



**CITY COUNCIL WORKSESSION, PUBLIC HEARING, & REGULAR MEETING
CELINA COUNCIL CHAMBERS
302 W. WALNUT STREET
MONDAY, AUGUST 9, 2010
5:00 P.M. Regular Session/Worksession/6:30 P.M. Public Hearing**

MINUTES

REGULAR SESSION

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Jim Lewis called the meeting to order at 5:12 p.m. Council members present were Mayor Pro Tem Sean Terry, Brad Glendening, Wayne Nabors and Dick Smith. Council members Bill Webber and Dewey Isham were absent.

II. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

A. Monthly Reports were given by Police Chief Joe Williams, Fire Marshal Mark Metdker, Public Works Director Joseph Johnson, Finance Director Jay Toutouchian, Director of Planning Keith Billick, Park Director Matt Furr, Library Director Linda Shaw. EDC Director Corbett Howard introduced new Chamber of Commerce President Jeran Akers.

B. Discussion regarding affects of a local option election on annexed property-City Attorney Lance Vanzant gave a brief history of local option elections and annexations noting the Secretary of State's opinion of the subject and suggesting ways to try to change that opinion or obtain clarification through the state legislature.

C. Discussion regarding proposed FY2011 annual budget-presentation given by City Manager Jason Gray.

D. Discussion regarding the methodology of calculating residential sewer charges-after statements made by citizen Peter Kimbark who presented a petition requesting winter averaging and refunds, City Manager Jason Gray explained utility operations, rate methods and current financial position of the utility fund.

City Council took a recess at 5:59 p.m. The meeting reconvened at 6:34 p.m.

III. EXECUTIVE SESSION:

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

IV. PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor Jim Lewis led the pledges. Councilman Wayne Nabors gave the invocation

V. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

VI. OPEN FORUM:

Citizen Marilyn Colon stated that a group of citizens would be traveling to Austin to discuss the affects of a local option election on annexed property with the Secretary of State. She invited city leaders to attend as well.

Citizen Peter Kimbark discussed a petition that he circulated regarding the current sewer charge calculation method and citizen response to the recent rate increase. He stated that the current system is unfair and that winter averaging is fair. The petition asks for winter averaging to be implemented by November 1st and a refund of excess money received by the city dating from March 2010 on the billing differences between the methods by November 1st.

VII. PUBLIC HEARING/ACTION:

- A. The Celina City Council will conduct a public hearing to consider testimony regarding the submission of applications to the Texas Department of Rural Affairs for Texas Community Development Block Grant Program (TXCDBG) grant funds.

Grant Administrator Jay Rice, with Public Management explained the purpose of the hearing. No comments received. Hearing closed.

- B. The Celina City Council will conduct a public hearing to consider testimony regarding annexation of the following properties:

- 1) 24.49 acres in Denton County located generally west of FM 428 and south of Celina Road.
- 2) 9.2 acres in Denton County located generally south of Celina Road
- 3) 5.5 acres in Denton County located generally south of Celina Road
- 4) 267.6 acres in Collin County located generally south of CR 54 and east of CR 6

No comments received. Hearing closed.

- C. The Celina City Council will conduct a public hearing and take action regarding an ordinance to rezone from AG (Agriculture) to I-1 (Light Industrial), for property generally located west of BNSF Rail road, south of CR 95, east of Business SH 289 and north of Malone St., Collin County and more specifically known as A0170 Collin County School Land #15 Survey, Blk 2, Tract 51 and containing 2.0 acres.

Applicant Mr. Staley told the council that the nature of his business was warehousing and metal paint coatings. No comments received. Councilman Nabors moved to approve the rezone (Ordinance No. 2010-31), of this parcel as read. Mayor Pro Tem Terry seconded. Motion carried. 4-yes;0-no.

VIII. CONSENT AGENDA:

- A. Minute Approval-07/12/2010

- B. Consider and act upon a petition for annexation and set public hearing dates of Monday, September 13, 2010 at 6:30 p.m., and Tuesday, September 14, 2010 at 6:00 p.m. for:

- 1) 96.59 acres in Collin County located generally east of SH 289 and south of CR 134
- 2) 168.78 acres in Collin County located generally east of Dallas North Tollway
- 3) 64.61 acres in Collin County located generally in the southeast corner of FM 428 and Celina Road
- 4) 23.4 acres in Collin County located generally east of FM 455 and north of CR 57

- C. Consider and act upon a resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of two cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation. (Resolution No. 2010-15R)

- D. Consider and Act regarding the certification of surplus city property and designating a method of sale for such surplus property by auction.

Councilman Glendening moved to adopt the consent agenda as written. Councilman Smith seconded. Motion carried. 4-yes;0-no.

IX. ACTION ITEMS:

A. Consider and act upon requests for water meter downsizing calculations and procedures. Mayor Pro Tem Terry moved to approve a policy downsizing calculations and procedures as requested by staff. Councilman Nabors seconded. Motion carried. 4-yes;0-no.

B. Consider and act to propose a 2010 Ad Valorem tax rate and set public hearing dates of Monday, August 23, 2010 at 6:00 p.m., and Monday, September 6, 2010 at 6:00 p.m. Councilman Nabors moved to propose a .645 cent tax rate. Mayor Pro Tem Terry seconded. Motion carried. 4-yes;0-no.

C. Consider and act upon a proposal for financial auditing services from Scott, Singleton, Fincher & Company. Councilman Smith moved to approve a contract from Scott, Singleton, Fincher & Company as presented for auditing services. Councilman Glendening seconded. Motion carried. 4-yes;0-no.

D. Consider and act upon an ordinance of the City Council of Celina, Texas, amending the City's Code of Ordinances, Title XV - Land Usage, Chapter 151: Building Regulations, Section 151.06 International Fire Code.

No action.

E. Consider and act upon an ordinance of the City Council of Celina, Texas, amending the City's Code of Ordinances, Title IX: General Regulations; Chapter 98: City Parks. Item E approved with item F. (Ordinance No. 2010-33)

F. Consider and act upon an ordinance of the City Council of Celina, Texas, amending the City's Code of Ordinances, Title III: Administration; Chapter 37: Master Fee Schedule. Councilman Glendening moved to approve park regulations (Ordinance No. 2010-33) and park fees (Ordinance No. 2010-32) subject to amendments as discussed. Mayor Pro Tem Terry seconded. Motion carried. 4-yes;0-no.

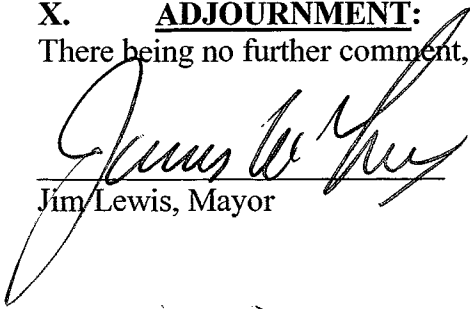
G. Consider and act upon a resolution of the City Council of the City of Celina, Texas, receiving a report of the city secretary determining and certifying the validity of petitions for two local option elections filed with the city. Councilman Smith moved to approve the resolution (Resolution No. 2010-16R). Councilman Glendening seconded. Motion carried. 4-yes;0-no.

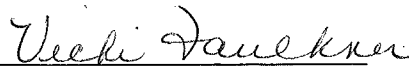
H. Consider and act upon a resolution of the City Council of the City of Celina, Texas, ordering and calling a special election pursuant to the Texas Election code to be held on November 02, 2010, specifically, a Local Option Election for the purpose of legalizing the sale of alcoholic beverages as set out in the issue recited in the application and petition received by the City of Celina Texas; to wit, (1) application for local option election to legalize the sale of beer and wine for off-premise consumption only and (2) application for Local Option Election to legalize the sale of mixed beverages in restaurants by food and beverage certificate holders only; making provisions for the conduct of the election and resolving other matters incident and related to such election.

Councilman Smith moved to approve the resolution (Resolution No. 2010-17R) as read. Mayor Pro Tem Terry seconded. Motion carried. 4-yes;0-no.

X. ADJOURNMENT:

There being no further comment, Mayor Lewis moved to adjourn the meeting at 9:22 p.m.


Jim Lewis, Mayor


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

09/13/2010
Date Minutes Approved

