MINUTES
CITY OF MELISSA CITY COUNCIL
REGULAR MEETING
July 23, 2013
6:00 p.m.

REGULAR MEETING
Presiding Officer, Councilmember Nicco Warren called the meeting to order at 6:03 p.m.

Council members present were: Julie Anderson, Jason Kaiser, Dick Hayden, and Dave Kasson. Mayor Reed Greer and Mayor Pro tem Sharon Weideman were absent.

Prayer was given by Councilmember Dick Hayden.

All in attendance gave Pledge of Allegiance.

CONSENT AGENDA
Motion was made by Julie Anderson and seconded by Dick Hayden to approve the following Consent Agenda Items:

1. Consider and act upon approval of the minutes from July 9, 2013 Regular City Council meeting and Work Session.

Vote: 5/0/0

REGULAR AGENDA

ITEM #1
Citizen Comments: None

ITEM #2
Councilmember Warren read a Proclamation declaring July Smart Irrigation Month in the City of Melissa.

ITEM #3
Motion was made by Dave Kasson and seconded by Julie Anderson to adopt ordinance 13-30 annexing 11.716± acres of land, consisting of the following tracts out of the plat known as Ready Triangle, Block 1, Lot 1; Block 2, Lots 1, 2, 3, 4, 5, 6, 7, 7a, 8 and 9; and Block 3, Lots 1, 2, 3, 4, 5, 6, 7 and 8, Collin County, Texas; providing that the owners and inhabitants of the above described tract of land shall be entitled to the rights and privileges of other citizens of Melissa and be bound by the acts and ordinances now in effect and hereafter adopted; providing for a penalty for a violation of this ordinance and Melissa’s Comprehensive Zoning Ordinance No.92-08 and any amendments thereto; 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: 5/0/0

ITEM #4
Motion was made by Dave Kasson and seconded by Julie Anderson to adopt ordinance 13-31 annexing 3.339± acres of land, and 0.431± acres of land situated in the Jacob Butler Survey, Abstract No.69 and John Fitzhugh Survey, Abstract No. 319, Collin County, Texas; providing that the owners and inhabitants of the above described tract of land shall be entitled to the rights and privileges of other citizens of Melissa and be bound by the acts and ordinances now in effect and hereafter adopted; providing for a penalty for a violation of this ordinance and Melissa’s Comprehensive Zoning Ordinance No. 92-08 and any amendments thereto; 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: 5/0/0
ITEM #5
Motion was made by Julie Anderson and seconded by Dave Kasson to adopt ordinance 13-32 of the City of Melissa, Texas, annexing 2.569± acres of land and 0.431± acres of land, situated in the Jacob Butler Survey, Abstract No. 69, and the John Fitzhugh Survey, Abstract No. 319, Collin County, Texas; providing that the owners and inhabitants of the above described tract of land shall be entitled to the rights and privileges of other citizens of Melissa and be bound by the acts and ordinances now in effect and hereafter adopted; providing for a penalty for a violation of this ordinance and Melissa’s Comprehensive Zoning Ordinance No. 92-08 and any amendments thereto; 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: 5/0/0

ITEM #6
Motion made by Julie Anderson and seconded by Jason Kaiser to adopt ordinance 13-33 of the City of Melissa, Texas, annexing 1.27± acres of land, 1.225± acres of land 0.6915± acres of land, situated in the Andrew Thomas Survey, Abstract No. 894; and Block A, Lot 1 and Block B, Lot 1 of the Lighthouse RV Resort, Collin County, Texas; providing that the owners and inhabitants of the above described tract of land shall be entitled to the rights and privileges of other citizens of Melissa and be bound by the acts and ordinances now in effect and hereafter adopted; providing for a penalty for a violation of this ordinance and Melissa’s Comprehensive Zoning Ordinance No. 92-08 and any amendments thereto; 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: 5/0/0

ITEM #7
Motion made by Julie Anderson and seconded by Jason Kaiser to adopt ordinance 13-34 of the City of Melissa, Texas, annexing 2.55± acres of land situated in the John Fitzhugh Survey, Abstract No. 319, Collin County, Texas; providing that the owners and inhabitants of the above described tract of land shall be entitled to the rights and privileges of other citizens of Melissa and be bound by the acts and ordinances now in effect and hereafter adopted; providing for a penalty for a violation of this ordinance and Melissa’s Comprehensive Zoning Ordinance No. 92-08 and any amendments thereto; 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: 5/0/0

ITEM #8
Motion made by Jason Kaiser and seconded by Julie Anderson to adopt ordinance 13-35 of the City of Melissa, Texas, annexing 1.75± acres of land situated in the Andrew Thomas Survey, Abstract No. 894, Collin County, Texas; providing that the owners and inhabitants of the above described tract of land shall be entitled to the rights and privileges of other citizens of Melissa and be bound by the acts and ordinances now in effect and hereafter adopted; providing for a penalty for a violation of this ordinance and Melissa’s Comprehensive Zoning Ordinance No. 92-08 and any amendments thereto; 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: 5/0/0

ITEM #10 (Taken out of order)
Motion was made by Julie Anderson and seconded by Dick Hayden to adopt ordinance 13-37 of the City of Melissa, Texas, annexing 8.341± acres of land, situated in the John Fitzhugh Survey, Tract 1, Abstract 319; 2.99± acres of land situated in the John Fitzhugh Survey, Tract 6, Abstract 319, and 2.48± acres of land situated in the D.E.W. Babb Survey, Block 4, Tract 164, Abstract 33, Collin County, Texas; providing that the owners and inhabitants of the above described tract of land shall be entitled to the rights and privileges of other citizens of Melissa and be bound by the acts and ordinances now in effect and hereafter adopted; providing for a penalty for a violation of this ordinance and Melissa’s Comprehensive Zoning Ordinance No. 92-08 and any amendments
therefor; 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: 5/0/0

Councilmember Kaiser filed an affidavit for a potential conflict of interest and recused himself for Items #9, 11-16, and 24 and left the room at 6:15 p.m.

ITEM #9
Motion was made by Dick Hayden and seconded by Dave Kasson to adopt ordinance 13-36 of the City of Melissa, Texas, annexing Block A, Lot 1 of The Country Ridge Water Corporation Well Site #1, Collin County, Texas; providing that the owners and inhabitants of the above described tract of land shall be entitled to the rights and privileges of other citizens of Melissa and be bound by the acts and ordinances now in effect and hereafter adopted; providing for a penalty for a violation of this ordinance and Melissa’s Comprehensive Zoning Ordinance No. 92-08 and any amendments thereto; 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: 4/0/1

ITEM #11
Motion was made by Julie Anderson and seconded by Dick Hayden to open a Public Hearing at 6:19 p.m. to hear comments for or against request to rezone a 2.2417± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, City of Melissa, Collin County, Texas, known and more particularly described and depicted as Tract E1-D in Ordinance No. 08-34, heretofore zoned Agricultural District (A) and placing it in the zoning classification of Planned Development District (PD); amending the concept plan, for the sole purpose of rezoning Tract E-1D to be placed in the area zoned SF-5250.

Vote: 4/0/1

There being no comments, a motion was made by Dick Hayden and seconded by Julie Anderson to close the Public Hearing at 6:21 p.m.

Vote: 4/0/1

ITEM #12
Motion was made by Dick Hayden and seconded by Julie Anderson to act upon recommendation of Planning and Zoning and adopt an ordinance rezoning 2.2417± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, City of Melissa, Collin County, Texas, known and more particularly described and depicted as Tract E1-D in Ordinance No. 08-34, heretofore zoned Agricultural District (A) and placing it in the zoning classification of Planned Development District (PD); amending the concept plan, for the sole purpose of rezoning Tract E1-D to be placed in the area zoned SF-5250.

City Engineer Bob Helmberger requested that Councilmember Hayden amend his motion to strike “to be placed in area zoned SF-5,250” and to just state “to be placed in the PD” instead. Mr. Hayden agreed and amended his motion as follows:

Act upon recommendation of Planning and Zoning and adopt an ordinance of the City of Melissa, Texas, amending Melissa’s Comprehensive Zoning Ordinance No. 92-08 and Ordinance No. 08-34; rezoning Tract E1-D, made a part of the 309.35± acres of land in Ordinance No. 08-34, heretofore zoned Agricultural District (a) and placing it in the zoning classification of Planned Development District (PD); for the sole purpose of rezoning Tract E1-D to be placed in the area for which the applicable Planned Development Standards set forth in Ordinance No. 08-34 shall apply; describing the tract to be rezoned; 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.

The amended motion was seconded by Julie Anderson. Vote: 4/0/1
ITEM #13
Motion was made by Julie Anderson and seconded by Dave Kasson to open a Public Hearing at 6:26 p.m. to hear comments for or against a request for replat: Country Ridge Well Site, No. 1, City of Melissa, Collin County, Texas, 2.2417± acres and generally located at the terminus of Surrey Circle approximately 500 feet east of the intersection of Trail Ridge Drive and Surrey Circle, Melissa, Collin County, Texas
Vote: 4/0/1

There being no comments, a motion was made by Julie Anderson and seconded by Dick Hayden to close the Public Hearing at 6:27 p.m.
Vote: 4/0/1

ITEM #14
Motion was made by Dave Kasson and seconded by Julie Anderson to act upon recommendation from Planning and Zoning and approve replat, Country Ridge Well Site, No. 1, City of Melissa, Collin County, Texas, 2.2417± acres and generally located at the terminus of Surrey Circle approximately 500 feet east of the intersection of Trail Ridge Drive and Surrey Circle, Melissa, Collin County, Texas
Vote: 4/0/1

ITEM #15
Motion was made by Julie Anderson and seconded by Dave Kasson to open a Public Hearing at 6:29 p.m. to hear comments for or against a request for Specific Use Permit (SUP) for a Water Pump Station, Water Storage Tank and Water Treatment Plant located on 1.095± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, known as Lot 1R, Block A of the Replat for Country Ridge Water Co., Well Site #1 and generally located at the terminus of Surrey Circle approximately 500 feet east of the intersection of Trail Ridge Drive and Surrey Circle, Melissa, Collin County, Texas
Vote: 4/0/1

There being no comments, a motion was made by Dick Hayden and seconded by Julie Anderson to close the Public Hearing at 6:29 p.m.
Vote: 4/0/1

ITEM #16
Motion was made by Dave Kasson and seconded by Dick Hayden to act upon recommendation from Planning and Zoning and adopt an ordinance granting a request for Specific Use Permit (SUP) for a Water Pump Station, Water Storage Tank and Water Treatment Plant located on 1.095± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, known as Lot 1R, Block A of the Replat for Country Ridge Water Co., Well Site #1 and generally located at the terminus of Surrey Circle approximately 500 feet east of the intersection of Trail Ridge Drive and Surrey Circle, Melissa, Collin County, Texas
Vote: 4/0/1

ITEM #24 (Taken out of order)
Motion was made by Dick Hayden and seconded by Dave Kasson to adopt a Resolution authorizing the City Manager to execute any and all documents related to the conveyance of a portion of the Country Ridge Well Site #1.
Vote: 4/0/1

Councilmember Kaiser returned to the dais and rejoined the Council for the remainder of the meeting at 6:32 p.m.
ITEM #17
Motion was made by Julie Anderson and seconded by Dave Kasson to act upon recommendation from Planning and Zoning to approve the Preliminary Plat, Tallent Addition City of Melissa, Collin County, Texas, 5.46± acres and generally located approximately 1,000 feet north of the intersection of Davis Road and Fannin Road between Fannin Road and State Hwy 5 in Melissa, Collin County, Texas.
Vote: 5/0/0

ITEM #18
Motion was made by Julie Anderson and seconded by Dave Kasson to act upon recommendation from Planning and Zoning to approve the Final Plat, Tallent Addition City of Melissa, Collin County, Texas, 5.46± acres and generally located approximately 1,000 feet north of the intersection of Davis Road and Fannin Road between Fannin Road and State Hwy 5 in Melissa, Collin County, Texas.
Vote: 5/0/0

ITEM #19
Motion was made by Julie Anderson and seconded by Dave Kasson to open a Public Hearing at 6:35 p.m. to hear comments for or against a request for Planned Development District (PD) Specific Use Permit-Motorcycle Sales & Service: Tract 72, part of the Andrew Thomas Survey, Abstract No. 894, 13.5 acres more or less as described in a deed to Melissa Development Group, LP, recorded in Volume 5949, Page 4530 of the Collin County Land Records and generally located southwest of the intersection of Davis Rd and Fannin Rd.
Vote: 5/0/0

SPEAKING AT THE PUBLIC HEARING:
Jennifer Grace
LaCore Power Sports
1111 Sam Rayburn Highway
Melissa, TX 75454

City Engineer Bob Helmberger clarifies that the SUP was intended to be temporary in nature and tied to the lease of the property.

A motion was made by Julie Anderson and seconded by Dave Kasson to close the Public Hearing at 6:38 p.m.
Vote: 5/0/0

ITEM #20
Motion was made by Julie Anderson and seconded by Dave Kasson to act upon recommendation from Planning and Zoning an adopt an ordinance granting the request for Planned Development District (PD) Specific Use Permit-Motorcycle Sales & Service: Tract 72, part of the Andrew Thomas Survey, Abstract No. 894, 13.5 acres more or less as described in a deed to Melissa Development Group, LP, recorded in Volume 5949, Page 4530 of the Collin County Land Records and generally located southwest of the intersection of Davis Rd and Fannin Rd.
Vote: 5/0/0

ITEM #21
Motion was made by Julie Anderson and seconded by Dave Kasson to open a Public Hearing at 6:40 p.m. to hear comments for or against variance request to platting requirement allowing issuance of a permit for construction of signage which complies with the City of Melissa Code of Ordinances, Chapter 3, Section 3.1000: Tract 72, part of the Andrew Thomas Survey, Abstract No. 894, 13.5 acres more or less as described in a deed to Melissa Development Group, LP, recorded in Volume 5949, Page 4530 of the Collin County Land Records and generally located southwest of the intersection of Davis Rd and Fannin Rd.
Vote: 5/0/0

City Engineer Bob Helmberger reiterated that the variance approval from Planning and Zoning
There being no comments, a motion was made by Dick Hayden and seconded by Julie Anderson to close the Public Hearing at 6:40 p.m.
Vote: 5/0/0

ITEM #22
Motion was made by Dick Hayden and seconded by Jason Kaiser to act upon recommendation from Planning and Zoning and approve the request for variance to platting requirement allowing issuance of a permit for construction of signage which complies with the City of Melissa Code of Ordinances, Chapter 3, Section 3.1000: Tract 72, part of the Andrew Thomas Survey, Abstract No. 894, 13.5 acres more or less as described in a deed to Melissa Development Group, LP, recorded in Volume 5949, Page 4530 of the Collin County Land Records and generally located southwest of the intersection of Davis Rd and Fannin Rd.
Vote: 5/0/0

ITEM #23
Motion was made by Dick Hayden and seconded by Jason Kaiser to act upon recommendation from Planning and Zoning and approve the request for variance to City of Melissa Code of Ordinances, Chapter 9, Article 1, Section 1.05 requiring plat approval prior to issuance of construction permit for proposed signage to coincide with Specific Use Permit at 1111 Sam Rayburn Highway, Melissa, Collin County, Texas: Tract 72, part of the Andrew Thomas Survey, Abstract No. 894, 13.5 acres more or less as described in a deed to Melissa Development Group, LP, recorded in Volume 5949, Page 4530 of the Collin County Land Records and generally located southwest of the intersection of Davis Rd and Fannin Rd.
Vote: 5/0/0

ITEM #25
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 #26
Motion made by Jason Kaiser and seconded by Dick Hayden to adjourn at 6:45 p.m.
Vote: 5/0/0

Nicco Warren, Presiding Officer

ATTEST:

Erin Mynatt, Acting City Secretary