

**Regular City Council Meeting
Meeting Minutes**



Tuesday, February 22, 2022 @ 6:30 PM

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

The City Council of the City of Anna met at 6:30 PM, on February 22, 2022, at Anna City Hall - City Council Chambers, located at 111 N. Powell 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 PM.

2. Invocation and Pledge of Allegiance.

Mayor Pike led the Invocation and Pledge of Allegiance.

3. Neighbor Comments.

No comments.

4. Reports.

- a. Joint meeting with Council and Parks Advisory Board on Monday, February 28th, 2022, at 6:30 PM. (Neighborhood Services Marc Marchand)

Director Marchand announced that there will be a Joint Meeting of the City Council and Parks Advisory Board on Monday, February 28, 2022, at 6:30 PM, at the Anna Fire Department EOC Room, to discuss the upcoming Parks Capital Improvement Plan and Bond Projects.

- b. Special Recognition of Anthony Richardson for Exemplary Service to our Community.

Mayor Pike and City Council Members expressed their gratitude and appreciation to Mr. Anthony Richardson for his years of exemplary service to the City of Anna.

- c. Recognition of the "Last Official City Council Meeting" in City Hall – 111 N. Powell Parkway.

Mayor Pike and Council Members expressed their enjoyment and the many memories created at the current City Hall and their excitement at moving into the new City Hall.

Council Member Miller expressed his appreciation to the Police and Fire Departments for their help and quick service to his wife in a recent medical situation.

Mayor Pike requested that all past and current commission members join the City Council at the dais for a photo to commemorate the last meeting in City Hall.

Council Member Carver announced that the Historical Preservation Society will not be meeting this Thursday due to inclement weather but will meet at the end of March.

5. **Work Session.**

- a. Discussion & Direction - Multiple-Family Residential, Anna Town Center, Block A, Lot 5R. (Director of Development Services Ross Altobelli)

Director Altobelli provided an overview of the item which was originally presented to the City Council in December 2021, but denied.

Applicant Jack Roe, Christopher Todd Communities (Taylor Morrison), provided a project presentation to the City Council that included architectural changes that were discussed at the December 14, 2021, City Council Meeting.

The general consensus of the City Council is that they are amenable to having the Applicant come back in the requisite six-months for an official submittal to present the revisions agreed upon tonight.

In response to Mr. Roe's request to submit to the City Council sooner than the requisite six-months, Mayor Pike stated that it would be a matter to take before the Planning Commission.

- b. Avery Pointe Neighborhood Meeting Recap.

Mayor Pike provided a brief update on the February 15, 2022, Avery Pointe Neighborhood Meeting, noting that the recent request for a Class A style storage facility was denied by the City Council and Planning and Zoning Commission. The current zoning has many uses allowed by law and right based on a 2005 Planned Development.

Mayor Pike stated that a proposal was recently provided to the City Council for a motel, but noted that a motel is not what the City Council would like to see at that location.

Following the meeting with the Avery Pointe neighbors, Mayor Pike stated that the storage facility item will be coming back before the City Council for presentation and requested that staff contact the group to bring back the SUP.

Director Altobelli stated that staff contacted the Planning and Zoning Commission regarding the SUP as it requires a public hearing. A Joint Meeting with the Planning and Zoning Commission and City Council is scheduled during the regularly scheduled City Council Meeting on March 8, 2022.

6. Consent Items.

Items 6.e and 6.f. were removed from the Consent Agenda.

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

- a. Approve City Council Meeting Minutes from February 8, 2022. (City Secretary Carrie Land)
- b. Review Minutes of the November 15, 2021, and December 20, 2021, Parks Advisory Board Meetings. (Director of Neighborhood Services Marc Marchand)
- c. Approve Police Department report on 2021 racial profiling data that was submitted to the Texas Commission on Law Enforcement (TCOLE). (Police Chief Dean Habel)
- d. Approve the Quarterly Investment Report for the Period Ending December 31, 2021. (Director of Finance Alan Guard)
- e. Approve an Ordinance amending Ordinance 959-2022 Ordering a General Election to be held on May 7, 2022. (City Secretary Carrie Land)

Collin County Elections Administration has revised Early Voting hours for Saturday, April 30, 2022, from 7:00 AM - 7:00 PM to 8:00 AM - 5:00 PM.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, AMENDING CITY OF ANNA ORDINANCE NO. 959-2022 ORDERING A GENERAL ELECTION TO BE HELD ON MAY 7, 2022, FOR THE PURPOSE OF ELECTING THREE (3) CITY COUNCIL MEMBERS; DESIGNATING POLLING PLACES; ORDERING NOTICES OF ELECTION TO BE GIVEN; ADOPTING A VOTING SYSTEM; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACTS; PROVIDING SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

MOTION: It was moved by Council Member Toten to take no action on Item 6.e. Council Member Miller seconded. Motion carried 7-0.

- f. Development Agreement – Bridge Tower GP Residential & Commercial (Director of Development Services Ross Altobelli)

Approve a Resolution entering into a development agreement with Harlow Sheryl Family Trust, Colby Harlow Trustee – Harlow Capital Management, LLC, to establish development and design regulations for residential and non-residential development on 28.0± acres located at the southwest corner of W. White Street and Slater Creek Road.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A DEVELOPMENT AGREEMENT WITH SHERYL HARLOW FAMILY TRUSY RELATING TO DEVELOPMENT AND DESIGN REGULATIONS FOR COMMERCIAL AND RESIDENTIAL DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF W. WHITE STREET AND SLATER CREEK ROAD.

MOTION: It was moved by Council Member Carver to approve. Mayor Pike seconded. Motion carried 7-0.

- g. Monthly Financial Report for the Month Ending January 31, 2022. (City Manager Jim Proce)
- h. Acting as the Anna Housing Finance Corporation ("AHFC") Board of Directors, engage and enter into an Agreement for financial and accounting services with Brown, Graham & Company P.C. (Director of Economic Development Joey Grisham)

To prevent the City's Finance Department from having to get too involved in the HFC and PFC projects and financing, staff is recommending entering into an Agreement with Brown, Graham, & Company to provide financial and accounting services. This firm works with multiple HFC and PFC groups and has strong expertise on these types of projects.

- i. Acting as the Anna Housing Finance Corporation ("AHFC") Board of Directors, approve a Resolution authorizing the President to execute a legal services contract. (Director of Economic Development Joey Grisham)

Staff recommends approving an Agreement for legal services with Wolfe, Tidwell, & McCoy LLP, on an as-needed basis.

A RESOLUTION OF THE ANNA HOUSING FINANCE CORPORATION APPROVING A WRITTEN AGREEMENT FOR LEGAL SERVICES AND AUTHORIZING THE PRESIDENT TO EXECUTE SAID AGREEMENT.

- j. Acting as the Anna Public Facility Corporation ("APFC") Board of Directors, approve a Resolution authorizing the President to execute a legal services contract. (Director of Economic Development Joey Grisham)

Staff recommends approving an Agreement for legal services with Wolfe, Tidwell, & McCoy LLP, on an as-needed basis.

A RESOLUTION OF THE ANNA PUBLIC FACILITY CORPORATION APPROVING A WRITTEN AGREEMENT FOR LEGAL SERVICES AND AUTHORIZING THE PRESIDENT TO EXECUTE SAID AGREEMENT.

7. Items For Individual Consideration.

- a. Zoning - Bridge Tower GP Residential & Commercial (Planning Manager Lauren Mecke)

1) Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to zone 28.0± acres located at the southwest corner of W. White Street and Slater Creek Road from SF-E Single-Family Residential – Large Lot (SF-E) to Restricted Commercial District (C-1), SF-Z Single-Family Residence District – Zero Lot Line Homes (SF-Z), and Planned Development-SF-TH Townhome District (PD-SF-TH).

Director Altobelli presented a brief overview of the item.

Mayor Pike opened the Public Hearing at 7:14 PM.

There were no public comments.

Mayor Pike closed the Public Hearing at 7:14 PM.

Applicant Adam Green, Sr. Vice President, Bridge Tower Homes, presented a brief PowerPoint presentation of the project.

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 Atchley seconded. Motion carried 7-0.

2) Consider/Discuss/Action on a Resolution regarding the Bridge Tower GP Residential & Commercial, Concept Plan.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA CROSSING, PHASE 5, BLOCK 5, LOT 10R, REPLAT.

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

- b. Annexation - Anna West (Director of Development Services Ross Altobelli)

Conduct a public hearing to consider public comments regarding annexation of 43.9± acres located on the north side of Farm-to-Market Road 455, 250± feet west of County Road 287.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA CROSSING, PHASE 5, BLOCK 5, LOT 10R, REPLAT.

Mayor Pike opened the Public Hearing at 7:26 PM.

There were no public comments.

Mayor Pike moved to table the item to Tuesday, March 8, 2022, at 6:30 PM, at the Anna ISD Board Room, 207 E. 7th Street, Anna, Texas, 75409. Council Member Miller seconded. Motion carried 7-0.

- c. Zoning - Anna West (Director of Development Services Ross Altobelli)

1) Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to zone 43.9± acres located on the north side of Farm-to-Market Road 455, 250± feet west of County Road 287 to Planned Development - MF-2 Multiple-Family Residential - High Density (PD-MF-2). Currently zoned: Extraterritorial Jurisdiction (ETJ).

Mayor Pike opened the public hearing at 7:27 PM. Mayor Pike moved to leave the Public Hearing open until the next regularly scheduled City Council Meeting on March 8, 2022, 6:30 PM, at Anna ISD Board Room, 201 E. 7th Street, Anna, Texas, 75409. Council Member Miller seconded. Motion carried 7-0.

- d. Discuss and consider a Resolution authorizing the City Manager to execute an agreement for professional services related to the final engineering design, architecture, product selection, bid services, and construction management for the Hurricane Creek Regional Wastewater Treatment Plant. (Director of Public Works Greg Peters, P.E.)

Director Peters provided a brief overview of the item.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INCORPORATED, FOR DESIGN, BID, AND CONSTRUCTION MANAGEMENT SERVICES RELATED TO THE HURRICANE CREEK REGIONAL WASTEWATER TREATMENT PLANT.

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

- e. Conduct a first reading of a Resolution approving an Agreement with Zablink Hospitality, LLC, for a hotel project. (Director of Economic Development Joey Grisham)

Council Member Carver provided a first reading of a Resolution approving an Agreement with Zablink Hospitality, LLC, for a hotel project.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS APPROVING A PROJECT OF THE ANNA COMMUNITY DEVELOPMENT CORPORATION INCLUDING THE GRANTING OF FUNDS NOT TO EXCEED \$208,990.06 TO ZABLINK HOSPITALITY, LLC AS AUTHORIZED BY SECTION 505.158 OF THE TEXAS LOCAL GOVERNMENT CODE WITH TWO SEPARATE READINGS.

- f. Conduct a second reading of a Resolution approving an Agreement with Zablink Hospitality, LLC, for a hotel project. (Director of Economic Development Joey Grisham)

Council Member Carver provided a second reading of a Resolution approving an Agreement with Zablink Hospitality, LLC, for a hotel project.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS APPROVING A PROJECT OF THE ANNA COMMUNITY DEVELOPMENT CORPORATION INCLUDING THE GRANTING OF FUNDS NOT TO EXCEED \$208,990.06 TO ZABLINK HOSPITALITY, LLC AS AUTHORIZED BY SECTION 505.158 OF THE TEXAS LOCAL GOVERNMENT CODE WITH TWO SEPARATE READINGS.

- g. Consider/Discuss/Action on a Resolution approving a hotel project and authorizing the Anna Community Development Corporation to fund an Economic Development Agreement with Zablink Hospitality, LLC, not to exceed \$208,990.06. (Director of Economic Development Joey Grisham)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS APPROVING A PROJECT OF THE ANNA COMMUNITY DEVELOPMENT CORPORATION INCLUDING THE GRANTING OF FUNDS NOT TO EXCEED \$208,990.06 TO ZABLINK HOSPITALITY, LLC AS AUTHORIZED BY SECTION 505.158 OF THE TEXAS LOCAL GOVERNMENT CODE WITH TWO SEPARATE READINGS.

MOTION: It was moved by Council Member Carver to approve. Council Member Miller seconded. Motion carried 6 – 1 (Mayor Pike opposed).

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 exception.

- 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). Public Improvement Districts.
- 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 Manager

MOTION: Council Member Carver moved to enter Closed Session. Mayor Pike seconded. Motion carried 7-0.

Mayor Pike recessed the meeting at 7:41 PM.

Mayor Pike reconvened the meeting at 8:30 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.

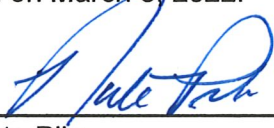
There was no action taken.

10. **Adjourn.**

Mayor Pike adjourned the meeting at 8:30 PM.

Approved on March 8, 2022.




Mayor Nate Pike

ATTEST:


City Secretary Carrie L. Land