

AGENDA

1. Call to order.
2. Roll call.
3. Prayer.
4. Pledge of Allegiance.
5. Approval of minutes from December 14, 2004 and December 20, 2004 Council meetings.
6. Consider and act upon adopting an Ordinance annexing 34.594 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, Collin County, Texas, and generally located between CR 418 and State Highway 121.
7. Consider and act upon adopting an Ordinance annexing 80 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, Collin County, Texas, and more particularly described as:
 - Tract 1:** 60.00 acres of land, more or less, generally located adjacent to and east of FM 2933 and approximately 1000 feet north of FM 545; and
 - Tract 2:** 20.00 acres of land, more or less, generally located adjacent to and east of FM 2933 and approximately 1000 feet north of FM 545.
8. Consider and act upon adopting an Ordinance annexing 10.03 acres of land, more or less, situated in the John Emberson Survey, Abstract No. 294, Collin County, Texas, and generally located adjacent to the eastern US 75 service road, approximately 1000 feet north of Davis Road.
9. Recess into Closed Session in compliance with Section 551.001 *et seq.*, Texas Government Code, to wit:
 - a) Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:
 - i) adjacent to the south side of Denton Street and the west side of Highway 5 (Cold Baptist Church); and
 - ii) on the north and south sides of Melissa Road between U.S. Highway 75 and Fannin Road (Billings).
 - b) Section 551.071. Meeting with City Attorney regarding matters in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:
 - i) general issues related to eminent domain, including but not limited to, the acquisition of right-of-way for the Melissa Road Expansion Project;
 - ii) zoning issues; and
 - iii) local option election and regulations.
 - c) Section 551.071. Consultation between the City Attorney and City Council regarding settlement of Civil Action No. 4:02CV345; Melissa Industrial Development Corporation and United States Department of Agriculture, in the United States District Court, Eastern District of Texas, Sherman Division; Cause No. 219-00631-03; Melissa Industrial Development Corporation vs. North Collin Water Supply Corporation, in the 219th Judicial District Court, Collin County, Texas; and SOAH Docket Nos. 582-02-1652; 582-03-1820; 582-03-1821 & 582-03-1824; TCEQ Docket Nos. 2001-1300 UCR; 2001-0813-UCR; 2002-1278-UCR & 2002-1281-CR; applications of the Cities of McKinney, Melissa, Anna and North Collin Water Supply Corporation to Amend Water CCN Nos. 10194, 11482, 12976, 11035, Sewer CCN 20898 and of the City of Melissa to Obtain a Sewer CCN in Collin County; Before the State of Office of Administrative Hearings.
10. Reconvene into Regular Session and take any action necessary as a result of the Closed Session, including but not limited to:
 - a). Consider and act upon authorizing the City Administrator to make an offer to Cold Baptist Church for the conveyance of right of way related to the Melissa Road Expansion Project and to execute any documentation, deemed necessary by the City Administrator, to complete the transaction;
 - b). Consider and act upon authorizing the City Administrator to make an offer to Brian and Christy Billings for the conveyance of right of way related to the Melissa Road Expansion Project and to execute any documentation, deemed necessary by the City Administrator, to complete the transaction; and
 - c). Consider and act upon ratifying the Mayor's execution of the Settlement Agreement by and between the cities of Melissa, Anna and McKinney and North Collin Water Supply Corporation relating to the water and sewer CCN dispute before the TCEQ and the United States District Court.
11. Discuss and take action, if necessary, on Pingleton, Howard and Company's presentation of the City of Melissa's audit for the year ending September 30, 2004.
12. Consider and act upon granting/refusing the voluntary annexation petition, submitted by R. A. Milrany and Linda Wright, for annexation of 66.41 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, Collin County, Texas, and more particularly described as:
 - Tract 1:** 63.3 acres of land, more or less, generally located at the intersection of FM 2933 and SH 121, east of FM 2933 and south of SH 121; and
 - Tract 2:** 3.1 acres of land, more or less, generally located at the intersection of CR 418 and north of SH 121, east of CR 418 and north of SH 121.
13. Consider and act upon adopting a Resolution setting a date, time and place for public hearings on the proposed annexation of 66.41 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, Collin County, Texas, and more particularly described as:
 - Tract 1:** 63.3 acres of land, more or less, generally located at the intersection of FM 2933 and SH 121, east of FM 2933 and south of SH 121; and

- Tract 2:** 3.1 acres of land, more or less, generally located at the intersection of CR 418 and north of SH 121, east of CR 418 and north of SH 121.
14. Conduct first public hearing to hear concerns for or against the annexation of 66.41 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, Collin County, Texas, and more particularly described as:
 - Tract 1:** 63.3 acres of land, more or less, generally located at the intersection of FM 2933 and SH 121, east of FM 2933 and south of SH 121; and
 - Tract 2:** 3.1 acres of land, more or less, generally located at the intersection of CR 418 and north of SH 121, east of CR 418 and north of SH 121.
 15. Conduct second public hearing to hear concerns for or against the annexation of 66.41 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, Collin County, Texas, and more particularly described as:
 - Tract 1:** 63.3 acres of land, more or less, generally located at the intersection of FM 2933 and SH 121, east of FM 2933 and south of SH 121; and
 - Tract 2:** 3.1 acres of land, more or less, generally located at the intersection of CR 418 and north of SH 121, east of CR 418 and north of SH 121.
 16. Consider and act upon granting/refusing the voluntary annexation petition, submitted by Effie L. Acuff, for the annexation of 36.883 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, Collin County, Texas, and generally located between Highway 5 and CR 365, southeast of the intersection of CR 364 and CR 365.
 17. Consider and act upon adopting a Resolution setting a date, time and place for public hearings on the proposed voluntary annexation of 36.883 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, Collin County, Texas, and generally located between Highway 5 and CR 365, southeast of the intersection of CR 364 and CR 365.
 18. Conduct first public hearing to hear concerns for or against the annexation of 36.883 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, Collin County, Texas, and generally located between Highway 5 and CR 365, southeast of the intersection of CR 364 and CR 365.
 19. Conduct second public hearing to hear concerns for or against the annexation of 36.883 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, Collin County, Texas, and generally located between Highway 5 and CR 365, southeast of the intersection of CR 364 and CR 365.
 20. Consider and act upon granting/refusing the voluntary annexation petition, submitted by David Wright and the Milrany Family Limited Partnership, for the annexation of 99.9 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, and generally located approximately 400 feet south of the intersection of FM 2933 and SH 121 on both sides of FM 2933.
 21. Consider and act upon adopting a Resolution setting a date, time and place for public hearings on the proposed voluntary annexation of 99.9 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, and generally located approximately 400 feet south of the intersection of FM 2933 and SH 121 on both sides of FM 2933.
 22. Conduct first public hearing to hear concerns for or against the annexation of 99.9 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, and generally located approximately 400 feet south of the intersection of FM 2933 and SH 121 on both sides of FM 2933.
 23. Conduct second public hearing to hear concerns for or against the annexation of 99.9 acres of land, more or less, situated in the D. E. W. Babb Survey, Abstract No. 33, and generally located approximately 400 feet south of the intersection of FM 2933 and SH 121 on both sides of FM 2933.
 24. Consider and act upon granting/refusing the voluntary annexation petition, submitted by Harlow Land Company, for annexation of 1.67 acres of land, more or less, situated in the S.M. Pulliam Survey, Abstract No. 706, and generally located east of Highway 75 and approximately 150 feet east of the intersection of CR 275 and Highway 75.
 25. Consider and act upon adopting a Resolution setting a date, time and place for public hearings on the proposed voluntary annexation of 1.67 acres of land, more or less, situated in the S.M. Pulliam Survey, Abstract No. 706, and generally located east of Highway 75 and approximately 150 feet east of the intersection of CR 275 and Highway 75.
 26. Conduct first public hearing to hear concerns for or against the annexation of 1.67 acres of land, more or less, situated in the S.M. Pulliam Survey, Abstract No. 706, and generally located east of Highway 75 and approximately 150 feet east of the intersection of CR 275 and Highway 75.
 27. Conduct second public hearing to hear concerns for or against the annexation of 1.67 acres of land, more or less, situated in the S.M. Pulliam Survey, Abstract No. 706, and generally located east of Highway 75 and approximately 150 feet east of the intersection of CR 275 and Highway 75.
 28. Approval of checks paid on demand from December 9, 2004 through January 6, 2005.
 29. Approval of bills to be paid.
 30. Citizen's Participation.
 31. Adjourn.

Certified to, this _____ day of _____, 2005.

Linda Mitchell, City Secretary

Posted: _____, 2005 at _____ p.m.

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.

551.074 Discussing personnel or to hear complaints against personnel.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS

The Melissa City Hall is wheelchair accessible. Access to the building and special parking are available at the west entrance. Persons with disabilities who plan to attend this meeting, and who may need auxiliary aids or service such as Interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (972) 838.2520 or by FAX (972) 837.2452. BRAILLE IS NOT AVAILABLE.