

CITY COUNCIL

MEETING AGENDA

MARCH 20, 2023, 6:00 PM

CITY COUNCIL REGULAR MEETING

HISTORIC CHURCH BUILDING - 403 N 7TH STREET, SANGER, TEXAS



CALL THE WORK SESSION TO ORDER AND ESTABLISH A QUORUM

EXECUTIVE SESSION

Pursuant to the Open Meetings Act, Chapter 551, the City Council Will Meet in a Closed Executive Session in Accordance with the Texas Government Code:

Section 551.072. DELIBERATION REGARDING REAL PROPERTY

A. For deliberations regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person specifically, Michael Riley, Laura Riley, and J. Mike Riley Ranch Properties, LLC, (collectively the "Owner").

B. For deliberations regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person specifically, 0.57 acres located at 125 Bolivar Street, Sanger, Texas 76266.

RECONVENE INTO WORK SESSION

No action will be taken.

OVERVIEW OF ITEMS ON THE REGULAR AGENDA

ADJOURN THE WORK SESSION

**The Regular Meeting will begin following the Work Session
but not earlier than 7:00 p.m.**

CALL THE REGULAR MEETING TO ORDER AND ESTABLISH A QUORUM

INVOCATION AND PLEDGE

CITIZENS COMMENTS

This is an opportunity for citizens to address the Council on any matter. Comments related to public hearings will be heard when the specific hearing begins. Citizens are allowed 3 minutes to speak. Each speaker must complete the Speaker's Form and include the topic(s) to be presented. Citizens who wish to address the Council with regard to matters on the agenda will be received at the time the item is considered. The Council is not allowed to converse, deliberate or take action on any matter presented during citizen input.

REPORTS

Staff Reports are for discussion only. No action may be taken on items listed under this portion of the agenda.

1. Construction update from DEC Engineering, Dannenbaum, regarding the IH-35 / FM 455 Expansion Project.
2. Presentation and overview of Human Resources.

CONSENT AGENDA

All items on the Consent Agenda will be acted upon by one vote without being discussed separately unless requested by a Councilmember to remove the item(s) for additional discussion. Any items removed from the Consent Agenda will be taken up for individual consideration.

- [3.](#) Consideration and possible action on the minutes from the March 6, 2023, meeting.

FUTURE AGENDA ITEMS

The purpose of this item is to allow the Mayor and Councilmembers to bring forward items they wish to discuss at a future meeting, A Councilmember may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting. Items may be placed on a future meeting agenda with a consensus of the Council or at the call of the Mayor.

INFORMATIONAL ITEMS

Information Items are for informational purposes only. No action may be taken on items listed under this portion of the agenda.

- [4.](#) Rider GCR - Rate Filing under Docket No. 10170 - February 23, 2023

ADJOURN

NOTE: The City Council reserves the right to adjourn into Executive Session as authorized by Texas Government Code, Section 551.001, et seq. (The Texas Open Meetings Act) on any item on its open meeting agenda in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.087 of the Texas Open Meetings Act.

CERTIFICATION

I certify that a copy of this meeting notice was posted on the bulletin board at City Hall that is readily accessible to the general public at all times and was posted on the City of Sanger website on March 16, 2023, at 9:00 AM.

/s/Kelly Edwards
Kelly Edwards, City Secretary

The Historical Church is wheelchair accessible. Request for additional accommodations or sign interpretation or other special assistance for disabled attendees must be requested 48 hours prior to the meeting by contacting the City Secretary's Office at 940.458.7930.



CITY COUNCIL COMMUNICATION

DATE: March 20, 2023

FROM: Kelly Edwards, City Secretary

AGENDA ITEM: Consideration and possible action on the minutes from the March 6, 2023, meeting.

SUMMARY:

N/A

FISCAL INFORMATION:

Budgeted: N/A

Amount: \$0.00

GL Account: N/A

RECOMMENDED MOTION OR ACTION:

Approve the minutes from the March 6, 2023, meeting.

ATTACHMENTS:

City Council minutes.

CITY COUNCIL MEETING MINUTES

MARCH 06, 2023, 6:00 PM

CITY COUNCIL REGULAR MEETING

HISTORIC CHURCH BUILDING - 403 N 7TH STREET, SANGER, TEXAS



CALL THE WORK SESSION TO ORDER AND ESTABLISH A QUORUM

Mayor Muir called the work session to order at 6:00 p.m.

COUNCILMEMBERS PRESENT

| | |
|------------------------|-----------------|
| Mayor | Thomas Muir |
| Mayor Pro Tem, Place 2 | Gary Bilyeu |
| Councilmember, Place 1 | Marissa Barrett |
| Councilmember, Place 3 | Dennis Dillon |
| Councilmember, Place 4 | Allen Chick |
| Councilmember, Place 5 | Victor Gann |

COUNCILMEMBERS ABSENT

None

STAFF MEMBERS PRESENT:

City Manager John Noblitt, Assistant City Manager Alina Ciocan, City Secretary Kelly Edwards, City Attorney Hugh Coleman, Marketing and Civic Engagement Director Donna Green, and Chief of Police Waylan Rhodes.

EXECUTIVE SESSION

Pursuant to the Open Meetings Act, Chapter 551, the City Council Will Meet in a Closed Executive Session in Accordance with the Texas Government Code:

Section 551.072. DELIBERATION REGARDING REAL PROPERTY

A. For deliberations regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person specifically, Michael Riley, Laura Riley, and J. Mike Riley Ranch Properties, LLC, (collectively the "Owner").

Council convened into executive session at 6:01 p.m.

RECONVENE INTO WORK SESSION

Council reconvened into the work session at 7:19 p.m.

No action taken.

OVERVIEW OF ITEMS ON THE REGULAR AGENDA

No additional discussion.

ADJOURN THE WORK SESSION

There being no further business, Mayor Muir adjourned the work session at 7:19 p.m.

CALL THE REGULAR MEETING TO ORDER AND ESTABLISH A QUORUM

Mayor Muir called the regular meeting to order at 7:20 p.m.

COUNCILMEMBERS PRESENT

| | |
|------------------------|-----------------|
| Mayor | Thomas Muir |
| Mayor Pro Tem, Place 2 | Gary Bilyeu |
| Councilmember, Place 1 | Marissa Barrett |
| Councilmember, Place 3 | Dennis Dillon |
| Councilmember, Place 4 | Allen Chick |
| Councilmember, Place 5 | Victor Gann |

COUNCILMEMBERS ABSENT

None

STAFF MEMBERS PRESENT:

City Manager John Noblitt, Assistant City Manager Alina Ciocan, City Secretary Kelly Edwards, City Attorney Hugh Coleman, Director of Development Services Ramie Hammonds, Director of Economic Development Shani Bradshaw, Marketing and Civic Engagement Director Donna Green, Chief of Police Waylan Rhodes, and Director of Public Works Jim Bolz.

INVOCATION AND PLEDGE

Councilmember Chick gave the invocation, the Pledge of Allegiance was led by Councilmember Gann.

CITIZENS COMMENTS

No one addressed the Council.

REPORTS

1. Presentation by Kimley-Horn on potential design options for the IH-35 corridor.

Director Hammonds introduced Jonathan Campbell, Nik Adams, and Keaton Brock with Kimley-Horn.

Kimley-Horn provided a presentation and overview of signage design concepts.

Discussion ensued regarding lighting, working with TxDOT at the overpass locations, medallions incorporated into the expansion project, entry and exit points into the city, and next steps, including entering into an agreement with Kimley-Horn.

CONSENT AGENDA

2. Consideration and possible action on the minutes from the February 21, 2023, meeting.
3. Consideration and possible action on authorizing staff to issue a Request for Qualifications (RFQ) for professional services to perform a Housing Study.

Motion to approve made by Councilmember Barrett, Seconded by Councilmember Gann.

Voting Yea: Councilmember Bilyeu, Councilmember Chick, and Councilmember Dillon.
Motion passed unanimously.

PUBLIC HEARING ITEMS

4. Conduct a public hearing on a request for the Replat of Lot 2, of the IESI Industrial Park, being 2.993 acres located within the City of Sanger, generally located along the north side of Utility Road approximately 1464 feet east of the intersection of North Stemmons Frwy and Utility Road.

Mayor Muir opened the public hearing at 7:57 p.m.

Director Hammonds provided an overview of the item, noting that the applicant had not satisfied the Engineering comments.

Mayor Muir closed the public hearing at 7:58 p.m.

5. Conduct a public hearing regarding amending Chapter 13 Utilities, by adding Article 13.2800 Municipal Setting Designation, Sections 13.2801 Definitions, 13.2802 Use of Groundwater in MSD Areas Prohibited, 13.2803 Application for City Council Approval of MSD, 13.2804 Staff Review, 13.2805 Notice of Public Meeting, 13.2806 Public Meeting, 13.2807 City Council Public Hearing, 13.2808 Limitation on Reapplication, and 13.2809 Additional Provisions, Enforcement, and Penalties.

Mayor Muir opened the public hearing at 7:59 p.m.

Director Hammonds provided an overview of the new article providing a process for the designation of the property.

Mayor Muir closed the public hearing at 8:02 p.m.

ACTION ITEMS

6. Consideration and possible action on a request for the Replat of Lot 2, of the IESI Industrial Park, being 2.993 acres located within the City of Sanger, generally located along the north side of Utility Road approximately 1464 feet east of the intersection of North Stemmons Frwy and Utility Road.

Director Hammonds stated that Staff recommends denial since the applicant had not satisfied the Engineering comments.

Motion to deny made by Councilmember Bilyeu, Seconded by Councilmember Barrett. Voting Yea: Councilmember Chick, Councilmember Dillon, and Councilmember Gann. Motion passed unanimously.

7. Consideration and possible action on Ordinance No 03-04-23 amending Chapter 13 Utilities, by adding Article 13.2800 Municipal Setting Designation, Sections 13.2801 Definitions, 13.2802 Use of Groundwater in MSD Areas Prohibited, 13.2803 Application for City Council Approval of MSD, 13.2804 Staff Review, 13.2805 Notice of Public Meeting, 13.2806 Public Meeting, 13.2807 City Council Public Hearing, 13.2808 Limitation on Reapplication, and 13.2809 Additional Provisions, Enforcement, and Penalties.

Discussion ensued regarding specific groundwater issues, the ordinance providing for the process to apply for the designation, and the application must receive approval from the Texas Commission on Environmental Quality.

Motion to approve made by Councilmember Barrett, Seconded by Councilmember Dillon.

Voting Yea: Councilmember Bilyeu, Councilmember Chick, and Councilmember Gann. Motion passed unanimously.

8. Consideration and possible action on the Final Plat of the Mo Addition, being 38.16 acres, located in the City of Sanger's ETJ, and generally located on the south side of FM 455, approximately 1961 feet west of the intersection of FM 455 and Creekview Road.

Director Hammonds provided an overview of the item.

Discussion ensued regarding the notation on the plat.

Motion to approve made by Councilmember Barrett, Seconded by Councilmember Bilyeu.

Voting Yea: Councilmember Chick, Councilmember Dillon, and Councilmember Gann. Motion passed unanimously.

9. Consideration and possible action on the Purchase and Sales Agreement for Lot 2R and 3R, Block A, Sanger Industrial Addition, Lots 1R, 2R & 3R, a Subdivision in Denton, County, Texas.

Director Bradshaw provided an overview of the item.

Discussion ensued regarding the long-term vision to create an additional park area in downtown.

Motion to approve made by Councilmember Bilyeu, Seconded by Councilmember Gann.

Voting Yea: Councilmember Barrett, Councilmember Chick, and Councilmember Dillon.
Motion passed unanimously.

FUTURE AGENDA ITEMS

No additional item.

INFORMATIONAL ITEMS

10. Atmos Energy 2022 Interim Rate Adjustment

EXECUTIVE SESSION

Pursuant to the Open Meetings Act, Chapter 551, the City Council Will Meet in a Closed Executive Session in Accordance with the Texas Government Code:

Section 551.072. DELIBERATION REGARDING REAL PROPERTY

A. For deliberations regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person specifically, Michael Riley, Laura Riley, and J. Mike Riley Ranch Properties, LLC, (collectively the "Owner").

B. For deliberations regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person specifically, 201 Bolivar Street, Sanger, Texas 76266.

Council did not convene into executive session.

RECONVENE INTO REGULAR SESSION

ADJOURN

There being no further business, Mayor Muir adjourned the meeting at 8:36 p.m.

Thomas E. Muir, Mayor

Kelly Edwards, City Secretary



Chris Felan
Vice President
Rates & Regulatory Affairs

February 23, 2023

City Official

Re: Rider GCR - Rate Filing under Docket No. 10170

Enclosed is Atmos Energy Corp., Mid-Tex Division's Statement of Rider GCR applicable for the March 2023 billing periods. This Statement details the gas cost component of the residential, commercial, and industrial sales rates for customers within your city. This filing is for informative purposes only and no action is required on your city's part.

Should you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Chris Felan".

Chris Felan
Vice President, Rates and Regulatory Affairs
Atmos Energy, Mid-Tex Division

Attachment

ATMOS ENERGY CORPORATION
MID-TEX DIVISION
STATEMENT OF RIDER GCR
March, 2023
PREPARED IN ACCORDANCE WITH
GAS UTILITIES DOCKET NO. 10170

Part (a) - Mid-Tex Commodity Costs

| Line | (a) | (b) | | | |
|------|---|-----------------|----------------------|-----------------------|--|
| 1 | Estimated Gas Cost per Unit: | \$0.29943 | | | |
| 2 | Estimated City Gate Deliveries: | 174,541,850 | | | |
| 3 | Estimated Gas Cost: | \$52,263,066 | | | |
| 4 | Lost and Unaccounted For Gas % | 2.5932% | | | |
| 5 | Estimated Lost and Unaccounted for Gas | \$1,355,286 | | | |
| 6 | Total Estimated City Gate Gas Cost: | \$53,618,352 | | | |
| 7 | Estimated Sales Volume: | 194,976,310 | | | |
| 8 | Estimated Gas Cost Factor - (EGCF) | 0.27500 | | | |
| 9 | Reconciliation Factor - (RF): | 0.00594 | | | |
| 10 | Taxes (TXS): | 0.00000 | | | |
| 11 | Adjustment - (ADJ): | 0.00000 | | | |
| 12 | Gas Cost Recovery Factor - (GCRF) (Taxable) | 0.28094 per Ccf | Btu Factor 0.1024 | Per MMBtu \$2.7436 | |

Part (b) - Pipeline Services Costs

| Line | (a) | (b) | (c) | (d) | (e) |
|------|---|---------------------|----------------------|---------------------|---|
| | | | Rate R - Residential | Rate C - Commercial | Rate I - Industrial Service Rate T - Transportation ¹ |
| | <u>Fixed Costs</u> | | | | |
| 13 | Fixed Costs Allocation Factors [Set by GUD 10170] | 100.0000% | 64.3027% | 30.5476% | 5.1497% |
| 14 | a. Current Month Fixed Costs of Pipeline Services | \$46,071,485 | 29,625,209 | 14,073,733 | 2,372,543 |
| 15 | b. Plus: Second Prior Month Recovery Adjustment | \$0 | \$0 | \$0 | \$0 |
| 16 | Net Fixed Costs | \$46,071,485 | \$29,625,209 | \$14,073,733 | \$2,372,543 |
| | <u>Commodity Costs</u> | | | | |
| 17 | a. Estimated Commodity Cost of Pipeline Services | (\$815,235) | (626,840) | (261,109) | 72,714 |
| 18 | b. Plus: Second Prior Month Recovery Adjustment | \$0 | \$0 | \$0 | \$0 |
| 19 | Net Commodity Cost of Pipeline Services | (\$815,235) | (\$626,840) | (\$261,109) | \$72,714 |
| 20 | Total Estimated Pipeline Costs (Line 16 + Line 19) | \$45,256,250 | \$28,998,369 | \$13,812,624 | \$2,445,257 |
| 21 | Estimated Billed Volumes | | 69,827,360 Ccf | 46,007,600 Ccf | 4,986,344 MMBtu |
| 22 | Pipeline Cost Factor (PCF) [Line 20 / Line 21] (Taxable) | | 0.41530 Ccf | 0.30020 Ccf | \$0.4904 MMBtu |
| 23 | Gas Cost Recovery Factor - (GCRF) [Line 12] (Taxable) | | 0.28094 Ccf | 0.28094 Ccf | \$2.7436 MMBtu |
| 24 | Rider GCR | | <u>0.69624 Ccf</u> | <u>0.58114 Ccf</u> | <u>Rate I - \$3.2340 MMBtu</u> |
| 25 | | | | | <u>Rate T - \$0.4904 MMBtu</u> |

¹ Industrial Service and Transportation are reported in MMBtu. An MMBtu conversion factor of .1024 is used to convert from Ccf.