

**CITY OF VAN ALSTYNE**

**MINUTES**

**City Council Meeting**

Van Alstyne Community Center  
262 N. Preston Ave

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

Members present: Mayor Teddie Ann Salmon, John Jennings, Billy Plake, Russell Moore, Kaaren Teuber and Jim Smith.

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

**AGENDA.**

1. Call to Order. Mayor Salmon called the meeting to order at 6:33pm.
2. Invocation. Recited by Dr. John Stewart, Pastor of the First Christian Church, Van Alstyne.
3. Pledges of Allegiance. (*US and Texas*)
4. Citizens Communications. None.

**PUBLIC HEARINGS.**

5. Conduct a Public Hearing regarding the 2012 Annual Drinking Water Quality Report. Mayor Salmon opened the public hearing at 6:36pm. Steve White provided a brief explanation for the 2012 Annual Drinking Water Quality Report. There being no further comments the public hearing was closed at 6:38pm.

**CONSENT AGENDA.**

6. Approval of minutes from the June 11, 2013 regular meeting. Kaaren Teuber suggested rephrasing a sentence six lines from the bottom of page 2 to say "owners' initiate repairs". Jim Smith made a motion to approve the minutes with the noted corrections. Billy Plake seconded the motion and the motion passed unanimously.

**REGULAR AGENDA (NON-CONSENT).**

7. Discussion pursuant to an agenda request regarding property tax. Grant Poth addressed Council with the concern of increased property tax and how the funds are spent. Mayor Salmon advised that appraisal of the property affects the amount due and that the tax rate is set by Council according to the amount of money needed to continue operations. Mr. Poth expressed concern with the property value increase to which Frank Baker advised appraisals are handled by the Grayson County Appraisal District he would need to visit with them to consider contesting the value. Billy Plake and Mayor Salmon advised Mr. Poth of the process of filing a value discrepancy with the Appraisal District.
8. Presentation of Library patron survey. Tracy Luscombe presented Council with the results of the Library patron survey.

9. Consider and take any action necessary regarding an ordinance amending Ordinance No. 481 as it relates to property maintenance. Chief Barnes addressed Council regarding the added language to address who is responsible for maintenance of easements as well as language to exempt agricultural property from the requirement to limit the height of growth. Russell Moore asked for clarification on the responsibility of easements to which Chief Barnes advised the amendment will allow homeowners to take care of adjacent easement property. Billy Plake asked for an explanation of the agricultural property and the exemption to which Chief Barnes advised the exemption would apply to properties of ten or more acres that remove hay or crop. Mr. Plake asked who maintains the right-of-way between the hay or crop and roadway and who would be responsible for maintenance to which Chief Barnes advised the property owner would be responsible for maintenance. Jim Smith asked who has maintained the property at the corner of Jefferson and Dallas to which Chief Barnes advised once it was determined that the language giving responsibility to the adjacent property owner was deemed necessary the City removed the unsightly growth. Discussion was held regarding the responsibility to maintain the large drainage ditch running behind Jack in the Box. Mr. Smith inquired as to the length of the notification process to which Chief Barnes advised of the procedures taken. Julie Fort advised the process can take up to one month. Kaaren Teuber provided a correction in Section 3 removing the duplication of “the repeal” and asked for clarification on Section 4 regarding responsibility of property at the curb or roadway edge if a curb does not exist. Mrs. Fort advised that the section clarifies the responsibility of the property owner is up to the curb or to the edge of the road surface whichever is applicable. Ms. Teuber clarified that grass growing in the street is not the responsibility of the property owner. Mr. Moore clarified that the agricultural exemption does not exempt the property owner from maintaining the grass between the agricultural growth and the roadway. Mr. Smith thanked Steve White for spraying growth in the cracks and at the curbs of property downtown to which Mr. White advised it is detrimental to the roadways, sidewalks and infrastructure to allow the growth. John Jennings advised he believes if a property owners grass grows over into the roadway it should be the responsibility of the property owner to which Mrs. Fort advised if the root of what is growing is on the property it would be the responsibility of the property owner. If the root is in the roadway it would not be the property owners’ responsibility. Billy Plake made a motion to approve the amending ordinance as presented. Russell Moore seconded the motion and the motion passed unanimously.
  
10. Consider and take any action necessary regarding an amendment to the Interlocal Agreement for the Grayson County Multi-Jurisdictional Emergency Notification System. Chief Barnes addressed Council regarding the benefit of the CodeRed program for not only weather warnings but for Silver Alerts adding that the City has used it several times. Mayor Salmon advised the program is free and is very beneficial in a weather emergency. Ms. Teuber asked when the City last informed the citizenry of the ability to sign up to which Chief Barnes advised every year when storm season arrives it is discussed in the Van Alstyne Leader. Mr. Plake questioned the cost sheet provided to Council previously to which Jennifer Gould advised the cost is currently covered by a grant therefore there is no fee to the City. Billy Plake made a motion to approve the amendment to the Interlocal Agreement for the Grayson County Multi-Jurisdictional Emergency Notification System. Kaaren Teuber seconded the motion and the motion passed unanimously.

11. Departmental Reports. Tracy Luscombe invited everyone to visit the Library. Mayor Salmon added that anyone interested should join the Teen Council Wednesdays at 4:00pm. Chief Barnes advised Council of the status of the manhunt having taken place a few weeks prior. The suspect was apprehended and the weapon recovered with a full confession. Steve White advised Council of the continuation of pothole patching and preparation of six roads for repair.
12. City Manager's Report. Frank Baker advised Council of the status of the truck route. Mr. Baker has attempted communication with TxDot engineers however with promotions there is currently no engineer on staff in the Sherman office. The new engineer should be taking office in Sherman shortly. Mr. Baker thanked Laura Dapkus, Kim Uselton, Kelly Moore, Barbie Griffin, Vicky Cupit, Chief Barnes, Chief Smith, Kanita Larkins and Jennifer Gould for work on the 4<sup>th</sup> of July committee.
13. Mayor and Council Closing Comments. Kaaren Teuber expressed concern regarding the railroad cars on Main Street as they are a hazard or an eyesore as they do not improve or enhance the City's appearance. Ms. Teuber also asked for an update on the Museum roof. Mr. Baker advised the Museum roof was patched when the two large scuppers were installed on the front of the roof. Ms. Teuber asked if this has solved the problem with all of the water drainage onto the roof as three different roofs flow onto the Museum. Mr. Baker advised this is a pre-existing issue as the buildings have always drained this way according to the engineers' assessment. Council may consult with legal counsel to possibly go after the other property owners to correct. Mayor Salmon advised the drainage pipe coming off of the ex-American Legion building is not connected. The buildings south and west drain onto the Museum roof. The drainage pipe installed does not extend over the canopy because it needs to be assessed as the overhang is rotting. Billy Plake asked if members of Council could get together and visit the Museum and look at the issues to which Mayor Salmon advised paperwork has already been submitted to show what work needs to be done there. Russell Moore thanked all involved in the 4<sup>th</sup> of July celebration as he has had many people tell him this was one of the best programs in recent memory adding it was a great success and a great venture between the school district and the City. Mr. Moore discussed the Museum advising going after property owners who purchased the buildings which were constructed many years ago is not the answer suggesting it may be necessary to involve architects and engineers to help fix the very complicated issue. John Jennings thanked staff for allowing him to participate via Skype. Mr. Jennings added that the City needs to think long and hard on the issues at the Museum as it is not something the City can jump into quickly. Mayor Salmon thanked all volunteers of the 4<sup>th</sup> of July celebration and especially the support of the sponsors.

*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.*

#### 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.*

Council convened into executive session at 7:42pm.

14. All items below for Executive Session:
  - a. Convene into executive session pursuant to Section 551.087(1) and (2) [Economic Development Negotiations] to discuss Project Armadillo.

- b. Convene into executive session pursuant to Section 551.074 [Personnel Matters] for evaluation of the City Manager.

OPEN MEETING.

Council reconvened into open session at 9:00pm.

15. Adjournment. Billy Plake made a motion to adjourn the meeting at 9:05pm. Kaaren Teuber seconded the motion and the motion passed unanimously.

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Teddie Ann Salmon, Mayor

ATTEST:

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Jennifer Gould, City Clerk