

MINUTES OF

CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP

June 14, 2011

6:00 p.m. – Anna City Hall Administration Building

The City Council of the City of Anna met in Workshop Session at 6:00 p.m., June 14, 2011, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), regarding the following items.

1. Call to Order.

Mayor Pro Tem, Keith Green called the meeting to order at 6:08 pm.

2. Roll Call and Establishment of Quorum.

Mayor Pro Tem, Keith Green and Council Members Mike Crist, John Geren, and Marc Hendricks were present. Council Member Becky Glover arrived 6:13 pm. Council Member Kevin Anderson arrived 6:30 pm. Mayor Darren R. Driskell arrived 7:28 pm.

3. Discussion regarding FY 2012 Budget. (Philip Sanders)

City Manager, Philip Sanders told council this item is for staff members to brief council members on their department's accomplishments for FY 2011 and possible projects for FY 2012 budget. Each staff member gave a presentation for their department and answered questions from council members.

Council Member Crist made the motion to go into closed session at 7:22 pm. Council Member Glover seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

4. CLOSED SESSION (EXCEPTIONS): Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

a. Consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071); William Austin Gant and Paul Eugene Gant v. City of Anna, Cause No. 380-02370-2011 in the 380th District Court of Collin County, Texas; legal

consultation regarding municipal and extraterritorial boundaries on eastern and western areas of City; legal issues related to nuisances complaints on various properties in Anna.

b. Personnel: City Manager Evaluation (Government Code Section 551.074)

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

Mayor Driskell arrived 7:28 pm.

Council Member Crist made the motion to return to open session at 7:36 pm. Council Member Anderson seconded the motion. Motion passes.

AYE 7 NAY 0 ABSTAIN 0

5. Discussion regarding any item on the City Council’s June 14, 2011 Regular Meeting Agenda Notice, which was posted at the same date, time and place of this Workshop Agenda Notice.

No discussion.

6. Adjourn.

Council Member Crist made the motion to adjourn at 7:40 pm. Council Member Anderson seconded the motion. Motion passes.

AYE 7 NAY 0 ABSTAIN 0

ATTEST:

APPROVED:

Natha Wilkison, City Secretary

Darren R. Driskell, Mayor

MINUTES OF

CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING

June 14, 2011

7:30 p.m. – Anna City Hall Administration Building

The City Council of the City of Anna met in Regular Session at 7:30 p.m., June 14, 2011, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), to consider the following items.

Welcome to the City Council Meeting. Please sign the Sign-In-Sheet as a record of attendance. If you wish to speak on an open-session agenda item please fill out the Opinion/Speaker Registration Form and turn it in to the City Secretary before the meeting starts.

1. Call to Order.

Mayor Darren R. Driskell called the meeting to order at 7:40 pm.

2. Invocation and Pledge of Allegiance.

Mayor Driskell gave the invocation.

3. Citizen comments. *Citizens are allowed 3 minutes to speak. The Council is unable to respond to or discuss any issues that are brought up during this section that are not on the agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.*

None

4. Receive reports from Staff or the City Council about items of community interest. *Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.*

None

5. Presentation of Proclamation for Wayne Cummings Retirement from the City of Anna.

Mayor Darren R. Driskell read and presented a proclamation to Wayne Cummings for his recent retirement from the City of Anna.

6. Presentation regarding the NLC Service Line Warranty Program. (Philip Sanders)

City Manager, Philip Sanders presented the item to council. Blake Stockton a representative for the National League of Cities Service Line Warranty Program made a presentation to council and answered questions from council members. Staff will bring back to the next city council meeting an Inter-local Agreement with NCTCOG that will allow the City of Anna to participate after the City Attorney, Clark McCoy has looked it over.

7. Consent Items. *These items consist of non-controversial or "housekeeping" items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.*

- a. City Council Minutes for Regular Meeting May 24, 2011.**
- b. Approve a Resolution adopting a Contractor Locality Local Opportunity Plan. (Philip Sanders)**
- c. Approve a Resolution establishing rules regarding the use of excessive force during nonviolent civil rights demonstrations. (Philip Sanders)**
- d. Approve a Resolution adopting a Section 504 Grievance Procedure. (Philip Sanders)**
- e. Approve a Resolution designating the month of June 2011 as Fair Housing Month and supporting Fair Housing activities within the City. (Philip Sanders)**
- f. Review Anna EDC minutes for April 2011**
- g. Review Anna CDC minutes for April 2011**
- h. Approve "McGee Property" development plat.**
- i. Approve "Walters Estates" development plat.**
- j. Approve "Valverde Addition" final plat.**
- k. Review P & Z Minutes of May 2, 2011.**

I. Authorization to solicit bids for the 2010 TCDBG Water Line Project.

Council Member Crist made the motion to approve the consent items. Council Member Glover seconded the motion. Motion passes.

AYE 7 NAY 0 ABSTAIN 0

8. Public Hearing:

City Council will consider public comment to examine policies and practices involving handicapped persons. Physical accessibility of public buildings, employment, and complaint procedures for handicapped persons will be discussed. (Philip Sanders)

City Manager, Philip Sanders presented the item to council. Jessica Kaltenbach spoke briefly regarding the public hearing. Mayor Driskell opened the public hearing at 8:00 pm. There was no public comment. Mayor Driskell closed the public hearing at 8:01 pm.

9. Consider/Discuss/Action regarding Amending an Ordinance regarding Permit Fees and Residential CO Fee. (Maurice Schwanke)

Maurice Schwanke, Director of Planning and Development presented the item to council and answered questions. Council Member Glover made the motion to approve. Council Member Crist seconded the motion. Motion passes.

AYE 7 NAY 0 ABSTAIN 0

10. Consider/Discuss/Action adopting an Ordinance designating authorized signatories for bank accounts of the City in the City's depository bank (Independent Bank) (Clayton Fulton)

Clayton Fulton, Finance Director presented the item to council. Council Member Anderson made the motion to approve. Council Member Crist seconded the motion. Motion passes.

AYE 7 NAY 0 ABSTAIN 0

11. Consider/Discuss/Action approving a Resolution regarding amending TexPool Authorized Representatives. (Clayton Fulton)

Clayton Fulton, Director of Finance presented the item to council. Council Member Crist made the motion to approve. Council Member Green seconded the motion. Motion passed.

AYE 7 NAY 0 ABSTAIN 0

12. Consider/Discuss/Action regarding a Resolution authorizing the City Manager to execute a contract for the 5th Street and Wortham Street Rehabilitation Project and approving a contingency appropriation to fund the project. (Philip Sanders)

City Manager, Philip Sanders presented the item to council and answered questions. Council Member Anderson made the motion to approve. Council Member Crist seconded the motion. Motion passes.

AYE 7 NAY 0 ABSTAIN 0

13. Consider/Discuss/Action approving a Resolution approving an Agreement with Donald Paschal, Jr. (Philip Sanders)

City Manager, Philip Sanders presented the item to council and answered questions. Council Member Glover made the motion to approve. Council Member Crist seconded the motion. Motion passes.

AYE 7 NAY 0 ABSTAIN 0

Council took a short break and returned at 8:23 pm.

14. Consider/Discuss/Action regarding appointments to the Anna Economic Development Corporation. (City Council)

Council Member Glover made the motion to keep Duane Hayes, Place 3 and Gene Bowles, Place 5. Council Member Green seconded the motion. Motion passes.

AYE 6 NAY 1 (CM Geren) ABSTAIN 0

John Houcek introduced himself to council and answered questions. Jason Focht introduced himself and answered questions. Jason Schilli introduced himself and answered questions. Council Member Crist made the motion to nominate John Houcek for Place 1; Jason Focht for Place 2, and Jason Schilli for Place 7. Council Member Glover seconded the motion. Motion passes.

AYE 6 NAY 1 (CM Geren) ABSTAIN 0

15. Consider/Discuss/Action regarding appointments to the Anna Community Development Corporation. (City Council)

Mayor Driskell made the motion to keep Duane Hayes, Place 3 and Gene Bowles, Place 5 and to nominate John Houcek for Place 1; Jason Focht for Place 2, and Jason Schilli for Place 7. Council Member Hendricks seconded the motion.

EDC/CDC Member Gene Bowles spoke to council regarding his terms on the two corporation's boards for the last couple of years and the knowledge he has gained.

AYE 6 NAY 1 (CM Geren) ABSTAIN 0

16. Consider/Discuss/Action regarding appointments to the Board of Adjustments. (City Council)

Council Member Crist made the motion to keep Jon Hendricks in Place 1 and Lauren Lovato in Place 5. Council Member Green seconded the motion. Motion passes.

AYE 6 NAY 1 (CM Anderson) ABSTAIN 0

After some discussion regarding the vacancies for P & Z and the remaining BOA positions to fill Council Member Anderson made the motion to table filling the rest of the BOA positions until their next meeting. Council Member Green seconded the motion. Motion passes.

AYE 7 NAY 0 ABSTAIN 0

17. Consider/Discuss/Action regarding appointments to the Park Board. (City Council)

Mayor Driskell made the motion to keep Jon Hendricks in Place 1; Kelly Bailey in Place 3, and Erin Cogar in Place 5. Council Member Hendricks seconded the motion. Motion passes.

AYE 6 NAY 1 (CM Anderson) ABSTAIN 0

18. Consider/Discuss/Action regarding appointments to the Planning and Zoning Commission. (City Council)

Mayor Driskell made the motion to keep Anthony Halsell in Place 1. Council Member Glover seconded the motion. Motion passes.

AYE 7 NAY 0 ABSTAIN 0

Mayor Driskell made the motion to nominate Rick Skotzke in Place 5 and to table Place 3 and 7 appointments until their next meeting. Council Member Crist seconded the motion. Motion passes.

AYE 7 NAY 0 ABSTAIN 0

**19. Discussion regarding use of the contingency fund and budget amendments.
(Philip Sanders)**

City Manager, Philip Sanders made a presentation to council for the use of some of the contingency fund for unexpected expenses and budget amendments. Mr. Sanders answered questions from council members.

Council Member Green made the motion to enter closed session at 9:02 pm. Council Member Crist seconded the motion. Motion passes.

AYE 7 NAY 0 ABSTAIN 0

Council Member Hendricks left at 9:03 pm.

20. CLOSED SESSION (EXCEPTIONS): Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

- a. consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071); William Austin Gant and Paul Eugene Gant v. City of Anna, Cause No. 380-02370-2011 in the 380th District Court of Collin County, Texas; legal consultation regarding municipal and extraterritorial boundaries on eastern and western areas of City; legal issues related to nuisances complaints on various properties in Anna.**
- b. Personnel: City Manager Evaluation (Government Code Section 551.074).**

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Council Member Anderson made the motion to return to open session at 10:11 pm. Mayor Driskell seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

21. Consider/Discuss/Action on any items listed on posted agenda for June 14, 2011 City of Anna Workshop Session or any closed session occurring during this Regular Meeting, as necessary.

Council Member Anderson would like to have a sub committee to review the applications to boards and commission appointments. Council Member Green made the motion to take no action. Council Member Glover seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

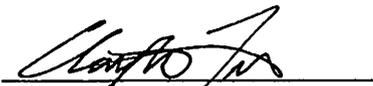
22. Adjourn.

Council Member Anderson made the motion to adjourn at 10:15 pm. Council Member Glover seconded the motion. Motion passes.

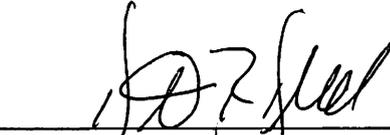
AYE 6 NAY 0 ABSTAIN 0

ATTEST:

APPROVED:



~~Natha Wilkison, City Secretary~~
Clayton Fulton
Acting City Secretary



Darren R. Driskell, Mayor

