

CITY OF VAN ALSTYNE

MINUTES

City Council Meeting

Van Alstyne Community Center
262 N. Preston Ave

May 8, 2018
6:35 P.M.

Members present: Mayor Pro Tem Teddie Ann Salmon, Brad Clough, Robert Jaska, Lee Thomas and Suzon Crowell.

Staff present: Lane Jones, Jennifer Gould, Tim Barnes, Steve White, Judy Kimzey and Ryan Dockery.

AGENDA

1. Call to Order. *Mayor Pro Tem Salmon called the meeting to order at 6:59pm.*
2. Citizens Communications. *None.*

PUBLIC HEARINGS

3. Conduct a Public Hearing regarding a request by the owner/agent to replat property being part of Subdivision 2 (II), Division 3 (III), Original Town Plat of Van Alstyne, Texas to the City of Van Alstyne, Texas being a 0.476 acre portion of DIVISIONS, VAN ALSTYNE, BLOCK 3, 200x188' OF SD 2, in the James McKinney Survey Abstract No. 770 generally located on the north side of West Jefferson Street and west of Douglas Lane. *The Public Hearing opened at 6:59pm. Planning and Zoning Commissioner, Jim Atchison advised that the Commission met at 6:00pm to consider the request and recommends approval. There being no further comments, the hearing closed at 7:00pm.*
4. Conduct a Public Hearing to consider testimony regarding various text amendments to an Ordinance amending the Code of Ordinances at Chapter 46 "Zoning", Article I "In General", Section 46-3 "Definitions", definition of "Nonconforming Building Or Use" and Article III "Use of Land and Buildings, Division 2 "Specific, Special and Nonconforming Uses", Section 46-154 "Nonconforming Uses and Structures" regarding continued use and termination of nonconforming uses and structures; amending Chapter 46 "Zoning", Article V "Administration", Section 46-234 "Planning And Zoning Commission" regarding membership and organization of the Commission, Section 46-235(D)(3)D. "Zoning Board Of Adjustment", and Section 46-237 "Certificates Of Occupancy". *The Public Hearing opened at 7:00pm. Mayor Pro Tem Salmon made three calls for comments. There being none, the hearing closed at 7:02pm.*

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 minutes from the April 24, 2018 City Council special called meeting.

6. Consider and take any action necessary regarding a revised final plat for Chapel Creek Farms at Van Alstyne, being an 89.974 acre tract out of the Ramon Rubio Survey Abstract No. 997, City of Van Alstyne, Grayson County, Texas. This property is generally located at the south-east corner of Old Highway 6 and Judd Road.

Brad Clough made a motion to approve item 5 as relates to the April 24, 2018 City Council special called meeting and item 6 listed on the consent agenda. Robert Jaska seconded the motion and the motion passed unanimously.

REGULAR AGENDA (NON-CONSENT)

5. Consider and take any action necessary regarding minutes from the April 10, 2018 City Council regular meeting. *Robert Jaska made a motion to approve. Lee Thomas seconded the motion and the motion passed with Robert Jaska, Lee Thomas, Teddie Ann Salmon and Suzon Crowell in favor and Brad Clough abstaining.*
8. Consider and take any action necessary regarding the 2016 - 2017 Fiscal Year Audit presented by Susan LaFollett of LaFollett & Abbott, PLLC. *Susan LaFollett presented the 2016 – 2017 Fiscal Year Audit. Suzon Crowell suggested closing loops and having staff understand their accountability. City Manager Jones pointed to the management responses provided, acknowledging the issues and working to create, train and implement written policies. Brad Clough made a motion to accept the audit. Suzon Crowell seconded the motion and the motion passed unanimously.*
9. Receive an update from M. Vail & Associates, P.C. regarding the Internal Control Study. *Mike Vail provided an update on phase one of the project detailing findings and suggestions.*
10. Consider and take any action necessary regarding a request by the owner/agent to replat property being part of Subdivision 2 (II), Division 3 (III), Original Town Plat of Van Alstyne, Texas to the City of Van Alstyne, Texas being a 0.476 acre portion of DIVISIONS, VAN ALSTYNE, BLOCK 3, 200x188' OF SD 2, in the James McKinney Survey Abstract No. 770 generally located on the north side of West Jefferson Street and west of Douglas Lane. *Suzon Crowell made a motion to approve the replat as presented. Lee Thomas seconded the motion and the motion passed unanimously.*
11. Consider and take any action necessary regarding various text amendments to an Ordinance amending the Code of Ordinances at Chapter 46 “Zoning”, Article I “In General”, Section 46-3 “Definitions”, definition of “Nonconforming Building Or Use” and Article III “Use of Land and Buildings, Division 2 “Specific, Special and Nonconforming Uses”, Section 46-154 “Nonconforming Uses and Structures” regarding continued use and termination of nonconforming uses and structures; amending Chapter 46 “Zoning”, Article V “Administration”, Section 46-234 “Planning And Zoning Commission” regarding membership and organization of the Commission, Section 46-235(D)(3)D. “Zoning Board Of Adjustment”, and Section 46-237 “Certificates Of Occupancy”. *Suzon Crowell suggested the addition of term limits of three consecutive terms or six years, the addition of language identifying that a Commissioner cannot serve on the EDC or CDC and removal of board members permissible without cause to be consistent with other boards. Discussion was held regarding rules present for other city boards. Suzon Crowell made a motion to approve the ordinance with the addition of language allowing for removal without cause and term limits of three consecutive terms or six years. Lee Thomas seconded the motion and the motion passed with Suzon Crowell, Lee Thomas, Teddie Ann Salmon and Brad Clough in favor and Robert Jaska opposed.*

12. Consider and take any action necessary regarding canvassing the May 5, 2018 General and Special Election. *(If ballot board has verified and counted all provisional ballots. A newly-elected Council Member may not exercise the duties of office until the fifth day after the date of the election, excluding Sundays.) Jennifer Gould advised of voter participation and election results. Brad Clough made a motion to canvass the May 5, 2018 General and Special Election. Suzon Crowell seconded the motion and the motion passed unanimously.*
13. Consider and take any action necessary regarding Ordinance No. 666 amending sections of Chapter 30 of the Code of Ordinances regarding Parks and Recreation to authorize the Parks and Recreation Board to review and make decisions on any additions or amenities to a park. *Teddie Ann Salmon detailed the need and proposed additions. Suzon Crowell made a motion to approve the amendment removing seasonal language. Lee Thomas seconded the motion and the motion passed unanimously.*
14. Consider and take any action necessary regarding authorizing the City Manager to provide a quarterly financial report to the City Council. The first report will be provided at the June 12, 2018 regular meeting and quarterly thereafter. *Brad Clough made a motion to authorize the City Manager to provide a quarterly financial report to the City Council with the first report being provided at the June 12, 2018 regular meeting. Lee Thomas seconded the motion and the motion passed unanimously.*
15. Interim City Manager's Report. *City Manager Lane Jones provided a report detailing activities during the month of April.*
16. Departmental Reports. *Jennifer Gould provided the Administrative Department statistics for the prior month, Chief Tim Barnes provided Police Department statistics for the prior month, Judy Kimzey provided the Library Department statistics for the prior month, Chief Ryan Dockery provided Fire/EMS Department statistics for the prior month, Steve White provided Public Works Department statistics for the prior month and Len McManus provided an update on various projects.*
17. Mayor and Council Closing Comments. *Suzon Crowell thanked those who voted and advised of improvements the task force has been working on that will be implemented by Memorial Day Weekend. Lee Thomas thanked those in attendance and noted the fast growth the city is seeing. Robert Jaska thanked small business owners, volunteers and advised of Music in the Park beginning May 15th in conjunction with the Rail Car Farmers Market and Keep Van Alstyne Beautiful projects. Brad Clough spoke about attending the Fine Arts Program at Van Alstyne Middle School and encouraged support. Teddie Ann Salmon spoke about her time judging at Van Alstyne Middle School's poetry bash, museums summer hours and congratulated Jodi Carr on her Economic Development Institute graduation.*

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) a contract with the developer of Rolling Ridge regarding land use and infrastructure; and ii) VAEDC Agreement for Project Blue Flower.

7. Consider and take any action necessary regarding approving the Van Alstyne Economic Development Corporation (VAEDC) Agreement and all related documents to be executed by the VAEDC for Project Blue Flower.

*City Council entered into executive session at 8:30pm.
City Council reconvened into regular session at 9:07pm.*

OPEN MEETING

19. Consider and take any action necessary as a result of each item listed in executive session:
 - a. Contract with developer of Rolling Ridge regarding land use and infrastructure. *Teddie Ann Salmon made a motion to approve a contract with the Rolling Ridge developer regarding land use and infrastructure adding tract two. Brad Clough seconded the motion and the motion passed unanimously.*
 7. Consider and take any action necessary regarding approving the Van Alstyne Economic Development Corporation (VAEDC) Agreement and all related documents to be executed by the VAEDC for Project Blue Flower. *Teddie Ann Salmon made a motion to authorize the VAEDC to enter an agreement for Project Blue Flower. Brad seconded the motion and the motion passed unanimously.*
20. Adjournment. *Brad Clough made a motion to adjourn at 9:10pm. Robert Jaska seconded the motion and the motion passed unanimously.*

Steve Riley, Mayor

ATTEST:

Jennifer Gould, City Clerk