

CITY OF VAN ALSTYNE

MINUTES

City Council Meeting

Van Alstyne Community Center
262 N. Preston Ave

OCTOBER 11, 2016

6:30 P.M.

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

Staff present: Frank Baker, Jennifer Gould, Steve White, Tim Barnes, Jeremy Powell, Ashley McSwain 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. *David Hips expressed concern for the closing of Upholstery Girl. Tiffany Clum asked why discussion about her business is in executive session and why members of Council will not respond to her e-mails. Mrs. Clum also asked how much money has been spent on legal fees to oust her business.*

PUBLIC HEARINGS

5. Conduct a Public Hearing regarding a request by the owner/agent of property being described as an approximately 1.0199-acre tract of land from a Single Family Residential District – 1 (SF – 1) zoning to Single Family Residential District – Zero Lot Line Homes (SF – Z) zoning. The property is 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 259 E Houston Ln and 750 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Residential District - 1 (SF – 1) to Single Family Residential District – Zero Lot Line Homes (SF – Z) (applicant has withdrawn the application for zoning change). *The Public Hearing opened at 6:37pm. After three calls for comments the Public Hearing closed at 6:39pm.*

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.

6. Consider and take any action necessary regarding approval of minutes from the August 2, August 9, 2016 work session meetings, August 9, September 13, 2016 regular meetings, and August 15, September 7, 19, 2016 special called meetings.
8. Consider and take any action necessary regarding authorizing the Mayor to sign an interlocal agreement with Grayson County for Emergency Medical Services for fiscal year 2017.

9. Consider and take any action necessary regarding authorizing the Mayor to sign an interlocal agreement with Grayson County for Fire Protection Services for fiscal year 2017.
10. Consider and take any action necessary regarding passage of an ordinance approving the EMS boundary service area from Whitewright.

Billy Plake made a motion to approve agenda items 6,8,9 and 10 on the consent agenda. Timmerle Kelly seconded the motion and the motion passed unanimously.

REGULAR AGENDA (NON-CONSENT)

7. Consider and take any action necessary regarding authorizing the Mayor to sign a resolution declaring the *Van Alstyne Leader* the official newspaper of record for fiscal year 2017. *Billy Plake suggested considering the circulation in Van Alstyne for the Van Alstyne Leader and the Herold Democrat. Billy Plake made a motion to authorize the Mayor to sign a resolution declaring the Van Alstyne Leader the official paper of record for fiscal year 2017. Brad Clough seconded the motion and the motion passed unanimously.*
11. Consider and take any action necessary regarding amending the Van Alstyne Community Development Corporation fiscal year 2016-2017 operating budget to increase wages and work hours for the administrative coordinator. *Collin Flynn addressed Council and advised of the need for additional hours in an effort to focus on the community and do the job affectively. Mr. Flynn clarified that the administrative coordinator will focus on attracting smaller commercial, retail and office type businesses while EDC will focus on large industry and job growth. The wage increase for the administrative coordinator will be 5%. Timmerle Kelly made a motion to amend the CDC fiscal year 2016-2017 operating budget to increase wages and work hours for the administrative coordinator. Billy Plake seconded the motion and the motion passed unanimously.*
12. Consider and take any action necessary regarding appointing Robert Jaska to the Van Alstyne Community Development Corporation Board of Directors. *Billy Plake made a motion to appoint Robert Jaska to the CDC Board of Directors. Brad Clough seconded the motion and the motion passed with Billy Plake, Brad Clough, Timmerle Kelly and Russell Moore in favor and Robert Jaska abstaining.*
13. Consider and take any action necessary, including but not limited to accepting withdrawal of application for zoning change, regarding a request by the owner/agent of property being described as an approximately 1.0199-acre tract of land from a Single Family Residential District – 1 (SF – 1) zoning to Single Family Residential District – Zero Lot Line Homes (SF – Z) zoning. The property is 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 259 E Houston Ln and 750 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). *Brad Clough made a motion to accept the withdrawal of the application. Russell Moore seconded the motion and the motion passed unanimously.*
14. Consider and take any action necessary regarding a preliminary plat for Washington Estates, Lots 1 – 7, Block A being 9.239 acres of land situated in the James Hufflefinger Survey, Abstract No. 366, an addition to the Extra-Territorial Jurisdiction of Van Alstyne, Collin County, Texas located near the northeast corner of County Road 222 and Farm to Market 3356. *Russell Moore made a motion to approve the preliminary plat for Washington Estates, Lots 1 – 7. Billy Plake seconded the motion and the motion passed unanimously.*
15. Departmental Reports. *For the month of September, Judy Kimzey advised that the Library provided two children's programs, 2 young adult programs, two adult classes had 1,662 patrons visit, 2,142*

materials circulate and added 46 new patrons. Ms. Kimzey also advised of the Friends of the Library book sale success bringing in \$2,126.

Steve White advised that C-Con Construction is capping off a 4" water main that is replaced with a 16" water main on County Line Rd, working on a Chlorine Treatment System at Well No. 6 and advised that smoke testing has revealed several sewer inflow problems for which repairs are being planned. Public Works crews completed repairs of a collapsed sewer main near West Marshall, are working on a blocked sewer main at Austin and S. Preston, are reading water meters and have scheduled to repair five damaged fire hydrants.

Chief Tim Barnes advised that the Police Department completed 40 training hours, had 32 incident reports, responded to 703 calls for service, participated in the Chamber of Commerce's Fall Der All event and hosted National Night Out. The Communications Department received 121 emergency calls, 815 calls for service, completed 10 training hours, received 2,853 phone calls and 33 report requests. The Municipal Court completed 2 training hours and closed 152 cases.

Jennifer Gould advised that the Administrative Department answered 956 calls in 22 operating days, responded to 15 requests for public records, accepted one zoning text amendment request, 1 zone change request, 1 specific use permit application, 1 replat request, issued 2 commercial permits, accepted 5 certificate of occupancy applications, issued 3 residential permits, accepted and entered 19 new utility accounts, 2 utility account transfers, 13 utility account disconnections, processed 74 purchase orders, issued 67 general fund checks, 34 water fund checks and 1 court technology fund check. Ms. Gould also advised that the Planning and Zoning Commission will meet on October 19, 2016 to discuss a replat, zone change request, Specific Use Permit, zoning text amendment, a final plat and a preliminary plat.

Frank Baker advised that the Fire Department responded to 21 fire calls, 2 haz-mat calls, conducted 3 fire inspections, responded to 64 EMS 911 calls and performed 68 non-emergency transfers.

16. City Manager's Report. Frank Baker advised that the City had another positive west Nile pool and will spray on the 18th of October and congratulated the Chamber of Commerce on the success of Fall Der All.
17. Mayor and Council Closing Comments. Mayor Cooper advised of the First United Methodist Church's Lords Acre event and thanked the Chamber of Commerce for their work at Fall Der All and the Police Department on the success of National Night Out. Timmerle Kelly advised that Keep Van Alstyne Beautiful is working to organize a small recycling effort.

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.

18. 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] regarding (i) enforcement of Zoning Ordinance and the Code of Ordinances, (ii) dilapidated structures, and (iii) Board of Adjustment appeal and procedure for late-filed appeal.

Council recessed the meeting at 7:05pm allowing for a 10-minute break before convening Executive Session at 7:15pm. Council reconvened into Regular Session at 8:19pm.

OPEN MEETING

19. Consider and take any action on late-filed Board of Adjustment appeal for 241 E. Marshall Street. Mayor Cooper explained that the precedent set by accepting the late-filed appeal is not favorable.

The Zoning Board of Adjustment appeal also cost \$200.00. The zoning text amendment is the best and most expeditious process. It was clarified that the Zoning Board of Adjustment appeal would not be heard until the same time as the zoning text amendment so allowing it to be heard would not hurry along the potential reopening of the business. Brad Clough made a motion to not allow the late-file Board of Adjustment appeal for 241 E. Marshall Street to be heard. Timmerle Kelly seconded the motion and the motion passed unanimously.

20. Consider and take any action necessary as a result of executive session. *No action taken.*

21. Adjournment. *Russell Moore made a motion to adjourn the meeting at 8:24pm. Robert Jaska seconded the motion and the motion passed unanimously.*

Larry Cooper, Mayor

ATTEST:

Jennifer Gould, City Clerk