

CITY OF VAN ALSTYNE

MINUTES

City Council Meeting

Van Alstyne Community Center

262 N. Preston Ave

Tuesday, July 12, 2016

6:30 P.M.

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

Staff present: Frank Baker, Tiffani Lanning, Tim Barnes and Judy Kimzey

AGENDA

1. Call to Order. *Mayor Cooper called the meeting to order at 6:32pm.*
2. Invocation. *Recited by Mayor Cooper.*
3. Pledges of Allegiance. *US and Texas*
4. Citizens Communications. *Eddie Judkins expressed concern regarding receiving a citation for his tall grass and wondering if others were getting warning or receiving citations for their properties.*

PUBLIC HEARINGS

5. Conduct a Public Hearing regarding the 2015 Annual Drinking Water Quality Report. *The Public Hearing opened at 6:36pm. Contract Engineer Len McManus advised he was available for questions. There being no public comments, the hearing closed at 6:37pm.*
6. Conduct a Public Hearing regarding a final plat of the McElyea Addition being a replat of a portion of Subdivision six in Division one of the Original Town Plat of Van Alstyne as shown by plat of record in in Volume 37, Pages 642 and 643, Deed Records, Grayson County, Texas more commonly known as 302 N Main Drive. *The Public Hearing opened at 6:37pm. There being no public comments, the hearing closed at 6:38pm.*
7. Conduct a Public Hearing regarding a final plat of Georgetown Village II, Phase 2 being described as a 2.237-acre addition to the City of Van Alstyne, Grayson County, Texas being a replat of Benton Holdings – Baker Place Volume 23, Page 60. *The Public Hearing opened at 6:38pm. Stonehollow Homes representative Greg Edwards advised he was available for questions. There being no public comments, the hearing closed at 6:39pm.*
8. Conduct a Public Hearing regarding a final plat being 1.647 acres of lot 5, Cold Springs Industrial Park Addition to the City of Van Alstyne, Grayson County, Texas being a replat of said Addition – Volume 5757, Page 934. *The Public Hearing opened at 6:39pm. There being no public comments, the hearing closed at 6:40pm.*

CONSENT AGENDA

9. Consider and take any action necessary regarding approval of minutes from the June 14, 2016 regular meeting and the June 14, 2016 Zoning Board of Adjustment meeting.
10. Consider and take any action necessary regarding a final plat of the McElyea Addition being a replat of a portion of Subdivision six in Division one of the Original Town Plat of Van Alstyne as shown by plat of record in in Volume 37, Pages 642 and 643, Deed Records, Grayson County, Texas more commonly known as 302 N Main Drive.
11. Consider and take any action necessary regarding a final plat for the Georgetown Village, Phase III, 16.479 acres being part of the Collin McKinney Survey, Abstract No. 771 Van Alstyne, Grayson County, Texas located near the southeast corner of Kelly Lane and Village Pkwy.
12. Consider and take any action necessary regarding a final plat for the Georgetown Village II, Phase 2 being described as a 2.237-acre addition to the City of Van Alstyne, Grayson County, Texas being a replat of Benton Holdings – Baker Place Volume 23, Page 60.
13. Consider and take any action necessary regarding a final plat being 1.647 acres of lot 5, Cold Springs Industrial Park Addition to the City of Van Alstyne, Grayson County, Texas being a replat of said Addition – Volume 5757, Page 934.
14. Consider and take any action necessary regarding approval of a site plan submitted by Perez & Perez Enterprises, LLC being 1.647 acres of Lot 5, Cold Springs Industrial Park Addition to the city of Van Alstyne, Grayson County, Texas being a replat of said Addition – Volume 5757, Page 934.
18. Consider and take any action necessary regarding award of design, environmental and construction management services for Phase 1 of Van Alstyne’s Shared Use Path funded by the Transportation Alternative Program (TAP).
19. Consider and take any action necessary regarding approval of an ordinance to abandon an easement in Block 11 of the Original Town Plat at the south east corner of S. John Douglas Rd and Austin Place.

Timmerle Kelly made a motion to approve agenda item numbers 10, 11, 12, 13, 14, 18 and 19 and to move agenda item numbers 15, 16 and 17 to the Non-Consent agenda. Billy Plake seconded the motion and the motion passed unanimously.

REGULAR AGENDA (NON-CONSENT)

15. Consider and take any action necessary regarding appointing Kaaren Teuber, Robert Shelton and Brad Clough and reappointing Teddie Ann Salmon and Mark Swift to the Parks and Recreation Board of Directors. *Robert Jaska made a motion to approve the appointment and reappointment of directors for the Parks and Recreation Board. Billy Plake seconded the motion and the motion passed with Robert Jaska, Billy Plake, Timmerle Kelly and Russell Moore in favor and Brad Clough abstaining.*
16. Consider and take any action necessary regarding voting for a person to serve as the General Law Cities representative on the Greater Texoma Utility Authority Board of Directors. *Billy Plake made a motion to approve Scott Blackerby to serve on the Greater*

Texoma Utility Authority Board of Directors for the General Law Cities. Timmerle Kelly seconded the motion and the motion passed unanimously.

17. Consider and take any action necessary regarding approval of an amendment to the Potable Water Pass Through & Pumping Agreement with the City of McKinney as it relates to the Collin Grayson Municipal Alliance (CGMA) waterline. *Billy Plake made a motion to approve the amendment to the Potable Water Pass Through & Pumping Agreement with the City of McKinney as it relates to the Collin Grayson Municipal Alliance (CGMA) waterline. Brad Clough seconded the motion and the motion passed unanimously.*
20. Consider and take any action necessary regarding amending the Van Alstyne Economic Development Corporation's Fiscal Year 2015 – 2016 operating budget to increase funds for salaries, benefits, and/or payroll expenses. *Timmerle Kelly requested the item be moved to the Executive Session agenda for discussion.*
21. Consider, provide direction and take any action necessary regarding a request from John Jennings to revise current City towing ordinance and procedures to include a rotation list selection system.
 - a. Consider and take any action on an ordinance repealing or amending towing Ordinance No. 636.
 - b. Consider and take any action on an ordinance amending the City fee schedule adopted by Section 2-183 of the Code of Ordinance to adopt tow truck permit application fees and set maximum fees for nonconsent tows and vehicle storage.

This item was moved to Executive Session agenda for discussion.

22. Discussion regarding possible amendments to the City of Van Alstyne Code, Section 46-107.b.3. requiring a vote of four members of the Zoning Board of Adjustment to:
 - a) Reverse an order, requirement, decision or determination of an administrative official;
 - b) Decide in favor of an applicant on a matter on which the board is required to pass; or
 - c) Authorize a variation from the terms of a city zoning regulation.

This item was moved to Executive Session agenda for discussion.

23. Departmental Reports.

Tiffani Lanning advised Council of the number of Public Records Requests, Zoning Petitions, Permits issued, Utility Accounts opening and closing, the number of checks issued through the City in the month of June and that the Planning and Zoning Commission will meet on July 20, 2016 at 6:30pm at the Community Center. Judy Kimzey advised Council of the summer programs that are underway with the Family Event every Monday morning at the Community Center starting at 10:30am and there is something for all ages the other days of the week. Chief Barnes advise that the Police Department finished the Independence Day wave period for the DWI Step Program and about the Neighborhood watch meeting. Chief Barnes also provided the call number for the month of June. Frank Baker provided the call numbers for the month of June for the Fire Department as well. Contract Engineer Len McManus advised the Council about the possibility of starting to use CGMA water in August, Stone Hollow finishing their pavement of roads, Palladium's project and the addition of 55 new homes from DR Horton.

24. City Manager's Report. *Frank Baker answered questions from Councilman Plake regarding the water consumption being used for the line Len McManus was discussing.*
25. Mayor and Council Closing Comments *Timmerle Kelly thanked Chief Barnes and the Police Department for their services, in light of the recent Police activity in Dallas. Mayor Cooper and Len McManus discussed the waterline activity and progress.*

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.

26. 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 551.074 [Personnel Matters] for annual evaluation of the City Manager.
- b) Section 551.071 [Consultation with Attorney] regarding (i) towing ordinance, (ii) ETJ in Collin County, and (iii) state law requirements for variances.

Council recessed into Executive Session at 7:30pm.

Council reconvened into open session at 9:31pm.

OPEN MEETING

27. Take any action needed on executive session items.
- (20) *No action was taken. Frank Baker advised the EDC to draft an agreement with the City regarding if the new employee would be directed by the EDC or City.*
 - (21) *Robert Jaska made a motion to keep the original existing ordinance. Billy Plake seconded the motion. The motion failed with Robert Jaska and Billy Plake in favor and Timmerle Kelly, Brad Clough and Russell Moore opposed. Russell Moore made a motion to adopt the proposed draft ordinance as written. Robert Jaska wanted to amend the Ordinance to a primary/secondary. Russell Moore requested to adopt the new ordinance as is. Robert Jaska advised he liked the new ordinance, but does not agree with a rotation for the City's low call volume. Billy Plake agreed with Robert Jaska and advised that he does not mind having or not having a rotation, but the volume is not there yet. Mayor Cooper commented on monopolies and suggested that if the call volume does not increase, one company may back out. Timmerle Kelly made a motion to approve the proposed draft ordinance as written. Brad Clough seconded the motion. The motion passed with Russell Moore, Brad Clough and Timmerle Kelly in favor and Robert Jaska and Billy Plake opposed.*
 - (22) *Council directed staff to bring clarification to the Planning and Zoning Commission.*
28. Adjournment. *Timmerle Kelly made a motion to adjourn at 9:42pm. Russell Moore seconded the motion and the motion passed unanimously.*

Larry Cooper, Mayor

ATTEST:

Jennifer Gould, City Clerk