

**MINUTES  
CITY COUNCIL MEETING  
SEPTEMBER 9, 2008**

The City Council of the City of Cedar Hill, Texas met in regular session Tuesday, September 9, 2008, 7:00 p.m., T.W. "Turk" Cannady Cedar Hill Room, Government Center, City of Cedar Hill, Texas.

Present: Mayor Rob Franke, Mayor Pro Tem Cory Spillman, Council Members Wade Emmert, Makia Epie, Daniel C. Haydin, Jr. and Clifford Shaw. Absent: Council Member Greg Patton.

**I. Call the meeting to order.**

Mayor Franke called the meeting to order, declaring it an open meeting, that a quorum was present and that the meeting notice was duly posted.

The Mayor announced that Council Member Patton was out of town.

**II. Pledge of Allegiance.**

The Pledge of Allegiance was done.

**III. Invocation.**

Mayor Pro Tem Cory Spillman gave the invocation.

**IV. Presentation:**

**1. Present proclamation declaring September 17 through September 23, 2008, as Constitution Week.**

Mayor Franke was joined at the podium by Lucille Ames, representing the Old Chisholm Trail Chapter of the Daughters of the American Revolution (DAR). The Mayor read the proclamation and asked Ms. Ames to say a few words. Ms. Ames spoke about the Chapter's roots and stated the DAR's main objective is to keep patriotism alive.

**V. Bond Matters:**

**1. Discussion and consideration of Ordinance No. 2008-356 authorizing the issuance of "City of Cedar Hill, Texas Waterworks and Sewer System Revenue Bonds, Series, 2008" and resolving other matters incident and related thereto.**

Mayor Franke read the item and turned the discussion over to Finance Director Hardy Browder.

Browder introduced Boyd London of First Southwest Company. London, along with colleague Kristin Salant, discussed the rating upgrades, noting that Cedar Hill's upgrade to AA was due largely to management, council and staff.

Council Member Haydin expressed his excitement with the upgrade and noted it was a great testament to the staff.

Mayor Franke, also, complimented the staff's work and explained how this rating saves the citizens money.

London emphasized that not many municipalities are as well organized as Cedar Hill.

Council Member Emmert moved to adopt Ordinance 2008-356 authorizing the issuance of "City of Cedar Hill, Texas, Waterworks and Sewer System Revenue Bonds, Series 2008:" and approving and authorizing the execution of a Paying Agent/Registrar Agreement and a Purchase Contract in relation to such Bonds and the approval and distribution of an Official Statement.

The motion was seconded by Council Member Haydin.

The motion was approved unanimously.

**2. Discussion and consideration of Ordinance No. 2008-357, authorizing the issuance of "City of Cedar Hill, Texas General Obligation Bonds, Series 2008" and resolving other matters incident and related thereto.**

Council Member Haydin moved to adopt Ordinance No. 2008-357 authorizing the issuance of "City of Cedar Hill, Texas, General Obligation Bonds, Series 2008;" and approving and authorizing the execution of a Paying Agent/Registrar Agreement and a Purchase Contract in relation to such Bonds and the approval and distribution of an Official Statement.

Council Member Emmert seconded the motion, which carried unanimously.

**VI. Consent Agenda:**

*Items listed under the Consent Agenda are considered routine and are generally enacted in one motion.*

The City Council considered the following Consent Agenda items:

- 1. Consider approving the minutes of the regular meeting of July 22, 2008 and of the special meeting of August 22, 2008.**
- 2. Consider authorizing the Mayor to approve a Health Inspector Independent Contractor's Agreement with Food Establishment Inspection Service.**
- 3. Consider adoption of Ordinance No. 2008-358, which extends the deadline in which a PD Development Plan may be submitted for the 156.81 acres of land out of Abstract 1122, generally located at the northwest corner of Cockrell Hill Road and Bear Creek Road.**
- 4. Consider adoption of Ordinance No. 2008-359, which changes the zoning on 41.891 acres of land out of Abstract 876, generally located southeast of U.S. Highway 67 and Wintergreen Road from "SF-10" (single-family 10,000 sq. ft. minimums) to "LR" (local retail).**
- 5. Consider approval of Resolution No. R08-262 identifying the need and authorizing the change of the election early voting polling location to the Cedar Hill**

**Government Center, located at 285 Uptown Blvd., Building 100, Cedar Hill, Texas 75104.**

Mayor Franke read through the consent agenda and asked if there were questions or concerns regarding any of the items. There being none, Council Member Epie made a motion, second by Mayor Pro Tem Spillman to approve the Consent Agenda. The motion passed by unanimous vote.

#### **VIII. Citizens Forum.**

Mayor Franke opened the Citizens Forum to anyone wishing to speak.

Pete McCormick addressed the Council on pipeline ordinances, asking if something could be put into place to protect the citizens.

Noting that staff is currently working on various ordinances which will address drilling and eminent domain, the Mayor stated this issue is being given a high level of cooperation by everyone. Promising to include the public on any information regarding this issue and giving full publicity on any additional meetings, he asked Mr. McCormick to leave his name with Planning Director Rod Tyler in order to keep him informed.

There being no one else to speak, the Mayor closed the Citizens Forum.

#### **IX. Regular Agenda:**

**1. Consider authorizing the Mayor to execute a contract with Modern Contractors for the Tri-City Animal Shelter project.**

Mayor Pro Tem Spillman made a motion, second by Council Member Haydin to approve the item. The motion passed unanimously.

**2. Consider adoption of Ordinance No. 2008-360 amending Chapter 10 of the City of Cedar Hill Code of Ordinances by adding Article IV, Secondary Metal Recyclers.**

Expressing his appreciation for the pro-active work of the Police Department on this matter, Council Member Haydin made a motion the ordinance. The motion was seconded by Mayor Pro Tem Spillman, who encouraged staff to work with other cities in dealing with this problem.

The item passed unanimously.

**3. Consider authorizing the Mayor to execute a “Seismic Survey License Agreement” with Dawson Geophysical Company to conduct a Massey 3-D geophysical survey on public right-of-way (ROW) and other City owned property in western sections of Cedar Hill.**

Mayor Franke introduced the item.

Mayor Pro Tem Spillman expressed his appreciation to Dawson Geophysical Company for their willingness to work with the staff and asked that they work to educate the citizens on this matter. He emphasized that this would be a three month contract and asked that the company be respectful of rights-of-way and yards.

Council Member Emmert identified that his firm does work for Chesapeake and added that he would not recuse himself from the issue, but he would not vote on it.

Council Member Haydin moved to approve the item, second by Council Member Shaw. The motion passed with the following votes. Yeas: Mayor Franke, Mayor Pro Tem Spillman, Council Member Haydin, Council Member Epie and Council Member Shaw.

Noes: None

Abstaining: Council Member Emmert.

## **X. Adjourn.**

Upon a motion by Mayor Pro Tem Spillman, and second by Council Member Epie, the meeting adjourned by unanimous vote.

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Rob Franke, Mayor

ATTEST:

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Lyn Hill, City Secretary