog park is consistent with the Parks Master Plan due to that it

provides a variety of recreational opportunities for all age groups and is responsive to the needs and desires of Sachse citizens.

Mayor Pro Tem Franks stated that his concern is the process not the site issue and would like more information from citizens.

Mayor Felix invited citizens to speak.

Mary Saatoff, 4108 Emerson Way, is in favor of a dog park.

Diane Teman, 4904 Sachse Road, is in favor and would like Council to consider what the citizens want.

Amy Peterman, 3509 Meadow Bluff Lane stated she would like having a dog park closer to home.

A resident residing at 6311 Lake Crest stated they like the idea of having a closer option.

Niloufer Watkins, 6703 Falcon Crest Lane, stated that she serves on the Park Board and believes the dog park would help make Sachse be a little more unique.

Daryl Lynch, 1714 Cornwall Street, stated that the Park Pals is a group that obviously wants a dog park and believes that it could be accomplished by working with the City.

Tricia Lyndsey, 3718 Rockhouse Road, stated that it is good for dogs to socialize and a dog park would be a great way to get people in Sachse.

Cathy Cobb, 3820 6<sup>th</sup> Street, stated that she would like to see a way to figure out a safe way to let the dogs run.

The Council discussed the two proposed sites, the citizen survey and if those results have been updated in the Master Plan, staff resources as well as financial resources to support a dog park project. The Council agreed that they need more information regarding the project including operation and maintenance costs, as well as future discussion of the process of exploring this project.

Councilman Watkins made a motion to table item 15-3082 to date uncertain. Councilman King seconded that motion with discussion.

Councilman King asked staff what a reasonable timeframe would be to bring this item back to Council. Councilman Adams commented that he would not like to place a deadline on it in order to avoid any false expectations, but to be on staff's radar.

The vote passed unanimously.

**ADJOURNMENT:**

At 10:05 p.m. Mayor Felix adjourned the meeting.

ATTEST:

Michelle Lewis Sirianni  
Michelle Lewis Sirianni, City Secretary

Mike Felix  
MIKE FELIX, MAYOR

