

## MINUTES OF

### CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP

October 11, 2011

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

The City Council of the City of Anna met in Workshop Session at 6:30 p.m., October 11, 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 Darren R. Driskell called the meeting to order at 6:30 pm.

**2. Roll Call and Establishment of Quorum.**

Mayor Darren R. Driskell and Council Members Mike Crist, Kevin Anderson, John Geren, Marc Hendricks and Becky Glover were present. Council Member Keith Green was absent.

**3. Discussion regarding Anna promotional video. (Philip Sanders)**

City Manager, Philip Sanders presented the item to council and answered questions. Council Members discussed the offer to do a promotional video on Anna and decided not to pursue the offer at this time.

Council Member Crist made the motion to enter closed session at 6:42 pm. Council Member Hendricks seconded the motion. Motion passes.

AYE 6

NAY 0

ABSTAINED 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); Powell v. City of Anna, Cause No. 401-03815-2009 in the 401<sup>st</sup> District Court of Collin County, Texas; William Austin Gant and Paul Eugene Gant v. City of Anna, Cause No. 380-02370-2011 in the 380<sup>th</sup> District Court of Collin County, Texas. legal consultation regarding municipal and extraterritorial boundaries on western areas of City.**

**b. Discussion regarding Personnel Matters:**

i. City Secretary annual review. (Tex. Gov't Code §551.074).

ii. City Manager. (Tex. Gov't Code §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.**

Council Member Hendricks made the motion to return to open session at 7:38 pm. Mayor Driskell seconded the motion. Motion passes.

AYE 6                      NAY 0                      ABSTAINED 0

**4. Discussion regarding any item on the City Council's October 11, 2011 Regular Meeting Agenda Notice, which was posted at the same date, time and place of this Workshop Agenda Notice.**

Council Member Crist made the motion to take no action. Council Member Glover seconded the motion. Motion passes.

AYE 6                      NAY 0                      ABSTAINED 0

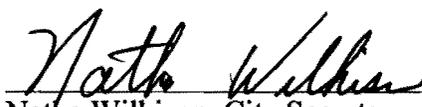
**5. Adjourn.**

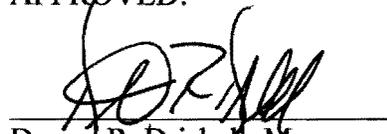
Council Member Crist made the motion to adjourn at 7:39 pm. Council Member Glover seconded the motion. Motion passes.

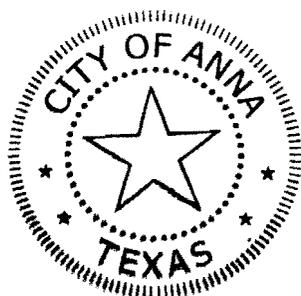
AYE 6                      NAY 0                      ABSTAIN 0

ATTEST:

APPROVED:

  
Natha Wilkison, City Secretary

  
Darren R. Driskell, Mayor



**MINUTES OF**

**CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING**

**October 11, 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., October 11, 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 7:39 pm.

**2. Invocation and Pledge of Allegiance.**

Pastor Phil Morgan 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.***

Chief Jenks mentioned that National Night Out was a success.

**5. 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. Approve City Council Minutes for September 13, 2011 Regular Meeting.**
- b. Approve a Resolution regarding the EDC and CDC 2011-2012 Fiscal Year Agreements with the GACC. (Jessica Perkins)**
- c. Approve a Resolution regarding an Interlocal Agreement between the City of Melissa and the City of Anna for purchase and corresponding sale of a portion of the selling cities minimum take or pay obligation under the GTUA-City of Anna potable water supply contract. (Clayton Fulton)**
- d. Adopt an Ordinance approving the 2011 Tax Roll for the City of Anna. (Clayton Fulton)**

City Manager, Philip Sanders brought to council's attention a change in dates to the agreement for item 5(c). Mayor Driskell made the motion to approve the consent items with the noted date change to item 5(c). Council Member Glover seconded the motion. Motion passes.

AYE 6

NAY 0

ABSTAINED 0

**6. (a) Public Hearing:**

**For City Council to hear public comment regarding an ordinance amending the Anna City Code of Ordinances Part II (general ordinances), Article 57 (reserved), by establishing Article 57 to govern matters related to taxation and adding Article 57, Section 1 (taxation of goods in transit) to preserve the city's authority to continue to tax goods in transit. (Clayton Fulton)**

Clayton Fulton Director of Finance presented the item to council. Mayor Driskell opened the public hearing at 7:42 pm. There was no public comment. Mayor Driskell closed the public hearing at 7:43 pm.

**(b) Consider/Discuss/Action regarding an ordinance amending the Anna City Code of Ordinances Part II (general ordinances), Article 57 (reserved), by establishing Article 57 to govern matters related to taxation and adding Article 57, Section 1 (taxation of goods in transit) to preserve the city's authority to continue to tax goods in transit. (Clayton Fulton)**

Council Member Crist made the motion to approve. Council Member Hendricks seconded the motion. Motion passes.

AYE 6

NAY 0

ABSTAINED 0

- 7. Consider/Discuss/Action regarding a settlement agreement relating to litigation styled *Powell v. City of Anna*, Cause No. 401-03815-2009, filed in the 401st District Court of Collin County, Texas, and a resolution authorizing execution of settlement agreement. (Clark McCoy)**

City Attorney, Clark McCoy presented the item to council. Council Member Crist made the motion to approve the resolution as provided to the City Secretary along with the attached settlement agreement in the form so provided authorizing staff to change the legal description if necessary to the property. Council Member Glover seconded the motion. Motion passes.

AYE 6

NAY 0

ABSTAINED 0

Council Member Crist made the motion to enter closed session at 7:45 pm. Council Member Hendricks seconded the motion. Motion passes.

AYE 6

NAY 0

ABSTAINED 0

- 8. 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); *Powell v. City of Anna*, Cause No. 401-03815-2009 in the 401<sup>st</sup> District Court of Collin County, Texas; *William Austin Gant and Paul Eugene Gant v. City of Anna*, Cause No. 380-02370-2011 in the 380<sup>th</sup> District Court of Collin County, Texas. legal consultation regarding municipal and extraterritorial boundaries on eastern and western areas of City.**

**(b). Discussion regarding Personnel Matters:**

**i. City Secretary annual review. (Tex. Gov't Code §551.074).**

**ii. City Manager. (Tex. Gov't Code §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 made the motion to return to open session at 8:46 pm. Council Member Hendricks seconded the motion. Motion passes

AYE 5      NAY 1 (CM Anderson)      ABSTAINED 0

- 9. Consider/Discuss/Action on any items listed on posted agenda for October 11, 2011 City of Anna Workshop Session or any closed session occurring during this Regular Meeting, as necessary.**

Council Member Crist made the motion to take no action. Council Member Geren seconded the motion. Motion passes.

AYE 6      NAY 0      ABSTAINED 0

**10. Adjourn.**

Council Member Crist made the motion to adjourn at 8:46 pm. Council Member Anderson seconded the motion. Motion passes.

AYE 6      NAY 0      ABSTAINED 0

ATTEST:

  
Natha Wilkison, City Secretary

APPROVED:

  
Darren R. Driskell, Mayor

