

# CITY OF VAN ALSTYNE

## MINUTES

### City Council Meeting

Independent Bank – Meeting Room  
1270 W. Van Alstyne Pkwy

**Tuesday, August 9, 2016**

**6:30 P.M.**

Members present: Mayor Larry Cooper, Billy Plake, Timmerle Kelly, Russell Moore, Brad Clough (*via Skype*) and Robert Jaska.

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 6:32pm.*
2. Invocation. *Recited by Mayor Cooper.*
3. Pledges of Allegiance. *(US and Texas)*
4. Citizens Communications. *None.*

### PUBLIC HEARINGS

5. a) *Open at 6:35pm.*  
Conduct a Public Hearing regarding the City of Van Alstyne's intent to modify utility rates effective September 15, 2016.  
*Mayor Cooper advised of a 3% increase across the board. Frank Baker described the proposed rates and the "total bill" in comparison to neighboring cities. Mayor Cooper added that infrastructure is aged and in need of repair. Mr. and Mrs. Hurtubise who reside on Bryn Mawr Ln. expressed concern regarding their water bill. Suzon Crowell who resides on E. Paris St. advised she does blame prior Councils, but she should be more aware of the reasoning and there should be a plan in place that is followed. She feels the City should communicate more effectively. Billy Plake advised of prior water rate surveys that were not implemented. Programs are organized and planned by engineering. Tiffany Clum who resides on E. Umphress asked how much of the increase in bills supports the old neighborhoods to which Frank Baker answered that improvements to the sewer system through the old part of town is planned for the upcoming budget year. Darin Clum who resides on E. Umphress spoke about the importance of managing water bill revenue until development happens. He advised that the City needs to get on the CGMA waterline. John Kirley who resides on E. Umphress asked when the water bills will be able to be paid online. Mr. Hurtubise on Bryn Mawr asked who is installing the meters on new development to which Mr. Baker advised that developers do their installations. Mr. Vick on E. Houston asked if the increase is to cover to M & O or the capital improvements. Mr. Baker advised that the increase covers capital improvements and the City is working to upgrade the system piece by piece as funds are available. Mr. Baker also advised that the mapping is inconsistent. There being no further public comments the public hearing was closed.*  
b) *Close Public Hearing at 7:02pm.*
6. a) *Open at 7:02pm.*  
Conduct a Public Hearing regarding a request by the owner/agent of property being described as SOUTH SIDE ADDN, BLOCK PT 13, 106.7X51.5X106.7X, 53 and SOUTH SIDE ADDN,

BLOCK 13, LESS 106.7X53 more commonly known as 206 E Houston Ln and 722 S Main Dr to change the current zoning of Single Family Residential District - 1 (SF – 1) to Single Family Residential District – Zero Lot Line Homes (SF – Z).

*Bob Scheve spoke to his plan and provided audience and Council members with an anticipated design and layout. Darin Clum and Suzon Crowell expressed concern for the inadequate notification of the proposed zone change. George Kerns expressed concern for the zero lot line homes proposed. Timmerle Kelly made a motion to continue the Public Hearing until it could be determined that proper notice occurred. Billy Plake seconded the motion and the motion passed unanimously.*

*b) Closed Public Hearing at 7:26pm.*

7. *a) Open at 7:26pm.*

Conduct a Public Hearing regarding various zoning text amendments which includes but is not limited to, amending the City’s Code of Ordinances, Chapter 46 “Zoning”, Article I, “In General”, Section 46-2 “Definitions” to add and or revise certain terms; amending Article II, “District Regulations”, including amendments to Section 46-26 “Zoning Districts” and any necessary amendments to Section 46.27 “Zoning District Map”, amending Section 46-40 “M-1 Manufacturing/Industrial District; Light” and Section 46-41 “M-2 Manufacturing/Industrial District; Heavy”; amending Article III “Specific, Special and Nonconforming Uses”, Section 46-66 “Use of Land and Buildings” to amend use tables for Residential uses, Office, Retail, Commercial, and Service” uses, and “Manufacturing, Storage, and Warehousing” uses and affecting the uses, including but not limited to: Bed and Breakfast, Hotel, Motel, Motor Hotel, Motor Lodge, Residence Hotel, Pawn Shops, Credit Access Business and Retail E-Cigarette stores and other impacted uses.

*Tiffany Clum asked if this was at Planning and Zoning because citizens were not noticed for this either. Darin Clum asked if the proposal is cleaning up the contents to which City Attorney, Patricia Adams advised that the proposal will clean up the contents and move the definitions into the ordinance to make the it easier to review and comprehend. Suzon Crowell asked if we can publish a summary so it is more understandable and added that the publication was done more than 30 days ago. There being no further comment the public hearing was closed.*

*b) Close Public Hearing at 7:33pm.*

#### 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.*

9. Consider and take any action necessary regarding various zoning text amendments which includes but is not limited to, amending the City’s Code of Ordinances, Chapter 46 “Zoning”, Article I, “In General”, Section 46-2 “Definitions” to add and or revise certain terms; amending Article II, “District Regulations”, including amendments to Section 46-26 “Zoning Districts” and any necessary amendments to Section 46.27 “Zoning District Map”, amending Section 46-40 “M-1 Manufacturing/Industrial District; Light” and Section 46-41 “M-2 Manufacturing/Industrial District; Heavy”; amending Article III “Specific, Special and Nonconforming Uses”, Section 46-66 “Use of Land and Buildings” to amend use tables for Residential uses, Office, Retail, Commercial, and Service” uses, and “Manufacturing, Storage, and Warehousing” uses and affecting the uses, including but not limited to: Bed and Breakfast, Hotel, Motel, Motor Hotel, Motor Lodge, Residence Hotel, Pawn Shops, Credit Access Business and Retail E-Cigarette stores and other impacted uses.

10. Consider and take action on approving Change Order #2 to the Van Alstyne Water Supply Expansion Project (TWDB Project # 62638) in the amount of \$47,138.50 to C-Con Services.

*Frank Baker advised that item number 10 is to take care of the mixing basin and take water from the GCMA waterline more quickly. The change order is within the budget. Russell Moore made a motion to*

*approve items listed on the consent agenda. Billy Plake seconded the motion and the motion passed unanimously.*

#### REGULAR AGENDA (NON-CONSENT)

8. Consider and take any action necessary regarding a request by the owner/agent of property being described as SOUTH SIDE ADDN, BLOCK PT 13, 106.7X51.5X106.7X, 53 and SOUTH SIDE ADDN, BLOCK 13, LESS 106.7X53 more commonly known as 206 E Houston Ln and 722 S Main Dr to change the current zoning of Single Family Residential District - 1 (SF - 1) to Single Family Residential District - Zero Lot Line Homes (SF - Z).  
*No action was taken on this item.*
  
11. Departmental Reports. *Steve White provided an update on water and wastewater facilities and infrastructure. Judy Kimzey provided patronage information for the prior month and advised of programs taking place at the Library. Chief Tim Barnes recognized April Culley of Communications for her achievement on a Level II court certification and thanked the community for the support they have shown the officers and department. Len McManus spoke regarding the pre-construction for Georgetown Village Phase III, Stonehollow Homes progress on infrastructure installation and advised that the GCMA waterline should be in service prior to Stonhollow coming online. Jennifer Gould provided numbers for Open Records requests, permits, utilities and accounts payable for the prior month. Frank Baker spoke on behalf of the Fire Department and provided call numbers for the prior month.*
  
12. City Manager's Report. *Frank Baker spoke in regards to the 55 lots from the DR Horton development and confirmed that the new pavilion and sport court will be constructed before permits are issued.*
  
13. Mayor and Council Closing Comments. *Brad Clough thanked the citizens for their attendance and involvement in the community and Timmerle Kelly echoed Clough's comments.*

#### 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.*

#### 14. 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.

*Mayor Cooper recessed the meeting at 7:49pm.*

*Mayor Cooper reconvened the meeting at 8:09pm and City Council recessed into executive session at 8:15pm.*

*City Council reconvened into open session at 9:13pm.*

#### OPEN MEETING

15. Adjournment. *Council adjourned the meeting at 9:13pm.*

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Larry Cooper, Mayor

ATTEST:

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Jennifer Gould, City Clerk