

## CITY OF VAN ALSTYNE

### MINUTES City Council Meeting Van Alstyne City Hall 152 N. Main Drive

**MARCH 5, 2019**  
**6:30 P.M.**

Members present: Mayor Steve Riley, Ryan Neal, Marla Butler, Robert Jaska, Lee Thomas and Suzon Crowell (*via skype*).

Staff present: Lane Jones, Jennifer Gould and Judy Kimzey.

#### AGENDA

1. Call to Order. *Mayor Riley called the meeting to order at 6:33pm.*
2. Invocation. *Recited by Robert Jaska.*
3. Pledges of Allegiance. *US and Texas.*
4. Citizens Communications. *None.*

#### PUBLIC HEARINGS

5. Conduct a Public Hearing regarding a voluntary annexation request by the owner/agent of an approximate 168.053 acre tract of land in Grayson County, Texas, legally described as a part of the William B. Blundell Survey, Abstract No. 116, a part of the W.C. Wilson Survey, Abstract Number 1330, a part of the David C. Wilson Survey, Abstract Number 1331, as described in deed to Laer Trams-Rolling Ridge Van Alstyne, LLC as recorded in Document Number 2017- 16388, Official Public Records of Grayson County, Texas, generally located south of Blythe Road, east of Jay Road, west of Hwy 5 (Waco St) and north of Redden Rd. *The Public Hearing opened at 6:36pm. Edward Martin expressed concern for the property values of those purchasing in the development as he plans to put a public rifle range just north. Grayson County Commissioner Whitmire expressed concern for the quality of the roadway on Redden and Jay beyond city limits and encouraged the city and developer to consider improvements. Don Patterson expressed concern for flooding with the proposed development as the area already experiences a great deal of flooding during heavy rains. Len McManus advised the developer will do a flood study adding that retention is required as flooding is not permitted to worsen however is not required to improve. Roxanne Redden expressed concern for the annexation and development of the area as the rural atmosphere will be depleted. It was clarified that only the subject property is being considered for annexation at the request of the property owner. The city is not initiating annexation. There being no further comments the hearing closed at 6:51pm.*
6. Conduct a Public Hearing regarding a voluntary annexation request by the owner/agent of an approximate 25.882 acre tract in Grayson County, Texas, legally described as a part of the William Blundell Survey, Abstract Number 115, and being a part of that called 36.72 acre tract of land described in deed to Laer Trams-37 Acre Hwy 75 Van Alstyne, LLC, as recorded in Volume 5962, Page 521, Official Public Records Grayson County, Texas, and being a part of that called acre tract of land described to the City of Van Alstyne as recorded in Volume 3171, Page 321, Official Public Records Grayson County, Texas, and also being a part of that remainder tract of that called 74.062 acres described in deed to Hynds Acres, Ltd. as recorded in Volume 3006, Page 882, Official Public Records Grayson County, Texas, generally located south of Marshall Dr,

east of US Hwy 75, west of Kelly Lane and north of County Line Rd. *The Public Hearing opened at 6:51pm. Mayor Riley made three calls for comments. There being none, the hearing closed at 6:53pm.*

#### 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.*

7. Consider and take any action necessary regarding approval of minutes from the February 12, 2019 regular meeting.
8. Consider and take any action necessary regarding cancelation of the May 4, 2019 General Election.
10. Consider and take any action necessary regarding award of a contract for Shared Use Path, Phase 1 in the amount of \$727,261.00 to Accelerated Critical Path, Inc.

*Suzon Crowell made a request to move item nine to the regular agenda for discussion. Ryan Neal made a motion to approve items seven, eight and ten listed on the consent agenda. Lee Thomas seconded the motion and the motion passed unanimously.*

#### REGULAR AGENDA (NON-CONSENT)

9. Consider and take any action necessary regarding appointing Larry Cooper to the Planning and Zoning Commission, Place 3. *Suzon Crowell questioned the process of advertising the opening believing that openings would be advertised in the newspaper. City Manager Lane Jones advised that the opening was advertised via the City website as per policy adopted by City Council. Mrs. Crowell expressed concern for the process as citizens should not be responsible for checking the website in search of openings. Planning and Zoning Commission Chairman Jim Atchison advised of the consideration taken by the Commission and its recommendation. Marla Butler made a motion to appoint Larry Cooper to the Planning and Zoning Commission, Place 3. Lee Thomas seconded the motion and the motion passed with Marla Butler, Lee Thomas, Ryan Neal and Robert Jaska in favor and Suzon Crowell opposed.*
11. Hear presentation by Judy Kimzey regarding Library services. *Library Director Judy Kimzey made a presentation regarding the history of the Library, services offered and plans for growth and development in an effort to continue to enrich, empower and educate.*
12. Consider and take any action necessary regarding an amendment to the Community Development Corporation fiscal year 2018 – 2019 budget. *CDC President Chris Dorak detailed the need for an amendment. The Directors seek to increase spending by \$25,000.00 in anticipation of spending \$5,000.00 in parks, \$10,000.00 in façade improvements and \$10,000.00 in contingent projects. Suzon Crowell questioned the need to amend the budget when only fifty percent spent to date. Mr. Dorak advised that with applications received the CDC will be overspent. Lee Thomas made a motion to approve the amendment of the Community Development Corporation fiscal year 2018 – 2019 budget as discussed. Ryan Neal seconded the motion and the motion passed unanimously.*
13. Consider and take any action necessary regarding authorizing the Mayor to sign a resolution approving the Van Alstyne Economic Development Corporation revised bylaws. *Discussion was held regarding the proposed revisions. No action taken as the item was tabled for legal consultation and review.*
14. City Manager's Report. *City Manager Lane Jones provided a report detailing activities during the prior month.*

15. Departmental Reports. *None.*

16. Mayor and Council Closing Comments. *Lee Thomas thanked citizens for attendance and participation. Robert Jaska thanked citizens for concern and support as well as small businesses and volunteers for their service to Van Alstyne. Mayor Riley thanked citizens for participation and willingness to share thoughts and opinions.*

#### 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.*

17. 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] on contemplated litigation or on a matter in which the duty of the attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding: (i) the Mantua Development, (ii) Trussel tract development, (iii) CCN service areas, and (iv) any and all items listed on the agenda for open session.
- (b) Section 551.072: [Real Property] regarding the purchase of property for municipal facilities and parks.

*Council recessed into executive session at 7:33pm.*

*Council reconvened into open session at 8:45pm.*

*Suzon Crowell no longer in attendance.*

#### OPEN MEETING

18. Consider and take any action necessary as a result of executive session. *Ryan Neal made a motion to grant City Manager Lane Jones permission and authority to enter negotiations with individual property owners. Marla Butler seconded the motion and the motion passed unanimously.*

19. Consider and take any action necessary regarding financing options for the purchase of property. *No action taken.*

20. Adjournment. *Mayor Riley adjourned the meeting at 8:46pm.*

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Steve Riley, Mayor

ATTEST:

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Jennifer Gould, City Clerk