

**MINUTES
NOVEMBER 17, 2009
HEATH CITY COUNCIL
200 LAURENCE DRIVE - HEATH, TEXAS
PUBLIC HEARINGS - STATED MEETING – EXECUTIVE SESSION**

ATTENDING: JOHN RATCLIFFE, MAYOR
JULIE ZUREK, MAYOR PRO TEM
ROBERT HILLE
RICHARD KRAUSE
LORNE LIECHTY
KAREN LEWIS
STEVE McKIMMEY

Mayor Ratcliffe called the stated meeting to order at 7:31 p.m. Mayor Pro Tem Zurek delivered the invocation.

DEPARTMENT and COMMITTEE REPORTS – The reports were included in the Council packet. Assistant City Manager Kim Dobbs reminded all present that the Annual Holiday in the Park Event with tree lighting would be held on Friday, December 4 at 7:00 p.m.

Approval of the Minutes of November 3, 2009.

MOTION: APPROVE THE MINUTES OF NOVEMBER 3, 2009.

MOTION MADE: ZUREK
SECONDED: KRAUSE
APPROVED: UNANIMOUS

Discussion and Action Regarding Options for Future Improvements to the Intersection of FM 740, FM 549 and FM 550 – Texas Department of Transportation.

Ratcliffe provided background of discussions regarding the intersection of FM 740, FM 549 and FM 550. The Mayor stated that TxDOT requested that the City indicate a preference for one of three options for the redesign as part of the process and to be shovel-ready when funding becomes available for TxDOT Phase 2 improvements to FM 740. Darwin Myers, Area Engineer for TxDOT presented preliminary designs and computer simulations and answered questions regarding three options for the redesign; 1.) A single-lane roundabout, 2.) A dual-lane roundabout and 3.) A signalized intersection. County Commissioner Lorie Grinnan, attorney Art Anderson representing the King family, Robert McCutcheon and developers Willard and Robert Baker participated in the discussion. Items discussed included cost estimates, right-of-way and the safety and efficiency of each of the options.

MOTION: RELATE TO THE TEXAS DEPARTMENT OF TRANSPORTATION THAT A SIGNALIZED INTERSECTION IS THE CITY COUNCIL’S PREFERRED OPTION FOR THE REDESIGN OF THE INTERSECTION OF FM 740, FM 549 AND FM 550.

MOTION MADE: McKIMMEY
SECONDED: HILLE
APPROVED: FOR: HILLE, KRAUSE, LEWIS, McKIMMEY, RATCLIFFE
OPPOSED: LIECHTY, ZUREK

PUBLIC HEARING – Request for a Conditional Use Permit for a Detached Accessory Structure (garage with restroom facility), 1200 sq. ft. in Area and 23 ft. 27/32” in Height that will be built of Like Materials and Design as the Residence on Lot 4 in Block B of the Meadowlake Farms First Installment Addition to the City of Heath, Rockwall County, Texas (504 Meadowview Road) – requested by Jacob and Lisa North.

Ratcliffe opened the public hearing at 8:34 p.m. and invited comments in support of the request. Jacob North, 504 Meadowview Road presented and answered questions regarding plans and uses for a proposed detached garage with restroom that will be built of like materials and design as the residence on Lot 4 in Block B of the Meadowlake Farms First Installment addition. There being no others present to speak in support of or in opposition to the request, Ratcliffe closed the public hearing at 8:36 p.m.

Discussion and Action Regarding a Request for a Conditional Use Permit for a Detached Accessory Structure (garage with restroom facility), 1200 sq. ft. in Area and 23 ft. 27/32" in Height that will be built of Like Materials and Design as the Residence on Lot 4 in Block B of the Meadowlake Farms First Installment Addition to the City of Heath, Rockwall County, Texas (504 Meadowview Road).

MOTION: APPROVE ORDINANCE 091117A GRANTING A REQUEST FOR A CONDITIONAL USE PERMIT FOR A DETACHED ACCESSORY STRUCTURE (GARAGE WITH RESTROOM FACILITY), 1200 SQ. FT. IN AREA AND 23 FT. 27/32" IN HEIGHT THAT WILL BE BUILT OF LIKE MATERIALS AND DESIGN AS THE RESIDENCE ON LOT 4 IN BLOCK B OF THE MEADOWLAKE FARMS FIRST INSTALLMENT ADDITION TO THE CITY OF HEATH, ROCKWALL COUNTY, TEXAS (504 MEADOWVIEW ROAD) SUBJECT TO COMPLIANCE WITH REQUIREMENTS SPECIFIED IN NOVEMBER 17, 2009 DEPARTMENT OF PUBLIC WORKS STAFF REVIEW NOTES.

MOTION MADE: HILLE
SECONDED: ZUREK
APPROVED: UNANIMOUS

PUBLIC HEARING – Request for a Conditional Use Permit for a Detached Accessory Structure (Pool House/Garage/Guest Quarters), 3478 sq. ft. in Area and 17'6" in Height that will be built of Like Materials and Design as the Residence on Lot 13, Hills of Buffalo Creek, City of Heath, Rockwall County, Texas (1748 Bison Meadow Lane) – requested by Dean Cathey Custom Homes, Inc. on behalf of Chuck Scroggs.

Ratcliffe opened the public hearing at 8:40 p.m. and invited comments in support of the request. Dean Cathey, builder, presented and answered questions regarding the proposed pool house/garage/guest quarters that will be built of like materials and design as the residence on Lot 13 (1748 Bison Meadow Lane) of The Hills of Buffalo Creek addition. There being no others present to speak to the request, Ratcliffe closed the public hearing at 8:42 p.m.

Discussion and Action Regarding a Request for a Conditional Use Permit for a Detached Accessory Structure (Pool House/Garage/Guest Quarters), 3478 sq. ft. in Area and 17'6" in Height that will be built of Like Materials and Design as the Residence on Lot 13, Hills of Buffalo Creek, City of Heath, Rockwall County, Texas (1748 Bison Meadow Lane).

There was discussion regarding flood plain issues. Director of Public Works Pedram Farahnak confirmed that a Letter of Map Revision (LOMR) from the Federal Emergency Management Administration would be required prior to issuance of a building permit. McKimmey voiced concerns regarding the size of the proposed structure.

MOTION: APPROVE ORDINANCE 091117B GRANTING A REQUEST FOR A CONDITIONAL USE PERMIT FOR A DETACHED ACCESSORY STRUCTURE (POOL HOUSE/GARAGE/GUEST QUARTERS), 3478 SQ. FT. IN AREA AND 17'6" IN HEIGHT THAT WILL BE BUILT OF LIKE MATERIALS AND DESIGN AS THE RESIDENCE ON LOT 13 OF THE HILLS OF BUFFALO CREEK ADDITION TO THE CITY OF HEATH, ROCKWALL COUNTY, TEXAS (1748 BISON MEADOW LANE) SUBJECT TO COMPLIANCE WITH REQUIREMENTS SPECIFIED IN NOVEMBER 17, 2009 DEPARTMENT OF PUBLIC WORKS STAFF REVIEW NOTES.

MOTION MADE: KRAUSE
SECONDED: LIECHTY
APPROVED: FOR: HILLE, KRAUSE, LEWIS, LIECHTY, RATCLIFFE, ZUREK
OPPOSED: McKIMMEY

PUBLIC HEARING – Request for Approval of a Zoning Change from Agricultural (A) to Single-Family Residential (SF-43) District in order to develop a One-Lot Subdivision for Municipal Use (Heath Public Works Center) on Tract 40-01 and Tract 40 (17.47 acres in all), J. Cantor Survey A-53, City of Heath, Rockwall County - requested by the City of Heath.

Ratcliffe opened the public hearing at 8:48 p.m. and invited comments in support of the request. Farahnak presented and answered questions regarding the requested zoning change and future plans for the property. There being none present to speak in opposition to the request, Ratcliffe closed the public hearing at 8:49 p.m.

Discussion and Action Regarding a Request for Approval of a Zoning Change from Agricultural (A) to Single-Family Residential (SF-43) District in order to develop a One-Lot Subdivision for Municipal Use (Heath Public Works Center) on Tract 40-01 and Tract 40 (17.47 acres in all), J. Cantor Survey A-53, City of Heath, Rockwall County.

MOTION: APPROVE ORDINANCE 091117C AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF HEATH, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FOR TRACT 40-01 AND TRACT 40 SITUATED IN THE J. CANTOR SURVEY, ABSTRACT NO. 53 WITHIN THE CITY OF HEATH FROM AGRICULTURAL (A) DISTRICT CLASSIFICATION TO SINGLE FAMILY RESIDENTIAL (SF-43) DISTRICT CLASSIFICATION; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION MADE: LEWIS
SECONDED: McKIMMEY
APPROVED: UNANIMOUS

Discussion and Action Regarding the Preliminary Plat of the Heath Public Works Center Addition, a One-Lot Subdivision on 17.47 acres.

MOTION: APPROVE THE PRELIMINARY PLAT OF THE HEATH PUBLIC WORKS CENTER ADDITION.

MOTION MADE: LEWIS
SECONDED: KRAUSE
APPROVED: UNANIMOUS

Discussion and Action Regarding the Final Plat of the Heath Public Works Center Addition, a One-Lot Subdivision on 17.47 acres.

MOTION: APPROVE THE FINAL PLAT OF THE HEATH PUBLIC WORKS CENTER ADDITION.

MOTION MADE: HILLE
SECONDED: LIECHTY
APPROVED: UNANIMOUS

Discussion and Action Regarding Resolution 091117A Authorizing the Mayor to Execute a Construction Agreement with A & M Construction for Water and Sanitary Sewer Lines Relocation along FM 740 from White Road to FM 1140; Providing an Effective Date.

MOTION: APPROVE RESOLUTION 091117A AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION AGREEMENT WITH A & M CONSTRUCTION FOR WATER AND SANITARY SEWER LINES RELOCATION ALONG FM 740 FROM WHITE ROAD TO FM 1140; PROVIDING AN EFFECTIVE DATE.

MOTION MADE: HILLE
SECONDED: LEWIS
APPROVED: UNANIMOUS

Discussion and Action Regarding Resolution 091117B Authorizing the City Manager to Implement Group Health Insurance, Dental Insurance and Medical Flexible Spending Accounts as Recommended by RWL Benefits, Inc.; Providing an Effective Date.

The item was rescheduled to December 1. No action was taken by the Council.

Discussion and Action Regarding a Request for a Variance to §157.02(C) of the Code of Ordinances for Installation of a 6' Wrought Iron Fence with 7' gate on Lot 7, Crystal Shores Addition (205 Crystal Court) - Lori and Phillip Aaron.

Lori Aaron, 205 Crystal Court presented the request for a variance for construction of a 6' wrought iron fence with a 7' gate on Lot 7 of the Crystal Shores subdivision. Aaron indicated that she wanted the variance in order to better secure privacy and safety and because a higher fence and gate would be more attractive. There was discussion regarding previous variances for large one-lot subdivisions on farm-to-market roads. There was no support among the Council for a variance. Krause suggested that notices to neighboring property owners be sent for fence variance requests.

MOTION: DENY A REQUEST FOR A VARIANCE TO §157.02(C) OF THE CODE OF ORDINANCES FOR INSTALLATION OF A 6' WROUGHT IRON FENCE WITH 7' GATE ON LOT 7, CRYSTAL SHORES ADDITION (205 CRYSTAL COURT).

MOTION MADE: LIECHTY
SECONDED: KRAUSE
APPROVED: UNANIMOUS

Discussion Regarding Options and Funding for Future Infrastructure Improvement Projects.

There was discussion regarding potential infrastructure improvement projects. The Council directed staff to evaluate options for and report back to the Council regarding future improvements to White Road from Heathland Crossing to Country Club Drive.

Discussion and Action Regarding Planning for Future Water Supply Needs.

The Mayor stated that the item was included on the agenda to discuss options for water supply for long range planning.

Ratcliffe adjourned the stated meeting at 9:28 p.m.

APPROVED:



JOHN RATCLIFFE
MAYOR

ATTEST:



STEPHANIE GALANIDES
CITY SECRETARY

