

ORDINANCE NO. 2015-4-6

AN ORDINANCE OF THE CITY OF LADONIA, TEXAS, ADOPTING A COMPREHENSIVE ZONING PLAN AND ZONING MAP AND DIVIDING THE CITY INTO SEVERAL DISTRICTS; ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS AND CREATING ZONIG DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; WITHIN SUCH DISTRICTS REGULATING THE USE OF LAND, BUILDINGS AND STRUCTURES; REGULATING THE HEIGHT, SIZE AND LOCATIONS OF BUILDINGS; ESTABLISHING DENSITY, OPEN SPACE, SCREENING, AND MINIMUM OFF-STREET PARKING REQUIRMENTS; REGULATING THE ERECTION, REPAIR, AND ALTERATION OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR SPECIFIC USE PERMITS FOR CERTAIN USES; RECOGNIZING NONCONFORMING USES AND STRUCTURES AND PROVIDING RULES FOR THE REGULATION THEREOF; PROVIDING FOR CERTIFICATES OF OCCUPANCY AND COMPLIANCE; DEFINING CERTAIN TERMS;PROVIDING A METHOD OF AMENDMENT; PROVIDING A PENTLY FOR VIOLATION OF SUCH ORDINANCE AND FOR INJUNCTIVE RELIEF TO PERSONS AFFECTED BY THE VIOLATION OF SAID ORDINANCE; PROVIDING A SAVING CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LADONIA, TEXAS THAT A COMPREHENSIVE ZONING ORDINANCE AND MAP ARE HEREBY AND APPROVED WHICH SHALL PROVIDE AS FOLLOWS:

WHEREAS, the City Council of the City of Ladonia desires to promote the public health, safety and general welfare of the property and citizens of the City of Ladonia under authority granted by Chapter 211 of the Local Government Code in accordance with the City’s most recent Comprehensive Plan;

WHEREAS, the City Council of the City of Ladonia created the Planning and Zoning Commission by Ordinance No, 6-7-2010 with the intent to investigate and draft a proposed Zoning Ordinance;

WHEREAS, the Ladonia Planning and Zoning Commission has met to develop and review regulations governing land uses and property requirements to create a final recommendation to the City Council;

WHEREAS, , a public hearing as required by Ch. 211 of the Local Government Code was held during an open meeting and published in accordance with the laws governing the adoption of zoning regulations within the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Ladonia, Texas that:

SECTION 1. The City of Ladonia Zoning Regulations, attached hereto and considered included as a part of this ordinance as if incorporated fully herein, are approved and adopted as the regulations governing land use and zoning within the City of Ladonia.

SECTION 2. The City of Ladonia Zoning Map, dated June 26, 2007 and considered included as a part of this ordinance as if incorporated fully herein, is approved and adopted as the zoning map for all properties within the City of Ladonia.

SECTION 3. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. This ordinance shall be deemed and interpreted to override or amend any other ordinances, regulations, policies or laws with which it is in conflict and any and all such ordinance, regulations, policies and laws shall be deemed temporarily suspended until this ordinance is repealed by official action of the City Council of the City of Ladonia.

SECTION 5. That the City Secretary is hereby ordered and directed to cause this ordinance to be published in conformity with the City Charter and laws of the State of Texas.

SECTION 6. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after May 1, 2015.

SECTION 7. That the meetings at which this ordinance was considered, discussed and approved and the public hearing on this ordinance were open to the public and properly posted in conformity to the Texas Open Meetings Act and other laws of the State of Texas and the City Charter.

PASSED AND APPROVED, by the City Council of the City of Ladonia this 6th day of April, 2015.

Chris Burch, Mayor

ATTEST:

Debbie Nichols, City Secretary

This Ordinance is adopted in accordance with Texas Local Government Code Chapter 52.003(b)

City of Ladonia

P. O. Box 5

Ladonia, Texas 75449

903-367-7011

Regular Meeting Ladonia City Council Monday, April 6, 2015 7:00 p.m. at Ladonia City Hall

MINUTES

- I. The meeting was called to order by Mayor Chris Burch at 7:02 p.m. and a quorum was established.
- II. Roll Call: Members present were Discha Threlkeld, Tom Hulsey, Lindon Warden, Todd Akers and Cheryl Seilhan.
- III. The invocation was given by Todd Akers. Pledges were recited by those present.
- IV. Citizen Comments- *(State law prohibits the City Council from considering or deliberations on any item not listed on the posted City Council Agenda. A person may address the Council on items not on the printed agenda. Comments are limited to three (3) minutes. The Council may not comment or deliberate regarding such statements or comments during this period. Any discussion of the subjects must be limited to a proposal to place the subject on the agenda for a future meeting. Sec. 551.042 of Open Meetings Act).*

There were no citizens' comments.
- V. Information Reports *(These reports are for information only. No discussion is appropriate unless there is a specific item listed below or there is a request that the item be placed on a subsequent agenda as a discussion and action item. Sec. 551.0415 of Open Meetings Act):*
 - A. Public Works Department reports were given by Robert Waldrip.
 - B. Discha Threlkeld presented the Ladonia Volunteer Fire Department reports.
- VI. Discuss, Consider, Action / Minutes of March 2, 2015
Motion was made by Cheryl Seilhan and seconded by Tom Hulsey to approve the minutes of March 2, 2015 meeting.
- VII. Discuss, Consider, Action / March Accounts Payable
Motion was made by Lindon Warden and seconded by Discha Threlkeld to approve the March, 2015 accounts payable.
- VIII. Old Business:
 - A. Discuss, Consider, Action / on matters relating to the Texas Water Development Board Project (TWDB) Water Planning & Design
David Perkins presented an update on this project.
 - B. Discuss, Consider, Action / technology consultant
There were no bids.
 - C. Discuss, Consider, Action / repair or replace telephone system
Mayor Chris Burch explained that the telephone system was down for two days. It was repaired temporarily. A new system was purchased and installed.

- D. Discuss, Consider, Action / repair police car
Battery was replaced; lights, siren, radio are not working; shimmies at approximately 40 mph.
Motion was made by Lindon Warden and seconded by Cheryl Seilhan to take bids on repairing the lights, siren, radio and tires on the police car. Vote 5-0
- E. Discuss, Consider, Action / electrical boxes around square
Todd Akers informed the council that the Ladonia Chamber of Commerce will be taking on the project of replacing the electrical boxes. The Chamber estimates the cost to be approximately \$3000.00 and will be taking donations. A licensed electrician will be supervising the project.
Motion was made by Tom Hulsey and seconded by Cheryl Seilhan to cooperate with the Chamber and allow them to do this project and to possibly help with monetary amount to be determined at a later date and meeting. Vote 5-0

IX. New Business

- A. Discuss, Consider, Action / Ordinance No. 2015-4-6 Adoption of a Zoning Ordinance and Zoning District Map
Motion was made by Cheryl Seilhan and seconded by Lindon Warden to accept Ordinance No. 2015-4-6, Zoning Ordinance and Zoning District Map. Vote 5-0
- B. Discuss, Consider, Action/Ordinance No 2015-04-06 amending Chapter 3 of the Ladonia Code of Ordinances, Article 3.4 Dangerous Buildings
Motion was made by Cheryl Seilhan and seconded by Tom Hulsey to accept the Ordinance No. 2015-04-06, amending Chapter 3, Ladonia Code of Ordinances, Article 3.4 Dangerous Buildings Vote 5-0
- C. Action/Cancel May, 2015 Election
Motion was made by Todd Akers and seconded by Lindon Warden to accept the order of cancellation of the May 9, 2015 election. Vote 5-0
- D. Discuss, Consider, Action/Date for citywide clean-up
Motion was made by Discha Threlkeld and seconded by Lindon Warden to set May 15-22 or June 5-12, 2015 for citywide cleanup. Vote 5-0
- E. Discuss, Consider, Action/Repair and/or replace computers
Motion was made by Lindon Warden and seconded by Tom Hulsey to purchase two computers. Vote 4-0-1 Cheryl Seilhan abstained
- F. Discuss, Consider, Action/Public Funds Investment Act: appointment of financial officer and mandatory training
Motion was made by Tom Hulsey and seconded by Cheryl Seilhan to appoint city secretary, Debbie Nichols, as chief financial officer and approve her to attend training. Vote 5-0
- G. Discuss, Consider, Action/Municipal Clerk Training
Motion was made by Cheryl Seilhan and seconded by Todd Akers to approve city secretary, Debbie Nichols, to attend municipal clerk training in Austin, July 6-10, 2015. Vote 5-0
- H. Discuss only/street repairs
Mayor discussed those repairs to the following streets: Commerce, Redner, McFarland, Fourth, Hardy, Cottonwood, Mill, Wilson, Fuller, Park, and Cole
- I. Discuss, Consider, Action / QuickBooks training by auditor
Motion was made by Discha Threlkeld and seconded by Cheryl Seilhan to approve training for QuickBooks from city auditors for four hours. Vote 5-0
- J. Discuss, Consider, Action /City Hall building maintenance: electrical wiring damaged by lightning and electrical line down in 2014
The mayor discussed that repair of electrical wiring was immediately necessary due to fire hazard from the lightning damage and electrical line down.

X. The council convened in executive session at 8:10 p.m. as authorized by Texas Government Code.

- A. Personnel Matters under Texas Government Code Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, resignation, duties, discipline, or dismissal of a public officer or an employee
 - 1. Ladonia Police Department
 - 2. Public Works Department

B. Deliberation Regarding Real Property under Texas Government Code Section 551.072 to deliberate 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.

1. Sale of property
2. Lease of property

XI. The council reconvened in open session at 8:42 p.m. to take action (if any) on items discussed in executive session.

A. Personnel Matters under Texas Government Code Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, resignation, duties, discipline, or dismissal of a public officer or an employee

1. Ladonia Police Department

Motion was made by Todd Akers and seconded by Tom Hulsey to move forward with hiring police officers from Wolfe City Police Dept. for part-time police work in Ladonia.

Vote 5-0

2. Public Works Department
No action was taken

B. Deliberation Regarding Real Property under Texas Government Code Section 551.072 to deliberate 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.

1. Sale of property

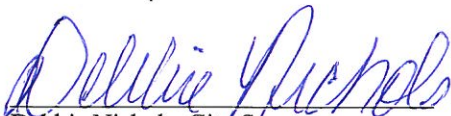
No Action was taken.

2. Lease of property

Motion was made by Cheryl Seilhan and seconded by Todd Akers to have a contract drawn up for the lease of city property of .00 acres on Hwy 50.

Vote 5-0

XII. The meeting adjourned at 8:46 p.m.


Debbie Nichols, City Secretary


Chris Burch, Mayor