

**Regular City Council Meeting
Meeting Minutes**

Tuesday, July 12, 2022 @ 6:30 PM



**Anna ISD Board Room
201 E. 7th Street
Anna, Texas 75409**

The City Council of the City of Anna met at 6:30 PM, on Tuesday, July 12, 2022, at the Anna ISD Board Room located at 201 E. 7th Street, Anna, Texas, to consider the following items.

1. Call to Order, Roll Call, and Establishment of Quorum.

Mayor Pike called the meeting to order at 6:30 PM.

All City Council Members were present.

2. Invocation and Pledge of Allegiance.

Council Member Carver led the Invocation. Mayor Pike led the Pledge of Allegiance.

3. Neighbor Comments.

Mr. Bryan Nichols, representing Juba Pizza, requested the City Council allow a late night permit to be open past 12:00 AM.

4. Reports.

- a. Proclamation Declaring July as Park and Recreation Month. (Director of Neighborhood Services Marc Marchand)

Designation of July as Park and Recreation Month

- b. Recognition of Landon Mullin Johnson. (Council Member Kevin Toten)

City Council recognized Landon Mullin Johnson and his video promoting Anna and the Anna Historical Depot.

5. **Work Session.**

- a. Update on Municipal Complex. (Director of Public Works Greg Peters, P.E.)

Representing Lee Lewis Construction, Mr. Anthony Lewis provided City Council with a brief update and timeline on the Municipal Complex.

- b. Zoning Discussion - Leonard Trails. (Director of Development Services Ross Altobelli)

Zoning discussion and direction for a tract of land that is primarily located within a Catalyst Area as identified within the Anna2050 Downtown Master Plan.

- c. FY22/23 Budget Update. (City Manager Jim Proce)

City Manager Proce provided City Council with a brief presentation on the draft FY 22/23 Budget.

- d. Update on the Splash Pad and Next Steps. (Director of Neighborhood Services Marc Marchand)

Director of Neighborhood Services Marc Marchand provided City Council with an update on the maintenance issues involving the Splash Pad and suggested rehab efforts. The consensus of the City Council was to replace the Splash Pad for safety of neighbors.

6. **Consent Items.**

MOTION: Council Member Toten moved to approve Consent Items 6.a. through 6.i. Council Member Ussery seconded. Motion carried 7-0.

- a. Approve the City Council Meeting Minutes for June 28, 2022. (City Secretary Carrie Land)
- b. Review Minutes of the June 6, 2022, Planning & Zoning Commission Meeting. (Director of Development Services Ross Altobelli)
- c. Approve a Resolution regarding the Garner Tres, Block A, Lot 1, Final Plat. (Director of Development Services Ross Altobelli)

One lot on 3.2± acres located on the north side of County Road 513, 2,385± feet west of County Road 577. Zoned: Extraterritorial Jurisdiction (ETJ).

The purpose of the Final Plat is to dedicate the lot and block boundaries and right-of-way necessary for future development.

The Final Plat is in conformance with the City's Subdivision Regulations and recommended for approval subject to the on-site sewage facilities review by Collin County Development Services.

The Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING GARNER TRES, BLOCK A, LOT 1, FINAL PLAT.

- d. Approve a Resolution regarding the Avery Pointe Commercial, Block A, Lots 1R, 4, & 5, Replat. (Director of Development Services Ross Altobelli)

Restaurant and retail on three lots on 2.1± acres located at the northeast corner of W. White Street and Ferguson Parkway. Zoned: Planned Development (Ord. No. 964- 2022, Ord. No. 709-2015, and Ord. No. 179-2005).

The purpose of the Replat is to dedicate lot and block boundaries and easements necessary for the construction of the restaurant and retail site improvements and to subdivide the property.

The Replat is in conformance with the city's Subdivision Regulations and Zoning Ordinances and is subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

The Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AVERY POINTE COMMERCIAL, BLOCK A, LOTS 1R, 4, & 5, REPLAT.

- e. Approve a Resolution regarding the Avery Pointe Commercial, Block A, Lots 1R, 4, & 5, Site Plan. (Director of Development Services Ross Altobelli)

Restaurant and retail on three lots on 2.1± acres located at the northeast corner of W. White Street and Ferguson Parkway. Zoned: Planned Development (Ord. No. 964- 2022, Ord. No. 709-2015, and Ord. No. 179-2005).

The purpose of the Site Plan is to show the proposed restaurant and retail development site improvements.

The Site Plan is in conformance with the City's Subdivision Regulations and Zoning Ordinances and is subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

The Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AVERY POINTE COMMERCIAL, BLOCK A, LOTS 1R, 4, & 5, SITE PLAN.

- f. Approve a Resolution regarding the Villages of Waters Creek, Block B, Lot 1, Preliminary Plat. (Director of Development Services Ross Altobelli)

Multiple-family residence on one lot on 19.5± acres located on the west side of future Persimmon Drive, 350± feet south of W. White Street. Zoned: Planned Development (Ord. No. 978-2022 & Ord. No. 861-2020).

The purpose of the Preliminary Plat is to propose rights-of-way, lot and block boundaries, and easements necessary for the creation of a multiple-family development.

The Preliminary Plat is in conformance with the adopted Planned Development standards and with the City's Subdivision Regulations and Zoning Ordinances and is subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

The Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING VILLAGES OF WATERS CREEK, BLOCK B, LOT 1, PRELIMINARY PLAT.

- g. Approve a Resolution authorizing the City Manager to execute a task order amendment with Birkhoff Hendricks & Carter for the easement acquisition phase of the SH5 Utility Relocation project. (Director of Public Works Greg Peters, P.E.)

Birkhoff Hendricks and Carter, LLC, was selected for the design of the utility relocations along State Highway 5. The project is required for the TxDOT widening of State Highway 5, and includes expansions to the water and sewer system based upon the Anna 2050 Comprehensive Plan's land use assumptions. The project has passed the 60% design level, and the City is now ready to begin the easement acquisition process.

This item will approve an amendment to the original task order (Approved by City Council in April of 2021 via Resolution 2021-04-894), to authorize funding of easement acquisition costs, including consultant costs. The project is funded through Water and Sanitary Sewer Impact Fees, and is eligible for TxDOT partial reimbursement. Once the plans are finalized, the City will enter into an agreement with TxDOT for reimbursement of a portion of the City's costs. We expect this agreement to come before the City Council by the end of the calendar year. Currently, the reimbursement is expected to be approximately 40%.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO AN EXISTING TASK ORDER WITH BIRKHOFF HENDRICKS AND CARTER, LLC, FOR THE STATE HIGHWAY 5 UTILITY RELOCATION PROJECT, FOR EASEMENT ACQUISITION SERVICES, AS SHOWN IN EXHIBIT "A" ATTACHED HERETO, AND PROVIDING FOR AN EFFECTIVE DATE.

- h. Approve a Resolution approving an Amended and Restated Development Agreement with Bloomfield Homes, LP for the Crystal Park Development. (Director of Economic Development Joey Grisham)

This amended version extends the timeline to October 2023 for PID bonds to be issued.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE MAYOR TO ACT ON THE CITY'S BEHALF IN EXECUTING AN AMENDED CRYSTAL PARK DEVELOPMENT AGREEMENT WITH BLOOMFIELD HOMES, LP .

- i. Approve meeting attendance for City Council, EDC/CDC Boards, Parks Advisory Board, Planning and Zoning Commission, Board of Adjustment and Diversity and Inclusion Commission. (City Secretary Carrie Land)

7. Items For Individual Consideration.

- a. Consider/Discuss/Action on the Drought Contingency Plan. (Director of Public Works Greg Peters)

The City of Anna has an existing Drought Contingency Plan which provides for specific steps for the City to take based on weather conditions and water usage. We have recently ended one of the hottest June's on record with very little rainfall. Staff will present the City Council with weather and water usage data, along with the adopted Drought Contingency Plan for discussion. Staff is seeking feedback on entering a voluntary Stage 1 Drought Stage, along with proposed ways the City can work with large water users and the construction industry to provide for more efficient and planned water usage.

MOTION: Mayor Pike moved to implement Stage 1 Drought restriction on a voluntary basis. City Council is to receive updates, construction management is also voluntary. Council Member Toten seconded. Motion carried 7-0.

- b. Conduct a Public Hearing/Consider/Discuss/Action on a Resolution regarding the 75 North Addition, Lots 14R & 15R, Residential Replat. (Director of Development Services Ross Altobelli)

Two single-family residences, detached on two lots on 0.3± acre, located on the west side of N Riggins Street, 560± feet north of Anthony Street. Zoned: S-1 Single-Family Residential District.

The purpose of the Replat is to modify the lot line between Lots 14R and 15R due to an encroachment of the existing house on Lot 15R onto Lot 14R.

The Planning & Zoning Commission recommended approval subject to the Board of Adjustment granting two (2) variances to the City of Anna Zoning Ordinance associated with:

1. Minimum lot area requirement for Lot 14R
2. Minimum side yard, interior setback requirement for Lot 15R

Mayor Pike opened the Public Hearing at 8:22 PM.

No public comments.

Mayor Pike closed the Public Hearing at 8:23 PM.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING 75 NORTH ADDITION, LOTS 14R & 15R, REPLAT.

MOTION: Council Member Atchley moved to approve. Council Member Toten seconded. Motion carried 7-0.

- c. Consider/Discuss/Action on a Resolution regarding Anacapri, Phase 2, Final Plat. (Director of Development Services Ross Altobelli)

Mayor Pike recused himself.

139 SF-60 lots and 98 SF-Z lots and seven common area lots on 66.3± acres located on the south side of Mantua Road (County Road 371), 160± feet west of Thousand Oaks Drive. Zoned: Planned Development (Ord. No. 887-2020).

The purpose for the Final Plat is to dedicate rights-of-way, lot and block boundaries, and easements necessary for the creation of a single-family residential development.

The Final Plat is in conformance with the City's Subdivision Regulations and Zoning Ordinances and is subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

The Planning & Zoning Commission recommended approval.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANACAPRI, PHASE 2, FINAL PLAT.

MOTION: Council Member Toten moved to approve. Council Member Carver seconded. Motion carried 6-0.

8. **Closed Session (Exceptions).**

Under Tex. Gov't Code Chapter 551, the City Council may enter into Closed Session to discuss any items listed or referenced on this Agenda under the following exceptions:

- a. Consult with legal counsel regarding pending or contemplated litigation and/or on matters 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 Chapter 551 of the Government Code (Tex. Gov't Code §551.071).
- b. Discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072).
- c. Discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has

received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (Tex. Gov't Code §551.087).

- d. Discuss or deliberate personnel matters (Tex. Gov't Code §551.074).

MOTION: Council Member Cain moved to enter Closed Session. Council Member Atchley seconded. Motion carried 6-0.

Mayor Pro Tem Miller recessed the meeting at 8:27 PM.

Mayor Pike reconvened the meeting at 8:49 PM.

9. Consider/Discuss/Action on any items listed on any agenda - work session, regular meeting, or closed session - that is duly posted by the City of Anna for any City Council meeting occurring on the same date as the meeting noticed in this agenda.

No action was taken.

10. **Adjourn.**

Mayor Pike adjourned the meeting at 8:49 PM.

Approved on July 26, 2022.



Mayor Nate Pike

ATTEST:

Carrie L. Land
City Secretary Carrie L. Land