

CITY OF VAN ALSTYNE

MINUTES

City Council Meeting

Grayson College South Campus
1455 W Van Alstyne Pkwy

**Tuesday, May 13, 2014
6:30 P.M.**

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

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

AGENDA.

1. Call to Order. Mayor Salmon called the meeting to order at 6:30pm.
2. Invocation. Recited by Shannon Jackson of the Van Alstyne Church of Christ.
3. Pledges of Allegiance. (*U.S. and Texas*)
4. Citizens Communications. None.

PUBLIC HEARINGS.

5. Conduct a Public Hearing regarding a request by the City of Van Alstyne to amend Ordinance No. 538 (adopted in 2003) Planned Development District No. 3 that zoned property situated in the County of Grayson, State of Texas, and being a part of the Ashley McKinney Survey, Abstract No. 851, and being approximately 126.32 acres and described as 3 Tracts in Ordinance No. 538; being commonly known as Georgetown Heights, Georgetown Meadows and Georgetown Trails and being more particularly known as all of that tract of land described as Tract One in a Warranty Deed from John K. Hynds to Hynds Acres, Ltd. as recorded in Volume 3006, Page 863 of the Deed Records of Grayson County, Texas and being part of that tract of land described as Tract Two in the above cited Warranty Deed recorded in Volume 3006, Page 863 of the Deed Records of Grayson County, Texas, and being part of that tract of land described in a Warranty Deed from Linda Cullum Griffin, et al to Van Alstyne Partners, Ltd. as recorded in Volume 2558, Page 316 of the Deed Records of Grayson County, Texas to amend the fencing requirements within the zoning classification of Planned Development District No. 3 as established by Ordinance No. 538. Mayor Salmon opened the Public Hearing at 6:33pm. There being no comments from the public the hearing was closed at 6:34pm.
6. Conduct a Public Hearing regarding amending the land use assumptions, capital improvement plan and impact fees ordinance. Mayor Salmon opened the Public Hearing at 6:35pm. A citizen asked what the proposed change in fencing is to which Mr. Baker advised the change will require three feet of space between fences should a homeowner choose not to work with neighbors to connect to the existing fence structures to allow for

shared fencing. There being no further comments from the public the hearing was closed at 6:38pm.

CONSENT AGENDA.

7. Approval of minutes from the April 08, 2014 regular meeting. Billy Plake made a motion to approve minutes as presented. Robert Jaska seconded the motion and the motion passed unanimously.

REGULAR AGENDA (NON-CONSENT).

8. Consider and take any action necessary regarding a request by the owner/agent Arnold Clark Jr. and Mary Elaine Clark to plat the Clark Addition being 9.33 acres in the N.H. Haney Survey, Abstract No. 431, Collin County, Texas located on Bent Trail. Sam Luscombe of JE Smith Survey Firm addressed Council regarding the requested plat advising that the property is located off of County Road 373 in Collin County and is included in the City's ETJ. Russell Moore asked why the owner is interested in subdividing to which Mr. Luscombe answered that there is too much land for them to maintain and selling a portion would be financially beneficial. Billy Plake made a motion to approve the request to plat the Clark Addition. Russell Moore seconded the motion and the motion passed unanimously.
9. Hear presentation from Kenneth Mannka of the Dallas, Garland and Northeastern Railroad, Inc and Texas Northeastern Railroad regarding railroad crossings. Kenneth Mannka addressed Council regarding the need for the current railroad crossing closures in the City. Rail traffic is increasing in an effort to reduce highway traffic. Trains will be heavier, quieter, faster and longer which introduces a greater hazard to vehicles. Jim Smith asked for a cost estimate to install a crossing to which Mr. Mannka advised approximately \$150,000.00. Mr. Smith asked what caused the sudden closures to which Mr. Mannka advised he had received several calls of vehicles being stuck on the tracks at crossings in one week. He came to Van Alstyne to evaluate the tracks and determined that several crossings needed to be closed as they present a great danger. Mr. Mannka also advised that better maintenance of the approaches would not have reduced the likelihood of the closures as Van Alstyne has too many crossings, seven in eight tenths of a mile. Kaaren Teuber asked why the closures were done so suddenly to which Mr. Mannka advised the dangerous crossings were discovered and closed quickly to mitigate any further damage or hazard to vehicular traffic. Ms. Teuber asked if consideration was given to those in the area of town known as poor hill, residents may not have the means to travel longer distances as well as the safety provided to citizens to prevent derailing. Mr. Mannka advised that improvements to rail lines, regular inspections and closure of unsafe crossings will provide additional safety precautions. Open crossings also increase the risk and liability to the Railroad and the City. Discussion was held regarding the danger of the FM 121 crossing as there is very limited visibility. Mayor Salmon expressed concern for the crossing at FM 121 as well as the Spence Rd crossing.
10. Consider and take any action necessary regarding a request by the City of Van Alstyne to amend Ordinance No. 538 (adopted in 2003) Planned Development District No. 3 that zoned property situated in the County of Grayson, State of Texas, and being a part of the Ashley McKinney Survey, Abstract No. 851, and being approximately 126.32 acres and described as 3 Tracts in Ordinance No. 538; being commonly known as Georgetown Heights, Georgetown Meadows and Georgetown Trails and being more particularly known as all of that tract of land described as Tract One in a Warranty Deed from John K. Hynds

to Hynds Acres, Ltd. as recorded in Volume 3006, Page 863 of the Deed Records of Grayson County, Texas and being part of that tract of land described as Tract Two in the above cited Warranty Deed recorded in Volume 3006, Page 863 of the Deed Records of Grayson County, Texas, and being part of that tract of land described in a Warranty Deed from Linda Cullum Griffin, et al to Van Alstyne Partners, Ltd. as recorded in Volume 2558, Page 316 of the Deed Records of Grayson County, Texas to amend the fencing requirements within the zoning classification of Planned Development District No. 3 as established by Ordinance No. 538. Billy Plake made a motion to adopt the ordinance as presented with the recommendation of the Planning and Zoning Commission. Russell Moore seconded the motion and the motion passed unanimously.

11. Consider and take any action necessary regarding adopting an ordinance amending Ordinance No. 572 regarding land use assumptions, a capital improvement plan and impact fees. Mayor Salmon advised Council of the Capital Improvement Advisory Committee recommendation. Jim Smith asked if what is proposed will increase the impact fees to which Bob Johnson of McManus and Johnson advised that the fee will be increase by less than \$1,000.00. Mr. Smith advised he is not willing to raise rates. Russell Moore asked how the proposed rate compares to surrounding cities. Mr. Johnson pointed to a comparison provided and advised that the proposal will leave Van Alstyne's impact fees below Celina, Anna and Melissa. The Advisory Committee recommended the proposed rate to be in line with surrounding cities yet competitive. Ms. Teuber asked whether the increased fees would impose an excessive or discouraging burden on developers, and stated her belief that the fees should be reduced instead, to which Mr. Baker answered that not imposing an impact fee would place the financial burden on the current customers rather than developers. Steve White added that if a home is constructed where a water and sewer connection exists an impact fee is not required. Billy Plake made a motion to approve the ordinance amending Ordinance No. 572 regarding land use assumptions, a capital improvement plan and impact fees. Russell Moore seconded the motion and the motion passed with Billy Plake, Russell Moore and Robert Jaska in favor and Jim Smith and Kaaren Teuber opposed.
12. Consider and take any action necessary regarding appointment of Robert Lewis, Sr. to the Van Alstyne Community Development Corporation Board of Directors. Jim Smith made a motion to appoint Robert Lewis, Sr. to the Van Alstyne Community Development Corporation Board of Directors. Kaaren Teuber seconded the motion and the motion passed with Jim Smith, Kaaren Teuber and Robert Jaska in favor, Russell Moore opposed and Billy Plake abstaining.
13. Departmental Reports. Tracy Luscombe advised of summer activities as well as the Friends of the Library breakfast starting back up in June at the Community Center.
14. City Manager's Report. Frank Baker advised of the Community Center progress adding that it should safe to occupy in the coming weeks, Fall Der All planning, 4th of July Fireworks display and the upcoming Parks Board meeting. Mr. Baker also discussed D.R. Horton express homes which are scheduled to start construction soon in the City. A representative of D.R. Horton has been invited to address Council regarding what an express home entails.
15. Mayor and Council Closing Comments. Mayor Salmon discussed her role as guest speaker for the 2nd grade class at Van Alstyne Elementary and advised that Council will meet on May 19, 2014 at 9:00am to canvass the May 10, 2014 election and swear in newly elected Council members.

16. Adjournment. Jim Smith made a motion to adjourn at 7:47pm. Russell Moore seconded the motion and the motion passed unanimously.

Teddie Ann Salmon, Mayor

ATTEST:

Jennifer Gould, City Clerk