

**CITY COUNCIL MINUTES
REGULAR SESSION
NOVEMBER 9, 2015**

CALL TO ORDER

A regular session of the City Council was called to order Monday, November 9, 2015 at 7:04 PM with a quorum present, to wit:

James Burgess	Mayor	
Wes Dady	Mayor Pro Tem	
Jeannie Prazak	Councilmember	
Robert Wood	Councilmember	
Jeanie Toland-Scott	Councilmember	
Geronimo Hernandez	Councilmember	Absent

The Invocation was given by Mayor Burgess. The Pledge of Allegiance was recited.

CITIZEN PUBLIC COMMENT PERIOD

Terry Chaney spoke regarding Fielder Park and the need for improvements to the fields and facilities.

CONSENT AGENDA

ITEM 1. Approval of the minutes for the October 12, 2015 City Council Workshop and the October 12, 2015 Regular City Council Meeting.

ITEM 2. Ratify the payment of the bills for the month of October 2015.

Councilmember Wood made a motion, seconded by Councilmember Scott, to approve the Consent Agenda. A vote was cast, 4 in favor, 0 against. Motion passed.

INDIVIDUAL ITEMS FOR CONSIDERATION

ITEM 3. Discuss and consider approval of a Civic Center rental fee reduction request by Tiffany Davies for Christmas on the Square.

Ms. Davies addressed Council and requested a waiver of fees for the use of the Civic Center restrooms during Christmas on the Square on Saturday, December 12, 2015.

Mayor Pro Tem Dady made a motion, seconded by Councilmember Prazak, to approve the use of the Civic Center restrooms for Christmas on the Square and waive the rental fee. A vote was cast, 4 in favor, 0 against. Motion passed.

ITEM 11. Discuss and consider approval of an Ordinance amending Chapter 26 Subdivisions and Development, Division 3 Standards and Specifications, Section 26-102 to adopt the North Central Texas Council of Government (NCTCOG) *iSWM Criteria Manual for Site Development and Construction* a part of the iSWM program promulgated by NCTCOG to provide more robust drainage regulations and specifications for subdivision development.

Councilmember Wood made a motion, seconded by Councilmember Prazak, to approve an Ordinance amending Chapter 26 Subdivisions and Development, Division 3 Standards and Specifications, Section 26-102 to adopt the North Central Texas Council of Government (NCTCOG) iSWM Criteria Manual for Site Development and Construction a part of the iSWM program promulgated by NCTCOG to provide more robust drainage regulations and specifications for subdivision development. A vote was cast, 4 in favor, 0 against. Motion passed.

ITEM 4. Discuss and consider approval of a Texas Department of Transportation reconfiguration proposal for FM157.

Police Chief Boese and City Administrator Stoll offered to Council a reconfiguration proposal for FM157 to bypass the curve near CR109. The City would need to contribute up to 10% towards the land acquisition.

No action was taken.

ITEM 5. Discuss and consider approval of amendments to the City of Venus Employee Handbook.

Item was tabled.

ITEM 6. Discuss and consider approval of an expenditure in the amount of \$20,000 for Christmas decorations from Temple Display, Ltd. with two year financing.

City Administrator Stoll discussed an offer made by Temple Display, Ltd. For purchasing \$20,000 in decorations with finance terms of \$10,000 at time of purchase and \$10,000 in November 2016.

Councilmember Prazak made a motion, seconded by Councilmember Scott, to approve an expenditure in the amount of \$20,000 for decorations purchased from Temple Display. A vote was cast, 2 in favor, 2 against (Wood, Dady). Mayor Burgess broke the tie with a vote in favor. Motion passed.

ITEM 7. Discuss and consider approval of Resolution 19-2015 adopting a Tax Abatement Policy creating policies for attracting new development and businesses to the City per recommendation of the Johnson County Economic Development Board.

Councilmember Prazak made a motion, seconded by Councilmember Wood, to approve Resolution No. 19-2015 adopting a Tax Abatement Policy creating policies for attracting new development and businesses to the City per recommendation of the Johnson County Economic Development Board. A vote was cast, 4 in favor, 0 against. Motion passed.

ITEM 8. Discuss and consider approval of an Ordinance amending Chapter 24 Streets, Sidewalks, and Other Public Properties, Article II., City Parks and City Square, striking Sections 24-23 through 24-28 and replace with new sections 24-23 through Section 24-39, the Amendment of Chapter 4, Alcoholic Beverages, to strike the entire chapter including Section 4-1 to provide a new set of rules and regulations governing the city's parks and city square.

Council discussed the need for rules regarding park hours, permits for gazebo use, cooking fires, adding 'events' to the gazebo permit requirement; and alcohol use in parks.

Councilmember Wood made a motion, seconded by Councilmember Prazak, to approve an Ordinance, amending Chapter 24 Streets, Sidewalks, and Other Public Properties, Article II., City Parks and City Square, striking Sections 24-23 through 24-28 and replace with new sections 24-23 through Section 24-39, the Amendment of Chapter 4, Alcoholic Beverages, to strike the entire chapter including Section 4-1 to provide a new set of rules and regulations governing the city's parks and city square. A vote was cast, 4 in favor, 0 against. Motion passed.

ITEM 9. Discuss and consider approval of an Ordinance amending Chapter 16 Offenses and Miscellaneous Provisions, Article I. In General, Section 16-1 Weapons and Firearms to prohibit the discharge of certain weapons within the city limits and to prohibit the use of crossbows and bows and to delete obsolete provisions of the section.

Councilmember Prazak made a motion, seconded by Councilmember Wood, to approve an Ordinance amending Chapter 16 Offenses and Miscellaneous Provisions, Article I. In General, Section 16-1 Weapons and Firearms to prohibit the discharge of certain weapons within the city limits and to prohibit the use of crossbows and bows and to delete obsolete provisions of the section. A vote was cast, 4 in favor, 0 against. Motion passed.

ITEM 10. Discuss and consider approval of an Ordinance amending Chapter 16 Offenses and Miscellaneous Provisions, to add Article IV. Sex Offenders to codify Ordinance #322-2006 an ordinance prohibiting sex offenders from residing within certain distances of schools, parks, child-care centers, and other places where children congregate, gather or play.

City Attorney Calloway informed Council that the presented Ordinance was originally approved in 2006, but was not ever codified through Municode. Discussions were held regarding possible changes to the feet mark from schools.

Councilmember Wood made a motion, seconded by Councilmember Scott, to direct staff to codify Ordinance No. 322-2006. A vote was cast, 4 in favor, 0 against. Motion passed.

ITEM 12. Discuss and consider approval of an Ordinance amending Chapter 16 Offenses and Miscellaneous Provisions to add Section 16-4 Graffiti to prohibit graffiti within the city limits and to provide authority for the City to require a landowner to remove the graffiti in certain circumstances.

No action was taken

ITEM 13. Discuss and consider approval of an Ordinance amending Chapter 6 Animals, to add Section 6-13 Pet Registration to provide a registration requirement for domestic pets and to establish a registration fee.

Discussion ensued regarding permit renewals, necessity for indoor pets to wear tags, rabies vaccinations, and registration processes.

Councilmember Prazak made a motion, seconded by Mayor Pro Tem Dady, to approve an Ordinance amending Chapter 6 Animals, to add Section 6-13 Pet Registration to provide a registration requirement for domestic pets and to establish a registration fee. A vote was cast, 4 in favor, 0 against. Motion passed.

ITEM 14. Discuss and consider approval of an Ordinance amending Chapter 18 Public Safety, Article IV. Fire Prevention to add Division III. Outdoor Burning of the Venus Code of Ordinances to prohibit the burning of certain materials outdoors within the city limits.

Councilmember Prazak made a motion, seconded by Councilmember Scott, to approve an Ordinance amending Chapter 18 Public Safety, Article IV. Fire Prevention to add Division III. Outdoor Burning of the Venus Code of Ordinances to prohibit the burning of certain materials outdoors within the city limits. A vote was cast, 4 in favor, 0 against.

ITEM 15. Discuss regulation of the sale of alcohol within the city limits to include 1) whether to prohibit the sale of alcohol in residential areas, 2) whether to prohibit or restrict the sale of alcohol within 300 feet of a church and/or public or private school, 3) whether to seek approval

from the Venus Independent School District to expand the school distance restriction to 1,000 feet of a public school, 4) whether to, by resolution, expand the school distance restriction to 1,000 feet of a private school, 5) whether to prohibit or restrict the sale of alcohol near day-care and child-care facilities, and 6) what fees and permitting process to implement to manage applications to sale alcohol in accordance with Texas Alcoholic Beverage Code Section 11.38. And, with City Council's recommendations, authorize the City Attorney to Draft an Ordinance for council review and action.

No action was taken

ITEM 16. Presentation of monthly department reports:

- **Police Department - Chief Boese**
- **Public Works and Water/Sewer - Public Works Director Cesar Roca**
- **Administration - City Administrator April Stoll**

{Council recessed into Executive Session at 10:30 PM}

EXECUTIVE SESSION

The City Council reserves the right to meet in a closed session on any of the following items should the need arise and if applicable, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

- **GC §551.071(A) – Consultation with Attorney regarding pending litigation:**
Robert Bales vs. City of Venus; Cause No. C-2015-00377
- **GC §551.071(A) – Consultation with Attorney regarding pending litigation:**
Texas Board of Professional Engineers vs. City of Venus; Cause Nos. G-32743 and G-35359
- **GC § 551.071(A) – Consultation with Attorney regarding pending litigation:**
Joshua Evans vs. City of Venus; Cause No. C-2014-00207
- **GC §551.071(A) – Consultation with Attorney regarding pending litigation:**
Timothy Mark Thompson v. City of Venus Police Department, State Office of Administrative Hearings Docket No. 407-15-5477

{Council reconvened into Open Session at 11:18 PM}

Reconvene into regular session and consider action, if any, on items discussed in executive session.

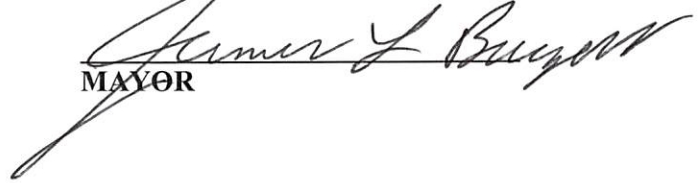
Councilmember Prazak made a motion, seconded by Councilmember Wood, to direct the City Attorney to go forward with Cause Nos. G-32743 and G-35359. A vote was cast, 4 in favor, 0 against. Motion passed.

Councilmember Prazak made a motion, seconded by Mayor Pro Tem Dady, to direct TMLIRP to dispose Cause No. C-2014-00207.

ADJOURNMENT

Council adjourned at 11:19 PM.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

