

CITY OF VAN ALSTYNE

MINUTES

City Council Meeting

Van Alstyne Community Center
262 N. Preston Ave

**Tuesday, April 9, 2013
6:30 P.M.**

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

Staff present: Frank Baker, Julie Fort, Jennifer Gould, Tim Barnes, Landon Smith, Steve White and Tracy Luscombe.

AGENDA.

1. Call to Order. Mayor DeMasters called the meeting to order at 6:30pm.
2. Invocation.
3. Pledges of Allegiance. *(US and Texas)*
4. Citizens Communications. Grant Poth addressed Council seeking to find out who developed the Greywood subdivision and who is responsible for signage on the highway 75 access roads. Mayor DeMasters advised Mr. Poth to seek answers at City Hall.

PUBLIC HEARINGS.

5. Conduct a Public Hearing regarding a request by the owner/agent of the property situated in the City of Van Alstyne, County of Grayson, State of Texas, being described as Divisions Van Alstyne, Block 4, Lot 210X185 of SD 3 for a zone change from SF- 1 (Single Family 1) to TF (Two Family Residential (Duplex)). Mayor DeMasters opened the Public Hearing at 6:37pm and read into record a letter sent by Charles Harden with comments against the zone change. The owner/agent of the property in question, Linda Morgan provided Council with pictures of the concept as well as information regarding where the structure will sit on the property as well as parking. Jim Smith asked if a residence was located on the lot in the past and if Mrs. Morgan had the intention to do more building on the property to which Mrs. Morgan advised she is not aware of a residence being on the property in the past. She added that she has no intention to do more building on the property. When asked if there is room for additional building Mrs. Morgan answered yes. Mr. and Mrs. David Barr, Zach Herring, Pam Dawson and John Garrett all provided comments against the zone change. There being no further comments the Public Hearing was closed at 7:09pm.

CONSENT AGENDA.

6. Approval of minutes from March 12, 2013 regular meeting. Kaaren Teuber requested adding that Mayor DeMasters left the meeting early and Mayor Pro-Tem Plake adjourned the meeting. Item number eleven the word “work” needs to be replaced with “word”. Jim Smith made a motion to approve the minutes with the requested changes. Billy Plake seconded the motion and the motion passed unanimously.

REGULAR AGENDA (NON-CONSENT).

7. Consider and take any action necessary regarding a request by the owner/agent of the property situated in the City of Van Alstyne, County of Grayson, State of Texas, being described as Divisions Van Alstyne, Block 4, Lot 210X185 of SD 3 for a zone change from SF- 1 (Single Family 1) to TF (Two Family Residential (Duplex)). Jim Smith asked if staff had a recommendation to which City Manager Baker advised the Planning and Zoning Commission is the advisory board to Council and the recommendation was to approve the zone change request. Mr. Baker added he would recommend continuing with the Single Family zoning. Jim Smith made a motion to deny the zone change request as the purpose of the Council is to represent the citizens and there are too many variables regarding further development. Kaaren Teuber seconded the motion and the motion passed unanimously.
8. Presentation of proclamation for Motorcycle Safety Month 2013. Mayor DeMasters presented the proclamation for Motorcycle Safety Month 2013 to Jeff Henzler and accompanying motorcyclists and declared the month of May 2013 Motorcycle Safety Month in the City of Van Alstyne.
9. Consider and take any action necessary regarding the 2011-2012 Fiscal Year Audit. Susan LaFollett of LaFollett and Company PLLC addressed Council with the 2011 – 2012 audit and presentation. Mrs. LaFollett stated that the unqualified audit opinion is clean. Jim Smith asked for an explanation of the funds 98 and 99. Mrs. LaFollett advised that fund 98 is the General Fixed Asset Account Group to account for the capital assets of governmental activities. Fund 99 is to account for long term debt. Mr. Smith asked if these funds offer more transparency to which Mrs. LaFollett answered that it is an accounting method that does away with “off the general ledger” accounting. Additional discussion was held regarding a transfer of funds from the Police Seizure Cleared Fund to the General Fund. Kaaren Teuber asked if the audit would be provided on the City website to which Mrs. LaFollett advised staff plans to provide it online once approved. Mr. Smith asked if the check register can be placed on the City’s website as well, to which Ms. Gould advised staff is researching Texas Transparency and will be implementing their suggestions. Mr. Baker advised the check register will be online within 30 days. John Jennings asked Mrs. LaFollett if she is of the opinion that the City’s current administration is doing a competent job. Mrs. LaFollett advised staff is certainly competent adding that staff was proactive in addressing inherited issues. Jim Smith made a motion to approve the 2011 – 2012 Fiscal Year Audit. John Jennings seconded the motion and the motion passed unanimously.
10. Consider and take any action necessary regarding awarding a depository agreement. Frank Baker addressed Council regarding awarding a depository agreement and provided a recommendation to award to Independent Bank as the interest rate offered is 0.10% greater as well as the ACH transfer time is later which is helpful for staff. John Jennings asked for an explanation in the CRA rating to which Mr. Baker advised it is the Community rating.

Nathan Petri added the acronym represents Community Reinvestment Act rating to show that the financial institution is investing in its community. Mr. Jennings asked if Landmark Bank has the majority of the City's loans to which Mr. Baker answered yes adding that Landmark Bank has been a great partner. Kaaren Teuber asked for the staff recommendation to be repeated. Mr. Baker advised the staff recommendation is to award to Independent Bank. Mr. Baker stated his personal funds are at Independent Bank advising this has no bearing on his recommendation. Sam Henry and Nathan Petri addressed Council regarding Landmarks community involvement. Mr. Smith asked if the loans with Landmark Bank were awarded competitively to which Tom Smith with Independent Bank stated he does not recall receiving bid sheets. Billy Plake made a motion to award the depository agreement to Independent Bank. John Jennings seconded the motion and the motion passed unanimously.

11. Discussion regarding the Van Alstyne City Museum structural review. Teddie Ann Salmon addressed Council to present and discuss the structural assessment of the City Museum. Mrs. Salmon advised that the entire north east corner of the structure is badly deteriorated and the issue is caused by drainage and runoff from the structure to the east of the museum. Mrs. Salmon stated she would like the City to require the neighboring structure to add drainage. Mayor DeMasters stated that staff has talked to the owner of the neighboring structure and he is willing to repair and is currently seeking bids. Mr. Baker added that the City cannot require the drainage be added but will work with the building's owner to get the drainage issue corrected. John Jennings asked who paid for the review to which Mrs. Salmon answered that CDC paid for the review. Mr. Jennings advised that the assessment is inconclusive and because of this it is not preferred that any work be done. Mr. Jennings added that a more extensive structural assessment is needed.
12. Consider and take any action necessary regarding amendments to the utility payment extension policy. Ms. Gould addressed Council regarding the amendments to the policy requested by Council at the previous meeting. Kaaren Teuber made a motion to approve the amended utility payment extension policy. John seconded the motion and the motion passed unanimously.
13. Consider and take any action necessary regarding reallocation of funds in the Van Alstyne Community Development Corporation budget to allow for additional expenses incurred on the North Park project. Kanita Larkins addressed Council regarding the needed amendment. Mrs. Larkins was advised that Council approval is not needed. No action taken.
14. Consider and take any action necessary regarding appointments to the Van Alstyne Economic Development Corporation Board of Directors. Mayor DeMasters advised Council that the EDC Board recommends appointment of Kaaren Teuber as a permanent member of the Board. John Jennings made a motion to appoint Kaaren Teuber to the Economic Development Corporation Board of Directors. Billy Plake seconded the motion and the motion passed with John Jennings, Billy Plake and Jim Smith in favor and Kaaren Teuber abstaining.
15. Consider and take any action necessary regarding appointing the Election Judge and Alternate Judge and designating the Election Judge, Alternate Judge and workers as the Early Voting Ballot Board for the May 11, 2013 General and Special Election. Ms. Gould advised Council of the requirement to appoint the Election Judge, Alternate Judge and Early Voting Ballot Board. Staff recommended appointment of Vicky Cupit as Election Judge, Donna Hill as Alternate Election Judge and the election workers to include Jayme Jackson and Karen Small as the Early Voting Ballot Board. Kaaren Teuber made a motion

to appoint those named as recommended. 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.

OPEN MEETING.

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.

16. Departmental Reports. Jennifer Gould advised Council and citizens that tabulation and training on the electronic voting machines will take place at City Hall Wednesday, April 10, 2013 at 2:00pm and invited all interested to attend. Tracy Luscombe advised Council and citizens of several events at the Library as well as a survey on the Library's website regarding events to be hosted in the future.
17. City Manager's Report. City Manager Baker advised Council and citizens of the issue of animal control adding that the City does not have a certified officer nor trained staff, equipment or anyone with proper immunizations to handle animal control calls. Staff has been in talks with Grayson County to assist in offering animal control services but the staff at the County level was recently downsized. Mr. Baker asked citizens to please bear with staff in service requests as they are working on the issue.
18. Mayor and Council Closing Comments. Billy Plake invited those running to introduce themselves. Melvin Barker, Teddie Ann Salmon and Timmerle Kelly made an introduction. John Jennings stated that the City has been through many challenges and at this meeting it was made clear that the City has a good team in place and thanked Mr. Baker and staff. Kaaren Teuber had a question regarding a trash day at the City yard hosted Saturday, April 6, 2013. Mr. Baker advised that the TCOG hosted a household hazardous waste on April 6, 2013 at their facility. It was not a City event. Mrs. Teuber asked if the City is going to provide more information on the Special Election. Mr. Jennings advised he will be meeting with the Van Alstyne Leader to provide additional information to the public. Jim Smith expressed concern regarding City Hall closing during the lunch hour and asked that staff consider remaining open. Mr. Smith also inquired about the position of Fire Chief asking if Landon Smith is still Interim to which Mr. Baker advised Landon Smith is still Interim Fire Chief and he plans to conduct personnel evaluations and make a determination on the position. Mayor DeMasters thanked those in attendance.
19. Adjournment. John Jennings made a motion to adjourn at 9:05pm. Billy Plake seconded the motion and the motion passed unanimously.

Teddie Ann Salmon, Mayor

ATTEST:

Jennifer Gould, City Clerk

