

MINUTES OF
CITY OF ANNA AGENDA NOTICE - CITY COUNCIL WORKSHOP

August 28,2012

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., August 28, 2012, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), regarding the following items.

1. CaU to Order.

Mayor Mike Crist called the meeting to order at 6:30 pm.

2. Roll Call and Establishment of Quorum.

Mayor Mike Crist and Council Members James T. Cook, John Geren, Nathan Bryan, and Becky Glover were present. Coimcil Member Hopewell arrived at 6:35 pm.

Mayor Crist made the motion to enter closed session at 6:34 pm. Council Member Geren seconded the motion. Motion passes.

AYE 5

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). Anticipated litigation with Amazing Solar Solutions; "City of Anna v. City of Weston, Cause No. 380-02570-2011, in the 380th" District Court of Collin County, Texas"; "City of Anna v. Walmart Inc., et al.; Cause No. 429-00288-2009, in the 429th District Court of Collin County, Texas."

b. discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072); acquisition of park land.

c. discuss or deliberate personnel matters: City Secretary 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 Geren made the motion to return to open session at 7:29 pm. Council Member Hopewell seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

4. Consider/Discuss/Action on any items listed on posted agenda for August 28,2012 City of Anna City Council Regular Meeting or any Closed Session occurring during this Workshop, as necessary.

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

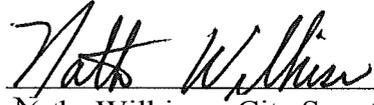
AYE 6 NAY 0 ABSTAIN 0

5. Adjourn.

Coimcil Member Cook made the motion to adjourn at 7:30 pm. Council Member Geren seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

ATTEST:

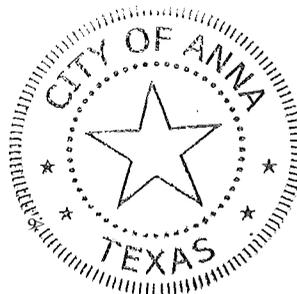


Natha Wilkison, City Secretary

APPROVED:



Mike C. nstrMayor



MINUTES OF

CITY OF ANNA AGENDA NOTICE - CITY COUNCIL REGULAR MEETING

August 28, 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., August 28, 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 Crist called the meeting to order at 7:36 pm.

2. Invocation and Pledge of Allegiance.

Mayor Crist 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 announced that City Offices would be closed for Labor Day.

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 August 14,2012 Regular Meeting.**
- b. Approve City Council Minutes for August 7,2012 Special Meeting.**
- c. Approve City Council Minutes for August 21,2012 Special Meeting.**
- d. Review CDC Minutes for June 11,2012 Special Meeting.**
- e. Review EDC Minutes for June 11,2012 Special Meeting.**
- f. Approve a Resolution requesting funding for the US 75/FM 455 Interchange. (City Manager)**

Mayor Crist asks to remove item 5(c) for discussion. Council Member Geren made the motion to approve item 5 (a, b, d, e, and f). Council Member Bryan seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

Mayor Crist made a motion to have the comment thanking Fire Chief Roma for his service be removed from the minutes because there was not an item on the agenda. Council Member Glover seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

6. Public Hearing: (2nd): For City Council to hear public comment on the proposed 2012 Tax Rate. (Clayton Fulton)

Director of Finance, Clayton Fulton presented the item to coimcil. Mayor Crist opened the public hearing at 7:40 pm. There was no public comment. Mayor Crist closed the public hearing at 7:41 pm.

7. (a) Public Hearing: To consider pubUc comments regarding an ordinance of the city of Anna, Texas, amending the Anna City Code of Ordinances by amending Part H, Article 3 by adding regulations related to alcoholic beverages; by amending Part III- C, Zoning Ordinance, Section 34.12 regulating location and uses related to sale of alcoholic beverages. (Maurice Schwanke)

Maurice Schwanke, Director of Planning and Development presented the item to council. Mayor Crist opened the public hearing at 7:42 pm. There was no public comment. Mayor Crist closed the public hearing at 7:42 pm.

(b) Consider/Discuss/Act on recommendation regarding an ordinance of the city of Anna, Texas, amending the Anna City Code of Ordinances by amending Part II, Article 3 by adding regulations related to alcoholic beverages; by amending Part III-C Zoning Ordinance, Section 34.12 regulating location and uses related to sale of alcoholic beverages. (Maurice Schwanke)

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

AYE 6 NAY 0 ABSTAIN 0

8. **(a) Public Hearing: To consider public comments regarding an ordinance of the City of Anna, Texas amending the Anna Code of Ordinances by amending Part III-C; Zoning Ordinance, Section 34 by adding Section 34.13 (Wind Energy Systems) amending Appendix 2 Schedule of Uses- Table 7 and 3.7.8 (Descriptions/Definitions of Uses). (Maurice Schwanke)**

Director of Planning and Development Maurice Schwanke presented the item to council. Mayor Crist opened the public hearing at 7:48 pm. there was not public comment. Mayor Crist closed the public hearing at 7:49 pm.

(b) Consider/Discuss/Act on recommendation regarding an ordinance of the City of Anna, Texas, amending the Anna City Code of Ordinances by amending Part III-C; Zoning Ordinance, Section 34 by adding Section 34.13 (Wind Energy Systems) amending Appendix 2 Schedule of Uses- Table 7 and 3.7.8 (Descriptions/Definition of Uses). (Maurice Schwanke)

John Simon spoke in favor of having wind turbines.
Robert Oliver spoke in favor of having wind turbines.
Cathey Hudson spoke in favor of having wind turbines.

Council Members discussed the two ordinances and their options. Council Member Glover made the motion to approve Ordinance Option A with no SUP requirement. Council Member Hopewell seconded the motion. Motion fails.

AYE 3 (CM Hopewell, CM Bryan and CM Glover)
NAY 3 (CM Cook, CM Geren and Mayor Crist)
ABSTAIN 0

Council Member Geren made the motion to approve Ordinance Option B. Motion dies for lack of a second.

Council Member Cook made the motion to approve Ordinance A with the SUP. Council Member Geren seconded the motion. Council Members discussed their options more. Motion passes.

AYE 4 NAY 2 (CM Hopewell and CM Bryan) ABSTAIN 0

9. Public Hearing: To consider public comments regarding submission of an application for assistance through the Texas Community Development Block Grant Program (TxCDBG). (City Manager)

City Manager, Philip Sanders presented the item to council. Mayor Crist opened the public hearing at 8:21 pm. Jessica Kaltenbach gave council members information on the CDBG Application process and answered questions. Mayor Crist closed the public hearing at 8:28 pm.

10. Public Hearing: To consider public comments regarding a recently completed water system improvements project funded by the 2010 TxCDBG Program. (City Manager).

City Manager, Philip Sanders presented the item to council members. Mayor Crist opened the public hearing at 8:28 pm. There was no public comment. Mayor Crist closed the public hearing at 8:28 pm.

Council did not enter closed session at this time. Council Member Geren made the motion to take no action. Council Member Bryan seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

11. 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). Anticipated litigation with Amazing Solar Solutions; "City of Anna v. City of Weston, Cause No. 380-02570-2011, in the 380* District Court of Collin County, Texas"; "City of Anna v. Walmart Inc., et al.; Cause No. 429-00288-2009, in the 429th District Court of CoUin County, Texas."

b. discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072); acquisition of park land.

c. discuss or deliberate personnel matters. City Secretary 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.

12. Consider/Discuss/Action on any items listed on posted agenda for August 28, 2012 City of Anna Workshop Session or any closed session occurring during this Regular Meeting, as necessary.

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

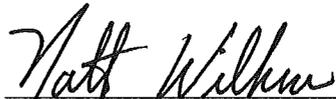
AYE 6 NAY 0 ABSTAIN 0

13. Adjourn.

Council Member Cook made the motion to adjourn at 8:30 pm. Council Member Bryan seconded the motion. Motion passes.

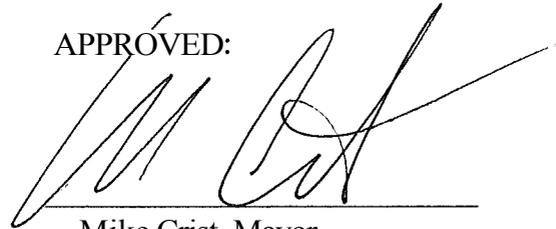
AYE 6 NAY 0 ABSTAIN 0

ATTEST:



Nikita Wilkison, City Secretary

APPROVED:



Mike Crist, Mayor

