

CITY OF VAN ALSTYNE

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

**February 8, 2022
6:30 P.M.**

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

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

AGENDA

1. Call to Order. *Mayor Atchison called the meeting to order at 6:33pm.*
2. Invocation. *Recited by Mayor Atchison.*
3. Pledges of Allegiance. *US and Texas.*
4. Citizens Communications. *Sherri Scarborough at 870 Blassingame Ave, Apt 1227 requested the addition of a street light at the corner of Blassingame Ave and N Henry Hynds Expressway (northbound access road).*

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.

5. 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 Hilltop Securities proposed plan of finance.

City Council recessed into executive session at 6:38pm.

City Council reconvened into open session at 7:08pm.

OPEN MEETING

7. Consider and take any action necessary regarding passage of a resolution directing publication of notice of intention to issue combination tax and revenue certificates of obligation; and resolving other matters related to the subject. *Bruce Dawsey made a motion to approve the resolution as presented directing publication of notice of intention to issue combination tax and revenue certificates of obligation; and resolving other matters related to the subject. Katrina Arsenault seconded the motion and the motion passed unanimously.*

PUBLIC HEARINGS / REGULAR AGENDA (NON-CONSENT)

19. Conduct a Public Hearing appealing the decision of the Architectural Review Panel regarding the issuance of a Certificate of Appropriateness for improvements to OTP VAN ALSTYNE ADDN,

BLOCK 5, LOT 13, ACRES .066 more commonly known as 227 E Jefferson St. *The Public Hearing opened at 7:11pm. Kim Uselton detailed the request. City Manager Lane Jones provided history of the request and reason for denial by the Architectural Review Panel. Mayor Atchison made three calls for public comment. There being no additional comments, the hearing closed at 7:13pm.*

20. Consider and take action on an appeal of the decision of the Architectural Review Panel regarding the issuance of a Certificate of Appropriateness for improvements to OTP VAN ALSTYNE ADDN, BLOCK 5, LOT 13, ACRES .066 more commonly known as 227 E Jefferson St. *David Ritter clarified that the tenant is aware that Mrs. Uselton has taken up the request and has authorized her represent them. Mayor Atchison read into record a letter of support from Aaron Schoenfeld, a property owner within 200 feet of the subject property. Katrina Arsenault made a motion to issue the Certificate of Appropriateness as requested. Ryan Neal seconded the motion and the motion passed unanimously.*
21. Conduct a Public Hearing on the proposed annexation of certain property by the City of Van Alstyne, Texas being a tract of land within the extraterritorial jurisdiction (ETJ) of the City of Van Alstyne, Grayson County, Texas, being an approximately 20.00-acre tract of land situated in the WB Blundell Survey, Abstract No. 115, Grayson County, Texas; authorizing and directing the City Planner to publish notice of public hearing; and directing the preparation of a service plan. The subject property is generally located on the east side of Collin McKinney Parkway (formerly Cartwright Road), approximately 1,500 feet south of FM 121 (W. Van Alstyne Parkway). *(Baptist Church Tract Annexation) The Public Hearing opened at 7:18pm. Tom Busch, owner of Cooley Bay Winery expressed concern for property lines as displayed. Mayor Atchison made three calls for public comment. There being no additional comments, the hearing closed at 7:18pm.*
22. Consider and take action on an Ordinance annexing certain property by the City of Van Alstyne, Texas being a tract of land within the extraterritorial jurisdiction (ETJ) of the City of Van Alstyne, Grayson County, Texas, being an approximately 20.00-acre tract of land situated in the WB Blundell Survey, Abstract No. 115, Grayson County, Texas; authorizing and directing the City Planner to publish notice of public hearing; and directing the preparation of a service plan. The subject property is generally located on the east side of Collin McKinney Parkway (formerly Cartwright Road), approximately 1,500 feet south of FM 121 (W. Van Alstyne Parkway). *(Baptist Church Tract Annexation) Marla Butler made a motion to approve the ordinance as presented. Bruce Dawsey seconded the motion and the motion passed unanimously.*
23. Conduct a Public Hearing on the proposed rezoning of a 20.00-acre tract of land following annexation from an A, Agricultural Zoning District to a C-1, Commercial District – Office, Light Retail, and Neighborhood Services Zoning District. The subject property is situated in the W. B. Blundell Survey, Abstract No. 115, Grayson County, Texas, and is generally located on the east side of Collin McKinney Parkway and approximately 1,500 feet south of FM 121 (W. Van Alstyne Parkway). *(Baptist Church Rezoning Request) The Public Hearing opened at 7:22pm. Mayor Atchison made three calls for public comment. There being none, the hearing closed at 7:22pm.*
24. Consider and take action on an Ordinance rezoning a 20.00-acre tract of land following annexation from an A, Agricultural Zoning District to a C-1, Commercial District – Office, Light Retail, and Neighborhood Services Zoning District. The subject property is situated in the W. B. Blundell Survey, Abstract No. 115, Grayson County, Texas, and is generally located on the east side of Collin McKinney Parkway and approximately 1,500 feet south of FM 121 (W. Van Alstyne Parkway). *(Baptist Church Rezoning Request) Discussion was held regarding the possible negative effects on the existing winery on the neighboring property. Bruce Dawsey made a motion to approve the ordinance as presented. Marla Butler seconded the motion and the motion passed unanimously.*

25. Conduct a Public Hearing on the proposed annexation of certain property by the City of Van Alstyne, Texas being a tract of land within the extraterritorial jurisdiction (ETJ) of the City of Van Alstyne, Grayson County, Texas, being an approximately 4.00-acre tract of land situated in the T.J. Paxton Survey, Abstract No. 953, Grayson County, Texas; authorizing and directing the City Planner to publish notice of public hearing; and directing the preparation of a service plan. The subject property is generally located on the north side of FM 121 (W. Van Alstyne Parkway) approximately 700 feet west of Collin McKinney Parkway (formerly Cartwright Road). *(Watson Tract Annexation) The Public Hearing opened at 7:29pm. Mayor Atchison made three calls for public comment. There being none, the hearing closed at 7:29pm.*
26. Consider and take action on an Ordinance annexing certain property by the City of Van Alstyne, Texas being a tract of land within the extraterritorial jurisdiction (ETJ) of the City of Van Alstyne, Grayson County, Texas, being an approximately 4.00-acre tract of land situated in the T.J. Paxton Survey, Abstract No. 953, Grayson County, Texas; authorizing and directing the City Planner to publish notice of public hearing; and directing the preparation of a service plan. The subject property is generally located on the north side of FM 121 (W. Van Alstyne Parkway) approximately 700 feet west of Collin McKinney Parkway (formerly Cartwright Road). *(Watson Tract Annexation) Bruce Dawsey made a motion to approve the ordinance as presented. Ryan Neal seconded the motion and the motion passed unanimously.*
27. Conduct a Public Hearing on the proposed rezoning of a 102.933-acre tract of land from an A, Agricultural Zoning District to a CF, Community Facilities Zoning District. The subject property is situated in the Asbury Cartwright Survey, Abstract No. 251, Grayson County, Texas and is generally located on the west side of Collin McKinney Parkway, approximately 2,000 feet south of FM 121 (W. Van Alstyne Parkway). *(High School Tract Rezoning Request) The Public Hearing opened at 7:31pm. VAISD Superintendent Dr. David Brown advised that the proposed zoning would allow for flexibility as the campus is built out. Mayor Atchison made three calls for public comment. There being no additional comments, the hearing closed at 7:32pm.*
28. Consider and take action on an Ordinance rezoning a 102.933-acre tract of land from an A, Agricultural Zoning District to a CF, Community Facilities Zoning District. The subject property is situated in the Asbury Cartwright Survey, Abstract No. 251, Grayson County, Texas and is generally located on the west side of Collin McKinney Parkway, approximately 2,000 feet south of FM 121 (W. Van Alstyne Parkway). *(High School Tract Rezoning Request) Katrina Arsenault made a motion to approve the ordinance as presented. Marla Butler seconded the motion and the motion passed unanimously.*
29. Conduct a Public Hearing on a proposed text amendment to Chapter 46, "Zoning," Article II, "Zoning Districts and Regulations," Division 2, "Current Residential Districts" by adding a new section, Section 46-75, "General Multi-Family Design Regulations and by renaming Section 46-76, "Reserved" as "General Non-Residential Design Regulations." *(Zoning Ordinance Text Amendment: Multi-Family Design Standards) The Public Hearing opened at 7:35pm. Interim Planner Brooks Wilson provided a summary of proposed changes. Mayor Atchison made three calls for public comment. There being no additional comments, the hearing closed at 7:36pm.*
30. Consider and take action on an Ordinance amending Chapter 46, "Zoning," Article II, "Zoning Districts and Regulations," Division 2, "Current Residential Districts" by adding a new section, Section 46-75, "General Multi-Family Design Regulations and by renaming Section 46-76, "Reserved" as "General Non-Residential Design Regulations." *(Zoning Ordinance Text Amendment: Multi-Family Design Standards) Ryan Neal made a motion to approve the ordinance as presented. Marla Butler seconded the motion and the motion passed unanimously.*
31. City Manager's Report. *Lane Jones provided detail regarding development negotiations and advised of the April 7th ribbon cutting for the Central Social District Park.*

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.

8. Approval of minutes from the January 11, 2022 special called and regular meetings.
9. Acceptance of fiscal year 2022 quarter 1 Public Funds Investment Report.
10. Approval of an Ordinance ordering the May 7, 2022 General Election.
13. Approval of an Ordinance amending Van Alstyne Code of Ordinances Chapter 42-82 prohibiting parking on South Industrial Parkway.
14. Approval of an Ordinance amending Van Alstyne Code of Ordinances Chapter 42-54 adding a school zone to Caruth Drive.

Katrina Arsenault made a motion to approve items 8, 9, 10, 13 and 14 listed on the consent agenda. Marla Butler seconded the motion and the motion passed unanimously

PUBLIC HEARINGS / REGULAR AGENDA (NON-CONSENT)

11. Approval of Work Authorization no. 3 with Pacheco Koch Consulting Engineers, Inc. involving design services for the Downtown Street Renovation Project. *City Manager Lane Jones clarified the project and funding source. Ryan Neal made a motion to approve the Work Authorization as presented. Bruce Dawsey seconded the motion and the motion passed unanimously.*
12. Approval of Supplemental Agreement no. 1 with Pacheco Koch Consulting Engineers, Inc. involving survey and design services for the Downtown Street Renovation Project. *Ryan Neal made a motion to approve the Supplemental Agreement as presented. Katrina Arsenault seconded the motion and the motion passed unanimously.*
15. Approval of an Ordinance amending Van Alstyne Code of Ordinances Section 2-183 regarding miscellaneous utility related fees. *Ryan Neal made a motion to approve the Supplemental Agreement as presented. Bruce Dawsey seconded the motion and the motion passed unanimously.*
16. Approval of an Ordinance amending Van Alstyne Code of Ordinances Section 44-168 regarding sewer service connections and Section 44-259 regarding reconnection after disconnection. *Ryan Neal made a motion to consider the amendments separately. Katrina Arsenault seconded the motion and the motion passed unanimously. Ryan Neal made a motion to approve the amendment to Section 44-168. Katrina Arsenault seconded the motion and the motion passed with Ryan Neal, Katrina Arsenault and Bruce Dawsey in favor and Marla Butler opposed. Ryan Neal made a motion to table action on Section 44-259. Bruce Dawsey seconded the motion and the motion passed unanimously.*
17. Approval of an Ordinance amending Ordinance No. 924 amending the City of Van Alstyne Fiscal Year 2022 Budget. *Ryan Neal made a motion to approve the ordinance as presented. Marla Butler seconded the motion and the motion passed unanimously.*
18. Approval of a site plan to approve four (4) new buildings, parking, landscaping, and fire lanes for The Brooks Phase 2, a 4.50-acre tract of land situated in the James McKinney Survey, Abstract No. 770, Grayson County, Texas. The site is generally located on the south side of Blassingame Avenue and on the east side of future Longbow Drive. *(The Brooks Phase 2 Site Plan) Ryan Neal made a motion to approve the site plan as presented. Bruce Dawsey seconded the motion and the motion passed unanimously.*

32. Mayor and Council Closing Comments. *Mayor Atchison advised of the Charter Commission meeting followed by a City Council meeting scheduled for February 10th.*

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.

5. 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:

- (b) Texas Gov't Code Section 551.074 [Personnel Matters] regarding the appointment, employment, evaluation or duties of a public officer or employee: City Manager.

City Council recessed into executive session at 8:18pm.

City Council reconvened into open session at 9:09pm.

OPEN MEETING

6. Consider and take any action necessary regarding Executive Session items. *Marla Butler made a motion to approve the draft first amendment employment agreement as discussed in executive session. Katrina Arsenault seconded the motion and the motion passed with Marla Butler, Katrina Arsenault and Bruce Dawsey in favor and Ryan Neal opposed.*

PUBLIC HEARINGS / REGULAR AGENDA (NON-CONSENT)

33. Adjournment. *Bruce Dawsey made a motion to adjourn the meeting at 9:15pm. Katrina Arsenault seconded the motion and the motion passed unanimously.*

Jim Atchison, Mayor

Jennifer Gould, City Clerk