

# MINUTES FROM 05/13/03

## Board of Aldermen

### Town of Talty

#### **I. Call to Order and Announce a Quorum**

Mayor Weaver called the meeting to order at 7:15 pm. All Board members were present.

#### **II. Citizen Participation – All citizens wishing to address the Board of Aldermen must sign in at the beginning of the meeting.**

- Doloras Smith spoke on the behalf of Dwight Smith, Erin Amanda Bowdoin and herself, concerning a request for a re-zoning change on some three lots that her husband, her daughter and she own, located on a private road off Bunny Run know as Music Row. A copy of a letter she wrote and distributed to the Board is attached.

#### **III. Action Items:**

##### **a. Discussion and consideration of the approval of the Final Plat for Winners Circle Phase 3 Subdivision;**

All elements of the Town's subdivision ordinance have been met. One issue exists regarding downstream drainage that was raised by property owner, Angie Jenkins. The developer's engineer is working with the Town's engineer to review the calculations and make the necessary adjustments within the subdivision to alleviate the concerns of downstream flooding. The Town's engineer has also indicated that TXDOT needs to address the collapse of a drainage culvert with contributes to the problem.

Jay Hartsell, the developer, was present at the meeting and agreed, when asked by the Mayor, to address this drainage issue within the next 30 days. Mr. Hartsell was also advised that additional engineering fees would need to be paid. Once the final number is obtained, the Town will contact him for payment.

**Motion:** To approve Winner's Circle III Final Plat with the provision of addressing the downstream drainage issues within the next 30 days.

**Made by:** Brad Davis      **Second:** Beth Heathington

**Vote:** All in favor. Motion passes.

##### **b. Discussion and consideration of selecting Mayor Pro Tem;**

**Motion:** To elect Brad Davis as Mayor Pro Tem.

**Made by:** Ginny Carter      **Second:** Jeremy Benton

**Vote:** All in favor. Motion passes.

**c. Conduct drawing for Aldermen office terms;**

Terms are as follows: Brad Davis - 1 year  
JoAnn McKethan - 2 years  
Jeremy Benton - 1 year  
Beth Heathington - 1 year  
Ginny Carter - 2 years

**d. Discussion and consideration of Ordinance No. 2003-45 declaring an emergency and providing for an amendment to the budget related to legal fees;**

**Discussion:** Mayor Weaver stated, because of the current litigation that the Town is involved with; it is necessary to amend to budget. The Town must be able to enforce its ordinances, and the Board has previously voted to pursue legal action to enforce its ordinances.

**Motion:** To approve Ordinance No. 2003-45 which declares a financial emergency and provides for amending the budget by increasing funds available to pay legal/attorney fees by \$15,000.

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

**Vote:** All in favor. Motion passes.

**e. Discussion and consideration of Ordinance No. 2003-46 establishing a franchise agreement with Friendly Cable (Classic Cable);**

**Discussion:** The agreement is not yet final.

**Motion:** To table.

**Made by:** Brad Davis      **Second:** Ginny Carter

**Vote:** All in favor. Motion passes.

**f. Discussion and consideration of April 8, 2003, April 22, 2003, and May 6, 2003 Meeting Minutes;**

**Discussion:** Beth Heathington requested the vote for each meeting minutes be separate since she needed to abstain for the May 6 meeting (she was not present at this meeting).

**Motion:** To approve the Meeting Minutes of April 8, 2003.

**Made by:** Jeremy Benton      **Second:** Beth Heathington

**Vote:** All in favor. Motion passes.

**Motion:** To approve the Meeting Minutes of April 22, 2003.

**Made by:** Jo Ann McKethan      **Second:** Brad Davis

**Vote:** All in favor. Motion passes.

**Motion:** To approve the Meeting Minutes of May 6, 2003.

**Made by:** Ginny Carter      **Second:** Jeremy Benton

**Vote:** All in favor except for Beth Heathington, who abstained. Motion passes.

**g. Discussion and consideration of the April, 2003 Financial Report;**

**Discussion:** Mayor Weaver discussed the details of the report.

**Motion:** To approve the April 2003 Financial Report.

**Made by:** Brad Davis      **Second:** Beth Heathington

**Vote:** All in favor. Motion passes.

**IV. Discussion Items:**

**a. Update on Litigation;**

- Mayor Weaver reported that on May 6, 2003 the judge ruled in favor of the Town regarding it's right to extend building codes and building permits to the Town's ETJ.
- The issue of the Exxon Station is still ongoing. Mr. Tatari's attorney filed a response by the May 12 extended deadline. All charges, in general, were denied.

**b. Update on Code Enforcement Activity;**

Dennis Wagner, Town Code Enforcement Officer, reported on activity related to junk vehicles, the Exxon car wash and tall grass. The Board thanked Dennis for his service to the Town.

**c. Update on town expansion efforts;**

We have received a petition for the remaining Maher property. Mr. Page wants to be annexed. Also, we will make plans to annex a portion of I 20 located between the current town limits and Mr. Page's property.

**d. Update on other strategic planning efforts;**

Alderman Jeremy Benton said that he and Brad Davis will meet soon concerning the thoroughfare plan, and will bring a copy of the new map at the next board meeting.

**e. Aldermen Updates.**

Alderman Ginny Carter, JoAnn McKethan and Beth Heathington indicated interest in attending a training session for newly elected officials in Austin.

**V. Adjourn**

**Motion:** To adjourn.

**Made by:** Jeremy Benton      **Second:** JoAnn McKethan

**Vote:** All in favor. Motion passes. The meeting adjourned at 9:15 PM.

**Approved on June 10, 2003**

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**Allison Weaver, Mayor**