

**CITY OF VAN ALSTYNE**

**MINUTES**

**City Council Meeting**

Van Alstyne Community Center  
262 N. Preston Ave

**Tuesday, January 13, 2015**

**6:30 P.M.**

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

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

**AGENDA**

1. Call to Order. *Mayor Salmon called the meeting to order at 6:53pm.*
2. Citizens Communications. *James Cowles expressed concern regarding a citizen's ability to address Council as well as the use of a financial consulting firm and the lack of input citizens are permitted to provide.*

**PUBLIC HEARINGS**

3. 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 G-0851 MCKINNEY ASHLEY A-G0851, 154 X 250 X 150 X 287 more commonly known as 1350 S. Waco Street to change the current zoning of SF – 1 (Single Family Residential District) to C - 1 (Commercial District – Office, Light Retail, and Neighborhood Services). *Mayor Salmon opened the Public Hearing at 6:59pm. Mayor Salmon advised of the location of the property being discussed. There being no public comment, the hearing was closed at 7:01pm.*
4. Conduct a Public Hearing regarding the 2015 Northwest Van Alstyne Community Revitalization Plan. *Mayor Salmon opened the Public Hearing at 7:01pm. Mayor Salmon read the plan overview from the proposed document. James Cowles asked if there is a definition of blight to which Mayor Salmon advised that structures have to meet various standards and would be considered blighted if they do not. Mr. Cowles advised that the plan could stir up trouble. There being no further public comment, the hearing was closed at 7:09pm.*
5. Conduct a Public Hearing to present information related to the Water Supply Expansion Project. One of the purposes of this hearing is to discuss the potential impacts of the project and alternatives to it. *Mayor Salmon opened the Public Hearing at 7:09 pm. Bob Johnson of McManus & Johnson Consulting Engineers advised of the parameters of the required Public Hearing. Larry Moore expressed concern for the placement of the proposed waterline on the south side of County Line Road to which Frank Baker advised that it will be placed on the north side of the road since Mr. Moore had been unwilling to grant an easement to the City. James Cowles expressed concern for the added water demand of the proposed power plant on Ballard Road to which Mr. Baker advised that the proposed waterline will provide water to the west side of highway 75. Mr. Baker added that the proposed power plant is not in the City Limits and will not be served utilities by the City. There being no further public comment, the hearing was closed at 7:17pm.*

6. Conduct a Public Hearing to present information related to the adoption of the City of Van Alstyne Water Resources and Emergency Management Plan. *Mayor Salmon opened the Public Hearing at 7:17 pm. Bob Johnson of McManus & Johnson Consulting Engineers advised that as a water supplier it is the City's duty to develop and adopt an emergency management plan. Mr. Johnson described the need for the proposed plan and occurrences that would trigger action that may be taken by the City. There being no public comment, the hearing was closed at 7:22 pm.*

#### ITEMS FOR CONSIDERATION

7. Approval of minutes from the December 9, 2014 Zoning Board of Adjustment meeting, December 9, 2014 regular meeting. *Larry Cooper made a motion to approve the minutes as presented. Billy Plake seconded the motion and the motion passed with Larry Cooper, Billy Plake and Robert Jaska in favor and Timmerle Kelly abstaining.*
8. Consider and make a recommendation 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 G-0851 MCKINNEY ASHLEY A-G0851, 154 X 250 X 150 X 287 more commonly known as 1350 S. Waco Street to change the current zoning of SF – 1 (Single Family Residential District) to C - 1 (Commercial District – Office, Light Retail, and Neighborhood Services). *Billy Plake made a motion to do as recommended by the Planning and Zoning Commission and grant a zone change from SF – 1 to Neighborhood Convenience (NC). Larry Cooper seconded the motion and the motion passed unanimously.*
9. Consider and take any action necessary regarding approval of the site plan for O'Reilly Auto Parts at the property being described as a portion of Lot 4, Block 1, replat of the Crossroads James McKinney Survey, A-770 more commonly known as F.M. Highway 121. *Billy Plake made a motion to accept and approve the proposed site plan for O'Reilly Auto Parts. Robert Jaska seconded the motion and the motion passed unanimously.*
10. Consider and take any action necessary regarding a request by the owner/agent to plat Lot 1, Jenkins Second Addition, to the City of Van Alstyne, in Grayson County, Texas, being a 1.116 acre tract in the Thomas J. Paxton Survey, abstract number 953, Grayson County, Texas, @ #102 Jim Jones Road, Van Alstyne, Texas. *Larry Cooper made a motion to approve the proposed plat. Timmerle Kelly seconded the motion and the motion passed unanimously.*
11. Consider and take any action necessary regarding a request by the owner/agent to plat Lot 1, Eaton Addition being a part of the C. Watson Survey, Abstract No. 1356 and a part of the Vel D. Fox Survey, Abstract No. 423, in the City of Van Alstyne, in Grayson County, Texas, being a 1.819 acre tract. *Timmerle Kelly made a motion to approve the proposed plat. Robert Jaska seconded the motion and the motion passed unanimously.*
12. Consider and take any action necessary regarding authorizing the Mayor to sign consent for inclusion of city limit overlap and dually certification area in the proposed South Grayson Special Utility District boundary. *Timmerle Kelly clarified that the City has no fiscal responsibility should the consent for inclusion be signed. City Attorney Julie Fort suggested discussion be held in executive session.*
13. Consider and take any action necessary regarding approval of an ordinance designating the City Manager to install traffic control devices within the City Limits. *Frank Baker advised of the need for the proposed ordinance which allows for the placement of traffic control signs after traffic studies and engineer evaluations rather than a separate and specific ordinance for each sign placed in the City. Larry Cooper asked if a traffic control engineer would be sought each time a sign is placed to which Mr. Baker advised that staff will do as the ordinance requires. Larry Cooper made a motion to approve the proposed ordinance. Timmerle Kelly seconded the motion and the motion passed unanimously.*

14. Consider and take any action necessary regarding appointing Donald Hash to the Parks and Recreation Board. *Timmerle Kelly made a motion to accept the submitted application and appoint Donald Hash to the Parks and Recreation Board. Robert Jaska seconded the motion and the motion passed unanimously.*
15. Consider and take any action necessary regarding authorizing the Mayor to sign resolutions of support for Palladium USA senior housing, adopting a revitalization plan for the area of the City in which the project is located and/or amending or reaffirming the 380 Agreement with Palladium USA. *Tom Huth addressed Council regarding the changes in the 380 Agreement with Palladium from that which was passed and approved in the prior year. The project is 12 acres with a dog park and many amenities for residents of the gated community with age restrictions of sixty-two years and over. Mr. Huth added that the proposed housing provides for affordable rates and market rates for living spaces ranging from 740 to 1,010 square feet that cost \$120,000.00 each to develop with onsite storage and garages. The project is not tax exempt. To accomplish the housing discussed a resolution of support is needed as well as a 380 Agreement to receive back one year of property taxes after ten years is needed. Mr. Huth clarified that the return of funds has nothing to do with the actual property taxes or the tax rate and is merely an estimate. Paul Nobles asked what the rental rates will be to which Mr. Huth answered that the market rate will be about \$1,000 for a one bedroom apartment and \$1,200 for a two bedroom apartment. The affordable rate will be about \$660 for a one bedroom apartment and \$793 for a two bedroom apartment. Mr. Nobles questioned the percent mandated for affordable rates to which Mr. Huth advised that 75% of the apartment will be offered at the affordable rate. Julie Fort asked what the anticipated tax roll value is to which Mr. Huth answered \$8.6 million. Robert Jaska asked why the number of proposed units has reduced to which Mr. Huth advised that their "sweet spot" is 180 units however an appraiser advised that the number may be too high in comparison to a 200 unit community in Sherman that never rented out. The reduced number of units insures that all units will be occupied. Mr. Huth advised Council that he expects to know if funding is approved at the end of July 2015. Mayor Salmon advised that voting will occur after executive session as it is the desire of Council to discuss the 380 Agreement with legal counsel.*
16. Consider and take any action necessary regarding approval of an ordinance specifically reaffirming the creation of the Police Department, requiring all police officers to be licensed, creating the position of Chief of Police, outlining the duties and responsibilities of the Chief of Police and establishing the authority, duties and responsibilities of Police Officers as required to participate in the Texas Police Chiefs Association's Law Enforcement Best Business Practices Recognition Program. *Chief Barnes addressed Council regarding the proposed ordinance advising that the document affirms the Police Department and is one of many steps to achieving recognition by the Texas Police Chiefs Association. Larry Cooper advised of a typographical correction needed in Section 5 (B) changing "or" to "of". Billy Plake made a motion to approve the proposed ordinance with the suggested change. Timmerle Kelly seconded the motion and the motion passed unanimously.*
17. Consider and take any action necessary regarding approval of the state bid contract for Clean Water State Revolving Fund (SRF) Construction through the Greater Texoma Utility Authority (GTUA). *Frank Baker advised Council of the action needed as GTUA wants to affirm that Council is aware of the pipe bursting process and bidding process planned for the sewer line project is what is desired. This will be the first time the City and GTUA will use the Buy Board bidding process for such a service. Larry Cooper made a motion to approve the state bid contract for Clean Water State Revolving Fund Construction through the GTUA. 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.*

18. All items below for Executive Session:

- a) Convene into executive session pursuant to Section 551.087(1) and (2) [Economic] Development Negotiations] to discuss Palladium USA senior housing.
- b) Recess into closed session pursuant to Chapter 551.071(1) and (2), Texas Government Code for: Consultation with Attorney regarding a former employee and Palladium USA senior housing.

*Council recessed into Executive Session at 8:24pm after a 6 minute break to discuss agenda items 12, 18.a) and 18.b). Council reconvened into open session at 9:27pm.*

#### OPEN MEETING

19. Take any action necessary as a result of Executive Session. *Regarding agenda item 12, Timmerle Kelly made a motion to table the item for thirty days until the February 10, 2015 City Council meeting. Larry Cooper seconded the motion and the motion passed unanimously. Regarding items 18.a) and 18.b), Larry Cooper made a motion to approve resolutions of support for Palladium USA senior housing, adopting a revitalization plan for the area of the City in which the project is located and/or amending or reaffirming the 380 Agreement with Palladium USA. Billy Plake seconded the motion and the motion passed unanimously.*
20. Departmental Reports. *Steve White advised of issues at the City's wastewater treatment plant due to chemical waste from an unknown source. TCEQ notifications and requirements were met in regard to the enzyme issues.*
21. City Manager's Report. *Frank Baker advised that Golden Chick is moving forward with construction after complying with safety requirements. Driscoll Hill has submitted site and construction plans and will go before the Planning and Zoning Commission as well as City Council in the near future. Mr. Baker advised that he will poll Council regarding moving the March meeting date forward in preparation for Spring Break.*
22. Mayor and Council Closing Comments. *None.*
23. Adjournment. *Robert Jaska made a motion to adjourn at 9:36pm. Timmerle Kelly 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