

## CITY OF VAN ALSTYNE

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

**July 16, 2019  
6:30 P.M.**

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

Staff present: Lane Jones, Jennifer Gould and Ryan Dockery.

#### AGENDA

1. Call to Order. *Mayor Riley called the meeting to order at 6:30pm.*
2. Invocation. *Recited by Robert Jaska.*
3. Pledges of Allegiance. *US and Texas.*
4. Citizens Communications. *Mike Drynan asked that something be done about the tar on Kelly Lane. Jim DuBois thanked Lane Jones for the lime wash and attention to issues on Kelly Lane.*
5. Presentation of award by District Attorney Brett Smith. *Grayson County District Attorney Brett Smith and Assistant District Attorney Bi Hunt presented Lt. Adam Huttash with an award for the level of care given to an adolescent patient and his court testimony which lead to conviction.*

#### 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.*

6. 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 pending or 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) Cause #: CV-19-0949, Jodi Carr v. VAEDC, et. al. (ii) a claim or assertion circulated by former employee, and (iii) any and all items listed on the agenda for open session.

*Council recessed into executive session at 6:40pm.*

*Council reconvened into open session at 7:05pm.*

#### OPEN MEETING

7. Consider and take any action necessary as a result of each item listed in executive session. *No action taken.*

#### PUBLIC HEARINGS

8. Conduct a Public Hearing regarding a request to replat property situated in the City of Van Alstyne, Grayson and Collin Counties, Texas, being described as Rivers Wortham Addition being part of the William Creager Survey, Abstract No. 201 and the Nelson H Haney Survey, Abstract No. 431. The subject property is generally located on the north side of County Road 375 (County Line Road), east of Kelly Lane and west of South Waco Street (State Hwy 5). *The Public Hearing opened at 7:05pm. There being no comments, the hearing closed at 7:06pm.*
9. Conduct a Public Hearing regarding a request to replat property situated in the City of Van Alstyne, Grayson County, Texas, being described as Lot 1, Block Two replat of J. Umphress Center, Phase One, Excepting and not including Lot 1, Block One, and Lot 5, Block Two, Plat of part of Lot 2, Block 1, Hynds North Addition being 1.093 acres in the James McKinney Survey Abstract No. 770. The subject property is located at the south east corner of N Henry Hynds Expressway and Texana Street. *The Public Hearing opened at 7:07pm. There being no comments, the hearing closed at 7:07pm.*

### **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.*

*Lee Thomas made a motion to move items 18, 19 and 20 to the regular agenda. Robert Jaska seconded the motion and the motion passed unanimously.*

10. Consider and take any action necessary regarding approval of minutes from the June 6, 2019 special called meeting and June 11, 2019 Zoning Board of Adjustment and regular meetings.
11. Consider and take any action necessary regarding passage of an ordinance repealing Ordinance No. 719 and adopting a water conservation plan for the City of Van Alstyne, Texas.
12. Consider and take any action necessary regarding passage of a resolution adopting a tax abatement policy and establishing guidelines and criteria governing tax abatement agreements for economic development prospects in the City of Van Alstyne as authorized by Chapter 312 of the Texas Tax Code.
13. 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.
14. Consider and take any action necessary regarding a final plat of Red Gant Farms Addition Phase 1 an addition to the City of Van Alstyne, Grayson County, Texas being 3.105 acres in the James McKinney Survey, Abstract No. 770, Grayson County, Texas. The subject property is generally located at the north east corner of E. Van Alstyne Pkwy and N. Main Dr.
15. Consider and take any action necessary regarding a site plan for Red Gant Farms Addition Phase 1 being 3.105 acres in the James McKinney Survey, Abstract No. 770, Grayson County, Texas. The subject property is generally located at the north east corner of E. Van Alstyne Pkwy and N. Main Dr.
16. Consider and take any action necessary regarding a site plan for Farm Bureau being 0.337 acres described as G-0851 MCKINNEY ASHLEY A-G0851 and more commonly known as 1363 S. Waco St.
17. Consider and take any action necessary regarding a resolution requesting FM 121 East closure authorization from TXDOT for the October 12, 2019 Fall-Der-All event.

21. Consider and take any action necessary ratifying City Manager's signature on Agreement for Legal Services with the Law Office of Stephen C. Dickman related to CCN.

*Ryan Neal made a motion to approve items 10 through 17 and 21 listed on the consent agenda. Robert Jaska seconded the motion and the motion passed unanimously.*

#### **REGULAR AGENDA (NON-CONSENT)**

18. Consider and take any action necessary regarding a resolution certifying local funding and support of the Van Alstyne Safe Route to School Sidewalk from North Park along State Highway 5 (Waco St.) and Van Alstyne Parkway (FM 121) to residential neighborhoods near U.S. 75 to the statewide Transportation Alternatives and Safe Routes to School Program for funding competition in the Texas Department of Transportation 2019 Transportation Alternatives and Safe Routes to School call for projects.
19. Consider and take any action necessary regarding a resolution certifying local funding and support of the Van Alstyne Bike and Pedestrian Trail from the John and Nelda Partin Elementary School to Forrest Moore Park to the statewide Transportation Alternatives Program and funding competition in the Texas Department of Transportation 2019 Transportation Alternatives and Safe Routes to School call for projects.
20. Consider and take any action necessary regarding a resolution certifying local funding and support of the Van Alstyne Safe Route to School Sidewalk from Williams Way, around North Park to residential neighborhoods near Blassingame Avenue to the statewide Transportation Alternatives and Safe Routes to School Program for funding competition in the Texas Department of Transportation 2019 Transportation Alternatives and Safe Routes to School call for projects.

*Agenda items 18, 19 and 20 considered concurrently. Bob Johnson of McManus & Johnson Consulting Engineers detailed the call for projects and available funding. There is no funding commitment by the City at this time and funding may be declined if awarded. Robert Jaska made a motion to approve the resolutions as presented for agenda items 18, 19 and 20. Ryan Neal seconded the motion and the motion passed unanimously.*

22. Consider and take any action necessary regarding a request to replat property situated in the City of Van Alstyne, Grayson and Collin Counties, Texas, being described as Rivers Wortham Addition being part of the William Creager Survey, Abstract No. 201 and the Nelson H Haney Survey, Abstract No. 431. The subject property is generally located on the north side of County Road 375 (County Line Road), east of Kelly Lane and west of South Waco Street (State Hwy 5). *Lee Thomas made a motion to approve the replat as presented. Robert Jaska seconded the motion and the motion passed unanimously.*
23. Consider and take any action necessary regarding a request to replat property situated in the City of Van Alstyne, Grayson County, Texas, being described as Lot 1, Block Two replat of J. Umphress Center, Phase One, Excepting and not including Lot 1, Block One, and Lot 5, Block Two, Plat of part of Lot 2, Block 1, Hynds North Addition being 1.093 acres in the James McKinney Survey Abstract No. 770. The subject property is located at the south east corner of N Henry Hynds Expressway and Texana Street. *Robert Jaska made a motion to approve the replat as presented. Lee Thomas seconded the motion and the motion passed unanimously.*
24. Consider and take any action necessary regarding a site plan for the Brooks Apartments being 8.686 acres in the James McKinney Survey, Abstract No. 770, Hynds North Addition, part of Block 1, Lot 2, Grayson County, Texas. The subject property is generally located south of Blassingame Ave, north of Texana St, west of Nunnalee Ave and east of N Henry Hynds Expy. *Lee Thomas*

*made a motion to approve the replat as presented. Robert Jaska seconded the motion and the motion passed unanimously.*

25. Consider and take any action necessary regarding an amendment to the Van Alstyne Community Development Corporation's Fiscal Year 2018 – 2019 budget. *CDC President Chris Dorak detailed the proposed amendment. Ryan Neal made a motion to approve the amendment to the Van Alstyne Community Development Corporation's Fiscal Year 2018 – 2019 budget as requested. Marla Butler seconded the motion and the motion passed unanimously.*
26. Consider and take any action necessary regarding adopting an ordinance setting the dates, time and place for the public hearing to consider updates to the Land Use Assumptions, Capital Improvement Plan and Water and Wastewater Impact Fees amendments. *Bob Johnson detailed the Capital Improvement Advisory Committee's role in evaluating, considering and recommending updates every five years. Only growth facilities are eligible for the Capital Improvement Program. Water Capital Improvement Projects total over twenty-four million dollars. Wastewater Capital Improvement Projects total over sixty-two million dollars. Discussion was held regarding impact fee calculations, current fees compared to other north Texas cities, who pays impact fees and next steps. Robert Jaska made a motion to adopt the ordinance setting the date, time and place for the public hearing to consider updates to the Land Use Assumptions, Capital Improvement Plan and Water and Wastewater Impact Fees amendments. Lee Thomas seconded the motion and the motion passed unanimously.*
27. Consider and take any action necessary regarding adopting an ordinance amending Van Alstyne Code of Ordinances, Chapter 32 regarding signs and other advertising. *Consideration and action tabled per Mayor Riley.*
28. Consider and take any action necessary regarding adoption of an ordinance authorizing the issuance and sale of City of Van Alstyne, Texas Combination Tax and Revenue Certificates of Obligation, Taxable Series 2019; levying an annual ad valorem tax and providing for the security for and payment of said certificates of obligation; providing an effective date; and enacting other provisions relating to the subject. *Jim Sabonis detailed the sale, taxable versus nontaxable, the interest rate obtained and that the interest and sinking property tax rate will not be increased by the addition of this debt. Ryan Neal made a motion to adopt the ordinance as presented. Marla Butler seconded the motion and the motion passed unanimously.*
29. Consider and take any action necessary regarding appointments to fill two open places on the Parks and Recreation Board. *Ryan Neal made a motion to appoint Amber Edwards and Dennis Gaubatz to fill the two open places on the Parks and Recreation Board. Lee Thomas seconded the motion and the motion passed with Ryan Neal, Lee Thomas, Marla Butler and Robert Jaska in favor and Katrina Arsenault abstaining.*
30. Consider and take any action necessary regarding appointments to serve on the Planning and Zoning Commission Place 1, Place 5, Place 3, Alternate Place 1 and Alternate Place 2. *Ryan Neal made a motion to appoint Jim Atchison to Place 1, Bob Hendricks to Place 5, Larry Cooper to Place 3, Randy Pettit to Alternate Place 1 and Mike Drynan to Alternate Place 2. Robert Jaska seconded the motion and the motion passed unanimously.*
31. City Manager's Report. *City Manager Lane Jones provided a report detailing activities of the prior month, rapid new residential home permitting and financials for fiscal year 2018 – 2019 periods one through nine.*
32. Mayor and Council Closing Comments. *Robert Jaska thanked citizens, volunteers, small business owners and City staff as well as announced various upcoming community events. Mayor Riley encouraged community involvement and input.*

33. Adjournment. *Mayor Riley adjourned the meeting at 8:04pm.*

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Steve Riley, Mayor

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Jennifer Gould, City Clerk