



**CITY COUNCIL WORKSESSION, PUBLIC HEARING, & REGULAR MEETING
CELINA COUNCIL CHAMBERS
302 W. WALNUT STREET
MONDAY, DECEMBER 10, 2012
5:00 P.M. Worksession/Regular Session/ 6:30 P.M. Public Hearing/Action**

MINUTES

WORKSESSION/REGULAR SESSION 5:00 P.M.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Pro Tem McCally called the meeting to order at 5:00 p.m. Council members present were Larry Berg, Wayne Nabors, Carmen Roberts, Bill Webber and Sean Terry.

II. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- A. Introduction of new employees Jeff Davis Recreation Manager and Cindy Hartman Accounting Clerk.
- B. Employee recognition for Kyle Mills by Chief Metdker for state and national activities.
- C. Waste Management Inc. contract amendments reviewed by Doug Sims with Waste Management, Inc., who went over the new rates and options for garbage pick-up frequencies.
- D. Collin County Days information was given by Corbett Howard, Celina EDC. He encouraged the City Council and members of the community to attend on March 4th and March 5th in Austin.
- E. Comprehensive Plan Zoning & Subdivision items update by Planning Director Helen-Eve Liebman.

The Celina City Council adjourned into executive session at 5:27 p.m. with City Attorney Lance Vanzant, Finance Director Jay Toutounchian, Financial Consultant Jim Sabonis, and Park Board Members Joe Bielinski and Mark Palmer.

III. EXECUTIVE SESSION:

City Council will convene into Executive Session pursuant to Texas Government Code Section 551.072 Deliberation Regarding Real Property to deliberate the purchase, exchange, lease, or value of real property.

- A. Property located generally east of Preston Road and south of County Road 88

The Celina City Council reconvened into open session at 6:34 p.m.

RECONVENE INTO OPEN SESSION

- 1. Consider and act upon items discussed in executive session.

No action taken on items discussed in executive session.

PUBLIC HEARING/ACTION ITEMS 6:30 P.M.

- IV. PLEDGE OF ALLEGIANCE/INVOCATION:** Mayor Pro Tem McCally led the pledge of allegiance. Councilman Nabors gave the invocation.

V. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

VI. OPEN FORUM:

Those present and speaking were:

Dick Taylor, 3849 Haymeadow-spoke in favor of increasing the size of outbuildings and alternative construction materials.

Cary Carroll, 7700 Chief Spotted Tail-spoke about a subdivision plat for his property located in Celina's ETJ for which he was asked to pay \$2500 in review fees. He asked for his \$2500.00 back and compensation for the easement he gave.

Tom Jenkins, 3657 Heritage Trail-spoke in favor of the increase in size for accessory buildings and the easing of building material requirements.

Bobby Apple, 15681 W. FM 455-spoke in support of item VIII-C, Multi-Family property lot coverage.

Lauri Johnson, 112 N. Arizona-cited numerous complaints regarding the Turquoise Firefly bar located next door to her home and asked for relief.

VII. CONSENT AGENDA:

- A. Consider and act upon approval of minutes from: 11/12/12.
- B. Consider and act upon approval of an Interlocal Agreement by and between the City of Celina and Denton County for Fire Protections Services.
- C. Consider and act upon approval of an Interlocal Agreement by and between the City of Celina and Denton County for Ambulance Services.
- D. Consider and act upon approval of a resolution calling a Special Election to be held Saturday, February 2, 2013, for the purpose of electing a Council member for Place 3 for the remainder of a three (3) year term. (*Resolución del Concilio Municipal de la Ciudad de Celina, Tejas, se ordena y convoca la Eleccion especial para el fin de elegir un miembro del concilio de lugar 3 por el resto del termino actual (tres anos).* (2012-29R)
- E. Consider and act upon approval of an agreement by and between the City of Celina and Denton County Elections Administrator for Election Services.
- F. Consider and act upon approval of a Construction Plat, (CP-12-04) for The Carter Ranch, Phase 5A, approximately 13.5399 acres situated in the John Cahill Survey, Abstract No. 171 and containing 65 residential lots and 1 common area lot.
- G. Consider and act upon approval of an agreement by and between the City of Celina and Triple Creek Academy for exclusive use of the Old Celina Park baseball and softball fields and authorize the city manager to sign same.

Councilman Nabors moved to approve the consent agenda as presented with Option 1 on the Special Election Contract for Services (item E). Councilwoman Roberts seconded. Motion carried. 6-yes;0-no.

VIII. PUBLIC HEARING/ACTION:

- A. The Celina City Council will conduct a public hearing to consider testimony and take action regarding an ordinance (2012-26) amending the City's Code of Ordinances Chapter 14: Zoning, Article 14.04: Use Regulations; Section 14.004.002: Accessory Buildings and Use Regulations.

Planning Director Helen-Eve Liebman noted some proposed changes to the ordinance presented in the packet. Mayor Pro Tem McCally opened the public hearing for comment. Those present and speaking were: Dick Taylor, 3849 Haymeadow, who expressed an objection to iron clad requirement on an all brick material. Tom Jenkins, 3657 Heritage Trail, agreed with Mr. Taylor and asked for reconsideration on brick and stone requirements. Gary Benner, 3097 Preston Hills Circle, agrees with alternative building materials and upping the size of buildings. The public hearing was closed. Councilman Nabors moved to accept item A as presented (with noted changes). Councilman Webber seconded. Motion carried. 5-yes;1-no (Councilwoman Roberts)

- B. The Celina City Council will conduct a public hearing to consider testimony and take action regarding

an ordinance (2012-27) amending the City's Code of Ordinances, Chapter 14: Zoning, Article 14.01: General Provisions; Section 14.01.007: Definitions by eliminating the definitions for "Coverage"; and amending the definition for "Lot Coverage".

Mayor Pro Tem McCally opened the public hearing for comment. No comment received. The public hearing was closed. Councilman Webber moved to approve item B. Councilman Terry seconded. Motion carried. 6-yes;0-no.

- C. The Celina City Council will conduct a public hearing to consider testimony and take action regarding an ordinance (2012-28) amending the City's Code of Ordinances, Chapter 14: Zoning, Article 14.03: Zoning Districts; Division 1: Generally Section 14.03.019: MF1, Multiple-Family Residential-Medium Density District; and Section 14.03.020 MF2, Multiple-Family Residential-High Density District by providing new rules for Lot Coverage.

Mayor Pro Tem McCally opened the public hearing for comment. No comment received. The public hearing was closed. Councilman Terry moved to approve item C. Councilwoman Roberts seconded. Motion carried. 6-yes;0-no.

- D. The Celina City Council will conduct a public hearing to consider testimony and take action regarding an ordinance (2012-29) amending the City's Code of Ordinances, Chapter 10: Subdivision Regulations, Article 10.03: Subdivision Ordinance; Procedures; Section 10.03.083: Concept Plan to replace said Section with a General Development Plan.

Mayor Pro Tem McCally opened the public hearing for comment. Those present and speaking were Cary Carroll, 7700 Chief Spotted Tail, spoke about the high cost of consulting fees. Some cannot afford to develop when the city makes things too elaborate. Councilman Berg said staff was doing a good job making it easier to come here (Celina). The public hearing was closed. Councilman Webber moved to approve item D. Councilman Nabors seconded. Motion carried. 6-yes;0-no.

- E. The Celina City Council will conduct a public hearing to consider testimony and take action regarding an ordinance (2012-30) amending the City's Code of Ordinances, Chapter 10: Subdivision Regulations, Article 10.03: Subdivision Ordinance; Section 10.03.122: Streets; Subsection (a) Conformity to Thoroughfare Plan.

Mayor Pro Tem McCally opened the public hearing for comment. No comment received. Councilman Berg moved to approve item E. Councilman Webber seconded. Motion carried. 6-yes;0-no.

- F. The Celina City Council will conduct a public hearing to consider testimony and take action regarding an ordinance (2012-31) amending Ordinance No. 2009-28, as heretofore amended, the same being the Celina Comprehensive Plan and Thoroughfare Plan Ordinance.

Mayor Pro Tem McCally opened the public hearing for comment. Those present and speaking were Cary Carroll, 7700 Chief Spotted Tail, told council that the R-O-W easements for collector streets should be more specific, such as 75' for two lanes and 90' for three lanes. The public hearing was closed. Councilman Nabors moved to approve item F. Councilman Berg seconded. Motion carried. 6-yes;0-no.

IX. ACTION ITEMS:

- A. Consider and act upon an ordinance (2012-32) amending the City's Code of Ordinances, Appendix A: Fee Schedule; Article A6.00: Subdivision, Zoning and Land Usage Fees to provide for a Certificate of Appropriateness Fee.

Planning Director Helen-Eve Liebman suggested lowering the fee to \$50.00 from the \$100.00 written in the ordinance. Councilman Nabors moved to approve item A with the stipulated fee of \$50.00. Councilman Terry seconded. Motion carried. 6-yes;0-no.

- B. Consider and act upon direction for staff to recommend amendments of the Celina Code of Ordinances, Chapter 14, Zoning, and Chapter 10, Subdivision Regulations.

Councilman Terry moved to approve item B. Councilman Webber seconded. Motion carried. 6-yes;0-no.

- C. Consider and act upon amendments to the Waste Management Inc. contract with one-time per week garbage pick-up, one time per week recycle pick up and rate adjustment and authorize the City Manager to execute the amended contract.

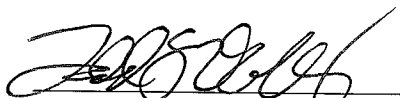
Councilman Terry moved to table item C until next month's meeting for public input. Councilwoman Roberts seconded. Motion carried. 6-yes;0-no.

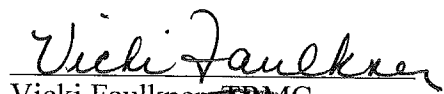
D. Consider and act upon a bid award for water line utility relocation on State Highway 289 (Preston Road)

Councilman Nabors moved to award the bid to Kart Construction. Councilman Terry seconded. Motion carried. 6-yes;0-no.

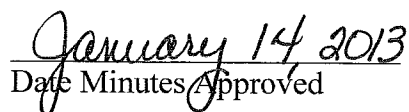
X. ADJOURNMENT:

There being no further comment, Councilman Nabors moved to adjourn. Mayor Pro Tem McCally adjourned the meeting at 7:38 p.m.


Todd McCally, Mayor Pro Tem


Vicki Faulkner, FRMC
City Secretary, City of Celina, Texas




Date Minutes Approved