

**REGULAR MEETING**  
**OF THE**  
**CITY COUNCIL OF THE CITY OF SACHSE**  
**MARCH 3, 2008**

The City Council of the City of Sachse held a Regular Meeting on Monday, March 3, 2008 at 7:30 p.m. at the Sachse City Hall after proper notice. The roll of the duly constituted City Council members was called which members are as follows, to wit:

Mayor Mike Felix  
Mayor Pro Tem Pat McMillan  
Councilman Bill Adams  
Councilman Jim Burnett  
Councilman Chris Lam  
Councilman Charles W. Smith  
Councilman Mark Timm

and all were present except Councilman Burnett.

Staff present:                      City Manager Allen Barnes  
   City Secretary Terry Smith

**1. Consent Agenda:** Following discussion, Councilman Timm moved to approve the consent agenda consisting of: a. Approval of Minutes of the February 18, 2008, Regular Meeting; b. Resolution No. 3035 authorizing the purchase of a backhoe thru the Houston-Galveston Area Council of Governments (HGAC) purchasing program for the Public Works Department as provided for in the 2007-2008 Fiscal Year (F.Y.) budget and authorizing the City Manager to execute the same in an amount not to exceed \$50,073; and c. Resolution No. 3036 authorizing an Interlocal agreement participation in the Texas Interlocal Purchasing System (TIPS) program and authorizing the City Manager to execute the same. The motion was seconded by Mayor Pro Tem McMillan and carried unanimously.

**2. Mayor and City Council Announcements:**

Mayor Felix stated the Lion's Club held a successful pancake breakfast at Sewell Elementary School last weekend.

Councilman Smith noted the successful Chamber of Commerce banquet on February 23<sup>rd</sup>. It was a good fundraiser and a great time for all.

Mayor Felix read a Certificate of Appreciation to Jim Ward for his service to the City on the Parks & Recreation Commission.

**3. Citizen Input:** No comments were made.

**4. Administer Oath of Office to newly appointed Parks & Recreation Commission Members:** Mayor Felix administered the oath of office to newly appointed members Brent Adams, Dan Stevens and George Deines. No formal action was taken.

**5. Consider action on methods of construction delivery for the municipal complex:**

Following discussion, Councilman Timm moved to accept the staff recommendation for the municipal complex construction to be the construction manager at risk. The motion was seconded by Councilman Lam and carried unanimously.

**6. Public Hearing and Consider approval of an ordinance approving a settlement agreement between Atmos Cities Steering committee and Atmos Energy Corp., Mid-Tex Division (“The Company”) regarding the companies statement of intent to change gas rates in all cities exercising original jurisdiction; Declaring existing rates to be unreasonable; Adopting tariffs that reflect rate adjustments consistent with the settlement agreement and finding the rates to be set by the attached tariffs to be just and reasonable; Adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Open Meetings Act; Declaring an effective date; and requiring delivery of this ordinance to the company and legal counsel:** Mayor Felix opened the public hearing.

Michelle Austin, 2910 Tina Street, questioned if Atmos could be more energy efficient.

Councilman Timm moved to close the public hearing. The motion was seconded by Councilman Smith and carried unanimously.

Following discussion, Councilman Timm moved to approve Ordinance No. 3037 approving a settlement agreement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division as presented. The motion was seconded by Mayor Pro Tem McMillan and carried unanimously.

**7. Consider three (3) appointments to the Tax Increment Financing (TIF) Board of Directors:** Following discussion, Mayor Pro Tem McMillan moved to appoint David Lay and Hal Hinckley to the TIF Board of Directors. The motion was seconded by Councilman Adams and carried unanimously.

**8. Consider an ordinance amending Chapter 3 of the Code of Ordinances by adding Section 3-1.3; To provide for a residential green building program and setting forth minimum standards for energy efficiency, water conservation, and indoor air quality; Providing a repealing clause; Providing a severability clause; Providing a penalty of fine not to exceed \$500 for each offense; And providing an effective date:** Following discussion, Councilman Timm moved to withdraw Agenda Item No. 8. The motion was seconded by Councilman Smith and carried unanimously.

**9. Consider a resolution approving a grade crossing improvements agreement with Kansas City Southern Railway Company for the construction of the improvements of the grade crossing at 5<sup>th</sup> Street and authorizing the City Manager to execute the same:** Following discussion, Councilman Lam moved to approve Resolution No. 3038 approving a grade crossing improvements agreement with Kansas City Southern Railway Company for the construction of the improvements of the grade crossing at 5<sup>th</sup> Street and authorizing the City Manager to execute the same. The motion was seconded by Councilman Timm and carried unanimously.

**10. Consider a resolution approving a grade crossing improvements agreement with Kansas City Southern Railway Company for the construction of the improvements of the grade crossing at Ranch Road/Hooper Road and authorizing the City Manager to execute the same:** Following discussion, Councilman Timm moved to approve Resolution No. 3039 approving a grade crossing improvements agreement with Kansas City Southern Railway Company for the construction of the improvements of the grade crossing at Ranch Road/Hooper Road and authorizing the City Manager to execute the same. The motion was seconded by Mayor Pro Tem McMillan and carried unanimously.

**11. Consider action directing the City Manager regarding the purchase of homes along 5<sup>th</sup> Street, including purchase limits (5<sup>th</sup> Street Bond Construction Project):** Following discussion, Mayor Pro Tem McMillan moved to raise the cap for the City Manager to purchase property along 5<sup>th</sup> Street, not to exceed \$150,000. The motion was seconded by Councilman Lam and carried unanimously.

**12. Adjourn to Executive Session pursuant to the provisions of Chapter 551, Government Code in accordance with the authority contained in:**

**a. Section 551.072 to discuss the purchase or acquisition of real property**

Councilman Timm moved to adjourn to executive session. The motion was seconded by Mayor Pro Tem McMillan and passed unanimously. The City Council adjourned to executive session at 9:24 p.m.

The City Council recessed briefly from 9:24 p.m. to 9:36 p.m.

Councilman Timm moved to return to open session. The motion was seconded by Councilman Lam and passed unanimously. The City Council returned to open session at 9:57 p.m.

**13. Consider any action necessary as a result of executive session regarding acquisition of real property:** Councilman Lam moved for the City Manager to enter into negotiations on real property as discussed in executive session. The motion was seconded by Councilman Timm and carried unanimously.

There being no further business, Councilman Smith moved to adjourn. The motion was seconded by Councilman Timm and passed unanimously. The meeting adjourned at 9:59 p.m.

ATTEST:

APPROVED:

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CITY SECRETARY

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MAYOR