

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

CITY OF MELISSA CITY COUNCIL

REGULAR MEETING

TUESDAY, MAY 23, 2017

**City of Melissa Municipal Building
3411 Barker Avenue
Melissa, TX 75454**

**City Council Chambers (2nd Floor)
Regular Meeting- 6:00 p.m.**

**Work Session – 5:15 p.m. (Work
Session may be continued after the
adjournment of the Regular
Agenda Meeting)**

WORK SESSION AGENDA

1. Call to order.
2. Roll Call.
3. Discussion regarding Boards and Commission appointments.
4. Discussion regarding regular agenda Items.
5. Discussion regarding upcoming agenda items.
6. Adjourn.

REGULAR MEETING AGENDA

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 from the May 9, 2017 regular meeting and work session and the May 16, 2017 special called meeting.

REGULAR AGENDA

1. **Citizen Comments.**
This item is available for citizens to speak for up to 3 minutes on any subject of which the City of Melissa has authority. However, no discussion or action, by law, may be taken on the topic unless and until properly posted on a future agenda.
2. Conduct a Public Hearing to hear comments, for or against, an Ordinance of the City Council of the City of Melissa, Texas, amending Ordinance No. 17-19 and Melissa's Zoning Ordinance, Ordinance No. 92-08, as amended, to modify certain Planned Development Standards applicable to that certain tract of land identified as the "property" in Ordinance No. 17-19, consisting of 49.39± acres, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, generally located north and east of the intersection of Davis Road and U.S. 75, and containing the following tracts: (1) Lot 1, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 15.589± acres; (2) Lot 2, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County,

Texas, 4.406± acres; (3) Lot 3, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 14.233± acres; (4) Lot 4, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 5.996± acres; (5) Lot 5, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 6.518± acres. **Applicant: Daford Enterprises, Inc.**

3. Consider and act upon recommendation from Planning and Zoning Commission regarding an Ordinance of the City Council of the City of Melissa, Texas, amending Ordinance No. 17-19 and Melissa's Zoning Ordinance, Ordinance No. 92-08, as amended, to modify certain Planned Development Standards applicable to that certain tract of land identified as the "property" in Ordinance No. 17-19, consisting of 49.39± acres, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, generally located north and east of the intersection of Davis Road and U.S. 75, and containing the following tracts: (1) Lot 1, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 15.589± acres; (2) Lot 2, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 4.406± acres; (3) Lot 3, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 14.233± acres; (4) Lot 4, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 6.518± acres; describing the subject tract; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof. **PNZ recommends approval.**
4. Consider and act upon recommendation from the Planning and Zoning Commission regarding request for Final Plat – Buc-ee's Addition, Lots 1 – 5, Block A, being 49.394 acres of land situated in the Andrew Thomas Survey, Abstract No. 894, City of Melissa, Collin County, Texas and generally located north and east of the intersection of Davis Road and US Highway 75, Melissa, Collin County, Texas. **Applicant: Daford Enterprises, Inc. PNZ recommends approval.**
5. Consider and act upon recommendation from the Planning and Zoning Commission regarding a request for Final Engineering Site Plan - Buc-ee's Addition, Lots 1 – 5, Block A, being 49.394 acres of land situated in the Andrew Thomas Survey, Abstract No. 894, City of Melissa, Collin County, Texas and generally located north and east of the intersection of Davis Road and US Highway 75, Melissa, Collin County, Texas. **Applicant: Daford Enterprises, Inc. PNZ recommends approval.**
6. Consider and act upon an Ordinance of the City Council of the City of Melissa, Texas, amending Melissa's Code of Ordinances, Ordinance No. 92-04, as amended, Chapter 3 (Building and Construction), Article 3.700 (Fence Regulations), Sections 3.701 (Fence Definitions) and 3.702 (Fence and Retaining Wall Permits) and Appendix A (Melissa Fee Schedule); modifying certain regulations governing repair of fences and retaining walls; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof.
7. Consider and act upon a request from the Hunters Ridge Homeowners Association for a variance from Chapter 3, Article 3.1400, §3.1400(b) requirements to allow the construction of board fencing on steel posts along Fannin Road.
8. Consider and act upon an Ordinance of the City of Melissa, Texas, altering the Prima Facie speed limits established for vehicles under the provisions of Transportation Code, Section 545.356, upon U.S. Highway 75 and U.S. Highway 75 Frontage roads thereof, within the incorporated limits of the City of Melissa, Texas, as set out in this Ordinance; and providing for a penalty of a fine not to exceed \$200.00 for the violation of this Ordinance.
9. Consider and act upon a Resolution appointing certain people to fill vacancies on the City of Melissa's Planning and Zoning Commission.

10. Consider and act upon a Resolution of the City Council of the City of Melissa, Texas, hereby authorizing the City Manager to execute the Texas Department of Transportation- Local Transportation Project Advance Funding Agreement for the green ribbon program on-system project.
11. Consider and act on a Resolution of the City Council of the City of Melissa, Texas, determining a public necessity to acquire certain property for public use by eminent domain for a permanent sanitary sewer easement and a temporary construction easement and related improvements (collectively, "easements") for the construction, access, repair, maintenance and replacement of the Telephone Road Sanitary Sewer Project, located on a portion of a tract of land consisting of approximately 30.686± acres in the John Emberson Survey, Abstract No. 294, City of Melissa, Collin County, Texas (from approximately the west side of Telephone Road (County Road 277) to the eastern boundary of said property, south of west Melissa Road) (the "project"); giving notice of an official determination to acquire certain property for public use by eminent domain for the easements for the project; authorizing the City Manager of the City to establish procedures for acquiring the easements for the property; offering to acquire the easements, voluntarily, from the subject landowner(s) through the making of bona fide offers; appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date.
12. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.
13. Adjourn.

Certified to this the 19th day of May, 2017.

Linda Bannister, City Secretary

Posted May 19, 2017 @ 5:00 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.