REGULAR MEETING
Mayor Reed Greer called the meeting to order at 6:02 p.m.

Council members present were: Julie Anderson, Dave Kasson, Sharon Weideman, Jason Kaiser, and Nicco Warren. Dick Hayden was absent.

Prayer was given by Sharon Weideman asking for special blessing for the Alvarez family.

All in attendance gave Pledge of Allegiance.

CONSENT AGENDA
Motion was made by Sharon Weideman and seconded by Nicco Warren to approve the following 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 Special Called Meeting.
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.

Vote: 6/0/0

REGULAR AGENDA

ITEM #1
Citizen Comments: None

ITEM 10 (This item was taken out of order)
Motion made by Julie Anderson and seconded by Nicco Warren to recess into Closed Session at 6:05 p.m. 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.

Vote: 6/0/0

Mayor Reed Greer and Julie Anderson left the meeting at 6:30 p.m. Mayor Pro-Tem Sharon Weideman presided in the Mayor’s absence for the remainder of the meeting.

ITEM #11
Motion was made by Nicco Warren and seconded by Dave Kasson to reconvene into Open Session at 7:04 p.m. and take any action necessary as a result of the Closed Session.

Vote: 4/0/0

No action was taken.
ITEM #2
Motion made by Nicco Warren and seconded by Dave Kasson to adopt 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.
Vote: 4/0/0

ITEM #3
Motion made by Nicco Warren and seconded by Jason Kaiser to adopt 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.
Vote: 4/0/0

ITEM #4
Public Hearing was open at 7:12 p.m. 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).
Vote: 4/0/0

There being no comments, the Public Hearing was closed at 7:15 p.m.

ITEM #5
Motion made by Jason Kaiser and seconded by Nicco Warren to adopt 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.
Vote: 4/0/0

ITEM #6
Motion made by Nicco Warren and seconded by Dave Kasson to act upon recommendation from Planning and Zoning Commission regarding approval of the request for variance to allow the delay of filing Trails of Melissa, Phase II, Final Plat.
Vote: 4/0/0

ITEM #7
Motion made by Jason Kaiser and seconded by Dave Kasson to act upon Planning and Zoning’s recommendation for approval of the Trails of Melissa, Phase 2, 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 with the following administrative considerations:
   a. Correction to setback requirement on several lots
   b. Access to HOA open space property
   c. Expressed concerns with easement placements lots adjacent to Clemmons Creek
   d. Asked for correction to plat for errors and asked staff to further discussion with the developer regarding easement placement

Vote: 4/0/0
ITEM #8
Motion made by Nicco Warran and seconded by Dave Kasson to act upon accepting 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.
Vote: 4/0/0

ITEM #9
Motion made by Nicco Warren and seconded by Jason Kaiser to adopt 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.
Vote: 4/0/0

ITEM #12
Consider and act upon Resolution(s) appointing members to various Boards and Commissions.
No action was taken.

ITEM #13
Motion made by Nicco Warren and seconded by Dave Kasson to adopt a Resolution Authorizing the City Manager to complete the negotiations and to execute the Development Agreement with Harlan Properties.
Vote: 4/0/0

ITEM #14
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 #15
Motion made by Jason Kaiser and seconded by Nicco Warren to adjourn at 7:43 p.m.
Vote: 4/0/0

Sharon Weideman, Mayor Pro-Tem

ATTEST:

Erin Mynatt, Assistant to the City Manager