

MINUTES
CITY OF MELISSA CITY COUNCIL
REGULAR MEETING
Tuesday, September 22, 2009
7:00 p.m.

CALL TO ORDER

Mayor Reed Greer called the meeting to order at 7:00 p.m.

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

Prayer was given by Kevin Parham, First Baptist Church of Melissa.

All gave the Pledge of Allegiance.

CONSENT AGENDA

Motion was made by Dan Trott and seconded by Sharon Weideman to approve the following consent agenda items:

1. Consider and act upon approval of the minutes of the September 8, 2009 council meeting and work session.
2. Consider and act upon an Ordinance amending Ordinance No. 08-44 (2008-2009 Budget), and approving the revised budget figures for fiscal year 2008-2009.
3. Consider and act upon a Resolution authorizing the Mayor, or his designee, to enter into an agreement with the Texas Revenue Recovery Association to allow the City of Melissa the opportunity to recover passed due accounts.

Vote: 4/0/0

REGULAR AGENDA

ITEM #1

Citizen Comments:

There were no citizen comments.

ITEM #2

Mayor Greer presented a Proclamation in recognition of National Fire Prevention Week, October 4-10, 2009.

ITEM #3

Motion was made by Randy Kaiser and seconded by Dan Trott to adopt a Resolution amending Resolution No. 09-39 (R), Section 2, for the sole purpose of revising the Exhibit attached thereto, to acquire property for the Fitzhugh Sanitary Sewer Project.

Vote: 4/0/0

ITEM #4

Mayor Greer opened a Public Hearing at 7:06 p.m., to hear comments for or against a request from Village Springs Management Group for the rezoning of property containing 0.33 acres, more or less, of land from Single Family Residential (SF-3) to Restricted Commercial (C-1). Property more particularly located in Block 7, Lot 2 and a Part of Lot 1, Merritt's Addition, Melissa, Collin County,

Texas and generally located at the northwest corner of the intersection of West Plano Street and State Highway 5. There being no public comments, the hearing was closed at 7: 07 p.m.

ITEM #5

Motion was made by Dan Trott and seconded by Stan Mercer to adopt an Ordinance rezoning property containing 0.33 acres, more or less, of land from Single Family Residential (SF-3) to Restricted Commercial (C-1). Property more particularly located in Block 7, Lot 2 and a Part of Lot 1, Merritt's Addition, Melissa, Collin County, Texas and generally located at the northwest corner of the intersection of West Plano Street and State Highway 5.

Vote: 4/0/0

ITEM #6

Motion was made by Sharon Weideman and seconded by Randy Kaiser to adopt a Resolution authorizing the Mayor, or his designee, to execute the Collection Agreement between the City of Melissa and American Municipal Services to perform collection activities for the Municipal Court.

Vote: 4/0/0

ITEM #7

Motion was made by Dan Trott and seconded by Randy Kaiser to adopt an Ordinance authorizing the Mayor, or his designee, to enter into a Franchise Fee Agreement with Grayson Collin Electric Cooperative (GCEC) authorizing a Franchise Fee to be assessed to GCEC for the use of the public rights of way.

Vote: 4/0/0

ITEM #8

Motion was made by Randy Kaiser and seconded by Dan Trott to recess into Executive Session at 7:15 p.m. in compliance with Section 551.001 et. seq. Texas Government Code, to wit:

- 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

Vote: 4/0/0

ITEM #9

Motion was made by Sharon Weideman and seconded by Dan Trott to reconvene into Open Session at 8:00 p.m. and take any action as necessary as a result of the Closed Session.

Vote: 4/0/0

Motion was made by Randy Kaiser and seconded by Stan Mercer to authorize the Mayor, or his designee, to execute any documents related to the contract amendment(s) between the Greater Texoma Utility Authority (GTUA) and BWR Corporation.

Vote: 4/0/0

Motion was made by Randy Kaiser and seconded by Dan Trott to authorize the City of Melissa remit the approved funds for the Trinity River Throckmorton Sewer Project to GTUA and request that GTUA pay Melissa's portion per the cost distribution spread sheet with any costs to BWR and to execute a release with BWR for those cost reimbursements.

Vote: 4/0/0

ITEM #10

Motion was made by Sharon Weideman and seconded by Dan Trott to adjourn at 7:12 p.m.

Vote: 4/0/0

Reed Greer, Mayor

ATTEST:

Linda P. Bannister, City Secretary