

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF MELISSA
OCTOBER 25, 2005**

CALL TO ORDER:

In the absence of Mayor David Dorman, Mayor Pro-Tem Dan Trott called the meeting to order at 7:00 p.m.

Council members present were: Randy Kaiser, Stan Mercer and Bill Reynolds. Mayor David Dorman and Billy Erwin were absent.

Prayer was given by Douglas Box.

All in attendance gave the pledge of allegiance.

CONSENT AGENDA

ITEM #1

Motion was made by Stan Mercer and seconded by Bill Reynolds to approve the consent agenda items.

Vote: 4/0/0

REGULAR AGENDA

ITEM #1

Motion was made by Stan Mercer and seconded by Bill Reynolds to recess into closed session at 7:03 p.m. in compliance with Section 551.001, *et. seq.*, Texas Government Code, to wit:

- (a) Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, in connection with the TIF Board and the Comprehensive Plan.

Vote: 4/0/0

ITEM #2

Motion was made by Bill Reynolds and seconded by Randy Kaiser to reconvene into open session at 7:10 p.m, and take any action necessary as a result of the closed session.

Vote: 4/0/0

ITEM #3

Motion was made by Randy Kaiser and seconded by Stan Mercer to appoint the following people to the Comprehensive Plan Advisory Committee (C-PAC): Mayor David Dorman; Mayor Pro-Tem Dan Trott; Jennifer Aston, Citizen; Chris Easterling, Park Board; Don Parker, P&Z Board; Wanda Powell, Citizen; Gary Price, Library Board; Jason Smith, Citizen; Bruce Chamberlain, Citizen.

Vote: 3/0/1 Dan Trott abstained from voting.

ITEM #4

Motion was made by Randy Kaiser and seconded by Stan Mercer to appoint the following people to the Tax Increment Financing (TIF) Board: Mayor David Dorman, Steve Buttry, Harold Holigan, Joe Jaynes, Kelly Maberry, Dan Trott and Doug Zadow.

Vote: 3/0/1 Dan Trott abstained from voting.

ITEM #5

Mayor Pro-Tem Dan Trott opened the public hearing at 7:13 p.m. to hear comments for or against the rezoning of Lot 1-B, Block 1, 28.163 acres Melissa School Subdivision being part of the 31.366 acre tract of land lying and being situated in the D.E.W. Babb Survey, Abstract Number 33, in the City of Melissa, Collin County, Texas. Generally located northeast of the intersection of Cardinal Drive and Fannin Road. Mr. Robert Howman from Glen Engineering was present to explain the rezoning to the council.

There being no comments for or against, the hearing was closed at 7:15 p.m.

ITEM #6

Motion was made by Stan Mercer and seconded by Bill Reynolds to adopt an ordinance rezoning Lot 1-B, Block 1, 28.163 acres Melissa School Subdivision being part of the 31.366 acre tract of land lying and being situated in the D.E.W. Babb Survey, Abstract Number 33, in the City of Melissa, Collin County, Texas and generally located northeast of the intersection of Cardinal Drive and Fannin Road.

Vote: 4/0/0

ITEM #7

Councilman Randy Kaiser recused himself from Items 7 through 12 stating that he had a conflict of interest with these items. A Conflict of Interest Affidavit was filled out and given to the City Secretary.

Mayor Pro-Tem Dan Trott opened the public hearing at 7:16 p.m. to hear comments for or against the rezoning of 14.70 ACRES, MORE OR LESS, OF LAND FROM PLANNED DEVELOPMENT-SF 6,050 TO PD COMMERCIAL C1, C2 - being a 14.70 acre tract of land lying and being situated in the D.E.W. Babb Survey, Abstract Number 33, in the City of Melissa, Collin County, Texas, and being a portion of a tract of land called Tract 1 in Deed conveyed to Hillwood RLD, L.P and generally located northwest of State Highway 121 and FM 545. Mr. Jay Volk with Hillwood, spoke on behalf of their projects.

There being no comments, the public hearing was closed at 7:21 p.m.

ITEM #8

Motion was made by Bill Reynolds and seconded by Stan Mercer to adopt an ordinance rezoning of 14.70 ACRES, MORE OR LESS, OF LAND FROM PLANNED DEVELOPMENT-SF 6,050 TO PD COMMERCIAL C1, C2 - being a 14.70 acre tract of land lying and being situated in the D.E.W. Babb Survey, Abstract Number 33, in the City of Melissa, Collin County, Texas, and being a portion of a tract of land called Tract 1 in Deed conveyed to Hillwood RLD, L.P and generally located northwest of State Highway 121 and FM 545.

Vote: 3/0/0

ITEM #9

Mayor Pro-Tem Dan Trott opened the public hearing at 7:23 p.m. to hear concerns for or against rezoning of 14.6 acres, more or less, of land from Planned Development-SF 7,800 to PD-SF 6,050, being a tract of land lying and being situated in the D.E.W. Babb Survey, Abstract Number 33, in the City of Melissa, Collin County, Texas, and being a portion of a tract of land called Tract 1 in Deed conveyed to Hillwood RLD, L.P. and generally located northwest of State Highway 121 and FM 545.

There being no comments for or against, the public hearing was closed at 7:24 p.m.

ITEM #10

Motion was made by Stan Mercer and seconded by Bill Reynolds to adopt an ordinance rezoning 14.6 acres, more or less, of land from Planned Development-SF 7,800 to PD-SF 6,050, being a tract of land lying and being situated in the D.E.W. Babb Survey, Abstract Number 33, in the City of Melissa, Collin County, Texas, and being a portion of a tract of land called Tract 1 in Deed conveyed to Hillwood RLD, L.P. and generally located northwest of State Highway 121 and FM 545.

Vote: 3/0/0

ITEM #11

Mayor Pro-Tem Dan Trott opened the public hearing at 7:24 p.m. to hear concerns for or against the rezoning of 38.87 acres, more or less, of land from Planned Development-SF 11,000 To PD-SF 9,000, being a 38.87 acre tract of land lying and being situated in the D.E.W. Babb Survey, Abstract Number 33, in the City of Melissa, Collin County, Texas, and being a portion of a tract of land called Tract 1 in Deed conveyed to Hillwood RLD, L.P and generally located northwest of State Highway 121 and FM 545.

There being no comments for or against, the public hearing was closed at 7:25 p.m.

ITEM #12

Motion was made by Bill Reynolds and seconded by Stan Mercer to adopt an Ordinance rezoning 38.87 acres, more or less, of land from Planned Development-SF 11,000 To PD-SF 9,000, being a 38.87 acre tract of land lying and being situated in the D.E.W. Babb Survey, Abstract Number 33, in the City of Melissa, Collin County, Texas, and being a portion of a tract of land called Tract 1 in Deed conveyed to Hillwood RLD, L.P. and generally located northwest of State Highway 121 and FM 545.

Vote: 3/0/0

Councilman Randy Kaiser returned to the council chambers at 7:25 p.m.

ITEM #13

Mayor Pro-Tem Dan Trott opened the public hearing at 7:25 p.m., to hear concerns for or against a re-plat request from Melissa ISD - 31.366 acres Melissa School Subdivision being a 31.366 tract of land lying and being situated in the D.E.W. Babb Survey, Abstract Number 33, in the City of Melissa, Collin County, Texas and generally located northeast of the intersection of Cardinal Drive and Fannin Road.

There being no comments for or against, the public hearings was closed at 7:26 p.m.

ITEM #14

Motion was made by Stan Mercer and seconded by Randy Kaiser to act upon recommendation from Planning and Zoning to approve the re-plat of 31.366 acres Melissa School Subdivision being a 31.366 tract of land lying and being situated in the D.E.W. Babb Survey, Abstract Number 33, in the City of Melissa, Collin County, Texas and generally located northeast of the intersection of Cardinal Drive and Fannin Road.

Vote: 4/0/0

ITEM #15

Motion was made by Randy Kaiser and seconded by Stan Mercer to act on recommendation from Planning and Zoning to approve the preliminary plat request from Melissa Crossing: Amin

Bata/Melissa Crossing 9.88 acre tract of land lying and being situated in the William Fitzhugh Survey, Abstract Number 309, City of Melissa, Collin County, Texas. Generally located at a point beginning at a point 1000 ft southwest of State Highway 121 and CR 339 intersection, then south approximately 960 ft south, then west approximately 650 ft to a point north generally along the 100 year flood plain to State Highway 121, then northeast along State Highway 121 approximately 400 ft. back to the start point.

Vote: 4/0/0

ITEM #16

Motion was made by Stan Mercer and seconded by Bill Reynolds to appoint Rusty Nail to the Melissa Park Board to replace Lee Gibson who recently resigned.

Vote: 4/0/0

ITEM #17

Motion was made by Stan Mercer and seconded by Bill Reynolds to adopt a Resolution authorizing the Mayor, or his designee, to change the meeting dates for the regular City Council meetings for November and December 2005, to accommodate the Thanksgiving and Christmas Holidays.

Vote: 4/0/0

ITEM #18

Motion was made by Bill Reynolds and seconded by Stan Mercer to approve the City of Melissa 2005 Certified Tax Roll Jurisdiction Summary.

Vote: 4/0/0

ITEM #19

Citizen Comments

ITEM #20

Motion was made by Bill Reynolds and seconded by Randy Kaiser to adjourn at 7:35 p.m.

Vote: 4/0/0

Dan Trott, Mayor Pro-Tem

Attest:

Linda P. Mitchell, City Secretary