

CITY OF VAN ALSTYNE

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

October 13, 2020
6:35 P.M.

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

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

AGENDA

1. Call to Order. *Mayor Atchison called the meeting to order at 6:39pm.*
2. Citizens Communications. *Jerry Hackler expressed concern regarding child sex trafficking and mask mandates.*
3. Presentation of a Proclamation for Van Alstyne Public Library Day, September 21, 2020. *Mayor Atchison read the Proclamation into record and presented it to Library Director Judy Kimzey.*

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) 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.
- (b) Texas Gov't Code Section ECONOMIC DEVELOPMENT (i) update on industrial park.

*City Council recessed into executive session at 6:49pm.
City Council reconvened into open session at 7:10pm.*

OPEN MEETING

5. Consider and take any action necessary regarding Executive Session items. *Lee Thomas made a motion to authorize Mayor Atchison to execute the Development Agreement, Interlocal Cooperation Agreement for Law Enforcement Services and the Interlocal Cooperation Agreement for Fire-Fighting Services by and between Risland Mantua, LLC as negotiated by City Manager Lane Jones. Marla Butler seconded the motion and the motion passed unanimously.*

*City Council recessed at 7:12pm.
City Council reconvened at 7:45pm.*

PUBLIC HEARINGS

6. Conduct a Public Hearing regarding a voluntary annexation request by the owner/agent of an approximate 0.7183-acre tract of land being located in Grayson County, Texas, being a tract of land situated in the James McKinney Survey, Abstract No. 770 City of Van Alstyne, Grayson County, Texas, generally located south of Spence Rd, north of Billups Dr, west of Greywood Dr and east of Sanford Cir. *The Public Hearing opened at 7:46pm. Todd Hensley, representing the property owner/agent spoke to the request. There being no further public comment the hearing closed at 7:48pm.*
7. Conduct a Public Hearing to consider testimony on a request by the owner/agent of approximately 0.7183 acres of land to rezone from Agricultural (A) to Planned Development (PD) with proposed conditions being consistent with the adjoining development for residential use, contingent upon annexation of the property into City Limits. The property is described as approximately 0.7183 acres being part of the James McKinney Survey, Abstract No. 770 City of Van Alstyne, Grayson County, Texas, generally located south of Spence Rd, north of Billups Dr, west of Greywood Dr and east of Sanford Cir. *The Public Hearing opened at 7:49pm. Mayor Atchison made three calls for public comment. There being none, the hearing closed at 7:50pm.*
8. Conduct a Public Hearing to consider testimony on a request by the owner/agent to replat property situated in the City of Van Alstyne, Grayson County, Texas, being described as the Holy Trinity Addition, a replat of Lots 5-7 and 12-14, Block A Greywood Heights volume 7, page 87, being 6.3468 acres in the James McKinney Survey, Abstract No. 770. The subject property is generally located on the south side of Spence Rd, west of Greywood Dr, east of Sanford Cir and north of Billups Dr. *The Public Hearing opened at 7:50pm. Danny Perez questioned the lots being replatted and roadways. Todd Hensley clarified. There being no further public comment the hearing closed at 7:53pm.*
9. Conduct a Public Hearing to consider testimony on a request by the owner/agent to replat property being described as a replat of Lot 8/9R & 10RR The Hills of Lone Star, Phase 2A/Bear Creek, 13.467 acres being a replat of Lots 8 & 9 of The Hills of Lone Star, Phase 2A/Bear Creek as recorded in Volume 2008, Page 298 and Lot 10R of the Replat of Lot 10R The Hills of Lone Star, Phase 2A/Bear Creek as recorded in Volume 2018, Page 588 of the Collin County Map Records James Hefflinger Survey, Abstract No. 366, City of Van Alstyne, Collin County, Texas. The subject property is generally located south of Collin County Rd 179 and east of Collin County Rd 176. *The Public Hearing opened at 7:54pm. Mayor Atchison made three calls for public comment. There being none, the hearing closed at 7:54pm.*
10. Conduct a Public Hearing to consider testimony on 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 the Greer's Second Addition, Block 16, Lot 1, an addition to the City of Van Alstyne, Texas, recorded as volume 80, page 113 of the deed of records of Grayson County, Texas, James McKinney Survey, Abstract No. 770. The subject property is generally located on the north west corner of Clements Avenue and Knox Street. *The Public Hearing opened at 7:55pm. Mayor Atchison made three calls for public comment. There being none, the hearing closed at 7:55pm.*
11. Conduct a Public Hearing to consider testimony on a request by the owner/agent of approximately 0.201 acres of land for a zoning request to rezone from Single-Family Residential District - 1 (SF-1) to Neighborhood Convenience District (NC) and for a Specific Use Permit (SUP) to allow a "veterinarian clinic (no outside pens)". The property is described as WM GRAHAM ADDN REPLAT OF S150' BLK 7 SOUTHSIDE ADDN, BLOCK 7, LOT 3R, ACRES 0.201, more commonly known as 676 S. Waco St. *The Public Hearing opened at 7:56pm. Suzon Crowell spoke*

to the future land use map advising that the request does not follow the plan. Desi Overton expressed concern for medical testing and medical waste adding that she prefers neighbors rather than commercial businesses. There being no further public comment 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 September 8, 2020 regular City Council meeting.
13. Authorize the City Manager to sign an engagement letter with LaFollett and Company, PLLC to perform the fiscal year 2020 audit.
15. Passage of a resolution declaring the *Van Alstyne Leader* the official newspaper of record for fiscal year 2021.
16. Authorize the Mayor to sign an interlocal agreement with Grayson County for Emergency Medical Services for fiscal year 2021.
17. Authorize the Mayor to sign an interlocal agreement with Grayson County for Fire Protection Services for fiscal year 2021.
18. Passage of a resolution authorizing execution of an advance funding agreement with the Texas Department of Transportation for a Transportation Alternatives set-aside project for Phase II of the Shared Use Path from Partin Elementary School to Forest Moore Park.
19. Approval of an ordinance establishing Golf Cart regulations.
20. Approval of an ordinance amending the City of Van Alstyne's Code of Ordinances Section 2-183 regarding utility rates and charges.
21. Passage of a resolution setting a public hearing for November 10, 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 a 1.856-acre tract of land situated in the Ashley McKinney Survey, Abstract No. 851, City of Van Alstyne, Grayson County, Texas, as conveyed by warranty deed recorded in Instrument Number 2017-20715 of the Deed Records of Grayson County, Texas; and any right-of-way adjacent to said property; authorizing and directing the City Clerk to have published notice of public hearing; and directing the preparation of a service plan.

Lee Thomas made a motion to approve items 12-13 and 15-21 listed on the consent agenda. Katrina Arsenault seconded the motion and the motion passed unanimously.

REGULAR AGENDA (NON-CONSENT)

14. Passage of a resolution continuing Resolution No. 09-2020-04 and the Mayoral Declaration of a local state of disaster due to a public health emergency in response to the COVID-19 virus outbreak. *Ryan Neal made a motion to pass the resolution as presented. Lee Thomas seconded the motion and the motion passed with Ryan Neal, Lee Thomas and Katrina Arsenault in favor and Marla Butler opposed.*
22. Consider and take any action necessary regarding a voluntary annexation request by the owner/agent of an approximately 0.7183-acre tract of land being located in Grayson County, Texas, being a tract of land situated in the James McKinney Survey, Abstract No. 770 City of Van Alstyne, Grayson County, Texas, generally located south of Spence Rd, north of Billups Dr, west of

Greywood Dr and east of Sanford Cir. *Lee Thomas made a motion to approve the annexation as presented. Ryan Neal seconded the motion and the motion passed unanimously.*

23. Consider and take any action necessary regarding a request by the owner/agent of approximately 0.7183 acres of land to rezone from Agricultural (A) to Planned Development (PD) with proposed conditions being consistent with the adjoining development for residential use, contingent upon annexation of the property into City Limits. The property is described as approximately 0.7183 acres being part of the James McKinney Survey, Abstract No. 770 City of Van Alstyne, Grayson County, Texas, generally located south of Spence Rd, north of Billups Dr, west of Greywood Dr and east of Sanford Cir. *Lee Thomas made a motion to approve the zoning request as presented. Ryan Neal seconded the motion and the motion passed unanimously.*
24. 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 the Holy Trinity Addition, a replat of Lots 5-7 and 12-14, Block A Greywood Heights volume 7, page 87, being 6.3468 acres in the James McKinney Survey, Abstract No. 770. The subject property is generally located on the south side of Spence Rd, west of Greywood Dr, east of Sanford Cir and north of Billups Dr. *Lee Thomas made a motion to approve the replat 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 being described as a replat of Lot 8/9R & 10RR The Hills of Lone Star, Phase 2A/Bear Creek, 13.467 acres being a replat of Lots 8 & 9 of The Hills of Lone Star, Phase 2A/Bear Creek as recorded in Volume 2008, Page 298 and Lot 10R of the Replat of Lot 10R The Hills of Lone Star, Phase 2A/Bear Creek as recorded in Volume 2018, Page 588 of the Collin County Map Records James Hefflefinger Survey, Abstract No. 366, City of Van Alstyne, Collin County, Texas. The subject property is generally located south of Collin County Rd 179 and east of Collin County Rd 176. *Lee Thomas made a motion to approve the replat as presented. Ryan Neal seconded the motion and the motion passed unanimously.*
26. 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 the Greer's Second Addition, Block 16, Lot 1, an addition to the City of Van Alstyne, Texas, recorded as volume 80, page 113 of the deed of records of Grayson County, Texas, James McKinney Survey, Abstract No. 770. The subject property is generally located on the north west corner of Clements Avenue and Knox Street. *David Ritter clarified that the replat will allow two lots to become one. Ryan Neal made a motion to approve the replat as presented. Marla Butler seconded the motion and the motion passed unanimously.*
27. Consider and take any action necessary regarding a request by the owner/agent of approximately 0.201 acres of land for a zoning request to rezone from Single-Family Residential District - 1 (SF-1) to Neighborhood Convenience District (NC) and for a Specific Use Permit (SUP) to allow a "veterinarian clinic (no outside pens)". The property is described as WM GRAHAM ADDN REPLAT OF S150' BLK 7 SOUTHSIDE ADDN, BLOCK 7, LOT 3R, ACRES 0.201, more commonly known as 676 S. Waco St. *Ryan Neal made a motion to deny the requested zone change. Katrina Arsenault seconded the motion and the motion passed with Ryan Neal, Katrina Arsenault and Lee Thomas in favor and Marla Butler opposed.*
28. Consider and take any action necessary regarding a final plat being the Jefferson Place Addition, an addition to the City of Van Alstyne, Grayson County, Texas being a tract situated in the James McKinney Survey, Abstract No. 770 being a total of 0.383 acres more commonly known as 899 E Jefferson St. *Lee Thomas made a motion to approve the proposed plat as presented. Ryan Neal seconded the motion and the motion passed unanimously.*

29. Consider and take any action necessary regarding a final plat being the Fisher Edwards Road Addition, an addition to the City of Van Alstyne Extraterritorial Jurisdiction, Grayson County, Texas being a 3.412 acre tract situated in the Jackamiah Smith Survey, Abstract No. 1100, generally located on the west side of Edwards Rd south of Knob Hill Rd. *Ryan Neal made a motion to approve the proposed plat as presented. Lee Thomas seconded the motion and the motion passed unanimously.*
30. Consider and take any action necessary regarding a final plat being the Kennedy Estates Addition, an addition to the City of Van Alstyne Extraterritorial Jurisdiction, Grayson County, Texas being a 29.618 acre tract situated in the William Creager Survey, Abstract No. 201, generally located north of FM 3133 and east of Martin Duke Rd. *Lee Thomas made a motion to approve the proposed plat as presented. Ryan Neal seconded the motion and the motion passed unanimously.*
31. Consider and take any action necessary regarding Grayson County Thoroughfare Plan revisions. *Len McManus detailed proposed changes. Bill Benton spoke to the very long-range future plan to create good east, west and north, south connectivity. Lee Thomas made a motion to approve the proposed Grayson County Thoroughfare Plan revisions. Ryan Neal seconded the motion and the motion passed unanimously.*
32. Consider and take any action necessary regarding appointment of a Mayor Pro-Tem. *Katrina Arsenault made a motion to appoint Lee Thomas to serve as Mayor Pro Tem. Ryan Neal seconded the motion and the motion passed with Katrina Arsenault, Ryan Neal and Marla Butler in favor and Lee Thomas abstaining.*
33. City Manager's Report. *Robert Jaska detailed the financial dashboard provided to City Council. Lane Jones detailed activities for the prior month.*
34. Mayor and Council Closing Comments. *Mayor and City Council members thanked those in attendance, staff and the community for their input.*
35. Adjournment. *Katrina Arsenault made a motion to adjourn at 9:01pm. Marla Butler seconded the motion and the motion passed unanimously.*

Jim Atchison, Mayor

Jennifer Gould, City Clerk