

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 City Hall
152 N Main Drive

April 9, 2019
6:35 P.M.

(The City Council Meeting will come to order immediately following the Zoning Board of Adjustment Meeting)

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 "Public Comment Form" to the City Clerk no later than the conclusion of Agenda Item 1 (Call to Order).

Citizens may appear before the City Council to address items listed on the agenda, in accordance with procedural rules as determined by the meeting chair and by submitting a "Public Comment Form" to the City Clerk no later than the conclusion of Agenda Item 2 (Citizens Communications).

A "Public Comment 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. Presentation of Proclamation declaring the week of April 7-13, 2019 as National Library Week.
3. 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

4. Conduct a public hearing to consider a request by the owner/agent of a property to replat Lot B5 & Common Area A-1 of The Hills of Lone Star, Phase 7B/Northgate recorded in Vol. 2018, Pg. 305, CCMR and Lot C1 & TR-2 of The Hills of Lone Star, Phase 7C/Northgate recorded as Document No. 2019-8, PRGCT J.L. Terry Survey, A-906/J.W. Haynes Survey, A-455 Collin County, Texas, J.W. Haynes Survey, A-610/James Hefflefinger Survey, A-487 Grayson County, Texas, being a final plat of Lot B5R of The Hills of Lone Star Phase 7B/Northgate & Lot C1R of The Hills of Lone Star Phase 7C/Northgate being 6.998 acres, more or less. The subject property is located north of Collin County Rd. 179 and south of Burke.
5. Conduct a public hearing to consider a request by the owner/agent of an approximately 38.414-acre tract of land to change the zoning of the property from Agricultural District (A) to Planned Development (PD). A base zoning of Commercial District – Office, Light Retail and Neighborhood

Services (C – 1) is requested for 2.422 acres. A base zoning of Commercial District - General (C - 2) is requested for 3.687 acres. Residential zoning is proposed for 32.304 acres. The property is described as being a tract of land situated in the W. Blundell Survey, Abstract No. 115, and the J. McKinney Survey, Abstract No. 770, City of Van Alstyne, Grayson County, Texas, being part of a tract conveyed to Benton Holdings, L.P. according to the deed recorded in Document No. 2009-00016366 of the Deed Records, Grayson County, Texas. The subject property is generally located east of US Hwy 75, west of Kelly Lane and north of County Line Road.

6. 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.
7. Conduct a public hearing to consider a request by the owner/agent of an approximately 82.116-acre tract of land to change the zoning of the property upon annexation, from Agricultural (AG) to Single Family Residential District – Estate (SF - E) and an approximately 85.937-acre tract of land to zone the property Single Family Residential District (SF – 72). The property is described as being a parcel of land located in Grayson County, Texas, 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, and also being all of that called 168.05 acre tract of land 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. The subject property is generally located east of US Hwy 75, west of State Hwy 5 and north of Redden Road.
8. Conduct a public hearing regarding a voluntary annexation request by the owner/agent of an approximate 36.72 acre tract of land in Grayson County, Texas, legally described as being a part of 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. The subject property is generally located east of US Hwy 75, west of Kelly Lane and north of County Line Road.
9. Conduct a public hearing to consider a request by the owner/agent of an approximately 36.72-acre tract of land to zone the property Planned Development (PD). A base zoning of Commercial District – Office, Light Retail and Neighborhood Services (C – 1) is requested for 8.158 acres. A base zoning of Multifamily Residential District (MF 2) is requested for 28.561 acres. The property is described as being a parcel of land located in Grayson County, Texas, being a part of 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. The subject property is generally located east of US Hwy 75, west of Kelly Lane and north of County Line Road.

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 March 5, 2019 regular meeting.
11. Consider and take any action necessary regarding a final plat of Greywood Heights, Section 3B, a 21.636 acre, more or less, tract of land being a part of Greywood Heights Section 2, Volume 8, Page 70 plat records Grayson County, Texas and Greywood Heights Volume 7, Page 87 plat

records Grayson County, Texas being part of the James McKinney Survey, Abstract No. 770, City of Van Alstyne, Grayson County, Texas.

12. Consider and take any action necessary regarding recommending award of \$614,000.00 for a state contract for the Clean Water State Revolving Fund project funded through the Greater Texoma Utility Authority for the Solids Dewatering System Improvements and authorize supplemental funding by the City of Van Alstyne in the amount of \$37,920.18.
13. Consider and take any action necessary regarding awarding a construction contract for the water and sewer line replacements along West Jefferson Street from Dallas Street to Douglas Street to JBI Pipeline in the amount of \$328,155.00.
14. Consider and take any action necessary regarding authorizing the City Manager to sign an electric service agreement with TXU Energy at a rate of \$0.0386144 for a sixty-month term.

REGULAR AGENDA (NON-CONSENT)

15. Receive and discuss a presentation from Parks and Recreation Board Chairman Sue-Lynn Voigt regarding board progress.
16. Consider and take any action necessary regarding authorizing the Mayor to sign a resolution approving the Van Alstyne Economic Development Corporation revised bylaws dated March 5, 2019.
17. Consider and take any action necessary regarding passage of an ordinance repealing and restating Chapter 10, Article V of the Van Alstyne Code of Ordinances regarding commercial vehicle towing businesses to establish a tow truck list for the rotating dispatch of wrecker services to nonconsent tows, restating regulations for said businesses and vehicle storage facilities, fees pertaining to nonconsent tows, storage, application and permitting and adopting procedures for requesting a towing fee study.
18. Consider and take any action necessary regarding a request by the owner/agent of a property to replat Lot B5 & Common Area A-1 of The Hills of Lone Star, Phase 7B/Northgate recorded in Vol. 2018, Pg. 305, CCMR and Lot C1 & TR-2 of The Hills of Lone Star, Phase 7C/Northgate recorded as Document No. 2019-8, PRGCT J.L. Terry Survey, A-906/J.W. Haynes Survey, A-455 Collin County, Texas, J.W. Haynes Survey, A-610/James Hefflefinger Survey, A-487 Grayson County, Texas, being a final plat of Lot B5R of The Hills of Lone Star Phase 7B/Northgate & Lot C1R of The Hills of Lone Star Phase 7C/Northgate being 6.998 acres, more or less. The subject property is located north of Collin County Rd. 179 and south of Burke.
19. Consider and take any action necessary regarding an ordinance rezoning an approximately 38.414-acre tract of land to change the zoning of the property from Agricultural District (A) to Planned Development (PD) based on a request by the owner/agent of said property. A base zoning of Commercial District – Office, Light Retail and Neighborhood Services (C – 1) is requested for 2.422 acres. A base zoning of Commercial District - General (C - 2) is requested for 3.687 acres. Residential zoning is proposed for 32.304 acres. The property is described as being a tract of land situated in the W. Blundell Survey, Abstract No. 115, and the J. McKinney Survey, Abstract No. 770, City of Van Alstyne, Grayson County, Texas, being part of a tract conveyed to Benton Holdings, L.P. according to the deed recorded in Document No. 2009-00016366 of the Deed Records, Grayson County, Texas. The subject property is generally located east of US Hwy 75, west of Kelly Lane and north of County Line Road.
20. Consider and take any action necessary regarding approval of an ordinance of the City Council of the City of Van Alstyne, Texas, annexing property into the City of Van Alstyne, Texas being described as an approximately 82.116 acre tract of land described as being a parcel of land located in Grayson County, Texas, 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, and also being all of that called 168.05 acre tract of land 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 east of US Hwy 75, west of State Hwy 5 and north of Redden Road, extending the boundary limits of the City so as to include the described property, and adopting a Service Plan.

21. Consider and take any action necessary regarding an ordinance rezoning an approximately 82.116-acre tract of land to change the zoning of the property upon annexation, from Agricultural (AG) to Single Family Residential District – Estate (SF - E) and an approximately 85.937 acre tract of land to zone the property Single Family Residential District (SF – 72) based on a request by the owner/agent of said property. The property is described as being a parcel of land located in Grayson County, Texas, 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, and also being all of that called 168.05 acre tract of land 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. The subject property is generally located east of US Hwy 75, west of State Hwy 5 and north of Redden Road.
22. Consider and take any action necessary regarding approval of an ordinance of the City Council of the City of Van Alstyne, Texas, annexing property into the City of Van Alstyne, Texas being described as an approximately 36.72 acre tract of land described as being a parcel of land located in Grayson County, Texas, being a part of 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. The subject property is generally located east of US Hwy 75, west of Kelly Lane and north of County Line Road, extending the boundary limits of the City so as to include the described property, and adopting a Service Plan.
23. Consider and take any action necessary regarding an ordinance rezoning an approximately 36.72-acre tract of land to zone the property Planned Development (PD) based on a request by the owner/agent of said property. A base zoning of Commercial District – Office, Light Retail and Neighborhood Services (C – 1) is requested for 8.158 acres. A base zoning of Multifamily Residential District (MF 2) is requested for 28.561 acres. The property is described as being a parcel of land located in Grayson County, Texas, being a part of 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. The subject property is generally located east of US Hwy 75, west of Kelly Lane and north of County Line Road.
24. City Manager’s Report.
25. 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.

26. 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.

OPEN MEETING

27. Consider and take any action necessary as a result of each item listed in executive session.

28. Adjournment.

I certify that I, Jennifer Gould, posted this agenda on the announcements board located in front of City Hall at 144 N. Main Dr at 12:00 p.m. on April 5, 2019.

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.