

**CITY OF VAN ALSTYNE**

**MINUTES**

**City Council Meeting**

Van Alstyne Community Center  
262 N Preston Ave

**Tuesday, September 9, 2014**

**6:30 P.M.**

Members present: Mayor Teddie Ann Salmon, Billy Plake, Larry Cooper, Russell Moore, Timmerle Kelly and Robert Jaska.

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

**AGENDA.**

1. Call to Order. *Mayor Salmon called the meeting to order at 6:30pm.*
2. Invocation. *Recited by John Kemp, Pastor of Crossroads Community Church.*
3. Pledges of Allegiance. *(U.S. and Texas)*
4. Citizens Communications. *Margaret Barron expressed thanks to the City Manager and Council for actions of the past few years.*

**PUBLIC HEARINGS.**

5. Conduct a Public Hearing to hear comments for or against the City of Van Alstyne tax rate and announcement of date, time and place of meeting to vote on the tax rate. *Mayor Salmon opened the Public Hearing at 6:35pm. Frank Baker read the published notice on the tax rate. Jennifer Gould announced that the vote on the tax rate will take place at 6:30pm on Monday, September 22, 2014 at the Van Alstyne Community Center. There being no public comments the hearing closed at 6:38pm.*
6. Conduct a Public Hearing to hear comments for or against the City of Van Alstyne fiscal year 2013 – 2014 operating budget. *Mayor Salmon opened the Public Hearing at 6:38pm. Speaking as a citizen, Teddie Ann Salmon expressed that the budget is a mistake adding that the weather siren on the west side of highway 75 should be provided as Grayson College has agreed to pay half the cost. Mrs. Salmon added that the Mayor's Expense line item could be reallocated to fund the siren and Council could do the same. There being no further public comment the hearing closed at 6:42pm.*
7. Conduct a Public Hearing to hear comments for or against a request by owner/agent Linda Morgan, to replat part of Subdivision 3, Division IV and a part of Lot 3, Block 43, Original Town Plat (OTP) of Van Alstyne, Texas being 0.87 acres of land in the James McKinney Survey, Abstract No. 770 located at the south east corner of W. Marshall Dr. and Littrell St. *Mayor Salmon opened the Public Hearing at 6:42pm. David Barr addressed Council advising that he lives next to the property in question and is not opposed to the replat but would like the property to maintain a Single Family zoning classification. Linda Morgan addressed Council advising that she has followed all City guidelines to replat the property*

*into three single family lots. There being no further public comment the hearing closed at 6:45pm.*

REGULAR AGENDA (NON-CONSENT).

8. Approval of minutes from the August 12, 2014 regular meeting, August 19, 2014 work session meeting and August 19, 2014, August 25, 2014 and September 2, 2014 special called meetings. *Billy Plake suggested adding the announcement to the tax rate public hearing on the September 2, 2014 special called meeting minutes. Russell Moore made a motion to approve the minutes as presented with the suggested change. Robert Jaska seconded the motion and the motion passed unanimously.*
9. Consider and take any action necessary regarding an ordinance adopting the City of Van Alstyne fiscal year 2014 – 2015 budget. *Larry Cooper made a motion to table the item. Timmerle Kelly seconded the motion and the motion passed unanimously.*
10. Presentation of recognition to Charles Milner for years of service. *Item withdrawn from the agenda due to an emergency.*
11. Consider and take any action necessary regarding a request by owner/agent Linda Morgan, to replat part of Subdivision 3, Division IV and a part of Lot 3, Block 43, Original Town Plat (OTP) of Van Alstyne, Texas being 0.87 acres of land in the James McKinney Survey, Abstract No. 770 located at the south east corner of W. Marshall Dr. and Littrell St. *Larry Cooper asked if a diagram of the anticipated homes is available for review as this property is a sensitive issue to which Frank Baker advised that staff is not aware of such a diagram. Timmerle Kelly clarified that the property is zoned single family and will remain single family with the approval of the plat. Discussion was held regarding building setbacks. Timmerle Kelly made a motion to approve the request to replat the property in question as requested. Billy Plake seconded the motion and the motion passed unanimously.*
12. Discussion regarding the petition and election to abandon the City Manager form of government. *Julie Fort provided factual information regarding the petitions received as well as the Special Election to be held on November 4, 2014, Early Voting dates, times and locations as well as Election Day times and locations. Mrs. Fort advised that the outside voting locations are due to the City's contract with Grayson County to administer the election. Paul Nobles addressed Council regarding positive actions in the City and ground swelling adding that there is no reason to change course now. Billy Plake advised of facts relating to the City Manager form of government and Strong Mayor form of government. Mr. Plake listed the powers of the Mayor in a Strong Mayor form of government to include a salary, veto power over Council actions, ability to hire a City Administrator and the ability to hire and fire all City employees.*
13. Consider and take any action necessary regarding reappointment of Nathan Petri to the Economic Development Corporation Board of Directors. *Billy Plake made a motion to reappoint Nathan Petri to the Economic Development Corporation Board of Directors. Larry Cooper seconded the motion and the motion passed unanimously.*
14. Consider and take any action necessary regarding appointments to Place 3, 4, 6 and 7 of the Parks and Recreation Board. *Jennifer Gould advised that the Parks and Recreation Board request tabling the item to allow them time to consider a recommendation to Council. Robert Jaska made a motion to table the item as requested. Russell Moore seconded the motion and the motion passed unanimously.*

15. Consider and take any action necessary regarding passage of an ordinance amending Ordinance No. 711 and repealing Ordinance No. 689 regarding utility rates and charges. *Julie Fort pointed to the effective date of the ordinance to allow the effective date to be in line with the September 2014 utility meter reading. The rate would not be applied to consumption billed until the November 2014 bill for water consumption from mid-September to mid-October. Mrs. Fort suggested adding a clarifying sentence, "The rates will apply to utility bills sent to customers on and after November 1, 2014". Russell Moore made a motion to approve the ordinance as presented with the addition of the clarifying sentence suggested by legal. Larry Cooper seconded the motion and the motion passed unanimously.*
16. Consider and take any action necessary regarding passage of an ordinance establishing Park Usage fees. *Steve White suggested an effective date of October 1, 2014 for the proposed ordinance. Gary Evans a representative of the Parks and Recreation Board and Van Alstyne Sports Authority recommended an effective date of January 1, 2015 to allow the fall baseball and softball seasons to finish without issue. Robert Jaska made a motion to approve the ordinance as presented with an effective date of January 1, 2015. Timmerle Kelly seconded the motion and the motion passed unanimously.*
17. Consider and take any action necessary regarding passage of a resolution authorizing participation in the 2014 Tax Resale Auction. *Frank Baker advised Council of the location of the property to be included in the Tax Resale Auction. Russell Moore made a motion to pass the resolution authorizing participation in the 2014 Tax Resale Auction. Larry Cooper seconded the motion and the motion passed unanimously.*
18. Presentation of Proclamation recognizing the Daughters of the American Revolution constitution celebration week. *Mayor Salmon advised of the Daughters of the American Revolution's (DAR) request for the proclamation presented. Timmerle Kelly made a motion to approve the Proclamation recognizing the DAR's Constitution celebration week. Larry Cooper seconded the motion and the motion passed unanimously.*
19. Departmental Reports. *Tim Barnes advised Mayor and Council of the medication drop and proper disposal hosted by the Police Department will take place from 10:00am until 2:00pm on September 27, 2014 at the Department. Chief Barnes added that those interested can call and schedule a home pick up. Landon Smith advised Mayor and Council of the Senior Passport Program. Steve White advised Mayor and Council that three streets are to be completed to finish out the street project for 2014. Judy Kimzey advised Mayor and Council of the summer program wrap up, September 11<sup>th</sup> display at the Library and the Friends of the Library Book Sale.*
20. City Manager's Report. *Frank Baker advised Mayor and Council that Sonic is preparing to reopen and Golden Chick has applied for a temporary construction office permit.*
21. Mayor and Council Closing Comments. *Robert Jaska advised of the Senior Center dinner and music to take place September 6<sup>th</sup> and the Chamber of Commerce breakfast to take place September 10<sup>th</sup> at the EDC office. Larry Cooper expressed thanks to Public Works for coordination of street improvements. Mayor Salmon expressed thanks to all for attendance.*

#### 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 recessed into closed session at 7:20pm with a five minute break.*

22. All items below for Executive Session:

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

*Council returned to open session at 8:32pm.*

OPEN MEETING

23. Adjournment. *Robert Jaska made a motion to adjourn at 8:33pm. Billy Plake 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