

Eric Hunter Mayor  
City Council:  
John Basham Pro-Tem  
Harry Harris Pl #1  
Kerry Jenkins Pl #3  
Larry Trammell Pl #4  
Joe R. Patterson Pl #5



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## MINUTES

### REGULAR CITY COUNCIL MEETING

NOVEMBER 19, 2018

1. Call to Order and announce a quorum was present.

Absent: Mayor Pro Tem Basham

2. Invocation was given by Councilman Joe Patterson.
3. Pledge of Allegiance to the American and Texas Flag  
"Honor the Texas flag; I pledge allegiance to thee, Texas, One state under God, One and Indivisible.

Councilman Trammell asked under Action Items – to move Item A up above Mayor's Announcements.

- A. Discussion and act on proposed Animal Control Ordinance.

Motion was made by Councilman Trammell to vote against – reject the proposed Animal Control Ordinance. Motion was seconded by Councilman Harris, motion carried 4-0.

4. Mayor's Announcements

Mayor Hunter said the low-cost rabies shots will be August 18, 2018 from 10 am to noon.

Billie Steele said there were 59 animals at the animal clinic on Saturday, 48 dogs and 11 cats. No animal tested positive for heart worms. She said they are collecting hats, gloves and scarves.

Scott Passmore said there are 14 dinners for Thanksgiving. They are accepting application for Toys and they are accepting toy donations. He said he is working with Burlington Coat Factory for coats.

Mayor Hunter said they had a great Fall Festival. They served 575 hot dogs. There was an estimated attendance of 2,000 to 3,000.

5. Citizen Presentation and Public Input for Future Agenda Item

The "citizen participation" period is a time slot set aside on the agenda for citizens to address the council on any subject for up to three (3) minutes. The Council is not permitted to take any action unless it has been posted on the agenda.

Hernando Herrera spoke about the Animal Ordinance.

Ted Lyon spoke about the Animal Ordinance and the Fall Festival.

Kathleen Tucker spoke about the Animal Ordinance.

Meredith Hull spoke about the Animal Ordinance and other agenda items.

David Hull spoke about the Animal Ordinance.

Sean Milligan spoke about the Animal Ordinance.

Sunni Florence – Milligan did not speak.

Zachery Stokes spoke about the Animal Ordinance.

#### 6. Consent Agenda – Department Reports

- A. Minutes for October 25, 2018
- B. City Administrator's Report (Municipal Court Code Compliance reports)
- C. Police Department Report
- D. Street and Road/Water System Reports
- E. Volunteer Fire Department Report
- F. City Secretary/Financial Report

Motion was made by Councilman Trammell approved Items A, B, D, E & F. Motion was seconded by Councilwoman Jenkins, motion carried 4-0.

Mayor Hunter removed Items C.

Mayor Hunter introduced Sgt. John Ost. He will be the Sgt over the Police Reserves.

Mayor Hunter gave Sgt. Ost the Oath of Office.

Corporal Furr read Chief Holzschuh Police Report.

Motion was made by Councilman Trammell to approve the Police Department's Report. Motion was seconded by Councilman Harris, motion carried 4-0.

#### 7. Action Items

- A. This item was moved up on the agenda.
- B. Discussion and act on Animal Advisory Committee.  
Hernando Herrera said he was on the Reno Texas Animal Care and Protection Committee as the Co – Chair and Jennifer Vogel is the Chairperson.

Motion was made by Councilwoman Jenkins to form the Reno Texas Animal Care & Protection Committee. Motion was seconded by Councilman Trammell, motion carried 4-0.

- C. Public Hearing to consider the proposed Ordinance 2018-29 amending provisions for lot size for SF-I, zoning districts and amending mobile provisions.

Motion was made by Councilman Harris to open the Public Hearing at 7:42pm. Motion was seconded by Councilwoman Jenkins, motion carried 4-0.

Motion made by Councilwoman Jenkins to close the Public Hearing at 7:50 pm. Motion was seconded by Councilman Trammell, motion carried 4-0.

- D. Action on Public Hearing to consider the proposed amendment to the Zoning Ordinance, amending provisions for lot size for SF-I zoning districts and amending mobile provisions.

Motion was made by Councilman Trammell to adopt Ordinance 2018-29 amending provisions for lot size for SF-1 and amending mobile provisions. Motion was seconded by Councilman Harris, motion carried 4-0.

- E. Discussion and act on proposed Ordinance 2018-30 amending subdivision regulations to provide for one (1) single family residential dwelling per lot and two (2) entrances into a subdivision of land.

Motion was made by Councilman Trammell to adopt Ordinance 2018-30 amending subdivision regulation for one (1) single family residential dwelling per lot and two (2) entrances and set up a tier step later. Motion was seconded by Councilwoman Jenkins, motion carried 4-0.

- F. Discussion and act on proposed Ordinance 2018-31, on the annexation commencing at the Intersection of FM 730 North and FM 2257 of the current territorial limits of the City of Reno and FM 2257 extending North on FM 730 North 2,640 feet along the path of FM 730 North the width limited to FM 730 North including the public right of 50 feet from the center of the Northbound side and 50 feet from the center of the Southbound side.

Motion was made by Councilwoman Jenkins to Table this. Motion was seconded by Councilman Harris, motion carried 4-0.

- G. Discussion and act on proposed Ordinance 2018-32, on the annexation commencing at the Intersection of the current territorial limits of the City of Reno and Highway 199 East extending Highway 199 East including the public right of way being 50 feet from the center of the Eastbound side and 50 feet from the center of the Westbound side.

Motion was made by Councilman Trammell to adopt Ordinance 2018-32 annexation of approximately 2,640 feet west along the path of SH 199 including the public right of

way of 50 feet from the center of the Eastbound side and 50 feet from the center of the Westbound side. Motion was seconded by Councilman Harris, motion carried 4-0.

- H. Discussion and act on proposed Ordinance 2018-33 on speed limit for the Thurman Scenic Woods Addition and amending — Article 21.

Motion was made by Councilman Trammell to adopt Ordinance 2018-33 on speed limit of 25 mph for the Thurman Scenic Woods Addition and amending – Art. 21. Motion was seconded by Councilwoman Jenkins, motion carried 4-0.

- I. Consider awarding administration services contract for the City's 2019/2020 Texas Community Development Block Grant (TXCDBG) Community Development CD fund application and potential project.

Motion was made by Councilman Harris to award the administration service to Public Management for the 2019/2020 TXCDBG. Motion was seconded by Councilman Trammell, motion carried 4-0.

- J. Consider awarding engineering services contract for the City's 2019/2020 Texas Community Development Block Grant (TXCDBG) Community Development CD fund application and potential project.

Motion was made by Councilwoman Jenkins to award the engineering services to Cobb Fendley for the City's 2019/2020 TXCDBG. Motion was seconded by Councilman Trammell, motion carried 4-0.

- K. Discussion and act on an Interlocal Agreement between Tarrant County and the City of Reno for food establishment inspection services.

Motion was made by Councilman Trammell to approve the Interlocal Agreement between Tarrant County and the City of Reno for food inspection services. Motion was seconded by Councilman Harris, motion carried 4-0.

- L. Discussion and act on Final Plat for a New Subdivision - Concord Estates, Lots I thru 31 being 29.37 acres of land in the Abstract No. 942.

Steve Cruse and Joe Landreth spoke about their new sub-division Concord Estates. They have 29.37 acres and there will be 31 homes. Both Mr. Cruse and Mr. Landreth are going to move to Reno and live in the subdivision. It will be a gated community with a park. The homes will range from \$279,000 to \$399,000. He said they would like to break ground immediately and begin the first home in about 30 days.

Several residents voiced their opinion opposing any subdivision less than one acre per home.

Scott Passmore, City Administrator said the permit was turned in before the Zoning Ordinance was changed to one (1) house per acre.

Alan Wayland, City Attorney said the rights are determined at the time of the application. At that time, they fulfilled all requirements of the Zoning Ordinance.

Motion was Councilman Harris to Table this for better direction on where the need to go with this.

Alan Wayland said the vested rights are any developer has expectations of recouping certain amounts on their investment. He said that's why the dates of the decision of what the rules are or the date of the application. He said it's not the council deciding now they have to do a certain thing. He said the subject of being sued if they meet the rules at the time, they file their application and they meet all of the requirements including the sewage, pipelines, setbacks. He said there are competing interest here. He said there was a lawsuit against the City of Sunnyvale they had a minimum of one (1) acre lots and no apartments could be built there. He said they were sued by the Fair Housing Commission and NAACP because the city set a one (1) acre requirement because it kept lower income people to move into the community. He said there is Federal Law that if a developer does meet the requirements then you can't change the target for them going through the process based on the laws that exist at that time of their application.

Councilman Harris said he was withdrawing his motion because he didn't think they can do it and do it legally without having backlash from the laws that are written, that are in place and since they already had it filed. He said the developer needs to go ahead and do what they want to do, and we have no recourse if they did everything that they were supposed to do then we have no other recourse.

Mayor Hunter said if they have a properly done plat it has to be approved within 30 days or it is automatically approved by law. He said its been 5 days – they have 25 more days and it will be approved regardless of what they do here.

Motion was made by Councilman Harris for the approval of the Final Plat for Concord Estates. Motion was seconded by Councilman Patterson, motion was tied, Councilwoman Jenkins and Councilman Trammell opposed. Mayor Hunter said he would break the tie and vote against approving this plat.

Mayor Hunter said he would use his power of reconsideration to bring this back. He asked the developers to work with Scott Passmore to see if you could make some changes to the plat.

- M. Discussion and act on proposed Ordinance 2018-34 on canvassing the returns and declaring the results of the special election held on November 6, 2018 for the purpose of submitting to the registered voters in the extra-territorial jurisdiction of the City of Reno a proposition to authorize the creation of the Tri-County Regional Municipal Development district and imposing a sale and use tax at the rate of one-half of one percent for the purpose of financing development projects beneficial to the District.

Motion was made by Councilman Trammell to adopt Ordinance 2018-34 canvassing the returns for the election held on November 6, 2018. Motion was seconded by Councilwoman Jenkins, motion carried 4-0.

8. Executive Session - The City Council reserves the right to adjourn into Executive Session at any Time during the course of this meeting to discuss any item listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.071 (Deliberations about Gifts & Donations, 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development).

Motion was made by Councilman Trammell to adjourn into Executive Session at 9:35 pm. Motion was seconded by Councilwoman Jenkins, motion carried 4-0.

- A. Consultation with City Attorney: regarding Pending and threatened litigation: Joseph Polino vs. City of Reno. Texas Government Code Section 551.071.

Motion was made by Councilwoman Jenkins to reconvene in open session at 9:47 pm. Motion was seconded by Councilman Trammell, motion carried 4-0.

9. Following the Executive Session, the Council may reconvene in open session and take action on any Executive Session item.

Motion was made by Councilwoman Jenkins to reconvene in open session at 9:47 pm. Motion was seconded by Councilman Trammell, motion carried 4-0.

Motion was made by Councilman Trammell to authorize the Mayor to sign the paperwork that was presented to them in regard to Mr. Polino and his settlement that he has already signed and along with this it will end this session with Mr. Polino and they will get the original hard drives back in our hands and accept the offer. Motion was seconded by Councilwoman Jenkins, motion carried 4-0.

I certify that only topics allowed by law were discussed during this session.  
Mayor Eric Hunter 

10. Adjourn

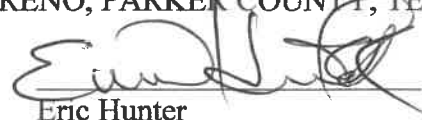
Motion was made by Councilman Harris to adjourn at 9:48 pm. Motion was seconded by Councilman Trammell, motion carried 4-0.

APPROVED BY THE CITY COUNCIL OF RENO, PARKER COUNTY, TEXAS  
THIS 10<sup>th</sup> day of December 2018.

ATTEST:



Ramah Burns  
City Secretary

  
Eric Hunter  
Mayor

