

MINUTES OF WORK AND REGULAR CITY COUNCIL MEETING HELD BEGINNING AT 11:30 A.M., JULY 16, 2007, CITY COUNCIL CHAMBER, CITY HALL, 711 N. GALLOWAY.

Present: Mayor Mike Anderson and Councilmembers John Heiman, David Paschall, John Monaco, Dennis Tarpley, Stan Pickett and Shirley Roberts, City Manager Ted Barron and City Secretary Judy Womack.

Mayor Mike Anderson was not in attendance for the Work Session. Mayor Pro Tem Paschall presided over the Work Session.

PRE-MEETING – CITY COUNCIL CONFERENCE ROOM – 11:30 A.M.

The City Council met in the City Council Conference Room beginning at 11:30 a.m., to discuss the items on the Work and Regular Agenda and discuss: (1) Summer Community Policing Program, (2) proposed 2007-08 budgets for the Library and Parks and Recreation Department, (3) possible development opportunities and (4) proposed amendments to Section 8-840 and Chapter 13 of the City Code and (5) receive overview of HB 621 passed during the 80th Session of the Texas Legislature regarding a new Freeport Exemption.

(3) It was Council consensus to direct staff to develop a formal agreement with The Amend Group for a public/private partnership regarding development opportunities.

(4) It was Council consensus to direct staff to provide additional information including surveys of other cities.

(5) It was Council consensus to direct staff to place an item on a future agenda to allow Council to consider opting out of the freeport provisions as provided in HB 621.

WORK SESSION – CITY COUNCIL CHAMBER – 1:03 P.M.

A. **MONTHLY FINANCIAL REPORT FOR MAY 2007 - RECEIVED.**

Don Simons, Director of Finance, presented the monthly financial report for May 2007.

The Work Session ended at 1:10 p.m.

EXECUTIVE SESSION – CITY COUNCIL CONFERENCE ROOM – 2:39 P.M.

Mayor Pro Tem Paschall announced that the City Council would meet in Executive Session pursuant to Section 551.072 of the Texas Government Code to consider purchase, sale, exchange, lease or value of real property (acquisition of property in conjunction with the Berry Road Drainage Project); whereupon, the City Council proceeded to meet in the City Council Conference Room. After the closed meeting ended at 2:50 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION – CITY COUNCIL CONFERENCE ROOM – 2:52 P.M.

Mayor Pro Tem Paschall announced that the City Council would meet in Executive Session pursuant to Section 551.071 of the Texas Government Code to consider pending and contemplated litigation subjects or settlement offers (discuss Mesquite Metro Airport construction project issues); whereupon, the City Council proceeded to meet in the City Council Conference Room. After the closed meeting ended at 2:55 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

REGULAR CITY COUNCIL MEETING – CITY COUNCIL CHAMBER – 3:10 P.M.

Mayor Mike Anderson entered the meeting.

Invocation was given by Mark Chambers, Intern Pastor, New Covenant United Methodist Church, Mesquite, Texas.

The Pledge of Allegiance was led by Jordan and Mason Englert and Luke, Nathan and Josh Daughetee, participants in the Summer Reading Club at the Mesquite Public Library.

SPECIAL ANNOUNCEMENT.

Mayor Anderson announced that Agenda Item No. 21 has been postponed until the August 6, 2007, City Council meeting.

CITIZENS INPUT HEARING.

1. **PUBLIC HEARING – RECEIVE INPUT FROM CITIZENS REGARDING THE PROPOSED 2007-08 CITY BUDGET.**

A public hearing was held regarding the proposed 2007-08 budget. Mayor Anderson stated that the annual budget review is one of the most critical responsibilities of the City Council as it begins to forecast future revenues and expenditures. Additional public hearings will be held prior to adoption of the 2007-08 City budget and ad valorem tax rate.

No one appeared regarding the proposed 2007-08 budget. Mayor Anderson declared the public hearing closed.

CONSENT AGENDA.

Mr. Pickett moved to approve the items on the Consent Agenda, as follows. Motion was seconded by Mr. Heiman and approved unanimously.

2. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 18, 2007.
3. ORDINANCE NO. 3873 – ZONING – APPLICATION NO. 190-8 SUBMITTED BY DOUG GALBRAITH.

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CHANGE OF ZONING FROM R-1 SINGLE-FAMILY RESIDENTIAL TO PLANNED DEVELOPMENT – GENERAL RETAIL SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY. (Ordinance No. 3873 recorded on page of Ordinance Book No. 87.)

4. RESOLUTION NO. 27-2007 – SUSPENDING THE PROPOSAL BY ATMOS ENERGY CORPORATION, MID-TEX DIVISION, TO IMPLEMENT INTERIM GAS RELIABILITY INFRASTRUCTURE PROGRAM (GRIP) RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2006, AUTHORIZING PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE (ACSC) IN A REVIEW AND INQUIRY INTO THE SUFFICIENCY OF THE FILING AND THE BASIS OF THE PROPOSED RATE ADJUSTMENTS, AUTHORIZING INTERVENTION IN ADMINISTRATIVE AND COURT PROCEEDINGS INVOLVING THE PROPOSED GRIP RATE ADJUSTMENTS, REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT RATEMAKING COSTS AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SUSPENDING THE JULY 30, 2007, EFFECTIVE DATE OF THE PROPOSAL BY ATMOS ENERGY CORP., MID-TEX DIVISION TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2006; AUTHORIZING PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) IN A REVIEW AND INQUIRY INTO THE SUFFICIENCY OF THE FILING AND THE BASIS OF THE PROPOSED RATE ADJUSTMENTS; AUTHORIZING INTERVENTION IN ADMINISTRATIVE AND COURT PROCEEDINGS INVOLVING THE PROPOSED GRIP RATE ADJUSTMENTS; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT RATEMAKING COSTS; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL. (Resolution No. 27-2007 recorded on page of Resolution Book No. 40.)

5. RESOLUTION NO. 28-2007 – RATIFYING EXECUTION OF THE TEXAS DEPARTMENT OF TRANSPORTATION’S STANDARD UTILITY AGREEMENT BY THE CITY MANAGER TO INCLUDE ENGINEERING DESIGN SERVICES FOR UTILITY RELOCATION OF FRANCHISE AND CITY-OWNED FACILITIES FOR THE LBJ (MESQUITE SECTION) PHASE TWO PROJECT.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, RATIFYING THE EXECUTION OF THE STANDARD UTILITY AGREEMENT BY THE CITY MANAGER WITH THE TEXAS DEPARTMENT OF TRANSPORTATION PROVIDING FOR THE ENGINEERING DESIGN AND CONSTRUCTION OF UTILITY RELOCATIONS FOR FRANCHISE AND CITY-OWNED FACILITIES FOR INTERSTATE 635 FROM U.S. HIGHWAY 80 TO NORTH OF TOWN EAST BOULEVARD. (Resolution No. 28-2007 recorded on page of Resolution Book No. 40.)

6. BID NO. 2007-066 – ANNUAL LANDSCAPE MAINTENANCE OF THE TXDOT HIGH VISIBILITY INTERCHANGES – ORIGINAL CONTRACT WITH DAL TECHNOLOGIES, INC., TERMINATED AND CITY MANAGER AUTHORIZED TO EXECUTE A CONTRACT WITH SECOND LOW BIDDER GREENER PASTURES LANDSCAPE, INC., IN THE AMOUNT OF \$72,815.00.
7. BID NO. 2007-086 – INSTALLATION OF DETECTOR LOOPS AT SELECTED SIGNALIZED INTERSECTIONS – AWARDED TO LOW BIDDER ROADWAY SOLUTIONS, INC., IN THE AMOUNT OF \$34,325.00.
8. BID NO. 2007-088 – ANNUAL SUPPLY OF TIRES – AWARDED TO LOW BIDDERS SOUTHERN TIRE MART IN THE AMOUNT OF \$167,982.36 AND GRAY’S WHOLESALE TIRE IN THE AMOUNT OF \$70,123.39 FOR A TOTAL AMOUNT OF \$238,105.75.
9. RATIFIED EXPENDITURE OF \$27,512.00 TO TDINDUSTRIES FOR INSTALLATION OF ACCESS GATE CONTROLS AT THE MESQUITE METRO AIRPORT.
10. CITY MANAGER AUTHORIZED TO EXECUTE AN AGREEMENT WITH ACTIVE NETWORK WITHOUT COMPETITIVE BIDDING, IN ACCORDANCE WITH SECTION 252.022 OF THE TEXAS LOCAL GOVERNMENT CODE, TO PROVIDE ONLINE REGISTRATION AND MEMBERSHIP SOFTWARE SYSTEMS FOR THE PARKS AND RECREATION DEPARTMENT IN THE AMOUNT OF \$39,544.00.

11. MAYOR AUTHORIZED TO EXECUTE AN AGREEMENT WITH METROPCS TO LEASE ANTENNAE SPACE FOR WIRELESS COMMUNICATIONS EQUIPMENT ON THE SERVICE CENTER TOWER.
12. STAFF AUTHORIZED TO NEGOTIATE A CONTRACT FOR THE AWARD OF RFP NO. 2007-074, ANNUAL CONTRACT FOR THE INSTALLATION AND OPERATION OF AN AUTOMATED TRAFFIC SIGNAL ENFORCEMENT SYSTEM, UPON REVIEW OF "BEST VALUE" SOLICITATION PROPOSALS BY AN EVALUATION PANEL AND SUBMIT FINAL CONTRACT TO COUNCIL FOR APPROVAL.
13. CHANGE ORDER REPORT RECEIVED FROM CITY MANAGER.
(CE27-7650, CITY LAKE AQUATIC CENTER OFFICE RENOVATION – [\$1,000.00]; CE27-7170, RIGHT-OF-WAY SERVICE, US 80 UTILITY RELOCATION - \$166.35 AND CE27-7440-001, RORIE-GALLOWAY CAMP IMPROVEMENTS - \$800.00.)

END OF CONSENT AGENDA.

OTHER BUSINESS.

14. CANCELLED THE REGULAR CITY COUNCIL MEETING SCHEDULED TO BE HELD SEPTEMBER 17, 2007, AND RESCHEDULED THE REGULAR CITY COUNCIL MEETING FOR TUESDAY, SEPTEMBER 18, 2007.

Ms. Roberts moved to cancel the regular City Council meeting scheduled to be held September 17, 2007, and to reschedule the meeting for Tuesday, September 18, 2007. Motion was seconded by Mr. Heiman and approved unanimously.

15. CANCELLED THE REGULAR CITY COUNCIL MEETING SCHEDULED TO BE HELD OCTOBER 1, 2007, AND RESCHEDULED THE REGULAR CITY COUNCIL MEETING FOR TUESDAY, OCTOBER 2, 2007.

Mr. Monaco moved to cancel the regular City Council meeting scheduled to be held October 1, 2007, and to reschedule the meeting for Tuesday, October 2, 2007. Motion was seconded by Mr. Pickett and approved unanimously.

PUBLIC HEARINGS.

16. PUBLIC HEARING – ZONING – APPLICATION NO. 2007-5 AND ORDINANCE NO. 3874 AMENDING SECTION 4-200 OF THE MESQUITE ZONING ORDINANCE REGARDING PROCEDURES FOR REVIEW AND APPROVAL OF PLANNED DEVELOPMENT SITE PLANS – APPROVED.

A public hearing was held to consider Zoning Text Amendment No. 2007-5 amending Section 4-200 of the Mesquite Zoning Ordinance regarding procedures for review and approval of Planned Development site plans.

Richard Gertson, Director of Community Development, stated that the proposed ordinance would remove the City Council from the Planned Development site plan approval process. However, applicants would retain the right to appeal decisions of the Planning and Zoning Commission to the City Council if they desire. During the zoning process, the City Council will retain the option to review the Planned Development site plan if appropriate. Mr. Gertson stated that the proposed ordinance also clarifies some provisions of the current zoning ordinance regarding administrative amendments that can be made once the Planned Development site plan is approved.

No one appeared regarding the proposed zoning change. Mayor Anderson declared the public hearing closed.

Mr. Monaco moved to approve Zoning Text Amendment No. 2007-5 amending Section 4-200 of the Mesquite Zoning Ordinance regarding procedures for review and approval of Planned Development site plans; and to approve Ordinance No. 3874, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, BY DELETING SECTION 4-200 IN ITS ENTIRETY AND ADDING A NEW SECTION 4-200; THEREBY AMENDING THE PLANNED DEVELOPMENT DISTRICT REGULATIONS; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Tarpley and approved by all voting "Aye." (Ordinance No. 3874 recorded on page _____ of Ordinance Book No. 87.)

17. PUBLIC HEARING – ZONING – APPLICATION NO. 810-29 SUBMITTED BY CARTER STEEL GUITARS AND ORDINANCE NO. 3875 FOR A ZONING CHANGE FROM COMMERCIAL TO COMMERCIAL WITH A CONDITIONAL USE PERMIT TO ALLOW THE ASSEMBLY, SALE AND REPAIR OF STEEL GUITARS AND ACCESSORIES IN ADDITION TO OTHER USES ALLOWED AT 617 WEST KEARNEY STREET – APPROVED WITH CERTAIN STIPULATIONS.

A public hearing was held to consider Application No. 810-29 submitted by Carter Steel Guitars for a zoning change from Commercial to Commercial with a Conditional Use Permit to allow the assembly, sale and repair of steel guitars and accessories in addition to other uses allowed in the Village East Section B Replat, Block G, Lot 2. This property is further described as a 63,500-square-foot tract located at 617 West Kearney Street.

John Fabian, owner of Carter Steel Guitars, presented the proposed zoning change. He stated that due to a recent expansion, the business occupancy now exceeds the

5,000-square-foot limit currently allowed for the assembly of goods without a Conditional Use Permit. Therefore, a Conditional Use Permit is being requested to extend the limits to all suites.

No one appeared regarding the proposed zoning change. Mayor Anderson declared the public hearing closed.

Mr. Heiman moved to approve Application No. 810-29 for a zoning changing from Commercial to Commercial with a Conditional Use Permit to allow the assembly, sale and repair of steel guitars and accessories in addition to other uses, as recommended by the Planning and Zoning Commission, with the following stipulations:

1. The Conditional Use Permit is limited to Carter Steel Guitars at 617 W. Kearney Street. This shall allow future expansion into all suites of the building.
2. Assembly shall be limited to steel guitars and accessories. It shall not include the assembly of any other products.
3. Outdoor storage shall be prohibited.
4. Outdoor activity shall be prohibited.
5. The Conditional Use Permit is not assignable, transferable or alienable.

And, to approve Ordinance No. 3875, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CONDITIONAL USE PERMIT ON PROPERTY ZONED COMMERCIAL THEREBY ALLOWING THE ASSEMBLY, SALE AND REPAIR OF STEEL GUITARS AND ACCESSORIES SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY. Motion was seconded by Mr. Pickett and approved by all voting "Aye." (Ordinance No. 3875 recorded on page _____ of Ordinance Book No. 87.)

18. PUBLIC HEARING – ZONING – APPLICATION NO. 1462-255 SUBMITTED BY QUANAH HOSPITALITY PARTNERS, L.P., FOR A ZONING CHANGE FROM PLANNED DEVELOPMENT – LIGHT COMMERCIAL TO PLANNED DEVELOPMENT – LIGHT COMMERCIAL WITH A CONDITIONAL USE PERMIT TO ALLOW A LIMITED-SERVICE HOTEL IN ADDITION TO OTHER USES AT 915 WINDBELL CIRCLE – DENIED.

A public hearing was held to consider Application No. 1462-255 submitted by Quanah Hospitality Partners, L.P., for a zoning change from Planned Development – Light Commercial to Planned Development – Light Commercial with a Conditional Use Permit to allow a limited-service hotel in addition to other uses allowed in Skyline Village No. 37, Phase 3, Block B, Lot 1R-B. This property is further described as a two-acre tract located at 915 Windbell Circle.

Roger Unger, representing Quanah Properties, L.P., presented the proposed zoning change. He stated that proposed development of the 116-unit hotel has been upgraded since it was presented to Council in 2006. An exercise room and meeting room have been added along with additional enhancements to the hotel's exterior. The number of security cameras was increased from 8 to 12 with two cameras on each floor, two cameras in the elevators and cameras at each entry door. Mr. Unger explained that the security cameras are on a continuous-loop recording, maintained for 48 hours, and will be monitored at the front desk from 7:00 a.m. until 7:00 p.m. There will also be a security officer on-site 24 hours a day. Mr. Unger stated that Quanah Properties, L.P., has expanded substantially with over 40 hotels nationwide.

Mike Tolleson, property owner of the site, spoke in favor of the Quanah Hospitality Partners, L.P., project.

No others appeared regarding the proposed zoning change. Mayor Anderson declared the public hearing closed.

Councilmembers expressed support for retaining the on-site restaurant requirement as part of the development, as stipulated in the Zoning Ordinance.

Mr. Unger explained that a floor plan which included an on-site restaurant was presented to the franchiser but was declined.

Mr. Monaco moved to deny Application No. 1462-255 for a zoning change from Planned Development – Light Commercial to Planned Development – Light Commercial with a Conditional Use Permit to allow a limited-service hotel in addition to other uses. Motion was seconded by Mr. Heiman and approved by all voting "Aye."

19. PUBLIC HEARING – ZONING – APPLICATION NO. 1397-25 SUBMITTED BY RAJAN THOMAS FOR A ZONING CHANGE FROM SERVICE STATION TO PLANNED DEVELOPMENT – GENERAL RETAIL TO ALLOW MINOR AUTO REPAIR AND LIMITED OFFICE AND RETAIL USES IN ADDITION TO OTHER USES ALLOWED AT 910 NORTH GALLOWAY AVENUE – POSTPONED UNTIL THE AUGUST 6, 2007, CITY COUNCIL MEETING.

A public hearing was scheduled to be held to consider Application No. 1397-25 submitted by Rajan Thomas for a zoning change from Service Station to Planned Development – General Retail to allow minor auto repair and limited office and retail uses in addition to other uses allowed in part of the M. L. Swing Survey, Abstract No. 1397. This property is further described as a 0.2954-acre tract located at 910 North Galloway Avenue.

The applicant was not present.

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Mr. Monaco moved to postpone consideration of Application No. 1397-25 for a zoning changing from Service Station to Planned Development – General Retail to allow minor auto repair and limited office and retail uses in addition to other uses at 910 North Galloway Avenue until the August 6, 2007, City Council meeting. Motion was seconded by Ms. Roberts. On call for a vote on the motion, the following votes were cast:

Ayes:	Monaco, Roberts, Anderson, Pickett, Heiman, Tarpley
Nays:	Paschall

Motion carried.

20. PUBLIC HEARING – ZONING – APPLICATION NO. NR4-13 SUBMITTED BY MOHAMMED KAMAL AND ORDINANCE NO. 3876 FOR A ZONING CHANGE FROM SERVICE STATION TO PLANNED DEVELOPMENT – GENERAL RETAIL TO ALLOW MINOR AUTO REPAIR IN ADDITION TO OTHER USES ALLOWED AT 2003 NORTH GALLOWAY AVENUE – APPROVED WITH CERTAIN STIPULATIONS.

A public hearing was held to consider Application No. NR4-13 submitted by Mohammed Kamal for a zoning change from Service Station to Planned Development – General Retail to allow minor auto repair in addition to other uses allowed in Northridge Estates No. 4 Addition, Block 53, Lot 2. This property is further described as a 0.325-acre tract located at 2003 North Galloway Avenue.

Mohammed Kamal, 7953 Pinkerton Court, Plano, presented the zoning application. He stated that an automotive repair business is currently operating on the site. Proposed improvements include enlarging the building and upgrading the exterior with brick and stone. He added that the concrete pad at the rear of the building will be removed to enable expansion of the structure.

No one appeared regarding the proposed zoning change. Mayor Anderson declared the public hearing closed.

Mr. Paschall expressed concern regarding businesses operating from this location in the past that were not always in compliance with the City's zoning ordinances and stated that all standards must be met in the future.

Mr. Paschall moved to approve Application No. NR4-13 for a zoning change from Service Station to Planned Development – General Retail to allow minor auto repair in addition to other uses, as recommended by the Planning and Zoning Commission, with the following stipulations, revising Stipulation Nos. 5 and 7 and adding Stipulation No. 10:

1. The façade will be improved to match the submitted elevations dated May 15, 2007.
2. The landscaping will be enhanced to match the submitted site plan dated May 19, 2007.

3. Use of this site is limited to SIC 753(a) Minor Automobile Repair Services only. Selling of auto parts, prepared food items and videos is prohibited. Limited indoor sale of candy and soda is permitted.
4. Outdoor storage or display shall be prohibited.
5. Refurbishing or repairing cars outside of the building is prohibited. The paved working area behind the building shall be removed.
6. Selling of cars on the premises is prohibited.
7. The building expansion shall not obstruct or interfere with signs on adjacent properties.
8. The existing canopy shall be removed.
9. The existing pole sign shall be removed.
10. The existing fluorescent light post on the south corner of the property shall be removed.

And, to approve Ordinance No. 3876, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CHANGE OF ZONING FROM SERVICE STATION TO PLANNED DEVELOPMENT – GENERAL RETAIL SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY. Motion was seconded by Mr. Monaco and approved by all voting “Aye.” (Ordinance No. 3876 recorded on page _____ of Ordinance Book No. 87.)

21. PUBLIC HEARING – ZONING – APPLICATION NO. 1-38 SUBMITTED BY DOWDEY ANDERSON & ASSOCIATES ON BEHALF OF WHITE PROPERTIES FOR A ZONING CHANGE FROM AGRICULTURAL TO PLANNED DEVELOPMENT – SINGLE FAMILY RESIDENTIAL TO ALLOW SINGLE-FAMILY RESIDENTIAL AND SUPPORTING USES AT THE WEST CORNER OF THE EAST CARTWRIGHT ROAD AND LAWSON ROAD INTERSECTION – POSTPONED UNTIL THE AUGUST 6, 2007, CITY COUNCIL MEETING.

A public hearing was scheduled to be held to consider Application No. 1-38 submitted by Dowdey Anderson & Associates on behalf of White Properties for a zoning change from Agricultural to Planned Development – Single Family Residential to allow single-family residential and supporting uses in the J. P. Anderson Survey, Abstract No. 1. This property is further described as a 270-acre tract located at the west corner of the East Cartwright Road and Lawson Road intersection.

Mr. Pickett moved to postpone consideration of Application No. 1-38 for a zoning change from Agricultural to Planned Development – Single Family Residential to allow single-family residential and supporting uses at the west corner of the East Cartwright Road and Lawson Road intersection until the August 6, 2007, City Council meeting. Motion was seconded by Mr. Heiman and approved unanimously.

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Mr. Pickett moved to adjourn the meeting. Motion was seconded by Ms. Roberts and approved unanimously. The meeting adjourned at 3:55 p.m.

Judy Womack
City Secretary

Mike Anderson
Mayor