



CITY COUNCIL WORKSESSION, PUBLIC HEARING, & REGULAR MEETING
CELINA COUNCIL CHAMBERS 302 W. WALNUT STREET
TUESDAY, SEPTEMBER 9, 2014
5:00 P.M. Worksession/Regular Session/ 6:30 P.M. Public Hearing/Action

M I N U T E S

WORKSESSION/REGULAR SESSION 5:00 P.M.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Sean Terry called the meeting to order at 5:00 p.m. Councilmembers present were Mayor Pro Tem Roberts, George Kendrick, Wayne Nabors, Vincent Ramos, Lori Vaden and Chad Anderson.

II. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- A. Engineering update – *City Engineer Gabe Johnson reviewed the E. Ash Street project, the fire station, the southeast sector sewer line and possible eminent domain processes for right of way on Frontier Parkway.*
- B. Library update – *Director of Library Services Linda Shaw updated the council on recent library activities, inter-library loans and a grant application for an automation system.*
- C. Police Department body camera video – *Police Chief Mark Metdker presented a certificate to Office Mike Proffer for his professionalism during a police call.*
- D. Nominations Committee for Boards & Commissions appointments – *City Secretary Vicki Faulkner asked for council volunteers to serve on a nominations committee. Mayor Pro Tem Roberts, Councilwoman Vaden and Councilman Anderson volunteered.*
- E. Discussion regarding any and all agenda items – *no further discussion was had.*

Mayor Terry called for a recess at 5:31 p.m.

III. EXECUTIVE SESSION:

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

Mayor Terry reconvened the meeting at 6:30 p.m.

IV. PLEDGE OF ALLEGIANCE/INVOCATION:

Summer Reading Program Participants

Mayor Terry invited the Summer Reading Program Participants to the front of the room to lead the pledge of allegiances. Corbett Howard gave the invocation.

V. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

- A. 2014 Certificate of Achievement for Planning Excellence Presentation

Mayor Terry read the certificate and presented it to Director of Planning and Development Services Helen Eve Liebman and Planner Ben Rodriguez.

B. Governor's Preparedness Month Proclamation – *Mayor Terry read the proclamation.*

C. Constitution Week – *Mayor Terry read the proclamation*

VI. OPEN FORUM:

Those speaking were:

Jack Reeves of 3879 Haymeadow regarding a county installed rock dam from years ago that is causing some flooding issues in his neighborhood. He asked if the city could help maintain the easement.

Tom Jenkins of 3657 Heritage Trail regarding a rock dam in a drainage easement in his neighborhood that causes water to collect. He would like the city to maintain this as it draws snakes, rats and mosquitos.

Michael Hailes of 305 E. Pecan Street suggested that the city consider a green waste recycling site for the residents.

Robert Oake of 1218 Philip Drive in Allen read a portion of a letter from property owner Tom Mosey regarding action Items H and I.

VII. CONSENT AGENDA:

- A. Consider and act upon approval of meeting minutes from: 08/12/2014, 08/19/2014, 8/26/2014. Faulkner
- B. Consider and act upon approval of an Interlocal Cooperation Agreement by and between the City of Celina and Collin County for road maintenance in Collin County. J. Johnson
- C. Consider and act upon an engineering consultant change order with Pacheco Koch, LLC in the maximum amount of \$154,640, for the Southeast Sector Sewer Line Survey and Route Alignment. G. Johnson
- D. Consider and act upon a resolution (2014-43R) of the City Council of the City of Celina, Texas, authorizing the filing of a 2015 Tocker Foundation Grant Application for public libraries serving populations of 12,000 or less for the purpose of purchasing an automation system subscription. L. Shaw
- E. Consider and act upon a correction ordinance (2014-34) of the City of Celina, Texas, correcting Ordinance 2014-17, to correct a clerical error in Section 3 of Ordinance 2014-17. Liebman
- F. Consider and act upon an ordinance (2014-35) of the City Council of the City of Celina, Texas, amending the City's Code of Ordinances, Chapter 12: Traffic and Vehicles, Article 12.05: Truck Routes; Section 12.05.004: Use Required; Routes Designated and Section 12.05.005: Posting of Signs. Metdker

City Attorney Lance Vanzant noted that Article 9 on Item C regarding engineering services needs to be deleted. Mayor Pro Tem Roberts moved to approve the consent agenda with the change to item C as noted. Councilman Kendrick 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 receive public input regarding the proposed FY2015 Annual City Budget.

Mayor Terry opened the hearing. Councilman Nabors commended Finance Director Jay Toutouchian for his work on the budget. No comments were received. Mayor Terry closed the hearing.

- B. The Celina City Council will conduct a public hearing to consider testimony on a voluntary annexation request for 78.9779 acres in the Collin County School Land #14 Survey, Abstract A0167, Collin County, Texas. The property is generally located at the southwest corner of SH289 (Preston Road) and County Road 53.

Mayor Terry opened the hearing. No comments were received. Mayor Terry closed the hearing.

- C. The Celina City Council will conduct a public hearing to consider testimony on a voluntary annexation request for 78.776 acres in the George Wiley Survey, Abstract A0988, Collin County,

Texas. The property is generally located at north and west of FM428, east of County Road 54, and south of County Road 8.

Mayor Terry opened the hearing. No comments were received. Mayor Terry closed the hearing.

- D. The Celina City Council will conduct a public hearing to consider testimony on the involuntary annexation of 3.99 acres situated in the Collin County School Land #14 Survey, Abstract No. 0167. The property is generally located west of SH 289 (Preston Road), north of County Road 5 (Frontier Parkway), east of the Burlington Northern Santa Fe Railroad, and south of County Road 88.

Mayor Terry opened the hearing. No comments were received. Mayor Terry closed the hearing.

- E. The Celina City Council will conduct a public hearing to consider testimony on the involuntary annexation of .702 Acres situated in the Spencer Rice Survey, Abstract No. 0788, Tract 15. The property is generally located west of Dallas Parkway, north of County Road 970, south of County Road 7, and east of County Road 6.

Mayor Terry opened the hearing. No comments were received. Mayor Terry closed the hearing.

- F. The Celina City Council will conduct a public hearing to consider testimony on the involuntary annexation of 5.3715 acres situated in the Collin County School Land #14 Survey, Abstract No. 0167, Block 4, Tract 53. The property is generally located west of SH 289 (Preston Road), north of County Road 5 (Frontier Parkway), east of the Burlington Northern Santa Fe Railroad, and south of County Road 88.

Mayor Terry opened the hearing. No comments were received. Mayor Terry closed the hearing.

- G. The Celina City Council will conduct a public hearing to consider testimony on the involuntary annexation of 19.9961 acres situated in the Jonathan Westover Survey, Abstract No. 1030, Block 1, Tract 12. The property is generally located east of SH 289 (Preston Road), north of FM1461 (Frontier Parkway), west of Preston Hills Circle, and south of County Road 83.

Mayor Terry opened the hearing. No comments were received. Mayor Terry closed the hearing.

- H. The Celina City Council will conduct a public hearing to consider testimony on the involuntary annexation of 2.0 acres situated in the Collin County School Land #14 Survey, Abstract No. 0167, Tract 92. The property is generally located west of SH 289 (Preston Road), north of County Road 5 (Frontier Parkway), east of Business 289 (S. Oklahoma Dr.), and south of E. Ash St.

Mayor Terry opened the hearing. Danielle Chapa with Mudpies and Lullabies is opposed to the annexation because they want to develop the rest of the property to the same architectural standards they used with the current building. Mayor Terry closed the hearing.

- I. The Celina City Council will conduct a public hearing to consider testimony on the involuntary annexation of 20.0 acres situated in the Spencer Rice Survey, Abstract No. 788, Tracts 17 & 21. The property is generally located west of Dallas Parkway, north of County Road 970, south of County Road 7, and east of County Road 6.

Mayor Terry opened the hearing. No comments were received. Mayor Terry closed the hearing.

IX. ACTION ITEMS:

- A. Consider and act upon a resolution (2014-44R) approving the Celina Economic Development Corporation Budget for FY2015. Toutouchian

Mayor Pro Tem Roberts moved to approve the Celina Economic Development Corporation Budget. Councilman Nabors seconded. Motion carried. 6-yes;0-no.

- B. Consider and act upon a resolution (2014-45R) approving the Celina Community Development Corporation Budget for FY2015. Toutouchian

Councilman Nabors moved to approve item B. Chad Anderson seconded. Motion carried. 6-yes;0-no.

- C. Consider and act upon approval of an ordinance (2014-36) of the City of Celina, Texas adopting and approving the budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015, and making appropriations for each department, project and account; providing for expenditures of funds; providing for filing of documents. Toutouchian

Mayor Pro Tem Roberts moved to approve Item C. Councilman Ramos seconded. Motion carried. Mayor Terry called the roll for votes. Councilman Anderson-yes; Councilwoman Vaden-yes; Councilman Ramos-yes; Councilman Nabors-yes; Councilman Kendrick-yes; Mayor Pro Tem Roberts-yes.

- D. Consider and act upon ratification of a property tax increase reflected in the FY2015 Budget. Toutouchian

Councilman Nabors moved to approve item D. Councilman Ramos seconded. Motion carried. Mayor Terry called the roll for votes. Councilman Anderson-yes; Councilwoman Vaden-yes; Councilman Ramos-yes; Councilman Nabors-yes; Councilman Kendrick-yes; Mayor Pro Tem Roberts-yes.

- E. Consider and act upon approval of an ordinance (2014-37) of the City of Celina, Texas, fixing and levying municipal Ad Valorem taxes for the fiscal year beginning October 1, 2014 and ending September 30, 2015, and for each fiscal year thereafter until otherwise provided, at a rate of \$.645 per one hundred dollars (\$100) assessed valuation on all taxable property within the corporate limits of the city; this tax rate will raise more taxes for maintenance and operations than last year's tax rate; directing the assessment thereof to provide revenues for the payment of current operation and maintenance expenses and indebtedness of the city; providing for due and delinquent dates together with penalties and interest; providing for collection by the Collin and Denton County Tax Assessor/Collector. Toutouchian

Councilman Kendrick moved that the property tax rate be increased by the adoption of a tax rate of 0.645000, which is effectively a 4.01 percent increase in the tax rate. Councilman Anderson seconded. Motion carried. Mayor Terry called the roll for votes. Councilman Anderson-yes; Councilwoman Vaden-yes; Councilman Ramos-yes; Councilman Nabors-yes; Councilman Kendrick-yes; Mayor Pro Tem Roberts-yes.

- F. Consider and act upon an ordinance (2014-38) of the City Council of the City of Celina, Texas, amending the City's Code of Ordinances, Chapter 1: General Provisions; Article 1.12: Special Events. Liebman

Director of Planning and Development Services explained the changes to the special events ordinance. Mayor Pro Tem Roberts moved to approve item F. Councilman Nabors seconded. Motion carried. 6-yes; 0-no.

- G. Consider and act upon approval of a request from Eden Hill Vineyard for a temporary waiver from Celina Code of Ordinances Chapter 8, Offenses and Nuisances, Article 8.01 General Provisions, Section 8.01.002 Consumption of Alcoholic Beverage in a Public Place, to allow them to serve alcohol (wine) and sell bottled wine during the Celina Balloon Festival at Old Celina Park on September 12th and September 13th. Wilson

This item was acted upon before the public hearing section of the agenda. Mainstreet Director Terri Wilson presented the request. Councilman Anderson moved to approve item G. Mayor Pro Tem Roberts seconded. Motion carried. 4-yes; 2-no (Councilman Nabors, Councilman Kendrick).

- H. Consider and act upon a resolution (2014-41R) finding that a public necessity exists to acquire an easement in real property along the north of Frontier Parkway west of Dallas Parkway; providing notice of an official determination to acquire real property for a drainage easement; authorizing the city manager to obtain the necessary appraisal report and make a bona fide offer of just compensation for the hereinafter described tract; authorizing legal counsel to institute eminent domain proceedings on behalf of the City for the acquisition of said tract; appropriating funds from a lawful source; and providing for an effective date. G. Johnson

Mayor Terry recused himself from the discussion of items H and I due to a conflict of interest and left the room at 7:07 p.m. City Engineer Gabe Johnson explained the need for item H and item I noting that the city is not using eminent domain at this time but is only authorizing the use should it become necessary. Mayor Pro Tem Roberts moved that the City of Celina pass Resolution No. 2014-41R and authorize the use of the power

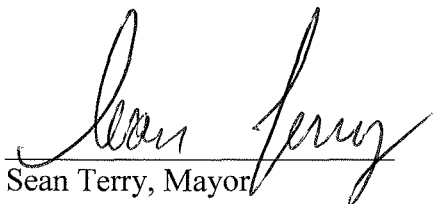
of eminent domain to acquire an easement in real property for water and/or sewer drainage along the north of Frontier Parkway west of Dallas Parkway and more particularly described in Exhibit "A." Councilman Nabors seconded. Motion carried. 6-yes;0-no.

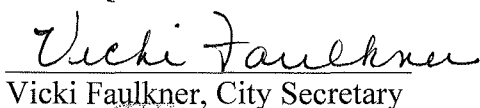
- I. Consider and act upon a resolution (2014-42R) finding that a public necessity exists to acquire real property in fee simple for the construction, widening, and expansion of a public right-of-way along Frontier Parkway west of Dallas Parkway; providing notice of an official determination to acquire real property for a public right-of-way; authorizing the city manager to obtain the necessary appraisal report and make a bona fide offer for just compensation for the hereinafter described tract; authorizing legal counsel to institute eminent domain proceedings on behalf of the City for the acquisition of said tract; appropriating funds from a lawful source; and providing for an effective date.
- G. Johnson

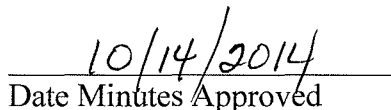
Councilman Nabors moved that the City of Celina pass Resolution No. 2014-42R and authorize the use of the power of eminent domain to acquire real property in fee simple for the construction, widening, and expansion of a public right-of-way along the north of Frontier Parkway west of Dallas Parkway and more particularly described in Exhibit "A." Councilman Anderson seconded. Motion carried. 6-yes;0-no.

X. ADJOURNMENT:

There being no further comment Mayor Pro Tem Roberts adjourned the meeting at 7:15p.m.


Sean Terry, Mayor


Vicki Faulkner, City Secretary


Date Minutes Approved

