REGULAR MEETING
Mayor Reed Greer called the meeting to order at 6:00 p.m.

Council members present were: Julie Anderson, Jason Kaiser, Nicco Warren, Tom Stevens and Anthony Figueroa. Sharon Weideman was absent.

Prayer was given by Anthony Figueroa.

All in attendance gave the Pledge of Allegiance.

CONSENT AGENDA ITEMS

ITEM #1
Motion was made by Nicco Warren and seconded by Julie Anderson to approve the following consent agenda items:

1. Consider and act upon approval of the minutes from the April 26, 2015 regular meeting and work session and the May 19, 2015 special called meeting.

2. Consider and act upon a Resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.

3. Consider and act upon an Ordinance of the City Council of the City of Melissa, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2014 and 2015 rate review mechanism filings; approving a settlement agreement with attached rate tariffs and proof of revenues; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the company and the ACSC’s legal counsel.

4. Consider and act upon the resignation of Lisa Sutton from the Melissa Public Library Board.

5. Consider and act upon the resignation of Anthony Figueroa from the Board of the Melissa Community and Economic Development Corporation.

Vote: 6/0/0

REGULAR AGENDA

ITEM #1
Citizen Comments: No citizen comments.
ITEM #2
Motion was made by Julie Anderson and seconded by Nicco Warren to open the Public Hearing at 6:04 p.m. to hear concerns, for or against, a request for replat of Lot 43 & 44, Block A, Berry Farms, City of Melissa, Collin County, Texas being 2.509 acres, more or less, located in the William Sanders Survey, Abstract No. 867, Samuel Burton Survey, Abstract No. 23, City of Melissa, Collin County, Texas and generally located approximately 3,600 feet east of the intersection of Miller Road and County Road 362, Melissa, Collin County, Texas.

Vote: 6/0/0

There being no comments and upon a motion by Julie Anderson and a second by Jason Kaiser, the public hearing was closed at 6:05 p.m.
Vote: 6/0/0

ITEM #3
Motion was made by Anthony Figueroa and seconded by Julie Anderson to open the Public Hearing at 6:06 p.m., to hear concerns, for or against, a request for rezone of 5.0 acres more or less from Restricted Commercial District (C-1) & Single Family and General Commercial District (C-2): ABC Bradco Addition, Lot 1, Block A, 5.00 acres, more or less, situated in the Andrew Thomas Survey, Abstract No. 893, City of Melissa, Collin County, Texas and generally located approximately 1,400 feet north of the intersection of Davis Road and Fannin Road between Fannin Road and State Hwy 5, Melissa, Texas.

Vote: 6/0/0

There being no comments, a motion was made by Anthony Figueroa and seconded by Nicco Warren to close the public hearing at 6:08 p.m.
Vote: 6/0/0

ITEM #4
Motion was made by Nicco Warren and seconded by Julie Anderson to open the public hearing at 6:09 p.m. to hear concerns for or against a request for extension to temporary variance – signage: 1.200 acre, more or less situated in the Andrew Thomas Survey, Abstract Number 894 and generally located at the northeast corner of Sam Rayburn Highway and Fannin Road, Melissa, Collin County, Texas.

Vote: 6/0/0

There being no comments, a motion was made by Julie Anderson and seconded by Jason Kaiser to close the public hearing at 6:10 p.m.
Vote: 6/0/0

ITEM #5
Motion was made by Nicco Warren and seconded by Anthony Figueroa to open the public hearing at 6:11 p.m. to hear concerns, for or against, a request to amend the City of Melissa’s Comprehensive Zoning Ordinance No. 92-08, 22-50 and 13-28; rezoning a tract of land consisting of 82.11± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, City of Melissa, Collin County, Texas, heretofore zoned Planned Development District (PD) is hereby rezoned for the sole purpose of amending Exhibit “B” (Planned Development Standards): 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.

Vote: 6/0/0
Those speaking at the public hearing were: Kerri Wittwer
3510 Liberty Way
Melissa, TX 75454

Elaine Ford, Sr. Vice Present of Hillwood Communities, Inc. spoke regarding their zoning request.

There being no further comments, a motion was made by Tom Stevens and seconded by Julie Anderson to close the Public Hearing at 6:24 p.m.
Vote: 6/0/0

**ITEM #6**
Motion was made by Nicco Warren and seconded by Jason Kaiser to adopt an Ordinance abandoning a portion of the 15 foot draining and utility easement conveyed to Melissa Berry Farms, LP, in that certain Plat recorded at Volume K, Page 429 of the Plat Records of Collin County, Texas. This being contingent upon the approval of the replat as outlined in Item #7.
Vote: 6/0/0

**ITEM #7**
Motion was made by Nicco Warren and seconded by Julie Anderson to approve the replat of Lot 43 & 44, Block A, Berry Farms, City of Melissa, Collin County, Texas being 2.509 acres, more or less, located in the William Sanders Survey, Abstract No. 867, Samuel Burton Survey, Abstract No. 23, City of Melissa, Collin County, Texas and generally located approximately 3,600 feet east of the intersection of Miller Road and County Road 362, Melissa, Collin County, Texas.
Vote: 6/0/0

**ITEM #8**
Motion was made by Nicco Warren and seconded by Jason Kaiser to adopt an Ordinance rezoning 5.0 acres more or less from Restricted Commercial District (C-1) & Single Family and General Commercial District (C-2): ABC Bradco Addition, Lot 1, Block A, 5.00 acres, more or less, situated in the Andrew Thomas Survey, Abstract No. 893, City of Melissa, Collin County, Texas and generally located approximately 1,400 feet north of the intersection of Davis Road and Fannin Road between Fannin Road and State Hwy 5, Melissa, Texas.
Vote: 6/0/0

**ITEM #9**
Motion was made by Nicco Warren and seconded by Julie Anderson to approve the request for extension to temporary variance – signage: 1.200 acre, more or less situated in the Andrew Thomas Survey, Abstract Number 894 and generally located at the northeast corner of Sam Rayburn Highway and Fannin Road, Melissa, Collin County, Texas.
Vote: 6/0/0

Mayor Greer left the meeting at 6:30 p.m. and turned the meeting over to Mayor Pro-tem Nicco Warren for the remainder of the meeting.

**ITEM #10**
Motion was made by Anthony Figueroa and seconded by Tom Stevens to table the Ordinance amending the City of Melissa’s Comprehensive Zoning Ordinance No. 92-08, 22-50 and 13-28; rezoning a tract of land consisting of 82.11± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, City of
Melissa, Collin County, Texas, heretofore zoned Planned Development District (PD) until the developer can amend the zoning request to change the current 60 foot lots to 70 foot lots.

Mr. Figueroa amended his motion to state that the item was being tabled until the June 9, 2015 City Council meeting. Mr. Stevens amended his second.

Vote: 5/0/0

**ITEM #11**
Council member Jason Kaiser recused himself at 7:10 p.m. from Items #11, 12 and 13 due to a conflict of interest. A Conflict of Interest Affidavit was filled out and presented to the City Secretary for the record.

Motion was made by Anthony Figueroa and seconded by Julie Anderson to approve a request for variance to City of Melissa, Comprehensive Code of Ordinances, Chapter 9 Subdivision Regulations, Article 4.04(2) Build Lines; proposed side yard setback of five (5) feet for interior lots within the Creek Crossing Subdivision. Mr. Figueroa amended his motion to state that the variance is approved contingent upon the passing of Item #13, Preliminary Plat. Mrs. Anderson amended her second.

Vote: 4/0/0

**ITEM #12**
Motion was made by Anthony Figueroa and seconded by Tom Stevens to approve a request for variance to City of Melissa, Comprehensive Code of Ordinances, Chapter 9 Subdivision Regulations, Article 4.04(2), Build Lines; proposed side yard setback of ten (10) feet for corner lots within the Creek Crossing Subdivision, contingent upon the approval of the preliminary plat as described in Item #13.

Vote: 4/0/0

**ITEM #13**
Motion was made by Anthony Figueroa and seconded by Julie Anderson to approve the Creek Crossing Preliminary Plat being 92.58 acres more or situated in the D.E.W. Babb Survey, A-33, City of Melissa Collin County, Texas and generally located west of the intersection of Karnaghan Lane and Milrany Lane, Melissa, Texas

Vote: 4/0/0

Mr. Kaiser returned to the dais at 7:21 p.m.

**ITEM #14**
Motion was made by Anthony Figueroa and seconded by Jason Kaiser to act upon recommendation from Planning and Zoning to approve the Vaquero Addition, Preliminary Plat being 1.989 acres more or less, in the John Fitzhugh Survey, Abstract Number 319, City of Melissa, Collin County, Texas and generally located approximately 1350 feet south of the intersection of Melissa Road and McKinney Street on the west side of State Highway 5, Melissa, Collin County, Texas.

Vote: 5/0/0

**ITEM #15**
Motion was made by Anthony Figueroa and seconded by Julie Anderson to act upon recommendation from Planning and Zoning to approve Vaquero Addition, Final Plat being 1.989 acres more or less, in the John Fitzhugh Survey, Abstract Number 319, City of Melissa, Collin County, Texas and generally located approximately 1350 feet south of the intersection of Melissa Road and McKinney Street on the west side of State Highway 5, Melissa, Collin County, Texas.

Vote: 5/0/0
ITEM #16
Motion was made by Julie Anderson and seconded by Anthony Figueroa to approve North Creek II, Phase 6, Preliminary Plat being 29.08 acres more or less out of the D.E.W. Babb Survey, Abstract No. 33, City of Melissa, Collin County, Texas and generally located approximately 1,400 feet north and west of the intersection of Throckmorton Rd and Milrany Lane.
Vote: 5/0/0

ITEM #17
Motion was made by Julie Anderson and seconded by Tom Stevens to act upon the recommendation by Planning and Zoning to approve the North Creek II, Phase 6, Final Plat, 85 residential lots and 5 HOA lots, being 29.08 acres more or less out of the D.E.W. Babb Survey, Abstract No. 33, City of Melissa, Collin County, Texas and generally located approximately 1,400 feet north and west of the intersection of Throckmorton Rd and Milrany Lane.
Vote: 5/0/0

ITEM #18
Motion was made by Julie Anderson and seconded by Tom Stevens to award the contract for the Melissa Road Sanitary Sewer Improvements Project contract to Canary Construction, Inc.
Vote: 5/0/0

ITEM #19
City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight’s agenda. Council discussed the scope of what they wanted to see Hillwood bring back to the next meeting. Jason Little assured them that he would contact Hillwood to reiterate the desires of the council regarding what they wanted to see in the amended zoning presentation.

ITEM #20
Motion was made by Julie Anderson and seconded by Jason Kaiser to adjourn the meeting at 7:41 p.m.
Vote: 5/0/0

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Reed Greer, Mayor

ATTEST:

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Linda Bannister, City Secretary