

******* NOTICE OF PUBLIC MEETING*******
CITY OF MELISSA CITY COUNCIL
REGULAR MEETING
TUESDAY, DECEMBER 13, 2016

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

City Council Chambers (2nd

Regular Meeting- 6:00 p.m.

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

WORK SESSION AGENDA

1. Call to order.
2. Roll Call.
3. Update and discussion regarding Green Ribbon Beautification Grant.
4. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit:
 - i. Section 551.072: To deliberate regarding the purchase, exchange, lease and/or value of real estate property regarding Hiram Brinlee Survey, Abstract 30, Sheet 1, Tracts 31, 32, 35.
 - ii. Section 551.086: Deliberation regarding Economic Development Negotiations: Daford Enterprises.
 - iii. Section 551.074: Annual evaluation of City Manager
5. Reconvene into Work Session.
6. Discussion regarding Regular Agenda Items.
7. 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 November 8, 2016 regular meeting and work session.
2. Consider and act upon accepting the resignation of Janine Greenway from the Melissa Public Library Board.

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 if and until properly posted on a future agenda.

2. Presentation by Melissa Public Library regarding Next Chapter Book Club.

3. Conduct a Public Hearing to hear comments, for or against, a request to amend existing Planned Development (PD) Zoning, Ordinance No. 06-15, being 51.89 acres, more or less, situated in the Andrew Thomas Survey, Abstract 894, Collin County, Texas and generally located southeast of the corner of US 75 and Davis Road, Melissa, Collin County, Texas. **Applicant: Sanchez & Associates**

4. Consider and act upon recommendation by Planning and Zoning regarding an Ordinance amending the existing Planned Development (PD) Zoning, Ordinance No. 06-15, being 51.89 acres, more or less, situated in the Andrew Thomas Survey, Abstract 894, Collin County, Texas and generally located southeast of the corner of US 75 and Davis Road, Melissa, Collin County, Texas. **(Planning & Zoning Recommends Approval.)**

5. Conduct a Public Hearing to hear concerns, for or against, a request to rezone 197.11 acres, more or less, situated in the William Sanders Survey, Abstract No. 867, City of Melissa, Collin County, Texas from Agricultural (A) and Single-Family Residential District-3 (SF-3) to Planned Development-SF-3 consisting of 197.11 acres more or less situated in the William Sanders Survey, Abstract No. 867, City of Melissa, Collin County, Texas and generally located south and east of the intersection of Melissa Road & Milrany Lane, Melissa, Collin County, Texas. **Applicant: MA Partners, LLC/Kimley Horn (Planning and Zoning continued the public hearing until January 19, 2017. Therefore, Council must open the Public Hearing and continue until 6:00 p.m., January 24, 2017 City Council meeting.)**

6. Conduct a Public Hearing to hear concerns, for or against, 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 12 (Planning and Zoning), Article 12.300 (Zoning Ordinance Adopted), Section 31 (Rules of Construction and General Definitions); modifying the definitions of the terms convenience store with gas pumps and gas pumps (Accessory Use); 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 recommendation from Planning and Zoning regarding adoption of 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 12 (Planning and Zoning), Article 12.300 (Zoning Ordinance Adopted), Section 31 (Rules of Construction and General Definitions); modifying the definitions of the terms convenience store with gas pumps and gas pumps (Accessory Use); providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof. **(Planning & Zoning Recommends Approval.)**


8. Consider and act upon a recommendation from Planning and Zoning regarding a request for Amended Final Plat, North Creek Estates, Phase 1, Lot 1, Block L and Lot 1, Block S, being two residential lots out of the 24.61 acres in the D.E.W. Babb Survey, Abstract No. 33, Collin County, Texas. Generally located south and west of the intersections of Juniper Lane and south and east of the intersection of Mimosa Lane and Cherry Lane and Mimosa Lane, Melissa, Collin County, Texas. **Applicant: Gees, Inc. (Planning & Zoning Recommends Approval.)**

9. Consider and act on a Resolution of the City Council of the City of Melissa, Texas, determining a public necessity to acquire certain properties for public use by eminent domain for rights-of-way (in fee simple), drainage easements, temporary construction easements and related improvements (collectively, "ROWS and Easements") for the construction, access, repair, maintenance and replacement of and/or improvements to Throckmorton Road (from approximately Liberty Way to Shirley Lane), Davis Road (from approximately US 75 to Fannin Road) and Fannin Road (from

approximately SH121 to approximately 2,300 feet south of Melissa Road) (the "Projects"); giving notice of an official determination to acquire certain properties for public use by eminent domain for the ROWs and Easements for the Projects; authorizing the City Manager of the City to establish procedures for acquiring the ROWs and Easements for the Properties; offering to acquire the ROWs and Easements, voluntarily, from the subject landowners through the making of bona fide offers; appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date.

10. Consider and act upon a Resolution authorizing the City Manager to award the bid for the Stiff Creek Sewer Capital Improvement Project.
11. Consider and act upon Resolution authorizing the City Manager to execute the Chapter 380 Agreement, by and between the City of Melissa and Bloomfield Homes, L.P
12. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit:
 - i. Section 551.072: To deliberate regarding the purchase, exchange, lease and/or value of real estate property regarding Hiram Brinlee Survey, Abstract 30, Sheet 1, Tracts 31, 32, 35.
 - ii. Section 551.086: Deliberation regarding Economic Development Negotiations: Daford Enterprises.
 - iii. Section 551.074: Annual evaluation of City Manager
13. Reconvene into Open Session and take any action, if necessary, as a result of the closed session.
14. Consider and act upon a Resolution authorizing the City Manager to finalize negotiations with Daford Enterprises and execute documents regarding the same.
15. Consider and act upon a Resolution authorizing the City Manager to finalize negotiations regarding an option on a portion of property located in Hiram Brinlee Survey, Abstract 30, Sheet 1, Tracts 31, 32, 35.
16. City Council discussion with City staff concerning any actions required by City staff as a result of any item on tonight's agenda.
17. Adjourn.

Posted 9 Dec 2016 @ 5:00 p.m.


Linda Bannister, City Secretary

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, time and place given in this notice, as soon after the commencement of the meeting covered by this notice as the City Council may conveniently meet, 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.