

**AGENDA
 FERRIS CITY COUNCIL
 CITY OF FERRIS
 A GENERAL LAW MUNICIPAL CORPORATION OF THE
 STATE OF TEXAS, ELLIS COUNTY
 AT THE
 COUNCIL CHAMBERS
 215 W. SIXTH STREET, FERRIS, TEXAS 75125
 6:00 P.M. MONDAY, APRIL 6, 2015**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF FERRIS WILL MEET IN REGULAR SESSION AT 6:00 P.M. ON THE 6TH DAY OF APRIL, 2015 AT ITS REGULAR MEETING PLACE AT 215 W. SIXTH STREET, FERRIS, TEXAS FOR THE PURPOSE OF CONSIDERING:

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
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COUNCIL BUSINESS

- | | | |
|----|------------------------------------------------------------------------------------------------|---|
| 1. | Call to order. | Ø |
| | <ul style="list-style-type: none"> • Invocation • Pledge of Allegiance | |
| 2. | Roll call to determine the presence of a quorum. | 1 |

CONSENT AGENDA

- | | | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 3. | <p>All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.</p> <ul style="list-style-type: none"> • Minutes of March 16, 2015 Joint City Council and Planning and Zoning meeting • Expenditures for the period ending March 20, 2015 | 2 |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|

Sep. Cov.

PUBLIC COMMENT

4. The City Council welcomes comments from the public. Those wishing to speak must sign in with the City Secretary before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers must observe a three minute time limit. Total time allocation for Public Comments is fifteen minutes. Groups of individuals wanting to discuss the same item must select one spokesperson. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.

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RESOLUTION

5. Discussion, consideration, and action as may be appropriate regarding Resolution No. R-15-184 authorizing and approving the formation of the Community Development Sub-Regional Planning Commission (CDSRPC).

8

NEW BUSINESS

6. Discussion, consideration, and action as may be appropriate regarding appointing one member of the City Council to serve on the CDSRPC governing board.

12

CLOSING

7. Adjourn.

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Executive Session Reservation

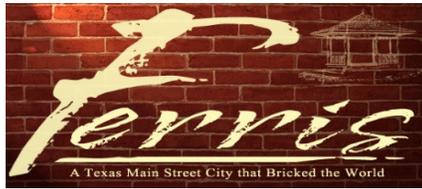
The City Council reserves the right to convene into an Executive Session (closed to the public) as authorized by Section 551.071(2) of the TEXAS GOVERNMENT CODE, for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

Disability Assistance and Accommodation

Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at (972) 544-2110 two working days prior to the meeting so that appropriate arrangements can be made.

I, DESTINY LUSK WRIGHT, HEREBY
CERTIFY THE FOREGOING NOTICE
WAS POSTED ON OR BEFORE THE
3RD DAY OF APRIL, 2015 BY 5:00 P.M.


DESTINY LUSK WRIGHT
CITY SECRETARY



City Council

Meeting Attendance Record 2014-2015

City Council		Oct.		Nov.		Dec.		Jan.		Feb.		March		Apr.		May		June		July		Aug.		Sept.	
Title	Name	6	20	3	17	1	15	5	20	2	17	2	16	6	20	4	18	1	15	6	20	3	17	8	21
Mayor	Micheal Driggers	P	A	P	P	-	P	-	P	P	P	P	P												
Mayor Pro Tem	James Starr	P	P	P	P	-	P	-	P	P	P	P	P												
Alderman, Place 2	Jay Walsh	P	P	P	P	-	A	-	P	P	P	P	P												
Alderman, Place 3	Angela Bruner	P	P	P	P	-	P	-	P	A	P	P	P												
Alderman, Place 4	Gary Ross	P	A	P	A	-	P	-	P	P	A	P	P												
Alderman, Place 5	Carol Wright	P	P	P	P	-	P	-	P	P	P	P	P												
Total:		6	4	6	5	-	5	-	6	5	5	6	6												

City Staff		Oct.		Nov.		Dec.		Jan.		Feb.		March		Apr.		May		June		July		Aug.		Sept.	
Title	Name	6	20	3	17	1	15	5	20	2	17	2	16	6	20	4	18	1	15	6	20	3	17	8	21
City Manager	Dennis Burn	P	P	P	P	-	P	-	P	P	P	P	P												
City Secretary	Destiny Wright	P	P	P	P	-	P	-	P	P	P	P	P												
City Attorney	Kent Hofmeister	P	A	A	A	-	A	-	A	A	A	A	A												
Fire Chief	Tim Birdwell	P	P	P	P	-	P	-	P	P	P	P	P												
I.T. Director	Doug Childers	P	P	P	P	-	P	-	P	P	P	P	P												
Eco. Dev. Coordinator	Chuck Dart	P	P	P	A	-	P	-	P	P	P	P	P												
Finance Director	Melissa Gonzalez	P	P	P	P	-	A	-	P	P	P	P	P												
Library Director	Kathy Harrington	P	P	P	P	-	P	-	P	P	P	A	P												
Chief Building Official	Bill Jordan	P	P	P	P	-	P	-	P	P	P	P	P												
Police Chief	Sam Love	P	P	P	P	-	P	-	A	P	P	A	P												
Total:		10	9	9	8	-	8	-	8	9	9	7	9												

Mayor, "Will the City Secretary call the roll?"

The City Secretary calls each Member's position and name.

They respond if they are present.

City Secretary, "Mayor, a quorum is present."

P	Present
A	Absent

**STATE OF TEXAS
COUNTY OF ELLIS**

THE FERRIS CITY COUNCIL MET IN A JOINT SESSION WITH THE PLANNING AND ZONING COMMISSION MARCH 16, 2015 AT 6:00 P.M. IN THE COUNCIL CHAMBERS LOCATED AT 215 W. SIXTH STREET, FERRIS, TEXAS.

COUNCIL ATTENDANCE		
Mayor	Micheal Driggars	P
Mayor Pro Tem	James Starr	P
Alderman, Place 2	Jay Walsh	P
Alderman, Place 3	Angela Bruner	P
Alderman, Place 4	Gary Ross	P
Alderman, Place 5	Carol Wright	P

STAFF ATTENDANCE		
City Manager	Dennis Burn	P
City Secretary	Destiny Wright	P
City Attorney	Kent Hofmeister	A
Fire Chief	Tim Birdwell	P
I.T. Director	Doug Childers	P
Eco. Dev. Coordinator	Chuck Dart	P
Finance Director	Melissa Gonzalez	P
Library Director	Kathy Harrington	P
Chief Building Official	Bill Jordan	P
Police Chief	Sam Love	P

COMMISSION ATTENDANCE		
Chair	Jim Kay	P
Commissioner, Place 2	Rudy Amor	P
Commissioner, Place 3	Bill Malloy	P
Commissioner, Place 4	Vacant	-
Vice Chair	Charles Hatfield	P
Commissioner, Place 6	Christi Farish	P
Commissioner, Place 7	Richard Barrett	P

COUNCIL BUSINESS

1. Call to order.

- **Invocation**
- **Pledge of Allegiance**

Mayor Driggars called the meeting to order at 6:00 P.M. The invocation was given by Alderman Ross.

2. Roll call of the City Council to determine the presence of a quorum.

City Secretary Wright called roll and determined that a quorum of the City Council was present.

- 3. Roll call of the Planning and Zoning Commission to determine the presence of a quorum.**

City Secretary Wright called roll and determined that a quorum of the Planning and Zoning Commission was present.

CONSENT AGENDA – CITY COUNCIL

- 4. All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.**

- **Minutes of March 2, 2015 City Council meeting**
- **Expenditures for the periods ending February 17, 2015, March 2, 2015, and March 6, 2015**

Alderman Ross moved to approve the Consent Agenda. Seconded by Alderman Bruner. For: Unanimous. Motion carried 5-0-0.

APPROVAL OF MINUTES – PLANNING AND ZONING COMMISSION

- 5. Consider approval of meeting minutes for the Joint City Council and Planning and Zoning meeting of February 17, 2015.**

Vice Chair Hatfield moved to approve the meeting minutes for the Joint City Council and Planning and Zoning meeting of February 17, 2015. Seconded by Commissioner Barrett. For: Unanimous. Motion carried 6-0-0.

PUBLIC COMMENT

- 6. The City Council welcomes comments from the public. Those wishing to speak must sign in with the City Secretary before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers must observe a three minute time limit. Total time allocation for Public Comments is fifteen minutes. Groups of individuals wanting to discuss the same item must select one spokesperson. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.**

Sharon Harris expressed her support to allow for the removal of a billboard and the erection of a billboard in another location (Agenda Item 13) as well as support to establish the Residential Economic Incentive Program (Agenda Item 15). Mrs. Harris also suggested a community wide cleanup to address code enforcement issues as well as a request to repair pot holes throughout the City.

Tina Miller expressed her support to allow for the removal of a billboard and the erection of a billboard in another location (Agenda Item 13).

DISCUSSION

- 7. Discussion regarding the approval of an amendment to the Zoning Ordinance by (1) amending Article 1, Division 15, Section 2 by adding a definition for “Clothing Store” and by (2) amending Article 2, Division 20, Section 1 by adding the aforementioned to the Permitted Use Table.**

City Manager Burn informed Council and the Commission that the City has received an application for a Certificate of Occupancy for a clothing store. Currently, clothing stores are not addressed in the Zoning Ordinance. No action taken for Agenda Item 7.

PUBLIC HEARING

- 8. Open Public Hearing.**

Mayor Driggars opened the Public Hearing at 6:10 P.M.

- 9. Conduct Public Hearing to consider the approval of an amendment to the Zoning Ordinance by (1) amending Article 1, Division 15, Section 2 by adding a definition for “Clothing Store” and by (2) amending Article 2, Division 20, Section 1 by adding the aforementioned to the Permitted Use Table.**

No comments made.

- 10. Close Public Hearing.**

Mayor Driggars closed the Public Hearing at 6:10 P.M.

PLANNING AND ZONING COMMISSION BUSINESS

- 11. Final report by the Planning and Zoning Commission regarding the approval of an amendment to the Zoning Ordinance by (1) amending Article**

1, Division 15, Section 2 by adding a definition for “Clothing Store” and by (2) amending Article 2, Division 20, Section 1 by adding the aforementioned to the Permitted Use Table.

Commissioner Barrett moved to recommend approval of an amendment to the Zoning Ordinance by (1) amending Article 1, Division 15, Section 2 by adding a definition for “Clothing Store” and by (2) amending Article 2, Division 20, Section 1 by adding the aforementioned to the Permitted Use Table. Seconded by Vice Chair Hatfield. For: Unanimous. Motion carried 6-0-0.

COUNCIL BUSINESS

- 12. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-788 amending the Zoning Ordinance by (1) amending Article 1, Division 15, Section 2 by adding a definition for “Clothing Store” and by (2) amending Article 2, Division 20, Section 1 by adding the aforementioned to the Permitted Use Table.**

Alderman Walsh moved to approve Ordinance No. O-15-788. Seconded by Alderman Ross. For: Unanimous. Motion carried 5-0-0.

DISCUSSION

- 13. Discussion regarding a proposal to amend the Zoning Ordinance to allow for the removal of a billboard and the erection of a billboard in another location.**

Chief Building Official, Bill Jordan, explained that the owner of the billboard, Primary Media, has approached the City requesting to remove the billboard currently placed at the corner of Sixth Street and South Central Avenue and erect a new electronic billboard along Eighth Street and the Southbound side of Interstate Highway 45. Primary Media will submit a design plan and the City Council and Planning and Zoning Commission will review and provide requirements prior to taking any action on the change. No action taken for Agenda Item 13.

CLOSING – PLANNING AND ZONING COMMISSION

- 14. Adjourn.**

Vice Chair Hatfield moved to adjourn the Planning and Zoning Commission. Seconded by Commissioner Farish. For: Unanimous. The motion carried 6-0-0. With no further business to come before the Planning and Zoning Commission, Chairman Kay adjourned the Commissioners at 6:24 P.M.

RESOLUTION

15. **Discussion, consideration, and action as may be appropriate regarding Resolution No. R-15-183 establishing a “Residential Economic Incentive Program” within the City of Ferris.**

Alderman Bruner moved to approve Resolution No. R-15-183. Seconded by Mayor Pro Tem Starr. For: Unanimous. Motion carried 5-0-0.

PRESENTATION

16. **Presentation given by the “Texas Concerned Citizens” regarding the High Speed Rail and a proposal to form a Governmental Sub-Regional Planning Commission.**

A group known as the “Texas Concerned Citizens” represented by Marty Hiles, Ken Cope, and Morris Dixon gave a presentation regarding the negative impact the High Speed Rail will have on the City of Ferris as well as Ellis County as a whole. Mr. Hiles informed Council that the High Speed Rail will have no crossings (underpass or overpass only), will lead to a loss of valuable farmland, and will give private and foreign companies eminent domain rights. Mr. Cope believes that by creating a Sub-Regional Planning Commission “Sub-COG”, we will be able to better protect our community. Two or more incorporated municipalities or counties can create a Sub-COG through a joint resolution. The cities of Palmer, Ennis, and Ferris are the proposed entities to create the Sub-COG known as the “Community Development Sub-Regional Planning Commission”.

City Manager Burn received positive feedback from Council. Mr. Burn was given direction to bring a Resolution to Council at the next meeting for approval to create a Sub-COG.

AGREEMENT

17. **Discussion, consideration, and action as may be appropriate regarding authorizing the Fire Chief to enter into an In-House Repair Center Agreement with Scott Health & Safety for the purpose of allowing the City of Ferris Fire Department to perform certified overhaul level inspection, repair, and service to Scott Products owned by the City.**

Alderman Wright moved to authorize the Fire Chief to enter into the In-House Repair Center Agreement with Scott Health & Safety. Seconded by Alderman Ross. For: Unanimous. Motion carried 5-0-0.

CONTRACT

- 18. Discussion, consideration, and action as may be appropriate regarding authorizing the City Secretary to enter into an Interlocal Cooperation Contract with Ellis County for the lease of one (1) Automark Model A-100-00 voting machine for the 2015 General Election.**

Alderman Bruner moved to authorize the City Secretary to enter into the Interlocal Cooperation Contract with Ellis County. Seconded by Mayor Pro Tem Starr. For: Unanimous. Motion carried 5-0-0.

CLOSING

- 19. Adjourn.**

Mayor Pro Tem Starr moved to adjourn the meeting. Seconded by Alderman Ross. For: Unanimous. The motion carried 5-0-0. With no further business to come before the council, Mayor Driggars adjourned the meeting at 7:22 P.M.

APPROVED THIS THE 6TH DAY OF APRIL, 2015.

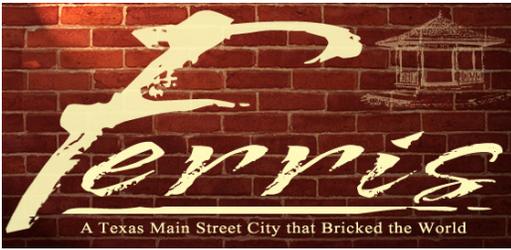
Micheal L. Driggars, Mayor

ATTEST:

APPROVED AS TO FORM:

Destiny Lusk Wright, City Secretary

Kent Hofmeister, City Attorney



MEMORANDUM

DATE: April 6, 2015
FROM: City Manager, Dennis Burn
TO: Mayor and City Council

**SUBJECT: Community Development Sub-Regional
Planning Commission (CDSRPC) Resolution
April 6, 2015 City Council Meeting**

A group known as Texas Concerned Citizens made a presentation to the City Council at the March 16, 2015 meeting about forming a CDSRPC. The Commission's goal is to coordinate with governmental units to share similar needs to plan for the rapidly expanding population of the State and the desires of local governments. The City Council directed the City Manager to prepare and present a resolution in support of the CDSRPC for the April 6th meeting. This agenda item includes a resolution that supports the participation of Ferris in the CDSRPC. The City of Palmer and the City of Ennis have already approved similar resolutions.

This agenda item is an action item. A vote is required. I recommend that the City Council approve Resolution No. R-15-184 and authorize the Mayor to sign the resolution.

RESOLUTION NO. R-15-184

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERRIS, TEXAS, AUTHORIZING AND APPROVING THE FORMATION OF THE COMMUNITY DEVELOPMENT SUB-REGIONAL PLANNING COMMISSION (“CDSRPC”); AUTHORIZING AND APPROVING INTERLOCAL COORDINATION WITH OTHER MUNICIPALITIES, COUNTIES, AND LOCAL GOVERNMENTAL UNITS; PROVIDING FOR FUNDING REQUIREMENT APPROVAL; PROVIDING FOR THE APPOINTMENT OF ONE CITY COUNCIL MEMBER TO THE GOVERNING BOARD OF THE CDSRPC; PROVIDING FOR COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the matter of authorizing and approving the creation of a sub-regional planning commission within Region 4 of the North Central Texas Council of Governments (“NCTCOG”), to be known as the Community Development Sub-Regional Planning Commission (“CDSRPC”), has come before the City Council of the City of Ferris (“City Council”); and

WHEREAS, Chapter 391 of the Texas Local Government Code authorizes the combination of counties, municipalities, and/or other local governmental units to establish a commission to plan for sub-regional future development; and

WHEREAS, the local governmental units within Region 4 of NCTCOG have unique planning needs for which a cooperative effort among such units is in the best interest of all citizens; and

WHEREAS, the City Council finds it is in the public interest and to the benefit of the residents of the City and the citizens of this State that a Community Development Sub-Regional Planning Commission be formed to provide for the special planning needs of the area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FERRIS, TEXAS, THAT:

Section 1. FINDINGS INCORPORATED

All of the above premises are found to be true and correct legislative and factual determinations of the City of Ferris and are hereby approved and incorporated into the body of this Resolution for all purposes as if fully set forth herein.

Section 2. AUTHORIZATION

The City Council hereby authorizes and approves the following:

- A. The creation of a commission pursuant to Chapter 391 of the Texas Local Government Code, to be known as the Community Development Sub-Regional

Resolution No. R-15-184

Planning Commission (“CDSRPC”), to plan for sub-regional future development;

- B. The area situated within the city limits and extraterritorial jurisdiction of the City of Ferris shall be included within the jurisdiction of the CDSRPC; and
- C. The Mayor of the City of Ferris, and his/her designees, are authorized to take all steps necessary or required under Chapter 391 of the Texas Local Government Code to establish and advance the mission of the CDSRPC, including entering into appropriate interlocal cooperation agreements with other local governmental units.

Section 3. PURPOSE

The CDSRPC's goal is to coordinate planning for future development with those governmental units whose needs may be similar, particularly as they relate to the State’s rapidly expanding population. Municipalities in this region with a population of fewer than 20,000 have a culture of carrying forward the rural values of the State of Texas; this requires planning for development that impacts the unique character of the municipalities and other governmental units that touch or are affected by the municipalities and other governmental units joining the CDSRPC. The CDSRPC is intended to plan for the development of the sub-region and to make recommendations concerning major thoroughfares, streets, traffic and transportation studies, bridges, parks, recreation sites, public utilities, land use, water supply, sanitation facilities, drainage, public buildings, population density, open spaces, and other items relating to the CDSRPC's general purposes.

The general purpose of governmental units participating in the CDSRPC is to join and cooperate in improving the health, safety, and general welfare of their residents, and planning for the future development of communities and affected areas within the sub-region so that:

- A. the planning of transportation systems is improved;
- B. adequate street, utility, health, educational, recreational, and other essential facilities are provided as communities develop and the areas within the sub-region grow;
- C. the needs of agriculture, business, and industry are recognized;
- D. healthful surroundings for family life in residential areas are provided;
- E. historical and cultural values are preserved; and
- F. the efficient and economical use of public funds is commensurate with the growth of the communities and areas within the sub-region.

Section 4. FUNDING REQUIREMENTS

Any funding requirements for the operation of the CDSRPC shall be subject to City Council approval.

Resolution No. R-15-184

Section 5. APPOINTMENT OF COUNCIL MEMBER TO BOARD

One member of the City Council shall be appointed to serve on the CDSRPC governing board.

Section 6. COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT

It is hereby officially found and determined by the City Council that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place, and purpose of the meeting was given, as required by and in accordance with the Open Meetings Act, Chapter 551, Texas Government Code.

Section 7. EFFECTIVE DATE

This Resolution shall become effective immediately upon its passage and publication as required by law.

DULY PASSED, APPROVED AND ADOPTED by the City Council of the City of Ferris, Texas, the 6th day of April, 2015.

APPROVED:

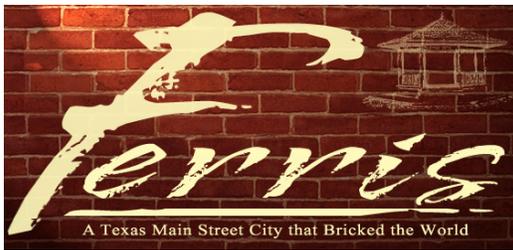
Micheal L. Driggars, Mayor

ATTEST:

Destiny Lusk Wright, City Secretary

APPROVED AS TO FORM:

Kent S. Hofmeister, City Attorney



MEMORANDUM

DATE: April 6, 2015
FROM: City Manager, Dennis Burn
TO: Mayor and City Council

**SUBJECT: Community Development Sub-Regional
Planning Commission (CDSRPC) Appointment
April 6, 2015 City Council Meeting**

Based on Section 5 of Resolution No. R-15-184 that was approved at the April 6, 2015 City Council meeting, the City Council must appoint one member of the City Council to represent Ferris on the Commission. After an appointment has been made I will contact the other member cities and determine the schedule and agendas for future meetings of the CDSRPC.

This agenda item is an action item. A vote is required. I recommend that the City Council appoint one member of the City Council to the Community Development Sub-Regional Planning Commission.