

**MINUTES**  
**CITY OF AZLE CITY - COUNCIL MEETING**  
**Tuesday, January 15, 2008**

A Regular Meeting of the Azle City Council was held on Tuesday, January 15, 2008, at 7:00 p.m. in the City Council Chambers, 613 S.E. Parkway, Azle, Texas, with the following members present, to wit:

RUSS BRAUDIS	Mayor	TONY HAAS	Mayor Pro-Tem
ALAN BRUNDRETT	Place 1	ROUEL ROTHENBERGER	Place 5
PAUL CRABTREE	Place 4	JUNE EARP	Place 6

Councilmember Place 3 Eddy Wood, Jr. was absent.

Staff Present: Craig Lemin, City Manager; Susie Hiles, Assistant to the City Manager; Arthur Camacho Jr., City Secretary; Rick White, Utility Manager; Ryan Hill, Utility Maintenance Supervisor; Steve Myers, Police Chief; Thomas "Will" Scott, Fire Chief; Kyle Culwell, Parks and Streets Superintendent; Jimmy Duvall, Code Enforcement Officer; Kenny Wilson, Fire Marshal; Greg Mitchell, Planning Consultant; Darrell West, Police Sergeant and Richard Torres, Police Officer.

**PRE-COUNCIL SESSION**

Mayor Braudis called the Pre-Council Session to order at 6:30 p.m.

**REPORTS/ANNOUNCEMENTS:**

1. Mayor and Council – Mayor Russ Braudis reported TxDOT will select individuals from applications to serve on two advisory committees on the I-35 and I-69 corridors, with the deadline of February 8, 2008. Applications are available in the city secretary's office.
2. Staff – No reports were given.

**CONSENT AGENDA:**

The Consent Agenda items reviewed by Council for approval included the following:

Item # 3 – Minutes of the January 8, 2008 Meeting. No changes were made.

Item # 4 – Bid Award for Cement Work at Central Park – City Manager Craig Lemin presented the results of the bid for cement work at Central Park, which consisted of two companies, Chesney Cement Construction (\$80,665) and EDA Wilson, Inc. (\$231,300). Staff recommended Chesney Cement Construction and park grant funds will be paying for the project. No objection was made regarding this item.

Item # 5 – Bid Award for Asphalt Work at Central Park – City Manager Craig Lemin presented the lone bid for asphalt work to be done at Central Park by Reynolds Asphalt (\$23,088), which will be paid by park grant funds. No objection was made regarding this item.

**ACTION ITEMS:**

The Council reviewed the following Action Item:

Item #11 – Storm Water Management Program - City Manager Craig Lemin reported the Texas Commission on Environmental Quality (TCEQ) is requiring the City of Azle to submit a storm water management program by February 11, 2008, in accordance with the requirements of the Phase II (Small) Municipal Separate Storm Sewer Systems (MS4). In order for the city to meet specific requirements and implement the program,

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additional staff may need to be hired, to be funded from the Stormwater Utility Fund. A discussion was held regarding illegal discharges, educational procedures, and budgeting the program. The Council agreed to place this item on the Consent Agenda.

### **DISCUSSION ITEMS:**

The Council reviewed the following Discussion Item:

Item # 12 – Notice of Enforcement from TCEQ – City Manager Craig Lemin presented the Notice of Enforcement from TCEQ for unauthorized discharges at the Harbor Drive Circle lift station and manhole. He also stated the city can combine this enforcement notice with the wastewater plant enforcement notice from the previous December into one order, but the total fine amount will most likely result with a fine to be paid to TCEQ, in addition to the funding amount spent on a SEP cleanup project. Utility Manager Rick White also spoke on the new alarms and maintenance procedures regarding the facility. The Council agreed to the combining of the two notices into one order.

The Pre-Council Session ended at 6:57 p.m.

## **REGULAR SESSION**

### **CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT:**

Mayor Braudis called the Regular Meeting of the Azle City Council to order at 7:02 p.m. on January 15, 2008, and announced a quorum was present with Councilmember Eddy Wood, Jr. absent.

Councilmember Rouel Rothenberger led the Pledge of Allegiance.

### **REPORTS/ANNOUNCEMENTS:**

1. Mayor and Council – No reports were given.
2. Staff – No reports were given.

### **CONSENT AGENDA:**

Mayor Pro-Tem Tony Haas moved, seconded by Councilmember Rouel Rothenberger, to approve the Consent Agenda, with the Consent Agenda being:

3. **Minutes**  
Consider the approval of the Minutes: January 15, 2008.
4. **Bid Award for Cement Work at Central Park**  
Consideration and/or action to approve the bid award to Chesney Cement for cement work at Central Park for \$80,665.
5. **Bid Award for Asphalt Work at Central Park**  
Consideration and/or action to approve the bid award to Reynolds Asphalt for asphalt work at Central Park for \$23,088.
11. **Storm Water Management Program**  
Consideration and/or action to approve the proposed City of Azle Storm Water Management Program for submission to the Texas Commission on Environmental Quality in accordance with the requirements for Phase II (Small) Municipal Separate Storm Sewer Systems (MS4).

The motion was unanimously approved, with Councilmember Eddy Wood, Jr. absent.

### **CITIZENS PARTICIPATION:**

No citizen came forward.

**PRESENTATION: Oath of Office – Mayor Braudis**

Mayor Russ Braudis administered the Oath of Office to new Azle Police Officer Richard Torres.

**PUBLIC HEARING:**

6. **Sign Ordinance Amendment – ORD. NO. 0-2008-01**

Conduct a public hearing and consider an ordinance amending Section 3.609, Pole Signs, amending Section 3.610, Monument Signs. Planning Consultant Greg Mitchell gave a brief overview of the ordinance, which included the removal of the banner regulations. Mayor Braudis opened the Public Hearing at 7:12 p.m. No citizen came forward. Mayor Braudis closed the Public Hearing at 7:13 p.m. A discussion was held regarding banner regulation issues with the Chamber of Commerce, the height of the pole signs and the size of the monument signs. Mayor Pro-Tem Tony Haas moved, seconded by Councilmember June Earp, to approve Ordinance No. O-2008-01. Mayor Braudis, Mayor Pro-Tem Tony Haas, and Councilmembers Paul Crabtree, Rouel Rothenberger, and June Earp voted aye. Councilmember Alan Brundrett voted nay. The motion carried with Councilmember Eddy Wood, Jr. absent.

7. **Fence Maintenance – ORD. NO. O-2008-02**

Conduct a public hearing and consider an ordinance amending Chapter 8, Offenses and Nuisances, by adding a new Section 8.11 Fence Maintenance. Planning Consultant Greg Mitchell gave a brief overview of the ordinance regarding the enforcement of fence repair and maintenance. Mayor Braudis opened the Public Hearing at 7:33 p.m. No citizen came forward. Mayor Braudis closed the Public Hearing at 7:33 p.m. A discussion was held regarding the enforcement of the ordinance and appealing a violation. Councilmember June Earp moved, seconded by Councilmember Rouel Rothenberger, to approve Ordinance No. O-2008-02. The motion was unanimously approved.

8. **Parking on Improved Surfaces – ORD. NO. O-2008-03**

Conduct a public hearing and consider an ordinance amending Chapter 8, Offences and Nuisances, by adding a new Section 8.12 Parking on Improved Surfaces. Planning Consultant Greg Mitchell gave a brief overview of the ordinance regarding parking on improved surface material. Mayor Braudis opened the Public Hearing at 7:42 p.m. The following citizens came forward:

1. Eddie McCrory, 120 Sandra Drive, questioned why he can't use the 15' grass area at the front of his property to the edge of the street for parking.
2. Kathy Hill, 1000 Kirbie Lane, requested clarification on the use and time allotment of installing gravel as surface material for her driveway.
3. Sandy Carter, 409 Calgary, commented on the possible extra cost for surfacing her driveway and parking on the front yard grass.

Mayor Braudis closed the Public Hearing at 7:56 p.m. After a discussion regarding improved surface material, parking enforcement, and a possible appeal process, Council referred this item to a future work session. No action was taken.

**Mayor Braudis called for a brief recess at 8:20 p.m. The meeting resumed at 8:32 p.m.**

9. **Commercial Vehicle Parking on Residentially Zoned Properties – ORD. NO. O-2008-04**

Conduct a public hearing and consider an ordinance amending Chapter 8, Offences and Nuisances, by adding a new Section 8.13 Parking of Commercial Vehicles on Residentially Zoned Properties. Planning Consultant Greg Mitchell gave a brief overview of the ordinance regarding commercial vehicles greater than one ton. Mayor Braudis opened the Public Hearing at 8:34 p.m. The following citizens came forward:

1. Kandy Chesney, 245 Rhoades, stated their commercial vehicles are parked across the street in a wooded area and not visible from the street. She also stated her street has not suffered damage from the commercial vehicle traffic, and questioned the idea of parking their vehicles in a commercial vehicle parking area.
2. Shannon and Kevin Dvorak, 816 Wood Lane, stated their commercial vehicle contains nearly \$100,000 of inventory and would be susceptible to theft if it was parked away from their home.
3. Kathy Hill, 1000 Kirbie Lane, stated she has no problem with commercial vehicle parking as the Dvorak's neighbor, but is opposed to the parking of large commercial vehicles along the street areas.
4. Bob Barrington, 824 Redbud, stated an exception should be given to particular types of commercial vehicles because of their size and time usage.

Mayor Braudis closed the Public Hearing at 8:43 p.m. After a discussion on commercial vehicles and enforcement, the Council requested this ordinance be rewritten to only include tractor-trailer rigs and then returned for approval. No action was taken.

10. **Resolution #R-2008-01 – Application for the 34<sup>th</sup> Year CDBG Project**

Conduct a public hearing and consider approval of Resolution R-2008-01 – Application for the 34<sup>th</sup> year Community Development Block Grant Program, consisting of the replacement of the Lakeside Drive lift station. Mayor Braudis opened the Public Hearing at 8:58 p.m. No citizen came forward. Mayor Braudis closed the Public Hearing at 8:59 p.m. A discussion was held regarding a different use of the grant next year. Councilmember Rouel Rothenberger moved, seconded by Councilmember June Earp, to approve Resolution R-2008-01. The motion was approved unanimously.

**DISCUSSION ITEMS:**


12. **Notice of Enforcement from TCEQ**

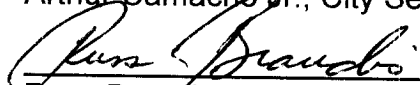
Discussion on the Notice of Enforcement from TCEQ for unauthorized discharge from the Harbor Drive Circle Lift Station and manhole. The Council previously discussed this item during Pre-Council and no further discussion ensued.

**ADJOURNMENT:**

The meeting was adjourned at 9:05 p.m.

RESPECTFULLY SUBMITTED BY:

  
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Arthur Camacho Jr., City Secretary

  
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Russ Braudis, Mayor