

MINUTES OF

CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP

March 29, 2012

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., March 29, 2012, 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 6:42 pm.

2. Roll Call and Establishment of Quorum.

Present were Mayor Darren R. Driskell and Council Members John Geren, Marc Hendricks and Becky Glover. Council Member Crist arrived in time for the 7:30 regular meeting. Council Members Kevin Anderson and Keith Green were absent.

Mayor Driskell made the motion to enter closed session at 6:44 pm. Council Member Geren seconded the motion. Motion passes.

AYE 4 NAY 0 ABSTAIN 0

3. 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); Danielle Budow v. State of Texas, Cause No. 296-04555-2011 in the 296th District Court of Collin County, Texas; discussion regarding the 2010 CDBG Contract; discussion regarding ballot propositions.

b. Personnel Matters: City Attorney Annual Evaluation. (Tex. Gov't Code §551.074).

c. Discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the Board of Directors has received from a business prospect that the Board of Directors seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the Board is

conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (Tex. Gov't Code §551.087) future development on FM 455 near Ferguson Pkwy.

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 6:57 pm. Council Member Glover seconded the motion. Motion passes.

AYE 4 NAY 0 ABSTAIN 0

4. Discussion regarding any item on the City Council's March 29, 2012 Regular Meeting Agenda Notice, which was posted at the same date, time and place of this Workshop Agenda Notice.

No discussion.

5. Adjourn.

Mayor Driskell made the motion to adjourn at 6:58 pm. Council Member Hendricks seconded the motion. Motion passes.

AYE 4 NAY 0 ABSTAIN 0

ATTEST:

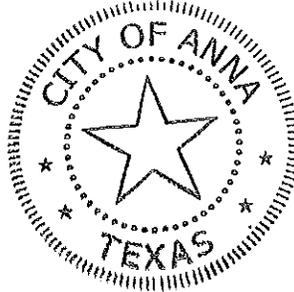
APPROVED:



Natha Wilkison, City Secretary



Darren R. Driskell, Mayor



MINUTES OF

CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING

March 29, 2012

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., March 29, 2012, 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.*

Kaylee Young with the Young Leaders of Anna Organization spoke to council.

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.*

The May 12, 2012 Election and the Greater Anna Chamber of Commerce Golf Tournament was mention. Mayor Driskell read a proclamation recognizing the Young Leaders of Anna organization.

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 February 28, 2012 Regular Meeting.**
- b. **Approving a Resolution regarding an Interlocal Agreement for Arson Task Force. (Chief Roma)**
- c. **Approve a Resolution to authorize the EDC to sign a waiver of rights under the performance agreement with Image Vision Labs. (Jessica Perkins)**
- d. **Approve a Resolution to authorize the EDC to hire a facilitator to conduct a strategic planning session. (Jessica Perkins)**
- e. **Approve a Resolution to authorize the EDC to hire a CPA to complete IRS form 990. (Jessica Perkins)**
- f. **Approve a Resolution to authorize the CDC to hire a CPA to complete IRS form 990. (Jessica Perkins)**
- g. **Approve EDC Minutes for February 2, 2012 Regular Meeting and EDC Minutes for December 1, 2011 Regular Meeting. (Jessica Perkins)**
- h. **Approve CDC Minutes for February 2, 2012 Regular Meeting. (Jessica Perkins)**
- i. **Authorize City Staff to solicit bids for the 2012 street rehabilitation project. (James Parkman)**
- j. **Authorize City Staff to solicit bids for the FM 455 utility relocation project. (James Parkman)**
- k. **Approve a Resolution authorizing payment and reimbursement for Council Member travel and training expenses. (Natha Wilkison)**

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

AYE 5 NAY 0 ABSTAIN 0

6. Presentation and approval of the 2011 Fiscal Year Audit. (Clayton Fulton)

Clayton Fulton, Director of Finance introduced Auditor Rod Abbott who presented the 2011 Fiscal Year Audit. Council Member Geren made the motion to approve. Council Member Glover seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

7. (a) **Public Hearing:** To consider public comment regarding an ordinance amending the City's comprehensive plan, zoning map and zoning ordinance and changing the zoning of certain property. Millenium TLC Enterprises LLC, owner(s) of property, is requesting a zoning change to Planned Development (PD) zoning to provide for Downtown Redevelopment District with a Specific Use Permit (SUP) for apartments/condominiums above the first floor on the subject tract. The property is currently zoned as Single Family Residential (SF) and Restricted Commercial (C1) zoning. The property is located at 205 N. Powell Pkwy. (Maurice Schwanke)

Maurice Schwanke, Director of Planning and Development present the item to council. Mayor Driskell opened the public hearing at 7:54 pm. Howard Durfee expressed his concerns with this project. Ronald Banberg expressed his concerns with this zoning. Mayor Driskell closed the public hearing at 7:58 pm.

- (b) **Consider/Discuss/Action 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 zoning change to Planned Development (PD) zoning to provide for Downtown Redevelopment District with a Specific Use Permit (SUP) for apartments/condominiums above the first floor on the subject tract. The property is currently zoned as Single Family Residential (SF) and Restricted Commercial (C1) zoning. The property is located at 205 N. Powell Pkwy. (Maurice Schwanke)**

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

AYE 5 NAY 0 ABSTAIN 0

8. **Consider/Discuss/Action approving Agave Azul Plaza Site and Landscape Plans.(Maurice Schwanke)**

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

AYE 5 NAY 0 ABSTAIN 0

9. **Consider/Discuss/Action regarding a Resolution appointing primary, secondary, and administrative representatives on the TEX-21 coalition. (City Manager)**

City Manager, Philip Sanders presented the item to council. Council Member Crist made the motion to approve the Primary Member Representative as the Mayor; the Mayor Pro Tem as the Secondary Member Representative; and the

City Manager as the Administrative Member Representative. Council Member Geren seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

10. Consider/Discuss/Action approving a Resolution regarding funding for median break and driveway improvements on FM 455. (City Manager)

City Manager, Philip Sanders 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 5 NAY 0 ABSTAIN 0

11. Consider/Discuss/Action adopting a resolution authorizing and creating the FM 455 Median Break Public Improvement District and setting forth procedures and methods and making provisions for notices relating to said District. (City Manager)

City Manager, Philip Sanders presented the item to council. Nancy Underwood spoke in favor of this item. Johnny Bratcher spoke in favor of this item. Mayor Driskell made the motion to approve. Council Member Geren seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

12. Consider/Discuss/Action adopting an Ordinance regarding declaring an Official newspaper of general circulation in the City. (City Manager)

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

AYE 5 NAY 0 ABSTAIN 0

13. Consider/Discuss/Action regarding an Ordinance amending Ordinance No. 514-2010, regarding emergency management procedures and the Comprehensive Emergency Management Plan. (Chief Roma)

City Manager, Philip Sanders presented the item to council to approve only the section of the Comprehensive Emergency Plan amending to include the Collin County Emergency Operations Plan. Council Member Crist made the motion to enter into closed session. Council Member Glover seconded the motion. Motion fails.

AYE 2 (CM Crist and Glover)

NAY 3 (CM Geren, Hendricks and Mayor Driskell)
ABSTAIN 0

Discussion returned to amending the section designating the Emergency Management Coordinator who will have primary responsibility to oversee the City's operational response to a local emergency. Council Members had trouble having someone not from the City in this position and wanted to know their options to remedy the situation. Council Member Crist made the motion to amend only sections 5 and 6. Council Member Geren seconded the motion. Motion passes.

AYE 3 (CM Crist, Geren and Glover)
NAY 2 (CM Hendricks and Mayor Driskell)
ABSTAIN 0

Council Members directed City Attorney, Clark McCoy to draft an ordinance limiting the pool of qualified applicants in which the Mayor may appoint as the Emergency Management Coordinator.

14. 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:

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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.

15. Consider/Discuss/Action on any items listed on posted agenda for March 29, 2012 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 Hendricks seconded the motion. Motion passes.

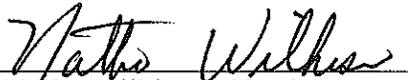
AYE 5 NAY 0 ABSTAIN 0

16. Adjourn.

Mayor Driskell made the motion to adjourn at 8:52 pm. Council Member Crist seconded the motion. Motion passes.

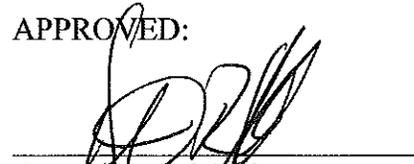
AYE 5 NAY 0 ABSTAIN 0

ATTEST:



Natha Wilkison, City Secretary

APPROVED:



Darren R. Driskell, Mayor

