***** NOTICE OF PUBLIC MEETING*****
CITY OF MELISSA CITY COUNCIL
REGULAR MEETING & WORKSESSION
TUESDAY, DECEMBER 11, 2012

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

City Council Chambers (2nd Floor)
Regular Meeting will begin at 6:00 p.m. or upon adjournment of the
Work Session.

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 Strategic Plan goal for Engaging the Community.
4. 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 Rule of
      Professional Conduct of the State Bar of Texas conflict with the Open
      Meetings Act regarding legal issues relating to:
      i. Textual amendment to the City of Melissa Comprehensive Zoning
         Ordinance
      ii. Property located at 2322 Sam Rayburn Highway
      iii. Trails of Melissa Facilities Agreement
   b. Section 551.072. to deliberate, purchase, exchange lease and/or value of real
      property located at
      i. Property located generally at the southwest corner of Milraney Road (f/k/a
         CR 418) and SH 121
      ii. US 75 Reconstruction/Utility Relocation Project
      iii. Davis Road Sewer Interceptor Project
5. Reconvene into Open Session.
6. Discussion regarding Melissa ISD stadium seating.
7. Discussion regarding the proposed overlay district concept.
8. 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 27, 2012 Regular Meeting and Work Session and the December 5, 2012 Special Called Work Session.
2. Consider and act upon amending Resolution #12-41 adding an additional median opening for future commercial site for the State Highway 121 Reconstruction Project.
3. Consider and act upon a Resolution authorizing the City Manager of the City of Melissa to enter into an agreement with the Melissa Area Chamber of Commerce authorizing the use of fireworks at the event to be held in celebration of July 4, 2013; and the donation of $10,000 toward the fireworks show at the Celebration of Freedom 2013.

REGULAR AGENDA ITEMS

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. Consider and take action upon any items necessary as a result of the Closed Work Session.
3. Consider and act upon adoption of a Resolution determining a public necessity to acquire certain property for public use by eminent domain for the purpose of, among other things, permanent sanitary sewer easements and temporary construction easements, and related improvements, for the construction, access, repair, maintenance and replacement of the US 75 Reconstruction/Utility Relocation Project (approximately from the southeast corner of US 75 and Melissa Road to the southwest corner of US 75 and Melissa Road and from the southwest corner of Hunters Ridge Drive and Melissa Road to the northwest corner of US 75 and Melissa Road); giving notice of an official determination to acquire property for said easements; authorizing the City Manager to establish procedures for acquiring the easements on said property, offering to acquire the easements voluntarily from the landowners through the making of bona fide offers; appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date.
4. Consider and act upon adoption of a Resolution determining a public necessity to acquire certain property for public use by eminent domain for the purpose of, among other things, permanent sanitary sewer easements and temporary construction easements, and related improvements, for the construction, access, repair, maintenance and replacement of the Davis Road Sewer Interceptor Project (from approximately the northeast corner of the intersection of US 75 and Davis Road to the Trinity River/Throckmorton Creek Interceptor); giving notice of an official determination to acquire property for said easements; authorizing the City Manager to establish procedures for acquiring the easements on said property, offering to acquire the easements voluntarily from the landowners through the making of bona fide offers; appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date.
5. Consider and act upon adoption of a Resolution of the City Council of the City of Melissa, Texas, repealing Resolution no. 13-03(r); determining a public necessity to acquire certain property for public use by eminent domain for right-of-way (in fee simple), permanent sanitary sewer and drainage easements, and related improvements, for the construction, access, repair, maintenance and replacement of the Milrany Lane f/k/a CR 418 project (between SH 121 and Throckmorton Road); giving notice of an official determination to acquire certain property for public use by eminent domain for right-of-way (in fee simple), permanent sanitary sewer and drainage easements, and related improvements, for the construction, access, repair, maintenance and replacement of the Milrany Lane f/k/a CR 418 project (between SH 121 and Throckmorton Road); authorizing the city manager of the city of Melissa, Texas, to establish procedures for acquiring the right-of-way (in fee simple) and easements on the property, offering to acquire the right-of-way (in fee simple) and easements, voluntarily, from the subject landowner(s) through the making of a bona fide offer; appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date.

6. Adjourn.

Certified to, this ____________ day of December, 2012

Linda Bannister, City Secretary

Posted: ______________, 2012 @_______ 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.