



CITY OF MELISSA CITY COUNCIL SPECIAL MEETING AGENDA

Tuesday, November 16, 2021
Special Meeting - 5:15 p.m.

City of Melissa City Hall
3411 Barker Avenue
Melissa, TX 75454

SPECIAL MEETING AGENDA

1. CALL TO ORDER AND ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENTS

This item is available for citizens to speak for up to 3 minutes on any subject of which the City of Melissa has authority. However, no discussion or action, by law, may be taken on the topic unless and until properly posted on a future agenda.

4. AGENDA

- A. Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, to wit:
 - i. 551.072. Discussing purchase, exchange, lease or value of real property
 - 1. City owned properties generally located at the northwest corner of Fannin Road and SH 5
 - 2. Abstract 309 William Fitzhugh Survey, Tract 4 and Abstract 319 John Fitzhugh Survey, Tract 24
- B. Reconvene into Open Session and take any action as necessary from the Executive session.
- C. Swearing in Jennifer Clark as Council Member, Place 1
- D. Boards and Commission Interviews
- E. Consider and act upon a Resolution making appointments to Boards and/or Commissions
- F. Consider and act upon a Resolution setting a date, time and place for a public hearing on the proposed voluntary annexation by the City of Melissa of the area of land consisting of 15.366± acres, situated in the John Emberson Survey, Abstract No. 294, Collin County, Texas.
- G. Adjourn

Certified to this the 12th day of November, 2021.

Kacie Galyon, City Secretary

Posted: November 12, 2021 @ 3:00 p.m.

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code §551.001 et seq., will be held by the City Council at the date, hour and place given in this notice or as soon after the commencement of the meeting covered by this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

- 551.071 Private consultation with the attorney for the City.
- 551.072 Discussing purchase, exchange, lease or value of real property.
- 551.074 Discussing personnel or to hear complaints against personnel

4F



Date November 16, 2021

Subject Consider and act upon a Resolution setting a date, time and place for a public hearing on the proposed voluntary annexation by the City of Melissa of the area of land consisting of 15.366± acres situated in the John Emberson Survey, Abstract Number 294, Collin County, Texas.

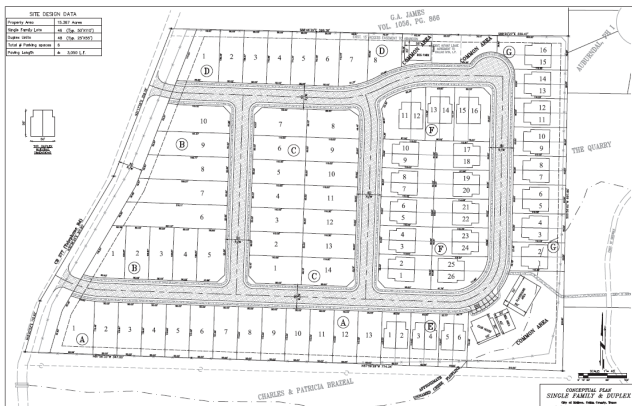
Submitted By Tyler Brewer
Director of Development and Neighborhood Services

Action Requested

Approval of a resolution setting a date, time and place for a public hearing on the voluntary annexation of 15.366± acres.

Summary of Subject

The City of Melissa recently approved a rezone of a 15.366± acre tract of land for the prospective Forest Trails Development conditioned upon the subject tract being annexed into the City of Melissa by December 14, 2021 as well as the developer entering into an agreement acceptable to City Council regarding improvements to Telephone Rd from the intersection of Melissa Rd and Telephone Rd down to the southern property line of the subject tract by January 11th, 2022.



Supporting Documents

Resolution

Comprehensive Plan Comments

N/A

Staff Recommendation

Staff recommends approval of this resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MELISSA, TEXAS, SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED VOLUNTARY ANNEXATION BY THE CITY OF MELISSA OF THE AREA OF LAND CONSISTING OF 15.366± ACRES, SITUATED IN THE JOHN EMBERSON SURVEY, ABSTRACT NO. 294, COLLIN COUNTY, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR HIS DESIGNEE, TO: (1) PROVIDE THE REQUIRED WRITTEN NOTIFICATIONS TO THE PROPERTY OWNERS AND ANY APPLICABLE PUBLIC ENTITIES; (2) NOTIFY THE PUBLIC OF THE PUBLIC HEARING; (3) OFFER ANY ANNEXATION AGREEMENT, AS REQUIRED BY LAW, OR AS THE CITY MANAGER DEEMS APPROPRIATE, AS HE SOLELY DETERMINES; AND (4) EXECUTE ANY ANNEXATION AGREEMENT DESCRIBED HEREIN; PROVIDING FOR THE CITY COUNCIL'S DETERMINATION OF THE AREA TO BE ANNEXED BY THE CITY OF MELISSA; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MELISSA, TEXAS:

SECTION 1: Public Hearing. On the 14th day of December, 2021, at 6:00 p.m., in the City Council Chamber at City Hall, 3411 Barker Avenue, Melissa, Texas 75454, the City Council of the City of Melissa, Texas ("City Council") will hold a public hearing, giving all interested persons the right to appear and be heard on the proposed voluntary annexation by the City of Melissa, Texas ("Melissa") of the area of land consisting of 15.366± acres, situated in the John Emberson Survey, Abstract No. 294, Collin County, Texas, more particularly described and depicted in Exhibit A, attached hereto and incorporated herein for all purposes.

SECTION 2: Area to be Annexed. The City Council may determine whether all of some of the above-described area will be annexed by Melissa, as evidenced by the motions made and subsequent actions of the City Council at a duly noticed public meeting, said actions being reflected in the minutes thereof.

SECTION 3: Authority to Provide Notice; Annexation Agreements. The City Manager, or his designee, is hereby authorized and directed to: (i) cause notice of such hearing to be published on Melissa's website and in a newspaper having general circulation in Melissa and in the above-described area in accordance with the Municipal Annexation Act (Chapter 43, Texas Local Government Code) ("Act"), and as otherwise required by law; (ii) provide the required written notifications to the owner(s) of the property(ies) contained in the above-described area as well as any applicable public entities as required under the Act; (iii) offer any annexation agreements, as required by law, or as the City Manager deems appropriate, as he solely determines, for Melissa, in accordance with the Act; and (iv) execute the form of any and all annexation agreements described herein.

SECTION 4: Effective Date. This Resolution shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MELISSA, TEXAS, on the _____ day of _____, 2021.

Reed Greer, Mayor

ATTEST TO:

Kacie Galyon, City Secretary

Exhibit A

BEING a 15.366 acre tract of land situated in the John Emberson Survey, Abstract No. 294, Collin County, Texas, and being all of that certain called 15.357 acre tract described in a Special Warranty Deed to James R. Kuiken, recorded as Instrument No. 20070122000093380, in the Deed Records of Collin County, Texas(DRCCT), and this tract being more particularly described as follows:

BEGINNING at a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner in the west line of a called 66.55133 acre tract of land described in a Special Warranty Deed to Jason F. Mason, Trustee, recorded as Instrument No. 96-0107754, DRCCT, said point being the common east corner of said 15.357 acre tract and a called 20 ½ acre tract of land described in a Special Warranty Deed to Charles M. Brazeal, recorded as Instrument No. 92-0088420, DRCCT;

THENCE North 87°59'29" West, along the common line of last mentioned tracts, a distance of 774.34 feet, to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner;

THENCE North 87°56'33" West, continuing along last mentioned common line, a distance of 347.00 feet, to a point for corner at the common west corner of thereof, said point also being in the centerline of County Road No. 277, from which a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for reference bears South 87°56'33" East, a distance of 30.96 feet;

THENCE along the centerline of said road and the westerly line of said 15.357 acre tract, as follows:

North 16°20'52" East, a distance of 110.92 feet, to a 1/2" iron rod found for corner;

North 30°36'24" East, a distance of 301.90 feet, to a point for corner;

North 21°17'55" East, a distance of 329.78 feet, to a point for corner at the northwest corner said 15.366 acre tract, from which a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for reference bears South 88°46'29" East, a distance of 31.94 feet;

THENCE South 88°46'29" East, along the north line of said 15.357 acre tract, at approximately 18.5 feet passing the southwest corner of a called 7.370 acre tract described as first tract in a Warranty Deed to G.A. James, recorded in Volume 964, Page 33, DRCCT, and continuing along the common line of last mentioned tracts a distance of 598.38 feet, to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner;

THENCE South 89°20'27" East, along the said common line, a distance of 229.47 feet, to a 1/2" iron rod with a yellow cap stamped "JBI" found for corner at the common east corner thereof, said point in the west line of Auburndale, Phase 1, an addition to the City of Melissa, Collin County, Texas, according to the Plat thereof, recorded in Volume 2017, Page 1026, Plat Records, Collin County, Texas;

THENCE South 00°58'02" West, along the east line of said 15.357 acre tract and the west line of said addition, at 188.32 feet, passing the southwest corner thereof, and continuing along the east line of said 15.357 acre tract and the west line said 66.55133 acre tract, a distance of 697.80 feet to the **POINT OF BEGINNING** and containing 669,345 square feet, or 15.366 acres of land.

