



**CITY COUNCIL WORKSESSION, PUBLIC HEARING, & REGULAR MEETING
CELINA COUNCIL CHAMBERS
302 W. WALNUT STREET
MONDAY, NOVEMBER 8, 2010
5:00 P.M. Regular Session/Worksession / 6:30 P.M. Public Hearing**

MINUTES

REGULAR SESSION 5:00 P.M.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Jim Lewis called the meeting to order at 5:00 p.m. Council members present were Dick Smith, Dewey Isham and Bill Webber. Mayor Pro Tem Sean Terry arrived at 5:09 p.m. Councilman Wayne Nabors arrived at 5:16 p.m.

II. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- A. Monthly Police Dept Report, Monthly Fire Dept Report, Monthly Public Works Dept Report, Monthly Financial Report, Monthly Development Services Report, Monthly Main Street Report, Monthly Parks Dept Report, Monthly Library Report, Monthly EDC Report and all agenda items

City Council convened into executive session at 5:34 p.m. with City Attorney Lance Vanzant.

III. EXECUTIVE SESSION:

City Council will convene into Executive Session pursuant to Texas Government Code Section 551.071, Consultation with Attorney, to seek the advice of the City Attorney or other legal counsel concerning pending or contemplated litigation or on a matter in which the duty of the attorney (s) to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, and Section 551.074, Personnel Matters.

- A. Fire and EMS Department
B. City Manager-Annual Review

City Council reconvened into open session at 6:30 p.m. No action was taken upon items discussed in executive session.

PUBLIC HEARING/ACTION ITEMS 6:30 p.m.

- IV. PLEDGE OF ALLEGIANCE/INVOCATION:** Cub Scout Pack #296 led the pledge of allegiance. Reverend Jodi Smith gave the invocation. Reverend Smith also gave information to the council and audience about the First United Methodist Church preschool and afterschool program.

- V. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:** Mayor Jim Lewis presented a plaque to Donna Glendening in appreciation of her late husband's service on the City Council.

VI. OPEN FORUM:

Eric Becker spoke in favor of allowing Golf Carts on city streets.

Herb Miller, 1505 Brook Lane, spoke in praise of the Celina Speaks forum presented on November 4. Mr. Miller also questioned the selling of fire department equipment. Pete Kimbark asked about the status of the sewer rate calculation study and when council might be ready to act on a new methodology.

VII. CONSENT AGENDA:

- A. Consider and act upon approval of minutes from: 10/04/2010, 10/07/2010, 10/11/2010, 10/18/2010
- B. Consider and act upon approval of a resolution certifying surplus city property (fire department), and designating a method of sale for such surplus property by auction. (2010-40R)
- C. Consider and act upon a resolution of the City Council of the City of Celina, Texas, accepting the 2010 Certified Tax Roll for the City of Celina. (2010-41R)
- D. Consider and act upon an inter-local agreement between the City of Celina and Collin County for road improvements.

Mayor Pro Tem Terry moved to approve the consent agenda as written. Councilman Webber seconded. Motion carried. 5-yes;0-no.

VIII. PUBLIC HEARING/ACTION:

- A. Z10-16 The City Council will conduct a public hearing to consider testimony and take action regarding an ordinance of the City of Celina, Texas, amending Ordinance No. 2006-57, as heretofore amended, the same being the Comprehensive Zoning Ordinance, and amending the official Zoning Map of the city by designating the zoning of land that is approximately 267.63 acres, being part of the Richard Alderson Survey, Abstract 7, and part of the Spencer Rice Survey, Abstract 788, Collin County, Texas, being known as the 184 acres set aside to Jim B. Goodner and Mary G. Moore by Partition Deed dated March 10, 1973, recorded in Volume 243, Page 369 of the Deed Records of Collin County, Texas, and more fully described in Exhibit "A" and shown graphically in Exhibit "B" attached hereto and incorporated herein, to be zoned "MU-1/PD44" Mixed Use Regional District.

Item tabled.

- B. Z10-14 The City Council will conduct a public hearing to consider testimony and take action on an ordinance regarding a rezoning request from AG (Agriculture) to MU-2 (Mixed Use Regional), for a property located generally located west of FM 428, west of Smiley Rd, south of Celina Rd and north of FM 428, Denton County and more specifically known as A0211A COWAN, TR 24, OLD DCAD SHT 1, TR #12 and containing 5.27 acres.

Mayor Lewis opened the hearing at 6:53 p.m. No comments received. Mayor Lewis closed the hearing. Councilman Isham moved to approve the zoning request (2010-68). Councilman Nabors seconded. Motion carried. 5-yes;0-no.

- C. Z10-15 The City Council will conduct a public hearing to consider testimony and take action on an ordinance regarding a rezoning request from AG (Agriculture) to MU-2 (Mixed Use Regional), for a property located generally located west of FM 428, west of Smiley Rd, south of Celina Rd and north of FM 428, Denton County and more specifically known as A0211A COWAN, TR 25, OLD DCAD SHT 1, TR #26 and containing 24.49 acres.

Mayor Lewis opened the hearings on item C and item E at 7:03 p.m. No comment received. Mayor Lewis closed the hearing. Councilman Smith moved approval of Z10-15 (2010-69) and Z10-18 (2010-70) as requested. Councilman Webber seconded. Motion carried. 5-yes;0-no.

- D. Z10-17 The City Council will conduct a public hearing to consider testimony and take action on an ordinance regarding a rezoning request from AG (Agriculture) to MU-2/PD45 (Mixed Use Regional), for a property located generally located east of Preston Road, west of CR 97, south of CR 134 and north of CR 100, Collin County and more specifically known as A0753 W H RATTON SURVEY, TRACT 7, 28.345 ACRES; A0048 L M BOYD SURVEY, TRACT 1, 68.34 ACRES and containing 96.5905 acres.

Mayor Lewis opened the hearing at 7:05 p.m. Thom Hillsman representing the request stated that he is trying to stay competitive and do what the city would like. The hearing is continued.

E. Z10-18 The City Council will conduct a public hearing to consider testimony and take action on an ordinance regarding a rezoning request from AG (Agriculture) to MU-2 (Mixed Use Regional), for a property located generally located east of FM 428, west of CR 51, south of FM 428 and north of CR 7, Collin County and more specifically known as A0360 F D GARY SURVEY, TRACT 5 and containing 64.6191 acres.

See item C. (2010-70)

F. Z10-20 The City Council will conduct a public hearing to consider testimony and take action on an ordinance regarding a rezoning request from AG (Agriculture) to MU-2 (Mixed Use Regional), for a property located generally located west of Preston Road, north of CR 55 and east of BNSF Railroad, Collin County and more specifically known as A0132 B B B & C RY CO SURVEY, TRACT 14 and containing 64.543 acres.

Mayor Lewis opened the hearing for item F and G at 7:26 p.m. No comment received. The hearing is continued.

G. Z10-21 The City Council will conduct a public hearing to consider testimony and take action on an ordinance regarding a rezoning request from AG (Agriculture) to MU-2 (Mixed Use Regional), for a property located generally located west of Preston Road, north of CR 55 and east of BNSF Railroad, Collin County and more specifically known as A0132 B B B & C RY CO SURVEY, TRACT 36, and containing 1.46 acres.

See item F.

H. Z10-22 The City Council will conduct a public hearing to consider testimony and take action on an ordinance regarding a rezoning request from AG (Agriculture) to C-2 (General Commercial), for a property located generally located west of Preston Road, and north of Founders Lane, Collin County and more specifically known as A0170 COLLIN COUNTY SCHOOL LAND #15 SURVEY, BLK 2, TRACT 26, 4.205 ACRES; A0170 COLLIN COUNTY SCHOOL LAND #15 SURVEY, BLK 2, TRACT 57, .19 ACRES and containing 5.379 acres.

Mayor Lewis opened the hearing at 7:34 p.m. No comment received. Mayor Lewis closed the hearing. Councilman Webber moved to approve zoning request Z10-22 (2010-71). Councilman Smith seconded. Motion carried. 5-yes;0-no.

I. Z10-23 The City Council will conduct a public hearing to consider testimony and take action on an ordinance regarding a rezoning request from C-1 (Retail) to C-2 (General Commercial), for a property located generally located west of Preston Road, and south of FM 455, Collin County and more specifically known as A0767 J K RICE SURVEY, TRACT 30, and containing 4.39 acres.

Mayor Lewis opened the hearing at 7:36 p.m. A citizen asked where this property is located. Mayor Lewis closed the hearing. Councilman Isham moved to approve the zoning (2010-72). Mayor Pro Tem Terry seconded. Motion carried. 5-yes;0-no.

J. Z10-24 The City Council will conduct a public hearing to consider testimony and take action on an ordinance regarding a rezoning request from AG (Agriculture) to MU-2 (Mixed Use Regional), for a property located generally located west of CR 6, and south of Carey Road, Denton County and more specifically known as A1029A W. PHILLIPS, TR 1, OLD DCAD TR #1; A1265A A. THOMPSON, TR 1A and containing 49.31 acres.

Mayor Lewis opened the hearing at 7:38 p.m. No comment received. Mayor Lewis closed the hearing. Councilman Webber moved to approve the zoning (2010-73). Councilman Smith seconded. Motion carried. 5-yes;0-no.

K. Z10-25 The City Council will conduct a public hearing to consider testimony and take action on an ordinance regarding a rezoning request from AG (Agriculture) to MU-2 (Mixed Use Regional), for a property located generally located east of Smiley Road, and north of FM 428, Denton County and more specifically known as A0211A COWAN, TR 9B and containing 36.78 acres.

Mayor Lewis opened the hearing for item K and L at 7:45 p.m. No comment received. Mayor Lewis closed the hearing. Councilman Smith moved to approve Z10-25 (2010-74) and Z10-26 (2010-75). Councilman Nabors seconded. Motion carried. 5-yes;0-no.

L. Z10-26 The City Council will conduct a public hearing to consider testimony and take action on an ordinance regarding a rezoning request from AG (Agriculture) to MU-2 (Mixed Use Regional), for a property located generally located east of Smiley Road, and north of FM 428, Denton County and more specifically known as A0211A COWAN, TR 9A, 10 ACRES; A0211A COWAN, TR 9, 19.367 ACRES, OLD DCAD SHT 1, TR #7; EASTERN HILLS ESTATES LOT 6 (N PART); EASTERN HILLS ESTATES LOT 6 (SE PT); A0211A COWAN, TR 5A(1), 10.604 ACRES and containing 57.187 acres.

See item K. (2010-75)

M. AM10-13 The City Council will conduct a public hearing to consider testimony and take action on an ordinance regarding Chapter 160: Zoning, Section 160.080 (G) Subsection (8) Area regulations for accessory buildings in residential and multi-family districts in the Code of Ordinances, City of Celina, Texas is hereby amended by adding a new section, to be numbered 4. Adjacent to Greenways.

Mayor Lewis opened the hearing at 7:50 p.m. No comment received. Mayor Lewis closed the hearing. Councilman Nabors moved to approve the amendment (2010-76). Councilman Isham seconded. Motion carried. 5-yes;0-no.

IX. ACTION ITEMS:

A. Consider and act upon a water leak credit policy.

Councilman Terry moved to approve a new water leak policy. Councilman Smith seconded. Motion carried. 5-yes;0-no.

B. Consider and act upon an agreement for consulting services by and between the City of Celina and Solutions for Local Control, LLC.

Item tabled.

C. Consider and act upon a correction development agreement by and between the City of Celina and Oncor Electric Delivery regarding payment for a visual screen of an Oncor Distribution Facility.

Item tabled.

D. Consider and act upon membership into the Arts of Collin County.

Councilman Nabors moved to not enter into a commitment. Councilman Isham seconded. Motion carried. 5-yes;0-no.

E. Consider and act upon an ordinance of the City Council of Celina, Texas, amending the City's code of Ordinances, Title V: Public Works, Municipal Service Plan. AM10-14

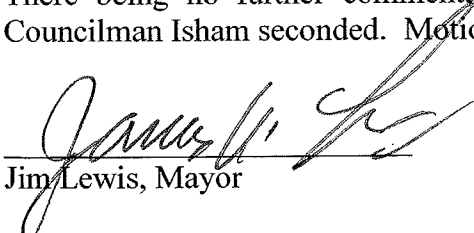
Item tabled.

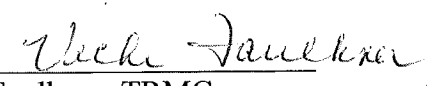
F. Consider and act upon an ordinance regulating the driving of golf carts on public roadways.

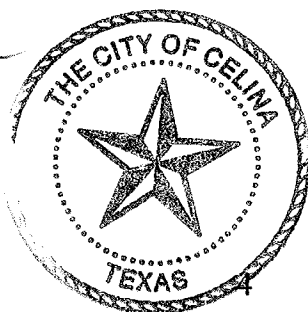
Item tabled.

X. ADJOURNMENT:

There being no further comment, Mayor Lewis accepted a motion from Councilman Smith to adjourn. Councilman Isham seconded. Motion carried. 5-yes;0-no. The meeting adjourned at 8:34 p.m.


Jim Lewis, Mayor


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



12/13/10
Date Minutes Approved