

TOWN OF TALTY, TEXAS
OPEN PUBLIC HEARING
August 8, 2006 @ 6:30 p.m.

Connie Goodwin, Town Administrator, began the first public hearing for the Comprehensive Plan at 6:45 p.m. at the Trinity Church in Talty, Texas. The purpose of the meeting was to get the citizens' input into what they would like to see developed, the type of commercial development and where the development should be strategically placed and to change the zoning on various properties. The Town of Talty is six square miles. The Town needs to put restrictions in place so that the citizens decide where they would like to see the growth and the commercial development.

Mr. Goodwin stated that we have to set aside for multi-family (apartments), designated sexual oriented businesses and light metal workers. They will be required to put in private roads. TxDot requires that a business cannot access a service road, exit or entrance ramp from the freeway into a commercial business. Property zoned commercial brings a higher price than if the property was zoned residential.

The purpose of changing the zoning to commercial on a piece of land is to be more attractive to bring new business into the Town for sales tax purposes. We do not have a property tax. For example, if an acre with a mobile home has changed the zoning to "commercial" they can still continue to live there and it won't affect the homeowner until the property sells. The new owner would have to comply with the new zoning on that piece of property and the taxes would be taxed according to the "new" usage.

The Town of Talty does not qualify for grants because we are not more than 50% disadvantaged by household income.

The land use plan includes everything in the ETJ and the city limits. Talty offers fire and police protection only for the Town's limits.

The town wants to zone 300 feet deep on the north side of I-20 for commercial development, and 350' zoned commercial on the south side. The land is taxed on the use, not how the property is zoned.

Mr. Goodwin asked the citizens, "Where do you prefer the "MF" multi-family to be located?" There is not a percentage required, but for the size of our town, 36 units would be sufficient. Allison Weaver asked "What law requires it?" Brad Davis used Sunnyvale as an example of a lawsuit for only upper income residents and Barbie Kraig used Forney. Both times in these two lawsuits, the developer won.

A developer, Preston Ervin, was present and showed his conceptual plan for the property his company owns at the northwest corner of I-20 and FM 1641. He would like to see 2 ½ acres in the center for a park-like setting, and have the businesses surround it and

perhaps a senior living complex (high density) to have a balance with green spaces, living spaces and business. Mr. Ervin would like for the complex he envisions be called "Kaufman County Center" and become the focal point for the county with a convention center. He would like a 4 lane blvd., 100' wide and have a grand entrance. We are centrally located and businesses find our location desirable for a Bed Bath & Beyond or Crate & Barrel. They will come based on our per capita income. He is currently working on a traffic impact study that TxDot has required. I-20 is a major corridor through the Town of Talty. By the time you take into consideration the streets and parking for the businesses, you are really only developing about 100 acres for businesses. He suggested garden homes on three levels for about 200 units. He wanted to address the "median" price home for the moderate income. Local Community Planning Act of 1975 was mentioned.

It was suggested that the 68 acres at the corner of FM 1641 and CR148 be zoned light industrial, as well as the 100 acres along CR215. A possible 8' brick wall to screen the Winner Circle neighborhood. It would need adequate sewer and water before these dreams are realized.

The Catholic Church purchased land along 2932. They currently own 2 acres across from the church along the exit ramp of FM1641 coming from Terrell.

Mr. Goodwin asked the citizens "What minimum size lot does the Town want to limit?" It is 7000sf in most towns, and 10-16' apart from your neighbor. A 1/4 acre is 10,000sf. Frank Garrison suggested 1/3 acre as a minimum and set the square foot limits for the size of home. Talty already has in place a minimum of 2000sf. home. The key is the width of the lot. A mobile home is 1600sf minimum. On a modular home, there is a brick requirement. Currently, the lower level of a home in Talty is 90% brick. This specification needs to be "all sides" of a home.

The public hearing adjourned at 7:50 p.m. It was announced that there are three more public hearings scheduled.

MINUTES OF AUGUST 8, 2006
TOWN OF TALTY
BOARD OF ALDERMEN

The meeting was called to order at 8:05 p.m. at the Trinity Family Church, and a quorum was announced by Mayor Carter. Board of Aldermen members present were Brad Davis, Frank Garrison, Barbie Kraig, and Carla Milligan. Also present were Connie Goodwin, Town Administrator, and Sherry Bagby, Town Secretary. Todd Hutton was absent due to an illness.

Citizens Participation:

Allison Weaver addressed the Board and asked why the Town's ordinance is not being enforced concerning the Sonic being built. She also asked if the Certificate of Occupancy would be held. The Answer was "yes, until all compliance with the Town's ordinances are met."

Chuck Eller addressed the Board regarding the billboard erected on FM1641 and FM148. The billboard was never approved by the Board and is against the Town's ordinance. A letter has been sent to the owner to remove the sign immediately or face litigation.

Chuck Eller thanked the members of the Board, Barbie Kraig and Frank Garrison, for attending the public hearing regarding the concrete batch plant. He stated that he was disappointed the Mayor did not voice his objection publicly. The concrete batch plant is not in Talty's extra territorial jurisdiction.

Fred Sherman addressed the Board and stated that he was disappointed that the citizens who had previously served on boards were not given courtesy to be appointed for the Planning & Zoning Commission. Frank Garrison responded to Mr. Sherman and stated that he was misinformed and that all past members were nominated, but not necessarily voted in.

Preston Ervin addressed the Board at Carla Milligan's request concerning a "PID." Public Improvement District is outside of HOA. PID allows fair and equal distribution of services needed and the assessment would be the same for everyone. The Town must have a referendum and the various homeowners' associations would be dissolved and rolled into a PID, so all the citizens would be working toward the same goals and agenda for the Town. PID would be a separate entity and form their own Board to assist the Town. A PID would balance the Town and would allow the Town the opportunity to receive more revenue from grants. The boundaries can extend to the ETJ. The Town needs a source to receive the grants. Currently, the Town is not eligible for most grants. A PID must be structured correctly. It would benefit the citizens as a community because it would offer an opportunity cost.

Todd Cave, President of Cave Consulting (formed in 2000) addressed the Board and gave a 15 minute presentation to the Board. He presented each member a packet regarding the website and how Cave Consulting would assist Talty to enhance their communication skills with the citizens to make the web an information tool to help save time and be more efficient since the company specializes in working with small government municipalities. The citizens would be able to retrieve the information they needed from the website and answer most of their questions before contacting the office. The staff would be able to edit pages and forms as the need dictates. Mr. Cave gave an example of someone building a swimming pool and went through the scenario of all the information needed to build a pool; the application for a pool permit, the cost to permit a pool, the water rate to fill the pool, water restrictions in effect, etc. The fee for the standard package is \$2,600, which includes the website hosting fee for one year (\$25 a month, \$300 a year). This package includes 35 municipal topic web pages; the next level (the advanced package is \$3,200 and includes 50 municipal topic web pages, as well as additional items).

VII. Action Items:

1. The Board reviewed Ordinance No. 2006-010 regarding sex offenders residing in Talty.

Motion made to pass Ordinance No. 2006-010.

Motion by: Brad Davis Second: Frank Garrison

Vote: All in favor, motion carried.

2. The three year Lease Agreement was presented to the Board for review. The new term begins August 1, 2006 through July 31, 2009, and will increase to \$500 (from \$450). There is an option clause to opt out at the beginning of the third year with a 180 days notice. The rent will be \$6,000 a year for a total of \$18,000 for the length of the term.

Motion made to accept the Lease Agreement, for a three-year term at \$500 monthly rent.

Motion by: Brad Davis Second: Barbie Kraig

Vote: All in favor, motion carried.

3. The Board considered the bid submitted by Kaufman County to repair CR213. Another bid was received, which was previously presented for the Board's review.

Motion made to table this item to discuss at upcoming workshop.

Motion by: Carla Milligan Second: Frank Garrison

Vote: All in favor, motion carried.

4. The Board discussed the appointment of a new member for the Planning & Zoning Commission. Steve Bolton is resigning due to moving out of state. Frank Garrison nominated his neighbor, Allen Gafford who is willing to serve.

Motion made by: Frank Garrison Second: Barbie Kraig

Vote: All in favor, motion carried.

5. The Board discussed the Judge's ruling regarding the \$11,000 payment to Jay Hartsell d/b/a Security Custom Homes. The Judge specifically ruled that Talty owes this fee and must reimburse Hartsell.

Motion made to reimburse Jay Hartsell d/b/a Security Custom Homes in accordance with the Order by Judge Chitty of June 13, 2006.

Motion by: Carla Milligan Second: Brad Davis

Vote: All in favor, motion carried.

6. The Board considered the financial reports of July, 2006.

Motion by Frank Garrison to table the vote to approve these due to photocopy errors and the Board did not receive the full set prior to the meeting.

Motion by: Frank Garrison Second: Barbie Kraig

Vote: All in favor, motion carried.

7. The Board considered the Minutes of the July 11, 2006. Motion made to approve the minutes as submitted with corrections noted. Motion by: Carla Milligan Second: Barbie Kraig Vote: All in favor, motion carried.

VIII. Discussion Items:

1. The Board scheduled a workshop to discuss and plan the upcoming budget for fiscal year 2006-2007. The workshop is scheduled for Tuesday, August 15, 2006, beginning at 7:00 p.m. at Town Hall and will be posted as a “special meeting.”
2. The Board discussed the various ETJ issues. Mary Layden requested her property be annexed into Crandall’s ETJ and at a later time, into Talty’s ETJ. Mickey Rouvaldt wants his property to be annexed into Mesquite’s ETJ. Brad Davis agreed to contact him prior to August 21, 2006. Aperion wants to create a MUD district with water and sewer along CR213A behind Shamrock, the west side of Bushy Creek.
3. A Fall celebration is being planned for late October. Carla Milligan gave a report of the various contacts she has made to have a band, jump house, and buy food from donations for the Forney Fire Department to sell for them to receive donations.
4. The Board discussed the billboard issue erected along FM 148. Mr. Goodwin sent a letter to James Ramsey, the owner of the billboard, to remove it by September 1, 2006 or face litigation. The billboard is prohibited by Ordinance No. 2002-031. The Town is not allowed by law to fine the owner, but can initiate a lawsuit. Mr. Ramsey did get a state permit.
5. Chief Jason West’s report was submitted and read by Town Secretary, Sherry Bagby. The Board will consider his requests at the budget workshop.
6. Mr. Goodwin gave an update on street repairs in Winner’s Circle; specifically, West Alamosa Phase IV. A section of the street is failing because it is only 3” thick and is required to be 6” thick. Mr. Goodwin met with Scott Hutchins, engineer with PBS&J, and looked

at the site. About 100 feet will be repaired. The contractor will have to pay for the repairs. The streets are secured by bonds. Mr. Goodwin sent a letter to Jay Hartsell and the paving contractor, Glen Thurman. Mr. Thurman responded immediately. Connie Goodwin suggested that Talty change its ordinance from 10% to 100% on performance and for a two year period.

7. Brad Davis mentioned that the parking signs were down along I-20. Mr. Goodwin will call the state to inquire when they are going to be replaced.

Brad Davis mentioned a traffic study for Mike Tatari with Exxon. TexDot did not require turning lanes for Sonic, nor did they require another developer, Randy Touchstone, to install turning lanes along CR148 and CR214 into the Founder's Place development.

Carla Milligan asked if Chief West had given tickets to any truckers parked along I-20? Chief West has not ticketed the 18-wheelers parked along I-20.

Several logos were reviewed. The Board would like more selections. Frank Garrison suggested going to the high school for ideas from the art or computer departments.

Barbie Kraig suggested that Talty meet with Jeffrey Johnson, who also does websites and logos, and lives in Winner's Circle. She would like to see his presentation in September, on the agenda. Mr. Goodwin met previously with Mr. Johnson, but never received a proposal. Mr. Johnson said he would have a mock-up this week for Mr. Goodwin to review.

Meeting adjourned @ 9:45 p.m.

Sherry Bagby, Town Secretary

Earl Carter, Mayor