MINUTES
CITY OF MELISSA CITY COUNCIL
REGULAR MEETING
OCTOBER 23, 2018
6:00 P.M.

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

Council members present were: Chad Taylor, Nicco Warren, Craig Ackerman, Jay Northcut and Stacy Jackson. Anthony Figueroa was absent.

Prayer was given by Chad Taylor.

All in attendance gave the Pledge of Allegiance.

CONSENT AGENDA ITEMS
Motion was made by Jay Northcut and seconded by Craig Ackerman to approve the following Consent Agenda items:

1. Consider and act upon approval of the minutes from the October 9, 2018 regular meeting and work session.

Vote: 6/0/0

REGULAR AGENDA

ITEM #1
Citizen Comments. There were no comments.

ITEM #2
Mayor Greer presented a Proclamation to employees of the Melissa Municipal Court declaring November 5-9, 2018 as Municipal Court Week.

ITEM #3
Motion was made by Craig Ackerman and seconded by Chad Taylor to open a Public Hearing at 6:06 p.m. to hear comments for or against the proposed voluntary annexation of the area of land consisting of 15.366± acres located in the John Emberson Survey, Abstract No. 294, Collin County, Texas and generally located east of Telephone Road and approximately 2,600 feet south of the intersection of Melissa Road and Telephone Road.

Vote: 6/0/0

There being no comments, and upon a motion by Craig Ackerman and a second by Nicco Warren, the Public Hearing was closed at 6:08 p.m.

Vote: 6/0/0

ITEM #4
Motion was made by Chad Taylor and seconded by Nicco Warren to open a Public Hearing at 6:08 p.m. to hear comments for or against the proposed voluntary annexation by the City of Melissa,
Texas ("Melissa") of the area of land consisting of 97.470± acres located in the John Fitzhugh Survey, Abstract No. 319, Collin County, Texas and generally located west of State Highway 5 and approximately 1,800 feet south of the intersection of SH 5 and Melissa Road.

Vote: 6/0/0

There being no comments, a motion was made by Chad Taylor and seconded by Craig Ackerman to close the Public Hearing at 6:16 p.m.

Vote: 6/0/0

ITEM #5

Motion was made by Nicco Warren and seconded by Craig Ackerman to open a Public Hearing at 6:16 p.m. to hear comments for or against a request for rezone from Single Family Residential (SF-3), General Commercial (C-2), and Restricted Commercial (C-1) to Planned Development (PD) on the following tracts of land: (1) tract 1, consisting of 0.038± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas; (2) tract 2, consisting of 0.46± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas; (3) tract 3, consisting of 0.67± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas; (4) tract 4, consisting of 0.07± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas; (5) tract 5, consisting of 0.13± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas; and (6) tract 6, consisting of 4.788± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas, all heretofore zoned Single Family Residential (SF-3), General Commercial (C-2) or Restricted Commercial (C-1); providing that tracts 1 through 6 are all rezoned and placed in the Planned Development/Commercial-2 (C-2) Zoning Classification within the Commercial Mixed Use portion of the Downtown Overlay District (DOD); describing the tract to be rezoned; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof. (Applicant: City of Melissa)

Vote: 6/0/0

There being no comments, a motion was made by Jay Northcut and seconded by Chad Taylor to close the Public Hearing at 6:19 p.m.

Vote: 6/0/0

ITEM #6

Motion was made by Chad Taylor and seconded by Nicco Warren to act upon a recommendation from Planning and Zoning to adopt an Ordinance of the City Council of the City of Melissa, Texas, repealing Ordinance No. 05-27 and amending Melissa’s Zoning Ordinance, Ordinance No. 92-08, as amended, to rezone the following six tracts of land: (1) tract 1, consisting of 0.038± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas; (2) tract 2, consisting of 0.46± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas; (3) tract 3, consisting of 0.67± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas; (4) tract 4, consisting of 0.07± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas; (5) tract 5, consisting of 0.13± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas; and (6) tract 6, consisting of 4.788± acres of land, situated in the D.E.W. Babb Survey, Abstract No. 33, in the City of Melissa, Collin County, Texas, all heretofore zoned Single Family Residential (SF-
3), General Commercial (C-2) or Restricted Commercial (C-1); providing that tracts 1 through 6 are all rezoned and placed in the Planned Development/Commercial-2 (C-2) Zoning Classification within the Commercial Mixed Use portion of the Downtown Overlay District (DOD) with the exception of striking the office/warehouse use; describing the tract to be rezoned; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof.

Vote: 6/0/0

ITEM #7
Consider and act upon a recommendation from Planning and Zoning for approval of Tracts 1 and 2, Block B of Melissa Village Addition Final Plat. (Applicant: Melissa Village, LLC). It was requested by the applicant that this item be postponed until a later agenda.

ITEM #8
Motion was made by Nicco Warren and seconded by Craig Ackerman to adopt a Resolution authorizing the City Manager to execute Work Order #36 for the reconstruction of Melissa Road.

Vote: 8/0/0

ITEM #9
Motion was made by Craig Ackerman and seconded by Nicco Warren to adopt a Resolution of the City Council of the City of Melissa, Texas, exempting property consisting of 1.049± acres in the Andrew Thomas Survey, Abstract No. 894, Collin County, Texas, and generally located at 1221 Sam Rayburn Highway, Melissa, Texas 75454, from compliance with the development plat requirements set forth in section 3.05 of the City’s Subdivision Regulations solely with respect to the repair and/or replacement of an existing OSSF system on the property in accordance with applicable rules and regulations of Collin County and the State of Texas, and for no other purpose; providing an expiration date; and providing an effective date.

Vote: 6/0/0

ITEM #10
Motion was made by Craig Ackerman and seconded by Chad Taylor to adopt an Ordinance of the City Council of the City of Melissa Texas, amending Melissa’s Code of Ordinances, Ordinance No. 92-04, as amended, Chapter 11 (Utilities and Solid Waste) to add Article 11.950 (Mandatory Sewer Connection), establishing regulations for mandatory sewer connections, construction, use and maintenance of on-site sewage facilities and related matters; providing a penalty clause, repealing/savings clause, severability clause and an effective date; and providing for the publication of the caption hereof.

Vote: 6/0/0

ITEM #11
Motion was made by Jay Northcut and seconded by Chad Taylor to recess into Closed Session at 6:30 p.m., in compliance with Section 551.001 et. seq. Texas Government Code, to wit:

a. Section 551.074: Annual evaluation of City Manager.

b. Section 551.071: Consultation with City Attorney regarding apparatus purchasing off State Buy Board

Vote: 6/0/0
ITEM #12
Motion was made by Jay Northcut and seconded by Craig Ackerman to reconvene into open session at 7:26 p.m. No action was taken as a result of the Closed Session.

ITEM #13
Motion was made by Craig Ackerman and seconded by Nicco Warren to adjourn at 7:26 p.m.
Vote: 6/0/0

Reed Greer, Mayor

ATTEST:

Linda Bannister, City Secretary