

**MINUTES
CITY OF MELISSA CITY COUNCIL
REGULAR MEETING
MAY 23, 2017
6:00 p.m.**

REGULAR MEETING

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

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

Prayer was given by Jay Northcut.

All in attendance gave the Pledge of Allegiance.

CONSENT AGENDA ITEMS

Motion was made by Jay Northcut and seconded by Chad Taylor to approve the following Consent Agenda Items:

1. Consider and act upon approval of the minutes from the May 9, 2017 regular meeting and work session and the May 16, 2017 special called meeting.

Vote: 6/0/0

REGULAR AGENDA

ITEM #1

Citizen Comments: Roxanne Ledbetter
2413 Pheasant Run
Melissa, TX 75454

Ms. Ledbetter spoke regarding Hunters Ridge's request for a variance for their screening wall (Item #7)

ITEM #2

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, an Ordinance of the City Council of the City of Melissa, Texas, amending Ordinance No. 17-19 and Melissa's Zoning Ordinance, Ordinance No. 92-08, as amended, to modify certain Planned Development Standards applicable to that certain tract of land identified as the "property" in Ordinance No. 17-19, consisting of 49.39± acres, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, generally located north and east of the intersection of Davis Road and U.S. 75, and containing the following tracts: (1) Lot 1, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 15.589± acres; (2) Lot 2, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 4.406± acres; (3) Lot 3, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 14.233± acres; (4) Lot 4, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 5.996± acres; (5) Lot 5, Block A, situated in the Andrew Thomas

Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 6.518± acres. **Applicant: Daford Enterprises, Inc.**

There being no comments, a motion was made by Craig Ackerman and seconded by Stacy Jackson to close the Public Hearing at 6:10 p.m.

Vote: 6/0/0

ITEM #3

Motion was made by Nicco Warren and seconded by Jay Northcut to adopt an Ordinance amending Ordinance No. 17-19 and Melissa's Zoning Ordinance, Ordinance No. 92-08, as amended, to modify certain Planned Development Standards applicable to that certain tract of land identified as the "property" in Ordinance No. 17-19, consisting of 49.39± acres, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, generally located north and east of the intersection of Davis Road and U.S. 75, and containing the following tracts: (1) Lot 1, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 15.589± acres; (2) Lot 2, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 4.406± acres; (3) Lot 3, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 14.233± acres; (4) Lot 4, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 5.996± acres; (5) Lot 5, Block A, situated in the Andrew Thomas Survey, Abstract No. 894, in the City of Melissa, Collin County, Texas, 6.518± acres.

Vote: 6/0/0

ITEM #4

Motion was made by Chad Taylor and seconded by Craig Ackerman to act upon recommendation from Planning and Zoning Commission to approve the Final Plat – Buc-ee's Addition, Lots 1 – 5, Block A, being 49.394 acres of land situated in the Andrew Thomas Survey, Abstract No. 894, City of Melissa, Collin County, Texas and generally located north and east of the intersection of Davis Road and US Highway 75, Melissa, Collin County, Texas. Applicant: Daford Enterprises, Inc. PNZ recommends approval.

Vote: 6/0/0

ITEM #5

Motion was made by Craig Ackerman and seconded by Chad Taylor to act upon recommendation from the Planning and Zoning Commission to approve the request for Final Engineering Site Plan - Buc-ee's Addition, Lots 1 – 5, Block A, being 49.394 acres of land situated in the Andrew Thomas Survey, Abstract No. 894, City of Melissa, Collin County, Texas and generally located north and east of the intersection of Davis Road and US Highway 75, Melissa, Collin County, Texas.

Vote: 6/0/0

ITEM #6

Motion was made by Chad Taylor and seconded by Stacy Jackson 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 3 (Building and Construction), Article 3.700 (Fence Regulations), Sections

3.701 (Fence Definitions) and 3.702 (Fence and Retaining Wall Permits) and Appendix A (Melissa Fee Schedule); modifying certain regulations governing repair of fences and retaining walls; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof.

Councilman Northcut stated that he would like to see more discussion regarding severe storm situations as it pertains to inspections.

Vote: 6/0/0

ITEM #7

Motion was made by Chad Taylor and seconded by Stacy Jackson to deny the Hunters Ridge Homeowners Association's request for a variance from Chapter 3, Article 3.1400, §3.1400(b) requirements to allow the construction of board fencing on steel posts along Fannin Road. It was also explained that the City was working on amending the requirements of the screening walls and would notify the HOA once the City adopts their new requirements.

Vote: 6/0/0

ITEM #8

Motion was made by Nicco Warren and seconded by Craig Ackerman to adopt an Ordinance of the City of Melissa, Texas, altering the Prima Facie speed limits established for vehicles under the provisions of Transportation Code, Section 545.356, upon U.S. Highway 75 and U.S. Highway 75 Frontage roads thereof, within the incorporated limits of the City of Melissa, Texas, as set out in this Ordinance; and providing for a penalty of a fine not to exceed \$200.00 for the violation of this Ordinance.

Vote: 6/0/0

ITEM #9

Motion was made by Jay Northcut and seconded by Nicco Warren to adopt a Resolution appointing Dana Conklin to the Planning and Zoning Commission contingent upon her acceptance and contingent upon her vacating her seat on the MCEDC (4B).

Vote: 6/0/0

ITEM #10

Motion was made by Chad Taylor and seconded by Nicco Warren to adopt a Resolution of the City Council of the City of Melissa, Texas, hereby authorizing the City Manager to execute the Texas Department of Transportation- Local Transportation Project Advance Funding Agreement for the green ribbon program on-system project.

Vote: 6/0/0

ITEM #11

Motion was made by Chad Taylor and seconded by Nicco Warren that the City of Melissa, Texas, City Council adopt the Resolution described in Agenda Item # 11 and authorize the use of the power of eminent domain to acquire for public use the sanitary sewer easement, temporary construction easement and related improvements on the real property described by metes and bounds in Exhibit 1, attached to said Resolution, said description being incorporated into this motion for all purposes, for the construction, access, repair, maintenance and replacement of and/or improvements to the Telephone Road Sanitary Sewer Project, located on a portion of a tract of land consisting of approximately 30.686± acres in the John Emberson Survey, Abstract No. 294, City of Melissa, Collin County, Texas (from approximately the west side of Telephone Road (County Road 277) to the eastern boundary of said property, south of West Melissa Road).

Vote: 6/0/0

ITEM #12

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 #13

Motion was made by Craig Ackerman and seconded by Stacy Jackson to adjourn at 6:31 p.m.

Vote: 6/0/0

Reed Greer, Mayor

ATTEST:

Linda Bannister, City Secretary