

# ANNA CITY COUNCIL

## MINUTES WORK SESSION

January 12, 2016

The City Council of the City of Anna met in Work Session on the above date at Anna City Hall, located at 111 N. Powell Parkway (Hwy 5), regarding the following items:

### 1. Call to Order.

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

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

Mayor Mike Crist and Council Members Justin Burr, Lauren Lovato, John Beazley, Chad Barnes, Nathan Bryan and Dick Dowd were present.

**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 Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City 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); discuss existing and potential commercial business prospects.
- 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); recent changes to State law regarding municipal facilities.
- c. discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072); acquisition of right-of-way, easements, and land for municipal facilities.

- d. discuss or deliberate personnel matters (Tex. Gov't Code 551.074); City Manager annual review.

The Council further reserves the right to enter into closed session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

**MOTION:** Council Member Barnes moved to enter closed session at 6:33 p.m. Council Member Dowd seconded. Motion carried 7-0.

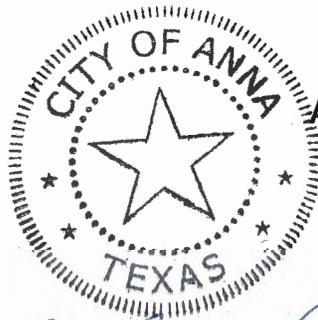
Mayor Crist reconvened the open meeting at 7:27 p.m.

**3. Consider/Discuss/Action on any items listed on the posted agenda or any closed session occurring during this meeting, as necessary.**

**MOTION:** Council Member Burr moved to take no action. Council Member Barnes seconded. Motion carried 7-0.

**4. Adjourn.**

Council Member Burr moved to adjourn at 7:28 pm. Mayor Crist seconded. Motion carried 7-0.



Approved on the 26<sup>th</sup> day of January, 2016.

ATTEST:

*Carrie L. Smith*

City Secretary Carrie L. Smith

*Mike Crist*

Mayor Mike Crist

ANNA CITY COUNCIL

**MINUTES**  
REGULAR SESSION

**January 12, 2016**

The City Council of the City of Anna met in Regular Session on the above date at Anna City Hall, located at 111 North Powell Parkway (Hwy 5), to consider the following items.

**1. Call to Order.**

Mayor Crist called the meeting to order at 7:30 p.m.

Mayor Mike Crist and Council Members Justin Burr, Lauren Lovato, John Beazley, Chad Barnes, Nathan Bryan and Dick Dowd were present.

**2. Invocation and Pledge of Allegiance.**

Mayor Crist led the Invocation and 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 public 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.*

- Mayor Crist would like to look into the Healthy Cities Initiative discussed at the Metroplex Mayor's meeting.
- Niche list ranked Anna as one of the top safest towns in Texas.  
[www.Local.niche.com](http://www.Local.niche.com)

**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 the City Council Minutes for December 8, 2015 (Carrie Smith)**
- b. **Review EDC minutes from August 25, 2015, September 3, 2015 and October 1, 2015. (Jessica Perkins)**
- c. **Review CDC minutes from September 3, 2015 and October 1, 2015. (Jessica Perkins)**
- d. **Review Planning and Zoning Commission Minutes for November 2, 2015. (Maurice Schwanke)**
- e. **Approve a Resolution on a Development Plat for Chambersville Tree Farm. (Maurice Schwanke)**

**RESOLUTION NO. 2016-1-136:** *A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A DEVELOPMENT PLAT OF THE CHAMBERSVILLE TREE FARM ADDITION.*

**MOTION:** Council Member Barnes moved to approve consent items. Council Member Dowd seconded. Motion carried 7-0.

6. Conduct a Public Hearing (1 of 2) on the voluntary annexation of a 21.4 acre tract of land located in the Hiram Brinlee Survey, Abstract No. 30 (St. Charles Apts. Inc., owner); a 47.6 acre tract of land located in the John Chambers Survey, Abstract No. 223 and the Samuel Craft Survey, Abstract No. 165 (Bhagat Holdings Ltd., owner); a 15 acre tract located in the Jonathan Douthit Survey, Abstract No. 251 (McGuffey Living Trust, owner); an 18.53 acre tract of land located in the William Kitchings Survey, Abstract No. A0505 and the W E Throckmorton Survey, Abstract No. A0899 (Anna Outer Loop Ltd, owner formerly the Seminole 20 Ltd.); and a 15.4 acre tract of land located in the W E Throckmorton Survey, Abstract No. A0899 (William & Nora Steward, owners). (Maurice Schwanke)

Mayor Crist opened the public hearing at 7:38 p.m.

No Comments

Mayor Crist closed the public hearing at 7:38 p.m.

The second required public hearing will be held on January 26, 2016.

7. Consider/Discuss/Action on Resolution authorizing purchases for the remount of Brush Truck 901. (Clayton Fulton)

**RESOLUTION NO. 2016-1-137:** A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO USE FIRE TRUST FUNDS FOR THE BRUSH TRUCK 901 REMOUNT PROJECT

**MOTION:** Mayor Crist moved to approve. Council Member Barnes seconded. Motion carried 7-0.

8. Consider/Discuss/Action regarding an Ordinance amending the FY 2015-2016 Budget (Clayton Fulton)

**ORDINANCE NO. 710-2016:** AN ORDINANCE AMENDING ORDINANCE NO. 695-2015 ADOPTING THE BUDGET FOR THE 2015-2016 FISCAL YEAR; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

**MOTION:** Council Member Barnes moved to approve. Council Member Dowd seconded. Motion carried 7-0.

9. Consider/Discuss/Action regarding a Resolution authorizing an allocation of the Contingent Appropriation for repairs to the Police/Municipal Annex building. (Clayton Fulton)

**RESOLUTION NO. 2016-1-138:** A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO ALLOCATE A PORTION OF THE FY 2016 CONTINGENCY ALLOCATION FOR REPAIRS TO THE POLICE DEPARTMENT/MUNICIPAL ANNEX BUILDING

**MOTION:** Council Member Burr moved to approve. Council Member Beazley seconded. Motion carried 7-0.

10. Briefing/Discussion regarding NTMWD wastewater charges (Clayton Fulton)

Finance Manager Clayton Fulton reported to Council that since June of 2015, City staff has been working with NTMWD to verify the accuracy of the Throckmorton wastewater meter and establish correct billings for the 2015 fiscal year. In November, Staff met with NTMWD to discuss the final disposition of the FY 2015 wastewater charges. NTMWD agreed to apply the minor adjustment that was warranted by their study to all metered flows for FY 2015, and the City agreed to pay all outstanding

charges based on the adjusted flows. The net effect of these agreements is that the City has an outstanding balance of \$329,550 due to NTMWD and \$9,905 due to the City of Melissa for a total of \$339,455. Payment for the outstanding balance to NTMWD is due September 30, 2016.

11. Briefing/Discussion regarding submission of 2016 Assistance to Firefighters Grant (AFG) application. (Chief Gothard)

Fire Chief Gothard briefed Council on the 2016 AFG. The application period opened on December 7, 2015, and will close on January 15, 2016. The grant allows Departments to apply for equipment and apparatus. The matching portion is set by the number of citizens served. The Anna Fire Dept. serves less than 20,000 citizens; our matching contribution would be a 5% match.

Equipment Needs: The Department's S.C.B.A.'s do not meet the current NFPA standard and were purchased in 2006 and are showing wear and parts are becoming obsolete. The estimated cost to replace the Department's twelve S.C.B.A.'s and extra cylinders and mask is estimated at \$100,000 with the Department share of \$5,000.

Vehicle Needs: Is a quint fire apparatus. A quint is an apparatus that serves as both a pumper and aerial device. The estimated cost of a 75' quint apparatus is approximately \$1,000,000 with the Department share of \$50,000.

Both of these items will assist in firefighter safety and community service.

12. Briefing/Discussion regarding construction hours. (Joseph Johnson)

Public Works Director Joseph Johnson reported to Council the City's construction hours are outlined in the City of Anna Code of Ordinances, Part II, General Ordinances, Section 22.

- (a) *On weekdays and Saturdays, Construction may not take place after 7:00 p.m. or before 7:00 am.*
- (b) *Construction on Sunday is prohibited.*

Work at any other time is prohibited unless an exception is made in writing through the issuance of a permit by the City Manager or designee (Section 22.03 a) or if the work is by and for certain public entities (b).

A twelve-hour workday is advisable for construction work hours for a number of reasons:

- 1) Projects are generally bid based upon a twelve-hour workday. Shortening the work hours lengthens the project time, which

increases the number of days that leased equipment, crews, and materials are onsite. This increases development costs and may result in costs being passed on to the homeowner.

- 2) Decreased work hours increases the number of days that adjacent property owners are inconvenienced by the construction.
- 3) Some aspects of construction once started must be finished within a given day. For example, when the weather is cold concrete has a longer cure time and contractors often need all 12 hours in order to pour and finish the concrete. Another example would be a traffic related project that must be finished within the same day (e.g. installing a pavement transition or finishing pavement striping).

This report is for informational purposes only, and staff is not recommending changes to the work hours.

**13. 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 Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City 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)**; discuss existing and potential commercial business prospects.
- 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)**; recent changes to State law regarding municipal facilities.
- c. discuss or deliberate the purchase, exchange, lease, or value of real property **(Tex. Gov't Code §551.072)**; acquisition of right-of-way, easements, and land for municipal facilities.
- d. discuss or deliberate personnel matters **(Tex. Gov't Code)**; City Manager annual review.

The Council further reserves the right to enter into closed session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

**MOTION:** Council Member Barnes moved to recess into closed session at 8:04 p.m. Council Member Bryan seconded. Motion carried 7-0.

Mayor Crist reconvened the open meeting at 8:37 p.m.

14. Consider/Discuss/Action on any items listed on the posted agenda or any closed session occurring during this meeting, as necessary.

**MOTION:** Councilmember Beazley moved to take no action. Council Member Barnes seconded. Motion carried 7-0.

15. **Adjourn.**

**MOTION:** Council Member Dowd moved to adjourn at 8:38 p.m. Mayor Crist seconded. Motion carried 7-0.



**Approved** on the 26th day of January, 2016.

ATTEST:

A handwritten signature in blue ink, appearing to read "Carrie L. Smith", is written over a horizontal line.

City Secretary Carrie L. Smith

A handwritten signature in blue ink, appearing to read "Mike Crist", is written over a horizontal line.

Mayor Mike Crist