

MINUTES OF
CITY OF ANNA AGENDA NOTICE – CITY COUNCIL SPECIAL MEETING

September 6, 2011 6:30 p.m. – Anna City Hall Administration Building

The City Council of the City of Anna met in Special Session at 6:30 p.m., September 6, 2011, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), to consider the following items.

1. Call to Order.

Mayor Darren R. Driskell called the meeting to order at 6:33 pm. Mayor Darren R. Driskell and Council Members Mike Crist, Marc Hendricks, and Becky Glover were present. Council Member Kevin Anderson arrived at 6:35 pm. Council Member John Geren arrived at 7:00 pm. Council Member Keith Green was absent.

2. Invocation and Pledge of Allegiance.

Mayor Darren R. Driskell gave the invocation.

Council Member Crist made the motion to enter closed session at 6:37 pm. Council Member Hendricks seconded the motion. Motion passes.

Aye 5 NAY 0 ABSTAIN 0

Council Member Crist made the motion to return to open session at 6:55 pm. Council Member Hendricks seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

Mayor Driskell opened the meeting to citizen comments.

Eric Henson 1838 Walnut Way, Anna, Texas, spoke regarding the City providing facilities for the fire fighters and volunteer fire fighters. Patrice Henson 1838 Walnut Way, Anna, Texas, spoke regarding the City providing facilities for the fire fighters and volunteer fire fighters. Shanna Brown 505 Niagara Falls Drive, Anna, Texas spoke regarding the City providing facilities for the fire fighters and volunteer fire fighters. Bo Brown 505 Niagara Falls Drive, Anna, Texas, spoke regarding the City providing facilities for the fire fighters and volunteer fire fighters. Stacey Driskell, 1100 Honeywell Dr, Anna, Texas, spoke regarding having volunteers ready to update the fire department facilities.

3. Consider/Discuss/Action regarding adopting an Ordinance approving and adopting the proposed City of Anna Fiscal Year 2011-2012 Budget for the City of Anna, Texas. (Philip Sanders)

City Manager, Philip Sanders presented the item to council and answered questions from council members. Council Member Crist made the motion to approve the 2011-2012 FY Budget. Council Member Geren seconded the motion. Motion passes.

AYE 5 NAY 1 (Mayor Driskell) ABSTAINED 0

4. Consider/Discuss/Action regarding adopting an Ordinance setting the ad valorem tax rate per \$100 valuation for Fiscal Year 2011-2012 for the City of Anna, Texas. (Philip Sanders)

City Manager, Philip Sanders presented the item to council. Council Members discussed the proposed tax rate, effective tax rate, and their effects on the increase in taxes to the residents. Council Member Glover made the motion to approve the proposed tax rate of .650032 per \$100 valuation. Council Member Geren seconded the motion. Motion failed, tied vote.

AYE 3 (CM Crist, Geren and Glover)
NAY 3 (CM Anderson, Hendricks and Mayor Driskell)
ABSTAINED 0

Mayor Driskell made the motion to approve the effective tax rate. Council Member Anderson seconded the motion. Motion failed. Tie vote.

AYE 3 (CM Anderson, Hendricks and Mayor Driskell)
NAY 3 (CM Crist, Geren and Glover)
ABSTAINED 0

Council Members discussed the tax rate issue further. Council Member Crist made the motion to approve the .650332 tax rate. Council Member Geren seconded the motion. Motion fails. Tie vote.

Council recessed at 7:47 pm and returned at 7:58 pm.

AYE 3 (CM Crist, Geren and Glover)
NAY 3 (CM Anderson, Hendricks and Mayor Driskell)
ABSTAINED 0

Discussion regarding not being able to pass the tax rate ordinance at this time, what is the latest date that the rate can be passed and what the consequences of not passing the rate on time would be took place.

5. Consider/Discuss/Action regarding a Resolution approving an Interlocal Agreement between the City of Anna and Collin County regarding the relocation of utilities on FM 455 (Philip Sanders)

City Manager, Philip Sanders presented the item to council. Council Member Crist made the motion to approve. Mayor Driskell seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAINED 0

6. Consider/Discuss/Action regarding an Ordinance ordering a special election to take place on November 8, 2011 to propose to qualified voters: (1) the sale of municipally-owned park property in exchange for property to be used for park purposes; and, (2) multiple amendments to the City of Anna, Texas Home-Rule Charter. (Philip Sanders)

City Manager, Philip Sanders presented the item to council and answered questions. Mayor Driskell made the motion to not approve the ordinance. Council Member Crist seconded the motion.

AYE 5 NAY 1 (CM Glover) ABSTAINED 0

Mayor Driskell made the motion to adjourn at 8:17 pm. Council Member Geren seconded the motion. Motion failed.

AYE 3 (CM Crist, Geren and Mayor Driskell)
NAY 3 (CM Anderson, Hendricks and Glover)
ABSTAINED 0

Council returned to Item 4 to discuss the effective tax rate vs the current tax rate.

7. 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. Personnel Matters: to deliberate the appointment, employment, evaluation, reassignment, duties, of a public officer or employee (Tex. Gov't Code §551.074); Crime Scene Technician.

b. 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); *Powell v. City of Anna*, Cause No. 401-03815-2009 in the 401st District Court of Collin County, Texas

c. **Deliberate the purchase, exchange, lease, or value of real property.**

8. Adjourn.

Council Member Anderson made the motion to adjourn at 8:30 pm. Mayor Driskell seconded the motion. Motion passes.

AYE 6

NAY 0

ABSTAINED 0

ATTEST:

APPROVED:



Natha Wilkison, City Secretary



Darren R. Driskell, Mayor

