

MINUTES FOR 03/08/05

Board of Alderman

Town of Talty

I. Call to Order and Announce a Quorum

Mayor Weaver called the meeting to order at 7:08 p.m. and announced a quorum. Absent were Alderman Donna Avery and Ginny Carter. The Planning and Zoning Committee announced a quorum.

II. Open Joint Public Hearing to receive citizen feed back on the following:

Motion: To open Joint Public Hearing to receive citizen feed back.

Made by: Mark Graybill **Second:** Brad Davis

Vote: All in favor. Motion passes.

- Approval of Preliminary Plat for Winners Circle Estates Phase 4 subdivision with requested variances located within the extraterritorial jurisdiction of the Town of Talty.

Mr. Hartsell addressed the Board regarding the requested variances. He stated that all variances are similar to Winners Circle Phases 2 and 3. One additional right angled lot has been added. Mr. Hartsell added that there are no variances different than those in Winners Circle Phases 1, 2 & 3, and that lot 369 should be a right angle lot. He noted that all utilities will always be at the front.

Terry Kinsworthy, Town Administrator walked through the engineering reports from PBS&J.

- Amendment of the Town's Zoning Ordinance to create and establish a Planning and Zoning Commission.

Mayor Weaver introduced the proposed ordinance which reflected the feedback/input from the Aldermen at previous meetings.

III. Close Joint Public Hearing

Motion: To close Joint Public Hearing.

Made by: Brad Davis

Second: JoAnn McKethan

Vote: All in favor. Motion passes.

VI. Recess for Planning and Zoning Committee Meeting.

Motion: To recess for Planning and Zoning Committee meeting.

Made by: Brad Davis

Second: Mark Graybill

Vote: All in favor. Motion passes.

The Board of Alderman recessed at 7:20 p.m.

V. Reconvene meeting and receive recommendation of the Planning and Zoning Committee regarding public hearing items.

The Board of Alderman reconvened at 7:50 p.m. The P&Z announced the recommendation of the two public hearing items.

- Winners Circle Estates Phase 4 variances:
 - side yard – to grant
 - right angled lots – to approve
 - utilities – to approve
 - drainage – to deny

Planning and Zoning Committee recommends a 30-day grace period to receive new, revised, and complete Almo Investments PD application plans.

Recommends adopting the proposed ordinance to create and establish a Planning and Zoning Committee.

VI. Citizen Participation – All citizens wishing to address the Board of

Alderman must sign in at the beginning of the meeting.

No citizen signed up to address the board.

VII. Action Items:

a. Proclamation declaring March 2005 American Red Cross Month; Mayor Weaver read the proclamation and introduced representatives from the Red Cross, Juanita Flowers, Krystal Heiner, and Brandon Heiner. Ms. Flowers addressed the Board and provided information of the services provided by the American Red Cross in Kaufman County.

b. Draw for order of candidates on the May 7, 2005 Ballot;

Results of drawing for Alderman

Position 1: Ginny Carter

Position 2: Carla Milligan

Position 3: Ted O'Neal Padgett, Jr.

Position 4: Beth Eller

Position 5: Todd W. Hutton

Results of drawing for Mayor

Position 1: Earl Carter

Position 2: Allison Weaver

c. Discussion and consideration of extending the approval of the Bantry Gardens subdivision preliminary plat;

Motion: To approve extending the Bantry Gardens subdivision preliminary plat another 6 months to 08/27/05.

Made by: Brad Davis **Second:** JoAnn McKethan

Vote: All in favor. Motion passes.

d. Discussion and consideration of Ordinance No. 2005-100 accepting the Morgan property into Talty's ETJ;

Discussion: Mayor Weaver indicated that this was a duplicate ordinance to Ordinance No. 2005-98 that was passed on February 8. Because Forney had not taken formal action related to the release of the property from their ETJ by February 8, the prior ordinance is not valid. Forney has now passed the appropriate ordinance and Talty make extend its ETJ

to include this property.

Motion: To approve Ordinance No. 2005-100 accepting the Morgan property into Talty's ETJ.

Made by: Mark Graybill **Second:** Brad Davis

Vote: All in favor. Motion passes.

e. Discussion and consideration of the preliminary plat for Winners Circle Estates Phase 4 subdivision with requested variances located within the extraterritorial jurisdiction of the Town of Talty;

Discussion: Lots 370, 371 & 372 were discussed as to which way they will face. The need for an emergency exit road was heavily discussed. The Board has a preliminary Thoroughfare Plan that includes a back exit out of Winners Circle. The Board also discussed the safety concerns with only two front entrances from this large subdivision. Mr. Chuck Eller, Winners Circle HOA President was asked about his thoughts regarding an additional thoroughfare. Mr. Eller said that the Homeowners Association has discussed the need for another way out of the subdivision.

Motion: To grant side yard setback variances.

Made by: Mark Graybill **Second:** Brad Davis

Vote: All in favor. Motion passes.

Motion: To grant right angle lot variances.

Made by: Mark Graybill **Second:** Brad Davis

Vote: All in favor. Motion passes.

Motion: To grant utility easement variances.

Made by: Brad Davis **Second:** Mark Graybill

Vote: All in favor. Motion passes.

Mr. Hartsell asked to address the drainage and culvert issues – crushed rock vs. cement. He stated that this subdivision has been a 10-year dream of his and hopes that we would let the engineers do their jobs and accept their recommendations.

Motion: To grant the variance for earthen channel bottoms, but not on

steel drainage pipes.

Made by: Brad Davis **Second:** JoAnn McKethan

Vote: All in favor. Motion passes.

Motion: To grant front building lines on lots 370, 371 & 372.

Made by: Mark Graybill **Second:** Brad Davis

Vote: All in favor. Motion passes.

Motion: To recommend that builder evaluate Lots 406 & 412 be reserved for a future outlet/inlet to subdivision.

Made by: Brad Davis **Second:** Mark Graybill

Vote: All in favor. Motion passes.

Motion: To Table Winners Circle Phase 4 Preliminary plat to allow the developer to make the changes requested and resubmit.

Made by: Mark Graybill **Second:** Brad Davis

Vote: All in favor. Motion passes.

f. Discussion and consideration of Ordinance No. 2005-101 amending the Town's Zoning Ordinance to create and establish a Planning and Zoning Commission;

Motion: To approve Ordinance No. 2005-101 amending the Town's Zoning Ordinance to create and establish a Planning and Zoning Commission.

Made by: JoAnn McKethan **Second:** Brad Davis

Vote: All in favor. Motion passes.

g. Discussion and consideration of Ordinance No. 2005-102 providing for budget line item adjustments;

Motion: To approve Ordinance No. 2005-102 providing for budget line item adjustments.

Made by: JoAnn McKethan **Second:** Brad Davis

Vote: All in favor. Motion passes.

h. Discussion and consideration of annual Audit Report;

Motion: To approve annual Audit Report.

Made by: Brad Davis **Second:** Mark Graybill

Vote: All in favor. Motion passes.

i. Discussion and consideration of annual Racial Profiling Report;

Discussion: Police Chief Wagner presented and reviewed the report.

Motion: To approve Racial Profiling Report.

Made by: JoAnn McKethan **Second:** Mark Graybill

Vote: All in favor. Motion passes.

j. Discussion and consideration of performance objectives for Terry Kinsworthy, Town Administrator;

Discussion: Mayor Weaver listed items Mr. Kinsworthy will be responsible for. Human resource issues, including performance reviews, election committee, objectives for the staff, and, policies for handling human resources.

Budget issues, including helping with the 2005-2006 budget, monitoring, grants regarding police, community education, and out reach programs.

Court automation, grants for fire protection, building a town hall. Mr. Kinsworthy interjected what a town hall would mean for the city and that there is available land that would be within our city limits. He would investigate what costs a volunteer fire department would add vs. reduced insurance costs to homeowners. It was agreed that Mr. Kinsworthy check out some possibilities. Also, our current permit/inspection program needs to be automated at some point. Review and update ordinances.

Mayor Weaver requested feedback regarding additional performance objectives. We will finalize at next meeting.

k. Discussion and consideration of minutes from the February 8, 2005 and March 4, 2005 meetings;

Motion: To approve the minutes from February 8, 2005.

Made by: Brad Davis **Second:** JoAnn McKethan

Vote: All in favor. Motion passes.

Motion: To approve the minutes from March 4, 2005.

Made by: Mark Graybill **Second:** JoAnn McKethan

Vote: JoAnn McKethan, Mark Graybill – For

Brad Davis – Abstained

Motion passes.

I. Discussion and consideration of the February, 2005 Financial Report;

Motion: To approve February, 2005 Financial Report.

Made by: Brad Davis **Second:** Mark Graybill

Vote: All in favor. Motion passes.

VIII. Discussion Items:

a. Update from Terry Kinsworthy, Town Administrator;

Mr. Kinsworthy reported on the recent days spent in Austin for Kaufman County Day and some of the events he participated in. Our office computers have arrived and are becoming operational. He mentioned that he has enjoyed his first month at Town Hall. He also mentioned that he has met with some developers interested in some land in Talty. Mr. Kinsworthy said that he is glad to have Dennis (Wagner) back. He mentioned that he has attended his first pre-construction meeting.

b. Update on Mesquite ETJ release request;

Still waiting on Mesquite to contact us after they receive their consultant's report.

c. Update on development in and around Talty;

--SPG tract – met with developers and have seen concept plan

-Maintenance bond inspection for Winners Circle Phase 3 is underway

IX. Adjourn

Motion: To adjourn.

Made by: Mark Graybill

Second: JoAnn McKethan

Vote: All in favor. Motion passes. The meeting adjourned at 9:40 p.m.

Minutes approved on April 12, 2005.

Allison Weaver, Mayor