

Minutes of
CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP

February 9, 2010

7:00 p.m. – Anna City Hall Administration Building

The City Council of the City of Anna met in Workshop Session at 7:00 p.m., February 9, 2010, 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 7:22 pm.

2. Roll Call and Establishment of Quorum.

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

Council Member Crist made the motion to enter closed session at 7:22 pm. Council Member Green seconded the motion. Motion passes.

AYE 5 NAY 1 CM Anderson) ABSTAINED 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) including but not limited to *Anna-Weston boundary lines; Powell v. City of Anna*, Cause No. 401-03815-2009 in the 401st District Court of Collin County, Texas; *Texas Star Bank v. City of Anna*, Cause No. 380-04163-2009 in the 380th District Court of Collin County, Texas; *City of Anna v. Walmart Inc., et al.*; Cause No. 296-00288-2009, in the 296th District Court of Collin County, Texas; and *SHG Land Investments of Anna Five, Ltd. v. Lennar Homes of Texas Land & Construction Ltd., et al.*; Cause No. 366-00970-2008, in 366th District Court of Collin County, Texas.

b. Personnel: Consider the appointment of a Municipal Court Judge. (Government Code, Section 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 Green made the motion to return to open session at 7:32 pm. Council Member Crist seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

4. **Discussion regarding any item on the City Council's February 9, 2010 Regular Meeting Agenda Notice, which was posted at the same date, time and place of this Workshop Agenda Notice.**

None

5. **Adjourn.**

Council Member Crist made the motion to adjourn at 7:34 pm. Council Member Anderson seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAIN 0

ATTEST:



Natha Wilkison, City Secretary

APPROVED:



Darren R. Driskell, Mayor



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

February 9, 2010 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., February 9, 2010, 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 Driskell called the meeting to order at 7:34 pm.

2. Invocation and Pledge of Allegiance.

Mayor Driskell gave the invocation and led the Pledge of Allegiance.

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.*

No citizen comments.

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.*

Reminder of the Greater Anna Chamber of Commerce Banquet on February 20, 2010.

Reminder for Father/Daughter dance February 13, 2010 at Joe K Bryant.

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 Regular minutes for January 26, 2010.**
- b. Approve "Maxwell Development Plat". (Maurice Schwanke)**
- c. Approve a development plat "Vargas Addition" (Maurice Schwanke)**

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

AYE 6 NAY 0 ABSTAINED 0

6. (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, providing for savings, repealing and severability clauses; providing for an effective date; providing for a penalty clause not to exceed \$2,000 or the highest penalty amount allowed by law, whichever is less; and providing for publication and caption hereof. The property is generally located on the west side on north Powell Pkwy (Hwy 5) and is generally known as 3300 North Powell Pkwy (Hwy 5). The property is currently zoned Restricted Commercial (C1) zoning on the front 300 feet of the tract, consisting of approximately 3.1 acres with the request being "Planned Development" zoning. (Maurice Schwanke)

Mayor Driskell opened the public hearing at 7:37 pm. Maurice Schwanke, Director of Planning and Development present the item to council and answered questions. There was no public comment. Mayor Driskell closed the public hearing at 7:41 pm.

(b) Consider/Discuss/Act on recommendation regarding an ordinance amending the City's comprehensive plan, zoning map, and zoning ordinance and changing the zoning of certain property, providing for savings, repealing and severability clauses; providing for an effective date, providing for a penalty clause not to exceed \$2,000 or the highest penalty amount allowed by law, whichever is less; and providing for publication and caption hereof. The property is generally located on the west side on north Powell Pkwy (Hwy 5) and is generally known as 3300 North Powell Pkwy (Hwy 5). The property is currently zoned Restricted Commercial (C1) zoning on the front 300 feet of the tract, consisting of approximately 3.1 acres with the request being "Planned Development" zoning. (Maurice Schwanke)

Council Member Green made the motion to approve. Council Member Anderson seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAINED 0

7. Consider/Discuss/Action on adopting a Resolution authorizing the City Manager to execute a contract with Landscapes Unlimited for the construction of Natural Springs Park Phase II. (Philip Sanders)

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

AYE 6 NAY 0 ABSTAINED 0

8. Consider/Discuss/Action regarding an Ordinance amending the City of Anna, Texas 2009- 2010 Budget. (Wayne Cummings)

Assistant City Manager, Wayne Cummings explained the changes in the budget due to various grants the City has been receiving for the police department, Natural Springs Park and Hazardous Waste clean up. Council Member Crist made the motion to approve. Council Member Green seconded the motion.

AYE 6 NAY 0 ABSTAINED 0

9. Consider/Discuss/Action on an Ordinance codifying organization, rules, regulations and fees related to City of Anna Municipal Courts. (Clark McCoy)

City Attorney, Clark McCoy explained that this ordinance establishes two courts and new court rules and regulations. Council Member Anderson made the motion to approve. Council Member Green seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAINED 0

10. Consider/Discuss/Action on adopting a resolution appointing municipal court judge and approving and authorizing execution of an agreement with court judge. (Philip Sanders)

City Manager, Philip Sanders explained that this is staff's recommendation for the municipal court judge for Municipal Court No. 2 established in Item Mo. 9. Council Member Geren made the motion to approve. Council Member Crist seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAINED 0

Council Member Green made the motion to enter closed session at 7:56 pm. Council Member Crist seconded the motion. Motion passes.

AYE 5 NAY 1 (CM Hendricks) ABSTAINED 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) including but not limited to *Anna-Weston boundary lines; Powell v. City of Anna*, Cause No. 401-03815-2009 in the 401st District Court of Collin County, Texas; *Texas Star Bank v. City of Anna*, Cause No. 380-04163-2009 in the 380th District Court of Collin County, Texas; *City of Anna v. Walmart Inc., et al.*; Cause No. 296-00288-2009, in the 296th District Court of Collin County, Texas: and *SHG Land Investments of Anna Five, Ltd. v. Lennar Homes of Texas Land & Construction Ltd., et al.*; Cause No. 366-00970-2008, in 366th District Court of Collin County, Texas.

b. Personnel: Consider the appointment of a Municipal Court Judge. (Government Code, Section 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 Anderson made the motion to return to open session at 8:32 pm. Council Member Green seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAINED 0

12. Consider/Discuss/Action on any items listed on posted agenda for February 9, 2010 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 Green seconded the motion. Motion passes.

AYE 6 NAY 0 ABSTAINED 0

13. Adjourn.

Council Member Anderson made the motion to adjourn at 8:33 pm. Council Member Green seconded the motion. Motion passes.

AYE 6

NAY 0

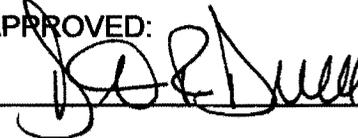
ABSTAINED 0

ATTEST:



Natha Wilkison, City Secretary

APPROVED:



Darren R. Driskell, Mayor

