**** NOTICE OF PUBLIC MEETING****
CITY OF MELISSA CITY COUNCIL
REGULAR MEETING & WORKSESSION
TUESDAY, MAY 28, 2013

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 of process for re-establishing the Melissa Industrial and Economic Development Corporation Board (4A).
4. 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 May 14, 2013 Regular City Council meeting and Work Session and the May 21, 2013.
2. Consider and act upon accepting the resignation of Cherri Copley Mott from the Melissa Library Advisory Board.
3. Consider and act upon accepting the resignation of Wendy Diamond from the Melissa Park 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. Consider and act upon adopting an Ordinance approving and adopting Rate Schedule “RRM-Rate Review Mechanism” for ATMOS Energy Corporation, Mid-Tex Division to be in force in the City for a period of time as specified in the rate schedule; adopting a savings clause; determining that this Ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; and requiring delivery of this Ordinance to the Company and ACSC Legal Counsel.
3. Consider and act upon an Ordinance of the City of Melissa, Texas, amending Melissa’s Code of Ordinances No. 92-04, Chapter 9 (Subdivisions), Article 9.100 (Subdivision Ordinance
Adopted), Article III (Procedure), Section 3.04 (Final Plat), Subsection (7) (Acceptance and Recording); providing for a penalty for the violation of this ordinance.

4. Conduct a Public Hearing to hear comments, for or against, an Ordinance of the City of Melissa, Texas amending Melissa’s Code of Ordinances No. 92-04, Chapter 12 (Planning and Zoning), Article 12.300 (Zoning Ordinance Adopted), Section 18(D) (“CC/O” Commercial Corridor Overlay District) and Ordinance No. 13-09 (Section 2).

5. Consider and act upon recommendation to the City Council regarding adopting an Ordinance of the City of Melissa, Texas amending Melissa’s Code of Ordinances No. 92-04, Chapter 12 (Planning and Zoning), Article 12.300 (Zoning Ordinance Adopted), Section 18(D) (“CC/O” Commercial Corridor Overlay District) and Ordinance No. 13-09 (Section 2); Providing for a penalty for the violation of this Ordinance; providing for repealing, savings and severability clauses; providing for an effective date of this Ordinance; and providing for the publication of the caption hereof.

6. Consider and act upon recommendation from Planning and Zoning regarding approval/denial of a request for variance to allow the delay of filing Trails of Melissa, Phase II, Final Plat.

7. Consider and act upon Planning and Zoning’s recommendation for approval/denial of the Trails of Melissa, Phase II, Final Plat: Trails of Melissa, Phase II, out of the D.E.W. Babb, Abstract No. 33 and the William Sanders Survey, Abstract No. 867 in the City of Melissa, Collin County, Texas, 20.6 acres +/- and generally located 2,000 feet east of the intersection of State Highway 121 and FM 545 on the north side of FM 545, Melissa, Collin County, Texas.

8. Consider and act upon accepting/denying the Voluntary Annexation Petition submitted by Tallent Retail, for the annexation of land consisting of 5.4658 acres, more or less, of land generally located in the Andrew Thomas Survey, Abstract No. 894, Tracts 3, 49 and specifically at 1521 McKinney Street, Melissa, TX.

9. Consider and act upon a Resolution setting June 11, 2013 and June 25, 2013 at 6:00 p.m., at Melissa City Hall, 3411 Barker Ave, Melissa, TX for public hearings to hear comments for or against, the voluntary annexation of 5.4658 acres, more or less, of land generally located in the Andrew Thomas Survey, Abstract No. 894, Tracts 3, 49 and specifically located at 1521 McKinney Street, Melissa, TX.

10. 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. Discussion regarding regulations related to the Independent School District.
       ii. Discussion regarding Hillwood Facilities Agreement and Zoning Regulations.
       iii. Legal issues related to the right of way acquisition process on SH 121 by the Texas Department of Transportation.

11. Reconvene into Open Session and take any action necessary as a result of the Closed Session.

12. Consider and act upon Resolution(s) appointing members to various Boards and Commissions.

13. Consider and Act Upon a Resolution Authorizing the City Manager to complete the negotiations and to execute the Development Agreement with Harlan Properties.

14. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

15. Adjourn.
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.