

**Regular City Council Meeting
Meeting Minutes**



Tuesday, May 25, 2021 @ 6:30 PM

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

The City Council of the City of Anna met at 6:30 PM, on May 25, 2021, at the Anna ISD Board Room, Located at 201 E. 7th Street, Anna, Texas, 75409, to consider the following items.

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

Mayor Pike called the meeting to order at 6:36 PM.

All Council Members were present.

2. Invocation and Pledge of Allegiance.

Mayor Pike led the Invocation and Pledge.

3. Neighbor Comments.

Darrell Stinson spoke to Council about the naming of his street, Briar Cove in Anna's ETJ, and a new street named Briarcove Road in Anna's City Limits. He would like the City to do something about the similar names.

Melissa Stinson spoke with regard to the street names being too similar and causing confusion for delivery trucks and first responders.

Paul and Andre Austin requested Council do something about the street name, Briar Cove in Anna's City Limits.

Joe Calburn spoke with regards to Briar Cove Road being a private street and maintained by the owners. Large construction trucks are driving down their road causing damage.

Donna Crabtree spoke with regards to Briar Cove Road.

Clyde B. spoke with regards to Briar Cove Road.

Blair Benjamin, thanked the City Council for appointing her to the Diversity and

Inclusion Advisory Board.

Andrew Michrina requested Council not approve the Parks Board Minutes on this evening's Consent Agenda.

4. **Work Session.**

- a. Discuss the potential for regulations relating to the use of golf carts in the public right-of-way. (Director of Development Services Ross Altobelli)

Police Chief Habel discussed the potential for creating regulations relating to the use of golf carts in the public right-of-way. Communities sometimes allow for the use of golf carts in neighborhoods for local transportation. There are already state regulations, attorney general opinion, and a local cities in the region having regulations in place to govern such an initiative.

Additionally, the Texas Attorney General ruled in April of 2021 that anyone operating a golf cart on a public roadway must have a valid driver's license.

- b. Discuss a potential Franchise Agreement with ENERTEX, NB, LLC for a non-exclusive franchise and right to enter the public way to install, operate, and maintain a distribution system for the distribution and sale of gas to customers and the public. (Director of Public Works Greg Peters)

Staff briefed the City Council on the potential of a franchise agreement to allow another franchise gas utility to provide gas to customers in the City of Anna. Currently there is only one gas supplier in Anna, Atmos Energy. A new franchise agreement will allow another professional company to provide services as new development occurs, providing developers and the public with more choice when it comes to their gas service.

5. **Reports.**

Receive reports from Staff or the City Council about items of community interest.

Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

- a. Recognition of Kevin Hall, outgoing President/CEO of the Greater Anna Chamber of Commerce (Director of Economic Development Joey Grisham)

- b. Proclamation - Anna High School Narrative Filmmakers (Mayor Nate Pike)
- c. Anna "Big Dreams Are Built Here" Magazine Ad Wins Platinum Hermes Creative Award (Economic Development Manager Taylor Lough)
- d. Update on COVID-19 Protocols (City Manager Jim Proce)
- e. Legislative updates (City Manager Jim Proce)
- f. Update on DART property located in Downtown (Greg Peters)

6. **Consent Items.**

These items consist of non-controversial or "housekeeping" items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.

MOTION: Council Member Toten moved to approve Consent Items 6.a. through 6.g. and 6.j . Council Member Miller seconded. Motion carried 7-0.

- a. Approve City Council Meeting Minutes for May 11, 2021. (City Secretary Carrie Land)
- b. Review minutes of the March 4, 2021 Joint Community Development Corporation Board and Economic Development Corporation Board Meeting. (Director of Economic Development Joey Grisham)
- c. Review minutes of the April 1, 2021 Joint Community Development Corporation Board and Economic Development Corporation Board Meeting. (Director of Economic Development Joey Grisham)
- d. Approve a Resolution of the City of Anna, Texas for renewal of the Interlocal Dispatch Agreement with Collin County for the Fire Department. (Fire Chief Ray Isom)

Fire and EMS dispatch and radio communication services are provided by the Collin County Sheriff's Office. This function is vital to the operation of the fire department and for the continuation of emergency services. There are currently no viable alternative service providers available.

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

- e. Approve an Ordinance Adopting Financial Policies (Finance Director Alan Guard)

The City's current Financial Policies were adopted April 20, 2020. Proposed revisions to the policy include an updated section of the budget process to coincide with the City Charter and changes to state law, expansion of the sections for cash handling and internal controls, and a post-issuance debt policy. Cash handling and internal control policies are specific strategic plan goals. Since the neighbors approved three bond propositions for a total of \$58 million it is appropriate to adopt a post-issuance debt policy at this time.

AN ORDINANCE OF THE CITY OF ANNA, TEXAS ADOPTING FINANCIAL POLICIES

- f. 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. Council approved the renewal at the November 10, 2020 meeting. However, Collin County provided the wrong agreement for signature. Council must approve a new resolution with the correct agreement.

A RESOLUTION RENEWING THE COOPERATIVE PURCHASING AGREEMENT WITH COLLIN COUNTY.

- g. Approve an Ordinance adopting the 2018 Edition of the International Building Code (IBC), 2018 Edition of the International Residential Code (IRC), 2018 International Plumbing Code (IPC), 2018 International Mechanical Code (IMC), 2018 International Fuel Gas Code (IFGC), 2018 International Energy Conservation Code (IECC), 2018 International Existing Building Code (IEBC), 2018 International Swimming Pool and Spa Code (ISPSC), and 2017 National Electrical Code (NEC); and adopting the North Central Texas Council of Governments recommended amendments to each adopted code; and amended certain related provisions in The Anna City Code of Ordinances. (Director of Development Services Ross Altobelli)

Currently, the City of Anna is under 2015 International Building Code, 2015

International Residential Code, 2015 International Energy Conservation Code, 2015 International Fire Code, 2015 International Fuel Gas Code, 2015 International Mechanical Code, 2015 International Plumbing Code, and 2014 National Electric Code with amendments recommended by NCCOG. In order to preserve and protect public health, safety and welfare and to have a Building Code uniformity in North Texas Central Region among other communities, it is essential to adopt the updated Edition of the Building Codes such as 2018 ICC Codes with amendments recommended by NCCOG as follows:

- ☐ 2018 International Building Code (IBC)
- ☐ 2018 International Residential Code (IRC)
- ☐ 2018 International Plumbing Code (IPC)
- ☐ 2018 International Mechanical Code (IMC)
- ☐ 2018 International Fuel Gas Code (IFGC)
- ☐ 2018 International Energy Conservation Code (IECC)
- ☐ 2018 International Existing Building Code (IEBC)
- ☐ 2018 International Swimming Pool and Spa Code (ISPSC)
- ☐ 2017 National Electrical Code (NEC)

AN ORDINANCE OF THE CITY OF ANNA, TEXAS, ADOPTING THE 2018 INTERNATIONAL BUILDING CODE, 2018 INTERNATIONAL RESIDENTIAL CODE, 2018 INTERNATIONAL ENERGY CONSERVATION CODE, 2018 INTERNATIONAL PLUMBING CODE, 2018 INTERNATIONAL MECHANICAL CODE, 2018 INTERNATIONAL FUEL GAS CODE, 2017 NATIONAL ELECTRICAL CODE, 2018 EXISTING BUILDING CODE, 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE; AMENDING SPECIFIC SECTIONS OF THE ANNA CITY CODE OF ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

- h. Approve a Resolution authorizing the submittal of a grant application for the Solid Waste Pass-Through Program, from the TCEQ through the NCTCOG, for funding to develop a Beautification and Enhancement Strike Team Program in the City of Anna, Texas. (Public Works Director, Greg Peters, PE)

The City is submitting a grant request for funding related to the development of a Beautification and Enhancement Strike Team (B.E.S.T.) Program to provide additional efforts and resources toward litter and trash removal, enforcement against illegal dumping, and education on litter and trash impacts on our community. If awarded, the grant will provide for the creation of a Mobile Litter Elimination Unit which can be deployed by Public Works and Parks staff to address identified trash problems which may impact the community. The enforcement components include cameras and software to assist Code Enforcement and Anna PD in the identification of individuals participating in illegal dumping activities, and the subsequent enforcement against those individuals.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE APPLICATION FOR THE SUBMISSION OF AND RECEIPT OF A GRANT, THE SOLID WASTE PASS THROUGH GRANT PROGRAM, FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) THROUGH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG), FOR FUNDING TO DEVELOP A BEAUTIFICATION AND ENHANCEMENT STRIKE TEAM PROGRAM FOR THE CITY OF ANNA, TEXAS, WITH A TOTAL GRANT

VALUE OF \$90,000.00 THAT IS FULLY FUNDED AND DOES NOT REQUIRE A CITY MATCH; AND AUTHORIZING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL TO EXECUTE ALL DOCUMENTS IN REGARD TO THE REQUESTED FUNDS, WHICH INCLUDES THE POWER TO APPLY FOR, ACCEPT, REJECT, ALTER, OR TERMINATE THE GRANT; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Council Member Miller moved to approve. Council Member Ussery seconded. Motion carried 7-0.

- i. Approve Parks Advisory Board meeting minutes for 2019. (Neighborhood Services Director Marc Marchand)

After a diligent search by staff, the signed Parks Advisory Board's 2019 meeting minutes have not been found. Per City Attorney McCoy, Council may approve the unsigned minutes and they will become the official record of the City.

MOTION: Council Member Miller moved to take no action. Council Member Ussery seconded. Motion carried 6-1. Council Member Toten opposed.

- j. Approve the Quarterly Investment Report for the Period Ending March 31, 2021.

In accordance with the Public Funds Investment Act (PFIA), the City of Anna is required to submit a quarterly report on the investment of all public funds held by the City. The report includes:

- ☐ Review of the City's holdings
- ☐ Comparison of book vs. market value
- ☐ Allocation information
- ☐ Other information related to PFIA.

The City's portfolio as of the quarter ending March 31, 2021, earned an average yield of 0.3294%. The total year-to-date interest earned is \$117,861.

7. Items For Individual Consideration.

- a. Consider/Discuss/Act Plan of Finance for the issuance of General Obligation Bonds, Series 2021 (Finance Director Alan Guard and Economic Development Manager Taylor Lough)

The City Council approved the creation of the Anna Housing Finance Corporation on April 13, 2021, to facilitate projects in the City of Anna. This item includes the approval of bylaws and appointment of officers for the Board. The City Council will serve as the Board for the Anna Housing Finance Corporation.

MOTION: Mayor Pike moved to table. Council Member Miller seconded. Motion carried 7-0.

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). Municipal Utility Districts. City Charter. City ordinances. Council policies and procedures.
- 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). Proposed development projects.

MOTION: Mayor Pike moved to enter closed session. Council Member Miller seconded. Motion carried 7-0.

Mayor Pike recessed the meeting at 7:01 PM.

Mayor Pike reconvened the meeting at 8:34 PM.

- b. Consider/Discuss/Action on a RESOLUTION OF THE CITY OF ANNA, TEXAS DETERMINING THE COSTS OF CERTAIN AUTHORIZED IMPROVEMENTS TO BE FINANCED BY THE SHERLEY TRACT PUBLIC IMPROVEMENT DISTRICT NO. 2; APPROVING A PRELIMINARY SERVICE PLAN AND ASSESSMENT PLAN, INCLUDING PROPOSED ASSESSMENT ROLLS; CALLING A REGULAR MEETING AND NOTICING A PUBLIC HEARING FOR JUNE 22, 2021 TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN THE SHERLEY TRACT PUBLIC IMPROVEMENT DISTRICT NO. 2; DIRECTING THE FILING OF THE PROPOSED ASSESSMENT ROLLS WITH THE CITY SECRETARY TO MAKE AVAILABLE FOR PUBLIC INSPECTION; DIRECTING CITY STAFF TO PUBLISH AND MAIL NOTICE OF SAID PUBLIC HEARING; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.

See Item 7.c.

- c. Consider/Discuss/Action on a RESOLUTION SETTING A PUBLIC HEARING UNDER SECTION 311.003 OF THE TEXAS TAX CODE FOR THE CREATION OF A TAX INCREMENT REINVESTMENT ZONE WITHIN THE CITY OF ANNA, TEXAS; AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF ANNA, TEXAS REGARDING THE PUBLIC HEARING; AND DIRECTING THE CITY TO PREPARE A PRELIMINARY REINVESTMENT ZONE FINANCING PLAN.

MOTION: Mayor Pike moved to approve Items 7.c. and 7.d. Council Member Toten seconded. Motion carried 7-0.

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- 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). Proposed development projects.

MOTION: Council Member Carver moved to enter closed session. Council Member Atchley seconded. Motion carried 7-0.

Mayor Pike recessed the meeting at 9:43 PM.

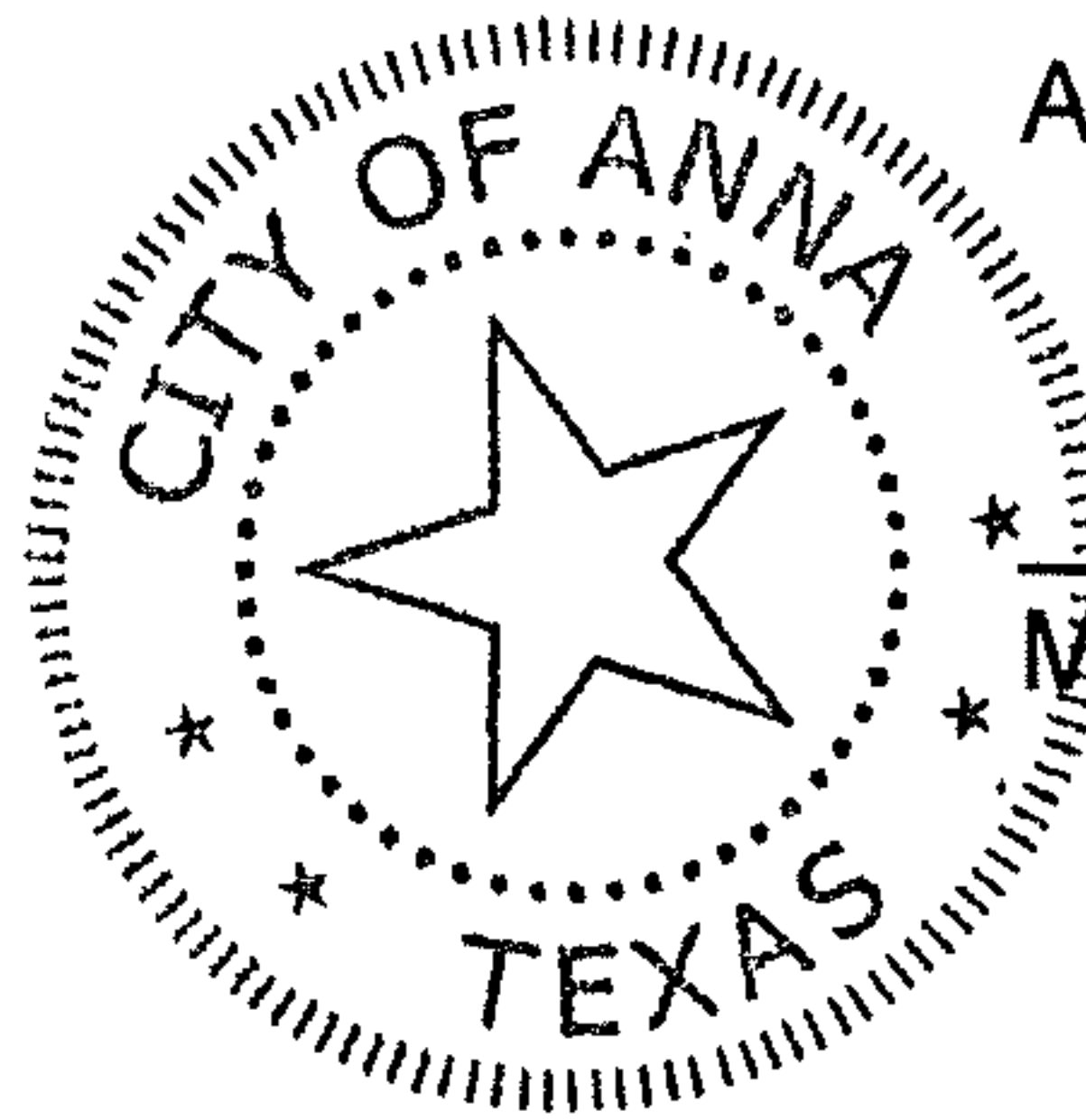
Mayor Pike reconvened the meeting at 10:34 PM.

- 9. Consider/Discuss/Action on any items listed on any agenda - work session, regular

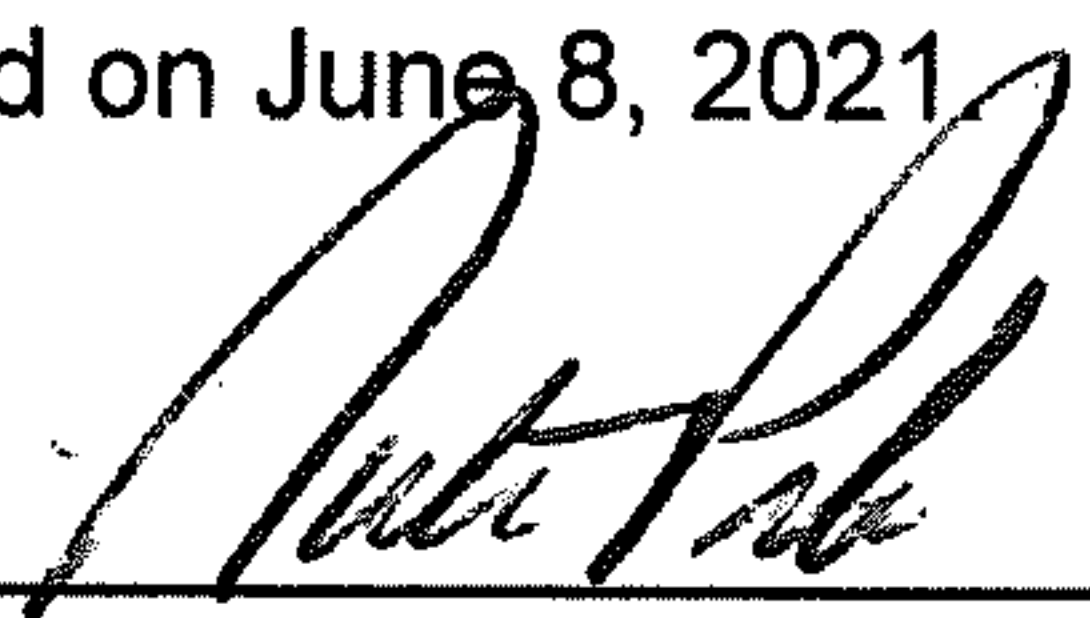
meeting, or closed session - that is duly posted by the City of Anna for any City Council meeting occurring on the same date as the meeting noticed in this agenda.

10. **Adjourn.**

Mayor Pike adjourned the meeting at 10:34 PM.



Approved on June 8, 2021



Mayor Nate Pike

ATTEST:



City Secretary Carrie L. Land