

*****NOTICE OF PUBLIC MEETING*****

**CITY OF POTTSBORO - CITY COUNCIL
CITY HALL - COUNCIL CHAMBERS
528 HWY 120 E.
POTTSBORO, TEXAS 75076**

REGULAR MEETING

August 2, 2021

5:30 P.M.

Due to the COVID-19 Public Health Emergency, Governor Greg Abbott issued an order allowing telephonic or online meetings in order to reduce face-to-face contact for government open meetings. Because our City Council and staff constitute almost 10 people, we ask that you not attend the meeting in person, and instead attend virtually.

Information to access the meeting is provided below.

Join Zoom Meeting

<https://us02web.zoom.us/j/89309774193?pwd=ZWRoSDZLemJlUGM5ZE5tc3dLbW8zZz09>

Meeting ID: 893 0977 4193

Passcode: 279585

Dial by your location

+1 346 248 7799 US

REGULAR MEETING AGENDA

1. Call to order.
2. Roll Call.
3. Invocation.
4. Pledge of Allegiance.
5. **Citizen Comments**: This item is available for citizens to speak up to five (5) minutes on any subject of which the City of Pottsboro has authority. However, no discussion or action, by law, may be taken on the topic unless and until properly posted on a future agenda. Council may direct the City Manager to resolve or request the matter to be placed on a future agenda. Completed speaker's request forms must be submitted to the City Secretary at the beginning of the Council meeting.
6. **City Manager Report**: Update on projects and upcoming events.

CONSENT AGENDA ITEM

Consent agenda items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.

1. Consider and act upon the approval of minutes for the July 12, 2021 and July 29, 2021 council meetings.
2. Consider & act upon a resolution of the City Council of the City of Pottsboro, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos

Energy Corp., Mid-Tex Division regarding the Company's 2021 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC's legal counsel.

REGULAR AGENDA ITEMS

1. Public Hearing to hear concerns for or against a request for specific use permit to allow outdoor storage in a commercially zoned district. Ace Hardware Addition, 2.038 acres more or less in the T. J. Hill Survey, Abstract No. 506, City of Pottsboro, Grayson County, Texas. Generally located on the northside of FM 120 approximately 500 ft west of the intersection of FM 120 and Spur 316, Pottsboro, Texas. **APPLICANT: Jacob Fletcher**
2. Consider and act upon an Ordinance amending Pottsboro's Zoning Ordinance, Ordinance No. 81-08-01 & Ordinance No. 1054 as amended and granting a request for specific use permit to allow outdoor storage in a commercially zoned district. Ace Hardware Addition, 2.038 acres more or less in the T. J. Hill Survey, Abstract No. 506, City of Pottsboro, Grayson County, Texas. Generally located on the northside of FM 120 approximately 500 ft west of the intersection of FM 120 and Spur 316, Pottsboro, Texas.
APPLICANT: Jacob Fletcher
3. Public hearing to hear concerns for or against a request for replat: Ace Hardware Addition, 2.038 acres more or less in the T. J. Hill Survey, Abstract No. 506, City of Pottsboro, Grayson County, Texas. Generally located on the northside of FM 120 approximately 500 ft west of the intersection of FM 120 and Spur 316, Pottsboro, Texas. **APPLICANT: Jacob Fletcher**
4. Consider & act upon request for replat: Ace Hardware Addition, 2.038 acres more or less in the T. J. Hill Survey, Abstract No. 506, City of Pottsboro, Grayson County, Texas. Generally located on the northside of FM 120 approximately 500 ft west of the intersection of FM 120 and Spur 316, Pottsboro, Texas. **APPLICANT: Jacob Fletcher**
5. Consider & act upon request for site plan - Fletcher's Ace Hardware: Generally located on the northside of FM 120 approximately 500 ft west of the intersection of FM 120 and Spur 316, Pottsboro, Texas. **APPLICANT: Jacob Fletcher**
6. Public hearing to hear concerns for or against a request for replat: North Texas Cheer Addition, being a replat of Lots 1R and 2R of the replat of a part of Lots 9 and 13 and all of Lots 10 thru 12, Block 1, J.F. Potts 1st Addition to the City of Pottsboro. 0.299 acres in the James G. Thompson Survey, Abstract No 1237 and the J. A. Potts Survey, Abstract No. 986. Generally located at the southeast corner of the intersection of FM 120 and Grayson Street, Pottsboro, Texas.
APPLICANT: Todd & Robbie Simpson
7. Consider & act upon request for replat: North Texas Cheer Addition, being a replat of Lots 1R and 2R of the replat of a part of Lots 9 and 13 and all of Lots 10 thru 12, Block 1, J.F. Potts 1st Addition to the City of Pottsboro. 0.299 acres in the James G. Thompson Survey, Abstract No

1237 and the J. A. Potts Survey, Abstract No. 986. Generally located at the southeast corner of the intersection of FM 120 and Grayson Street, Pottsboro, Texas.

APPLICANT: Todd & Robbie Simpson

8. Consider & act upon request for North Texas Cheer Addition site plan. Generally located at the southwest corner of the intersection of FM 120 and Grayson Street, Pottsboro, Texas.

APPLICANT: Todd & Robbie Simpson

9. Consider & act upon an Ordinance authorizing and allowing, under the act governing the Texas Municipal Retirement System, restricted prior service credit to employees who are members of the system for service previously performed for various other public entities for which they have not received credited service; and establishing an effective date for the ordinance.

10. Consider & act upon approval of solid waste services bid evaluation criteria.

11. Recess into Executive Session in compliance with Section 551.001 et. seq. Texas Government Code, Section 551.072:

- 551.072 - Discussing purchase, exchange, lease or value of real property – Project Flight

12. Reconvene into Open Session & take any action necessary as a result of the Executive Session.

13. Adjourn.

Certification: I, Dana Nixon, City Secretary of the City of Pottsboro, Texas, do hereby certify that the above agenda was posted in City Hall on July 30, 2021 at _____ A.M., in a location readily accessible to the public at all times and that said notice was posted in accordance with Chapter 551, Texas Government Code.

Dana Nixon, City Secretary

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code §551.001 et seq., will be held by the City Council at the date, hour and place given in this notice or as soon after the commencement of the meeting covered by this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

- 551.071 - Private consultation with the attorney for the City.
- 551.072 - Discussing purchase, exchange, lease or value of real property.
- 551.073 - Deliberation regarding prospective gift.
- 551.074 - Discussing personnel or to hear complaints against personnel.
- 551.087 – Deliberations regarding economic development negotiations.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Pottsboro City Hall is wheelchair accessible. Persons with disabilities who plan to attend this meeting, and who may need auxiliary aids or service are requested to contact the City Secretary's Office at (903) 786-2281, Ext. #4 a minimum of two (2) business days prior to the meeting date so appropriate arrangements can be made.