

**REGULAR COUNCIL MEETING MINUTES
TUESDAY, MAY 22, 2012**

I. CALL TO ORDER

Mayor Oliver called the May 22, 2012, meeting to order at 6:00 p.m. Present were Councilmembers Perkins, Perks, Dailey, Herrin, Del Bosque-Hobdy, and Franklin. Also present were City Manager Steve Alexander, City Attorney Brent Money, and City Secretary Debra Newell.

II. INVOCATION

Invocation was given by Councilmember Herrin.

III. PLEDGE OF ALLEGIANCE

IV. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, CANVASSING THE RESULTS OF THE RETURNS OF THE GENERAL ELECTION HELD ON THE 12th DAY OF MAY 2012, FOR THE PURPOSE OF ELECTING COUNCILMEMBERS TO PLACES 5, 6 & 7 (MAYOR) ON THE CITY COUNCIL, TABULATING THE RESULTS AND DECLARING THE RESULTS OF THE ELECTION; AND PROVIDING AN EFFECTIVE DATE

Mayor Oliver delivered a few parting remarks.

The City Council reviewed results of the election provided by the Hunt County Elections Administrator. Councilmember Perkins moved to accept the results numbered as **Resolution No. 12-20**, Councilmember Herrin seconded. Motion carried by unanimous consent of the City Council.

V. OATH OF OFFICE

County Judge John Horn administered the oath of office to the newly elected City Councilmembers:

Reneé Francey – Place 5
Sandra Linson-Bell – Place 6
Steve Reid – Place 7 (Mayor)

VI. CITIZENS TO BE HEARD

J. R. Monk, 3105 Canton, thanked the City for assisting him in solving a problem and encouraged citizens to talk to City Administration if they had a problem.

VII. NEW BUSINESS

A. CONSENT CALENDAR- All items listed are considered to be routine by the City Council and will be enacted by one motion.

1. City Council Meeting Minutes - May 8, 2012
2. Resolution authorizing participation in the Region VIII Education Service Center TIPS/TAPS Purchasing Cooperative (*Cliff Copeland, Finance Director*)

Resolution No. 12-21: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, AUTHORIZING PARTICIPATION IN THE REGION VIII EDUCATION SERVICE CENTER TIPS/TAPS PURCHASING COOPERATIVE; AND SETTING AN EFFECTIVE DATE.

Councilmember Perks moved, Councilmember Del Bosque-Hobdy seconded for the adoption of the Consent Calendar. Motion carried by unanimous consent of the City Council.

B. PUBLIC HEARINGS

1. Hold a public hearing, discuss and consider a request by Larry Loper, representing Loper Construction, for approval of a Conditional Use Permit to allow a restaurant at the corner of Highway 69 and F.M. 1570, and take any action necessary (*Lance Estep, City Planner*)

Lance Estep, City Planner, briefed the Council on this request. The property is currently zoned Neighborhood Services. The Planning and Zoning Commission approved the request with the suggested changes from City Staff. Nearby residents submitted a petition to the City Planner with the main objection in having the entrance and exit on Del Ra Drive. The Texas Department of Transportation will not allow for the ingress or egress to be on FM 1570 or Hwy. 69, due to the proximity of the intersection.

Mayor Reid opened the public hearing and asked if anyone wished to speak in favor of this request. Ray Howell, 1121 Park, thanked the City for the help on this request and asked that the City Council approve the request.

Mayor Reid asked if anyone wished to speak in opposition to this request. Dallas Jacks, 50025 Del Ra Drive, noted that he organized the petition and would like to see the entrance and exit off of FM 1570 or Hwy. 69. The traffic in the neighborhood would really increase in the residential neighborhood and he is concerned about public safety.

Director of Public Works, Massoud Ebrahim, said he would not recommend any ingress or egress near the intersection.

Mayor Reid closed the public hearing.

Councilmember Perkins moved to table the item, Councilmember Del Bosque-Hobdy seconded. Motion carried by unanimous consent of the City Council.

2. Hold a public hearing, discuss and consider a request by Justin Cunningham, representing PDH I Holding Co Inc., for approval of a Conditional Use Permit to allow an automobile storage facility at 6201 Highway 380 (*Lance Estep, City Planner*)

Lance Estep, City Planner, explained to the City Council, with the construction and shifting of Hwy 380, this property will be on a dead end road. There is no new construction planned; it will just be used for storage. The Planning and Zoning Commission recommended approval of this request.

Mayor Reid opened the public hearing and asked if anyone wished to speak in favor of this request. Justin Cunningham, applicant, asked the Council to approve this request.

He asked if anyone wished to speak in opposition to this request. There was no one.

Mayor Reid closed the public hearing.

Councilmember Perkins moved, Councilmember Bell seconded for the enactment of Ordinance No. 12-030: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN AUTOMOBILE STORAGE FACILITY AT 6201 HIGHWAY 380; PROVIDING FOR A REPEALING CLAUSE, A SEVERABILITY CLAUSE, AND PENALTY CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER MAY 22, 2012.** Motion carried by unanimous consent of the City Council.

C. ACTION ITEMS

1. Consideration and action on a resolution appointing a Mayor Pro Tempore (*City Council*)

Councilmember Bell nominated Jeff Dailey, Councilmember Perkins seconded for the adoption of Resolution No. 12-22: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, ELECTING A MAYOR PRO TEMPORE; AND SETTING AN EFFECTIVE DATE.** Motion carried by unanimous consent of the City Council.

2. Consideration and action on a resolution designating an Official Voting Representative of the City to the General Assembly of the North Central Texas Council of Governments (*City Council*)

Councilmember Perkins nominated Reneé Francey, Councilmember Bell seconded for the adoption of Resolution No. 12-23: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, DESIGNATING AN OFFICIAL VOTING REPRESENTATIVE OF THE CITY TO THE GENERAL ASSEMBLY OF THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS; AND SETTING AN EFFECTIVE DATE.** Motion carried by unanimous consent of the City Council.

3. Ordinance abandoning a 30' utility easement located at 6325 Trico Lane off of Highway 380, in order to accommodate a proposed plant expansion (*Lance Estep, City Planner*)

City Planner Lance Estep noted that the ordinance needed to include language that the easement was for the purpose of GEUS and Atmos only.

Councilmember Perkins moved- adding GEUS and Atmos language, Councilmember Del Bosque-Hobby seconded for the enactment of Ordinance No. 12-031: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, ABANDONING A 30' UTILITY EASEMENT LOCATED AT 6323 TRICO LANE OFF OF HIGHWAY 380 IN ORDER TO ACCOMMODATE A PROPOSED PLANT EXPANSION, CITY OF GREENVILLE, HUNT COUNTY, TEXAS; PROVIDING FOR A REPEALING CLAUSE, A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.** Motion carried by unanimous consent of the City Council.

VIII. BOARD AND COMMISSION MINUTES/CITY STAFF OR COUNCIL REPORTS

Substandard Structure Rehabilitation Board March 5, 2012 Minutes
Greenville Board of Development April 17, 2012 Minutes
April Financials

IX. EXECUTIVE SESSION

The Mayor announced the time as 7:01 p.m. and stated the Council would now go into Executive Session under Sections 551.071 (1) - L-3 Communications vs. City of Greenville Lawsuit and Section 551.086: TMPA - Certain Public Power Utilities Competitive Matters.

- X. Take any action on any item discussed in Executive Session as needed.

Upon reconvening in Open Session at 8:14 p.m., Councilmember Dailey moved, Councilmember Perkins seconded for:

Consideration and action on directing City Staff, City Attorney and Consulting Attorney(s) to discontinue, until further action from the City Council, any and all action(s) related to the ongoing litigation with L-3 Communications or settlement thereof. Motion carried by unanimous consent of the City Council.

XI. ADJOURN

There being no further business, the meeting was adjourned at 8:45 p.m., by unanimous consent of the City Council.