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**CITY COUNCIL REGULAR MEETING
CELINA COUNCIL CHAMBERS
112 N. COLORADO ST.
TUESDAY, OCTOBER 10, 2023
5:00 PM
MINUTES**

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Tubbs called the Regular Meeting of the Celina City Council to order at 5:00 p.m. on Tuesday, October 10, 2023, and announced a quorum was present.

Attendee Name	Organization	Title	Status	Arrived
Philip Ferguson	City of Celina	Place 1	Present	
Jay Pierce	City of Celina	Mayor Pro Tem	Present	
Wendie Wigginton	City of Celina	Place 4	Present	
Andy Hopkins	City of Celina	Place 3	Present	
Mindy Koehne	City of Celina	Place 5	Present	
Ryan Tubbs	City of Celina	Mayor	Present	

II. PLEDGE OF ALLEGIANCE/INVOCATION:

III. EXECUTIVE SESSION:

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the city attorney on any agenda item listed herein.

The Celina City Council convened into Executive Session at 5:02 p.m.

Texas Government Code Section 551.071 Consultation with Attorney:

A. Discussion regarding Doe Branch expansion.

B. Discussion regarding Senate Bill 2038 of the 88th Regular Legislative Session.

Texas Government Code Section 551.071 Consultation with Attorney and Section 551.072 Deliberation
Regarding Real Property:

C. Discussion regarding land acquisition generally located south of Ash Street and west of Oklahoma Drive.

Reconvene Into Open Session

The Celina City Council reconvened into Open Session at 6:02 p.m.

IV. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE: (to begin at 6:00 p.m.)

- A. Presentation by the Purchasing Department receiving the Achievement of Excellence in Procurement Award. (Berry)
Dawn Berry, Purchasing Director, presented the Achievement of Excellence in Procurement Award.
- B. Presentation of the 2023 Collin County Bond Election by the Collin County Planning Commission. (Tubbs)
Ben Hangartner, with the Collin County Planning Commission, spoke regarding the 2023 Collin County Bond Election.
- C. Presentation of a proclamation declaring September 16, 2023 as, "National Clean Up Day" in Celina. (Tubbs)
Mayor Tubbs presented a proclamation to all City of Celina Residents declaring September 16, 2023, as "National Clean Up Day" in Celina.
- D. Presentation of a Proclamation to the Fire Department declaring October 8-14, 2023, "Fire Prevention Week." (Tubbs)
Mayor Tubbs presented a proclamation to the Fire Department declaring October 8-14, 2023, as "Fire Prevention Week."
- E. Presentation of a Proclamation to the Planning Department declaring October 2023, "Community Planning Month." (Tubbs)
Mayor Tubbs presented a proclamation to the Planning Department declaring October as "Community Planning Month."
- F. Presentation of a Proclamation to the Planning Department declaring November 3, 2023, "Arbor Day." (Tubbs)
Mayor Tubbs presented a proclamation to the Planning Department declaring November 3, 2023 as "Arbor Day."

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- A. Discussion of the Ousley Park Master Plan. (Webb)
Cody Webb, Director of Parks and Recreation, presented an update of the Ousley Park Master Plan.
- B. Discussion regarding an update to the Master Fee Chart. (McAfee)
Dusty McAfee, Executive Director of Development Services, provided an update of the Master Fee Chart.
- C. Discussion regarding downtown parking. (McAfee)
Dusty McAfee, Executive Director of Development Services, provided an update to the downtown parking project.

VI. OPEN FORUM:

Open Forum is for information only. If you wish to speak, please sign one of the speaker cards and present to the City Secretary prior to the beginning of the City Council meeting. Speakers are limited to three (3) minutes. The Council can take no action. No charges and/or complaints will be heard against any elected official or employee of the city that are prohibited by law.

Please note Anyone wishing to furnish the City Council with copies handouts regarding their item of interest must provide 9 copies and present them to the City Secretary for distribution to the City Council.

VII.

CONSENT AGENDA:

Items are considered self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the City Council.

Upon a motion by Councilmember Wigginton and a second by Councilmember Hopkins, the Council voted five (5) for and none (0) opposed to approve all items on the Consent Agenda. The motion carried.

RESULT: ADOPTED

MOVER: Deputy Mayor Pro Tem, Place 4 Wendie Wigginton

SECONDER: Councilmember, Place 3 Andy Hopkins

AYES: Jay Pierce, Wendie Wigginton, Philip Ferguson, Andy Hopkins, Mindy Kochne

- A. Consider and act to purchase one (1) skid steer with a cold planner from HOLT through a cooperative contract with Sourcewell, in an amount not to exceed \$93,907.00. (Quigley)
- B. Consider and act to award Bid 2023-063 for street sweeping to Mister Sweeper, at the unit prices listed, in an annual amount not to exceed \$65,000 for a contract term not to exceed \$325,000.00. (Quigley)
- C. Consider and act to award Bid 2023-060 for the 2023 Downtown Water & Sewer Improvements to Quality Excavation, LLC., in the amount of \$1,259,573.75 plus ten percent contingency in the amount of \$125,957.38 for a total amount not to exceed \$1,385,531.13. (Berry)
- D. Consider and act to purchase a Camion Brinemaster 3000 for the Streets Department from C & H Outdoors DBA Sno-Biz through a cooperative contract with Sourcewell for an amount not to exceed \$49,847.25. (Quigley)
- E. Consider and act to authorize Change Order 1 for the C-Town Building modifications to Nouveau Construction & Technology Services through a cooperative agreement in the amount of \$3,002.53 for a total contract amount not to exceed \$50,602.32. (Berry)
- F. Consider and act to approve a work authorization for engineering services for the Parkside Lift Station Improvements to TRC Engineers, Inc., for an amount not to exceed \$59,980.00. (Berry)
- G. Consider and act to approve a work authorization for engineering services for the design of a pressure-reducing valve (PRV) at Preston Road and Laughlin Lane and pressure plane adjustments to Freese and Nichols, Inc., for an amount not to exceed \$74,900.00. (Berry)
- H. Consider and act to authorize Change Order 3 for Preston Road Water Line to Public Works to Maya Underground Contractors for an amount not to exceed \$64,648.25. (Berry)
- I. Consider and act to authorize a price increase to four (4) Ford F250 trucks previously approved in October 2021 to Caldwell Country Ford through a cooperative contract with BuyBoard in the amount of \$67,723.00 for a total not to exceed \$271,292.00. (Berry)
- J. Consider and act to authorize the purchase of six (6) vehicles for fiscal year 2024 for the Public Works Department from Silsbee Ford through a cooperative contract with TIPS for an amount not to exceed \$426,807.25. (Sutton)
- K. Consider and act to authorize Fiscal Year 2024 software license renewals to various vendors through existing contracts in an amount not to exceed \$329,704.42. (Berry)

- L. Consider and act to authorize the purchase of ten vehicles for fiscal year 2024 for the Police Department from Silsbee Ford, Caldwell Chevrolet, and Gunn Chevrolet through cooperative contracts in an amount not to exceed \$488,655.50. (Sutton)
- M. Consider and act to authorize the purchase of one (1) 2023 Tahoe for the Fire Department from Caldwell County Chevrolet through a cooperative contract Buyboard in an amount not to exceed \$80,650.00. (Berry)
- N. Consider and act to authorize the purchase of a Holt Cat Mini Excavator, two Holt Cat Jackhammers, one Ford F350, and one Ditch Witch Hydro Vac Trailer from various vendors through cooperative contracts for an amount not to exceed \$260,371.42. (Berry)
- O. Consider and act to authorize the Interim City Manager to execute an impact fee reimbursement and dedication of right-of-way agreement by and between the City of Celina and William K. Wood and Kathy D. Wood. (Brawner)
- P. Consider and act on partial release of Morgan Lakes Development Agreement to remove land subject to the Eland Ranch Development Agreement. (McAfee)
- Q. Consider and act upon a Resolution of the City Council of the City of Celina, Texas, finding a public necessity exists to acquire real property interests for right-of-way (ROW) and authorizing the use of eminent domain to condemn real properties described as being located in the Collin County School Land Abstract A0167, such properties are generally located on the south and east sides of County Road 53 and the east side of Old Log Trail; providing for authorization for acquisition of property rights and hiring of legal to implement and finalize such acquisition; providing for the authorization of eminent domain proceedings; and providing an effective date. (Glasgow)
- R. Consider and act on a Resolution of the City of Celina, Texas, calling a public hearing of the Board of Directors of Tax Increment Reinvestment Zone Number Five on November 14, 2023, at 4:50 p.m. and a public hearing of the City Council on November 14, 2023, at 5:00 p.m. to receive public testimony on a proposed Amended and Restated Project and Financing Plan; providing a severability clause; and providing an effective date. (Behringer)
- S. Consider and act upon an Ordinance amending the City's Code of Ordinances, Chapter 3: Building Regulations; Article 3.02 Technical and Construction Codes and Standards; Section 3.02.003 Adoption by Reference; Subsections (a)(7) and (b)(3). (2023 NEC - National Electrical Code) (Hernandez)
- T. Consider and act upon an Ordinance of the City of Celina, Texas, amending Ordinance 2023-108 which adopted and approved the budget for fiscal year beginning October 1, 2023 and ending September 30, 2024, and make appropriations for each department, project, and account, by adopting an amended 2023-2024 budget for the City of Celina, Texas, reallocating funds between accounts, attached hereto and incorporated into this Ordinance. (Bromiley)

VIII. PUBLIC HEARING/ACTION:

- A. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance, by amending approximately 42 acres of Planned Development (PD) No. 74 with ~~Single-Family Residential, Attached District (SF-A), Single-Family Residential, Detached District (SF-R), Multi-Family, Horizontal District (MF-0), and Commercial, Office, & Retail District (C)~~ base zoning, and modified development standards; generally located west of future Coit Road and north and south of future Ownsby Parkway, within the City Limits. (Wood Tract – PD Amendment)

(McAfee)

Mayor Tubbs opened the public hearing at 7:01 p.m.

Jamie Beckerich spoke in support to the item.

Connor Nichols spoke in support to the item.

Matthew Kiram spoke in support to the item.

Dale Bainum spoke in opposition to the item.

With no one else wishing to speak, Mayor Tubbs closed the public hearing at 7:11 p.m.

Upon a motion by Councilmember Hopkins and a second by Councilmember Wigginton, the Council voted five (5) for and none (0) opposed to approve Ordinance No. 2023-113 to include two-story multifamily dwellings in the Horizontal District (MF-0). The motion carried.

RESULT: ADOPTED

MOVER: Councilmember, Place 3 Andy Hopkins

SECONDER: Deputy Mayor Pro Tem, Place 4 Wendie Wigginton

AYES: Jay Pierce, Wendie Wigginton, Philip Ferguson, Andy Hopkins, Mindy Koehne

- B. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance, by rezoning approximately 13 acres to Commercial, Office, & Retail District (C) with the Preston Road Overlay (PRO); generally located north of Glendenning Parkway and approximately 450 feet east of Preston Road, within the City Limits. (Rayburn Park - Rezoning) (Mohan)

Mayor Tubbs opened the public hearing at 7:15 p.m.

With no one wishing to speak, Mayor Tubbs closed the public hearing at 7:15 p.m.

Upon a motion by Councilmember Hopkins and a second by Councilmember Ferguson, the Council voted five (5) for and none (0) opposed, to approve Ordinance No. 2023-114. The motion carried.

RESULT: ADOPTED

MOVER: Councilmember, Place 3 Andy Hopkins

SECONDER: Councilmember, Place 1 Philip Ferguson

AYES: Jay Pierce, Wendie Wigginton, Philip Ferguson, Andy Hopkins, Mindy Koehne

- C. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance, by amending approximately 30 acres of Planned Development (PD) No. 17 with the Dallas North Tollway Overlay District (DNTD) base zoning, and modified development standards; generally located east of Dallas Parkway and approximately 1,200 feet south of future Glendenning Parkway, within the City Limits. (Thomas Tract – PD Amendment) (McAfee)

Application withdrawn by the applicant.

- D. Conduct a public hearing to consider and act upon an Ordinance on the voluntary annexation of approximately 16 acres; generally located west of FM 455 and approximately 1,220 feet south of future O'Brien Drive, within the Extraterritorial Jurisdiction (ETJ). (Oaks Ranch – C-3 Expedited Annexation) (Mohan)

Mayor Tubbs opened the public hearing at 7:20 p.m.

Rob Drake spoke in support of the item.

With no one else wishing to speak, Mayor Tubbs closed the public hearing at 7:21 p.m.

Upon a motion by Councilmember Wigginton and a second by Councilmember Ferguson, the Council voted five (5) for and none (0) opposed to approve Ordinance No. 2023-115. The motion carried.

RESULT: ADOPTED

MOVER:	Deputy Mayor Pro Tem, Place 4 Wendie Wigginton
SECONDER:	Councilmember, Place 1 Philip Ferguson
AYES:	Jay Pierce, Wendie Wigginton, Philip Ferguson, Andy Hopkins, Mindy Koehne

- E. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance, by zoning approximately 16 acres to a Planned Development (PD) with Commercial, Office, & Retail District (C) and Single-Family Residential, Attached District (SF-A) base zoning; generally located west of FM 455 and approximately 1,220 feet south of future O'Brien Drive. (Oaks Ranch – PD Zoning) (Mohan)

Mayor Tubbs opened the public hearing at 7:25 p.m.

With no one wishing to speak, Mayor Tubbs closed the public hearing at 7:25p.m.

Upon a motion by Mayor Pro Tem Pierce and a second by Councilmember Wigginton, the Council voted five (5) for and none (0) opposed to approve Ordinance No. 2023-116. The motion carried.

RESULT:	ADOPTED
MOVER:	Mayor Pro Tem, Place 2 Jay Pierce
SECONDER:	Deputy Mayor Pro Tem, Place 4 Wendie Wigginton
AYES:	Jay Pierce, Wendie Wigginton, Philip Ferguson, Andy Hopkins, Mindy Koehne

- F. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance, by rezoning approximately 18 acres to a Planned Development (PD) with the Collin County Outer Loop Overlay District (CCOLO) base zoning, and modified development standards; generally located at the northeast corner of Coit Road and the Collin County Outer Loop, within the City Limits. (Stone Tract Resubmittal – PD Zoning) (McAfee)

Mayor Tubbs opened the public hearing at 7:29 p.m.

Connor Nichols spoke in support.

Frank Abbott spoke in support.

With no one else wishing to speak, Mayor Tubbs closed the public hearing at 7:36 p.m.

Upon a motion by Councilmember Koehne and a second by Councilmember Hopkins, the Council voted two (2) for and three (3) opposed to approve the Ordinance. The motion failed.

RESULT:	DEFEATED
MOVER:	Councilmember, Place 5 Mindy Koehne
SECONDER:	Councilmember, Place 3 Andy Hopkins
AYES:	Andy Hopkins, Mindy Koehne
NAYES:	Jay Pierce, Wendie Wigginton, Philip Ferguson

- G. Conduct a public hearing to consider and act upon an Ordinance on the voluntary annexation of approximately 119 acres; generally located north and south of future O'Brien Drive and approximately 1,150 feet west of future Legacy Drive, within the Extraterritorial Jurisdiction (ETJ). (Legacy Hills Remainder – C-3 Expedited Annexation) (Mohan)

Mayor Tubbs opened the public hearing at 7:43 p.m.

With no one wishing to speak, Mayor Tubbs closed the public hearing at 7:43 p.m.

Upon a motion by Mayor Pro Tem Pierce and a second by Councilmember Wigginton, the Council voted five (5) for and none (0) opposed to approve Ordinance 2023-117. The motion carried.

RESULT:	ADOPTED
MOVER:	Mayor Pro Tem, Place 2 Jay Pierce
SECONDER:	Deputy Mayor Pro Tem, Place 4 Wendie Wigginton
AYES:	Jay Pierce, Wendie Wigginton, Philip Ferguson, Andy Hopkins, Mindy Koehne

- H. Conduct a public hearing to consider and act upon an Ordinance amending the Comprehensive Zoning Ordinance, by zoning approximately 119 acres to a Planned Development (PD) with the Dallas North Tollway Overlay (DNTOL); generally located north and south of future O'Brien Drive and approximately 1,150 feet west of future Legacy Drive. (Legacy Hills Remainder – PD Zoning) (Mohan)

Mayor Tubbs opened the public hearing at 7:49 p.m.

With no one wishing to speak, Mayor Tubbs closed the public hearing at 7:50 p.m.

Upon a motion by Mayor Pro Tem Pierce and a second by Councilmember Wigginton, the Council voted five (5) for and none (0) opposed to approve the Ordinance No. 2023-118. The motion carried.

RESULT:	ADOPTED
MOVER:	Mayor Pro Tem, Place 2 Jay Pierce
SECONDER:	Deputy Mayor Pro Tem, Place 4 Wendie Wigginton
AYES:	Jay Pierce, Wendie Wigginton, Philip Ferguson, Andy Hopkins, Mindy Koehne

IX. **ACTION ITEM:**

- A. Consider and act to authorize the purchase of two base stations from Aqua-Metric Sales as the sole source provider for an amount not to exceed \$133,500.00. (Figueroa)

Upon a motion by Deputy Mayor Pro Tem Wigginton and a second by Mayor Pro Tem Pierce, the Council voted five (5) for and none (0) opposed to approve the purchase of two (2) base stations from Aqua-Metric Sales. The motion carried.

RESULT:	ADOPTED
MOVER:	Mayor Pro Tem, Place 2 Jay Pierce
SECONDER:	Deputy Mayor Pro Tem, Place 4 Wendie Wigginton
AYES:	Jay Pierce, Wendie Wigginton, Philip Ferguson, Andy Hopkins, Mindy Koehne

- B. Consider and act to authorize the purchase of Sensus water meters and accessories from Aqua-Metric Sales as the sole source provider in an amount not to exceed \$1,051,800.00. (Figueroa)

Upon a motion by Councilmember Wigginton and a second by Mayor Pro Tem Pierce, the Council voted five (5) for and none (0) opposed to approve purchase of Sensus water meters and accessories from Aqua-Metric. The motion carried.

RESULT:	ADOPTED
MOVER:	Deputy Mayor Pro Tem, Place 4 Wendie Wigginton
SECONDER:	Mayor Pro Tem, Place 2 Jay Pierce
AYES:	Jay Pierce, Wendie Wigginton, Philip Ferguson, Andy Hopkins, Mindy Koehne

- C. Consider and act to appoint two City Councilmembers to the Celina ISD Long-Range Planning Committee. (Frank)

Council nominated Mindy Koehne, Brandon Grumbles, and Wendie Wigginton to be considered to serve on Celina ISD Long-Range Planning Committee.

- D. Consider and act upon the acceptance of a Comprehensive Tax Increment Reinvestment Zone Impact Study conducted by Willdan Financial Services. (Behringer)

RESULT:	TABLED - NOVEMBER 14, 2023
MOVER:	Deputy Mayor Pro Tem, Place 4 Wendie Wigginton
SECONDER:	Mayor Pro Tem, Place 2 Jay Pierce
AYES:	Jay Pierce, Wendie Wigginton, Philip Ferguson, Andy Hopkins, Mindy Koehne

X. **ADJOURNMENT:**

Mayor Tubbs adjourned the Regular Meeting of the Celina City Council at 8:48 p.m. on Tuesday, October 10, 2023.


Ryan Tubbs, Mayor


Lauren Vaughns, City Secretary

11/24/2023
Date Minutes Approved



