



**CITY COUNCIL WORKSESSION, PUBLIC HEARING, & REGULAR MEETING
CELINA COUNCIL CHAMBERS
302 W. WALNUT STREET
MONDAY, FEBRUARY 8, 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 5:00 p.m. Council members present were Todd McCally, Brad Glendening, Wayne Nabors, Dewey Isham, Dick Smith and Sean Terry.

II. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- A. Monthly Police Dept Report, 2009 Racial Profiling 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. Update regarding North Texas Tollway Authority meetings/alignment of Dallas North Tollway, Phase 4B and 5A was given by City Manager Jason Gray
- C. Discussion regarding Water and Sewer Rate Study-Bob McLain with Government Utility Rate Group presented the results of the study
- D. Discussion regarding joint City Council and Planning & Zoning Commission meeting to update Zoning Ordinance and Subdivision Ordinance.

Councilman Terry left the meeting at 6:00 p.m.

City Council convened into executive session with City Attorney Lance Vanzant at 6:05 p.m.

III. EXECUTIVE SESSION:

City Council will convene into Executive Session pursuant to Texas Government Code 551.072 Deliberation Regarding Real Property

- A. Discussion regarding a private offer that the city has received for 1.46 acres of land located generally south of S. Ohio and east of S. Colorado
- B. Discussion regarding the lease, sale, or purchase of real property generally located south of FM 455, West of CR 86, North of Frontier Parkway, and East of the BNSF Railroad tracks.

City Council reconvened into open session at 6:38 p.m.

RECONVENE INTO OPEN SESSION

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

Mayor Pro Tem McCally moved to allow the city manager to negotiate on the city's behalf as discussed in executive session. Councilman Isham seconded. Motion carried. 5-yes;0-no.

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

IV. PLEDGE OF ALLEGIANCE/INVOCATION: Pastor Isaah Moore with St. Phillip Baptist Church gave the invocation and read a letter of thanks to the City Council's for their participation in the Church's 100 year celebration.

V. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

VI. OPEN FORUM:

No comment received

VII. PUBLIC HEARING/ACTION:

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

1. 208.8 acres (located generally east of Preston Road and north of County Road 106) in Collin County, submitted by Godwin Investments, Ltd.
2. 52.38 acres (located generally east of Preston Road and south of County Road 106) in Collin County, submitted by Godwin Investments, Ltd.
3. 156.89 acres (located generally east of Preston Road and south of County Road 102) in Collin County, submitted by Godwin Investments, Ltd.
4. 186.13 acres (located generally south of FM 428 and west of County Road 50) in Collin County, submitted by Godwin Investments, Ltd.
5. 243.85 acres (located generally north of FM 428 and east of County Road 54) in Collin County, submitted by Godwin Investments, Ltd.
6. 256.68 acres (located generally south of FM 428 and north of County Road 51) in Collin County, submitted by Godwin Investments, Ltd.

No comment received on items 1 through 6.

7. 20 acres (located generally east of SH 289 and north of County Road 88) in Collin County, submitted by Stephen Rayburn.

No comment received on item 7.

- B. The Celina City Council will conduct a public hearing to consider testimony and take action regarding Case No. Z09-01, request to rezone a property roughly located north of FM 428, south of FM 455 and west of FM 428, containing 434.9 acres, from a Planned Development (PD) #7, #14 and un-zoned to a new Planned Development (PD).

Mayor Pro Tem McCally moved to approve the request to rezone (Ordinance No. 2010-02) as stated. Councilman Glendening seconded. Motion carried. 5-yes;0-no.

VIII. CONSENT AGENDA:

- A. Minute Approval-01/11/2010, 01/12/2010 (1), 01/12/2010 (2)
- B. Consider and act upon 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: all that certain tract or parcel of land situated in the Henry Bentley Survey, Abstract Number 124, and the BBB and CRR Survey, Abstract Number 132, County of Collin, State of Texas, said tract being all of a called 30.45 acre tract as described in deed to Dorothea Cornelius, filed 24, April 2007, and recorded in County Clerks Number 07-00549120 of the Deed Records of the County of Collin, State of Texas, and said tract being part of a called 11.3 acre tract as described in deed to Cornelius Family Revocable Trust, filed 24 April 2007, and recorded in County Clerks Number 07-00549090 of said deed records, and being more particularly described by metes and bounds in exhibit "A" attached hereto and incorporated herein, such tract located generally west and north of FM 428; (Ordinance No. 2010-01)

- C. Consider and act to accept a petition for annexation of 40 acres located in Collin County (FM 428), submitted by Planetial L.P, .and set public hearing dates of March 8, 2010 at 6:30 p.m. and March 9, 2010 at 6:00 p.m.
- D. Consider and act to accept a petition for annexation of 40.01 acres located in Collin County (CR 97 and CR 101), submitted by Barry Sangani and set public hearing dates of March 8, 2010 at 6:30 p.m., and March 9, 2010 at 6:00 p.m.
- E. Consider and act to accept a petition for annexation of .117 acres located in Denton County (north of Parvin Road), submitted by Teel Lakes and set public hearing dates of March 8, 2010 at 6:30 p.m., and March 9, 2010 at 6:00 p.m.
- F. Consider and act to accept a petition for annexation of 17.20 acres located in Denton County (north of Arvin Road), submitted by Coit 49 Partners and set public hearing dates of March 8, 2010 at 6:30 p.m., and March 9, 2010 at 6:00 p.m.
- G. Consider and act to accept a petition for annexation of .205 acres located in Denton County (north of Parvin Road), submitted by Teel Lakes and set public hearing dates of March 8, 2010 at 6:30 p.m., and March 9, 2010 at 6:00 p.m.
- H. Consider and act upon a joint General and Special Election Contract for Election Services among the City of Celina, Celina ISD, Collin County Community College District and Collin County.

Councilman Glendening moved to approve the consent agenda as written. Mayor Pro Tem McCally seconded. Motion carried. 5-yes;0-no.

Mayor Lewis left the meeting at 6:55 p.m.

IX. ACTION ITEMS:

- A. Consider and act upon appointment of Art Maldonado as Municipal Judge.

Councilman Isham moved to appoint Art Maldonado as Municipal Judge. (Resolution No. 2010-04R) Councilman Smith seconded. Motion carried. 5-yes;0-no.

- B. Consider and act upon sponsorship of the Main Street Golf Tournament.

Councilman Nabors moved to extend \$5000.00 for sponsorship of the Main Street Golf Tournament as budgeted. Councilman Isham seconded. Motion carried. 5-yes;0-no.

- C. Consider and act upon a Resolution regarding a request from the City of Gunter to release a portion of Celina's extraterritorial jurisdiction pursuant to the Boundary Line Settlement Agreement between the City of Gunter and the City of Celina.

Councilman Smith moved to release Celina ETJ as described in the Exhibit (Resolution No. 2010-01R). Councilman Glendening seconded. Motion carried. 5-yes;0-no.

- D. Consider and act upon Smiley Road alignment.

Councilman Isham moved to approve the Smiley/Teel alignment. (Resolution No. 2010-02R) Councilman Nabors seconded. Motion carried. 5-yes;0-no.

- E. Consider and act upon a private offer that the city has received for 1.46 acres of land located generally south of S. Ohio and east of S. Colorado.

Action taken out of executive session. See section III

- F. Consider and act to authorize buyer of 1.46 acres located generally south of S. Ohio and east of S. Colorado to act as agent to rezone the property.

Councilman Nabors moved to direct the City Manager to negotiate with buyer for terms to act as agent. Councilman Glendening seconded. Motion carried. 5-yes;0-no.

- G. Consider and act upon Case No. VAR10-01, a request for meritorious exception to Chapter 156.26(C) Commercial Signs and Appendix B: Signage Criteria (Sign, monument).

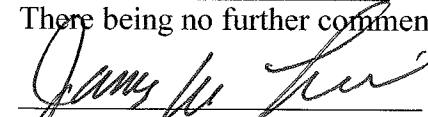
Mark Smith representing the center explained his request. Council took no action.

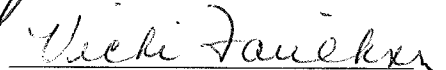
- H. Consider and act upon Case No. VAR10-02, a request for meritorious exception to Chapter 156.21(C) Illuminated Signs.

Councilman Smith moved to table item H. Councilman Glendening seconded. Motion carried. 4-yes;1-no. (Councilman Isham)

X. ADJOURNMENT:

There being no further comment, Mayor Pro Tem McCally adjourned the meeting at 8:50 p.m.


Jim Lewis, Mayor


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

03/08/2010
Date Minutes Approved

