

**MINUTES  
CITY OF MELISSA CITY COUNCIL  
REGULAR MEETING  
Tuesday, January 13, 2009  
7:00 p.m.**

**CALL TO ORDER**

Mayor David Dorman called the meeting to order at 7:00 p.m.

Council members present were: Randy Kaiser, Dan Trott, Bill Reynolds, Stan Mercer and Sharon Weideman.

Prayer was given by Bill Reynolds.

All in attendance gave the Pledge of Allegiance.

**CONSENT AGENDA**

Motion was made by Sharon Weideman and seconded by Dan Trott to approve the minutes of the December 9, 2008 Regular meeting and the January 6, 2009 Special Called meeting.

Vote: 5/0/0

**REGULAR AGENDA**

**ITEM #1**

Mayor Dorman recused himself from this item due to a potential conflict of interest. A Conflict of Interest Affidavit was filed with the City Secretary. Mayor Pro-tem Dan Trott presided over this item.

Mayor Pro-tem Dan Trott opened a public hearing at 7:03 p.m. to hear concerns for or against the issuance of a Specific Use Permit for a Group Day Care Home on land zoned as Single Family 3 (SF 3), located at 1403 Fannin Road, on 0.151 acres, more or less, within the City of Melissa.

Ashley Neal asked the Council to disclose the date of the request for the SUP. There being no other comments, for or against, the public hearing was closed at 7:04 p.m.

**ITEM #2**

Motion was made by Bill Reynolds and seconded by Randy Kaiser to act upon recommendation from Planning and Zoning Commission to adopt an Ordinance granting a Specific Use Permit for a Group Day Care Home on land zoned as Single Family 3 (SF 3), located at 1403 Fannin Road, on 0.151 acres, more or less, within the City of Melissa .

Vote: 5/0/0

Mayor Dorman returned to the Council Chambers at 7:05 p.m. and presided over the remainder of the meeting.

**ITEM #3**

Mayor Dorman opened the Public Hearing at 7:05 p.m., to hear comments, for or against, amending Melissa's Comprehensive Zoning Ordinance No. 92-08, Sections 20 (Schedule of Uses and Parking

Requirements) and 31 (Rules of Construction and General Definitions) and Article 12.300 (Zoning Ordinance Adopted) of Melissa's Code of Ordinances No. 92-04. There being no comments, the Public Hearing was closed at 7:06 p.m.

**ITEM #4**

Motion was made by Dan Trott and seconded by Bill Reynolds to act upon recommendation from Planning and Zoning to adopt an Ordinance amending Melissa's Comprehensive Zoning Ordinance No. 92-08, Sections 20 (Schedule of Uses and Parking Requirements) and 31 (Rules of Construction and General Definitions) and Article 12.300 (Zoning Ordinance Adopted) of Melissa's Code of Ordinances No. 92-04.

Vote: 5/0/0

**ITEM #5**

Mayor Dorman opened a Public Hearing at 7:06 p.m. to hear comments, for or against, a request for rezone of from Single Family 3 Residential (SF-3) to General Commercial (C-2); Property being generally located at the northeast corner of McKinney Street (State Highway 5) and Melissa Road (Daycor). There being no comments, the Public Hearing was closed at 7:07 p.m.

**ITEM #6**

Motion was made by Randy Kaiser and seconded by Sharon Weideman to act upon recommendation from Planning and Zoning to adopt an Ordinance rezoning property from Single Family 3 Residential (SF-3) to General Commercial (C-2); Property being generally located at the northeast corner of McKinney Street (State Highway 5) and Melissa Road (Daycor).

Vote: 5/0/0

**ITEM #7**

Mayor Dorman opened a Public Hearing at 7:07 p.m. to hear comments, for or against, a request for Replat of property located at the northeast corner of McKinney Street (State Highway 5) and Melissa Road (Daycor). There being no comments the public hearing was closed at 7:08 p.m.

**ITEM #8**

Motion was made by Randy Kaiser and seconded by Stan Mercer to approve the request for Replat of property located at the northeast corner of McKinney Street (State Highway 5) and Melissa Road (Daycor). Bob Helmberger reminded Council that the Planning and Zoning Commission recommended approval of the Replat and that we were acting on their recommendation. Mr. Kaiser amended his motion and Mr. Mercer amended his second.

Vote: 5/0/0

**ITEM #9**

Motion was made by Dan Trott and seconded by Bill Reynolds to act upon recommendation from Planning and Zoning for approval of the Final Plat request for Southern Star Concrete

Vote: 5/0/0

**ITEM #10**

Motion was made by Bill Reynolds and seconded by Sharon Weideman to adopt a Resolution in support of the Transportation Excellence for the 21<sup>st</sup> Century (TEX-21) 2008 Legislation Agenda

Vote: 5/0/0

**ITEM #11**

Motion was made by Bill Reynolds and seconded by Randy Kaiser to recess into Closed Session at 7:10 p.m., in compliance with Section 551.001 *et.seq.* Texas Government Code, to wit:

- A). Section 551.074. Personnel Matters: City Administrator's Annual Performance Evaluation.

Vote: 5/0/0

**ITEM #12**

Motion was made by Bill Reynolds and seconded by Dan Trott to reconvene into Open Session at 7:13 p.m.

Vote: 5/0/0

Motion was made by Sharon Weideman and seconded by Dan Trott to authorize the Mayor to conduct appropriate employment negotiations as discussed in the executive session.

Vote: 5/0/0

**ITEM #13**

Citizen Comments

**ITEM #14**

Motion was made by Dan Trott and seconded by Bill Reynolds to adjourn at 7:20 p.m.

Vote: 5/0/0

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David E. Dorman, Mayor

ATTEST:

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Linda P. Bannister, City Secretary