

**MINUTES
CITY OF MELISSA CITY COUNCIL
REGULAR MEETING
Tuesday, April 28, 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: Sharon Weideman, Bill Reynolds, Dan Trott, Randy Kaiser and Stan Mercer.

Prayer was given by Bill Reynolds.

All in attendance gave the Pledge of Allegiance.

CONSENT AGENDA

Motion was made by Dan Trott and seconded by Bill Reynolds to approve the minutes of the April 14, 2009 regular City Council meeting.

Vote: 5/0/0

ITEM #1

Mayor Dorman presented a Proclamation for National Public Works Week May 17-23, 2009. Brian Akins, Public Works Superintendent, was present to accept the Proclamation.

ITEM #2

Motion was made by Bill Reynolds and seconded by Stan Mercer to adopt a Resolution calling a Special City Council meeting on Tuesday, May 19, 2009 at 6:30 p.m., for the purpose of canvassing the May 9, 2009 General Election.

Vote: 5/0/0

ITEM #3

Motion was made by Dan Trott and seconded by Randy Kaiser to adopt a Resolution authorizing the Mayor, or his designee, to enter into an Agreement with Collin County for the joint rehabilitation of County Road 277 (Telephone Road).

Vote: 5/0/0

ITEM #4

Motion was made by Randy Kaiser and seconded by Stan Mercer to adopt a Resolution supporting TX DOT's proposed re-alignment of SH5 to the existing intersection of CR338/Fannin Road and SH121.

Vote: 5/0/0

ITEM #5

Mayor Dorman opened a Public Hearing at 7:14 p.m. to hear concerns, for or against, a request for rezone from Restricted Commercial (C-1) and SF-3, Single Family Residential to Restricted Commercial (C-1), more particularly located in Melissa's Original Donation, Block 4, Lots 6 – 10, City of Melissa, Collin County, Texas and generally located approximately 150 feet east of Red River Street on the south side of Cooper Street (Mounger property).

The following people spoke at the Public Hearing:

Dave Bower
1606 Cooper St.
Melissa, TX

The Public Hearing was closed at 7:16 p.m.

ITEM #6

Motion was made by Bill Reynolds and seconded by Sharon Weideman to adopt an Ordinance rezoning from Restricted Commercial (C-1) and SF-3, Single Family Residential to Restricted Commercial (C-1), property located in Melissa's Original Donation, Block 4, Lots 6 – 10, City of Melissa, Collin County, Texas and generally located approximately 150 feet east of Red River Street on the south side of Cooper Street.

Vote: 5/0/0

ITEM #7

Mayor Dorman opened a Public Hearing at 7:17 p.m. to hear concerns for or against a Replat of property located in Melissa's Original Donation, Block 4, Lots 6 – 10, City of Melissa, Collin County, Texas and generally located approximately 150 feet east of Red River Street on the south side of Cooper street (Mounger Property).

There being no comments the Public Hearing was closed at 7:18 p.m.

ITEM #8

Motion was made by Dan Trott and seconded by Stan Mercer to approve the request for a Replat for property located in Melissa's Original Donation, Block 4, Lots 6 – 10, City of Melissa, Collin County, Texas and generally located approximately 150 feet east of Red River Street on the south side of Cooper Street.

Vote: 5/0/0

ITEM #9

Motion was made by Randy Kaiser and seconded by Bill Reynolds to adopt an Ordinance updating the Water Conservation, Drought Contingency Plan and Water Emergency Plan for the City of Melissa.

Vote: 5/0/0

ITEM #10

Presentation of minutes from Boards and Commissions – No action necessary:

- a. Melissa Industrial and Economic Development (4A) –March 25, 2009 and April 15, 2009.
- b. Planning and Zoning Commission –April 16, 2009.

ITEM #11

Motion was made by Bill Reynolds and seconded by Dan Trott to recess into Closed Session at 7:30 p.m. in compliance with Section 551.001 et. seq. Texas Government Code, to wit:

- a. 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 conflict with the Open Meetings Act regarding legal issues relating to Trinity River/Throckmorton Sewer Interceptor Project.
- b. Section 551.072. Deliberation regarding the purchase, exchange, lease or value of real property for the Fannin Road Project and Throckmorton Road Project.
- c. 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 8:27 p.m. and take any action necessary as a result of the Closed Session.

Vote: 5/0/0

Motion was made by Dan Trott and seconded by Stan Mercer to accept the City Administrator's revision to his 2009 goals and to clarify the minutes from the January 13, 2009 minutes to reflect the Mayor's authority to accept the presented goals and execute the revised agreement with the City Administrator.

Vote: 5/0/0

ITEM #13

Citizen Comments

ITEM #14

Motion was made by Dan Trott and seconded by Sharon Weideman to adjourn at 8:25 p.m.

Vote: 5/0/0

David E. Dorman, Mayor

ATTEST:

Linda P. Bannister, City Secretary