

**MINUTES
JANUARY 19, 2010
HEATH CITY COUNCIL
200 LAURENCE DRIVE - HEATH, TEXAS
PUBLIC HEARINGS - STATED MEETING**

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

Mayor Ratcliffe called the stated meeting to order and delivered the invocation at 7:33 p.m.

Department and Committee Reports – The reports were included in the Council packet.

Approval of the Minutes of December 15, 2009.

MOTION: APPROVE THE MINUTES OF DECEMBER 15, 2009.

MOTION MADE: HILLE
SECONDED: LEWIS
APPROVED: UNANIMOUS

PUBLIC HEARING – Request for a Conditional Use Permit for the Construction of a Pool Cabana 426 Sq. Ft. in Area and 22’6” in Height Built of Like Materials and Design as the Residence on Lot 12 in Block 8 of the Buffalo Creek Country Club Estates Phase 6 Addition (900 Bridle Path Court) – Requested by Jeff Cole (Owner) and Jerry Alexander (Builder).

The Mayor opened the public hearing at 7:34 p.m. and invited comments regarding the request. Jeff Cole 900 Bridle Path Court presented and answered questions regarding the proposed pool cabana situated on the westernmost corner of the property. Cole related his hope that the structure could provide some sun protection and stated that the 22’6” height would better match the roof pitch of the residence. There being no others present to speak in support of or in opposition to the request, Ratcliffe closed the public hearing at 7:36 p.m.

Discussion and Action Regarding Ordinance 100119B Granting a Request for a Conditional Use Permit for the Construction of a Pool Cabana 426 Sq. Ft. in Area and 22’6” in Height Built of Like Materials and Design as the Residence on Lot 12 in Block 8 of the Buffalo Creek Country Club Estates Phase 6 Addition (900 Bridle Path Court).

Dennis Conder, Chairman reported that the Planning and Zoning Commission voted unanimously to recommend approval of the request at the January 12 meeting. In response to questions, Director of Public Works Farahnak stated that the proposed cabana should not impact the existing retaining wall.

MOTION: APPROVE ORDINANCE 100119B GRANTING A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF A POOL CABANA 426 SQ. FT. IN AREA AND 22’6” IN HEIGHT BUILT OF LIKE MATERIALS AND DESIGN AS THE RESIDENCE ON LOT 12 IN BLOCK 8 OF THE BUFFALO CREEK COUNTRY CLUB ESTATES PHASE 6 ADDITION (900 BRIDLE PATH COURT).

MOTION MADE: ZUREK
SECONDED: KRAUSE
APPROVED: UNANIMOUS

PUBLIC HEARING – Receive Input Regarding a Proposed Revision to the Transportation Plan included in the City of Heath Comprehensive Plan to Change the Design Designation for the Intersection of FM 740, FM 549 and FM 550 from a Roundabout to a Signalized Intersection.

The Mayor opened the public hearing at 7:41 p.m. and invited input regarding the proposed revision to the Transportation Plan. Ed Thatcher, City Manager stated that the proposed revision was drafted in order to ensure that the Comprehensive Plan is consistent with the Texas Department of Transportation (TXDoT) redesign of the intersection of FM 740, FM 549 and FM 550 as presented to and designated as the preferred design by Council on November 17, 2009. Attorney Art Anderson, representing the King family expressed support for the proposed revision. Further, Anderson requested that the City communicate with TXDoT regarding the proposed location of the intersection. Anderson offered that keeping the intersection in its current location rather than moving it as indicated on the TXDoT schematic would likely be less costly for right-of-way acquisition and would be better for future development of King family properties and the owner of the Heath Market Place convenience store. Bob McCutcheon suggested that meetings of TXDoT and affected property owners would be helpful. There being no others present to speak in support of or in opposition to the proposed revision, Ratcliffe closed the public hearing at 7:44 p.m.

Discussion and Action Regarding Ordinance 100119B Approving a Revision to the Transportation Plan included in the City of Heath Comprehensive Plan to Change the Design Designation for the Intersection of FM 740, FM 549 and FM 550 from a Roundabout to a Signalized Intersection.

Conder reported that the Planning and Zoning Commission voted unanimously to recommend approval of the request at the January 12 meeting. Ratcliffe stated that throughout many meetings and discussions with TXDoT, the Council and staff had been sensitive to the preferences of the neighboring property owners and had emphatically requested that the intersection be designed as close to the existing location as possible. The Mayor noted that the item under consideration was basically a housekeeping matter under consideration to maximize the City's readiness for needed and long-awaited TXDoT improvements. The Mayor encouraged the interested parties to communicate with TXDoT regarding their concerns. McKimmey stated that he believed that TXDoT has standards of design to protect the public and that he would support the intersection design that optimized safety and efficiency.

MOTION: APPROVE ORDINANCE 100119B APPROVING A REVISION TO THE TRANSPORTATION PLAN INCLUDED IN THE CITY OF HEATH COMPREHENSIVE PLAN TO CHANGE THE DESIGN DESIGNATION FOR THE INTERSECTION OF FM 740, FM 549 AND FM 550 FROM A ROUNDABOUT TO A SIGNALIZED INTERSECTION.

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

Liechty and Zurek expressed their preferences that the intersection design remain a roundabout as currently designated on the Transportation Plan.

Discussion and Action Regarding the Preliminary Plat of the Heath Municipal Addition #3 (a 2 lot Subdivision on 13.661 acres in the A. Rodriguez Survey Abstract No. 231) - City of Heath.

Farahnak described the property being platted that includes a portion (11.225 acres) of Towne Center Park and the lot previously described as Tract 34-9 (2.436 acres) in the A. Rodriguez Survey, Abstract 231. Conder reported that the Planning and Zoning Commission voted unanimously to approve the preliminary and final plats at the January 12 meeting.

MOTION: APPROVE THE PRELIMINARY PLAT OF THE HEATH MUNICIPAL ADDITION #3 (A 2 LOT SUBDIVISION ON 13.661 ACRES IN THE A. RODRIGUEZ SURVEY ABSTRACT NO. 231) SUBJECT TO COMPLETION OF ITEMS SPECIFIED IN THE DEPARTMENT OF PUBLIC WORKS STAFF REVIEW NOTES DATED JANUARY 19, 2010.

MOTION MADE: LIECHTY
SECONDED: ZUREK
APPROVED: UNANIMOUS

Discussion and Action Regarding the Final Plat of the Heath Municipal Addition #3 (a 2 lot Subdivision on 13.661 acres in the A. Rodriguez Survey Abstract No. 231) - City of Heath.

MOTION: APPROVE THE FINAL PLAT OF THE HEATH MUNICIPAL ADDITION #3 (A 2 LOT SUBDIVISION ON 13.661 ACRES IN THE A. RODRIGUEZ SURVEY ABSTRACT NO. 231) SUBJECT TO COMPLETION OF ITEMS SPECIFIED IN THE DEPARTMENT OF PUBLIC WORKS STAFF REVIEW NOTES DATED JANUARY 19, 2010.

MOTION MADE: LEWIS
SECONDED: McKIMMEY
APPROVED: UNANIMOUS

Discussion and Action Regarding Resolution 100119A Approving the Purchase of Land, Construction of Improvements, and Conveyance of Real Property by the Kaufman Central Appraisal District.

City Manager Ed Thatcher explained that the City's consideration is required prior to purchase of real property by the Kaufman Central Appraisal District.

MOTION: APPROVE RESOLUTION 100119A APPROVING THE PURCHASE OF LAND, CONSTRUCTION OF IMPROVEMENTS, AND CONVEYANCE OF REAL PROPERTY BY THE KAUFMAN CENTRAL APPRAISAL DISTRICT.

MOTION MADE: LIECHTY
SECONDED: KRAUSE
APPROVED: UNANIMOUS

Ratcliffe adjourned the stated meeting at 8:00 p.m.

APPROVED:



JOHN RATCLIFFE
MAYOR

ATTEST:



STEPHANIE GALANIDES
CITY SECRETARY

