

AGENDA
AUGUST 22, 2017
HEATH CITY COUNCIL
200 LAURENCE DRIVE - HEATH, TX 75032
REGULAR MEETING – PUBLIC HEARINGS - EXECUTIVE SESSION
6:30 P.M.

1. Call to order, invocation and Pledge of Allegiance.
2. DEPARTMENT and REPORTS - See Addendum. *(Items posted on the addendum are for informational purposes. The addendum is a comprehensive list of issues and reports that are of interest to the City Council and may or may not be discussed as determined by Staff and Council.)*
 - a) Monthly Update regarding Capital Improvement Program (CIP) projects *(C.Todd)*
 - b) Update regarding Park Board and HMBC-HEDC Board. *(Council Liaison)*
3. Discussion and Action Regarding the Minutes of August 8, 2017 (Special Meeting - Work Session).
4. Discussion and Action Regarding the Minutes of August 8, 2017 (Regular Meeting).
5. **PUBLIC HEARING** - To receive input regarding the Proposed Tax Rate of \$0.417311 per \$100 valuation on all taxable property within the corporate limits of the City of Heath as of January 1, 2017. *(L.Mays)*
6. Discussion and Action Regarding Approval of School Zone on Trophy Drive For RISD Elementary School # 14. *(R.Dormier)*
7. Work Session/Discussion of Sign Ordinance. *(R.LaCroix)*
8. Discussion and Action Regarding the request of Ash Currimbhoy and Molly McStravick, owners, for a special exception to §159.07(B)(1) of the Code of Ordinances that provides for exterior masonry construction requirements in Residential Zoning Districts (291 Lowe Road). **(MIS-2017-02)** *(R.LaCroix)*
 - a) Presentation of request.
 - b) **PUBLIC HEARING** to receive comments regarding the request.
 - c) Discussion and action regarding the request.
9. Discussion and Action to Consider Approval of a Resolution to regarding an application for variances to the following Sections of the Code of Ordinances; Section 157.02; (E) Fences in front of the front building line of the residence or structure on the subject lot shall be ornamental wrought iron or tubular steel and shall have at least 75% open area per linear foot, Section 157.02; (H) Fences shall be constructed of and repaired with new material of good quality including natural, decay-resistant wood, stained or unstained, for privacy fences, powder coated for metal fences, natural, decay-resistant wood, stained or unstained, for rail fences, applicant is requesting to install a 4' three rail heavy duty vinyl ranch fence, for Lot 1, Block A, Prothro Addition, City of Heath, Rockwall County Texas (230 Myers Road) and take any action necessary. **(FV- 2017-04)** *(R.LaCroix)*
 - a) Presentation of request.
 - b) **PUBLIC HEARING** to receive comments regarding the request.
 - c) Discussion and action regarding the request.

10. Discussion and Action Regarding a Facilities Agreement for the Le Ruisseau Addition (formerly known as the J.O. Ranch Addition). *(R.LaCroix)*
11. Discussion and action regarding an Ordinance amending Title V, "Public Works" to add Chapter 56, "Right-of-Way Management", Division 2, "Use of Public Rights-of-Way by Network Providers (Right-of-Way Management)", adopted pursuant to Chapter 284 of the Texas Local Government Code, providing a penalty not to exceed the sum of \$500 for each violation; providing for publication; and providing an effective date. *(City Attorney)*
12. Discussion and action regarding an Ordinance amending Title V, "Public Works" to add Chapter 56, "Right-of-Way Management", Division 3, "Design Manual" to adopt "The City of Heath, Texas Design Manual for the Installation of Network Nodes and Node Support Poles", adopted pursuant to Chapter 284 of the Texas Local Government Code, providing a penalty not to exceed the sum of \$500 for each violation; providing for publication; and providing an effective date *(City Attorney)*
13. Discussion and Action to set Joint Meeting Date with the Planning and Zoning Commission and City Council. *(R.LaCroix)*
14. Open Forum – Citizens' Comments.

15. EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council will recess into Executive Session (closed meeting) to discuss the following:

- a) § 551.071(1): Consultation with Attorney regarding pending litigation: *Application of City of Heath to Amend A Certificate of Convenience and Necessity and to Decertify a Portion of Forney Lake Water Supply Corporation's Service Area in Rockwall County*, Public Utility Commission SOAH Docket No. 473-16-0193.WS; and,
- b) § 551.071(2): Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter re: Short Term Rentals.

- 16. RECONVENE INTO OPEN SESSION** - In accordance with Texas Government Code, Chapter 551, and the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

- 17. Adjourn.**

NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (discussing purchase, exchange, lease or value of real property); §551.074 (discussing personnel or to hear complaints against personnel); and §551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Agenda posted this the 18TH day of August, 2017 at 5:00 p.m.



 Norma Duncan, City Secretary