

MINUTES FOR THE 21st DAY OF MARCH 2017

Be it remembered that on Tuesday, March 21, 2017 the Groesbeck City Council met in Regular Session at 6:00 p.m. at the Groesbeck Council Chambers with the Honorable Mayor Ray O'Docharty presiding and with Matthew Dawley, Kim Harris, Tamikia Jackson, Mike Thompson and Warren Anglin being present and with no one being absent. Staff members present were Chris Henson, Brenda Jackson, Paul Fitte and Tyrell Hobbs. Tykisha Presley, EDC Director was also in attendance. A list of visitors is attached to the agenda on file.

Pastor Nathaniel Bedford gave the invocation and the pledge to the flags was repeated in unity.

Mayor O'Docharty called the meeting to order at 6:00 p.m. Proper posting of the notice of the meeting was verified and a quorum of members was present.

6. Citizen's Comments

There were no citizen's comments.

7. Consent Agenda

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion.)

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|-------------------------|-----------------|-------------------|
| a. Approval of Minutes: | Special Session | February 17, 2017 |
| | Regular Session | February 21, 2017 |

A motion was made by Matt Dawley and seconded by Warren Anglin to approve the consent agenda. Motion carried unanimously.

8. Consider Approval of Resolution No. 17-R-03, Designating City Official Newspaper

Mayor Ray O'Docharty presented Resolution No. 17-R-03, Designating City Official Newspaper to the council for approval.

A motion was made by Mike Thompson and seconded by Tamikia Jackson Resolution No. 17-R-03. Motion carried unanimously.

RESOLUTION NO. 16-R-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROESBECK, LIMESTONE COUNTY, STATE OF TEXAS, ESTABLISHING A PUBLIC NEWSPAPER OF GENERAL CIRCULATION TO BE THE OFFICIAL NEWSPAPER FOR THE CITY OF GROESBECK

WHEREAS, Section 52.004, Local Government Code, requires the City Council of the City of Groesbeck, Texas to determine, by ordinance or resolution, a public newspaper to be the official newspaper for the City of Groesbeck, Texas; and

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WHEREAS, the City Council finds that *The Groesbeck Journal* is a public newspaper of general circulation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROESBECK, LIMESTONE COUNTY, STATE OF TEXAS, THAT:

SECTION 1: That the City Council of the City of Groesbeck, Texas hereby determines and establishes *The Groesbeck Journal* as the official newspaper for Groesbeck until the time that another selection is made by the City Council

SECTION 2: That this resolution shall take effect immediately upon its passage.

Duly passed and approved by the City Council of the City of Groesbeck, Limestone County, State of Texas on the 21st day of March, 2017.

**APPROVED:
CITY OF GROESBECK**

BY: s/Ray O'Docharty
Ray O'Docharty
Mayor

ATTEST:

s/Brenda Jackson
Brenda Jackson
City Secretary

9. Consider Approval of Resolution No. 17-R-04, Nominating a Candidate to fill Vacancy of Unexpired Limestone County Appraisal Board of Directors Member (City Administrator)

Mayor O'Docharty presented Resolution No. 17-R-04, Nominating a Candidate to fill Vacancy of Unexpired Limestone County Appraisal Board of Directors Member to the council for approval.

A motion was made by Kim Harris and seconded by Warren Anglin to approve Resolution No. 17-R-04 nominating Ron Franks. Motion carried unanimously.

RESOLUTION NO. 17-R-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROESBECK, LIMESTONE COUNTY, STATE OF TEXAS, NOMINATING CANDIDATE TO FILL VACANCY OF UNEXPIRED DIRECTOR MEMBER OF THE LIMESTONE COUNTY CENTRAL APPRAISAL DISTRICT BOARD

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WHEREAS, according to the terms of S.B. 621 passed and approved by the 66th Legislature, Regular Session, 1079, and as revised by Subsequent Legislation, a Board of Directors will be elected by the taxing jurisdictions of the Central Appraisal District of Limestone County;

WHEREAS, it is necessary that a list of nominees be submitted to the Chief Appraiser on or before March 27, 2017;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROESBECK, LIMESTONE COUNTY, STATE OF TEXAS, places the following name in nomination as candidate for vacancy of unexpired term of member on the Board of Directors of the Limestone County Central Appraisal District Board: Ron Franks.

Passed and approved by the City Council of the City of Groesbeck, Limestone County, State of Texas on the 21st day of March, 2017.

**APPROVED:
CITY OF GROESBECK**

**BY: s/Ray O'Docharty
Ray O'Docharty
Mayor**

ATTEST:

**s/Brenda Jackson
Brenda Jackson
City Secretary**

10. Consider Approval of Appointment of Library Board Members (City Administrator)

A motion was made by Matthew Dawley and seconded Tamikia Jackson to approve the reappointment of Alice Jones, Liz McDaniel and Harvey Fredriksson to serve the two year term as members on the Library Board expiring March 31, 2019. Motion carried unanimously.

11. Consider Approval of Appointment of Zoning Board Committee (City Administrator)

A motion was made by Warren Anglin and seconded by Kim Harris to appoint Carol Jenkins, Charles Bratcher, Lori Bell, Sara Rodriguez and Jordan Chiglo to serve on the Zoning Board Committee for a two year period expiring March 31, 2017. Motion carried unanimously.

12. Consider Approval to Accept Bids and Designate City Bank Depository (City Administrator)

A motion was made by Mike Thompson and seconded by Tamikia Jackson to table this item. Motion carried unanimously.

13. Consider Approval of City of Groesbeck Audit Report for Period Ending September 30, 2016 (Don Allman)

A motion was made by Matt Dawley and seconded by Tamikia Jackson to approve the City of Groesbeck Audit Report for Period Ending September 30, 2016. Motion carried unanimously.

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14. Consider Approval of Hotel/Motel Tax Funding for Horse Show (City Administrator)

A motion was made by Mike Thompson and seconded by Matt Dawley to approve \$500.00 of Hotel/Motel Tax Funding for the 4H & FFA Multi County Youth Horse Show. Motion carried unanimously.

15. Discussion/Action Concerning Manufactured Homes (Dorothy Wilson)

There was no action taken on this item.

16. Discussion/Action Concerning Street Repair (Dorothy Wilson)

There was no action taken on this item.

17. Consider Approval of Ordinance No. 17-O-02, Amending Ordinance No. 13-O-10, Manufactured Homes

Mayor O'Docharty presented Ordinance No. 17-O-02, Amending Ordinance No. 13-O-10, Manufactured Homes to the council for approval.

A motion was made by Kim Harris and seconded by Matt Dawley to approve Ordinance No. 17-O-02. Voting for: Kim Harris, Matt Dawley, Warren Anglin, Mike Thompson. Voting Against: Tamikia Jackson. Motion carried.

ORDINANCE No. 17-O-02

Amending Ordinance No. 13-O-10

AN ORDINANCE OF THE CITY OF GROESBECK, TEXAS, PROVIDING FOR THE REGULATION OF MOBILE HOMES AND HUD CODE MANUFACTURED HOUSING WITHIN THE CITY LIMITS; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Groesbeck, Texas, has determined that it is in the interest of the welfare of its citizens to allow affordable manufactured housing within the city limits, and to maintain the integrity of existing nonconforming properties so as to prevent blight;

WHEREAS, such action is taken to preserve the public welfare,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GROESBECK, TEXAS, DOES HEREBY ORDAIN AS FOLLOWS:

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Sec. 1.- Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

HUD Code manufactured home means a structure:

- (1) Constructed on or after June 15, 1976 according to the rules of the U.S. Department of Housing and Urban Development;
- (2) Built on a permanent chassis;
- (3) Designed for use as a dwelling with or without permanent foundation when the structure is connected to the required utilities;
- (4) Transportable in one or more sections; and
- (5) In the traveling mode, at least eight (8) body feet in width or at least forty (40) body feet in length or, when erected on site, at least three hundred twenty (320) square feet.

HUD Code manufactured home includes the plumbing, heating, air conditioning, and electrical systems of the home and does not include a recreational vehicle.

Manufactured home rental park means a subdivided area created for the purpose of subdividing land into lots to be rented for the placement of HUD Code manufactured homes.

Manufactured home subdivision means a housing subdivision created for the purpose of subdividing land into residential lots to be sold for the use and placement of HUD Code manufactured homes.

Mobile home means a structure:

- (1) Constructed before June 15, 1976;
- (2) Built on a permanent chassis;
- (3) Designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;
- (4) Transportable in one (1) or more sections; and
- (5) In the traveling mode, at least eight (8) body feet in width or at least forty (40) body feet in length or, when erected on site, at least three hundred twenty (320) square feet.

Mobile home includes the plumbing, heating, air conditioning, and electrical systems of the home.

Pre-existing HUD Code manufactured home means a HUD Code manufactured home, as defined herein, located within the city limits of the City of Groesbeck on the date of the passage of this ordinance.

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Pre-existing mobile home means a mobile home, as defined herein, located within the city limits of the City of Groesbeck on the date of the passage of this ordinance.

Recreational vehicle means any of the following:

- (1) A travel trailer built on a chassis with a body width of less than eight (8) feet and a body length of less than thirty-two (32) feet designed to be transported and intended for human occupancy as a dwelling for short periods of time containing limited or no kitchen or bathroom facilities;
- (2) A pickup coach designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, or vacation;
- (3) A motor home which is a temporary dwelling used for travel, recreation, or vacation constructed as an integral part of a self-propelled vehicle; or
- (4) A camping trailer which is a folding structure mounted on wheels and designed for travel, recreational, or vacation use.

Recreational vehicle park means any lot or tract of land designed to accommodate two (2) or more recreational vehicles as defined herein and which exists as a privately owned/operated enterprise for the purpose of realizing a monetary profit.

Sec. 2. - Mobile homes.

- (a) No mobile home may be installed, placed, replaced, located, or relocated within the city limits.
- (b) Any pre-existing mobile home may remain on an existing site and be used as a dwelling if it is habitable and meets housing standards of the city. A pre-existing mobile home may be replaced with a HUD Code manufactured home if: (1) the HUD Code manufactured home meets housing standards of the city, and (2) the HUD Code manufactured home is put into place and
- (c) brought into compliance with all applicable laws within ninety (90) days of the date that the pre-existing mobile home is removed. A pre-existing mobile home may be remodeled or reconstructed following a natural disaster or calamity that makes the mobile home uninhabitable only if the cost for remodeling or reconstruction does not exceed fifty (50) percent of the value of the pre-existing mobile home immediately prior to the remodel or reconstruction according to the latest tax rolls. Any remodeling or reconstruction of a pre-existing mobile home must be in accordance with city codes.
- (d) No pre-existing mobile home may be relocated from one (1) site to another within the city limits.
- (e) Except for pre-existing mobile homes, it shall be unlawful to park, hold or store a mobile home within the city for a period of longer than forty-eight (48) hours.

Sec. 3.- HUD Code manufactured homes.

- (a) Except as otherwise provided herein, a HUD Code manufactured home may not be installed, placed, replaced, located, or relocated within the city limits unless such HUD Code manufactured home is located in a manufactured home subdivision, manufactured home rental park, or an area zoned for manufactured housing.
- (b) Any pre-existing HUD Code manufactured home located within the city limits on the date of the passage of this article, but not located in a manufactured home subdivision,

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- (c) manufactured home rental park, or an area zoned for manufactured housing, may remain on an existing site if it is habitable and meets minimum housing standards for the city.
 - (1) The owner of a pre-existing HUD Code manufactured home may remove it from its present location and place another HUD Code manufactured home on the same property provided that the replacement HUD Code manufactured home is: (1) newer than the HUD Code manufactured home it replaces, (2) at least as large in living space as the prior manufactured home, and (3) is put into place and brought into compliance with all applicable laws within ninety (90) days of the date that the pre-existing HUD Code manufactured home is removed.
 - (2) No pre-existing HUD Code manufactured home may be relocated from one site to another within the city limits of the City of unless the site to which the pre-existing HUD Code manufactured home is relocated is within a manufactured home subdivision, a manufactured home rental park, or an area zoned for manufactured housing.
- (d) No pre-existing mobile home or HUD Code manufactured home shall be used for any purpose other than residential habitation.
- (e) A person may not perform any installation function relating to any mobile home or HUD Code manufactured home unless such person possesses a valid certificate of registration for the installation of manufactured homes as required by state law.

Sec. 4. - Authorized locations for manufactured home subdivisions and manufactured home rental parks.

Sec. 5.- Penalty.

Any person convicted of a violation of this chapter shall be fined not less than one dollar (\$1.00), nor more than five hundred dollars (\$500.00) for each offense. Each day the violation exists shall constitute a separate offense.

Sec. 6. - Severability

Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 7. - Repealer

All provisions of the ordinances of the City of Groesbeck in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of

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Groesbeck, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 8. - Penalty

A person who violates this ordinance is guilty of a misdemeanor, and each offense is punishable by a fine of not more than two hundred dollars (\$200.00).

Section 9. - Effective date

This Ordinance shall become effective immediately upon its passage and publication of its caption as required by law.

PASSED AND APPROVED this the 21st day of March, 2017.

**APPROVED:
CITY OF GROESBECK**

**BY: s/Ray O'Docharty
Ray O'Docharty
Mayor**

ATTEST:

**s/Brenda Jackson
Brenda Jackson
City Secretary**

18. Council and City Administrator comments relating to items of public interest: announcements regarding local or regional civic and charitable events, staff recognition, commendation of citizens, traffic issues, upcoming meetings, informational update on city projects, awards, acknowledgement of meeting attendees, birthdays, request of the city administrator for items to be placed on upcoming agendas and condolences

The Groesbeck Masonic Lodge presented City Administrator/Police Chief, Chris Henson with a Community Builder Award.

19. Adjournment

Motion to adjourn was made by Kim Harris and seconded by Tamikia Jackson adjourn the meeting. There being no further business, the meeting was adjourned at 6:55 p.m.

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BY: _____
Ray O'Docharty
Mayor

ATTEST:

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