

**Regular City Council Meeting
Meeting Minutes**



Tuesday, August 25, 2020 @ 6:30 PM

**Anna City Hall, Council Chambers
111 N. Powell Parkway, Anna, Texas 75409**

The City Council of the City of Anna met at 6:30 PM, on August 25, 2020 at the Anna City Hall, Located at 111 North Powell Parkway (Hwy 5), to consider the following items.

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

Deputy Mayor Pro Tem Beazley called the meeting to order at 6:41 PM.

Mayor Pike arrived at 6:52 PM.

Mayor Pro Tem Miller was absent.

2. Invocation and Pledge of Allegiance.

Deputy Mayor Pro Tem Beazley led the invocation and pledge.

3. Neighbor Comments.

No comments.

Deputy Mayor Pro Tem Beazley moved to Agenda Item 6. d, e and f.

6. Reports.

a. Proclamation declaring September "Hunger Awareness Month"

John Jenkins and Talia McAllister from North Texas Food Bank were present to accept the proclamation.

Throughout the month of September donations of peanut butter will be accepted at City Hall.

b. Proclamation Naming "Anna - a Fair Trade City"

Emily McDonald spoke regarding the "Fair-Trade City" project. Greater Anna Chamber of Commerce President/CEO Kevin Hall was present and accepted the proclamation.

- c. Notification of Cancellation of National Night Out 2020. (Police Chief Jeff A. Caponera)

Police Chief Caponera stated that National Night Out would be cancelled this year due to Covid-19 and safety issues.

- d. Telephone Town Hall Recap (City Manager Jim Proce)

Assistant City Manager Ryan Henderson gave a brief recap of the Telephone Town Hall meeting that was held. The meeting was well received by neighbors, with over 250 participants.

- e. Anna Police Support Month (Councilman Kevin Toten)

Council Member Toten read a statement by former Council Member Chris Reeves. He requested the community to turn the city blue by replacing their outside light bulbs with blue bulbs for the month of September.

- f. City Council Meeting upcoming schedules and locations.

Council will hold a special meeting on September 1 at the Anna ISD Board Room, 201 E. 7th Street at 6:30 PM.

Council will hold their regular meetings for September 8 and September 22 at the Anna ISD Board Room, 201 E. 7th Street at 6:30 PM.

- g. Staff Update on the CARES ACT funding

Interim Finance Director Alan Guard gave an overview of fund expenditures.

- h. Greater Anna Chamber of Commerce President Kevin Hall presented an award to the Fire Department for winning the 2020 Battle of the Badges blood drive.

7. **Work Session.**

- a. Staff presentation of the Draft FY 2021 Community Investment Program (CIP). (Director of Public Works Greg Peters and Director of Neighborhood Services Marc Marchand).

Director of Public Works Greg Peters and Director of Neighborhood Services Marc Marchand gave a detailed presentation on the FY 2021 Community Investment Program.

8. **Consent Items.**

Consent Item 8. d. was pulled for individual consideration.

MOTION: Council Member Toten moved to approve Consent Items 8. a. through c. and 8. e. through j.

- a. Approve City Council Meeting Minutes for August 11, 2020. (City Secretary Carrie Land)
- b. Approve a Resolution entering into a Chapter 380 Agreement with Italian Villa related to the COVID-19 small business assistance program. (Economic Development Director Joey Grisham)

This is an updated version of a Chapter 380 Agreement with Italian Villa for a \$5,000 small business grant. Since Italian Villa opted to relocate from its location on US 75, a new Chapter 380 was drafted that includes a requirement that Italian Villa execute construction contracts and a new lease agreement of at least five years in the City of Anna prior to December 30, 2020.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS,
APPROVING A CHAPTER 380 ECONOMIC DEVELOPMENT GRANT
AGREEMENT BETWEEN THE CITY OF ANNA AND ITALIAN VILLA.

- c. Approve a Resolution setting a public hearing under Section 372.009 of the Texas Local Government Code on the advisability of the creation of a public improvement district and improvements within the extraterritorial jurisdiction of the City of Anna, Texas for the Sherley Tract and authorizing the issuance of notice by the City Secretary of Anna, Texas regarding the public hearing. (City Attorney Clark McCoy)

In accordance with the Sherley Tract Subdivision Improvement Agreement, the developer submitted a petition to the City to create the Sherley Tract Public Improvement District (PID). Before the City Council can create the PID it must hold a public hearing after 15 days' publication notice. This resolution does not create the PID. It only accepts the developer's petition and provides for scheduling of the public hearing and publishing of the notice. The resolution sets the public hearing for September 22, 2020. After the hearing the Council will consider a separate resolution creating the PID.

A RESOLUTION SETTING A PUBLIC HEARING UNDER SEC. 372.009 OF
THE TEXAS LOCAL GOVERNMENT CODE ON THE ADVISABILITY OF THE
CREATION OF A PUBLIC IMPROVEMENT DISTRICT AND IMPROVEMENTS
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF ANNA,
TEXAS; AND AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY
SECRETARY OF ANNA, TEXAS REGARDING THE PUBLIC HEARING

- d. Approve a Resolution approving a Facilities Use Agreement between the City

of Anna and Anna Area Historical Preservation Society (Director of Neighborhood Services Marc Marchand).

This Facility Use Agreement is between the City of Anna and AAHPS for the operation of the Anna Depot and Museum. The objective of the Facilities Use Agreement is to collect, preserve, display, exhibit and promote the history of Anna and the surrounding area through the operation of the Anna Depot and Museum. The primary tenets of the Facilities Use Agreement are as follows:

- ☐ The museum name shall be Anna Depot and Museum.
- ☐ AAHPS agrees to promote and credit the City of Anna for its support of AAHPS and the Anna Depot and Museum in publicly disseminated printed materials and vice versa.
- ☐ The personal property inside the Depot Museum building is owned by or under the control of AAHPS.
- ☐ AAHPS shall have sole operational and supervisory authority over all activities conducted in connection with the operations of the Anna Depot Museum.
- ☐ AAHPS shall open the Anna Depot and Museum on a regularly scheduled basis.
- ☐ The real property constituting the Sherley Heritage Park grounds is owned by and under the control of the City.
- ☐ The City is responsible for the maintenance and repairs of the park grounds where the Train Depot and Museum is located as well as the utilities.
- ☐ The term of the agreement is for five years and shall automatically renew, thereafter.
- ☐ AAHPS shall submit annual reports to the City Manager.

If the City Council decides to pass the Resolution approving the Facilities Use Agreement, AAHPS will finish moving in their exhibits and displays into the Anna Depot and Museum and open their doors to the public shortly, thereafter.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A FACILITY USE AGREEMENT BETWEEN THE CITY OF ANNA ("CITY") AND ANNA AREA HISTORICAL PRESERVATION SOCIETY ("AAHPS") FOR THE OPERATION OF A LOCAL HISTORY MUSEUM IN ANNA'S HISTORIC TRAIN DEPOT.

MOTION: Council Member Toten moved to approve. Council Member Bryan seconded. Motion carried 5-0.

- e. Approve a Resolution Authorizing the City Manager to Renew the Dispatch Services Agreement with Collin County. (Police Chief Jeff A. Caponera)

Collin County has provided dispatch services for Anna PD and Anna FD since 2005. Each year the Agreement must be renewed. Beginning in FY 19, Collin County determined a new formula for the handling of dispatch service fees for each agency under the Agreement. Anna will see an incremental increase in fees over the next five years to account for enhancements to the dispatch radio system. This new formula is based on several variables, including number of calls for service, number of radios on the system as of March 1 of each year,

and connection fees associated with the Plano, Allen, Wylie and Murphy (PAWM) radio gateway.

The dispatch service charges for FY2021 in the amount of \$107,414 shall be paid by the City in four quarterly installments of \$26,853.50 and one quarterly installment of \$23,342.67 during the term hereof. The fees will be based on the fee schedule formulas adopted by Commissioners' Court on August 6, 2018 (Court Order No. 2018- 628-08-06). In addition to the fee schedule, each radio registered on the system will be assessed an annual connection fee by Plano, Allen, Wylie, Murphy (PAWM) operators for access to their system. In FY2021, the fee will be \$108 per radio and may be updated annually by PAWM. Anna PD currently has 34 radios on the PAWM system. Total cost for the connection fees to PAWM is \$3,672.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING THE
RENEWAL OF THE INTERLOCAL DISPATCH SERVICES AGREEMENT WITH
COLLIN COUNTY, TEXAS

- f. Approve a Resolution Authorizing the City Manager to Extend the Jail Services Agreement with Collin County. (Police Chief, Jeff Caponera)

Collin County Sheriff's Office operates a detention facility, including a Minimum Security Facility that confines persons charged with or convicted of all classes of violations of State Law, including those charged with or convicted of Class C violations arising from arrests initiated by Anna Police Officers.

This Resolution authorizes the City Manager to continue the City's partnership with Collin County for jail services. Not extending this Agreement does not allow Anna Police Officers or the Anna Municipal Court to house persons arrested or convicted on municipal ordinance violations or other Class C violations of State Law.

This Agreement requires that the City pay the County a fee of \$91.41 per day or part of a day per inmate. This is a decrease from the \$98.78 rate in FY 2020.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AN
INTERLOCAL JAIL SERVICES AGREEMENT WITH COLLIN COUNTY

- g. Approve a Resolution approving the revised and restructured contract for water purchase from the Greater Texoma Utility Authority. (Public Works Director Greg Peters)

The City of Anna is a member of the Collin-Grayson Municipal Alliance, with Melissa, Van Alstyne, and Howe. The CGMA contracts with the Greater Texoma Utility Authority to purchase and transport water from North Texas Municipal Water District to the four CGMA Cities.

The new contract is an update of the original 2004 contract, and requires

approval by all four of the CGMA cities.

Many of the changes in this contract are related to the changes NTMWD required GTUA to make in the new contract between GTUA/CGMA and NTMWD which was signed earlier this year.

Some key items include:

- ☐ NTMWD mandated contract changes which City staff does not support, but recommends adopting to ensure water supply.
- ☐ The Contract does not prohibit CGMA from seeking alternative water sources.
- ☐ Annual calibration of GTUA meters to ensure accurate billing of Cities for the water we purchase.
- ☐ Debt service provisions for each City's obligation to fund any infrastructure projects by paying their portion of the debt service based on portion of water purchased.
- ☐ Improved clarity on expenses and rates for purchase of water.

Staff recommended approval of this contract with GTUA and finds that GTUA is doing everything they can to provide the City of Anna with quality service at reasonable rates.

Staff also recommended that the CGMA and GTUA begin a full and committed effort to seeking alternative sources for drinking water, which could result in better rates for our rate payers.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A POTABLE WATER SUPPLY CONTRACT AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME; PROVIDING AN EFFECTIVE DATE

- h. Approve a Resolution adopting an Interlocal Agreement with Collin County for the collection of special assessments in the Hurricane Creek Public Improvement District Improvement Area No. 1. (City Manager Jim Proce)

This Interlocal Agreement allows for the Collin County Tax Assessor/Collector to collect PID assessments for the Hurricane Creek PID Improvement Area No. 1.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, APPROVING AN INTERLOCAL AGREEMENT BY AND BETWEEN THE COLLIN COUNTY TAX ASSESSOR-COLLECTOR, COLLIN COUNTY, AND THE CITY OF ANNA FOR THE HURRICANE CREEK PUBLIC IMPROVEMENT DISTRICT IMPROVEMENT AREA NO.1 COLLECTION SERVICES FOR THE CITY OF ANNA.

- i. Approve a Resolution adopting an Interlocal Agreement with Collin County for the collection of special assessments in the Hurricane Creek Public Improvement District Major Improvement Area. (City Manager Jim Proce)

This Interlocal Agreement allows for the Collin County Tax Assessor/Collector to

collect PID assessments for Hurricane Creek PID Major Improvement Area.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, APPROVING AN INTERLOCAL AGREEMENT BY AND BETWEEN THE COLLIN COUNTY TAX ASSESSOR-COLLECTOR, COLLIN COUNTY, AND THE CITY OF ANNA FOR THE HURRICANE CREEK PUBLIC IMPROVEMENT DISTRICT MAJOR IMPROVEMENT AREA COLLECTION SERVICES FOR THE CITY OF ANNA.

- j. Approve a Resolution authorizing the City Manager to execute an Interlocal Agreement by and between the City of Anna and the City of Melissa for the purchase of unused water from the City of Melissa's take or pay minimum water supply. (Director of Public Works Greg Peters)

The City of Anna and the City of Melissa are both members of the Collin Grayson Municipal Alliance, which contracts with the Greater Texoma Utility Authority for the operation, maintenance, and supply of public drinking water from the North Texas Municipal Water District.

The City of Anna is growing in both size and population. As such, Anna now requires more water supply than the take or pay minimum volume as defined in the GTUA contract.

By purchasing unused portions of the other CGMA's take or pay minimum water supply, the City of Anna is not required to increase its take or pay minimum volume. Keeping our take or pay minimum volume flat for as long as possible allows Anna to keep our contract purchase requirements low while still receiving the volume of water required for the community.

In addition, this buy-sell agreement benefits the other CGMA cities as it allows them to sell Anna the water they are not using, but are paying for.

This Interlocal Agreement benefits both cities and does not negatively impact either City. The additional water supply Anna is able to access through this agreement is critical to the ability of the City to provide adequate water volumes to the community.

The City of Melissa previously approved the agreement.

Approval of this resolution will authorize the City Manager to execute the ILA and authorize the payment to the City of Melissa for the volume of water purchased.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF ANNA AND THE CITY OF MELISSA FOR THE PURCHASE OF A PORTION OF THE CITY OF MELISSA'S CONTRACT MINIMUM WATER SUPPLY THROUGH THE GREATER TEXOMA UTILITY AUTHORITY; AND FURTHER AUTHORIZING THE CITY MANAGER TO MAKE PAYMENT TO THE CITY OF MELISSA FOR THE PURCHASE OF SAID

ADDITIONAL WATER SUPPLY AS SET FORTH IN THE TERMS AND CONDITIONS OF THE INTERLOCAL AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

9. **Items For Individual Consideration.**

- a. One Two Anna Addition, Block A, Lot 1 Zoning & Concept Plan (Director of Development Services Ross Altobelli)

1) Conduct a public hearing to consider public comments regarding a request to amend Planned Development-846-2020 located at the northwest corner of U.S. Highway 75 frontage road and White Street (FM 455) in order to incorporate additional land.

Request to amend the zoning of 50.5± acres located at the northwest corner of U.S. Highway 75 frontage road and White Street (FM 455) in order to incorporate additional land. Zoned: PD-756-2018.

Mayor Pike opened the public hearing at 8:30 PM

No Comments

Mayor Pike closed the public hearing at 8:30 PM

2) Consider/Discuss/Action on an Ordinance approving the request to amend zoning of the current planned development to incorporate additional acreage resulting from TXDOT right-of-way abandonment.

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE CITY'S COMPREHENSIVE PLAN, ZONING MAP, AND ZONING ORDINANCE AND CHANGING THE ZONING OF CERTAIN PROPERTY AS DESCRIBED HEREIN; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A PENALTY CLAUSE NOT TO EXCEED \$2,000 OR THE HIGHEST PENALTY AMOUNT ALLOWED BY LAW, WHICHEVER IS LESS; AND, PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

MOTION: Council Member Toten moved to approve. Council Member Bryan seconded. Motion carried 5-0.

3) Consider/Discuss/Action on a recommendation on a Resolution approving the Concept Plan, One Two Anna Addition, Block A, Lot 1 associated with the rezoning request.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING THE ONE TWO ANNA ADDITION, BLOCK A, LOT 1, CONCEPT PLAN

MOTION: Mayor Pike moved to approve. Council Member Bryan seconded. Motion carried 5-0.

- b. Consider/Discuss/Action on a Resolution for the purchase of medical equipment related to the CARES ACT ambulance. (Interim Fire Chief Dan

Wood)

On 6/23/2020, the Anna City Council approved the purchase of a transport ambulance utilizing CARES ACT funding. Up-fitting and medical equipment costs for this vehicle were not included in the original agenda item. An additional \$95,000 is required to equip the ambulance with a patient stretcher, LifePak 15 resuscitation unit, communications equipment, Lucas CPR device, and other related EMS items. The fire department would like to begin the process of ordering, purchasing, and configuring the necessary equipment in anticipation of the new ambulance's arrival.

This proposal is in alignment with the fire department's internal Strategic Plan and apparatus matrix which defines our vehicle acquisition and replacement schedule through FY 2040.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING FUNDING FOR MEDICAL EQUIPMENT, TOOLS, AND ACCESSORIES RELATED TO THE RECENT CARES ACT RESCUE VEHICLE.

MOTION: Council Member Bryan moved to approve. Council Member Totten seconded. Motion carried 5-0.

- c. First Reading of a Resolution approving the Fiscal Year 2020-2021 Anna Community Development Corporation Annual Budget. (Economic Development Director Joey Grisham)

Two readings of the resolution are required prior to adopting the CDC Budget. The CDC Board approved the proposed FY 2021 budget on July 30, 2020. This is the first reading of the resolution. Mayor Pike read the following:

A RESOLUTION OF THE CITY OF ANNA, TEXAS RATIFYING AND APPROVING THE FISCAL YEAR 2020-2021 BUDGET FOR THE ANNA COMMUNITY DEVELOPMENT CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

- d. Second Reading of a Resolution approving the Fiscal Year 2020-2021 Anna Community Development Corporation Annual Budget. (Economic Development Director Joey Grisham)

Two readings of the resolution are required prior to adopting the CDC Budget. The CDC Board approved the proposed FY 2021 budget on July 30, 2020. This is the first reading of the resolution. Mayor Pike read the following:

A RESOLUTION OF THE CITY OF ANNA, TEXAS RATIFYING AND APPROVING THE FISCAL YEAR 2020-2021 BUDGET FOR THE ANNA COMMUNITY DEVELOPMENT CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

- e. Consider/Discuss/Act on a Resolution approving the Fiscal Year 2020-2021 Anna Community Development Corporation Annual Budget. (Economic Development Director Joey Grisham)

Staff proposed a \$1,311,140 FY 2021 Budget and it was approved by the CDC Board on July 30, 2020. Sales tax revenues remain strong, giving the CDC more funding for projects.

A RESOLUTION OF THE CITY OF ANNA, TEXAS RATIFYING AND APPROVING THE FISCAL YEAR 2020-2021 BUDGET FOR THE ANNA COMMUNITY DEVELOPMENT CORPORATION; AND PROVIDING AN EFFECTIVE DATE

MOTION: Mayor Pike moved to approve. Council Member Vollmer seconded. Motion carried 5-0.

- f. Consider/Discuss/Act on a Resolution approving the Fiscal Year 2020-2021 Anna Economic Development Corporation Annual Budget. (Economic Development Director Joey Grisham)

Staff proposed a \$99,650 Annual EDC Budget for FY 2021 and it was approved by the EDC Board on July 30, 2020. A large portion of the proposed budget is dedicated to the Anna Business Park including signage, with much of the remainder earmarked for operating the Inc-Cube.

MOTION: Mayor Pike moved to approve. Council Member Toten seconded. Motion carried 5-0.

A RESOLUTION OF THE CITY OF ANNA, TEXAS RATIFYING AND APPROVING THE FISCAL YEAR 2020-2021 BUDGET FOR THE ANNA ECONOMIC DEVELOPMENT CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

- g. Conduct a Public Hearing and Consider/Discuss/Action on an Ordinance to adopt new solid waste rates in the City of Anna, Texas. (Director of Public Works Greg Peters)

Mayor Pike opened the public hearing at 8:52 PM

No Comments

Mayor Pike closed the public hearing at 8:52 PM

AN ORDINANCE OF THE CITY OF ANNA, TEXAS, AMENDING THE ANNA CITY CODE OF ORDINANCES APPENDIX A, ARTICLE A6.001 GARBAGE COLLECTION CHARGES; PROVIDING FOR A PENALTY FOR ANY VIOLATION OF THIS ORDINANCE NOT TO EXCEED \$2,000; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING

FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION THEREOF.

4. **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). City Secretary Annual Review; City Manager Annual Review.

MOTION: Mayor Pike moved to enter closed session. Council Member Vollmer seconded. Motion carried 5-0

Mayor Pike recessed the meeting at 8:52 PM.

Mayor Pike reconvened the meeting at 9:22 PM.

5. 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.

10. **Adjourn.**

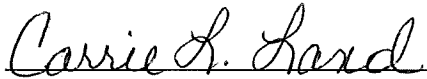
Mayor Pike adjourned the meeting at 9:22 PM.

Approved on September 8, 2020.



Mayor Nate Pike

ATTEST:



City Secretary Carrie L. Land

