

CITY OF VAN ALSTYNE

MINUTES

City Council Meeting

Van Alstyne Community Center
262 N. Preston Ave

AUGUST 8, 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, Tim Barnes, Steve White, Judy Kimzey and Adam Huttash.

AGENDA

1. Call to Order. *Mayor Cooper called the meeting to order at 9:01pm*
2. Citizens Communications. *None.*

PUBLIC HEARINGS

3. *None.*

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. Consider and take any action necessary regarding a preliminary plat for North Park Estates, being 32.837 acres out of the J. McKinney Survey Abstract No. 770, City of Van Alstyne, Grayson County, Texas. This property is generally located north of Blassingame Avenue, east of Greywood Drive and west of North Waco Street.
9. Consider and take any action necessary regarding appointing J.D. Ballard to the Van Alstyne Economic Development Corporation Board of Directors.
10. Consider and take any action necessary regarding authorizing advertisement for bids for Shared Use Path, Phase I from Van Alstyne High School to North Park.
11. Consider and take any action necessary regarding passage of a resolution authorizing participation in the 2017 Tax Resale Auction.

Teddie Ann Salmon made a motion to approve items 5, 9, 10 and 11 listed on the consent agenda. Robert Jaska seconded the motion and motion passed unanimously.

REGULAR AGENDA (NON-CONSENT)

4. Consider and take any action necessary regarding minutes from the June 27, 2017 special called meetings, July 10, 2017 work session meeting, July 11, 2017 regular meeting, July 13, 2017 budget work session meeting and the July 18, 2017 special called meeting. *Suzon Crowell questioned the July 11, 2017 minutes regarding item number five and why there is not more detail provided as to why no public hearing was held. Frank Baker advised Council that he believed the required publication for the hearing did not occur. Mrs. Crowell advised that she would like to see it written in the minutes why the hearing did not happen. City Attorney Julie Fort advised that the minutes*

are to record what actually happened during the meeting. Uncertain if a statement was made as to why the hearing was not opened for public comment, Mrs. Fort added that it is not common to add outside explanations or extra information into the record of the meeting. Mrs. Crowell added that the minutes are lacking and asked if the item was pulled from the agenda, why the minutes would not reflect the reason. Mrs. Fort advised that the minutes should not reflect anything more than what was stated during meeting. Mayor Cooper added that he would review the tape and see what was stated, as he did not remember stating anything regarding this item. Teddie Ann Salmon made a motion to approve the minutes as presented. Robert Jaska seconded this motion and the motion was passed unanimously.

6. Consider and take any action necessary regarding reappointing Chris Becherer and appointing Paul Hickson and James Lewis to the Parks and Recreation Board. *Robert Jaska made a motion to approve the reappointment of Chris Becherer and the appointment of Paul Hickson and James Lewis to the Parks and Recreation Board. Suzon Crowell seconded this motion and the motion passed unanimously.*
7. Consider and take any action necessary regarding reappointing Collin Flynn, Robert Lewis, Mark Rock and Wayne Womack to the Van Alstyne Community Development Corporation Board of Directors. *Suzon Crowell advised Council there were no CDC minutes provided that said they were approved by the Board. Mrs. Crowell made a motion to table the item until the correct information is provided to council. Teddie Ann Salmon seconded the motion. Lee Thomas asked Robert Jaska if the board met to discuss and are happy with the board members. Mr. Jaska advised that they did have a meeting to discuss who is up for reappointment and which board members are close to the end of their term. Mrs. Crowell advised that there is no consistency in the paperwork and expressed annoyance with the lack of consistency. Mr. Jaska asked Mrs. Crowell if the CDC could bring their minutes to the City Council special called meeting on August 29th to which Mrs. Crowell responded yes, adding that she would like to see the paperwork. The motion to table the item until the August 29th special called meeting passed unanimously.*
8. Consider and take any action necessary regarding reappointing James Lewis to serve a second term on the Van Alstyne Economic Development Corporation Board of Directors. *Suzon Crowell advised that for the same reasoning, she would like to make a motion to table this item as well until the August 29, 2017 special called meeting. Robert Jaska seconded the motion. Teddie Ann Salmon advised Council that the minutes are in the council packet provided. Mrs. Crowell advised that the minutes have J.D. Ballard listed but do not include James Lewis. Jodi Carr advised that the error is her fault, as she did not know the reappointment had to cast a vote. The Board did have discussion and James Lewis stated that he would like to reapply. Mrs. Carr advised that she will come back to the special called meeting on August 29, 2017 with minutes. The motion to table the item until the August 29th special called meeting passed unanimously.*
12. Consider and take any action necessary regarding approval of the Van Alstyne Economic Development Corporation fiscal year 2017 – 2018 budget and receive a report from the Director of the Van Alstyne Economic Development Corporation. *Jodi Carr advised of some of the things EDC does and how they help create primary jobs adding that the corporation is about building relationships with the businesses in Van Alstyne and assisting them in growth. Suzon Crowell asked how the EDC came up with the sales tax revenue to which Mrs. Carr advised the revenue projection is based on what has been coming in and what will come in the future. The EDC budget is conservative. Mrs. Crowell asked why there is a deficit in the EDC budget to which Mrs. Carr advised that there is still a deficit, however it is much lower than it was the prior year. Suzon Crowell and Lee Thomas advised they would like to see a balanced budget for the EDC. Suzon Crowell made a motion to table the item. Lee Thomas seconded the motion. Robert Jaska advised Mrs. Crowell that the EDC and CDC help the community and do not want to keep saving their funds just to make the budget balance. They would like to spend some of the budgeted money and be okay with a deficit. The motion to table the item until the August 29th special called meeting*

passed with Suzon Crowell, Lee Thomas in favor, Brad Clough opposed and Teddie Ann Salmon and Robert Jaska abstaining.

13. Consider and take any action necessary regarding approval of the Van Alstyne Community Development Corporation fiscal year 2017 – 2018 budget. *Rodney Williams advised that the board worked hard on the budget before he started with the CDC adding the budget presented has a \$64,000 deficit. Williams advised that the deficit results from \$70,000 from the current year in commitments that have not yet been spent. The revenue is based on a rolling twelve month period figure of Sales Tax revenue, which is \$150,000. Discussion was held regarding the proposed advertising budget and support of City park facilities. Suzon Crowell advised that she would like to see the CDC provide a balanced budget. Discussion was held regarding the CDC's purpose and plan to rebrand and promote Van Alstyne in an effort to attract small commercial businesses for the coming year. Brad Clough made a motion to accept the proposed CDC budget. The motion failed for a lack of a second. Lee Thomas advised he would like to see a balanced budget. Teddie Ann Salmon suggested tabling the item. Suzon Crowell stated that she would like to second Brad Clough's motion to accept the proposed CDC budget. Further discussion was held regarding the decision to approve the CDC budget with a deficit and not approve the EDC budget. The motion passed with Brad Clough, Lee Thomas and Suzon Crowell in favor and Teddie Ann Salmon and Robert Jaska abstaining.*
14. Consider and take any action necessary regarding refunding the Certificate of Occupancy permit fee of \$260.95 paid by T.R. Lane, Sr. for L&A "Gun Sales". *Mayor Cooper advised that he requested this be placed on the agenda, as the requestor was not able to obtain a certificate of occupancy because an appropriate use did not exist. Mr. Lane did go through the Planning and Zoning Commission to add a use which the council will soon see. Mayor Cooper added that Mr. Lane moved on and found another place and he would like to see the City refund the permit fee of \$260.95 per Mr. Lane's request. Teddie Ann Salmon advised that she believed Mr. Lane was disappointed that the City had a Gun Shop since 1994 yet the use was not listed. Mayor Cooper stated that he spoke with that gentleman who owns the gun shop and the gentleman claims he never had a certificate of occupancy. Teddie Ann Salmon made a motion to refund the \$260.95 to T.R. Lane, which he paid for a certificate of occupancy. Brad Clough seconded the motion. Suzon Crowell asked why a refund is being considered questioning if the addition of a use failed to process in a timely manner. Mayor Cooper advised that the requestor did not get a certificate of occupancy in a timely manner because a definition for a Gun Shop does not exist. Mrs. Crowell asked if this refund is a one-time occurrence or if the City is going to continue to provide refunds. The motion to refund \$260.95 to T.R. Lane passed unanimously.*
15. Consider and take any action necessary regarding authorizing the City Manager to sign an Interlocal Agreement with the Van Alstyne Independent School District regarding the maximum occupancy of Van Alstyne Elementary School #2 and other matters related thereto. *City Attorney Julie Fort advised that the school district is requesting to have the building with a maximum occupancy of 1,055 which is the most the TEA guidelines, governing the campus, will allow them to house within the square footage. Under the building code the maximum occupancy is 2,300. The school district is requesting to have the standards altered under the building code, so it would match the 1, 055 occupancy, instead of the 2,300. The proposed agreement would allow the school district to do this; however it would require the CO to restrict the building to 1,055 occupants, instead of the 2,300 and any fire marshal restrictions would allow only up to 1,055 occupants. Superintendent Dr. David Brown explained the new school's anticipated day-to-day occupancy should not be near 1,055. The only time the occupancy would be close to 1,055 is in the event of a tornado or other event that would cause the public to come into the school for shelter. Teddie Ann Salmon made a motion to authorize the City Manager to sign the proposed interlocal agreement with the Van Alstyne Independent School District regarding this maximum occupancy for the second Elementary School. Lee Thomas seconded the motion and the motion passed unanimously.*

16. Consider and take any action necessary regarding a correction to the June 13, 2017 minutes and possible adoption of the minutes as corrected. *Suzon Crowell advised that the wording could be taken out of context and would like to remove the identified sentence. Mayor Cooper advised that council will have to adopt that correction. Lee Thomas made a motion to adopt the correction as shown. Teddie Ann Salmon seconded the motion and the motion passed unanimously.*
17. Departmental Reports. *Chief Tim Barnes provided the Police Department, Municipal Court and communications statistics for the prior month. Judy Kimzey provided Council with the Library's statistics for the prior month. Steve White provided Council with the Public Works statistics and updates regarding current projects. Mayor Cooper advised Steve White of a citizen compliment regarding the hard work ethic of the Public Works employees. Adam Huttash provided Council with the Fire Department statistics for the prior month. Frank Baker provided Council with the Administration Department's statistics for the prior month.*
18. City Manager's Report. *Frank Baker provided statistics for the prior month.*
19. Mayor and Council Closing Comments. *Mayor Cooper expressed thanks to department heads for their contributions at the budget work session. Suzon Crowell wanted to thank City staff, especially Jennifer Gould, as the City website, and permit section, are now nice and easy understood. Lee Thomas thanked the audience for coming out and for their patience. Robert Jaska advised of the chamber breakfast, the VAISD groundbreaking for the new elementary school, and the time and location of Music in the Park. Teddie Ann Salmon thanked everyone for coming. Brad Clough stated that any time Council appoints or reappoints board members/volunteers, Library volunteers, he wanted to take the time to say thank you. Robert Jaska added that the Texoma Patriots will be meeting.*

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.

20. 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.

Council recessed into Executive Session at 10:42pm.

Council reconvened into open session at 11:45pm.

OPEN MEETING

21. Consider and take any action necessary as a result of executive session. *No action taken.*
22. Adjournment. *Brad Clough made a motion to adjourn at 11:46pm. Teddie Ann Salmon seconded the motion and the motion passed unanimously.*

Larry Cooper, Mayor

ATTEST:

Jennifer Gould, City Clerk