

CITY OF VAN ALSTYNE

MINUTES

City Council Meeting

Van Alstyne Community Center
262 N. Preston Ave

**Tuesday, April 12, 2016
6:30 P.M.**

Members present: Mayor Larry Cooper, Billy Plake, Timmerle Kelly, Robert Jaska and Russell Moore.

Staff present: Frank Baker, Jennifer Gould, Tim Barnes, Steve White and Judy Kimzey.

AGENDA

1. Call to Order. *Mayor Cooper called the meeting to order at 6:53pm.*
2. Citizens Communications. *None.*

PUBLIC HEARINGS

3. Conduct a Public Hearing regarding a request by the owner/agent of the property described as BLUNDELL W B A-G0115, & J MCKINNEY A-770, AC 4.00, more commonly known as 229 S Henry Hynds Expwy to change the current zoning of C – 2 (General Commercial District) to M/I - 1 (Manufacturing/Industrial District - Light). *Mayor Cooper opened the Public Hearing at 6:55pm. There being no comments the Public Hearing closed at 6:57pm.*
4. Conduct a Public Hearing regarding a request by the owner/agent of the property described as OTP VAN ALSTYNE ADDN, BLOCK 24, LOT 6 THRU 10, ACRES 0.4017, more commonly known as 277 N Waco Street to change the current zoning of CBD (Central Business District) to C -2 (General Commercial District - 2). *Mayor Cooper opened the Public Hearing at 6:57pm. Paul Nobles welcomed the turbo charger business expressing that it is an awesome thing for Van Alstyne. There being no further comments the Public Hearing closed at 7:00pm.*

CONSENT AGENDA

Items listed on the consent agenda allow the Council to approve all items together without discussion or individual motions. Items may be removed from the consent agenda on the request of any one member of the Council. Removed items will be discussed and action taken immediately after the consent agenda.

5. Approval of minutes from the March 15, 2016 zoning board of adjustment and March 15, 2016 special called meeting.
10. Consider and take any action necessary regarding approval of an ordinance to abandon an alleyway in Block 13 of the Original Town Plat at the south west corner of S. Sherman Lane and E. Shreveport Street.
11. Consider and take any action necessary regarding approval of an ordinance to abandon an alleyway in Block 7 of Divisions Van Alstyne and Block 11 the Original Town Plat in the 500 block of S. John Douglas Rd south of Austin Place.

Robert Jaska made a motion to approve items 5, 10 and 11 listed on the consent agenda. Timmerle Kelly seconded the motion and the motion passed unanimously.

REGULAR AGENDA (NON-CONSENT)

6. Consider and take any action necessary regarding a request by the owner/agent of the property described as BLUNDELL W B A-G0115, & J MCKINNEY A-770, AC 4.00, more commonly known as 229 S Henry Hynds Expwy to change the current zoning of C – 2 (General Commercial District) to M/I - 1 (Manufacturing/Industrial District - Light). *Timmerle Kelly made a motion to approve a zone change for the property commonly known at 229 S Henry Hynds Expwy from C – 2 to P.D. as recommended by the Planning and Zoning Commission. Russell Moore seconded the motion and the motion passed unanimously.*
7. Consider and take any action necessary regarding a request by the owner/agent of the property described as OTP VAN ALSTYNE ADDN, BLOCK 24, LOT 6 THRU 10, ACRES 0.4017, more commonly known as 277 N Waco Street to change the current zoning of CBD (Central Business District) to C -2 (General Commercial District - 2). *Timmerle Kelly made a motion to accept the applicants' withdrawal of the zone change request. Russell Moore seconded the motion and the motion passed with Timmerle Kelly, Russell Moore and Billy Plake in favor and Robert Jaska opposed.*
8. Consider and take any action necessary regarding approval of an ordinance adopting and enacting a new code of ordinances for the City of Van Alstyne, Texas and providing for the repeal of certain ordinances. *Jennifer Gould advised Council of the codification process starting in March of 2013. The code encompasses all ordinances from 1, adopted in 1896 to 763, adopted in December of 2015. The City's new code will be available and searchable online via the City website and MuniCode. Robert Jaska made a motion to approve the ordinance as presented. Russell Moore seconded the motion and the motion passed unanimously.*
9. Consider and take any action necessary regarding authorizing the Mayor to sign a resolution authorizing the imposition of an additional penalty for delinquent tangible personal property taxes. *Bruce Stidham, Grayson County Tax Assessor Collector advised that the imposition of the additional penalty on delinquent tangible personal property taxes will take effect in 2017. Mr. Stidham advised that this will allow for the earlier attempted collection of the taxes which are historically more difficult to collect. Billy Plake made a motion to authorize the Mayor to sign the resolution as presented. Robert Jaska seconded the motion and the motion passed unanimously.*
12. Consider and take any action necessary regarding an agenda request from John Jennings to review and consider rescission of Ordinance No. 636 and allow revision to include any and all TDLR licensed towing and vehicle storage businesses within a 25-mile range of Van Alstyne to request and be placed on a fully rotational notification call list for towing and storage service for the City. *Mayor Cooper provided Council with a proposed amendment to Section 6 (a) of Ordinance 636 and read into record the current qualifications listed in the section. John Jennings spoke advising that the proposed language is in the direction of his proposal but suggested that he ordinance be revised overall as it is very restrictive and should point more to the Texas Department of Licensing and Regulations. Mr. Jennings added that the ordinance has monopolistic characteristics. Robert Jaska expressed concern for the suggested 25-mile range as it creates a increased response time. Lynn Adams spoke advising that Adams Automotive is the currently the primary. Mrs. Adams also expressed concern for the 25-mile range as it could present a hazard and timely arrival on scene is crucial. Adams Automotive has made the Police Department and the City a priority and want to continue providing service as the primary for vehicle towing and storage. Mrs. Adams added that in the six years that Adams Automotive has been providing services to the City they have not missed a call. After lengthy discussion between Council members and staff Timmerle Kelly made a motion directing staff to provide more information on the topic, the state code and the opinions of staff regarding best practice. Billy*

Plake seconded the motion and the motion passed with Timmerle Kelly, Billy Plake and Robert Jaska in favor and Russell Moore opposed.

EXECUTIVE SESSION

In accordance with Chapter 551 of the Texas Government Code (Open Meetings Law), the City Council may meet in a closed Executive Session pursuant to applicable laws.

OPEN MEETING

13. Departmental Reports. *Jennifer Gould advised that the administrative department responded to 7 requests for public records, accepted 1 zoning petition, 2 plat requests, issued 0 commercial permits, 1 certificate of occupancy, 6 residential permits, accepted and entered 29 new utility accounts, 3 mailing address changes, 1 additional waste can request, 3 utility account transfers, 26 utility account disconnections, 6 mailing address change requests, 1 additional waste can request, 2 utility account transfers, processed 107 purchase orders, issued 63 general fund checks, 45 water fund checks, 3 insurance trust fund checks and 2 court technology fund checks in the month of March. Ms. Gould also advised that the Planning and Zoning Commission will meet on April 20, 2016 to discuss the Palladium zoning petition and Reid Addition final plat. Early voting will be held at the Grayson College South Campus April 25th – 29th from 8:00am – 5:00pm and May 2nd – 3rd from 7:00am – 7:00pm. Voting on Election Day will also take place at the Grayson College South Campus on May 7th from 7:00am – 7:00pm. Chief Barnes advised that Communications received 1,019 calls for service, the Municipal Court closed 353 cases and the Police received 842 calls for service and 34 incident reports for the month of March. Chief Barnes also commended the communications staff for their work as it is Telecommunicators Week. Judy Kimzey advised that the Library had 7 adult programs and 11 children's programs with 94 children and 66 adult attendees for the month of March. Also for the month the Library had 1,949 patrons in the facility which is an increase of 192 from February, circulated 2,197 materials which is an increase of 65 from February and 35 new patrons for the month. Ms. Kimzey advised that the Friends of the Library Spring book sale will be held at the Community Center from April 14th – April 16th. Steve White advised of TCEQ three year inspection where no violations were found and provided an update on the Dallas Street waterline project, manhole lining replacement, 75 waterline project, Georgetown II infrastructure installation, roadwork being performed by Grayson County, pipe bursting project and Wastewater Treatment Plant improvements.*
14. City Manager's Report. *Frank Baker advised that Golden Chick has been issued a Certificate of Occupancy from the City. Stonehollow Homes is nearly ready to pour concrete for their streets as soon as the weather permits, DR Horton has submitted a plat for 13 acres of residential development and the TxDot Hike and Bike Trail planning is underway with construction anticipated to start in the summer/fall of 2017.*
15. Mayor and Council Closing Comments. *Mayor Cooper thanked staff for their work as well as Council members for their thoughtfulness and community involvement. Billy Plake advised of the Chamber's Meet the Candidate event to be held April 14th.*
16. Adjournment. *Robert Jaska made a motion to adjourn the meeting at 8:29pm. Russell Moore seconded the motion and the motion passed unanimously.*

Larry Cooper, Mayor

ATTEST:

Jennifer Gould, City Clerk