

**\*\*\*\*\*NOTICE OF PUBLIC MEETING\*\*\*\*\***

**CITY OF MELISSA CITY COUNCIL  
SPECIAL CALLED MEETING  
WEDNESDAY, NOVEMBER 12, 2008  
5:30 p.m.  
City of Melissa Municipal Building  
901 State Highway 121  
Melissa, TX 75454**

1. Call to order.
2. Roll call.
3. Prayer.
4. Pledge of Allegiance.

**CONSENT AGENDA ITEMS**

1. Consider and act upon approval of the minutes of the October 28, 2008 City Council meeting.
2. Consider and act upon a Resolution authorizing the City Administrator, or his designee, to proceed with the disposal of city surplus property located at 1401 Cooper Street, by selling/auctioning of same.

**REGULAR MEETING AGENDA**

1. Consider and act upon a Resolution authorizing the Mayor, or his designee, to executive documents related to the Throckmorton Creek/Trinity River Sewer Project
2. Recess into Closed Session 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:
    - i. Legal issues regarding the regulation of Sexually Oriented Businesses.
    - ii. Legal issues regarding the Facilities Agreement for First Baptist Church of Melissa.
    - iii. Legal issues regarding Throckmorton Creek/Trinity River Sewer Line costs, expenses and reimbursements.
  - b. Section 551.072. Deliberation regarding the purchase, exchange, lease and/or value of real property:
    - i. Lots 3, 4, 5, 8, 9 and 10, J.H. Graves, 2<sup>nd</sup> Addition and generally located west of Highway 5.
    - ii. 100 ± acres situated in the D.E.W. Babb Survey, Abstract No. 33 and generally located north of F. M. 545.
    - iii. 0.304 acres and 0.025 acres situated in the D.E.W. Babb Survey, Abstract No. 33 and generally located south of Fannin Road and 0.018 acres situated in Block A, Lot 6 of the Gibson Addition and generally located south of Fannin Road.
3. Reconvene into Open Session and take any action necessary as a result of the Closed Session.
4. Consider and act upon an Ordinance of the City of Melissa amending Article 4.700 (Sexually Oriented Businesses) of Melissa's Code of Ordinances No. 92-04.
5. Consider and act upon a Resolution authorizing the Mayor or his designee to execute the Donation Agreement and Release of Facilities Agreement and any other documents related to the Winchester Farms Facilities Agreement.

6. Consider and Act upon acceptance of Right-of-Way Warranty Deed for 0.086± acres situated in the D.E.W. Babb Survey, Abstract No. 33, and being a part of Lot 5 of the J.H. Graves 2<sup>nd</sup> Addition, Melissa, Collin County, Texas (Hanson).
7. Consider and Act upon acceptance of Right-of-Way Warranty Deed for 0.126± acres situated in the D.E.W. Babb Survey, Abstract No. 33, and being a part of Lots 3 and 4 of the J.H. Graves 2<sup>nd</sup> Addition, Melissa, Collin County, Texas (Gaither).
8. Consider and Act upon acceptance of Petition and Release to Abandon Right-of-Way for: (i) 0.086± acres made a part of a 50' dedicated right-of-way; and (ii) 0.104± acres made a part of a 14' dedicated right-of-way, both of which are situated in the D.E.W. Babb Survey, Abstract No. 33 of the J.H. Graves 2<sup>nd</sup> Addition, Melissa, Collin County, Texas (Hanson).
9. Consider and Act upon acceptance of Petition and Release to Abandon Right-of-Way for 0.126± acres situated in the D.E.W. Babb Survey, Abstract No. 33, and being a part of a 50' dedicated right-of-way located in the J.H. Graves 2<sup>nd</sup> Addition, Melissa, Collin County, Texas (Gaither).
10. Consider and Act upon acceptance of Petition and Release to Abandon Right-of-Way for 0.104± acres situated in the D.E.W. Babb Survey, Abstract No. 33, and being a part of a 14' dedicated right-of-way located in the J.H. Graves 2<sup>nd</sup> Addition, Melissa, Collin County, Texas (Melissa Land Partners, LP).
11. Consider and Act upon adoption of Ordinance Abandoning Right-of-Way for 0.086± acres situated in the D.E.W. Babb Survey, Abstract No. 33, and being a part of a 50' dedicated right-of-way located in the J.H. Graves 2<sup>nd</sup> Addition, Melissa, Collin County, Texas (Hanson).
12. Consider and Act upon adoption of Ordinance Abandoning Right-of-Way for 0.126± acres situated in the D.E.W. Babb Survey, Abstract No. 33, and being a part of a 50' dedicated right-of-way located in the J.H. Graves 2<sup>nd</sup> Addition, Melissa, Collin County, Texas (Gaither).
13. Consider and Act upon adoption of Ordinance Abandoning Right-of-Way for 0.104± acres situated in the D.E.W. Babb Survey, Abstract No. 33, and being a part of a 14' dedicated right-of-way located in the J.H. Graves 2<sup>nd</sup> Addition, Melissa, Collin County, Texas (Hanson and Melissa Land Partners, LP).
14. Consider and act upon a Resolution authorizing the City of Melissa, Texas to begin the process of notification and advertising for street name changes within the City of Melissa.
15. Citizen comments.
16. Adjourn.

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Linda Bannister, City Secretary

Posted \_\_\_\_\_, 2008 @ \_\_\_\_\_ p.m.

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code §551.001 et seq., will be held by the City Council at the date, hour and place given in this notice or as soon after the commencement of the meeting covered by this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

- 551.071 Private consultation with the attorney for the City.
- 551.072 Discussing purchase, exchange, lease or value of real property.
- 551.074 Discussing personnel or to hear complaints against personnel.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS

The Melissa City Hall is wheelchair accessible. Access to the building and special parking are available at the south entrance. Persons with disabilities who plan to attend this meeting, and who may need auxiliary aids or service such as Interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (972) 838.2520 or by FAX (972) 837.2452. BRAILLE IS NOT AVAILABLE.