

**MINUTES
HEATH CITY COUNCIL
200 LAURENCE DRIVE - HEATH, TX 75032
REGULAR MEETING
TUESDAY, JANUARY 23, 2018 - 5:00 PM**

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

Mayor Brian Berry called the meeting to order at 5:00 p.m., delivered the invocation, and led the Pledge of Allegiance. Berry stated that the meeting was scheduled at 5:00 p.m. to allow the Council to attend the Rockwall Area Chamber of Commerce Annual Awards and Partner Appreciation Banquet.

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.

CIP Project Manager Chuck Todd provided an update and answered questions regarding the status of Capital Improvement Program projects.

b) Update regarding Park Board, HMBC-HEDC Board, Rockwall County Planning Consortium, and Emergency Services Corporation.

Councilman Krause stated that the Park Board will meet Monday, January 29th and the Consultants will provide an update on the Park Master Plan. Suzanne Brooke provided an update on the HMBC/HEDC Board's January 16th meeting; she stated that the board has a proactive approach for putting together a strategic plan that is in line with the final Comprehensive Plan, as well as with the Council's vision as to which businesses would be a good fit for the city.

Discussion and action regarding the Minutes of January 9, 2018.

MOTION: APPROVE MINUTES OF JANUARY 9, 2018 WITH CORRECTIONS.

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

4. Discussion and Action Regarding a Resolution Approving the Proposed Annual Rate Adjustment as Provided for in the Agreement Between the City of Heath, Texas and Progressive Waste Solutions of Texas, Inc., D/B/A Waste Connections of Texas.

Director of Finance Laurie Mays explained that this is an annual request by Progressive for the CPI adjustment to the current rate. Mays stated that staff reviewed and approved the information provided and also explained that the City can absorb the rate increase. In February 2017, the City of Heath and Progressive Waste Solutions entered into a Franchise Agreement for Collection, Hauling

and Disposal of Municipal Solid Water and Construction and Demolition Waste. Section 10 of the agreement provides for an annual rate adjustment to reflect the percentage change in the Consumer Price Index (CPI-U) for the DFW area. The CPI-U used will be the CPI-U published by the Bureau during the month ninety days preceding the adjustment. The amount of increase or decrease shall be equal to the percentage that the CPI-U has increased or decreased over the previous twelve month period. Progressive Waste Solutions of Texas requested a rate adjustment based on the CPI-U, resulting in an increase of 3.19% with the following effects: residential current rates of \$16.96 per month, adjusted rates of \$17.50 per month and city fees of \$20.12 per month. The city fees will remain unchanged from the 2018 Fee Schedule.

MOTION: APPROVE RESOLUTION NO. 180123A APPROVING THE PROPOSED ANNUAL RATE ADJUSTMENT AS PROVIDED FOR IN THE AGREEMENT BETWEEN THE CITY OF HEATH, TEXAS AND PROGRESSIVE WASTE SOLUTIONS OF TEXAS, INC., D/B/A WASTE CONNECTIONS OF TEXAS.

MOTION MADE: CHAMBERLAIN

SECONDED: BERRY

Mays addressed questions regarding city fees and the emergency fund for storms, clarified that the provider rates increased by 3.19%, and stated that the city rates would remain the same for the present. If needed, a rate adjustment would be made in September. Tim Oliver from Progressive Waste Solutions was present to answer any questions.

APPROVED: PASSED UNANIMOUSLY OF THOSE PRESENT

ABSENT: ELAM

5. Discussion and Action Regarding a Development Agreement for Ambrosia Place between Ambrosia Place Heath LLC (Whittle and Johnson Custom Homes) and the City of Heath, Texas.

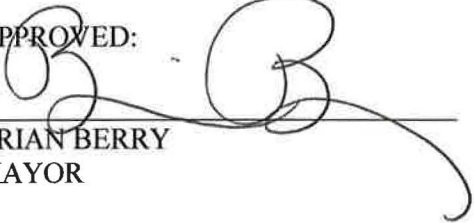
City Engineer Richard Dormier stated that the request is a Development Agreement with the developer for Ambrosia Place and includes the possibility of hooking up sewer to an existing sanitary sewer in Meadowlake Farm Estates. The connection would provide sewer service to the Meadowlake Farm area, where sanitary sewer lines were previously constructed and capped until future service was available. The cost of the connection would be \$103,468.00, not including the replacement of sod if damaged in the existing yards at the point of connection to the existing sewer stub. The recommended total budget of \$120,000 would cover administrative costs, sod, and contingency for the project. There is concern that sanitary sewer service connections had not been constructed with the main sewer lines in the Meadowlake area. The plans show services as part of the construction; the City placed a TV camera in the lines and observed service connections in the main lines. Councilman Weaver stated that although he is in favor of the Development Agreement, there are too many pending questions regarding the sewer hookup. He recommended striking the sewer connection portion of the development agreement while still including the utility easements in Ambrosia as needed. Dormier stated that the agreement includes the easement access and recommended that Council approve the Developer's Agreement even if they choose not to do the sewer at this time. Council reviewed the agreement and made some recommendations and modifications to the document, including indicating that the "cash in lieu of land dedication" requirements be met prior to approval of Final Plat instead of prior to the sale of each lot. City Attorney Andy Messer stated that this amount is already part of an existing ordinance and can be negotiated during the (PD) Planned Development, rather than during the Development Agreement. It was recommended that the Development Agreement be presented up front before the plat in future cases. Mayor Berry stated that there will be no action taken on this item tonight and recommended that changes to the Development Agreement be made and brought back to the next council meeting.

Open Forum – citizens’ comments.

Mayor Brian Berry explained how the Open Forum would be conducted and invited those who wished to speak to come forward.

- Alan Wyatt, 500 Meadowlark Place – stated that he was speaking on behalf of many citizens regarding the sewer issue at Ambrosia Place. He thanked the council for tabling the request and stated that there are several questions to be answered prior to the city spending \$120,000 for 31 sewer hookups. Wyatt also questioned the delay in the release of the Developer’s Agreement.
- Ryan Glaze, 507 Overlook Drive - stated that he appreciated the council tabling the item, allowing the citizens more time to investigate and see how the cost of the request would affect residents going forward. Ryan clarified that he is not opposed to the request, but is unable to make an accurate and well-educated decision without the proper information.

Mayor Berry adjourned the meeting at 5:51 p.m.

APPROVED: 
BRIAN BERRY
MAYOR

ATTEST: 
NORMA DUNCAN
CITY SECRETARY

