

CITY OF VAN ALSTYNE

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

**September 8, 2020
6:30 P.M.**

NOTICE REGARDING PUBLIC PARTICIPATION

Governor Greg Abbott has granted a temporary suspension of certain rules to allow for telephone or videoconference public meetings in order to reduce in-person meetings that assemble large groups of people, due to the COVID-19 (coronavirus) public health emergency. Pursuant to those rules, **City Hall will NOT be open to the public during the meeting.**

Individuals will be able to address the City Council via videoconference hosted by Zoom.

To access the videoconference online, follow these instructions:

1. Join the Zoom Meeting by clicking the following link:
<https://us02web.zoom.us/j/81316323735>
2. Enter Webinar ID: **813-1632-3735**
3. To request to speak, click on “Participants” at the bottom of the screen, and click “Raise Hand.” The meeting moderator will acknowledge your request and allow you to speak.

If you encounter any problems joining or participating in the meeting, please call our help line at 903-819-0833 for assistance.

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Communications portion of the meeting or when the item is considered by Council.

Pursuant to the temporary Texas Open Meetings Act suspensions, a majority of the City Council may attend via videoconference and may not be present at the City Hall.

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.

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

Staff present: Lane Jones, David Ritter and Jennifer Gould.

AGENDA

1. Call to Order. *Mayor Atchison called the meeting to order at 6:30pm.*
2. Invocation. *Recited by Robert Jaska.*
3. Pledges of Allegiance. *US and Texas.*
4. Citizens Communications. *None.*
5. Presentation of a Proclamation for Van Alstyne Public Library Day, September 21, 2020. *Presentation postponed to a later date.*
6. Hear presentation from Pacheco Koch Consulting Engineers, Inc. regarding a concept for the Central Social District. *Wade Peterson with Pacheco Koch presented conceptual drawings of the Central Social District and discussed the project.*

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.

7. 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) Texas Gov't Code Section 551.071 [Legal Advice] regarding: (i) proposed Development Agreement by and between Risland Mantua, LLC and the City of Van Alstyne, Texas, (ii) proposed Interlocal Cooperation Agreement for Law Enforcement Services by and between Risland Mantua, LLC, Van Alstyne Municipal Utility District No. 1 and the City of Van Alstyne, Texas, and (iii) proposed Interlocal Cooperation Agreement for Fire-Fighting Services by and between Risland Mantua, LLC, Van Alstyne Municipal Utility District No. 1 and the City of Van Alstyne, Texas.

City Council recessed into closed session at 7:13pm.

City Council reconvened into open session at 7:54pm.

OPEN MEETING

8. Consider and take any action necessary regarding Executive Session items. *Robert Jaska made a motion to authorize the City Manager to negotiate and finalize definitive agreements to be considered for final approval by City Council on October 13, 2020 with terms consistent with the provisions of the term sheet signed by Risland on September 4, 2020 which term sheet shall be nonbinding on the City of Van Alstyne. Marla Butler seconded the motion and the motion passed unanimously.*

PUBLIC HEARINGS

9. Conduct a Public Hearing to consider testimony on a voluntary annexation request by the owner/agent of an approximately 39.875-acre tract of land in Grayson County, Texas, legally described as a tract of land situated in the William Creager Survey, Abstract No. 201, Grayson

County, Texas also situated in the William Creager Survey, Abstract No. 164 and the N. H. Haney Survey, Abstract No. 431, Collin County, Texas, and generally located north of CR 377 and east of the Dallas Area Rapid Transit Railroad. *The Public Hearing opened at 7:56pm. Community and Economic Development Executive Director Rodney Williams spoke to the requested annexation which will expand the Industrial Park. There being no further comments the hearing closed at 7:57pm.*

10. Conduct a Public Hearing to consider testimony on a request by the owner/agent of an approximately 39.875-acre tract of land to rezone from Agricultural (A) upon annexation to Manufacturing/Industrial District-Heavy (MI-2) for industrial uses. The property is legally described as a tract of land situated in the William Creager Survey, Abstract No. 201, Grayson County, Texas also situated in the William Creager Survey, Abstract No. 164 and the N. H. Haney Survey, Abstract No. 431, Collin County, Texas, and generally located north of CR 377 and east of the Dallas Area Rapid Transit Railroad. . *The Public Hearing opened at 7:58pm. Community and Economic Development Executive Director Rodney Williams spoke to the requested zoning which will expand the Industrial Park. There being no further comments the hearing closed at 7:59pm.*
11. Conduct a Public Hearing to consider testimony for or against the proposed 2020 tax rate of \$0.584456 per \$100 of value for the City of Van Alstyne. *The Public Hearing opened at 7:59pm. There being no public comments the hearing closed at 8:00pm.*

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.

12. Approval of minutes from the City Council the August 6, 2020 work session meeting, August 11, 2020 regular meeting and August 25, 2020 called meeting.
13. Approval of an ordinance abandoning an easement in Block 1 of the West Fulton Addition at 422 W. Fulton Street.
14. Approval of a resolution authorizing the Mayor to sign an interlocal agreement with Texoma Council of Governments (TCOG) for GIS Services for fiscal year 2021.
16. Approval of a resolution appointing Len McManus as a voting member of the Technical Advisory Committee of the Sherman-Denison Metropolitan Planning Organization.
20. Passage of a resolution setting a public hearing for October 13, 2020 at 6:30pm at Van Alstyne City Hall on the proposed annexation of certain property by the City of Van Alstyne, Texas being a tract of land located in Grayson County, Texas, being an approximately 0.7183-acre tract of land situated in the James McKinney Survey, Abstract Number 770, Grayson County, Texas and being a portion of Lot 14, Block A, Greywood Heights Addition, an addition to Grayson County, Texas according to the plat filed of record in Volume 7, Page 87 plat records Grayson County, Texas, (P.R.G.C.T.), same being those lots conveyed to HRCF-RC according to the document filed of record in Volume 1805, Page 435, Official Public Records Grayson County, Texas (O.P.R.G.C.T.) and generally located west of Greywood Drive and north of Billups Drive.

Robert Jaska made a motion to approve items 12 through 14, 16 and 20 listed on the Consent Agenda. Ryan Neal seconded the motion and the motion passed unanimously.

REGULAR AGENDA (NON-CONSENT)

15. Passage of a resolution continuing Resolution No. 08-2020-02 and the Mayoral Declaration of a local state of disaster due to a public health emergency in response to the COVID-19 virus outbreak.

Discussion was held regarding the need and necessity for such a declaration to continue. Lee Thomas made a motion to approve the resolution as presented. Robert Jaska seconded the motion and the motion passed with Lee Thomas, Robert Jaska, Ryan Neal and Katrina Arsenault in favor and Marla Butler opposed.

17. Approval of an ordinance establishing Golf Cart regulations. *Discussion was held regarding including neighborhood electric vehicles and UTVs. Marla Butler made a motion to postpone action to October 13, 2020. Ryan Neal seconded the motion and the motion passed unanimously.*
18. Approval of an ordinance amending City of Van Alstyne Code of Ordinances, Section 2-183 “City Fee Schedule Adopted” to add a fee for Mobile Food Vendor and Golf Cart permits. *Ryan Neal made a motion to approve the ordinance as presented. Lee Thomas seconded the motion and the motion passed unanimously.*
19. Approval of an ordinance amending City of Van Alstyne Code of Ordinances, Section 30-61 “Park hours” to modify the hours parks are open to the public. *Discussion was held regarding use of the tennis courts at Forrest Moore Park after hours stated in the ordinance. It was clarified that the ordinance allows for signs to be posted for hours outside of those specified in the ordinance. Robert Jaska made a motion to approve the ordinance as presented. Lee Thomas seconded the motion and the motion passed unanimously.*
21. 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 a 39.875-acre tract being described as a tract of land situated in the William Creager Survey, Abstract No. 201, Grayson County, Texas also situated in the William Creager Survey, Abstract No. 164 and the N. H. Haney Survey, Abstract No. 431, Collin County, Texas, and generally located north of CR 377 and east of the Dallas Area Rapid Transit Railroad, extending the boundary limits of the City so as to include the described property, and adopting a Service Plan. *Ryan Neal made a motion to approve the ordinance as presented. Lee Thomas seconded the motion and the motion passed unanimously.*
22. Consider and take any action necessary regarding a request by the owner/agent of an approximately 39.875-acre tract of land to rezone from Agricultural (A) upon annexation to Manufacturing/Industrial District-Heavy (MI-2) for industrial uses. The property is legally described as a tract of land situated in the William Creager Survey, Abstract No. 201, Grayson County, Texas also situated in the William Creager Survey, Abstract No. 164 and the N. H. Haney Survey, Abstract No. 431, Collin County, Texas, and generally located north of CR 377 and east of the Dallas Area Rapid Transit Railroad. *Ryan Neal made a motion to approve the zoning as requested. Katrina Arsenault seconded the motion and the motion passed unanimously.*
23. Consider and take any action necessary regarding an ordinance adopting the fiscal year 2020 – 2021 City of Van Alstyne operating budget. *Ryan Neal made a motion to approve the ordinance as presented. Robert Jaska seconded the motion and the motion passed with Ryan Neal, Robert Jaska, Marla Butler, Lee Thomas and Katrina Arsenault in favor by record vote.*
24. Consider and take any action necessary regarding ratifying, by vote, the property tax increase reflected in the budget mandated by Texas Local Government Code Section 102.007. *Ryan Neal made a motion to ratify that the 2020 – 2021 budget requires more revenue from property taxes than last year’s budget. Robert Jaska seconded the motion and the motion passed with Ryan Neal, Robert Jaska, Marla Butler, Lee Thomas and Katrina Arsenault in favor by record vote.*
25. Consider and take any action necessary regarding adopting an ordinance levying taxes for the 2020 Tax Year. *Robert Jaska made a motion to approve the ordinance as presented to establish a property tax rate of \$0.584456 per \$100 of value as reflected in the budget. Lee Thomas*

seconded the motion and the motion passed with Robert Jaska, Lee Thomas, Marla Butler, Ryan Neal and Katrina Arsenault in favor by record vote.

26. Consider and take any action necessary regarding cancelation of award of the construction contract to Vessels Construction for the Water and Sewer Line Improvement along Dallas Avenue from Shreveport St. to Jefferson St. in the amount of \$565,167.39. *Ryan Neal made a motion to approve the cancelation of award of the construction contract to Vessels Construction for the Water and Sewer Line Improvement along Dallas Avenue from Shreveport St. to Jefferson St. Robert Jaska seconded the motion and the motion passed unanimously.*
27. Consider and take any action necessary regarding authorizing advertisement for bids for the Water and Sewer Line Improvement along Dallas Avenue from Shreveport St. to Jefferson St. *Ryan Neal made a motion to authorize advertisement for bids for the Water and Sewer Line Improvement along Dallas Avenue from Shreveport St. to Jefferson St. Robert Jaska seconded the motion and the motion passed unanimously.*
28. Consider and take any action necessary regarding authorizing advertisement for bids for the Sewer Line Improvement along Clement Avenue from John Douglas Rd. to Pearl St. *Robert Jaska made a motion to advertise bids for the Sewer Line Improvement along Clement Avenue from John Douglas Rd. to Pearl St. Katrina Arsenault seconded the motion and the motion passed unanimously.*
29. City Manager's Report. *City Manager Lane Jones thanked staff for work preparing the fiscal year 2021 budget and provided details on mosquito spraying.*
30. Mayor and Council Closing Comments. *Robert Jaska resigned his position as Alderman Place 3 and Mayor Pro Tem. All members of Council thanked Robert for his service.*
31. Adjournment. *Robert Jaska made a motion to adjourn the meeting at 8:59pm. Katrina Arsenault seconded the motion and the motion passed unanimously.*

Jim Atchison, Mayor

Jennifer Gould, City Clerk