

MINUTES
Special Meeting of the City Council
Municipal Building
West 3rd Street and Texas Boulevard
Texarkana, Texas
Monday, April 8, 2010

An Open Meeting will be held concerning the following subject:

Call to Order by Mayor Mayo, Roll Call, Establishment of Quorum

The following Councilmembers were present at 6:00 p.m.:

Derrick McGary	Councilmember, Ward 1
Willie Ray	Councilmember, Ward 2 arrived 6:15 p.m.
Tina Veal-Gooch	Councilmember, Ward 3
Bob Bruggeman	Councilmember, Ward 4
Scott Norton	Councilmember, Ward 5
Robin Court	Councilmember, Ward 6

Also present were: F. Larry Sullivan, CEO/City Manager, Kerry Meredith, City Secretary, Jerry Sparks, Shirley Jaster.

Invocation and Pledge

The Invocation and Pledge was given by Councilmember Bob Bruggeman.

Appointments to Boards and Commissions

A nomination was made by Councilmember Bob Bruggeman that Fred Meizenheimer be appointed to the Planning and Zoning Board as an alternate and asked the Council to Reaffirm Mayor Stephen A. Mayo to the Riverbend Board.

A motion was made by Councilmember Scott Norton that the above appointments/reaffirmations be made, seconded by Councilmember Court.

Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court
Noes:

Consent Agenda Items

1. Consider approval of the minutes of the special meeting held on March 29, 2010.

A motion was made by Councilmember Ray that the consent items be approved, seconded by Councilmember McGary.

Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court
Noes:

Action/Discussion Items

1. Consider Ordinance No. 062-10 (previously postponed on March 29, 2010) amending PD-02-13(GR) for site plan approval to allow apartments on Lots 1 & 2, Block 4, Richmond Development 4th Addition, located at Arista Boulevard and Moores Lane. William Davis, owner.

Mayor Mayo declared the public hearing open.

Kirk Patton present to represent his client, Bill Davis, in regards to the apartment complex. Mr. Patton asked that the project be approved.

Kim Polson objected to the project stating that the roads were not big enough for construction equipment and doesn't want the roads torn up.

Justin Ingram of Farm Bureau bought a lot on the corner at Arista Blvd. and would not have bought the lot had he known they would be putting an apartment complex there. He is concerned about the crime and traffic. He opposes the project.

Amy Lawrence, 3409 Cascades, is putting in a salon and was not aware that an apartment complex could be build there. She is concerned about leaving the salon late at night and about college kids moving in and trashing the place; as well as traffic and crime.

Carl Herberg, Kingwood Forestry, opposes the apartment complexes, not the owner.

Shirley Jaster explained the new stipulations.

Josh Lawrence has security concerns.

Dr. Sullivan addressed the security concerns; stated the City is working on ordinances to include public safety on multi-family complexes in the City.

Kirk Patton said the property has been zoned general retail for many years and everyone knew it was general retail when they bought it. All reasonable concerns are in the ordinance.

Mayor Mayo wanted to make sure it was enforceable.

Shirley Jaster explained that it was by code enforcement.

Kirk Patton said Mr. Davis agrees to the fence being kept up to new standards.

Danny Proctor has concerns that the property will not look nice in 5-10 years inside and out; traffic.

Robin Proctor wanted to know if the current ordinances are able to enforce maintenance now.

Mayor Mayo explained that they are not now, but will be in the future.

Kim Polson would like infrastructure there prior to development.

Dr. Sullivan explained that the funding wasn't there prior to development.

Justin Ingram not opposed to the development; traffic issues are everywhere. Mr. Ingram said he is concerned about notification and wants to know what the fees are for not maintaining.

Shirley Jaster said the court can fine from \$500 to \$2,000k per day.

Councilmember Court wanted to know if it was sold did the ordinance apply to new owner.

Mayor and Kirk Patton both answered yes.

Jeff Lewis agrees that it stays with the property.

Mayor Mayo requested that the maintenance be for inside and out.

Mayor Mayo declared the public hearing closed.

Amendment: Section 2, No. 3: "...and maintained substantially to new construction standards..."

A motion was made by Councilmember Norton that this item be approved with said amendment, seconded by Councilmember Bruggeman.

The Mayor and following Councilmembers voted by roll call (Mayor had to break tie):

Ayes: Ray, Bruggeman, Norton, Mayor Mayo

Noes: McGary, Veal-Gooch, Court

Closed Session 7:45 p.m.

The City Council will convene in closed session pursuant to one or more of the following sections of the Texas Open Meetings Act (Chapter 551 of the Texas Government Code):

§ 551.071	Private consultation with the City Attorney
§ 551.072	Discussing or deliberating purchase, exchange, lease or value of real property
§ 551.073	Discussing or deliberating negotiated contract for prospective gift or donation
§ 551.074	Discussing or deliberating appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee
§ 551.076	Discussing or deliberating the deployment or specific occasions for implementation of security personnel or devices
§ 551.084	Investigation; exclusion of witness from a hearing during examination of another witness

§ 551.087 Discussing economic development negotiations or offer of financial or other incentives to business prospects

Adjournment

A motion was made by Councilmember Bruggeman that this meeting be adjourned, seconded by Councilmember Norton. 8:52 p.m.

The following Councilmembers voted:

Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court
Noes: None


Kerry Meredith, CITY SECRETARY


Stephen A. Mayo, MAYOR