



**CITY COUNCIL WORKSESSION, PUBLIC HEARING, & REGULAR MEETING
CELINA COUNCIL CHAMBERS
302 W. WALNUT STREET
MONDAY, FEBRUARY 14, 2011**

3:00 Communication Strategy/5:00 P.M. Regular Session/Worksession / 6:30 P.M. Public Hearing

MINUTES

A quorum was not present for the Communication Strategy discussion. Those present (Councilman Webber, Councilman Smith and Mayor Pro Tem Terry) discussed ways to communicate through the city website and other social media.

REGULAR SESSION 5:00 P.M.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Lewis called the meeting to order at 5:05 p.m. Council members present were Mayor Pro Tem Terry, Wayne Nabors, Dewey Isham, Dick Smith and Bill Webber.

II. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- A. Monthly Police Dept Report, Monthly Fire Dept Report, Monthly Public Works Dept Report, Monthly Financial Report, Monthly Development Services Report, Monthly Main Street Report, Monthly Parks Dept Report, Monthly Library Report, Monthly EDC Report and all agenda items
- B. Discussion regarding CoServ Grant benefitting the Celina Fire Department-Chief Metdker announced the award of this grant to the Celina Fire Department.

The City Council adjourned into executive session at 5:34 p.m.

III. EXECUTIVE SESSION:

City Council will convene into Executive Session pursuant to Texas Government Code Section 551.071, Consultation with Attorney, to seek the advice of the City Attorney or other legal counsel concerning pending or contemplated litigation or on a matter in which the duty of the attorney (s) to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act

- A. Dynavest Joint Venture vs. City of Celina, 367th District Court, Denton County, Texas; Cause No. 2010-50356-367.

Council reconvened into open session at 6:30 p.m.

RECONVENE INTO OPEN SESSION

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

No action taken on items discussed in executive session.

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

IV. PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor Lewis led the Pledge of Allegiance. Councilman Nabors gave the invocation.

V. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

EDC Director Corbett Howard gave a presentation outlining the history of bringing a McDonald's Franchise to the City and announced the opening of a new store at the Celina Town Center by mid-October.

Mayor Lewis gave the Oath of Office to newly elected Councilman Larry Berg. Councilman Berg was seated.

VI. OPEN FORUM:

No comments received in open forum.

VII. CONSENT AGENDA:

- A. Consider and act upon approval of minutes from: 01/10/11, 01/11/11, 01/20/11, 01/31/11
- B. Consider and act upon approval of a resolution of the City Council of the City of Celina, Texas, ordering and calling a General Election for the purpose of electing a Mayor, Council Place 4 and Council Place 5 for three (3) year terms each; authorizing a joint election with the Celina Independent School District to be held on May 14, 2011. (Resolution No. 2011-04R)
- C. Consider and act upon approval of a contract for election services among the City of Celina, Celina Independent School District and Collin County.
- D. Consider and act upon approval of an ordinance of the City of Celina, Texas, adopting the annexation of certain territory contiguous to and adjoining the City of Celina, Texas, to wit: a tract of land situated in the Samuel Queen Survey, Abstract No. 731, Collin County Texas, and being the same tract of land described in deed to Carmen M Roberts, recorded in Volume 5887, Page 2301, Deed Records of Collin County, Texas, and being more particularly described in Exhibit "A" attached hereto and incorporated herein; located generally south of FM 455 and east of CR 90. (Ordinance No. 2011-07)
- E. Consider and act upon a resolution of the City of Celina suspending the February 14, 2011, effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of cities served by Oncor to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals. (Resolution No. 2011-03R)

Councilman Smith moved acceptance of the Consent Agenda. Councilman Isham seconded. Motion carried. 6-yes;0-no.

VIII. PUBLIC HEARING/ACTION:

- A. The City Council will conduct a public hearing to consider testimony and take action regarding Zoning Case Z10-28, an Ordinance of the City of Celina, Texas, amending Ordinance No. 2006-57, as heretofore amended, the same being the Comprehensive Zoning Ordinance, and amending the Official Zoning Map of the City by designating the zoning of land that is approximately 75.34 acres, being a tract of land out of the L. Lewis Survey, Abstract No. 532 in the City of Celina, Collin County, Texas, being part of the 170 acre tract of land described in deed to Jack Moore, etal recorded in Volume 332, Page 345 of the Deed Records of Collin County, Texas, and more fully described in Exhibit "A" and shown graphically in Exhibit "B" attached hereto and incorporated herein, 58.44 acres to be zoned "C-2" General Commercial District and 16.90 acres to be zoned "TH" Townhouse District.

Director of Planning Keith Billick and Bob Roeder (representing the applicant), presented the history and nature of the zoning appeal to City Council. Public Comment was received from the following citizens: Steve Hardy, 4000 Heritage Trail – not in favor as proposed, asked the council to deny. Keith Andre, Preston Hills resident – presented a petition from his neighbors showing no support for Townhouse Zoning, asked for a smaller

Commercial Zoning component. He polled the audience regarding the proposed zoning and asked the council to say no. Paul Roy, 2608 Old Stables – stated that crime follows multi-family and was not in favor of the proposal. Clint Entrop, 3790 Dove Creek – asked the council to consider showing the commercial in a more shallow depth from Preston Road as on the Comprehensive Plan. Carol Clark, Peregrine Point – not in favor of Townhouses. Jeff Knowles – asked that the commercial be limited, says crime will go up and values will go down. Sissy Miller stated that Morgan Lakes neighborhood is not happy with the zoning around it in response to a statement made by Councilman Nabors. Mr. Dover, Preston Hills – is opposed to the size of the commercial and asked that heavier commercial be put elsewhere. Jace Ousley asked why there is a rush to zone this property. Jack Reeves stated that he attended the neighborhood meeting. He thinks Single-Family is a better buffer to Estate Lots and asked for denial. Councilman Isham moved to approve the zoning request. Councilman Nabors seconded. Motion failed (due to the need for a super majority) 4-yes;2-no (Councilman Webber, Councilman Berg)

- B. The Celina City Council will conduct a public hearing to consider testimony and take action regarding Zoning Case Z10-01, an Ordinance rezoning property from AG (Agriculture) to I-1 (Light Industrial), more commonly known as Block 3, Tract 67, Collin County School Land Survey, Abstract No. 167, and generally located south of County Road 53, east of County Road 51 and west of BNSF Railroad and containing 47.2 acres.

Councilman Smith moved to approve the zoning ordinance (No. 2011-08). Mayor Pro Tem Terry seconded. Motion carried. 6-yes;0-no.

- C. The Celina City Council will conduct a public hearing to consider testimony and take action regarding Zoning Case Z10-29, an Ordinance of the City of Celina, Texas, amending Ordinance No. 2006-57, as heretofore amended, the same being the Comprehensive Zoning Ordinance, and amending the Official Zoning Map of the City by designating the zoning of land that is approximately 104.271 acres, being all that certain tract or parcel of land situated in Lot 4 of Subdivision 16 of the Collin County School Lands, Abstract Number 168, County of Collin, State of Texas, according to plat of the same recorded in Volume 03 Page 119 of the Deed Records of Collin County, Texas, said tract being all of a called 104.271 acre tract as described in deed to Old Celina, Ltd., filed 29 September 2008, and recorded in County Clerks Number 08-001158870 of the Deed Records of the County of Collin, State of Texas, and more fully described in Exhibit “A” and shown graphically in Exhibit “B” attached hereto and incorporated herein, as “MU-2” Mixed Use Regional District.

Councilman Nabors moved to approve the zoning ordinance (No. 2011-09). Councilman Smith seconded. Motion carried. 6-yes;0-no.

IX. ACTION ITEMS:

- A. Consider and act upon an appointment to the Building & Standards Commission

Mayor Pro Tem Terry moved to appoint George Kendrick to the Building & Standards Commission. Councilman Smith seconded. Motion carried. 6-yes;0-no.

- B. Consider and act upon a sewer winter averaging rate structure.

No action taken on item B.

- C. Consider and act upon authorizing the City Manager to execute a contract between the City of Celina and Freese and Nichols for Wastewater Engineering Services.

A break was called at 8:55 p.m. to answer Councilman Smith’s questions regarding the contract. Council reconvened at 9:20 p.m. Councilman Smith moved acceptance of the contract as amended, Section 12, attachment C, Payments within 30 days. Councilman Isham seconded. Motion carried. 6-yes;0-no.

- D. Consider and act upon acceptance of an Assistance to Firefighters Grant.

Mayor Pro Tem Terry moved to accept the grant. Councilman Smith seconded. Motion carried. 6-yes;0-no.

- E. Consider and act upon an ordinance of the City Council of Celina, Texas, amending the City’s Code of Ordinances, Chapter 8: Offenses & Nuisances; Article 8.08: Abandoned or Junked Vehicles.

Item E was tabled to the March regular meeting.

F. Consider and act upon an ordinance of the City Council of Celina, Texas, amending the City's Code of Ordinances, Chapter 6: Health & Sanitation, Public Swimming Pools and Spas.

Mayor Pro Tem Terry moved to accept (Ordinance No. 2011-10). Councilman Webber seconded. Motion carried. 6-yes;0-no.

G. Consider and act upon an ordinance of the City Council of Celina, Texas, amending the City's Code of Ordinances, appendix A: Fee Schedule.

Councilman Nabors moved to accept (Ordinance No. 2011-11). Mayor Pro Tem Terry seconded. Motion carried. 6-yes;0-no.

H. Consider and act upon an ordinance of the City Council of Celina, Texas, amending the City's Code of Ordinances, Chapter 6: Health & Sanitation; Article 6.04: Food Establishments.

Councilman Nabors moved to accept (Ordinance No. 2011-12). Councilman Smith seconded. Motion carried. 6-yes;0-no.

I. Consider and act upon acceptance of a CoServ Charitable Foundation Grant and authorize the City Manager to negotiate and enter into a contract to purchase a reserve ambulance.

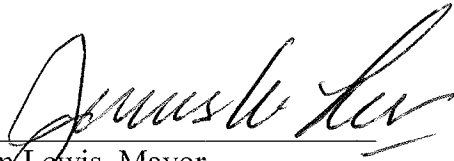
Councilman Smith moved to accept the grant. Councilman Nabors seconded. Motion carried. 6-yes;0-no.

J. Consider and act upon approval of a resolution supporting the Lakes of Mustang Ranch Municipal Management District legislation.

No action taken on Item J.

X. ADJOURNMENT:

There being no further comment, Mayor Lewis adjourned the meeting at 9:35 p.m.


Jim Lewis, Mayor


Vicki Faulkner, City Secretary
City of Celina, Texas

03/14/2011
Date Minutes Approved

