

**Regular City Council Meeting
Meeting Minutes**



Tuesday, November 10, 2020 @ 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 November 10, 2020, at the Anna ISD Board Room, Located at 201 E. 7th Street, 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 Council Members were present. Council Member Miller was present virtually.

2. Invocation and Pledge of Allegiance.

Mayor Pike led the invocation and pledge.

3. Neighbor Comments.

Stan Carver – Spoke about issues with another candidate in the runoff election.
Randy Atchley- Spoke about issues with another candidate in the runoff election
Gina Maria Ottavio – opposed the proposed DR Horton development at Rosamond
Tom Plunkett – Thanked Public Works for making repairs in his neighborhood.

4. Reports.

Fire Chief Isom reported the new fire engine has been received and was on display.

Assistant Fire Chief Wood recognized Nelson, Eaton and Thomas for their service to the Anna Fire Department.

Director of Development Services, Ross Altobelli introduced new Building Official, Nader Jeri.

Director of Neighborhood Services, Marc Marchand introduced new

Recreations Manager, Jeff Freeth.

Assistant City Manager, Ryan Henderson recognized Director of Community Services, Ashley Strathous and wished her luck on her future endeavors.

5. **Work Session.**

- a. Review and Discuss Future Bond Program Development (Economic Development Manager Taylor Lough)

6. **Consent Items.**

Items 6. h., i., n., o., and p. were removed from consent.

MOTION: Council Member Beazley moved to approve Consent Items a. through g., j. through k. and q. through s. Council Member Vollmer seconded. Motion carried 6-0.

- a. Approve Council Meeting Minutes, October 27, 2020. (City Secretary Carrie Land)
- b. Review minutes of the October 5, 2020 Planning and Zoning Commission meeting. (Director of Development Services Ross Altobelli)
- c. Approve a Resolution regarding the Jonic Addition, Block A, Lot 1, Minor Plat. (Director of Development Services Ross Altobelli)

Vacant property on one lot on 3.6± acres located on the south side of White St (FM 455), 780± feet east of Powell Pkwy (TX HWY 5). Zoned Agriculture (AG).

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING THE JONIC ADDITION, BLOCK A, LOT 1, MINOR PLAT

- d. Approve a Resolution regarding the Avery Pointe Commercial, Block A, Lot 1R and 2, Replat. (Director of Development Services Ross Altobelli)

Vacant property on 2 lots on 7.4± acres located at the northeast corner of White St (FM 455) and Ferguson Pkwy. Zoned Planned Development C-2 General Commercial (PD-C-2). The purpose for this replat is to create 2 lots and to dedicate drainage and utility easements.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING THE AVERY POINTE COMMERCIAL BLOCK A, LOTS 1R and 2, REPLAT.

- e. Development Agreement - The Woods at Lindsey Place
Approve a Resolution entering into a development agreement with LHJH Properties, LTD to establish development and design regulations for further development on 275 acres located at the northwest and southwest corners of

future Rosamond Parkway and Future Ferguson Parkway. (Director of Development Services Ross Altobelli)

The intent of the development agreement is to ensure the use of high quality, durable materials for nonresidential and residential development within the city to create well designed and attractive architecture.

Approving the development agreement in no way puts an obligation on the City Council to approve the rezoning request. It only puts in place development and design regulations should the decision be made to approve the rezoning request.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A DEVELOPMENT AGREEMENT WITH LHJH PROPERTIES, LTD, A TEXAS LIMITED PARTNERSHIP, RELATING TO DEVELOPMENT AND DESIGN REGULATIONS FOR MULTI-USE DEVELOPMENT LOCATED AT THE NORTHWEST AND SOUTHWEST CORNERS OF FUTURE ROSAMOND PARKWAY AND FUTURE FERGUSON PARKWAY

- f. Approve a Resolution authorizing the City Manager to execute a Roadway Impact Fee Credit Agreement for the construction of Leonard Avenue by and between Gehan Homes, Limited and the City of Anna, Texas. (Director of Public Works Greg Peters, P.E.)

This item is for a Roadway Impact Fee Credit Agreement for the construction of Leonard Avenue along Anna Ranch Phase 1. Leonard Avenue is included in the City of Anna Master Thoroughfare Plan and the City of Anna CIP as a major roadway project for the future.

The developer agrees to construct their half of Leonard Avenue along their frontage as a part of developing Anna Ranch Phase 1. In accordance with State and Local policies, the developer is subject to receiving reimbursement of roadway impact fees paid for each home in the development, up to the total construction cost of the segment of Leonard Avenue they will construct.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A SUBDIVISION IMPROVEMENT AGREEMENT FOR ANNA RANCH PHASE I BY AND BETWEEN THE CITY OF ANNA, TEXAS AND GEHAN HOMES I, LTD. FOR THE CONSTRUCTION OF LEONARD AVENUE AS SHOWN IN EXHIBIT "A" ATTACHED HERETO, AND PROVIDING FOR AN EFFECTIVE DATE.

- g. Approve a Resolution authorizing the City Manager to execute an amendment to the Task Order for the engineering design and land surveying of Hackberry Drive by and between the City of Anna, Texas and Birkhoff, Hendricks, and Carter LLP. (Director of Public Works Greg Peters, P.E.)

Hackberry Drive is identified in the City's Master Thoroughfare Plan as a future roadway improvement project. In addition, this segment of Hackberry Drive from Bamborough Drive to SH 5/Powell Parkway is included in the City Council's Strategic Plan for the City.

The original plan was to construct half of a future 4-lane divided roadway.

Upon further discussion with the adjacent property owners and a review of the project impacts, staff made the decision to develop a revised layout for the roadway improvements. This revised layout was discussed at a previous City Council meeting and it:

1. Reduces the amount of right-of-way needed from adjacent property owners.
2. Preserves access for existing driveways which would have been impacted by a median.
3. Preserves front driveway length as needed for neighbors along Hackberry to park in their existing driveways.
4. Preserves the project goals of improving the safety and quality of the roadway. The revised layout will include construction of a two lane, undivided road, with a safe transition to the existing 4-lane road to the West. In the future the roadway will be able to be expanded to a 4-lane undivided section if the area is re-developed.

A major component of the Task Order Amendment is for the inclusion of Right-of-Way Acquisition Services, which will be required for narrow slivers along the corridor. This makes up the bulk of the additional cost included in the amendment. The amount of right-of-way required for the new layout is significantly less than the original layout.

Once approved, staff will work with the consultant and neighbors to finalize the plans and acquire the necessary right-of-way.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE TASK ORDER AMENDMENT 2 BY AND BETWEEN THE CITY OF ANNA, TEXAS AND BIRKHOFF, HENDRICKS & CARTER, LLP, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FOURTEEN THOUSAND NINE HUNDRED SIXTY DOLLARS AND ZERO CENTS (\$114,960.00) AS SHOWN IN EXHIBIT "A" ATTACHED HERETO, AND PROVIDING FOR AN EFFECTIVE DATE.

- h. Approve a Resolution authorizing the City Manager to execute payment to the North Collin Special Utility District for the relocation of an existing 2-inch water main in Foster Crossing Road as required for the widening of Foster Crossing Road. (Director of Public Works Greg Peters, P.E.)

The City will be publicly bidding the project to widen Foster Crossing Road adjacent to Pecan Grove Phase 2-4 in the next 60 days. Construction will

commence in early 2021.

The North Collin SUD has an existing water main in an existing easement along the existing 2-lane asphalt road. This easement and main will both be encompassed by the proposed road widening project. In addition, due to the depth of the water main and the proposed grade of the road, the water main must be removed and relocated prior to construction of the road.

Staff determined that the best approach to the relocation of this main was to allow North Collin SUD to hire their contractor of choice to perform the work, as the main is not owned and operated by the City of Anna and the SUD can complete the project at a more competitive price than if the City bid the work out as part of the road project.

Staff has met with North Collin SUD and agreed upon a cost estimate for the relocation of the water main. The City's obligation will not exceed the agreed upon amount of \$57,960.00, as stated in the Resolution.

If approved by the City Council, the North Collin SUD will commence construction in the next 60 days in order to ensure that the main is out of the way prior to road construction beginning in early 2021.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO REIMBURSE THE NORTH COLLIN SPECIAL UTILITY DISTRICT FOR THE RELOCATION OF AN EXISTING WATER MAIN IN CONFLICT WITH THE PROPOSED WIDENING OF FOSTER CROSSING ROAD, IN AN AMOUNT NOT TO EXCEED FIFTY SEVEN THOUSAND NINE HUNDRED AND SIXTY DOLLARS AND ZERO CENTS (\$57,960.00) AS SHOWN IN EXHIBIT "A" ATTACHED HERETO, AND PROVIDING FOR AN EFFECTIVE DATE.

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

- i. Approve a Resolution authorizing the City Manager to condemn real property for the sanitary sewer easement required for the construction and maintenance of the Hurricane Creek Line B sanitary sewer main. (Director of Public Works Greg Peters, P.E.)

The City of Anna Hurricane Creek Trunk Sewer project is an extremely important major CIP expansion project located west of US 75. The construction of this sewer main is required in order to facilitate high quality development on the west side of US 75, including both commercial and residential development. The project is included in the Sewer Master Plan for the City, and is identified in the City Council Strategic Plan as a Top Priority Action Item. The ongoing development on the west side of US 75 has reached a point where the project must move forward.

Thus far the City has been able to reach agreements for the purchase of easements on all impacted properties except one. The City and property Consultant has coordinated with the property owner and held an in-person meeting to discuss the project, the easement need, and a reasonable price for the easement. In addition, the City has provided copies of the appraisal, easement documents, and other related information to the property owner. However, to-date the City and the property owner have been unable to reach agreement on the value of the easement property.

Staff will continue to seek a way to reach an agreement with the property owner, as condemnation should only be used as a last resort. However, staff is requesting the City Council to grant condemnation authority. The property owner is aware of this next step in the process.

The City will be responsible for all required costs and fees associated with the acquisition of the easement, including paying a fair market value for the easement to the land owner.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, FINDING THAT A PUBLIC NECESSITY EXISTS FOR ACQUISITION OF A PERMANENT SANITARY SEWER LINE EASEMENT PROVIDING LIMITED RIGHTS ON AND UNDER 1.229 ACRES OF REAL PROPERTY, MORE OR LESS, AND A TEMPORARY CONSTRUCTION EASEMENT PROVIDING TEMPORARY LIMITED RIGHTS ON AND UNDER 1.219 ACRES OF REAL PROPERTY, MORE OR LESS; AUTHORIZING THE CITY MANAGER, STAFF, CONTRACTORS, AND THE CITY'S ATTORNEYS TO ACQUIRE SAID EASEMENTS BY ANY LAWFUL MEANS, INCLUDING BUT NOT LIMITED TO NEGOTIATIONS, AND, IF NECESSARY, PROCEEDINGS IN EMINENT DOMAIN; PROVIDING AN EFFECTIVE DATE.

MOTION: Mayor Pike moved that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 1.229 acres of land, more or less, for a permanent sanitary sewer line easement, and 1.219 acres of land, more or less, for a temporary construction easement, said tracts located in the H.T. Chenoweth Survey, Abstract 158, Collin County, Texas, part of a called 101 acre tract conveyed to MJLA Adams, Ltd., by deed recorded in Instrument Number 20110505000462570 of the Deed Records of Collin County, Texas, said 1.229 acres and 1.219 acres being more particularly described by the metes and bounds description and depiction set forth in Exhibit "A" to this resolution, which I incorporate in full into my motion. Council Member Bryan seconded. Motion carried 6-0.

- j. Approve a Resolution authorizing the City Manager to execute a Task Order with Biggs & Matthews, Inc. for the engineering analysis and design of the expansion of the Collin Water Pump Station to increase public water supply for the City of Anna, Texas. (Director of Public Works Greg Peters, P.E.)

This item approves an engineering task order for the required engineering analysis and design services associated with the project. The expansion project will include expanding the existing pump station with new pumps and wells.

The Station was constructed years ago, but was never fully utilized in the system, with the pump system and ground storage tanks being used infrequently. Over the past year staff has been conducting research and analysis, and has determined that there is a viable way to expand the pump station and make it 100% operational.

The project will increase water supply for the City which is much needed with the current growth taking place. The project will also allow the City more time to work with CGMA/GTUA/NTMWD and other entities on the long-term plans to increase access to treated surface water.

The project is included in the FY 2020-2021 CIP, and is to be funded through Water Impact Fees. The total cost of the task order is \$205,000.00.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE TASK ORDER BY AND BETWEEN THE CITY OF ANNA, TEXAS AND BIGGS & MATTHEWS, INCORPORATED, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIVE THOUSAND DOLLARS AND ZERO CENTS (\$205,000.00) AS SHOWN IN EXHIBIT "A" ATTACHED HERETO, AND PROVIDING FOR AN EFFECTIVE DATE.

- k. Approve a Resolution authorizing the City of Anna, Texas to participate in the Collin County Purchasing Cooperative for the purchase of goods and services for the public and authorize the city manager to sign the agreement. (Finance Director Alan Guard)

The City of Anna Has Participated in A Cooperative Purchasing Agreement with Collin County Since 2015. It Is Time to Renew the Agreement. The Cooperative Purchasing Agreement Allows the City To "Piggy-Back" On Contracts and Other Purchases That Collin County Has Previously Competitively Bid. This Allows the City to Take Advantage of Lower Bids for Services and Bulk Purchases That A Larger Entity Such As Collin County Has Already Put Through The Legal Bid Requirements. This Saves the City Time and Money.

A RESOLUTION RENEWING THE COLLIN COUNTY COOPERATIVE PURCHASING AGREEMENT.

- l. Approve the Quarterly Investment Report for the Period Ending September 30, 2020. (Finance Director Alan Guard)

The City's portfolio as of the quarter ending September 30, 2020 earned an average yield of 0.54%. The total year-to-date interest earnings are \$703,202.

- m. Approve Resolution approving a policy and procedure for naming City parks, trails, recreational areas and other recreational facilities. (Neighborhood Services Director Marc Marchand)

Over the past years, several parks have come online in the City of Anna. As the City continues to grow, more parks are planned. A naming policy is needed to establish a systematic approach for the naming of parks, trails and recreational facilities.

In the policy, parks, trails and recreational facilities may be named based on the following criteria: location, physical characteristics of the land, historical or cultural significance, persons of outstanding civic service to the City, documented community support, events hosted in the area, relevant concepts or ideas, organizations providing community service in the area, and significant material or financial contributions. The renaming of parks is discouraged though it may be necessary in special circumstances. The City Council has final approval of all names.

The Neighborhood Services Department oversees the naming process. Proposed names shall be submitted to the Neighborhood Services Director. Upon researching the proposed names and verifying information on names, recommendations will be made to the Parks Advisory Board. The Parks Advisory Board will forward their recommendations to the City Council for final approval by Resolution. Public participation is strongly encouraged as well as naming parks, trails and recreational facilities prior to construction.

This policy is not intended to provide guidance or direction for the naming and dedication of other public infrastructure, like thoroughfares, streets, public buildings and facilities, neighborhoods, and other ceremonial naming, renaming, or addressing, that will all be addressed under a separate heading at a future date, due to the additional dynamics of addressing, 911 referencing, platting requirements, GIS mapping and coordination, postal requirements, creation of political subdivisions, or any errors or omissions, which can be much more involved due to the herein stated reasons.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS
APPROVING A POLICY AND PROCEDURE FOR NAMING CITY PARKS,
TRAILS, RECREATIONAL AREAS, AND OTHER RECREATIONAL FACILITIES

- n. Approve Resolution approving and authorizing the City Manager to purchase playground equipment for Johnson Park from GameTime c/o Total Recreation Products, Inc. through Buy Board Texas Cooperative. (Neighborhood Services Director Marc Marchand)

The playground facilities at Johnson Park are out-of-date and need to be replaced. Staff is proposing inclusive playground facilities from GameTime c/o Total Recreation Products, Inc. with the following features:

- Playground with three slides, tubes to climb through and monkey bars
- Shadow play tri runner
- Inclusive Whirl -Sensory Wave Arch System
- Rubber Surfacing

The City has been awarded a GameTime Grant for the project in the amount of \$21,128.49. The total project cost after the grant is \$151,787.24. Funds have been allocated in the Parks Development Fund. This would be a Buy Board purchase.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO PURCHASE PLAYGROUND EQUIPMENT FOR JOHNSON PARK FROM GAMETIME THROUGH BUY BOARD TEXAS COOPERATIVE.

MOTION: Council Member Totten moved to approve. Council Member Vollmer seconded. Motion carried 6-0.

- o. Approve Ordinance amending Chapter 7, Health and Sanitation, Article 7.03, Food Establishments, to provide regulations relating to food establishments, food trucks and mobile vendors. (Neighborhood Services Director Marc Marchand)

This Ordinance provides regulations of all food establishments, food trucks, and mobile vending within the City limits.

Provisions within the Ordinance include:

- ☐ The Code Compliance Manager or persons designated by him regulate the Ordinance.
- ☐ A valid health permit is required and shall be issued, annually.
- ☐ Mobile food units and hot trucks shall be considered a food establishment and comply with all pertinent regulations in the Ordinance.
- ☐ Temporary food establishment permits shall not exceed 7 days without approval.
- ☐ Requirements have been clarified for the following: inspections, posting of food handler and food establishment permits, suspension of food establishment permits, revocation of food permits, examination and condemnation of food, and grease traps and grease interceptors

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE ANNA CITY CODE OF ORDINANCES BY AMENDING CHAPTER 7, HEALTH AND SANITATION, ARTICLE 7.03, FOOD ESTABLISHMENTS, TO PROVIDE ADDITIONAL REGULATIONS RELATED TO FOOD ESTABLISHMENTS,

FOOD TRUCKS, AND MOBILE VENDORS; 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.

See Item p for action.

- p. Approve Ordinance amending Appendix A (Fee Schedule) adding a new article for Health Permit Fees. (Neighborhood Services Director Marc Marchand)

This Ordinance amends Appendix A (Fee Schedule) and adds a new Article A8.00 (Health Fees). The fees that have been added include the following: Food Establishment

Food Establishment	\$350
Food Service, Public School Cafeteria	\$0
Food Service, Private School Cafeteria	\$100
Daycare	\$250
Foster/Nursing Homes	\$250
Grocery Stores	\$500
Late Fee on Renewals	\$100
Reinspection Fee	\$100
Mobile Food Unit and Food Trucks	\$250
Push Carts and Stationary Stands/Booths	\$150
Temporary Food Establishments	\$150

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE ANNA CITY CODE OF ORDINANCES BY AMENDING APPENDIX A (FEE SCHEDULE) ADDING A NEW ARTICLE A8.000 (HEALTH PERMIT FEES); 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 Items o. and p. Council Member Bryan seconded. Motion carried 6-0.

- q. Approve Resolution approving extension of Agreements with Collin County for Animal Control Services. (Neighborhood Services Director Marc Marchand)

Extension of the Animal Control interlocal agreement with Collin County Animal Control Services. The Extension of agreement for a one (1) year period which shall be in effect from October 1, 2020 continuing through and including September 30, 2021. Cost \$52,083.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING EXTENSION OF THE AGREEMENTS WITH COLLIN COUNTY FOR ANIMAL CONTROL SERVICES.

- r. Approve Resolution approving and authorizing the City Manager to purchase a John Deere 5100E Utility Tractor from United Ag & Turf through Buy Board Texas Cooperative. (Neighborhood Services Director Marc Marchand)

This year the city took on additional right-of-way to mow. A tractor is needed to assist with the mowing of the right-of-way. Staff is wanting to purchase a John Deere 5100E Utility Tractor from United Ag & Turf for this purpose. The tractor costs \$54,220.24 from Buy Board Texas Cooperative. Funds are allocated for equipment in the Parks Development Fund. The tractor costs \$54,220.24 from Buy Board Texas Cooperative.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO PURCHASE A JOHN DEERE 5100E UTILITY TRACTOR FROM UNITED AG & TURF THROUGH BUY BOARD TEXAS COOPERATIVE.

- s. Approve a government document for participation in the Federal Equitable Sharing Agreement regarding the Anna Police Department's Asset Forfeiture Report. (Chief Isom)

7. Items For Individual Consideration.

- a. 1) Conduct a public hearing to consider public comments regarding the West Crossing Phase 11, Block KK, Lots 23R and 25R, and Block MM, Lot 28R, Replat.

Single Family Dwelling, Detached on 3 lots on 0.5± acres located generally on the north side of Holcombe Drive and the west side of Greywood Drive. Zoned Planned Development SF-60 Single Family Residential (PD-SF-60). The purpose of this replat is to combine Lots 28 and 29X in Block MM into one lot creating Lot 28R, add a 10' utility easement along a portion of the rear of lot 28R, and add a 5' drainage easement along a portion of the rear and side of lots 23R and 25R in Block KK.

Mayor Pike opened the public hearing at 8:17 PM.

No comments.

Mayor Pike closed the public hearing at 8:17 PM.

Approval of Ordinance regarding the request to rezone 275± acres from AG

Agricultural District to Planned Development-Multi-Use. The applicant has provided for all comments as requested by the P&Z to provide for a financially sustainable development that will provide diverse housing options within the City of Anna. The proposal includes, amenities which include, trails, parkland dedication, playgrounds, open space, and an amenities center.

(Property rezoned under this ordinance is generally located at the northwest corner and southwest corner of future Rosamond Parkway & future Ferguson Parkway)

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 Beazley moved to approve. Council Member Vollmer seconded. Motion carried 6-0.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING THE WEST CROSSING PHASE 11, LOTS 23R and 25R, BLOCK KK, LOT 28R, BLOCK MM, REPLAT.

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

- b. 1) Conduct a public hearing to consider public comments to rezone 275± acres located at the northwest corner and southwest corner of future Rosamond Parkway and future Ferguson Parkway from AG Agricultural District to Planned Development-Multi-Use (PD-MU). The planned development district will include Restricted Commercial (C-1), General Commercial (C-2), Multiple-Family Residential - High Density (MF-2), Single Family Residence-72 (SF-72), Single Family Residence-60 (SF-60), Single-Family Residence - Zero lot line homes (SF-Z), and Single-Family Townhome District (SF-TH). Applicant: David Booth, DR Horton

Mayor Pike opened the public hearing at 8:17 PM.

No comments.

Mayor Pike closed the public hearing at 8:17 PM.

- 2) Consider/Discuss/Action on an Ordinance regarding the request to rezone

275± acres from AG Agricultural District to Planned Development-Multi-Use (PD-MU).

Approval of Ordinance regarding the request to rezone 275± acres from AG Agricultural District to Planned Development-Multi-Use. The applicant has provided for all comments as requested by the P&Z to provide for a financially sustainable development that will provide diverse housing options within the City of Anna. The proposal includes, amenities which include, trails, parkland dedication, playgrounds, open space, and an amenities center.

(Property rezoned under this ordinance is generally located at the northwest corner and southwest corner of future Rosamond Parkway & future Ferguson Parkway)

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 Beazley moved to approve. Council Member Vollmer seconded. Motion carried 6-0.

3) Consider/Discuss/Action on a Resolution regarding the Concept Plan, The Woods at Lindsey Place, associated with the rezoning request. (Director of Development Services Ross Altobelli)

MOTION: Council Member Beazley moved to approve. Council Member Vollmer seconded. Motion carried 6-0.

- c. Consider/Discuss/Action on A Resolution Setting A Public Hearing Under Sec. 372.009 Of The Texas Local Government Code On The Advisability Of The Dissolution Of A Public Improvement District And Improvements Within The Extraterritorial Jurisdiction Of The City.

A RESOLUTION SETTING A PUBLIC HEARING UNDER SEC. 372.009 OF THE TEXAS LOCAL GOVERNMENT CODE ON THE ADVISABILITY OF THE DISSOLUTION 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.

See item 7d. for action.

- d. Consider/Discuss/Action On 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.

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.

MOTION: Council Member Beazley moved to approve items 7c and 7d. Mayor Pike seconded. Motion carried 6-0.

- e. Consider/Discuss/Action on an Ordinance Ordering a Run-Off Election to be held December 8, 2020. (City Secretary Carrie Land)

Results of November 3 voting for seats on the Anna City Council include two runoffs. Candidates are required to win at least 50% of the vote to avoid a runoff.

In Place 3, a runoff between Hugh Heath (40.29%) and Stan Carver (37.33%) will be held. In Place 4, a runoff will be held between Bryan Heath (36.16%) and Randy Atchley (32.12%).

Early Voting for the runoff elections will be held on Nov. 23, 24, and 25 from 8 a.m. to 5 p.m.; Nov. 28 from 8 a.m. to 5 p.m.; Nov. 30, Dec. 1 and 2 from 8 a.m. to 5 p.m.; and Dec. 3 and 4 from 7 a.m. to 7 p.m.

Election Day is Dec. 8. Polls will be open from 7 a.m. to 7 p.m.

Polling location for Anna is the Anna ISD Board Room, 201 E. 7th Street.

The runoff date for the November 3, 2020 General and Special Election was decided on by surrounding counties prior to the Special Election being called. It's common practice for the county to schedule runoffs on the same date because they have overlapping city districts that could potentially have runoffs. For instance, the City of Celina and the City of Frisco fall in both Collin and Denton County and both have a runoff election. It would be very confusing for voters if each county held their elections on different dates. The Governor ordered the Special Senate District Runoff election to be held on December 19, well after the December 8 Runoff was decided.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, ORDERING A RUNOFF ELECTION TO BE HELD ON DECEMBER 8, 2020,

FOR THE PURPOSE OF ELECTING TWO CITY COUNCIL MEMBERS;
DESIGNATING POLLING PLACES; ORDERING NOTICES OF ELECTION TO
BE GIVEN; AUTHORIZING EXECUTION OF ELECTION CONTRACTS;
PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY
CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Council Member Beazley moved to approve. Council Member Vollmer seconded. Motion carried 4-2. Pike and Miller opposed.

- f. Consider/Discuss/Action on filling a vacancy on the Planning and Zoning Commission. (City Secretary Carrie Land)

MOTION: Mayor Pike moved to table to the December 8, 2020 meeting and appoint an Interview Committee of Lee Miller, John Beazley, and Kevin Toten to interview applicants. Council Member Vollmer 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 Bryan moved to enter closed session. Council Member Vollmer seconded. Motion carried 6-0

Mayor Pike recessed the meeting at 9:30 PM.

Mayor Pike reconvened the meeting at 9:35 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.

10. **Adjourn.**

Mayor Pike adjourned the meeting at 9:36 PM.



Approved on December 8, 2020.

A handwritten signature in blue ink, appearing to read "Nate Pike", is written over a horizontal line.

Mayor Nate Pike

ATTEST:

A handwritten signature in black ink, appearing to read "Carrie L. Land", is written over a horizontal line.
City Secretary Carrie L. Land