

**MINUTES OF**

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

**April 27, 2010**

**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., April 27, 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 6:30 pm.

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

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

Council Member Crist made the motion to enter into closed session at 6:31 pm. Council Member Green seconded the motion. Motion passes.

AYE 7                      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); *Powell v. City of Anna*, Cause No. 401-03815-2009 in the 401<sup>st</sup> District Court of Collin County, Texas; *Texas Star Bank v. City of Anna*, Cause No. 380-04163-2009 in the 380<sup>th</sup> District Court of Collin County, Texas; *City of Anna v. Walmart Inc., et al.*; Cause No. 296-00288-2009, in the 296<sup>th</sup> District Court of Collin County, Texas; *SHG Land investments of Anna Five, Ltd. v. Lennar Homes of Texas Land & Construction Ltd., et al.*; Cause No. 366-00970-2008, in 366<sup>th</sup> District Court of Collin County, Texas.**

**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 Marc Hendricks made the motion to return to open session at 6:45 pm. Council Member Crist seconded the motion. Motion passes.

AYE 7                      NAY 0                      ABSTAIN 0

- 4. Discussion regarding any item on the City Council's April 27, 2010 Regular Meeting Agenda Notice, which was posted at the same date, time and place of this Workshop Agenda Notice.**

There was no discussion.

- 5. Adjourn.**

Council Member Crist made the motion to adjourn at 6:47. Council Member Green seconded the motion. Motion passes.

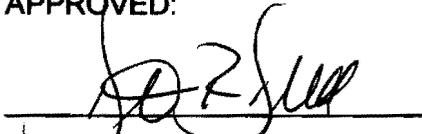
AYE 7                      NAY 0                      ABSTAIN 0

Council Member Hendricks left 7:10.

ATTEST:

  
Natha Wilkison, City Secretary

APPROVED:

  
Darren R. Driskell, Mayor



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

**April 27, 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., April 27, 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 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.***

Joe Martinez spoke on the condition of the girl's softball fields.

**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.***

None

**5. Presentation of a Certificate of Appreciation to Brian Green for work at Slayter Creek Park. (Maurice Schwanke)**

Director of Planning and Development, Maurice Schwanke presented the item to Council. Mayor Driskell presented the Certificate of Appreciation to Britain Green.

- 6. 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 April 13, 2010.**

**b. Review P & Z Regular minutes for March 1, 2010.**

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

AYE 7                      NAY 0                      ABSTAIN 0

- 7. Consider/Discuss/Action on approval of the FY 2009 Audit Report. (Wayne Cummings)**

Assistant City Manager, Wayne Cummings presented the item to Council. Council Member Anderson made the motion to approve. Council Member Green seconded the motion. Motion passes.

AYE 7                      NAY 0                      ABSTAIN 0

- 8. Consider/Discuss/Action on a Ordinance authorizing the creation of the City of Anna Fire Department. (Philip Sanders)**

City Manager, Philip Sanders presented the item to Council and reviewed previous discussions concerning creating a City of Anna Fire Department. Council Member Green made the motion to approve. Council Member Crist seconded the motion. Motion passes.

AYE 7                      NAY 0                      ABSTAIN 0

- 9. Consider/Discuss/Action on a Resolution approving an agreement with the Greater Anna Chamber of Commerce for the production of a Fourth-of-July Fireworks Display. (Philip Sanders)**

City Manager, Philip Sanders presented the item to Council. Council Member Crist made the motion to approve. Council Member Green seconded the motion. Motion passes.

AYE 7                      NAY 0                      ABSTAIN 0

- 10. Consider/Discuss/Action on recommendation to City Council regarding the violation of Part II Article 47 Section 2.03 (d) and Section 2 of the Anna City Code of Ordinances. (Maurice Schwanke)**

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

AYE 7                      NAY 0                      ABSTAIN 0

**11. Consider/Discuss/Action on a Resolution approving the submission of a grant application for the Accident Reduction and Investigation Project to the Office of the Governor, Criminal Justice Division. (Chief Jenks)**

Police Chief Kenny Jenks presented the item to Council and answered questions. Council Member Glover made the motion to approve. Council Member Crist seconded the motion. Motion passes.

AYE 7                      NAY 0                      ABSTAIN 0

**12. Consider/Discuss/Action on a Resolution regarding the approval of and authority to execute a settlement agreement related to *SHG Land Investments of Anna Five, Ltd. V. Lennar Homes of Texas Land & Construction Ltd., et al.*; Cause No. 366-00970-2008, in 366<sup>th</sup> District Court of Collin County, Texas. (Clark McCoy)**

City Attorney Clark McCoy presented the item to Council. Council Member Hendricks returned to the meeting at 7:45 pm. Council Member Crist made the motion to approve. Council Member Green seconded the motion. Motion passes.

AYE 7                      NAY 0                      ABSTAIN 0

**13. Consider/Discuss/Action on a Resolution regarding the approval of and authority to execute PID agreement for Urban Crossing Public Improvement District. (Philip Sanders)**

City Manager, Philip Sanders presented the item to Council and answered questions from Council Members. Council Member Geren spoke in opposition of this item. Council Member Glover made the motion to approve. Council Member Anderson seconded the motion. Motion passes.

AYE 6                      NAY 1 (CM Geren)                      ABSTAIN 0

**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:**

- 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; *Texas Star Bank v. City of Anna*, Cause No. 380-04163-2009 in the 380<sup>th</sup> District Court of Collin County, Texas; *City of Anna v. Walmart Inc., et al.*; Cause No. 296-00288-2009, in the 296<sup>th</sup> District Court of Collin County, Texas; *SHG Land*

**Investments of Anna Five, Ltd. v. Lennar Homes of Texas Land  
& Construction Ltd., et al.; Cause No. 366-00970-2008, in 366<sup>th</sup>  
District Court of Collin County, Texas.**

seconded the motion. Motion passes.

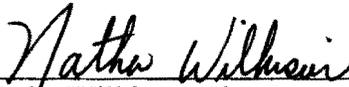
AYE 7                      NAY 0                      ABSTAIN 0

**16. Adjourn.**

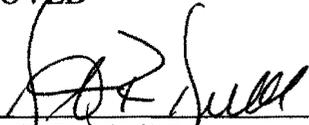
Council Member Anderson made the motion to adjourn at 7:50 pm. Mayor Driskell seconded the motion. Motion passes.

AYE 7                      NAY 0                      ABSTAIN 0

ATTEST:

  
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Natha Wilkison, City Secretary

APPROVED

  
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Darren R. Driskell, Mayor

