



**NOTICE OF
CITY COUNCIL REGULAR MEETING
CELINA COUNCIL CHAMBERS 112 N. COLORADO ST., CELINA, TX 75009
TUESDAY, MARCH 14, 2017 AT 5:00 PM**

MINUTES

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

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

II. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

A. Employee introductions/recognitions/retirement (Metdker) (Griggs) (Terry)

Assistant Fire Chief Shain Hunn introduced the following new firefighters: Jacob Talley, Chance Mallone, Kyle Flowers and Andrew Needhum. Police Chief Tony Griggs introduced new officer Chris Armstrong. Mayor Terry presented a plaque to Senior Utility Billing Clerk Vickie Cox commemorating her retirement from the City with almost twelve years of service.

B. 2016 Annual Report/Racial Profiling (Griggs)

Police Chief Tony Griggs briefly presented the Annual Racial Profiling Report and Annual Report.

C. Fiscal Year 2015/2016 Audit Presentation (Toutouchian)

Tommy Nelson with Scott, Singleton & Fincher presented the Fiscal Year End Audit.

D. Discussion regarding original old water tower on Elm Street (Terry)

General discussion regarding the fate of the old tower took place.

E. Cinco de Mayo request (Terry)

General discussion regarding festival support requests took place.

F. Old Town Neighborhood Association Meeting (Liebman)

A reminder regarding the meeting on March 20th was given.

G. Development Project Management Process Policy (Liebman)

Director of Planning and Development Services Helen-Eve Liebman presented the proposed policy to be voted on later on the agenda.

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

No other discussion took place.

III. **EXECUTIVE SESSION:**

The City Council convened into Executive Session at 5:43 p.m. with Interim City Manager Rick Chaffin, City Attorneys Lance Vanzant and Mack Reinwald and City Consultant Trent Petty. Councilwoman Mindy Koehne recused herself at this time due to a conflict of interest.

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 City consent to legislation providing for the Board of Municipal Management District No.1 (Old Celina, LTD)

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

The City Council reconvened into Open Session at 6:05 p.m. Councilman Hopkins moved to authorize the mayor to provide written consent to the amendment of legislation providing for the Board of Municipal Management District No. 1. (A copy of the bill is attached)

RESULT:	ADOPTED [3 TO 0]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Bill Webber, Place 1
AYES:	Hopkins, Webber, Roberts
ABSENT:	Anderson, Nabors
RECUSED:	Koehne

IV. **PLEDGE OF ALLEGIANCE/INVOCATION:**

Councilwoman Koehne rejoined the meeting at this time. Mayor Terry led the pledges of allegiance and gave the invocation.

V. **PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:**

VI. **OPEN FORUM:**

No comments were received.

VII. **CONSENT AGENDA:**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Webber, Place 1
SECONDER:	Andy Hopkins, Place 3
AYES:	Koehne, Hopkins, Webber, Roberts
ABSENT:	Anderson, Nabors

A. Minutes Approval:

1. City Council - Regular Meeting - Feb 14, 2017 5:00 PM
2. City Council - Public Hearing and Special Meeting - Feb 28, 2017 5:00 PM

- B. Consider and act upon a Chapter 43 Pre-Annexation Agreement between the City of Celina, Texas and Mark and Lisa Hendricks for approximately 7.386 acres situated in the I.C. Williamson Survey, Abstract No. 0943, Tract 14. (Hendricks Pre-Annexation Agreement) (Liebman)
- C. Consider and act upon a Chapter 43 Pre-Annexation Agreement between the City of Celina, Texas and Jerry Moore for approximately 15.66 acres situated in the S. McCullough Survey, Abstract No. 0593, Tract 5. (Moore Pre-Annexation Agreement) (Liebman)
- D. Consider and act upon a Chapter 43 Pre-Annexation Agreement between the City of Celina, Texas and Jerry Moore for approximately 3.00 acres situated in the S. McCullough Survey, Abstract No. 0593, Tract 10. (Moore Pre-Annexation Agreement) (Liebman)
- E. Consider and act upon a Chapter 43 Pre-Annexation Agreement between the City of Celina, Texas and Jerry Moore for approximately 3.69 acres situated in the S. McCullough Survey, Abstract No. 0593, Tract 11. (Moore Pre-Annexation Agreement) (Liebman)
- F. Consider and act upon creation of a new receptionist/administrative assistant position. (Chaffin)
- G. Consider and act upon a contract Change Order No. 1 by and between the City of Celina and Freese & Nichols, Inc for the Engineering Design for Southeast Sector 2.0 MG EST and waterline Improvements. (Johnson)
- H. Consider and act upon approval of the proposed sale of surplus equipment and vehicles at public auction. (Fourmentin)
- I. Consider and act upon a resolution of the City Council of the City of Celina, Texas, supporting House Bill 1427 which amends Section 41.005 of the Texas Utilities Code to clarify that a municipality may regulate the operations of an Electric Cooperative through the city's zoning ordinance which is a permissible public health, safety, or welfare regulation. (Vanzant)

(2017-11R)

VIII. PUBLIC HEARING/ACTION:

- A. The Celina City Council will conduct a public hearing to consider testimony and act upon an Ordinance of the City of Celina, Texas, amending Chapter 14: Zoning, Article 14.05 Development Standards and Use Regulations; and Article 14.04: Use Regulations to add regulations for solar panels and wind energy systems. (Wind energy/solar panels) (Liebman)

Mayor Terry opened the hearing at 6:08 pm. Those speaking were: Felicia Enuha of 412 Smokebrush who asked about any fees associated with the regulations, Dale Bainum of 3541 Heritage Trail who noted that only allowing panels (on sides not facing public roadways) eliminates half of the street. The hearing was closed at 6:17 pm.

Councilwoman Koehne moved to approve regulations for solar panels and disallow wind energy systems.

RESULT:	APPROVED [3 TO 1]
MOVER:	Mindy Koehne, Place 5
SECONDER:	Andy Hopkins, Place 3
AYES:	Koehne, Hopkins, Roberts
NAYS:	Webber
ABSENT:	Anderson, Nabors

IX. ACTION ITEM:

A. Consider and act upon approval of the 2016 Fiscal Year Audit. (Toutounchian)

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

B. Consider and act upon a resolution approving a development project management process policy. (Liebman)

(2017-12R) Councilwoman Koehne moved to approve item B as outlined (with amendments).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mindy Koehne, Place 5
SECONDER:	Andy Hopkins, Place 3
AYES:	Koehne, Hopkins, Webber, Roberts
ABSENT:	Anderson, Nabors

C. Consider and act upon an Ordinance of the City Council of the City of Celina Texas amending the City's Code of Ordinances, Appendix A: Fee Schedule, Sec. A6.014 Development agreement application. (Liebman)

(2017-15)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mindy Koehne, Place 5
SECONDER:	Andy Hopkins, Place 3
AYES:	Koehne, Hopkins, Webber, Roberts
ABSENT:	Anderson, Nabors

D. Consider and act upon an ordinance of the City Council of the City of Celina, Texas, pursuant to Chapter 311 of the Texas Tax Code, appointing members to the Board of Directors for the Reinvestment Zones created by the City of Celina. (Fort)

(2017-16)

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

- E. Consider and act upon a Construction Plat for Glen Crossing, Phase 1, being approximately 41.814 acres situated in the Collin County School Land Survey, Abstract No. 167, Collin County, Texas, comprised of 159 residential lots, and four (4) open space/common areas. The property is located south of County Road 55 (Glendenning Parkway), and west of County Road 1117, west of Preston Road, and east of Dallas North Tollway. (Glen Crossing Phase 1 Construction Plat) (Liebman)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Webber, Place 1
SECONDER:	Carmen Roberts, Place 4
AYES:	Koehne, Hopkins, Webber, Roberts
ABSENT:	Anderson, Nabors

- F. Consider and act to institute the annexation of a ± 1.0 acre tract of land and half of its adjacent right-of-way situated in the C. Watson Survey, Abstract No. 945. Collin County, Texas. The property is contiguous to and adjoining the City and is generally located on the west side of FM 2478, north of the Rolling Meadows Estates. (Nguyen Tract) (Liebman)

RESULT:	TABLED [UNANIMOUS]	Next: 4/11/2017 5:00 PM
MOVER:	Andy Hopkins, Place 3	
SECONDER:	Carmen Roberts, Place 4	
AYES:	Koehne, Hopkins, Webber, Roberts	
ABSENT:	Anderson, Nabors	

- G. Consider and act upon a resolution of the City of Celina, Texas, setting a public hearing under Section 311.003, 311.007 and 311.011 of the Texas Tax Code to amend the Final Project and Financing Plan for Tax Increment Reinvestment Zone Number Four; City of Celina, Texas and to enlarge the boundaries of said Reinvestment Zone; authorizing the issuance of notice by the City Secretary of Celina, Texas regarding the public hearing; providing for an effective date; and resolving other matters incident and related thereto. (Sutton Fields II) (Petty)

(2017-13R) Mayor Terry appointed Councilwoman Koehne to lead the meeting in his absence and left the meeting at 6:29 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andy Hopkins, Place 3
SECONDER:	Bill Webber, Place 1
AYES:	Koehne, Hopkins, Webber, Roberts
ABSENT:	Anderson, Nabors

- H. Consider and act upon a resolution for the City of Celina, Texas, calling for a public hearing on April 11, 2017, to consider an ordinance amending the Sutton Fields II Public Improvement District Service and Assessment Plans (SAP), dated November 10, 2015; directing the City Staff to publish and mail notice of said public hearing; providing for an effective date; and resolving other matters incident and related thereto. (Sutton Fields II) (Petty)

(2017-14R)

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

- I. Consider and act upon a request for a Subdivision Ordinance Variance from First Texas Homes and Centurion American Development Group to Section 10.23.122(r)(5) Boundary Streets & Section 10.03.126 (f)(2) Streets, to allow certain portions of roadways adjacent to the Creeks of Legacy, Phase 2C development to be constructed with future phases of development and/or to have funds escrowed for the future construction. (Creeks of Legacy Phase 2C SOV) (Liebman)

Item K was taken before Item I.

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

- J. Consider and act upon a request for a Subdivision Ordinance Variance from First Texas Homes to Section 10.03.122(m)(1), Culs-de-sac, dead-end streets, to allow an over length cul-de-sac for Creeks of Legacy Phase 2C. The project is located north of Frontier Parkway, west of Dallas Parkway, east of County Road 6 (Legacy Drive), and west of Doe Branch Boulevard. (Creeks of Legacy Phase 2C SOV) (Liebman)

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

- K. Consider and act upon a resolution approving a Facilities Agreement for Phase 2A and Phase 2C, Creeks of Legacy Subdivision, between the City, and the Developers of Phase 2A and Phase 2C, CADG, Frontier 192, LLC; CTMGT Frontier 80, LLC; and First Texas Homes INC., for the dedication of right of way and installation of public improvements and facilities, providing obligations of the property owners; and authorizing the City Manager to execute all necessary contract documents. (Creeks of Legacy) (Petty)

(2017-15R)

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

- L. Consider and act upon a Construction Plat for Creeks of Legacy Phase 2C, being approximately 22.986 acres situated in the WM. Davenport Survey, Abstract No. 262, and the F.D. Gary Survey, Abstract No. 361, Collin County, Texas, comprised of sixty-six (66) residential lots and one (1) open space/common area. The property is located north of Frontier Parkway, west of Dallas Parkway, east of County Road 6 (Legacy Drive), and west of Doe Branch Boulevard. (Creeks of Legacy Phase 2C Construction Plat) (Liebman)

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

X. **ADJOURNMENT:**

There being no further comment Councilwoman Koehne adjourned the meeting at 6:40 p.m.

Sean Terry, Mayor

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

Date Minutes Approved