

**MINUTES
CITY OF MELISSA CITY COUNCIL
REGULAR MEETING
DECEMBER 13, 2016
6:00 p.m.**

REGULAR MEETING

Mayor Greer called the meeting to order at 6:05 p.m.

Council members present were: Stacy Jackson, Chad Taylor, Nicco Warren, Jay Northcut and Anthony Figueroa. Tom Stevens was absent.

Prayer was given by Anthony Figueroa.

All in attendance gave the Pledge of Allegiance.

CONSENT AGENDA ITEMS

Motion was made by Nicco Warren and seconded by Chad Taylor to approve the consent agenda items as follows:

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.

Vote: 6/0/0

REGULAR AGENDA

ITEM #1

Citizen Comments: There were no comments.

ITEM #2

Presentation by Melissa Public Library regarding Next Chapter Book Club.

ITEM #3

Motion was made by Nicco Warren and seconded by Chad Taylor to open a Public Hearing at 6:16 p.m. 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**

Vote: 6/0/0

There being no comments, a motion was made by Anthony Figueroa and seconded by Jay Northcut to close the Public Hearing at 6:17 p.m.

Vote: 6/0/0

ITEM #4

Motion was made by Chad Taylor and seconded by Anthony Figueroa to act upon recommendation by Planning and Zoning and adopt 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.

Vote: 6/0/0

ITEM #5

Motion was made by Jay Northcut and seconded by Nicco Warren to open a Public Hearing at 6:20 p.m. 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.

Vote: 6/0/0

Motion was made by Nicco Warren and seconded by Chad Taylor to continue the public hearing until 6:00 p.m., January 24, 2017.

Vote: 6/0/0

ITEM #6

Motion was made by Nicco Warren and seconded by Anthony Figueroa to open a Public Hearing at 6:21 p.m. 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.

Vote: 6/0/0

There being no comments, and upon a motion by Anthony Figueroa and a second by Nicco Warren, the public hearing was closed at 6:22 p.m.

Vote: 6/0/0

ITEM #7

Motion was made by Jay Northcut and seconded by Nicco Warren to act upon the recommendation from Planning and Zoning to adopt 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.

Vote: 6/0/0

ITEM #8

Motion was made by Nicco Warren and seconded by Anthony to act upon a recommendation from Planning and Zoning to approve the 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.

Vote: 6/0/0

ITEM #9

Motion was made by Anthony Figueroa and seconded by Jay Northcut Figueroa to adopt 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 Sherley 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.

Vote: 7/0/0

ITEM #10

Motion was made by Chad Taylor and seconded by Anthony Figueroa to adopt a Resolution authorizing the City Manager to award the bid for the Stiff Creek Sewer Capital Improvement Project to Excel Trenching and Mulching.

Vote: 6/0/0

ITEM #11

Motion was made by Nicco Warren and seconded by Chad Taylor to adopt a Resolution authorizing the City Manager to execute the Chapter 380 Agreement, by and between the City of Melissa and Bloomfield Homes, L.P

Vote: 6/0/0

ITEM #12

Motion was made by Nicco Warren and seconded by Chad Taylor to Recess into Closed Session at 6:36 p.m., in compliance with Section 551.001 et. seq. Texas Government Code, to wit:

- i. Section 551.074: Annual evaluation of City Manager

Vote: 6/0/0

ITEM #13

Motion was made by Jay Northcut and seconded by Anthony Figueroa to reconvene into Open Session at 6:55 p.m.

Vote: 6/0/0

Motion was made by Anthony Figueroa and seconded by Nicco Warren to authorize the Mayor to negotiate the employment contract for the City Manager.

Vote: 6/0/0

ITEM #14

Motion was made by Jay Northcut and seconded by Chad Taylor to adopt a Resolution authorizing the City Manager to finalize negotiations with Daford Enterprises and execute documents regarding the same.

Vote: 6/0/0

ITEM #15

Motion was made by Anthony Figueroa and seconded by Jay Northcut to adopt 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.

Vote: 6/0/0

ITEM #16

City Council discussion with City staff concerning any actions required by City staff as a result of any item on tonight's agenda. No action was taken.

ITEM #17

Motion was made by Nicco Warren and seconded by Anthony Figueroa to adjourn at 6:57 p.m.

Vote: 6/0/0

Reed Greer, Mayor

ATTEST:

Linda Bannister, City Secretary