CITY COUNCIL REGULAR MEETING
VIRTUAL MEETING
VIA ZOOM VIDEO CONFERENCE
TUESDAY, MAY 12, 2020
5:00 PM

MINUTES

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Attendee Name	Organization	Title	Status	Arrived
Justin Steiner	City of Celina	Place 1	Present	
Wayne Nabors	City of Celina	Place 2	Present	
Andy Hopkins	City of Celina	Place 3	Present	
Carmen Roberts	City of Celina	Place 4	Present	
Mindy Koehne	City of Celina	Place 5	Present	
Chad Anderson	City of Celina	Place 6	Present	
Sean Terry	City of Celina	Mayor	Present	

II. PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor Terry led the pledges of alleginace. Pastor Chris Carter with Movement Church gave the invocation.

III. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

A. National Public Works Week

Mayor Terry read the National Public Works Week proclamation and noted that it was also National Police Week.

IV. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

A. Update on Frontier Parkway from Dallas Parkway to Preston. (Brawner)

Executive Director of Public Services Kim Brawner gave an update on the progress of this road improvement.

B. Discussion regarding any and/or all agenda items.

No other items were discussed.

C. Staff Reports attached

V. OPEN FORUM:

No public comment was received.

VI. CONSENT AGENDA:

Councilwoman Koehne abstained due to a conflict of interest. Councilman Hopkins asked if WiFi would be on all the time in regards to item T.

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Andy Hopkins, Place 3
SECONDER:	Chad Anderson, Place 6
AYES:	Steiner, Nabors, Hopkins, Roberts, Anderson
ABSTAIN:	Koehne

A. Minutes Approval:

1. City Council - Regular Meeting - Apr 14, 2020 5:00 PM

B. Consider and act upon an ordinance of the City Council of the City of Celina, Texas, repealing ordinance No. 2020-19 (Disaster Declaration). (Vanzant)

(2020-29)

C. Consider and act upon a resolution of the City of Celina, Texas, appointing Art Maldonado as judge of the Municipal Court of the City of Celina, Texas, setting the compensation of said judge, setting the term of office of said judge, and establishing authority in accordance with State laws and the Home Rule Charter of the City of Celina. (Tarrant)

(2020-25R)

D. Consider and act upon appointment of Bryan Poche to the Planning & Zoning Commission. (Tarrant)

E. Consider and act upon an ordinance amending the City's Code of Ordinances, Chapter 8: Offenses and Nuisances, Article 8.04. (Noise Ordinance) (McAfee)

(2020-30)

F. Consider and act upon an ordinance amending the City's Code of Ordinances, Chapter 6: Health and Sanitation, Article 6.04. (Health Ordinance) (McAfee)

(2020-31)

G. Consider and act to authorize the City Manager to execute a third amendment to the existing agreement by and among the City of Celina, Texas, the Board of Directors of Tax Increment Reinvestment Zone Number Two, City of Celina, CTMGT Frontier 80, LLC, CADG Creeks of Legacy West, LLC, and CADG Creeks of Legacy Stonegate, LLC for the purpose of an amendment to an existing development agreement. (Creeks of Legacy Development Agreement Amendment) (Laumer)

H. Consider and act upon a resolution of the City of Celina, Texas, accepting a petition to create La Terra Public Improvement District, and calling for a public hearing. (DeBuff)

(2020-26R)

I. Consider and act upon a resolution of the City of Celina, Texas finding that Oncor Electric Delivery Company LLC's application for approval to amend its distribution cost recovery factor to increase distribution rates within the City should be denied; authorizing participation with Oncor Cities Steering Committee; authorizing the hiring of legal counsel and consulting services; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. (DeBuff)

(2020-27R)

J. Consider and act upon a resolution of the City of Celina, Texas determining the costs of Phase #3 improvements to be financed by the Creeks of Legacy Public Improvement District; approving an updated Preliminary Service Plan and Assessment Plan, including proposed Phase #3 assessment roll; directing the filing of the proposed Phase #3 assessment roll with the City Secretary; calling a regular meeting and noticing a public hearing for June 9, 2020 to consider an ordinance levying assessments on property located within the Creeks of Legacy Public Improvement District; directing the filing of the proposed Phase #3 assessment roll with the City Secretary to make available for public inspection; directing city staff to publish and mail notice of said public hearing. (DeBuff)

(2020-28R)

K. Consider and act upon a resolution of the City Council of the City of Celina approving the submission of a grant application by the Celina Police Department to the Office of the Governor, Criminal Justice Division for the Rifle Resistant Body Armor Grant, Grant Application #3964001. (Griggs)

(2020-29R)

L. Consider and act to authorize Change Orders 9, 11, and 12 with Hill & Wilkinson Construction Group for Library and modular building renovations in the amount of $253,145.85. (Berry)

M. Consider and act to authorize a work order 2020-0004 with Halff & Associates, Inc. for design services at Old Celina Park for the Playground Improvements, Project P13 in an amount not to exceed $173,500.00. (Berry)

N. Consider and act to award bid 2020-0032 for the Collin College Offsite Sewer to ANA Site Construction in an amount not to exceed $710,293.95 plus a ten percent contingency of $71,029.39 for a total of $781,323.34. (Berry)

O. Consider and act to award bid 2020-0031 for the Prosper Elementary School #12 for Traffic Markings/School Flashers to ALEKSANDER OMEGA LLC in an amount not to exceed $73,740.00 plus a ten percent contingency of $7,374.00 for a total of $81,114.00 and to reject Taurus Commercial, Inc. (Berry)

P. Consider and act to authorize work order 2020-0006 with Peloton Land Solutions for design services for Utah Drive & Cedar Street Storm Drain Improvements, Project D31 in an amount not to exceed $104,690.00. (Berry)

Q. Consider and act upon a resolution of the City Council of the City of Celina, Texas, setting forth its support for the FM 428 Task Force (Brawner)

(2020-30R)

R. Consider and act to authorize the City Manager to execute a Memorandum of Understanding (MOU) with Celina ISD for the use of the athletic fields at Celina Junior High for recreational activities (Brawner/Webb)

S. Consider and act upon a resolution of the City Council of the City of Celina hereinafter referred to as "Applicant", designating certain officials as being responsible for action for and on behalf of the "Applicant" in dealing with Collin County, hereinafter referred to as "County"; for the purpose of participating in the "County's" Parks and Open Space Project Funding Assistance Program. (Brawner)

(2020-31R)

T. Consider and act to authorize the purchase of WIFI Equipment and Services for the Downtown area in an amount not to exceed $71,509.76. (Berry)

VII. PUBLIC HEARING/ACTION:

A. The Celina City Council will conduct the first of three public hearings to annex approximately 1077 acres, describing the municipal services to be provided to the area and the time in which municipal services will be provided, calling a public hearing, directing notices to be provided, directing that a petition for annexation of the area be prepared and opportunity to sign provided, providing for matters related thereto for the following areas: (20-03 Annexation First Public Hearing) (Mohan)

Mayor Terry opened the hearing at 5:20 p.m. Randy Tomplait of 11643 Christina Court asked why his property (#29) was being partially annexed (the backhalf). The hearing was closed at 5:25 p.m.

B. The Celina City Council will conduct a public hearing to consider and act upon an ordinance amending the Comprehensive Zoning Ordinance, by rezoning an approximately 6 acre tract of land from General Commercial (C-2) to Planned Development (PD) with Mixed-Use District (MU) base zoning, generally located approximately 700 feet west of Preston Road and approximately 1,400 feet north of Frontier Parkway, within the City Limits. (Avilla (The Grove) Expansion Planned Development) (McAfee)

(2020-33) Mayor Terry opened the hearing at 5:25 p.m. No public comment was received. The hearing was closed at 5:28 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Justin Steiner, Place 1
SECONDER:	Andy Hopkins, Place 3
AYES:	Steiner, Nabors, Hopkins, Roberts, Koehne, Anderson

C. The Celina City Council will conduct a public hearing to consider and act upon an ordinance amending the Comprehensive Zoning Ordinance, by rezoning an approximately 100 acre tract of land, by repealing and replacing Planned Development (PD) No. 35 with a new Planned Development to allow for a master planned single-family residential development; generally located on the northwest corner of J. Fred Smith Parkway and Celina Parkway, within the City Limits. (La Terra Planned Development) (Mohan)

(2020-34) Mayor Terry opened the hearing at 5:28 p.m. No public comment was received. The hearing was closed at 5:31 p.m. Councilwoman Koehne abstained due to a conflict of interest.

RESULT:	**APPROVED [5 TO 0]**
MOVER:	Carmen Roberts, Place 4
SECONDER:	Wayne Nabors, Place 2
AYES:	Steiner, Nabors, Hopkins, Roberts, Anderson
ABSTAIN:	Koehne

D. The Celina City Council will conduct a public hearing to consider and act upon an ordinance amending the Comprehensive Zoning Ordinance, by rezoning an approximately 2 acre tract of land from Agricultural District (AG) to Planned Development (PD) with Commercial, Office, & Retail District (C) base zoning with the Preston Road Overlay District (PRO); generally located on the northwest corner of Preston Road and Carthage Road, within the City Limits. (Carthage 7-Eleven Planned Development) (Mohan)

(2020-35) Mayor Terry called the meeting to order at 5:31 p.m. No public comment was received. the hearing closed at 5:34 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Andy Hopkins, Place 3
SECONDER:	Carmen Roberts, Place 4
AYES:	Steiner, Nabors, Hopkins, Roberts, Koehne, Anderson

E. The Celina City Council will conduct a public hearing to consider testimony and take action on an appealed Certificate of Appropriateness request for a façade mural at 222 W. Walnut, 302 W. Walnut, & 304 W. Walnut. (Nelson Hotel and EDC Mural - Appeal) (McAfee)

(2020-36) Mayor Terry opened the hearing at 5:34 p.m. No public comment was received. The hearing was closed at 5:44 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Andy Hopkins, Place 3
SECONDER:	Carmen Roberts, Place 4
AYES:	Steiner, Nabors, Hopkins, Roberts, Koehne, Anderson

F. The Celina City Council will conduct a public hearing to consider testimony and act upon an ordinance amending the City's Comprehensive Plan, Ordinance 2013-06; to amend the City's Master Thoroughfare documents and exhibits (Brawner)

(2020-36) Mayor Terry opened the hearing at 5:45 p.m. No public comment was received. The hearing was closed at 5:54 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Carmen Roberts, Place 4
SECONDER:	Mindy Koehne, Place 5
AYES:	Steiner, Nabors, Hopkins, Roberts, Koehne, Anderson

G. The Celina City Council will hold a public hearing to consider testimony and act upon an ordinance of the City Council of the City of Celina, Texas accepting and approving a Service and Assessment Plan and Neighborhood Improvement Area #3 assessment roll for the Wells North Public Improvement District; making a finding of special benefit to the property in Neighborhood Improvement Area #3 of the District; levying special assessments against property within Neighborhood Improvement Area #3 of the District and establishing a lien on such property; providing for the method of assessment and the payment of the Neighborhood Improvement Area #3 assessments in accordance with Chapter 372, Texas Local Government Code, as amended, providing penalties and interest on delinquent assessments. (DeBuff)

(2020-32) Mayor Terry opened the hearing at 5:55 p.m. Corey Admire with Shupe, Ventura Law, 9406 Biscayne, Dallas, Texas spoke in favor of the ordinance.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Carmen Roberts, Place 4
SECONDER:	Andy Hopkins, Place 3
AYES:	Steiner, Nabors, Hopkins, Roberts, Koehne, Anderson

H. The Celina City Council will conduct a public hearing to consider testimony and act upon a resolution of the City of Celina, Texas authorizing and creating the Edgewood Creek Public Improvement District in Accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date. (DeBuff)

(2020-33R) Mayor Pro Tem Anderson opened the hearing at 5:58 p.m. No public comment was received. The hearing was closed at 6:00 p.m.
Mayor Terry recused himself from participation on this item due to a conflict of interest.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Carmen Roberts, Place 4
SECONDER:	Andy Hopkins, Place 3
AYES:	Steiner, Nabors, Hopkins, Roberts, Koehne, Anderson

VIII. ACTION ITEM:

IX. EXECUTIVE SESSION:

The City Council adjourned into Executive Session at 6:00 p.m. with City Attorney Lance Vanzant

The Celina City Council will convene into Executive Session pursuant to Texas Government Code 551.071, Consultation with Attorney, on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter.

A. Discussion regarding a resolution finding a public necessity exists to acquire real property for a City Hall and municipal facilities and authorizing the use of eminent domain to condemn real properties as tracts of land described as Block 13, Lot 12; Block 13, Lot 7a & 8a; Block 13, Lot 7b & 8b; Block 13, Lot 5a 6a; Block 13, Lot 5b & 6b; Block 13, Lot 3; Block 13, Lot 1a & 2a; and Block 13, Lot 1b & 2b located in the Celina Original Donation, located in the block bordered by N Colorado Dr,

W Maple St, N Ohio Dr, W Beech St; providing for an appraiser and negotiator as necessary; authorizing the City Manager to establish just compensation for the property rights to be acquired; authorizing the City Manager to take all steps necessary to acquire the needed property rights in compliance with all applicable laws and regulations including the exercise of the power of eminent domain; finding and determining that the meeting at which this resolution is passed was noticed and open to the

public as required; and providing an effective date.

B. Discussion regarding Municipal Utility District No. 1 appealing water and wastewater rates.

C. Discussion regarding potential annexations.

Reconvene Into Open Session

The Celina City Council reconvened into Open Session at 6:50 p.m.

D. Consider and act upon any items discussed in executive session.

(2020-32R) Councilman Hopkins moved to authorize the power of eminent domain to condemn real properties as tracts of land described as Block 13, Lot 12; Block 13, Lot 7A and 8A; Block 13, Lot 7B and 8B; Block 13, Lot 5A and 6A; Block 13, Lot 5B and 6B; Block 13, Lot 3; Block 13, Lot 1A and 2A; and Block 13, Lot 1B and 2B located in the Celina original donation for the public purpose of a city hall and municipal facilities. Council voted in the following manner: Justin Steiner-yes, Wayne Nabors-yes, Andy Hopkins-yes, Carmen Roberts-yes, Mindy Koehne-yes, Chad Anderson-yes.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Andy Hopkins, Place 3
SECONDER:	Mindy Koehne, Place 5
AYES:	Steiner, Nabors, Hopkins, Roberts, Koehne, Anderson

X. ADJOURNMENT:

There being no further comment Mayor Terry adjourned the meeting at 6:52 p.m.

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Sean Terry, Mayor

_____
Secretary

_____
Date Minutes Approved