

**MINUTES
JULY 20, 2010
HEATH CITY COUNCIL
200 LAURENCE DRIVE - HEATH, TEXAS
STATED MEETING**

ATTENDING: LORNE LIECHTY, MAYOR PRO TEM, Presiding
KAREN LEWIS RICHARD KRAUSE
STEVE MCKIMMEY JULIE ZUREK

ABSENT: JOHN RATCLIFFE, MAYOR, ROBERT HILLE

Mayor Pro Tem Liechty called the stated meeting to order and delivered the invocation at 7:30 p.m.

Department and Committee Reports – The reports were included in the Council packet. Krause requested that information be included in future reports regarding the “My Fix It” feature on the website.

Expanded Planning and Zoning Commission Report - Proposed Masonry Requirement Regulations

Dennis Conder, Chairman of the Planning & Zoning Commission provided a report to the City Council regarding the Commission’s work on proposed masonry regulations, which have been considered at three P&Z Commission meetings. Conder reported that at the last meeting, there did not appear to be a consensus in support of the proposed regulations. Conder expressed some of the Commission’s concerns including the hardship aspect of reconstruction in the event of fire or loss, property maintenance aspects relating to code enforcement, land values, policy-making concerns, and redundancy of deed restrictions or covenants. Conder explained that the Commission had asked him to meet with the Council to obtain clarification on the intent and purpose of the regulations.

The Council discussed the matter and advised Conder to ask the Commission to continue the process and submit regulations for Council consideration. In support of the position, the Council acknowledged concerns for preservation and improvement of land values, property maintenance, sustainability, long-range planning and policy, consistency in “grandfathered” uses and standardized regulations for future construction.

Approval of the Minutes of July 6, 2010.

McKimmeY requested that the motion pertaining to the use of refunding proceeds be further clarified to represent the options discussed at the meeting. Staff was directed to add the wording: “and other purposes permitted by the 2007 bond issue” to the end of the presented motion.

MOTION: APPROVE THE MINUTES OF JULY 6, 2010, AS AMENDED.

MOTION MADE: MCKIMMEY
SECONDED: KRAUSE
APPROVED: UNANIMOUS (Absent: Ratcliffe, Hille)

PUBLIC HEARING - Request for a Conditional Use Permit for the Construction of a Pool Cabana 766 sq. ft. in Area and 22’ in Height Built of Like Materials and Design as the Residence on Lot 18 in Block B of the Wyndemere Addition (433 Wyndemere Blvd.) – Requested by Kevin Adley.

Liechty opened the public hearing at 8:11 p.m. and invited comments in favor of the request. Alan Selden, contractor for the applicant Kevin Adley presented the request and provided details regarding the proposed structure. Selden noted that the 22’ height of the building is the only item requiring a conditional use permit and that the proposal had received approval from the HOA Architectural Review Committee. Liechty invited comments in opposition to the request. There being no further comments offered, the public hearing was closed at 8:14 p.m.

Discussion and Action Regarding a Request for a Conditional Use Permit for the Construction of a Pool Cabana 766 sq. ft. in Area and 22’ in Height Built of Like Materials and Design as the Residence on Lot 18 in Block B of the Wyndemere Addition (433 Wyndemere Blvd.).

Conder advised that the Planning and Zoning Commission voted unanimously to recommend approval of the proposed CUP. It was further noted that two responses were received in reply to the neighborhood notices. One was in favor and one was opposed unless approved by the HOA, which it was.

MOTION: APPROVE ORDINANCE 100720 TO GRANT A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF A POOL CABANA 766 SQ. FT. IN AREA AND 22' IN HEIGHT BUILT OF LIKE MATERIALS AND DESIGN AS THE RESIDENCE ON LOT 18 IN BLOCK B OF THE WYNDEMERE ADDITION (433 WYNDEMERE BLVD.)

MOTION MADE: MCKIMMEY
SECONDED: KRAUSE
APPROVED: UNANIMOUS (Absent: Ratcliffe, Hille)

Presentation and Discussion Regarding Entry Corridor Concepts – Jim Cooper, Architect

Jim Cooper, Cooper Design Works was introduced by Pedram Farahnak. Farahnak explained that Cooper has done preliminary work for Chandler's Landing to design potential entry ways for installation after Phase I of FM 740 is constructed. Cooper made a presentation regarding his firm's qualifications, projects and draft concepts prepared for Chandler's Landing. Cooper identified potential themes for the corridor, including nautical, old world and contemporary. Cooper mentioned that the Texas Department of Transportation, TxDOT, has a "Green Ribbon" program that provides opportunities for cost sharing wherein TxDOT funds the installation of improvements and the City accepts and maintains the improvements.

The Council expressed support for exploring opportunities for cooperation with Chandler's Landing, the City of Rockwall and TxDOT. County Commissioner Lorie Grinnan expressed support for the cooperative efforts and requested that the county-wide trail system be taken into consideration in planning discussions.

Staff was directed to pursue proposals from firms to work with both the median and corridor designs for landscaping along Phase I of FM 740. Farahnak noted that funding for such services could be obtained from TxDOT utility relocation reimbursements.

The Council directed that an item would be placed on a future meeting agenda to discuss the appointment of a Council subcommittee to work with representatives from the affected entities and coordinate design and construction efforts and timing.

Discussion and Action Regarding Board and Commission Appointments

A worksheet was provided to the Council outlining the appointments whose terms expired in July 2010. Except for Susan Satterwhite, Board of Adjustment and Melody Hail, Special Events Board, all appointees who responded indicated a desire for reappointment. Not responding were Alma Howard and Dan Bobst, Economic Development and Municipal Benefits Corporation Boards.

McKimmy requested that future information include the appointment date of each board member. McKimmy expressed a desire to encourage broad community involvement and acknowledged that philosophically that might mean term limits for board members. The Council, including McKimmy, stated that they were very satisfied with and appreciative of the service provided by current appointees. McKimmy stated his question was academic and more policy-related than situation-specific. Staff was directed to place an item on the Council retreat agenda for future discussion with respect to terms and appointments in general.

There was a question about the reappointment of County Judge-Elect Jerry Hogan to the Board of Adjustment given his recent election, effective January 1. The Council directed attorney Pete Eckert to research the potential conflicts, if any, relating to the reappointment of Hogan. In the meantime, the Council determined to table Hogan's appointment. Staff was directed to follow up with Alma Howard and Dan Bobst and to return appointments on the next agenda for consideration and action.

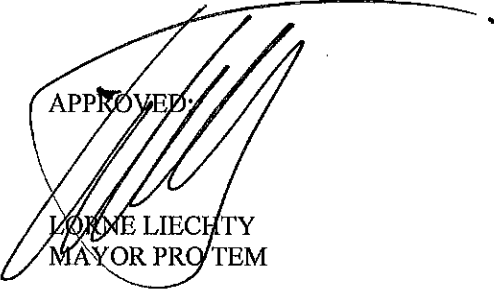
MOTION: REAPPOINT FOR TWO-YEAR TERMS, ENDING JULY 2012, THE FOLLOWING:

**PLANNING & ZONING COMMISSION: DENNIS CONDER, JOHN MAIN AND BILL SATTERWHITE
ECONOMIC DEVELOPMENT CORPORATION BOARD: CYNDI PITMAN AND LORNE LIECHTY
MUNICIPAL BENEFITS CORPORATION BOARD: CYNDI PITMAN AND LORNE LIECHTY
PARK BOARD: GINNY JACKSON, AMY GANCI, JOHN CURTIS, JASON SEVERN
SPECIAL EVENTS BOARD: GAYLE KUHRT, PAMELA MILEY AND HARRY HEINKELE
BOARD OF ADJUSTMENT: DAVID CURD AND RON WASSON (ALTERNATE)
TAKE AREA: CHRIS CUNY, ROBERT LANG AND RON LAROUX**

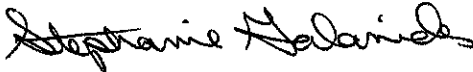
MOTION MADE: KRAUSE
SECONDED: ZUREK
APPROVED: UNANIMOUS (Absent: Ratcliffe, Hille)

The Mayor Pro Tem adjourned the stated meeting at 9:33 p.m.

APPROVED:


LORNE LIECHTY
MAYOR PRO TEM

ATTEST:


STEPHANIE GALANIDES
CITY SECRETARY

