



**CITY COUNCIL WORKSESSION, PUBLIC HEARING, REGULAR MEETING & SPECIAL JOINT
MEETING WITH CELINA ECONOMIC DEVELOPMENT CORPORATION
CELINA COUNCIL CHAMBERS 302 W. WALNUT STREET
TUESDAY, MAY 13, 2014**

4:30 P.M. Worksession/Regular Session/ 6:30 P.M. Public Hearing/Action

MINUTES

WORKSESSION/REGULAR SESSION 5:00 P.M. (Celina City Council only)

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Terry called the meeting to order at 4:30 p.m. Council members present were Mayor Pro Tem Roberts, Chad Anderson, George Kendrick and Bill Webber. Councilman Nabors arrived at 4:36 p.m. Councilman Ramos was absent.

II. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- A. University of Texas-Dallas Capstone Presentation-Professor Dr. Kiel introduced the project and students present. The project identified economic development tools and was presented by Adam Ma, Nicole Offerdahl and Danny Alexander.
- B. Introduction of new public works employee – Director of Public Works Joseph Johnson introduced Wastewater Maintenance Technician Jose Colorado.
- C. Advanced Metering Infrastructure update – Director of Public Works Joseph Johnson updated the council on the progress and challenges of implementing the program.
- D. General briefing of the eminent domain process – Land Use Attorney Julie Fort outlined procedural steps for eminent domain process.
- E. Status of southeast sector sewer line – given by City Engineer Gabe Johnson
- F. Engineering update – given by City Engineer Gabe Johnson
- G. No Thru Truck Traffic on FM 1461 discussion – City Engineer Gabe Johnson explained the problems residents are having and briefed the city council on TX DOT regulations regarding a No Truck Traffic area.
- H. Residential Solid Waste, Household Hazardous Waste Survey results – given by Assistant to the City Manager Michael Montgomery regarding frequency of pick up preferred and additional services.
- I. Election update – general election results given by City Secretary Vicki Faulkner.
- J. Commercial Building Permits in Extra Territorial Jurisdiction – Director of Planning and Development Services Helen-Eve Liebman explained the need for the proposed ordinance.
- K. Discussion regarding Light Farms residency requirements – City Attorney Lance Vanzant relayed the request from Light Farms to extend the city's sex offender ordinance into the Extra Territorial Jurisdiction of the City..
- L. Any and/or all agenda items posted-no other items discussed

The work session ended at 5:52 p.m.

Economic Development Corporation Board President Stacy Arias announced a quorum of the EDC board present. A quorum of the City Council was present. Mayor Terry convened the council into executive session at 5:52 p.m. with City Manager Mike Foreman, City Attorney Lance Vanzant, EDC Director Corbett Howard and a quorum of the EDC Board.

**JOINT MEETING WITH CITY COUNCIL AND CELINA EDC
CALL TO ORDER AND ANNOUNCE QUORUMS PRESENT**

III. EXECUTIVE SESSION:

City Council will convene into Executive Session pursuant to Texas Government Code Section 551.087 Deliberation Regarding Economic Development Negotiation.

- A. Confidential negotiations with potential businesses

RECONVENE INTO OPEN SESSION

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

JOINT MEETING ADJOURNMENT

City Council reconvened into open session at 6:30 p.m. No action was taken out of executive session. The joint meeting was adjourned at 6:30 p.m.

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

IV. PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor Terry led the pledge of allegiances. Councilman Nabors gave the invocation.

V. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

- A. Motorcycle Safety and Awareness Month-*No one was present to receive the proclamation.*
- B. National Public Works Week-*Mayor Terry presented the proclamation to the Public Works Department. Public Works Director Joseph Johnson thanked Wastewater Supervisor Ector Arguello, Water Supervisor David Stone and Street Supervisor Steven Smith (not present), for their accomplishments and that of their staff during the year.*
- C. National Preservation Month-*Mayor Terry presented the proclamation to Jack Ousley on behalf of the Main Street Program, Historic Preservation Commission and Collin County Historic Commission.*
- D. Junior Beta Club Community Service-*Assistant to the City Manager Michael Montgomery recognized Student Samuel Snyder for his work on "Building City Hall 101" and talked about what the students learned and the projects in which the students were involved.*

Mayor Terry also presented a National Police Week Proclamation to Police Chief Mark Metdker, Sergeant Shea Scott and Sergeant Tony Griggs.

City Manager Mike Foreman congratulated Assistant to the City Manager Michael Montgomery on his attainment of a Masters in Public Administration Degree.

VI. OPEN FORUM:

Roger Simpson of Ohio Drive spoke to the council about creating "no honk zones" for trains coming through the city at night.

Jace Ousley of 13116 FM 455 noted that the downtown area needed some attention to improve walkability, quality of life and property values.

VII. CONSENT AGENDA:

- A. Consider and act upon approval of minutes from: 04/08/2014, 04/29/2014.
- B. Consider and act upon approval of a resolution (2014-19R) of the City Council of the City of Celina, Texas, denying the rate increase requested by Atmos Energy Corp., Mid Tex Division under the Company's 2014 Annual Rate Review Mechanism filing in all cities exercising original jurisdiction; requiring the company to reimburse cities' reasonable ratemaking expenses pertaining to review of the RRM; authorizing the City's participation with Atmos Cities Steering Committee in any appeal filed at the Railroad Commission of Texas by the Company; requiring the company to reimburse cities' reasonable ratemaking expenses in any such appeal to the Railroad Commission; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; and requiring delivery of this resolution to the company and the Steering Committee's legal Counsel.
- C. Consider and act upon approval of a contract by and between the City of Celina and Mario Sinacola and Sons Excavating for development of a SH289 median opening (station 366+00) for the new fire station.

Councilman Webber moved to approve the Consent Agenda. Mayor Pro Tem Roberts seconded. Motion carried. 5-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 (2014-17) amending the City's Code of Ordinances, Chapter 14: Zoning; Article 14.05: Development Standards and Use Regulations; Division 5: Exterior Construction and Design Requirements; to amend the City's standards regarding building materials for non-residential developments.

Director of Planning and Development Services Helen-Eve Liebman presented the ordinance. Jace Ousley of 13116 FM 455 spoke about preserving the Old Town District and asked to have the option not to do 100 % masonry on commercial properties to preserve the history of the area. He suggested an Old Town Commercial zoning. Mayor Terry closed the hearing. Councilman Nabors moved to approve Item A. Councilman Nabors seconded. Motion carried. 5-yes;0-no.

- B. The Celina City Council will conduct a public hearing to consider testimony and take action regarding an ordinance (2014-18) amending the City's Code of Ordinances, Chapter 14: Zoning; Article 14.05: Development Standards and Use Regulations; Division 7: Performance Standards; Section 14.05.229 Lighting; to amend the City's standards regarding exterior lighting.

Director of Planning and Development Services Helen-Eve Liebman presented the ordinance. No public comment was received. Mayor Terry closed the hearing. Councilman Webber moved to approve Item B. Mayor Pro Tem Roberts seconded. Motion carried. 5-yes;0-no.

- C. The Celina City Council will conduct a public hearing to consider testimony and take action regarding an ordinance (2014-19) amending the City's Code of Ordinances, Chapter 14: Zoning; Article 14.05: Development Standards and Use Regulations; Division 3: Landscape Requirements; Section 14.05.087 Minimum landscaping requirements within new single-family, two-family (duplex) and manufactured home developments; to amend the City's standards regarding single family landscaping requirements.

Director of Planning and Development Services Helen-Eve Liebman presented the ordinance. No public comment was received. Mayor Terry closed the hearing. Councilman Nabors moved to approve Item C. Councilman Anderson seconded. Motion carried. 5-yes;0-no.

- D. The Celina City Council will conduct a public hearing to consider testimony and take action regarding an ordinance (2014-20) amending the City's Code of Ordinances, Chapter 14: Zoning; Article 14.03 Zoning Districts; Division 1: Generally; Section 14.03.009 PRO, Preston Road Overlay District; to amend the City's standards regarding building materials and shared driveways and access.

Director of Planning and Development Services Helen-Eve Liebman presented the ordinance. No public comment was received. Mayor Terry closed the hearing. Councilman Webber moved to approve Item D. Councilman Anderson seconded. Motion carried. 5-yes;0-no.

- E. The Celina City Council will conduct a public hearing on the creation of a Tax Incremental Reinvestment Zone and its benefits to the City of Celina and to provide a reasonable opportunity for any owner of property within the proposed reinvestment zone to protest the inclusion of their property within the proposed reinvestment zone, which proposed zone consists of approximately 321.357 acres generally located in the City of Celina, Texas, in Denton and Collin Counties, and located north of Frontier Parkway and east and west of Legacy Drive).

Mayor Terry recused himself from Item VIII E, IX A, B & C at 7:47 p.m. due to a conflict of Interest. Director of Planning and Development Services Helen-Eve Liebman introduced the item. Mayor Pro Tem Roberts opened the hearing at 7:47 p.m.

Herb Miller of 1505 Brook Lane said there needed to be more monitoring of the board and asked if the board should be made up of people other than the city council.

Dale Bainum of 3541 Heritage Trail asked "What is a PID?" City Attorney Julie Fort addressed the questions and suggested a recess of the public hearing to a later date.

City Financial Advisor Jim Sabonis explained the PID, development agreement and the TIRZ.

Councilman Nabors moved to recess this hearing until May 22nd at 6:30 p.m. Councilman Anderson seconded. Motion carried. 5-yes;0-no. Mayor Pro Tem Roberts recessed the hearing at 7:50 p.m.

- F. The Celina City Council will conduct a public hearing to consider testimony and action to authorize staff to pursue a No Thru Truck Zone along FM 1461 with Texas Department of Transportation. (FM 1461 between Preston Road and FM 2478) G. Johnson

Item F was considered after Item D and before Item E.

Doug Slemmer of 2627 Twelve Oaks Lane requested that the city make FM 1461 a "no thru truck" zone due to the tremendous increase in truck traffic over the last 24 months. Mr. Slemmer mentioned the safety issue caused by the traffic and suggested the city propose to TXDOT that trucks use US380 to Preston Road to go to the TXI distribution center.

Dina Smotherman of 3200 Twin Lakes Drive said there are not that many trucks and the back up at Preston Road is a light issue. She thinks the police department patrolling is good especially for late night trucks. She suggests the city put the "no thru trucks" issue aside for a while and use more patrolling.

An unnamed gentleman said the truck traffic creates a safety issue and the "no thru trucks" can help to avoid accidents.

Jeff Moreland of Twelve Oaks Lane mentioned that he owns a pool company with trucks and he keeps them off the road and driving the speed limit when they have to be on it.

Mayor Terry closed the public hearing. Councilman Nabors moved to authorize staff to designate a "no thru truck" traffic route as an alternative to 1461 west from Custer Road to Preston Road. Councilman Webber seconded. Motion carried. 5-yes;0-no.

IX. ACTION ITEMS:

- A. Consider and act upon approval of a resolution of the City Council of the City of Celina, Texas, determining costs of authorized improvements for the Creeks of Legacy Public Improvement District generally located north of Frontier Parkway, and east and west of Legacy Drive and consisting of approximately 321.357 acres of land, setting a levy and assessment hearing date for June 10, 2014.

City Land Use Attorney Julie Fort advised the City Council to take no action and table items A and B until May 22nd. Councilman Wayne Nabors moved to table items A and B until May 22nd at 6:30 p.m. Councilman Anderson seconded. Motion carried. 5-yes;0-no.

- B. Consider and act upon approval of an ordinance of the City Council of the City of Celina, Texas designating a contiguous geographic area within the city as a Reinvestment Zone pursuant to Chapter 311 of the Texas Tax Code to be known as Reinvestment Zone Number Two, City of Celina; describing the boundaries of the zone; creating a board of directors for the zone; establishing a Tax

Increment Fund for the zone; containing findings related to the creation of the zone; providing a date for the termination of the zone; providing that the zone take effect immediately upon passage of the ordinance; providing a severability clause; and providing an effective date. (property generally located north of Frontier Parkway and east and west of Legacy Drive and consisting of approximately 321.357 acres).

See Item A.

- C. Consider and act upon approval of resolutions (2014-20R, 2014-21R) approving proceedings to authorize bonds, including the engagement of professionals in connection with the issuance and sale of such bonds and preparation of financing documents and a preliminary official statement, and making other provisions regarding such bonds and matters incident and related thereto (The Creeks of Legacy Phase I Project and Phase II-III Major Improvement Project).

Mayor Terry returned to the meeting at 8:11 p.m. City Financial Advisor Jim Sabonis explained the bond issues and process. Councilman Kendrick moved to approve Item C. Councilman Anderson seconded. Motion carried. 5-yes;0-no.

- D. Consider and act upon an ordinance (2014-21) amending the City's Code of Ordinances, Chapter 3: Building Regulations, Article 3.02 Technical and Construction Codes and Standards; Division 9: Fire Code.

Director of Planning and Development Services Helen-Eve Liebman introduced the ordinance amendment. Councilman Anderson moved to approve the ordinance. Mayor Pro Tem Roberts seconded. Motion carried. 3-yes;2-no. (Councilman Webber and Councilman Kendrick)

- E. Consider and act upon an ordinance (2014-22) amending the City's Code of Ordinances Chapter 3: Building Regulations, Article 3.01: General Provisions, Section 3.01.001 Building Permits, to clarify the City's permitting jurisdiction within its ETJ.

Director of Planning and Development Services Helen-Eve Liebman presented the ordinance. Councilman Anderson moved to approve Item E. Councilman Nabors seconded. Motion carried. 5-yes;0-no.

- F. Consider and act upon approval of an ordinance (2014-23) authorizing the issuance of "City of Celina, Texas, Tax and Waterworks and Sewer System (Limited Pledge) Revenue Certificates of Obligation, Series 2014"; specifying the terms and features of said certificates; providing for the payment of said certificates of obligation by the levy of an ad valorem tax upon all taxable property within the City and a limited pledge of the net revenues derived from the operation of the City's combined waterworks and sewer system; providing the terms and conditions of such certificates of obligation and resolving other matters incident and relating to the issuance, payment, security, sale and delivery of said certificates of obligation, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Contract and the approval and distribution of a Preliminary Official Statement and an Official Statement pertaining thereto; and providing an effective date.

City Financial Advisor Jim Sabonis presented the offer to purchase the certificates of obligations with an interest rate of 3.28 percent. He stated that the city received an A-1 stable rating. A broad range of projects including police equipment, parks, streets and drainage are included. Councilman Kendrick moved to approve Item F. Councilman Anderson seconded. Motion carried. 5-yes;0-no.

- G. Consider and act upon approval of an ordinance (2014-24) of the City Council of the City of Celina, Texas, amending the City's Code of Ordinances, Chapter 1 General Provisions, Article 1.11 Parks and Recreation, Section 1.11.035 Unlawful Acts (18) to read Parks shall be closed from 11:00 p.m. to 5:00 a.m. seven days per week.

Councilman Anderson moved to approve Item G. Mayor Pro Tem Roberts seconded. Motion carried. 5-yes;0-no.

- H. Consider and act upon the frequency of residential solid waste disposal and hazardous waste collection.

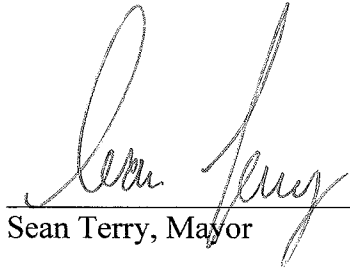
Councilman Nabors moved to approve once per week pick up based on the citizen survey and not to include household hazardous waste collection. Mayor Pro Tem Roberts seconded. Motion carried. 5-yes;0-no.

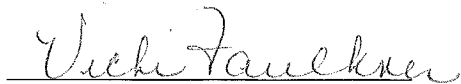
- I. Consider and act upon a Fifth Amendment to the Amended and Restated Development Agreement with Light Farms regarding sex offender residency restrictions.

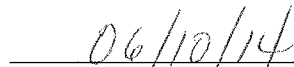
City Attorney Lance Vanzant told the City Council that a request had been received from the Light Farms development requesting that the city extend its sex offender restrictions to their area. Councilman Webber moved to approve item I. Mayor Pro Tem Roberts seconded. Motion carried. 5-yes;0-no.

X. ADJOURNMENT:

Mayor Terry told Councilman Webber that he appreciated him and the work he has done on the council. Councilman Webber said he appreciated the opportunity. There being no further comment Mayor Terry adjourned the meeting at 8:30 p.m.


Sean Terry, Mayor


Vicki Faulkner, City Secretary


Date Minutes Approved

