

**A QUORUM OF THE VAN ALSTYNE COMMUNITY AND ECONOMIC DEVELOPMENT CORPORATION BOARD MEMBERS MAY OR MAY NOT BE IN ATTENDANCE. NO ACTION BY EITHER BOARD WILL BE TAKEN AT THIS MEETING.**

**CITY OF VAN ALSTYNE**

**AGENDA**

**City Council Meeting**

Van Alstyne Community Center  
262 N. Preston Ave

**NOVEMBER 14, 2017  
6:30 P.M.**

Citizens may appear before the City Council to address items not listed on the agenda, in accordance with procedural rules as determined by the meeting Chair and by submitting a "Request to Address Council" form to the City Clerk no later than the conclusion of Agenda Item 3 (Pledges of Allegiance).

A "Request to Address Council" form is not necessary when speaking for or against a public hearing item.

Persons with disabilities who plan to attend this meeting and who may need assistance should contact Jennifer Gould at (903) 482-5426 at least 48 hours prior to the meeting so that appropriate arrangements can be made. All persons attending shall abide by the City of Van Alstyne Public Meeting Rules of Citizen and Visitor Decorum adopted by Resolution No. 02-2010-01.

Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers or employees may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting.

**AGENDA**

1. Call to Order.
2. Invocation.
3. Pledges of Allegiance. *(US and Texas)*
4. Citizens Communications. *(Not for items listed on this Agenda. Three minutes each. No deliberations with Council. Council may respond with factual information only.)*

**PUBLIC HEARINGS**

5. Conduct a Public Hearing regarding a request by the owner/agent of the property being described as an approximately 0.6176 acre tract of land to change the zoning from Single Family Residential District – 1 (SF – 1) and Commercial District – 1 (C – 1) to Planned Development (PD) with a base zoning of Commercial District – 1 (C – 1) with parking lot, automobile and single family dwelling - detached as allowed additional uses. Also, a waiver to the masonry screening wall requirement, Area, Setback, Height, and Coverage Regulations and concrete parking material in the expansion of the parking is desired. The property is described as DIVISIONS VAN ALSTYNE, BLOCK 3, LOT PT OF SD 10, more commonly known as 475 W Van Alstyne Pkwy and 495 W Van Alstyne Pkwy (formerly known as 315 W Van Alstyne Pkwy).
6. Conduct a Public Hearing regarding a request by the owner/agent of the property being described as an approximately 32.8-acre tract of land from a Single Family Residential District – 1 (SF – 1) zoning to Planned Development zoning. The property is described as a tract of land situated in the J. McKinney Survey, Abstract No. 770, City of Van Alstyne, Grayson County, Texas, the subject tract being a portion of a tract conveyed to Felix Land Partners, L.P. according to the deed recorded

in Document No. 2007-00029339 of the Official Public Records, Grayson County, Texas, and being a portion of a tract conveyed to the Van Alstyne ISD, according to the deed recorded in Document No. 2016-17716, and being a portion of a tract conveyed to the Van Alstyne ISD, according to the deed recorded in Volume 1748, Page 251, Deed Records, Grayson County, Texas, and being a portion of a tract conveyed to the Van Alstyne ISD, according to the deed recorded in Volume 1071, Page 40, and being all of a tract conveyed to the Van Alstyne ISD, according to the deed recorded in Volume 1208, Page 799, generally located south of Van Alstyne Middle School (1314 N. Waco St), east of Greywood Drive, west of North Waco Street and north of Blessingame Avenue.

7. Conduct a Public Hearing regarding a request by the owner/agent of a property zoned Office District (O - 1) being described as SOUTH SIDE ADDN, LOT PT 3, & ALL OF 12 FT ALLEY, ACRES .4 more commonly known as 530 South Waco Street to allow the placement of a portable sign in accordance with Section 32-76 of the City of Van Alstyne Code of Ordinances.
8. Conduct a Public Hearing regarding the Texas Commission on Environmental Quality Lead Copper Rule for Community Water Systems regarding the lead exceedance information provided to customers on October 31, 2017.
9. Conduct a Public Hearing regarding whether the structure(s) on the property being described as OTP VAN ALSTYNE ADDN, BLOCK 35, LOT S/2 1 2 3 & PT 4 more commonly known as 178 S. Waco Street are in violation of the minimum standards established for buildings established by the building codes and ordinances of the City of Van Alstyne pursuant to City of Van Alstyne Code of Ordinances, Chapter 8 Article 1 Section 8-1 thru 8-69 and Chapter 214 of the Texas Local Government Code. After the conclusion of the public hearing, the Council may issue an order authorized by Chapter 214 of the Texas Local Government Code, including but not limited to securing the buildings from entry, or the repair, vacation, removal or demolition of the structure(s), and may access civil penalties.

#### 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.*

10. Consider and take any action necessary regarding approval of minutes from the October 10, 2017 regular meeting, October 10, 2017 Zoning Board of Adjustment meeting and the October 23, 2017 special called meeting.
11. Consider and take any action necessary regarding approval of an ordinance adopting nonconsent towing regulations and repealing Ordinances No. 777 and 781.
12. Consider and take any action necessary regarding a resolution authorizing the Mayor to sign an Interlocal Agreement for the sale of 22,592,100 gallons of minimum take or pay water capacity in the amount of \$34,339.33 to the City of Melissa.
13. Consider and take any action necessary regarding a resolution authorizing the Mayor to sign an Interlocal Agreement for the sale of 22,592,100 gallons of minimum take or pay water capacity in the amount of \$34,339.33 to the City of Anna.
14. Consider and take any action necessary regarding approval of the 2017 Certified Tax Roll Values.

#### REGULAR AGENDA (NON-CONSENT)

15. Hear presentation by Michael Leirer of the American Red Cross.
16. Consider and take any action necessary regarding a request by the owner/agent of the property being

described as an approximately 0.6176 acre tract of land from a Single Family Residential District – 1 (SF – 1) and Commercial District – 1 (C – 1) to Planned Development (PD) with a base zoning of Commercial District – 1 (C – 1) with parking lot, automobile and single family dwelling - detached as allowed additional uses. Also, a waiver to the masonry screening wall requirement, Area, Setback, Height, and Coverage Regulations and concrete parking material in the expansion of the parking is desired. The property is described as DIVISIONS VAN ALSTYNE, BLOCK 3, LOT PT OF SD 10, more commonly known as 475 W Van Alstyne Pkwy and 495 W Van Alstyne Pkwy (formerly known as 315 W Van Alstyne Pkwy).

17. Consider and take any action necessary regarding a request by the owner/agent of the property being described as an approximately 32.8-acre tract of land from a Single Family Residential District – 1 (SF – 1) zoning to Planned Development zoning. The property is described as a tract of land situated in the J. McKinney Survey, Abstract No. 770, City of Van Alstyne, Grayson County, Texas, the subject tract being a portion of a tract conveyed to Felix Land Partners, L.P. according to the deed recorded in Document No. 2007-00029339 of the Official Public Records, Grayson County, Texas, and being a portion of a tract conveyed to the Van Alstyne ISD, according to the deed recorded in Document No. 2016-17716, and being a portion of a tract conveyed to the Van Alstyne ISD, according to the deed recorded in Volume 1748, Page 251, Deed Records, Grayson County, Texas, and being a portion of a tract conveyed to the Van Alstyne ISD, according to the deed recorded in Volume 1071, Page 40, and being all of a tract conveyed to the Van Alstyne ISD, according to the deed recorded in Volume 1208, Page 799, generally located south of Van Alstyne Middle School (1314 N. Waco St), east of Greywood Drive, west of North Waco Street and north of Blassingame Avenue.
18. Consider and take any action necessary regarding a proposed final plat for Sanford Park being a 32.8 acre tract of land situated in the J. McKinney Survey, Abstract No. 770, City of Van Alstyne, Grayson County, Texas, the subject tract being a portion of a tract conveyed to Felix Land Partners, L.P. according to the deed recorded in Document No. 2007-00029339 of the Official Public Records, Grayson County, Texas, and being a portion of a tract conveyed to the Van Alstyne ISD, according to the deed recorded in Document No. 2016-17716, and being a portion of a tract conveyed to the Van Alstyne ISD, according to the deed recorded in Volume 1748, Page 251, Deed Records, Grayson County, Texas, and being a portion of a tract conveyed to the Van Alstyne ISD, according to the deed recorded in Volume 1071, Page 40, and being all of a tract conveyed to the Van Alstyne ISD, according to the deed recorded in Volume 1208, Page 799, generally located south of Van Alstyne Middle School (1314 N. Waco St), east of Greywood Drive, west of North Waco Street and north of Blassingame Avenue.
19. Consider and take any action necessary regarding a request by the owner/agent of a property zoned Office District (O - 1) being described as SOUTH SIDE ADDN, LOT PT 3, & ALL OF 12 FT ALLEY, ACRES .4 more commonly known as 530 South Waco Street to allow the placement of a portable sign in accordance with Section 32-76 of the City of Van Alstyne Code of Ordinances.
20. Consider and take any action necessary following a Public Hearing regarding whether the structure(s) on the property being described as OTP VAN ALSTYNE ADDN, BLOCK 35, LOT S/2 1 2 3 & PT 4 more commonly known as 178 S. Waco Street are in violation of the minimum standards established for buildings established by the building codes and ordinances of the City of Van Alstyne pursuant to City of Van Alstyne Code of Ordinances, Chapter 8 Article 1 Section 8-1 thru 8-69 and Chapter 214 of the Texas Local Government Code. After the conclusion of the public hearing, the Council may issue an order authorized by Chapter 214 of the Texas Local Government Code, including but not limited to securing the buildings from entry, or the repair, vacation, removal or demolition of the structure(s), and may access civil penalties.
21. Consider and take any action necessary regarding appointment of an applicant to serve on the Planning and Zoning Commission, Place 3.

22. Consider and take any action necessary regarding authorizing the Mayor to sign a resolution casting votes to elect candidates to serve as members of the Grayson Central Appraisal District Board of Directors.
23. Consider and take any action necessary regarding authorizing the Parks and Recreation Board to seek funding from the Community Development Corporation for the replacement of pole lighting, benches and add new flag pole lighting at Dorothy Fielder Park.
24. Consider and take any action necessary regarding reimbursement of funds in the amount of \$12,510.00 to the Van Alstyne Community Development Corporation due to overpayment on Phase I of the Shared Use Path.
25. Consider and take any action necessary regarding executing an interlocal agreement with the Van Alstyne Economic Development Corporation regarding employee benefits.
26. Consider and take any action necessary regarding executing an interlocal agreement with the Van Alstyne Community Development Corporation regarding employee benefits.
27. Consider and take any action necessary regarding approval and acceptance of the Van Alstyne Economic Development Corporation revised bylaws dated November 8, 2017.
28. Consider and take any action necessary regarding authorizing a 3% maximum pay increase for city personnel based on merit to be decided by the various department heads.
29. Discussion regarding a joint work session meeting with the Planning and Zoning Commission and Gateway Planning.
30. Discussion regarding a financial overview of: (a) fiscal year 2017 budget items that varied from planned amount by \$2,500 or 10% or more, and (b) impact of eliminating shared use path expenditure and paying severance to fiscal year 2018 revenues and expenditures.
31. Discussion and give direction to City Clerk on scope of work and objectives to be described in a Request for Proposals to conduct an audit to provide to a new City Manager.
32. Departmental Reports.
33. City Manager's Report.
34. **Mayor and Council Closing Comments.** *Pursuant to Section 551.0415 of the Texas Government Code, the City Council may report on the following items: 1) expression of thanks, congratulation or condolences, 2) information about holiday schedules, 3) recognition of individual, 4) reminders about upcoming city events, 5) information about community events and 6) announcements involving an imminent threat to public health and safety.*

#### 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.*

35. 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) Separation Agreement and Release for former employee; (ii) update to City Personnel Policy; (iii) Interim or regular city manager and applicant process, (iv) Interim fire chief duties, schedule and compensation; (v) third-party investigations of complaints made by Fire department

employees; and (iv) standards of conduct for Board and Commission members and public disbursement of information.

- b) Section 551.074 [Personnel Matters to deliberate appointment, employment, evaluation, reassignment, duties, discipline, compensation, resignation or dismissal] of: (i) applicants for Interim city manager, and (ii) Interim fire chief duties, schedule and compensation.

#### OPEN MEETING

36. Consider and take any action necessary as a result of each item listed in executive session, including but not limited to:

- a) Separation Agreement and Release for former employee and authorize Mayor to sign; and
- b) Resolution amending Personnel Policy; and
- c) Consider and take any action regarding a resolution establishing standards of conduct for Board and Commission members.

37. Adjournment.

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I certify that I, Jennifer Gould, posted this agenda on the announcements board located in front of City Hall at 242 E. Jefferson at 4:30 p.m. on November 10, 2017.

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Jennifer Gould, City Clerk

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 – Private consultation with the attorney for the City regarding any item on this agenda.

§ 551.072 – Discussing purchase, exchange, lease or value of real property.

§ 551.074 – Discussing personnel or to hear complaints against personnel.