

**CITY OF VAN ALSTYNE**

**MINUTES**

**City Council Meeting**

Van Alstyne Community Center  
262 N. Preston Ave

**JUNE 13, 2017**

**6:35 P.M.**

Members present: Mayor Larry Cooper, Brad Clough, Teddie Ann Salmon, Robert Jaska, Lee Thomas and Suzon Crowell.

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 6:41pm.*
2. Citizens Communications. *Clint Murphy addressed Council to file a formal complaint via hand delivery about the certificate of occupancy process for his property (Armortek). Joe Young addressed Council expressing concern for the continued receiving of EMS bills that have been paid, however the 3<sup>rd</sup> party biller seems to have lost/returned the check two times. Tiffany Clum addressed Council and asked the status of her complaint wanting to know the corrective action taken, if any. Also, if there was no action, why. Sue – Lynn Voight addressed Council expressing concern for agenda items 12(j) and 12(b). Mrs. Voight expressed a desire to see staff and Council work together. Timmerle Kelly addressed Council regarding items listed on the agenda. Mrs. Kelly expressed concern for the perception for developers and business owners seeking to come to Van Alstyne for growth. Mrs. Kelly also expressed gratitude and applause towards City Staff members.*

**PUBLIC HEARINGS**

3. Conduct a Public Hearing regarding the 2016 Annual Drinking Water Quality Report. *The Public Hearing opened at 7:00pm. Public Works Director, Steve White, presented the Drinking Water Quality Report. There being no public comments, the hearing closed at 7:01pm.*

**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.*

4. Consider and take any action necessary regarding minutes from the May 9, 2017 Zoning Board of Adjustment meeting, May 9, 2017 Regular meeting and the May 16, 2017 Special Called meeting.
5. Consider and take any action necessary regarding passage of a resolution authorizing the City Manager to sign closing documents for the sale of the property located at 601 Martin Duke Road to LNMN Holdings, LLC.
7. Consider and take any action necessary regarding awarding the contract for the Dallas Street Water and Sewer Line Replacement in the amount of \$263,272.60 to Dickerson Construction Company, Inc.

*Robert Jaska made a motion to approve items 4, 5 and 7 listed on the consent agenda. Brad Clough seconded the motion and the motion passed unanimously.*

## REGULAR AGENDA (NON-CONSENT)

6. Consider and take any action necessary regarding approval of a resolution of the City Council of the City of Van Alstyne, Texas, granting the petition of the owner of an area of land to annex the area into the City of Van Alstyne, setting the dates, time and place for the public hearings on the proposed annexation, on the voluntary petition of owners for approximately 16.27 acres of land described on Exhibit "A" (generally located in the area south of Spence Rd, east of Sanford Circle and west of Greywood Drive); authorizing the preparation of service plans and notification of property owners, railroads and school districts; authorizing and directing the city clerk to publish notice of such public hearings; and establishing an effective date. *Frank Baker advised of 2 schedules, the 2<sup>nd</sup> schedule is accelerated and will require a special called meeting on June 27, 2017 and July 18, 2017 to satisfy the requestor. Brad Clough made a motion to utilize the accelerated schedule. Robert Jaska seconded the motion and the motion passed unanimously. Brad Clough made a motion to approve the proposed resolution. Robert Jaska seconded the motion and the motion passed unanimously.*
8. Presentation of award of appreciation to Timmerle Kelly, Billy Plake and Russell Moore. *Mayor Larry Cooper presented awards of appreciation to Billy Plake and Timmerle Kelly. Russell Moore was not present.*
9. Consider and take any action necessary regarding appointment of Mayor Pro-Tem. *Suzon Crowell nominated Teddie Ann Salmon to serve as the Mayor Pro-Tem. Robert Jaska seconded the nomination of Teddie Ann Salmon and the nomination passed with Suzon Crowell, Robert Jaska, Brad Clough and Lee Thomas in favor and Teddie Ann Salmon abstaining.*
10. Consider and take any action necessary regarding approval of an ordinance establishing the sales tax structure established pursuant to election as it relates to streets. *Teddie Ann Salmon made a motion to approve the ordinance establishing the sales tax structure pursuant to the election as it relates to streets. Lee Thomas seconded the motion and the motion passed unanimously.*
11. Consider and take any action necessary regarding passage of a resolution repealing Resolution No. 03-2014-01 and recognizing the Van Alstyne Sports Authority (VASA) as a preferred league for youth sports in the City of Van Alstyne, Texas. *Teddie Ann Salmon advised that VASA is involved in the Parks & Recreation Board and maintain fields, scheduling, etc. Suzon Crowell asked what the preference provides to which Mrs. Salmon advised VASA will get first choice of field use. Brad Clough made a motion to approve. Suzon Crowell seconded the motion and the motion passed unanimously. Teddie Ann Salmon explained that she is eligible to vote on the Parks agenda items even though she is on the Parks Board, per Julie Fort.*
12. Consider and take any action necessary regarding an agenda request from Suzon Crowell to review and consider the following administration items:
  - a. Propose removal of decorum sheets at door for every council meeting to be replaced with a sheet that explains how a council meeting works and when citizens can contribute and have for July council meeting. Explain about allotted time for all citizen comments and needs for agenda items. *Crowell advised that the public should be educated on the process because it can be overwhelming. Mrs. Crowell would like the process and paperwork provided to be more welcoming, explanatory, and provide direction rather than recourse. Teddie Ann Salmon advised that the process for moving a consent agenda item to the regular agenda for comment/discussion should be added. Suzon Crowell made a motion to direct staff to move forward as discussed with a draft of the educational information. Lee Thomas seconded this motion and the motion passed unanimously.*

- b. Propose all email to council members should be done as a “to” and not as a blind carbon copy so that members can see who received all correspondence effective immediately. *Suzon Crowell understands the purpose, but would like to know who is receiving all correspondence. Julie Fort recommended being conservative when potential criminal violations are apparent. Brad Clough made a motion to keep the email correspondences as they are currently. The motion died for lack of a second.*
- c. Propose that only elected officials should be seated at the council table during council meetings to clarify those that are elected positions versus staff. *Suzon Crowell explained that it can be confusing as to who is who, as far as elected officials and staff sitting at the front table. Mayor Larry Cooper advised that he does not think anyone is confused and that he appreciates Frank Baker sitting to his left, as Mr. Baker assists him as he moves through the meeting. Suzon Crowell made a motion to have City Manager, Frank Baker sit with the other staff on the side of the room separating the Body from city staff. Robert Jaska seconded the motion and the motion passed with Suzon Crowell, Robert Jaska and Teddie Ann Salmon voting in favor and Brad Clough and Lee Thomas opposing.*
- d. Propose that all billings from the city’s attorney are categorized by case and/or administrative task to allow for a view of inception to date spend on said categories starting with the July statement. *Suzon Crowell explained that one cannot determine the cause of charges and it is difficult to determine efficient and effective accounting on the invoice. Suzon Crowell made a motion to have the City Attorney categorize the invoices. Julie Fort advised she is willing to do this. Teddie Ann Salmon made a motion to adopt a procedure for a monthly report. Robert Jaska seconded the motion and the motion passed unanimously.*
- e. Propose that council be provided an overview of all outstanding and current open litigation in which the city is involved prior to the July council meeting. *Julie Fort can provide a written list, as well as add desired discussion on a future meeting agenda. Teddie Ann Salmon would like to do so, to make members aware via email and notify of changes and monthly updates. Invoices can be emailed monthly as well. Robert Jaska seconded the motion. Teddie Ann Salmon withdrew the motion. No action taken.*
- f. Propose that the City Manager provide options prior to the July council meeting for customer service training for all front desk staff that would be appropriate to their requirements for serving the public. *Suzon Crowell advised this is in support of staff to hold them accountable and to be sure all staff have the right training and skill set to better handle the stress of the front desk. Frank Baker advised many training courses are taken and is willing to discuss in Executive Session. Suzon Crowell made a motion to add this into the next Executive Session, as well as asking why it has to be in executive session. Julie Fort advised to be very mindful when discussing personnel in an open session because you do not want to say something that can be brought against the City. Suzon Crowell made a motion to provide job descriptions and a training schedule at the next meeting during executive session. Teddie Ann Salmon seconded the motion and the motion passed unanimously.*

- g. Request confirmation that the city website be updated with council meeting agendas at the same time as the posting outside city hall. *Frank Baker advised Council that staff can send posting proof with the agenda via email.*
- h. Propose that Planning & Zoning be required to have a comprehensive plan zoning map and a current zoning map available at all meetings for citizens to view and reference. City clerk should put a push pin on the current map on any property that will be discussed at the meeting and at all public hearings. *Suzon Crowell directed staff to use projector or some sort of map for people to look at during the Planning and Zoning meetings. Robert Jaska seconded the motion and the motion passed unanimously.*
- i. Propose that the City Manager starting at the July council meeting provide a monthly report as part of the staff report section of the meeting and advise on all topics raised by citizens, businesses and staff for the prior month. *Suzon Crowell advised that she wanted to suggest that the City Manager's report have more detail. No action taken.*
- j. Propose that council receive notification prior to all citations to residents and/or businesses where the citation could be perceived as onerous. The goal is to be proactive in addressing citizen feedback and/or revising ordinances that may need revision. *Suzon Crowell suggested this only to manage issues. Also, Suzon Crowell would like to discuss the building permit/certificate of occupancy process at the orientation workshop. No action taken.*
- k. Propose that New Resident section of the city website be renamed to just "Resident" since there is no section addressing current residents. *Frank Baker advised the change can be made. No action taken.*
- l. Propose that all city staff be barred from making any public negative statements about any citizen or business. We are here to help citizens not admonish them. *Discussion was held. No action taken.*
- m. Request that all council members be provided a microphone for council meetings. *Robert Jaska made a motion to have City staff obtain microphones for the council meetings. Teddie Ann Salmon seconded the motion and the motion passed unanimously.*
- n. Propose that the City Manager put in place the proper cross-training with front desk staff to make certain any citizen requests can be handled at all times. *Frank Baker advised of the infeasibility. Suzon Crowell suggested this be part of the training discussion on a future executive session agenda along with item 12.f. No action taken.*
- o. Propose that City Manager provide next steps on enacting an electronic bulletin board on the city website that allows for feedback and conversations between the city and citizens. *Suzon Crowell made a motion to have estimates in July or as soon as possible. Robert Jaska seconded the motion and the motion passed unanimously.*
- p. Propose that council, at the July council meeting, is updated on any automatic raise clauses that might be in any staff employment contracts. *Discussion regarding the review of all contracts. No action taken.*

- q. Request that council is updated on the assistant city attorney staff role; the job description, when the role was approved, how much the position is to be paid and the role's current status. *Frank Baker advised the position is vacated and there is no intention to fill it. No action taken.*
  - r. Request an update on the process for building the monthly council agenda. *Frank Baker advised of the general process. No action taken.*
  - s. Request the job descriptions and required training plan for all staff. *No discussion on this item, due to the discussions held for items 12.f. and 12.n.*
13. Consider and take any action necessary regarding an agenda request from Suzon Crowell proposing that the City Council publicly make a statement supporting all its local businesses and that we encourage all city staff, where it makes sense, to frequent our local businesses. Ask that all department heads communicate our support to all staff. *Suzon Crowell advised this is a statement of support for local business and encouraged (not require) staff to shop locally. No action taken.*
14. Consider and take any action necessary regarding an agenda request from Suzon Crowell proposing that the City Manager provide a calendar to council advising on periodic visits to local businesses and civic organizations throughout the year with the goal of gathering feedback on how the city can best support its citizens. Would like to see a draft of a business survey to be sent to all businesses for the July council meeting. *Discussion regarding civic involvement and a coordinated effort. No action taken.*
15. Consider and take any action necessary regarding an agenda request from Suzon Crowell requesting an update from Planning & Zoning Commission about designating truck routes within the city. *Frank Baker advised that the Planning & Zoning Board recently made a recommendation that was not acted upon. It was identified that Council may address the issue directly. No action taken.*
16. Consider and take any action necessary regarding an agenda request from Suzon Crowell requesting an update on the overview and status of the proposed bike path with the intention of updating all new council to get them up to speed. *Len McManus advised of the timeline/schedule of events for the path. Len McManus will provide a site plan via email. Discussion was held regarding the update to the comprehensive plan/thoroughfare plan/parks plan. No action taken.*
17. Consider and take any action necessary regarding an agenda request from Suzon Crowell requesting an update on the upcoming update to the Comprehensive Plan, when was it last done and by who, and when are we required to update. *This was last done in 2003 by Swanky. Discussion was held regarding the upcoming update and thoroughfare. No action taken.*
18. Consider and take any action necessary regarding an agenda request from Suzon Crowell requesting an update on the current situation with the Van Alstyne Sports Authority (VASA) and light bulb replacements and irrigation at our parks. *Steve White advised that for several years VASA have had GCEC furnish the manpower to change the bulbs in the parks. Forrest Moore park irrigation locations are unknown, and there have been proposed design expenses in the upcoming budget. Suzon Crowell clarified there is clarity and comfort between the City of Van Alstyne and VASA. No action taken.*

19. Consider and take any action necessary regarding scheduling a Special Work session for City Council to cover training/orientation on employment laws, open meetings and executive session, platting and zoning, involvement in citations and determine other topics Council would like covered at Special Work session. *Teddie Ann Salmon made a motion to have an open work session on July 10, 2017 at 6pm at the Van Alstyne Community Center. The deadline to add topics set to June 30, 2017. Lee Thomas seconded this motion and the motion passed unanimously.*
20. Departmental Reports. *Jennifer Gould provided Council with the Administrative Department statistics for the prior month, Chief Tim Barnes provided Council with the Police Department/Municipal Courts & Dispatch statistics for the prior month, Judy Kimzey provided Council with the Library's statistics for the prior month and Steve White provided Council with the Public Works statistics and updates regarding current projects.*
21. City Manager's Report. *Frank Baker advised Council of current and upcoming projects and events, training classes he attended in the prior month, attendance in P&Z meetings, Council Meetings, meetings to coordinate for Music in the Park with the Chamber of Commerce, meetings with developers, meetings with the website designers and other local events and projects.*
22. Mayor and Council Closing Comments. *Mayor Larry Cooper expressed thanks to everyone for attendance. Robert Jaska advised of upcoming Chamber of Commerce events. Teddie Ann Salmon advised she wants Open Government with the best public service. Mrs. Salmon explained she wants the Council to listen to the people as elected officials and suggests that council move to the Fire Department for Executive Session rather than making the guests leave in the future. Also, Mrs. Salmon advised of a list of businesses that support keeping municipal facilities downtown, and EDC/CDC funding questions which will be for executive session discussion at the next council meeting. Robert Jaska expressed appreciation for all the small business owners.*

#### 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.*

23. All items below for Executive Session:

Pursuant to the following designated sections of Texas Government Code, Annotated, Subchapter 551, the Council will enter into executive session to discuss the following items:

- a) Section 551.071 [Consultation with Attorney] and/or Section 551.072 [Deliberation Regarding Real Property] regarding the sale and/or purchase of property for municipal facilities.

*Council recessed into executive session at 9:57pm.  
Council reconvened into open session at 10:41pm.*

#### OPEN MEETING

24. Consider and take any action necessary as a result of executive session. *Brad Clough made a motion to purchase property as discussed in executive session. Lee Thomas seconded the motion. The motion failed with Brad Clough and Lee Thomas in favor and Teddie Ann Salmon, Robert Jaska and Suzon Crowell opposed.*

25. Adjournment. *Teddie Ann Salmon made a motion to adjourn the meeting at 10:42pm. Suzon Crowell seconded the motion and the motion passed unanimously.*

---

Larry Cooper, Mayor

---

Jennifer Gould, City Clerk