

**AGENDA
JOINT MEETING OF THE
FERRIS CITY COUNCIL & PLANNING AND ZONING COMMISSION
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. TUESDAY, JANUARY 19, 2016**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF FERRIS WILL MEET IN JOINT SESSION AT 6:00 P.M. ON THE 19TH DAY OF JANUARY, 2016 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>
<u>COUNCIL BUSINESS</u>		
1.	Call to order. <ul style="list-style-type: none">• Invocation• Pledge of Allegiance	Ø
2.	Roll call of the City Council to determine the presence of a quorum.	1
3.	Roll call of the Planning and Zoning Commission to determine the presence of a quorum.	2

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 December 19, 2015 and December 21, 2015 City Council meetings. 3
- Expenditures for the periods ending December 18, 2015, December 21, 2015, December 23, 2015, December 31, 2015, January 7, 2016, and January 8, 2016. Sep. Cov.

APPROVAL OF MINUTES – PLANNING AND ZONING COMMISSION

- 5. Consider approval of meeting minutes for the Joint City Council and Planning and Zoning meeting of October 5, 2015. 12

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. 0

DISCUSSION

- 7. Discussion regarding Ordinance No. O-16-807 granting a change in zoning from Residential 1 (“R-1) to Planned Development-5 (“PD-5”) on property located North of E. 8th St. and East of S. Birch St. described as approximately 16.377 acres of land in the South Meadow Addition of the City of Ferris, Ellis County, Texas. 0

➤ *Presented by Bill Jordan, Chief Building Official.*

JOINT PUBLIC HEARING

- 8. Open Public Hearing. 0

- 9. Conduct Public Hearing to consider Ordinance No. O-16-807 granting a change in zoning from Residential 1 (“R-1) to Planned Development-5 (“PD-5”) on property located North of E. 8th St. and East of S. Birch St. described as approximately 16.377 acres of land in the South Meadow Addition of the City of Ferris, Ellis County, Texas. Ø
- 10. Close Public Hearing. Ø

PLANNING AND ZONING COMMISSION BUSINESS

- 11. Final report by the Planning and Zoning Commission regarding Ordinance No. O-16-807 granting a change in zoning from Residential 1 (“R-1) to Planned Development-5 (“PD-5”) on property located North of E. 8th St. and East of S. Birch St. described as approximately 16.377 acres of land in the South Meadow Addition of the City of Ferris, Ellis County, Texas. 18
 - *Presented by Bill Jordan, Chief Building Official.*

COUNCIL BUSINESS

- 12. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-16-807 granting a change in zoning from Residential 1 (“R-1) to Planned Development-5 (“PD-5”) on property located North of E. 8th St. and East of S. Birch St. described as approximately 16.377 acres of land in the South Meadow Addition of the City of Ferris, Ellis County, Texas. 18
 - *Presented by Bill Jordan, Chief Building Official.*

CLOSING – PLANNING AND ZONING COMMISSION

- 13. Adjourn: Planning and Zoning Commission. Ø

PRESENTATION

14. **Presentation of the City Manager’s six-month work plan and activities.** 25

➤ *Presented by Carl Sherman, City Manager.*

EXECUTIVE SESSION

15. **Announcement by the presiding officer that the City Council will adjourn into closed executive session as allowed by Section 551.074, *Personnel Matters*, of the Texas Government Code. A governmental body may conduct a closed meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear complaints or charges against such officer or employee, unless such officer or employee who is the subject of the deliberation or hearing requests a public hearing. Such closed meetings may be held only for the purpose of discussion and no action may be taken or votes cast to reach a decision by the City Council until the City Council has reconvened into open public session.**
- **Semi-annual performance evaluation and review of related duties of City Manager.**
16. **Adjourn the Public Meeting.** ∅
17. **Conduct Executive Session as authorized by Section 551.074 of the Texas Government Code – *Personnel Matters*.**
- **Semi-annual performance evaluation and review of related duties of City Manager.**
18. **Reconvene into Open Session.** ∅
19. **Action as a result of above-listed Executive Session.** ∅

CLOSING

20. **Adjourn.** ∅

Executive Session Reservation

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations Regarding Real Property), 551.073 (Deliberation Regarding Prospective Gift), 551.074 (Personnel Matters), 551.076 (Deliberations Regarding Security Devices or Security Audits) and 551.087 (Deliberation Regarding Economic Development Negotiations).

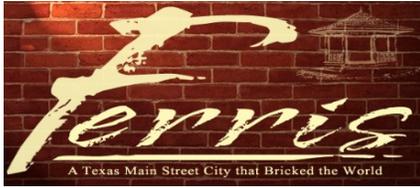
Disability Assistance and Accommodation

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
15TH DAY OF JANUARY, 2016 BY 6:00
P.M.



DESTINY LUSK WRIGHT
CITY SECRETARY



City Council

Meeting Attendance Record 2015-2016

City Council		Oct.		Nov.		Dec.			Jan.			Feb.		March		April		May		June		July		Aug.		Sept.		
Title	Name	5	19	2	16	7	19	21	4	9	19	1	16	7	21	4	18	2	16	6	20	5	18	1	15	6	19	
Mayor	Micheal Driggars	P	P	P	P	P	P	P	P	P																		
Alderman, Place 1	James Starr	P	P	P	P	P	P	P	P	P																		
Mayor Pro Tem	Jay Walsh	P	P	P	P	P	P	P	P	P																		
Alderman, Place 3	Bobby Lindsey	P	P	P	P	P	P	P	P	P																		
Alderman, Place 4	Gary Ross	A	A	P	P	P	P	P	P	P																		
Alderman, Place 5	Carol Wright	P	P	P	P	P	P	P	P	P																		
	Total:	5	5	6	6	6	6	6	6	6																		

City Staff		Oct.		Nov.		Dec.			Jan.			Feb.		March		April		May		June		July		Aug.		Sept.		
Title	Name	5	19	2	16	7	19	21	4	9	19	1	16	7	21	4	18	2	16	6	20	5	18	1	15	6	19	
City Manager	Carl Sherman	P	P	P	P	P	P	P	P	P																		
City Secretary	Destiny Wright	P	P	P	P	P	P	P	P	P																		
City Attorney	Kent Hofmeister	A	A	A	A	A	A	A	A	A																		
I.T. Director	Doug Childers	P	P	P	P	P	A	P	A	A																		
Finance Director	Melissa Gonzalez	P	P	P	P	P	P	P	P	P																		
Library Director	Kathy Harrington	P	P	P	P	P	A	P	A	A																		
Chief Building Official	Bill Jordan	P	P	P	A	P	P	P	P	P																		
Interim Fire Chief	Tom Leverentz	-	-	-	-	-	A	P	A	A																		
Budget/H.R. Director	Trudy Lewis	-	-	-	-	-	-	P	P	P																		
Police Chief	Eddie Salazar	-	-	P	P	P	A	P	A	A																		
Pub. Wrks. Director	Red Taylor	-	P	P	P	P	A	P	A	A																		
	Total:	9	10	9	8	9	4	9	5	5																		

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



PLANNING AND ZONING COMMISSION MEETING ATTENDANCE RECORD 2015-2016

PLANNING AND ZONING COMMISSION			Oct	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
Place	Name	Title	5	19										
Place 1	Jim Kay	Chair												
Place 2	Rudy Amor	Commissioner												
Place 3	Bill Malloy	Commissioner												
Place 4	James Swafford	Commissioner												
Place 5	Charles Hatfield	Vice Chair												
Place 6	Christi Farish	Commissioner												
Place 7	Richard Barrett	Commissioner												
Total Present:														

A quorum of the commission is 4 members.

City Staff		Oct	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
Title	Name	5	19										
City Manager	Carl Sherman												
City Secretary	Destiny Wright												
Building Official	Bill Jordan												
Total Present:													

Chairman- "Will the Secretary please call the roll."
 The Secretary calls each member's position and name.
 They respond if they are present.
 Secretary- "A quorum is present."

P	Present
A	Absent
R	Resigned
D	Deceased
E	End of Term

**STATE OF TEXAS
COUNTY OF ELLIS**

THE FERRIS CITY COUNCIL MET IN A JOINT SESSION WITH THE FERRIS ISD SCHOOL BOARD DECEMBER 19, 2015 AT 9:00 A.M. AT THE FERRIS ISD BOARD ROOM LOCATED AT 301 E. FIFTH STREET, FERRIS, TEXAS.

COUNCIL ATTENDANCE		
Mayor	Micheal Driggars	P
Alderman, Place 1	James Starr	P
Mayor Pro Tem	Jay Walsh	P
Alderman, Place 3	Bobby Lindsey	P
Alderman, Place 4	Gary Ross	P
Alderman, Place 5	Carol Wright	P

STAFF ATTENDANCE		
City Manager	Carl Sherman	P
City Secretary	Destiny Wright	P
City Attorney	Kent Hofmeister	A
Budget/H.R. Director	Trudy Lewis	P
Interim Fire Chief	Tom Leverentz	A
I.T. Director	Doug Childers	A
Finance Director	Melissa Gonzalez	P
Library Director	Kathy Harrington	A
Chief Building Official	Bill Jordan	P
Police Chief	Eddie Salazar	A
Public Works Director	Red Taylor	A

BOARD ATTENDANCE		
Place 1	Mike Moffitt	P
Place 2	Jorge Lopez	P
Board Vice President	Robert Scott	P
Place 4	Mellissa Salas	P
Board President	Thomas Griffith	P
Place 6	Ricardo Rodriguez	P
Secretary	Lee Longino	P

The numbering below tracks that of the agenda, whereas the actual order of consideration may have varied.

COUNCIL BUSINESS

1. Call to order.

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

President Griffith called the Ferris ISD School Board to order at 9:01 A.M. President Griffith welcomed everyone to the meeting and introduced the School Board members to the Mayor, Council, and audience.

Mayor Driggars called the City Council to order at 9:02 A.M. Mayor Driggars welcomed everyone to the meeting and introduced the City Council to the School Board members and audience.

The invocation was given by Pastor Brian Smith of First Baptist Ferris. President Griffith led the Pledge of Allegiance.

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.

City Manager Carl Sherman welcomed everyone to the meeting and introduced City Staff in attendance. Additionally, Pastor Brian Smith and Mrs. Bea Wallace were introduced by Mr. Sherman.

3. Roll call of the Ferris ISD School Board to determine the presence of a quorum.

Superintendent James Hartman announced that a quorum of the School Board was present.

Superintendent James Hartman welcomed everyone to the meeting and introduced Ferris ISD Staff in attendance.

NEW BUSINESS

4. Discussion, consideration, and action as may be appropriate regarding the proposed transaction to deed 401 E. Third Street to Trinity Industries.

5. Discussion, consideration, and action as may be appropriate regarding the proposed relocation of the Ferris ISD Bus Barn from 401 E. Third Street to a site location to be determined by the Ferris ISD School Board.

6. Discussion, consideration, and action as may be appropriate regarding the proposed transaction to deed 401 N. Interstate 45 to the City of Ferris for commercial development of a proposed hotel and restaurant pad site.

7. Discussion, consideration, and action as may be appropriate regarding the designation of commercial development of 2 restaurant pad sites at 401 E. Third Street.

Agenda Items 4 through 7 were presented by City Manager Carl Sherman. Mr. Sherman presented the slideshow, "Ferris First", and proposed a land swap. The land swap would entail the following:

- Ferris ISD Bus Barn, currently located at 401 E. Third Street, would be deeded to Trinity Industries.
- In turn, the Ferris ISD Bus Barn would be relocated to a site location which is to be determined by the Ferris ISD School Board.
- Trinity Industries, currently located at 401 N. Interstate 45, would be deeded to the City of Ferris for commercial development of a proposed Hilton brand hotel and a restaurant pad site.
- The property located at 401 E. Third Street would be platted into 3 separate properties: the western portion would be for Trinity Industries and the eastern portion would be divided into 2 properties with service road frontage for 2 restaurant pad sites.

President Griffith asked if it would be possible for the Ferris ISD and Trinity Industries to swap land rather than swapping land as proposed in the first deal. Mr. Sherman, along with Mr. Hartman, will look into this possibility. It was the general consensus of the City Council and School Board to propose the following:

- City Council to approve proposed Hilton brand hotel.
- Ferris ISD to approve transaction to deed 401 E. Third Street to Trinity Industries.
- Trinity Industries to approve transaction to deed 401 N. Interstate 45 to Ferris ISD.
- Ferris ISD to relocate bus barn to 9 acre site donated by Ray and Bea Wallace.

CLOSING – FERRIS ISD SCHOOL BOARD

8. Adjourn: Ferris ISD School Board.

Secretary Longino moved to adjourn the meeting. Seconded by Board Member Moffitt. For: Unanimous. The motion carried 7-0-0. With no further business to come before the board, President Griffith adjourned the Ferris ISD School Board at 10:11 A.M.

CLOSING

9. Adjourn.

Mayor Pro Tem Walsh moved to adjourn the meeting. Seconded by Alderman Starr. For: Unanimous. The motion carried 5-0-0. With no further business to come before the council, Mayor Driggars adjourned the meeting at 10:16 A.M.

APPROVED THIS THE 19TH DAY OF JANUARY, 2016.

Micheal L. Driggars, Mayor

ATTEST:

APPROVED AS TO FORM:

Destiny Lusk Wright, City Secretary

Kent Hofmeister, City Attorney

**STATE OF TEXAS
COUNTY OF ELLIS**

**THE FERRIS CITY COUNCIL MET IN A REGULAR SESSION
DECEMBER 21, 2015 AT 6:00 P.M. IN THE COUNCIL CHAMBERS
LOCATED AT 215 W. SIXTH STREET, FERRIS, TEXAS.**

MEMBER ATTENDANCE		
Mayor	Micheal Driggars	P
Alderman, Place 1	James Starr	P
Mayor Pro Tem	Jay Walsh	P
Alderman, Place 3	Bobby Lindsey	P
Alderman, Place 4	Gary Ross	P
Alderman, Place 5	Carol Wright	P

STAFF ATTENDANCE		
City Manager	Carl Sherman	P
City Secretary	Destiny Wright	P
City Attorney	Kent Hofmeister	A
I.T. Director	Doug Childers	P
Finance Director	Melissa Gonzalez	P
Library Director	Kathy Harrington	P
Chief Building Official	Bill Jordan	P
Interim Fire Chief	Tom Leverentz	P
Police Chief	Eddie Salazar	P
Public Works Director	Red Taylor	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 Doug Childers.

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

City Secretary Destiny Wright called roll and determined that a quorum was present.

CONSENT AGENDA – CITY COUNCIL

- 3. 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 December 7, 2015 City Council meeting.**
- **Expenditures for the period ending December 11, 2015.**

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

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.**

Police Chief Salazar expressed his appreciation for the support he received during the Texas Police Chiefs Association audit. Chief Salazar also thanked the new Budget and Human Resources Director, Mrs. Trudy Lewis, for her assistance with adjusting the pay rate for dispatchers.

Jim Swafford wished the Mayor, Council, and City Staff a Merry Christmas and Happy New Year and thanked everyone for a job well done in 2015.

NEW BUSINESS

- 5. Discussion, consideration, and action as may be appropriate regarding re-appointments to the Ferris Housing Authority Board.**

Mayor Pro Tem Starr moved to re-appoint Earline Jackson and Alice Howard to the Ferris Housing Authority Board. Seconded by Alderman Ross. For: Unanimous. Motion carried 5-0-0.

6. Swearing in of re-appointed Ferris Housing Authority Board members.

City Secretary Wright administered the Oath of Office to Earline Jackson. Earline Howard will visit City Hall later in the week to be sworn in.

PRESENTATION

7. Presentation regarding results of the operational review of the Ferris Police Department conducted by the Texas Police Chiefs Association.

Marlin Price of the Texas Police Chiefs association presented the results of the operational review of the Ferris Police Department. The review revealed the following major issues:

- I. Antiquated and dangerous holding facility.
- II. Heavy workload for the investigator.
- III. Unsecure property room.
- IV. Outdated policy manual.
- V. Very high number of citations and fine schedule.
- VI. Inadequate police facility.
- VII. Lack of Self Aid Buddy Aid training or equipment.
- VIII. Few community policing activities.

DISCUSSION

8. Discussion regarding the proposed water and sewer rate increases and the new service activation fee.

Public Works Director Red Taylor presented a proposal to the Mayor and Council to increase water and sewer rates by 12.25% overall. Mr. Taylor stated the reason for the proposed increase is due to a rate increase from Rockett SUD for purchased water as well as a projected increase from Trinity River Authority due to the large amount of rainfall we have had.

Alderman Wright requested that Mr. Taylor research the possibility of a senior citizen discount. City Manager Carl Sherman informed the Mayor and Council that he would like to have town hall meetings to discuss this issue.

DISCUSSION**9. Discussion regarding a request received from Kelly Harris in reference to a proposed business park on property located on Ewing Blvd.**

Chief Building Official Bill Jordan informed the Mayor and Council that developer Kelly Harris has approached the City about building a business park on property located on Ewing Blvd. Mr. Harris is currently working with staff to design development standards for the project and intends to submit a zoning/development application for Lot 1; which his client owns. To produce a more quality development, Mr. Harris has provided a plan that also shows development of Lots 2 and 3; which are owned by the City. Mr. Harris would like to partner with the City in a capacity that allows the 2 City owned lots to be included in the development. After discussion, it was determined that Kelly Harris will move forward with the development of Lot 1 only. In the future, the Council would like to see Lots 2 and 3 be developed as a new Police Department.

10. Discussion regarding the current status of the mobile office building located at 501 S. Main Street.

Chief Building Official Bill Jordan informed the Mayor and Council that a mobile office building has been gifted to the City. It is the responsibility of the City to pay for relocation and renovation of the nearly 2,000 square foot building. The building has been moved to the SW corner of West Ninth Street and South Main Street. The new building will house the Public Works Department, Chief Building Official, and the Utility Billing/Customer Service Clerk. The old Public Works Building located at 409 S. Main Street will be demolished and the remaining slab will be used to store fill material. After discussion, Council requested a more thorough plan, including estimated costs, be prepared.

CEREMONIAL OATH OF OFFICE**11. Swearing in of the Interim Fire Chief, Tom Leverentz.**

Mayor Driggars administered the Oath of Office to Chief Leverentz.

INTRODUCTION OF NEW EMPLOYEE**12. Introduction of the new Budget & Human Resources Director, Trudy Lewis.**

City Manager Carl Sherman introduced Trudy Lewis to the Mayor, Council, and audience.

PRESENTATION

13. Presentation and unveiling of the new Ennis Scott Street sign.

City Manager Carl Sherman unveiled the new Ennis Scott Street sign. Resident Earline Jackson expressed her thanks to the Mayor, City Council, and City Manager for their support and for approval of this historical change. Mr. Sherman announced that the new signs will be installed on December 31, 2015 at 4:30 P.M.

CLOSING

14. Adjourn.

Alderman Ross moved to adjourn the meeting. Seconded by Mayor Pro Tem Walsh. For: Unanimous. The motion carried 5-0-0. With no further business to come before the council, Mayor Driggars adjourned the meeting 7:59 P.M.

APPROVED THIS THE 19TH DAY OF JANUARY, 2016.

Micheal L. Driggars, Mayor

ATTEST:

APPROVED AS TO FORM:

Destiny Lusk Wright, City Secretary

Kent Hofmeister, City Attorney

**STATE OF TEXAS
COUNTY OF ELLIS**

THE FERRIS CITY COUNCIL MET IN A JOINT SESSION WITH THE PLANNING AND ZONING COMMISSION OCTOBER 5, 2015 AT 6:00 P.M. IN THE COUNCIL CHAMBERS LOCATED AT 215 W. SIXTH STREET, FERRIS, TEXAS.

COUNCIL ATTENDANCE		
Mayor	Micheal Driggars	P
Alderman, Place 1	James Starr	P
Mayor Pro Tem	Jay Walsh	P
Alderman, Place 3	Bobby Lindsey	P
Alderman, Place 4	Gary Ross	A
Alderman, Place 5	Carol Wright	P

STAFF ATTENDANCE		
City Manager	Carl Sherman	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	Vacant	-
Public Works Supervisor	Eric Moss	P

COMMISSION ATTENDANCE		
Chair	Jim Kay	P
Commissioner, Place 2	Rudy Amor	P
Commissioner, Place 3	Bill Malloy	P
Commissioner, Place 4	James Swafford	P
Vice Chair	Charles Hatfield	P
Commissioner, Place 6	Christi Farish	A
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 Doug Childers.

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.**

- Expenditures for the periods ending September 18, 2015 and September 30, 2015.**

Alderman Starr moved to approve the Consent Agenda. Seconded by Alderman Wright. For: Unanimous. Motion carried 4-0-0.

APPROVAL OF MINUTES – PLANNING AND ZONING COMMISSION

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

Commissioner Swafford moved to approve the meeting minutes for the Joint City Council and Planning and Zoning meeting of August 17, 2015. Seconded by Commissioner Amor. 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.**

No comments made.

COUNCIL BUSINESS - PROCLAMATIONS

7. **Presentation of Proclamation recognizing November 2015 as “National Hospice and Palliative Care Month”.**

Mayor Pro Tem Walsh moved to recognize November 2015 as “National Hospice and Palliative Care Month”. Seconded by Alderman Lindsey. For: Unanimous. Motion carried 4-0-0.

8. **Presentation of Proclamation recognizing October 6, 2015 as “Ferris National Night Out”.**

Alderman Lindsey moved to recognize October 6, 2015 as “Ferris National Night Out”. Seconded by Alderman Starr. For: Unanimous. Motion carried 4-0-0.

PRESENTATION

9. **Presentation by Bureau Veritas regarding a foodservice inspection program.**

Lisa Pomroy, Health & Safety Project Manager for Bureau Veritas, gave a presentation about how they can partner with the City to create a solid and quality foodservice inspection program. Bureau Veritas would verify that establishments within the City are in compliance with the Texas Food Establishment Rules.

DISCUSSION

10. **Discussion regarding Ordinance No. O-15-806 repealing Section 10.117, “Short Form Plat Processing,” of the City’s Subdivision Ordinance and replacing with a new Section 10.117 that is entitled “Delegation of Approval Responsibility,” and that such other revisions should be made to the Subdivision Ordinance as may be necessary to effectuate the change.**

Chief Building Official Bill Jordan informed the Mayor and Council that currently all plats must go before the Planning and Zoning Commission and City Council for approval. Mr. Jordan requests approval to sign minor plats and minor replats in-house.

JOINT PUBLIC HEARING

11. Open Joint Public Hearing.

Mayor Driggars opened the Public Hearing at 6:20 P.M.

12. Conduct Public Hearing to consider Ordinance No. O-15-806 repealing Section 10.117, “Short Form Plat Processing,” of the City’s Subdivision Ordinance and replacing with a new Section 10.117 that is entitled “Delegation of Approval Responsibility,” and that such other revisions should be made to the Subdivision Ordinance as may be necessary to effectuate the change.

No comments made.

13. Close Joint Public Hearing.

Mayor Driggars closed the Public Hearing at 6:21 P.M.

PLANNING AND ZONING COMMISSION BUSINESS

14. Final report by the Planning and Zoning Commission regarding Ordinance No. O-15-806 repealing Section 10.117, “Short Form Plat Processing,” of the City’s Subdivision Ordinance and replacing with a new Section 10.117 that is entitled “Delegation of Approval Responsibility,” and that such other revisions should be made to the Subdivision Ordinance as may be necessary to effectuate the change.

Commissioner Barrett moved to recommend approval of Ordinance No. O-15-806 with two possible changes. Seconded by Commissioner Swafford. For: Unanimous. Motion carried 6-0-0.

The Commissioners asked Mr. Jordan to verify that the Ordinance as presented is in compliance with the Local Government Code in regards to Section 3A of the Ordinance “...the city manager may approve a minor plat or minor replat involving *four* or fewer lots...” and in regards to the maximum amount of *five* acres to be approved at one time.

Bill Jordan has confirmed that the Ordinance as presented is in compliance with the Local Government Code.

COUNCIL BUSINESS

- 15. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-806 repealing Section 10.117, “Short Form Plat Processing,” of the City’s Subdivision Ordinance and replacing with a new Section 10.117 that is entitled “Delegation of Approval Responsibility,” and that such other revisions should be made to the Subdivision Ordinance as may be necessary to effectuate the change.**

Alderman Lindsey moved to approve Ordinance No. O-15-806. Seconded by Alderman Starr. For: Unanimous. Motion carried 4-0-0.

PLANNING AND ZONING COMMISSION BUSINESS

- 16. Election of Chair and Vice Chair.**

Commissioner Barrett moved to elect Jim Kay as Chair and Charles Hatfield as Vice Chair. Seconded by Rudy Amor. For: Unanimous. The motion carried 6-0-0.

CLOSING – PLANNING AND ZONING COMMISSION

- 17. Adjourn: Planning and Zoning Commission.**

Commissioner Amor moved to adjourn the Planning and Zoning Commission. Seconded by Commissioner Swafford. 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 6:30 P.M.

DISCUSSION

- 18. Discussion regarding the hiring process for City of Ferris personnel.**

City Manager Carl Sherman informed the Mayor and Council that an interview panel will be used for the hiring of all future department heads. After discussion, it was the overall recommendation by Council that Mr. Sherman should be a panelist for any future interviews of this type.

CLOSING

19. Adjourn.

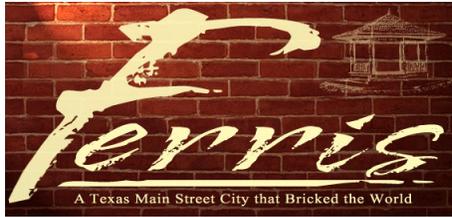
Alderman Starr moved to adjourn the meeting. Seconded by Mayor Pro Tem Walsh. For: Unanimous. The motion carried 4-0-0. With no further business to come before the council, Mayor Driggars adjourned the meeting at 7:06 P.M.

APPROVED THIS THE 19TH DAY OF JANUARY, 2016.

ATTEST:

Micheal L. Driggars
Mayor

Jim Kay
Chair



City of Ferris

AGENDA ITEM REPORT

Meeting Date:	January 19, 2016
Department:	Code Compliance
Submitted By:	Bill Jordan
Previously Reviewed By:	
Item Type:	<input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action
Budgeted Expense:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, Amount: _____

Attachments:
Ordinance W/ Exhibits
Discussion / Justification:
<p>The owners of the remaining lots in the South Meadows Subdivision have approached the City regarding the minimum home size allowed to be built within the subdivision. When the subdivision was designed the zoning ordinance required a minimum of an 1800 square foot home for R-1 districts (The zoning of the subdivision). In 2012, the zoning ordinance was updated. In the new version, R-1 zoning required a 2150 square foot minimum home. This caused a disparity between what was originally designed and the current regulations. As building had progressed, however, 50% of the existing homes had met the new standards while the other half adhered to the old standards. The applicant had originally requested that all remaining lots be developed under the old 1800 SQFT standard. Staff worked with the owner to keep some of the remaining lots at the new 2150 SQFT level to better match the existing development.</p> <p>The changes before you will allow 60% of the remaining lots to be built with a minimum of 1800 SQFT and the remaining 40% to be built no smaller than 2150 SQFT. This works out to 16 lots and 11 lots respectively. Additionally, to allow for a better incentive to potential builders, a single builder can create a one time carve-out of up to 4 lots that can be built to a minimum of 1800 SQFT without being counted toward the 60/40 split. If this option is exercised, the maximum allowance would be 20 Lots at an 1800 SQFT minimum and 7 lots at a 2150 SQFT minimum.</p>

Recommendation / Staff Comments:
Staff recommends approval of the zoning change as presented.
Motion(s):
Council: I motion to approve Ordinance # _____ as presented. I motion to approve Ordinance # _____ with the following changes: _____. I motion to table Ordinance # _____. P&Z I motion to recommend approval of Ordinance # _____ as presented. I motion to recommend approval Ordinance # _____ with the following changes: _____. I motion to not recommend approval of Ordinance # _____. I motion to table Ordinance # _____.

AN ORDINANCE OF THE CITY OF FERRIS, TEXAS

ORDINANCE NO. O-16-807

AN ORDINANCE OF THE CITY OF FERRIS, TEXAS AMENDING THE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM RESIDENTIAL 1 (“R-1) TO PLANNED DEVELOPMENT-5 (“PD-5”) ON PROPERTY LOCATED NORTH OF E. 8TH ST. AND EAST OF S. BIRCH ST. DESCRIBED AS APPROXIMATELY 16.377 ACRES OF LAND IN THE SOUTH MEADOW ADDITION OF THE CITY OF FERRIS, ELLIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF USE RESTRICTIONS WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT B; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Ferris, Texas in compliance with the laws of the State of Texas and pursuant to the Zoning Ordinance of the City of Ferris, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Planned Development-5 should be approved, and in the exercise of legislative discretion have concluded that the Zoning Ordinance and Map should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FERRIS, TEXAS;

SECTION 1. That the Zoning Ordinance and Map of the City of Ferris, Texas, duly passed by the governing body of the City of Ferris, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Residential 1 (“R-1) to Planned Development-5 (“PD-5”) on property located North of E. 8th St. And east of S. Birch St. described as approximately 16.377 acres of land in the south meadow addition of the city of Ferris, Ellis County, Texas, and being more particularly described in exhibit A, which is attached hereto and incorporated herein.

Ordinance No. O-16-807

SECTION 2. The property shall be developed and used in accordance with the development standards under the Ferris Zoning Ordinance, ordinances of the City of Ferris, and development restrictions as established herein, which are attached hereto and incorporated herein as Exhibit B.

SECTION 3. That the development restrictions attached hereto as Exhibit B and made a part hereof for all purposes, are hereby approved.

SECTION 4. That the Zoning Ordinance of the City of Ferris, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Ferris, Texas and the Ferris Zoning Ordinance, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such codes, in which event the conflicting provision of such ordinance and such codes are hereby repealed.

SECTION 6. It is hereby declared that it is the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 7. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8. All rights and remedies of the City of Ferris are expressly saved as to any and all violations of the provisions of any ordinances governing zoning or platting that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 9. This ordinance shall be in full force and effect from this and after its passage and publication as required by law, and it is so ordained.

DULY PASSED and approved by the City Council of the City of Ferris, Texas on this the 19th day of January, 2016.

Approved:

Micheal L. Driggars, Mayor

Attest:

Approved As To Form:

Destiny Lusk Wright, City Secretary

Kent Hofmeister , City Attorney

BEGINNING AT A 1/2" IRON ROD SET FOR CORNER IN THE NORTHERLY LINE OF FM 660 AT THE SOUTHEASTERLY CORNER OF SAID 28.062 ACRE TRACT SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF THAT 77.616 ACRE TRACT OF LAND CONVEYED TO HOUSTON J & J ENTERPRISES, INC. BY DEED RECORDED IN VOLUME 729, PAGE 418 OF THE DEED OF RECORDS OF ELLIS COUNTY, TEXAS;

THENCE N75°35'08" W, ALONG THE NORTHERLY LINE OF F.M. 660 A DISTANCE OF 467.14 FEET TO A 1/2" IRON ROD SET FOR CORNER;

THENCE N07°50'59"E, ALONG A WESTERLY LINE OF SAID 28.062 ACRE TRACT AND THE EASTERLY LINE OF THAT 1.0 ACRE TRACT OF LAND CONVEYED TO THE TRUSTEES OF FERRIS BAPTIST CHURCH BY DEED RECORDED IN VOLUME 450, PAGE 619 PASSING ITS NORTHEASTERLY CORNER THEN ALONG THE EASTERLY LINE OF THAT 3.0 ACRE TRACT OF LAND CONVEYED TO THE TRUSTEES OF THE FIRST SOUTHERN BAPTIST CHURCH BY DEED RECORDED IN VOLUME 733 PAGE 8 OF THE DEED OF RECORDS OF ELLIS COUNTY, TEXAS, IN ALL A DISTANCE OF 633.72 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE N87°29'01"W ALONG THE NORTHERLY LINE OF SAID 3.0 ACRE TRACT A DISTANCE OF 346.30 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE N08°20'27"E, ALONG THE WESTERLY LINE OF SAID 28.062 ACRE TRACT AND OFFSET 21.3' TO THE WEST OF THE EASTERLY LINE OF BIRCH STREET A 60' R.O.W. A DISTANCE OF 691.04 FEET TO A 1/2" IRON ROD SET FOR CORNER;

THENCE N81°22'00"W, ALONG A LINE A DISTANCE OF 13.75 FEET TO A 1/2" IRON ROD SET FOR CORNER WITHIN THE 60' R.O.W. OF BIRCH STREET;

THENCE N09°24'00"E, ALONG A LINE WITHIN THE 60' R.O.W. OF BIRCH STREET A DISTANCE OF 102.49 FEET TO A 1/2" IRON ROD SET FOR CORNER;

THENCE S86°01'00"E, ALONG THE SOUTHERLY LINE OF THAT 1.0 ACRE TRACT OF LAND DESCRIBED IN THE FORECLOSURE SALE DEED RECORDED IN VOLUME 1332 PAGE 651 OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY A DISTANCE OF 239.40 FEET TO A 1/2" IRON ROD SET FOR CORNER;

THENCE N09°24'00"E ALONG THE EASTERLY LINE OF SAID 1.0 ACRE TRACT A DISTANCE OF 82.61 FEET TO A 1/2" IRON ROD SET FOR CORNER;

THENCE S86°01'00"E, ALONG THE SOUTHERLY LINE OF SAID 0.99 ACRE TRACT CONVEYED TO TAL SANDERS, VOLUME 01501, PAGE 0953, A DISTANCE OF 154.0 FEET TO A 1/2" IRON ROD SET FOR CORNER;

THENCE N09°24'00"E, ALONG THE EASTERLY LINE OF SAID 0.99 ACRE TRACT A DISTANCE OF 283.00 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, IN THE CENTERLINE OF WOLF SPRINGS ROAD A 60' R.O.W.;

THENCE S86°01'00"E, (RECORD BEARING) ALONG THE CENTERLINE OF WOLF SPRINGS ROAD A DISTANCE OF 540.69 FEET TO A 1/2" IRON ROD SET FOR CORNER;

THENCE S12°23'40"W, ALONG THE EASTERLY LINE OF SAID 28.062 ACRE TRACT AND THE WESTERLY LINE OF SAID 77.616 ACRE TRACT CONVEYED TO HOUSTON J&J ENTERPRISES A DISTANCE OF 1582.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 23.313 ACRES.

BASIS OF BEARING:
CENTERLINE OF WOLF SPRINGS ROAD AS DESCRIBED IN VOLUME 1332 PAGE 61 DEED RECORDS, ELLIS COUNTY, TEXAS.

Planned Development-5 Development Restrictions

Base Zoning

Where not amended by this document, The Ferris Zoning Ordinance shall apply to property located within Planned Development-5 ("PD-5") as if such property were zoned Residential-1 ("R-1").

Development

Sixty percent (60%) (16 lots) of the below listed undeveloped lots may be developed with single family dwellings with a minimum of 1800 Square feet, and forty percent (40%) (11 lots) must be developed with single family dwellings with a minimum 2150 Square feet.

A single builder may design a one-time only carve out for up to 4 lots that may be developed with single family dwellings with a minimum of 1800 square feet without those lots being counted toward the sixty percent (60%) maximum.

Undeveloped Lots

Lot 6, Block A, South Meadow Addition
 Lot 1, Block B, South Meadow Addition
 Lot 2, Block B, South Meadow Addition
 Lot 3, Block B, South Meadow Addition
 Lot 4, Block B, South Meadow Addition
 Lot 7, Block B, South Meadow Addition
 Lot 8, Block B, South Meadow Addition
 Lot 10, Block B, South Meadow Addition
 Lot 11, Block B, South Meadow Addition
 Lot 12, Block B, South Meadow Addition
 Lot 13, Block B, South Meadow Addition
 Lot 14, Block B, South Meadow Addition
 Lot 15, Block B, South Meadow Addition
 Lot 16, Block B, South Meadow Addition
 Lot 2, Block C, South Meadow Addition
 Lot 3, Block C, South Meadow Addition
 Lot 1, Block D, South Meadow Addition
 Lot 2, Block D, South Meadow Addition
 Lot 4, Block D, South Meadow Addition
 Lot 5, Block D, South Meadow Addition
 Lot 6, Block D, South Meadow Addition
 Lot 7, Block D, South Meadow Addition
 Lot 9, Block D, South Meadow Addition
 Lot 10, Block D, South Meadow Addition
 Lot 14, Block D, South Meadow Addition

Lot 18, Block D, South Meadow Addition
 Lot 19, Block D, South Meadow Addition



City of Ferris Memorandum

To: Mayor and City Council
From: Carl Sherman, City Manager
Date: January 19, 2016
RE: Official City Manager six-month progress report

As you know, I am looking forward to receiving your feedback from the "360 Evaluation" performance assessment that I submitted to you January 4th. As noted, the questions provided to you are outlined by the International City/County Managers Association and by the Texas Municipal League Public Executive Institute. The comprehensive questionnaire is designed to provide us with a productive tool to evaluate a city manager's work based on 56 key areas of public leadership.

In addition to this evaluation tool, an outlined formal presentation of the City Manager's work plan and activities will be presented to the Mayor and City Council in consideration of Semi-Annual Review.

Thank you.

Cc: Destiny Wright, City Secretary