



**Regular City Council Meeting
Meeting Minutes**

Tuesday, October 26, 2021 @ 6:30 PM

**Sue Rattan Elementary School
1221 S. Ferguson Parkway, Anna, Texas, 75409**

The City Council of the City of Anna met at 6:30 PM, on October 26, 2021, at the Sue Rattan Elementary School, located at 1221 S. Ferguson Parkway, 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 6:33 P.M.

2. Invocation and Pledge of Allegiance.

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

3. Neighbor Comments.

No comments from the Public.

4. Reports.

- a. Proclamation Arbor Day 2021 (Neighborhood Services Coordinator Olivia Demings)

Mayor Pro Tem Miller read and presented a Proclamation declaring November 5, 2021, as Arbor Day in the City of Anna.

- b. Fire Department Captain Badge Pinning (Fire Chief Ray Isom)

- Captain Jacob Metdker was pinned by his wife Ashley, along with daughters Bailey and Brooke
- Captain Zachary Crase was pinned by his wife Jordan
- Captain William Rhodes was pinned by his son Thomas, along with his girlfriend Angga

- c. Introduce New Fulltime Firefighters (Fire Chief Ray Isom)

Assistant Fire Chief Dan Wood introduced the City's newest Firefighters:

- Mark Vakos (Hired January 11, 2021)
- McKenna Biedebach (Hired October 4, 2021)
- Garrett Murray (Hired October 18, 2021)
- Cody Greenway (Hired October 18, 2021) [Not present]
- Andres Salines-Garcia (Hired October 18, 2021)
- Brandon Berens (Hired October 18, 2021)
- Benjamin Woolverton (Hired October 18, 2021)

5. **Work Session.**

- a. Code Compliance Report. (Code Compliance Manager Kevin Martin)

Item 5.a will be presented at a future City Council Meeting.

- b. Presentation of the History of the Sherley Water Tower in Downtown Anna. (Director of Public Works Greg Peters, P.E.)

Director of Public Works Peters introduced Anna neighbor and local historian Elden Baker. Mr. Baker presented a brief PowerPoint presentation regarding his research of the history of the water tower, in particular the colors the tower has been painted throughout the years.

City Council discussion ensued. Following discussion, it was the consensus of the City Council that Director of Public Works Peters will collaborate with Communications Manager LaRue to prepare a survey to be posted to social media in which residents can choose which color they prefer the tower to be painted: a) silver with black lettering; or b) white with purple lettering.

- c. City Council Meeting Schedule for November and December. (City Manager Jim Proce)

It was the consensus of the City Council to cancel the second City Council Meetings in both November and December so that both City Council and staff may be able to spend time with their families during the holidays. The City Council Meetings will be held November 9, 2021, and December 14, 2021.

6. Consent Items.

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

- a. Approve City Council Meeting Minutes for October 12, 2021. (City Secretary Carrie Land)
- b. Approve an Ordinance approving the 2021 Tax Roll. (City Manager Jim Proce)
- c. Approve a Resolution amending the City of Anna Personnel Policy Manual. (City Manager Jim Proce)
- d. Approve a Resolution authorizing the City Manager to execute termination of a temporary drainage easement in the Anna Crossing Subdivision. (Director of Public Works Greg Peters, P.E.)
- e. Approve a Resolution regarding the Quail Creek Run Place, Phase 2, Preliminary Replat. (Director of Development Services Ross Altobelli)

7. Items For Individual Consideration.

- a. Consider/Discuss/Action on a Resolution of Intent to Establish a City of Anna Property Assessed Clean Energy (PACE) Program and schedule a public hearing. (Director of Economic Development Joey Grisham)

Director of Economic Development Joey Grisham introduced Dub Taylor of Texas PACE Authority. Mr. Taylor presented a brief PowerPoint presentation. City Council discussion ensued.

On October 5, 2021, the Economic Development Department was asked by a representative of Anna Villages to consider adopting a City of Anna Texas Property Assessed Clean Energy (PACE) program. This voluntary program was approved by State legislation (Chapter 399 of the Local Government Code) and is established by local governments to facilitate the use of private capital to finance water conservation and energy efficiency projects to eligible commercial, multifamily, nonprofit, and industrial property owners.

A RESOLUTION OF THE CITY OF ANNA, TEXAS GIVING NOTICE OF INTENT TO ESTABLISH A PROGRAM UNDER THE TEXAS PROPERTY ASSESSED CLEAN ENERGY ("PACE") ACT OF 2013 FOR THE CITY OF ANNA, AS PROVIDED BY TEXAS LOCAL GOVERNMENT CODE CHAPTER 399; AND SETTING A PUBLIC HEARING.

MOTION: Mayor Pike moved to approve a Resolution giving Notice of Intent to Establish a Program under the Texas "PACE" Act of 2013 and schedule a

Public Hearing for the November 9, 2021, City Council Meeting. Council Member Carver seconded. Motion carried 7-0.

b. Annexation Cedar Ridge Estates, Phase 2. (Director of Development Services Ross Altobelli)

1) Consider/Discuss/Action on a Resolution approving an Agreement regarding services including a plan for municipal services regarding a 24.8± acre tract of land generally located on the south side of County Road 427, 130± east of Purdue Road. (Director of Development Services Ross Altobelli)

2) Conduct a public hearing to consider public comments regarding annexation of 24.8± acres of land into the City's corporate boundaries generally located on the south side of County Road 427, 130± east of Purdue Road.

3) Consider/Discuss/Action on an Ordinance annexing 24.8± acres generally located on the south side of County Road 427, 130± east of Purdue Road.

NICID Limited Partnership has submitted a petition to annex 24.8± acres of land located on the south side of County Road 427, 130± east of Purdue Road.

It is recommended that the City Council approve a resolution for an agreement regarding services and an ordinance regarding the request to annex the 24.8± acres of land located on the south side of County Road 427, 130± east of Purdue Road.

Mayor Pike opened the public hearing at 7:49 P.M.

No comments.

Mayor Pike closed the public hearing at 7:50 P.M.

A RESOLUTION ADOPTING A CONDITIONAL AGREEMENT REGARDING SERVICES RELATED TO ANNEXATION OF A 24.82± ACRE TRACT OF LAND.

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

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF ANNA, COLLIN COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID MUNICIPALITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID MUNICIPAL CORPORATE LIMITS AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY AS SET FORTH HEREIN; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

- c. Zoning Cedar Ridge Estates, Phase 2. (Director of Development Services Ross Altobelli)

1) Conduct a public hearing to consider public comments regarding the request to zone 24.8± acres located on the south side of County Road 427, 130± east of Purdue Road to Single-Family Residential District (SF-72).

2) Consider/Discuss/Action on an Ordinance regarding the request to zone 24.8± acres located on the south side of County Road 427, 130± east of Purdue Road to Single-Family Residential District (SF-72).

The applicant is requesting to zone the subject property in order to allow for single-family residences. The Single-Family Residential District (SF-72) is designed to accommodate single-family residential development on relatively ample lots. The district can be appropriately located in proximity to agricultural and single-family residential uses. The applicant is not requesting to vary from any of the City of Anna adopted regulations.

The requested zoning is in harmony with the surrounding single-family zoning districts and the request is in conformance with the Future Land Use Plan, elements of the City of Anna Strategic Plan, and Anna 2050 Comprehensive Plan. For these reasons, staff is in support of the zoning request.

The Planning & Zoning Commission recommended approval.

Mayor Pike opened the public hearing at 7:50 P.M.

No comments.

Mayor Pike closed the public hearing at 7:51 P.M.

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

Mayor Pike requested City Council enter Closed Session.

MOTION: Council Member Toten moved to enter Closed Session. Council Member Ussery seconded. Motion carried 7-0.

Mayor Pike recessed into Closed Session at 7:53 P.M.

Mayor Pike reconvened the Open Meeting at 8:53 P.M.

- d. Pre-annexation agreement Coyote Meadows. (Director of Development Services Ross Altobelli)

Consider/Discussion/Action on a Resolution approving Pre-annexation/ Development Agreement and Development Regulations for the Coyote Meadows single-family residential development.

Director of Development Services Ross Altobelli introduced Daniel Satsky, Vice President of Ashton Woods. Mr. Satsky presented a brief PowerPoint presentation. City Council discussion ensued.

The applicant is requesting to enter into a Pre-annexation agreement with the city in order to adopt development regulations and development standards for 136.22 acres of land generally located on the south side of future Rosamond Parkway, east of the Dallas Area Rapid Transit (DART) rail line right-of-way.

The permitted uses and standards for development of the Property shall be in accordance with the SF-Z Single-Family Residence District - Zero lot line homes, SF-TH Townhome District, and SF-60 Single-Family Residence District of the Zoning Ordinance and applicable City Regulations, except as amended and modified in the Development Regulations and in the Development Agreement.

The overall residential development will have a maximum of 731 lots meeting the following thresholds;

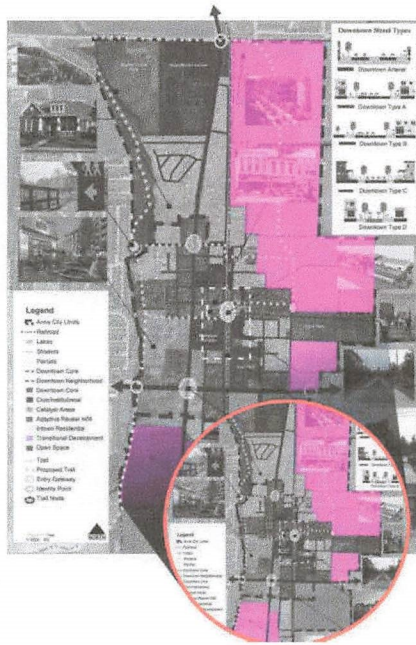
- o Min SF-60 lots: 250
- o Max SF-Z lots: 309
- o Max. SF-TH lots: 154

Additionally, the Development Standards address the City's zoning and development process once property is annexed, fencing, private amenities, and required infrastructure improvements.

City staff worked closely with the development team on the proposed Illustrative Layout and is in agreement with the general terms and proposed modifications to adopted city standards which are listed within the Development Regulations.

Conformance with the City of Anna Strategic Plan and Comprehensive Plan

Future Land Use Map – The Future Land Use Map designates this property within the Downtown Master Plan limits classified as “Transitional Development”. The Transitional areas are envisioned to support a range of housing types for people at all stages of their lives. Urban attached residential, detached residential, and cottage residential are identified as the primary residential building types that are appropriate in the Transitional Development Areas.



Anna Vision 2036

1. Principle 3: Beautiful Community
 - a. Design standards and development agreements that promote beautiful and “enduring” buildings and commercial areas
 - b. Preserved some natural areas/open space through the community
2. Principle 5: Great Housing Opportunities
 - a. Diverse housing choices for all family generations

City of Anna Goals for 2026

1. Sustainable Anna Community Through Planned, Managed Growth
 - a. Manage residential growth
 - b. Have a diverse range of housing choices available in Anna

Recommendation

Staff is supportive of the request. The proposed pre-annexation agreement and development standards meet the vision of the recently adopted Comprehensive Plan. The applicant has included stipulations to create a walkable development that will include a significant amount of private open space that will be open to the public that will connect neighborhoods and provide for significant north/south public trail connections east of US Highway 5. Additionally, the applicant is

proposing building material standards that will diversify the existing housing stock and create a unique neighborhood design that has yet to be seen in the City of Anna.

The applicant made an informal presentation to the Planning & Zoning Commission at their regularly scheduled October 4, 2021, meeting.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING COYOTE MEADOWS DEVELOPMENT AGREEMENT.

MOTION: Council Member Vollmer moved to approve. Council Member Atchley seconded. Motion carried 5-2. Council Members Carver and Toten opposed.

- e. Consider/Discuss/Action on a Resolution authorizing the City Manager to enter into a temporary road closure agreement with TxDOT for the Chamber of Commerce Christmas Parade. (Neighborhood Services Marc Marchand)

The Resolution before the City Council authorizes the City Manager to enter into an agreement with TxDOT for the temporary road closure of State Highway 5 to allow the Greater Anna Chamber of Commerce to proceed with their Christmas Parade on December 11.

The approved Resolution by Council and signed agreement between the municipality and state are requisite documents in order for the Chamber to proceed with the event. In addition, the Chamber will be providing a traffic maintenance plan as part of their submittal.

Though not part of the action item before Council, staff would like to highlight that the City will be waiving fees (\$375) and covering certain expenses such as barricades and staff overtime (\$2,500 and \$1,000 respectively) for this community event.

Financial Impact: There is no financial impact associated with the request for temporary road closure.

There will be a financial impact associated with the waiving of fees (\$75 fees; \$300 refundable deposit) and costs of services provided to the Chamber for their event. At this time, the estimated costs for overtime pay for public safety and public works is approximately \$2,500; the cost for barricades and traffic plan is approximately \$1,000.) With the consensus of the Council, staff will cover the staff costs, forgive the permit fees and reimburse the barricade expenses not to exceed the stated limits.

A RESOLUTION OF THE CITY OF ANNA, TEXAS ESTABLISHING THE GREATER ANNA CHAMBER OF COMMERCE'S CHRISTMAS PARADE AS AN EVENT THAT SERVES A VITAL PUBLIC SERVICE TO THE COMMUNITY AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS IN REQUESTING THE TEMPORARY CLOSURE OF STATE HIGHWAY 5.

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

- f. Consider/Discuss/Action appointments for the Board of Adjustment. (City Secretary Carrie Land)

Currently, Place 5 on the Board of Adjustments is vacant. Council may appoint a candidate to fill the vacancy. This is an unexpired term ending May 2022.

MOTION: Council Member Carver moved to appoint Brian Ward to fill the unexpired term ending May 2022 on the Board of Adjustments, Place 2; appoint Bob Hallberg to Alternate position 2A. Council Member Vollmer 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). Personnel Regulations; Municipal Facilities
- 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). Boards and Commissions

The Council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

- 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 9:21 P.M.



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