

CITY OF VAN ALSTYNE

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

**May 14, 2019
6:35 P.M.**

Members present: Mayor Steve Riley, Ryan Neal, Marla Butler, Robert Jaska and Katrina Arsenault.

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

AGENDA

1. Call to Order. *Mayor Riley called the meeting to order at 6:35pm.*
2. Citizens Communications. *None.*
3. Presentation of a Proclamation for Motorcycle Safety and Awareness Month, May 2019. *Mayor Riley proclaimed May 2019 Motorcycle Safety and Awareness Month.*

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.

4. 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, and (ii) 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 6:37pm.

Council reconvened into open session at 7:12pm.

OPEN MEETING

5. Consider and take any action necessary as a result of each item listed in executive session. *No action taken.*
6. Receive and discuss a presentation regarding Fiscal Year 2019, quarters 1 and 2 Fund Balance Report. *Controller Angela McNeil presented the Fiscal Year 2019, quarters 1 and 2 fund balance report detailing each fund and specific areas in various departments.*

PUBLIC HEARINGS

7. Conduct a Public Hearing regarding adoption of the City of Van Alstyne Water Resources and Emergency Management Plan. *The Public Hearing opened at 7:23pm. Mayor Riley advised of the purpose of the plan. There being no public comment, the hearing closed at 7:24pm.*
8. Conduct a Public Hearing regarding a request by the owner/agent to replat property situated in the City of Van Alstyne, Grayson County, Texas, being described as a replat of Lot 1 thru Lot 4 of Subdivision 3 of Division XI of the Original Town of Van Alstyne, being 0.689 acres of land in the James McKinney Survey, Abstract No 770, more commonly known as 212 N Sherman Ln. *The Public Hearing opened at 7:24pm. There being no public comment, the hearing closed at 7:25pm.*
9. Conduct a Public Hearing regarding the City's intent to purchase various properties known as COLLEGE ADDN, BLOCK 10; and COLLEGE ADDN, BLOCK 10, LOT 1 THRU 9, ACRES 1.3774; and MAIN STREET ADDN, LOT 2, ACRES .086; and G-0770 MCKINNEY JAMES &HRS A-G0770, ACRES 0.84; and G-0851 MCKINNEY ASHLEY A-G0851, ACRES 10.0; and G-0770 MCKINNEY JAMES &HRS A-G0770, ACRES 1.6754 which will require the issuance of combination Tax and Revenue Certificates of Obligation in the amount of approximately \$1,205,000.00. *The Public Hearing opened at 7:26pm. City Manager Lane Jones advised of the acquisition, location, intended use and purchase price for each property. Teddie Ann Salmon expressed concern for the agenda wording being unclear as to property identification and asked that City Council not purchase First Baptist Church property as it is a residential area. Mrs. Salmon advised there is a lack of maintenance at current parks. Suzon Crowell expressed concern for purchasing Kelly Lane and ISD properties as a recent survey identified that the current parks are substandard so adding to parks land does not make sense. There are many other areas of concern where money could be spent. Mrs. Crowell also expressed concern for the amount being paid on the ISD property.*

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 April 9, 2019 regular meeting.
11. Consider and take any action necessary regarding appointing Kim Phillips to serve the remainder of an unexpired term on the Parks and Recreation Board.
13. Consider and take any action necessary regarding approval of an ordinance amending Ordinance No. 824, Section 6 regarding the effective date of term limits for Planning and Zoning Commission members.
14. Consider and take any action necessary regarding a final plat of Mantua Point, Phase 1 being part a tract of land situated in the David Arnspiger Survey, A-1526; J.W. Curtis Survey, A-249; David Arnspiger Survey, A-15; & the J.W. Curtis Survey, A-107 City of Van Alstyne, Grayson County and Collin County, Texas generally located north of Collin County Rd 222, east of Eagle Point Rd, west of U.S. Hwy 75 and south of Cartwright Rd.
15. Consider and take any action necessary regarding a final plat of Lots D1 – D4 & CA-1 The Hills of Lone Star Phase 7D/Northgate being 21.459 acres in the J.W. Haynes Survey, Abstract No. 610, James Hefflefinger Survey, Abstract No. 487, E.T.J. of the City of Van Alstyne, Grayson County, Texas. The subject property is generally located north of Collin County Rd 179 and south of Burke.
16. Consider and take any action necessary regarding a final plat of Lots E1/2, E3 & E4 The Hills of Lone Star Phase 7E/Northgate being 19.31 acres in the J.W. Haynes Survey, Abstract No. 610,

E.T.J. of the City of Van Alstyne, Grayson County, Texas. The subject property is generally located north of Collin County Rd 179 and south of Burke.

17. Consider and take any action necessary regarding approval of a recommendation from the Parks and Recreation Board to return the horse sculpture located in Dorothy Fielder Park to the donator.

Robert Jaska made a motion to approve items 10 – 11 and 13 – 17 listed on the consent agenda. Ryan Neal seconded the motion and the motion passed with Robert Jaska, Ryan Neal and Marla Butler in favor and Katrina Arsenault abstaining.

REGULAR AGENDA (NON-CONSENT)

12. Consider and take any action necessary regarding approval of revised Van Alstyne Public Library Board bylaws. *No action taken.*
18. Receive and discuss a presentation of plan of finance by Hilltop Securities for purchasing properties known as COLLEGE ADDN, BLOCK 10; and COLLEGE ADDN, BLOCK 10, LOT 1 THRU 9, ACRES 1.3774; and MAIN STREET ADDN, LOT 2, ACRES .086; and G-0770 MCKINNEY JAMES &HRS A-G0770, ACRES 0.84; and G-0851 MCKINNEY ASHLEY A-G0851, ACRES 10.0; and G-0770 MCKINNEY JAMES &HRS A-G0770, ACRES 1.6754. *Jim Sabonis of Hilltop Securities presented a plan of finance having no impact on tax payers.*
19. Consider and take any action necessary regarding adoption of a Resolution of the City Council of the City of Van Alstyne, Texas, directing publication of notice of intention to issue combination tax and revenue certificates of obligation; and resolving other matters relating to the subject. *Ryan Neal made a motion to adopt the resolution as presented. Marla Butler seconded the motion and the motion passed unanimously.*
20. Discuss, consider and act on a Real Estate Sales Contract between the City of Van Alstyne and First Baptist Church Van Alstyne to purchase 10.0 acres of property generally described as G-0851 MCKINNEY ASHLEY A-G0851, 10.0 ACRES as recorded in Volume 2996, Page 363, Deed Records, Grayson County, Texas. *Ryan Neal made a motion to approve the real estate sales contract as presented. Marla Butler seconded the motion and the motion passed unanimously.*
21. Discuss, consider and act on a Real Estate Sales Contract between the City of Van Alstyne and S6 Ranches LTD to purchase 1.6754 acres of property generally described as G-0770 MCKINNEY JAMES &HRS A-G0770, 1.6754 ACRES as recorded in Volume 5684, Page 877, Deed Records, Grayson County, Texas. *Ryan Neal made a motion to approve the real estate sales contract as presented. Marla Butler seconded the motion and the motion passed unanimously.*
22. Discuss, consider and act on a Real Estate Sales Contract between the City of Van Alstyne and Van Alstyne Chamber of Commerce to purchase 0.926 acres of property generally described as MAIN STREET ADDN, LOT 2, 0.086 ACRES and G-0770 MCKINNEY JAMES &HRS A-G0770, 0.84 ACRES as recorded in Volume 3973, Page 922, Document Number 31825, Deed Records, Grayson County, Texas. *Ryan Neal made a motion to approve the real estate sales contract as presented. Marla Butler seconded the motion and the motion passed unanimously.*
23. Discuss, consider and act on a Real Estate Sales Contract between the City of Van Alstyne and Van Alstyne Independent School District to purchase 6.5 acres+ of property described by Grayson County Appraisal District as GCAD Property ID 168039 (legally described as College Addn, Block 10, Lot 1 thru 9) and GCAD Property ID 168040 (legally described as College Addn, Block 10), more commonly known as 618 West A Denton Drive, Van Alstyne, Grayson County, Texas. *Ryan Neal made a motion to approve the real estate sales contract as presented. Marla Butler seconded the motion and the motion passed unanimously.*

24. Consider and take any action necessary regarding passage of an ordinance repealing Ordinance No. 738 and adopting a Water Resource and Emergency Management Plan for the City of Van Alstyne to promote responsible use of water. *Robert Jaska made a motion to approve the ordinance as presented. Ryan Neal seconded the motion and the motion passed unanimously.*
25. Consider and take any action necessary regarding a request by the owner/agent to replat property situated in the City of Van Alstyne, Grayson County, Texas, being described as a replat of Lot 1 thru Lot 4 of Subdivision 3 of Division XI of the Original Town of Van Alstyne, being 0.689 acres of land in the James McKinney Survey, Abstract No 770, more commonly known as 212 N Sherman Ln. *Robert Jaska made a motion to approve the replat based on the recommendation of the Planning and Zoning Commission. Katrina Arsenault seconded the motion and the motion passed unanimously.*
26. 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. *Discussion was held regarding setbacks on various lots and irregular lot shapes. Kaleb Gilbert of Spiars Engineering identified there will be a home owners association. Suzon Crowell expressed opposition to the zoning and suggested Neighborhood Convenience on Kelly Lane rather than C-1 adding that a PD should get much more specific about requirements. Ryan Neal made a motion to approve the ordinance subject to City Attorney Julie Fort's final review. Marla Butler seconded the motion and the motion passed with Ryan Neal and Marla Butler in favor, Robert Jaska and Katrina Arsenault opposed and Mayor Riley voting in favor.*
27. Consider and take any action necessary regarding appointment of a Mayor Pro-Tem. *Ryan Neal made a motion to appoint Robert Jaska as Mayor Pro-Tem. Marla Butler seconded the motion and the motion passed with Ryan Neal, Marla Butler and Katrina Arsenault in favor and Robert Jaska abstaining.*
28. City Manager's Report. *City Manager Lane Jones provided a report detailing activities during the prior month.*
29. Mayor and Council Closing Comments. *Katrina Arsenault thanked citizens for their participation. Ryan Neal congratulated Mrs. Arsenault and thanked employees and volunteers for their work and Lane Jones for his diligence. Marla Butler thanked citizens for their attendance. Robert Jaska thanked volunteers, small business owners, boards and staff and announced upcoming community events. Mayor Riley suggested the Planning and Zoning Commission review the Zoning Code due to the high number of variances before the BOA recently.*
30. Adjournment. *Mayor Riley adjourned the meeting at 8:22pm.*

Steve Riley, Mayor

Jennifer Gould, City Clerk