

**MINUTES
HEATH CITY COUNCIL
200 LAURENCE DRIVE - HEATH, TX 75032
WORK SESSION – 5:00 PM and REGULAR MEETING - 7:00 P.M.
TUESDAY, DECEMBER 12, 2017**

ATTENDING: BRIAN BERRY, MAYOR
KELSON ELAM, MAYOR PRO TEM
JOE CHAMBERLAIN
RICH KRAUSE
FRANK NEW
BRENT WEAVER
ABSENT: PAUL RUFFO

Mayor Brian Berry called the Work Session to order at 5:00 p.m.

Work Session to discuss the 2017 Comprehensive Plan for the City of Heath, Texas.

Mayor Berry stated that the work session is a continuation of the November 28th Work Session. Freese and Nichols, Inc. Consultant Team, Daniel Harrison and Erica Craycraft-Barlett were present and tracked edits and recommendations to the plan live, displaying them on the projector. Council began discussion with section Goals and Objectives, Goal number 12 – Town Center. Areas addressed were: The Comparison of 2008 and 2017 Input; Land Use Strategy and Summary of Existing Land Uses and; Local Development Patterns. Areas of concern were the definition of Developable Acreage and the item was tabled for a future time.

Mayor Berry recessed the Work Session at 6:55 p.m. and stated that for the next council meeting on January 9, 2018, the intent will be to have a work session at that meeting and continue discussion.

Mayor Brian Berry called the Regular Meeting to order at 7:00 p.m., delivered the invocation and led the Pledge of Allegiance.

Discussion and Action Regarding the Minutes of November 28, 2017.

MOTION: APPROVE MINUTES NOVEMBER 28, 2017.

MOTION MADE: CHAMBERLAIN
SECONDED: KRAUSE
APPROVED: PASSED UNANIMOUSLY OF THOSE PRESENT
ABSENT: RUFFO

Discussion and Action Regarding the Minutes of December 7, 2017 – Work Session.

MOTION: APPROVE MINUTES OF DECEMBER 7, 2017.

MOTION MADE: CHAMBERLAIN
SECONDED: ELAM
APPROVED: PASSED UNANIMOUSLY OF THOSE PRESENT
ABSENT: RUFFO

Discussion and Action Regarding a Resolution Appointing a Representative to the Rockwall Central Appraisal District Board of Directors.

Mayor Pro Tem, Elam stated city has the City of Heath will nominate Jerry Hogan as a Representative to the Rockwall County Appraisal District Board of Directors.

MOTION: APPROVE RESOLUTION NO. 171212A APPOINTING JERRY HOGAN AS THE CITY OF HEATH'S REPRESENTATIVE ON THE ROCKWALL CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS FOR 2018-2019.

MOTION MADE: ELAM
SECONDED: CHAMBERLAIN
APPROVED: PASSED UNANIMOUSLY OF THOSE PRESENT
ABSENT: RUFFO

Discussion and Action Regarding a Preliminary Plat and sanitary sewer waiver for Fletcher Estates, being 49.465 acres to be subdivided into 5 single family residential lots situated in the J.O. Heath Survey, Abstract No. 116, City of Heath, Rockwall County, Texas, located at the northeast corner of Crisp Lane and Myers Road, property being addressed as 206 Crisp Lane. (Case No. PP-2017-06)

Director of Community Development, Robert LaCroix stated that the property owners are seeking a Preliminary Plat for the intent to subdivide the property into five lots and sell the property. The property is zoned (A) Agricultural District and a 1.62 acre portion of proposed Lot 3 is zoned (SF-43) Single-Family Residential District. Crisp Lane and Myers Road are substandard roads under current City standards. The road improvement cost is determined by a proportionality analysis by the City Engineer and will be included in a Facilities Agreements. Improvement costs will include drainage improvements to both roads. Concrete sidewalks (4'-wide) are required on all roadways (not designated for a trail facility) at the time of development. Both Crisp Lane and Myers Road are included in the city's current CIP program involving paving improvements to approximately 4,600 linear feet of 20-foot wide asphalt pavement from Hubbard Drive to Terry Lane. Right-of-Way will be acquired on Crisp Lane for utility relocations. The 2 inch Forney Lake water line on Myers Road is not sufficient to provide fire protection to the property; therefore an 8 inch line is required. Easements will be required to facilitate the looping of the 8 inch line to the Dominion subdivision to the east. A 15 foot utility and trail easement is required along Myers and Crisp for the installation of fire hydrants. The applicant has requested a waiver to sanitary sewer. The Park Board recommendations for park dedication are: \$1000 per lot in lieu of park land dedication; 15 foot wide trail easement dedication and; 10 foot wide concrete trail. Additional conditions of approval were applied to the Preliminary Plat and the Planning and Zoning Commission approved the Preliminary Plat recommending both parts of the sewer waiver with the condition that the Preliminary Plat zoning come back as a PD regulating the size of the lots. Todd Winters with Engineering Concepts was present and stated this is not a development and the property owners, The Fletchers are not developers. This is a creation of estate lots and the best use for this property. The applicant has requested waivers to the sewer requirement and trail system construction and in exchange, the Fletchers are offering Deed Restriction on the property to keep the estate lots that can never be divided. Winters also stated that the trail cost is approximately \$7.50 per square foot. Property owners, Craig and Gail Fletcher were also present and stated that their father's desire was for this property to always remain rural and their intent was to maximum the value of the property, keep it in compliance with the Comprehensive Plan, and to do the right thing for the neighbors. Chuck Todd, Capital Improvement Project Manager, provided an update on the Engineering to Crisp and Myers Roads. City Attorney, Andy Messer paused the discussion and recommended to recess the item into Executive Session to further discuss.

Mayor Berry tabled the item and stated the item will come back after Executive Session.

Discussion and Action Regarding the Request of Scott Lewis, owner, for a waiver to the requirement to connect to the public sanitary sewer system for a single-family dwelling on property that is zoned (A) Agricultural District, described as Lot 1, Block A, Ellis Addition, City of Heath, Rockwall County Texas, located at 900 Heathland Crossing. (Case No. MIS-2017-06)

Director of Community Development, Robert LaCroix stated that this is a request of a waiver to the requirement to connect to the City of Heath public sanitary sewer system and to allow the installation of an on-site sanitary sewer facility (OSSF). Property owner, Scott Lewis was present to answer questions and provide a letter stating that the previous property owner had tied into NTMWD main

distribution line with a private service line connected directly from his home to the main via an existing manhole. This direct connection by a private individual is not allowed and needs to be disconnected, and it was discovered that the line was damaged and not acceptable for use. The NTMWD does allow the City of Heath to connect to the main distribution line with a City owned system as with all other City of Heath sewer lines. In order to make the connection, a City owned manhole would need to be installed and then a short run of City owned sewer could connect to the main distribution line via the existing NTMWD manhole. This cost is considered part of a development improvement including the private service line to the proposed home and is the responsibility of the property owner. There is significant cost associated with the installation of the manhole and the short run of main line.

MOTION: APPROVE WAIVER TO CONNECT TO THE PUBLIC SANITARY SEWER SYSTEM FOR A SINGLE-FAMILY DWELLING LOCATED AT 900 HEATHLAND CROSSING WITH THE CONDITION THAT THE CERTIFICATION BE MET FOR THE ON-SITE SANITARY SYSTEM.

MOTION MADE: CHAMBERLAIN

SECONDED: BERRY

Councilman Weaver asked if there is an engineering solution to the problem of a single house that is not able to sustain sewer operation, staff stated septic is the solution.”.

APPROVED: PASSED UNANIMOUSLY OF THOSE PRESENT

ABSENT: RUFFO

Open Forum – Citizens’ Comments.

There was no one present to speak at the Citizen’s Open Forum.

EXECUTIVE SESSION

At 8:53p.m., Mayor, Brian Berry stated The City Council will recess into Executive Session under the Texas Open Meetings Act, Texas Government Code, Chapter 551, Section 551-071 – Private consultation with the City Attorney regarding the Preliminary Plat and Sanitary Sewer Waiver for Fletcher Estates.

At 9:28 p.m., Mayor Brian Berry closed Executive Session and reconvened the meeting into open session stating no action was taken in the Executive Session and no further actions were needed.

Mayor Berry stated that Council will take action regarding a Preliminary Plat and Sanitary Sewer Waiver for Fletcher Estates located at 206 Crisp Lane.

MOTION: APPROVE PRELIMINARY PLAT APPROVING WAIVER TO SEWER INFRASTRUCTURE AND A WAIVER FOR THE SEPTIC BUT NO OTHER WAIVERS ARE GRANTED.

MOTION MADE: ELAM

SECONDED: CHAMBERLAIN

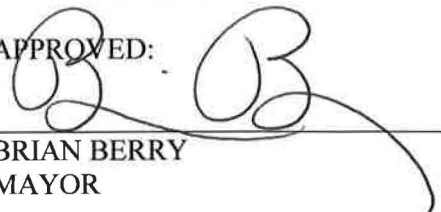
Mayor Berry stated that he looked forward to meeting the applicant regarding Facilities Agreement.

APPROVED: PASSED UNANIMOUSLY OF THOSE PRESENT


ABSENT: RUFFO

Mayor Berry adjourned the meeting at 9:29 p.m.

APPROVED:


BRIAN BERRY
MAYOR

ATTEST:


NORMA DUNCAN
CITY SECRETARY

