

MINUTES OF

CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP

October 25, 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 25, 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, John Geren, Marc Hendricks and Becky Glover were present. Council Member Kevin Anderson arrived 6:45 pm. Council Member Keith Green was absent.

3. Council Briefing/Discussion regarding Park Grant Projects. (Maurice Schwanke)

Maurice Schwanke, Director of Planning and Development presented the item to council and answered questions.

Council Member Crist made the motion to go into closed session at 6:45 pm. Council Member Hendricks 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. discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072).

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. Personnel Matters: City Secretary annual review. (Tex. Gov't Code §551.074).

d. Personnel Matters: City Manager annual review. (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 7:11 pm. Council Member Anderson seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

5. Discussion regarding any item on the City Council's October 25, 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 7:11 pm. Council Member Hendricks seconded the motion. Motion passes.

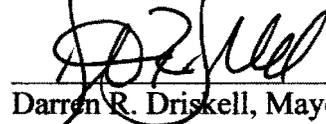
AYE 6 NAY 0 ABSTAIN 0

ATTEST:

APPROVED:



Natha Wilkison, City Secretary



Darren R. Driskell, Mayor



MINUTES OF

CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING

October 25, 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 25, 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 7:30 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.*

City Manager, Philip Sanders mentioned the Glowfest happening Saturday, October 29, 2011.

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 27, 2011 Regular Meeting and October 11, 2011 Regular Meeting.**
- b. Approve a Resolution approving an Interlocal Agreement with Collin County for the North Slayter Creek Trail Construction Project. (Maurice Schwanke)**
- c. Approve a Resolution approving an Interlocal Agreement with Collin County for the North Slayter Creek Trail Land Acquisition Project. (Maurice Schwanke)**
- d. Review P & Z Minutes of August 1, 2011.**
- e. Review CDC Minutes for August 4, 2011.**
- f. Review EDC Minutes for August 4, 2011.**
- g. Review of Park Board Minutes for September 19, 2011.**

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

AYE 6 NAY 0 ABSTAIN 0

6. Consider/Discuss/Action regarding a Resolution repealing Resolution No. 2010-07-04 which allows members of the City Council to simultaneously serve as a member of the City Fire Department in a volunteer capacity. (Philip Sanders)

City Manager, Philip Sanders presented the item to council.

Eric Henson spoke against this item.
Diana Richards spoke against this item.
Shanna Brown spoke against this item.
Tara Ball spoke against this item.
Duane Hayes spoke against this item.
Charles Ball spoke against this item.
Stacy Driskell spoke against this item.

Council Members discussed the item.
Council Member Glover made the motion to enter closed session. Council Member Geren seconded the motion. Tie vote, motion fails.

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

Mayor Driskell made the motion to table this item till May 8, 2012. Council Member Crist seconded the motion. Motion fails, tie vote.

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

Council Member Anderson made the motion to approve the Resolution repealing Resolution No. 2010-07-04. Council Member Geren seconded the motion. Council Members discussed the item further. Council Member Anderson made the motion to approve the resolution repealing Resolution No. 2010-07-04 with an effective date of May 1, 2012. Council Member Hendricks seconded the motion. Motion passes.

AYE 4 (CM Crist, Anderson and Hendricks; Mayor Driskell)
NAY 2 (CM Geren and Glover)
ABSTAIN 0

7. **Consider/Discuss/Action adopting an ordinance regarding annexation of the following tract: A tract of land in the DEW Babb Survey, Abstract No. A0033 generally located south of CR 421 and east of CR 418 and adjacent to the city limits, and containing 10.4 acres more or less. (Maurice Schwanke)**

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

AYE 6 NAY 0 ABSTAIN 0

8. **(a) Public Hearing: To consider public comment on a request by Oncor Electric Delivery Company, owner(s) of property, requesting a Specific Use Permit in a Single-Family Estates (SF-E) zoning district to allow for the construction and operation of an Electrical Substation on the tract. The property is generally located south of CR 421 and east of CR 418. (Maurice Schwanke)**

Maurice Schwanke, Director of Planning and Development presented the item to council. Mayor Driskell opened the public hearing at 8:35 pm. Mark Housewright, representing Oncor spoke in favor of the annexation. Mayor Driskell closed the public hearing at 8:42 pm.

- (b) Consider/Discuss/Action regarding adopting an ordinance amending the City's comprehensive plan, zoning map and zoning ordinance and changing the zoning of certain property. The owner(s) is requesting a Specific Use Permit in a Single-Family Estates (SF-E) zoning district to allow the construction and operation of an Electrical Substation on the tract. The property is generally located south of CR 421 and east of CR 418. (Maurice Schwanke)**

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

AYE 6 NAY 0 ABSTAIN 0

9. Consider/Discuss/Action regarding a Resolution approving a concept plan for Slayter Creek Trail and Slayter Creek Park, Phase II. (Maurice Schwanke)

Maurice Schwanke, Director of Planning and Development presented the item to council and answered questions. Mayor Driskell made the motion to approve Concept Plan Option B. Council Member Crist seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

10. Consider/Discuss/Action regarding an Ordinance, amending the Anna City Code of Ordinances regarding Utility Billing Charges by amending Part IV Schedule of Fees, Article 7, Section 8 Water and Sanitary Sewer Service Rates. (Philip Sanders)

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

AYE 6 NAY 0 ABSTAIN 0

11. Consider/Discuss/Action regarding approving a Resolution regarding an Economic Development Incentive Agreement between the Anna EDC and Proximo. (Jessica Perkins)

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

AYE 6 NAY 0 ABSTAIN 0

12. Consider/Discuss/Action regarding adopting a resolution approving (i) a resolution of the board of directors of Anna Economic Development Corporation (“EDC”) approving the entering into of a loan agreement; (ii) a sales tax remittance agreement between the city and the EDC (iii) resolving other matters incident and related to the loan; and (iv) the authority of the Mayor to execute, on behalf of the city, a general certificate of the city and the sales tax remittance agreement. (Jessica Perkins)

City Manager, Philip Sanders requested that council take no action at this time. Council Member Crist made the motion to take no action. Council Member Anderson seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

13. Council Briefing/Discussion regarding repairs to City buildings (Clayton Fulton)

Clayton Fulton, Director of Finance briefed council on damage and repairs needed to the Planning and Development building and the Police Department/Utility Billing Department.

14. Council Briefing/Discussion regarding a proposed Texas/New Mexico electric substation (Maurice Schwanke)

Maurice Schwanke, Director of Planning and Development briefed council and answered questions.

15. Council Briefing/Discussion regarding the proposed expansion of Highway 121 (Maurice Schwanke)

Maurice Schwanke, Director of Planning and Development briefed council on this item and answered questions. Council mentioned that a Notice of a Possible Quorum should be posted for this public hearing.

16. Discussion regarding City Council meeting schedule through the end of 2011. (Philip Sanders)

Philip Sanders, City Manager presented the item to council.

Council did not go into closed session.

17. 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. discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072).

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. Personnel Matters: City Secretary annual review. (Tex. Gov't Code §551.074).

d. Personnel Matters: City Manager annual review. (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.

18. Consider/Discuss/Action on any items listed on posted agenda for October 25, 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. Mayor Driskell seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

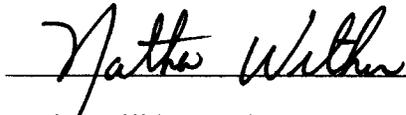
19. Adjourn.

Mayor Driskell made the motion to adjourn at 9:07 pm. Council Member Crist seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

ATTEST:

APPROVED:


Natha Wilkison, City Secretary


Darren R. Driskell, Mayor

