

CITY OF VAN ALSTYNE

MINUTES

City Council Meeting

Van Alstyne Community Center
262 N. Preston Ave

Tuesday, October 9, 2012

6:30 P.M.

Members present: Mayor Kim DeMasters, Jim Smith, Billy Plake, John Jennings and Kaaren Teuber.

Staff present: Frank Baker, Jennifer Gould, Tim Barnes, Landon Smith, Tracy Luscombe and Adam Lambert.

AGENDA.

1. Call to Order. Mayor DeMasters called the meeting to order at 6:32pm.
2. Invocation.
3. Pledges of Allegiance. (*US and Texas*)
4. Citizens Communications. Van Alstyne Chamber of Commerce President, Cheryl Snider addressed Council to put in a good word for Frank Baker as a City Manager candidate stating he has been a great help in the planning of the Great Big Van Alstyne Fall Der All and he cares about the City.

PUBLIC HEARINGS.

5. None.

CONSENT AGENDA.

6. Approval of minutes from the September 5 and 17, 2012 special called, September 5 and 17, 2012 work session and September 11, 2012 regular meeting. John Jennings requested to change the motion in sentence three of Item number eighteen on the September 11, 2012 agenda to read "Kaaren Teuber seconded the motion with John Jennings, Kaaren Teuber and Billy Plake in favor and Jim Smith abstaining." Jim Smith made a motion to accept the minutes as presented with the amendments discussed. John Jennings seconded the motion and the motion passed unanimously.

REGULAR AGENDA (NON-CONSENT).

7. Hear presentation from Noble Resources regarding mosquito mitigation. A representative from Noble Resources addressed Council regarding mosquito mitigation. He advised the chemical used is Perm-x ul 30-30 adding that it is effective, non-hazardous to the environment and made in the USA. John Jennings asked if the chemical is instant kill and the length of kill time to which the representative advised it is instant kill with a kill time of twenty minutes. Kaaren Teuber provided information in support of a more organic approach to mosquito mitigation.

8. Consider and take any action necessary regarding authorization of final payment of \$70,436.40 to W. Brown Enterprises INC., to close out the cities construction contract for the Pearl Street Sanitary Sewer Replacement BID # WA 12-02, and authorize the City Manager to execute the same. Len McManus with Bury+Partners Engineers advised the Pearl Street project is complete. Mr. Jennings asked if close out documents have been provided to which Mr. McManus advised the price is based on finishout adding that a maintenance and warranty bond were provided as well as final inspection conducted. Mr. Jennings also asked if payments were made during the course of the project to which Mr. McManus advised no payments had been made. Jim Smith asked about the project pricing as it was originally a \$55,000.00 project to which Mr. McManus advised the extension was needed due to the excessive rock that had to be excavated. Jim Smith made a motion to authorize final payment of \$70,436.40 to W. Brown Enterprises INC., to close out the City's construction contract for the Pearl Street Sanitary Sewer Replacement BID # WA 12-02, an authorize the City Manager to execute the same. Billy Plake seconded the motion and the motion passed unanimously.
9. Consider and take any action necessary regarding authorizing the Mayor to sign a resolution declaring the *Van Alstyne Leader* the paper of record. Jim Smith made a motion to authorize the Mayor to sign a resolution declaring the *Van Alstyne Leader* the paper of record for the City. John Jennings seconded the motion and the motion passed unanimously.
10. Consider and take any action necessary regarding authorizing the Mayor to sign a resolution declaring January 2013 amnesty month for materials more than 30 days past their due date. Tracy Luscombe addressed Council regarding an amnesty month saying it would prevent having to purchase materials again. Mayor DeMasters asked how the late penalty impacts membership to which Mrs. Luscombe advised patrons are not allowed to check out new material until all penalties are paid. Billy Plake asked what efforts staff take to attempt to regain the material to which Mrs. Luscombe advised letters are mailed out to patrons who do not return material. John Jennings asked questions regarding the value of the unreturned materials. Mrs. Luscombe advised she does not have a cost. Mr. Jennings said he would be interested to see, after amnesty is offered, the value of lost materials, what was returned and the cost to replace the materials not returned. John Jennings made a motion to authorize the Mayor to sign a resolution declaring January 2013 amnesty month for materials more than 30 days past their due date. Kaaren Teuber seconded the motion and the motion passed unanimously.
11. Consider and take any action necessary regarding authorizing the Mayor to sign a resolution appointing an elected official as the small cities representative to the Sherman-Denison Metropolitan Planning Organization Policy Board. John Jennings made a motion to authorize the Mayor to sign a resolution appointing herself to the Sherman-Denison Metropolitan Planning Organization Policy Board. Kaaren Teuber seconded the motion and the motion passed unanimously.
12. Consider and take any action necessary regarding approval of an Ordinance repealing Ordinance 504 and providing for "No Parking" regulations on Newport Drive. Chief of Police, Tim Barnes addressed Council and advised the ISD had approached City staff and requested "No Parking" regulations on Newport Drive to help the flow of traffic and allow for a more clear point of access for emergency vehicles. Van Alstyne ISD Superintendent, Dr. John Spies advised that the ISD finds "no parking" regulations necessary during special events at the Elementary School as parking on both the north and south side of Newport Drive does not allow enough room for emergency response vehicles. The restriction of left turns onto Caruth from Newport Drive is of concern during the afternoon

pick up. Jim Smith expressed a concern for restricting parking on the south side of Newport Drive as duplexes are being constructed on the south west corner of Newport Drive and S Waco Street. Mr. Smith added that this change is good as a quick fix but as Georgetown continues to develop Caruth should become the feeder rather than Newport Drive. Billy Plake made a motion to approve the ordinance as presented. John Jennings seconded the motion and the motion passed unanimously.

13. Consider and take any action necessary regarding approval of an Ordinance designating placement of a “no left turn” sign within the city limits. Kaaren Teuber made a motion to pass the ordinance deleting “7:00am – 8:30am” and changing the afternoon “no left turn” time to “2:30pm – 3:30pm” on “School Days Only”. John Jennings seconded the motion and the motion passed with Kaaren Teuber, John Jennings and Jim Smith in favor and Billy Plake opposed.
14. Consider and take any action necessary regarding approval of an Ordinance amending Ordinance 643 and repealing Ordinance 671, Section 4 as it relates to water rates for fire sprinkler systems. Frank Baker spoke to the need for the change in rates as it relates to meters that service fire sprinkler systems. Mr. Baker added that the fire meters were not identified in the budget planning therefore this change will not affect the expected revenue projections. Jim Smith made a motion to approve the ordinance as presented. Billy Plake seconded the motion and the motion passed unanimously.

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.

15. All items below for CONSIDERATION/ACTION:

- A. Recess into closed session pursuant to Chapter 551, Texas Government Code for: Deliberation regarding the review of potential candidates for the position of City Manager under Texas Government Code Section 551.074(a)(1), Personnel Matters.

Council recessed into closed session at 8:02pm.

OPEN MEETING.

16. Reconvene into Regular Session and discuss any item and/or take any action necessary as a result of the Closed Session.

Council reconvened into regular session at 10:46pm.

- A. Deliberation regarding the hiring of a City Manager under Texas Government Code Section 551.074, Personnel Matters. No action taken.

17. Departmental Reports.

Jennifer Gould advised Council that staff will be accepting applications for the Permit/Customer Service Clerk until October 12, 2012 and hope to fill the position shortly after this date.

18. City Manager’s Report.

Mr. Baker advised Council that staff will be accepting applications for the position of Public Works Director until filled. He added that Adam Lambert is currently directing staff in the Department.

19. Mayor and Council Closing Comments.

Mayor DeMasters thanked Kanita Larkins for her work with the Economic and Community Development Corporations.

Pursuant to Section 551.0415 of the Texas Government Code, the City Council may report on the following items: 1) expression of thanks, congratulation or condolences, 2) information about holiday schedules, 3) recognition of individual, 4) reminders about upcoming city events, 5) information about community events and 6) announcements involving an imminent threat to public health and safety.

20. Adjournment. Jim Smith made a motion to adjourn the meeting at 10:50pm. Billy Plake seconded the motion and the motion passed unanimously.

Kim DeMasters, Mayor

ATTEST:

Jennifer Gould, City Clerk