

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF MELISSA
March 22, 2005

Item #1

Mayor David Dorman called the meeting to order at 7:02 p.m.

Item #2

Council members present were: Stan Mercer, Bill Reynolds, Dan Trott and Randy Kaiser. Billy Erwin was not present.

Item #3

Prayer was given by Dicksy Wright.

Item #4

All in attendance gave the pledge of allegiance.

Item #5

Motion was made by Bill Reynolds and seconded by Randy Kaiser to approve the minutes of the March 8, 2005 meeting.

Vote: 4/0/0

Item #6

Motion was made by Dan Trott and seconded by Randy Kaiser to approve The Villages of Melissa, Phase I, Final Plat as recommended by Planning and Zoning. Mayor Dorman accepted the motion with the caveat that a screening wall on Cardinal Drive be addressed during the construction phase.

Vote: 4/0/0

Item #7

Motion was made by Stan Mercer and seconded by Dan Trott to accept the nomination of Eddie Wood and Mike Solomon to the Board of Adjustments.

Vote: 4/0/0

Item #8

Motion was made by Randy Kaiser and seconded by Stan Mercer to approve the gross maximum cost for construction of the City of Melissa Fire Station as presented by Pogue Construction, Construction Manager at Risk Services, provided the contract is approved by the City Attorney and any changes are jointly approved by the City and Pogue Construction.

Vote: 4/0/0

Item #9

Motion was made by Stan Mercer and seconded by Dan Trott to adopt an Ordinance canceling the May 7, 2005 general City election.

Vote: 4/0/0

Item #10

Motion was made by Dan Trott and seconded by Bill Reynolds to adopt a Resolution authorizing the Mayor, or his designee, to sign the Interlocal Agreement covering May 1, 2005 through April 30, 2006, between the City of Melissa and the Texas Municipal League, Intergovernmental Employee Risk Pool, reflecting an increase in the medical plan rates.

Vote: 4/0/0

Item #11

Motion was made Bill Reynolds and seconded by Stan Mercer to recess into Closed Session at 7:32 p.m. in compliance with Section 551.001 et. seq., Texas Government Code, to wit;

- a) Section 551.072. Deliberation regarding the purchase, exchange, lease or value of real property located at:
 - I. Lot 1, Block 1, Well Site No.3, Country Ridge, Melissa, Texas; and
 - II. the southeast corner of U.S. Highway 75 and Melissa Road; south of Fannin Road between Melissa Road and Highway 5; and the southeast corner of Denton Street and Highway 5 (Harlow Land Co., Ltd.).
- b) Section 551.071. Meeting with City Attorney regarding a matter(s) 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. the petition for disannexation (Dunbar/Shelley): four (4) tracts of land, south of FM 545, west of FM 2933 and east of CR 414;
 - II. legal issues related to sponsorships/advertisement space on the scoreboards at the Melissa Zadow Community Park;
 - III. legal issues related to eminent domain, including, but not limited to, the acquisition of right-of-way for the Melissa Road Expansion Project;
 - IV. legal issues related to the Facilities Agreement (The Villages of Melissa); and;
 - V. legal issues related to zoning and plat approval.

Vote: 4/0/0

Item #12

Motion was made by Bill Reynolds and seconded by Stan Mercer to reconvene into Open Session at 8:30 p.m. and take any action necessary as a result of the Closed Session.

Vote: 4/0/0

Motion was made by Dan Trott and seconded by Stan Mercer to proceed with the negotiations for purchase of the Country Ridge

Item #13

Motion was made by Dan Trott and seconded by Bill Reynolds to approve the checks paid on demand for March 3, 2005 through March 17, 2005.

Vote: 4/0/0

Item #14

Motion was made by Randy Kaiser and seconded by Stan Mercer to approve the bills to be paid.

Vote: 4/0/0

Item #15

Citizen Participation

Item #16

Motion was made by Bill Reynolds and seconded by Dan Trott to adjourn the meeting at 8:36 p.m.

Vote: 4/0/0

David Dorman, Mayor

Attest:

Linda P. Mitchell
City Secretary