

# CITY OF VAN ALSTYNE

## Agenda City Council Meeting Van Alstyne Community Center 262 N. Preston Ave

**Tuesday, May 10, 2016  
6:30 P.M.**

### **(The City Council Meeting will come to order immediately following the Zoning Board of Adjustment Meeting)**

Citizens may appear before the City Council to address items not listed on the agenda, in accordance with procedural rules as determined by the meeting Chair and by submitting a "Request to Address Council" form to the City Clerk no later than the conclusion of Agenda Item 1 (Call to Order).

A "Request to Address Council" form is not necessary when speaking for or against a public hearing item.

Persons with disabilities who plan to attend this meeting and who may need assistance should contact Jennifer Gould at (903) 482-5426 at least 48 hours prior to the meeting so that appropriate arrangements can be made. All persons attending shall abide by the City of Van Alstyne Public Meeting Rules of Citizen and Visitor Decorum adopted by Resolution No. 02-2010-01.

Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers or employees may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting.

#### AGENDA

1. Call to Order.
2. Citizens Communications. *(Not for items listed on this Agenda. Three minutes each. No deliberations with Council. Council may respond with factual information only.)*

#### PUBLIC HEARINGS

3. Conduct a Public Hearing regarding a voluntary annexation request by the owner/agent of +/- 2.413 acre tract being part of the Collin Mckinney Survey, Abstract no. 771, and being a part of the 10.903 acre tract conveyed by Special Warranty Deed from Jane H. Robertson to Benton Holdings, L.P. on December 26, 2000 as recorded in Volume 3015, Page 355, Official Public Records, Grayson County, Texas.
4. Conduct a Public Hearing regarding a request by the owner/agent of 14.320 acres of the property described as being a part of the James McKinney Survey, Abstract No. 770, being a part of the 43.976 acre tract of land conveyed by Warranty Deed from Mont Hendricks, Joanne Davidchik and Sandra Watkins, to Felix Land Partners, L.P., on November 29, 2007, recorded in Volume 4367, Page 337, Official Public Records, Grayson County, Texas to amend the current zoning of PD (Planned Development) for said portion of the property. The property described above is located on the north side of Blassingame Ave and south of Greywood Drive.
5. Conduct a Public Hearing regarding whether the structure(s) on the property being described as GREERS 2ND ADDN, BLOCK 17, LOT 2 & PT 1 more commonly known as 728 Pearl are in violation of the minimum standards established for buildings established by the building codes and ordinances of the City of Van Alstyne pursuant to City of Van Alstyne Code of Ordinances, Chapter 8 Article 1 Section 8-1 thru 8-69 and Chapter 214 of the Texas Local Government Code. After the conclusion of the public hearing, the Council may issue an order authorized by Chapter 214 of the Texas Local Government Code, including but not limited to securing the buildings from entry, or the repair, vacation, removal or demolition of the structure(s), and may access civil penalties.

6. Conduct a Public Hearing regarding structure(s) on the property being described as DIVISIONS VAN ALSTYNE, BLOCK 11, LOT pt 2, 150 X 76.16 more commonly known as 263 N Sherman are in violation of the minimum standards established for buildings established by the building codes and ordinances of the City of Van Alstyne pursuant to City of Van Alstyne Code of Ordinances, Chapter 8 Article 1 Section 8-1 thru 8-69 and Chapter 214 of the Texas Local Government Code. After the conclusion of the public hearing, the Council may issue an order authorized by Chapter 214 of the Texas Local Government Code, including but not limited to securing the buildings from entry, or the repair, vacation, removal or demolition of the structure(s) and may access civil penalties.
7. Conduct a Public Hearing regarding structure(s) on the property being described as GREERS 2ND ADDN, BLOCK 16, LOT PT 2, 75X100 more commonly known as 769 Arizona are in violation of the minimum standards established for buildings established by the building codes and ordinances of the City of Van Alstyne pursuant to City of Van Alstyne Code of Ordinances, Chapter 8 Article 1 Section 8-1 thru 8-69 and Chapter 214 of the Texas Local Government Code. After the conclusion of the public hearing, the Council may issue an order authorized by Chapter 214 of the Texas Local Government Code, including but not limited to securing the buildings from entry, or the repair, vacation, removal or demolition of the structure(s) and may access civil penalties.
8. Conduct a Public Hearing regarding structure(s) on the property being described as COLLEGE ADDN, BLOCK 16, LOT 3 & S 1/2 OF 2 more commonly known as 556 Gilcrease are in violation of the minimum standards established for buildings established by the building codes and ordinances of the City of Van Alstyne pursuant to City of Van Alstyne Code of Ordinances, Chapter 8 Article 1 Section 8-1 thru 8-69 and Chapter 214 of the Texas Local Government Code. After the conclusion of the public hearing, the Council may issue an order authorized by Chapter 214 of the Texas Local Government Code, including but not limited to securing the buildings from entry, or the repair, vacation, removal or demolition of the structure(s) and may access civil penalties.
9. Conduct a Public Hearing regarding structure(s) on the property being described as TATE ADDN, BLOCK 1, LOT 1 & 2, ADDN'L VALUE ON T ACCT, Undivided Interest 33.3400000000% more commonly known as 632 E. Marshall are in violation of the minimum standards established for buildings established by the building codes and ordinances of the City of Van Alstyne pursuant to City of Van Alstyne Code of Ordinances, Chapter 8 Article 1 Section 8-1 thru 8-69 and Chapter 214 of the Texas Local Government Code. After the conclusion of the public hearing, the Council may issue an order authorized by Chapter 214 of the Texas Local Government Code, including but not limited to securing the buildings from entry, or the repair, vacation, removal or demolition of the structure(s) and may access civil penalties.
10. Conduct a Public Hearing regarding structure(s) on the property being described as G-0770 MCKINNEY JAMES &HRS A-G0770 more commonly known as 244 Tolson Ave are in violation of the minimum standards established for buildings established by the building codes and ordinances of the City of Van Alstyne pursuant to City of Van Alstyne Code of Ordinances, Chapter 8 Article 1 Section 8-1 thru 8-69 and Chapter 214 of the Texas Local Government Code. After the conclusion of the public hearing, the Council may issue an order authorized by Chapter 214 of the Texas Local Government Code, including but not limited to securing the buildings from entry, or the repair, vacation, removal or demolition of the structure(s) and may access civil penalties.

## CONSENT AGENDA

*Items listed on the consent agenda allow the Council to approve all items together without discussion or individual motions. Items may be removed from the consent agenda on the request of any one member of the Council. Removed items will be discussed and action taken immediately after the consent agenda.*

11. Approval of minutes from the April 12, 2016 zoning board of adjustment and April 12, 2016 regular meeting.
12. Consider and take any action necessary regarding canvassing the May 7, 2016 General Election.
13. Consider and take any action necessary regarding a request by the owner/agent of 14.320 acres of the property described as being a part of the James McKinney Survey, Abstract No. 770, being a part of the 43.976 acre tract of land conveyed by Warranty Deed from Mont Hendricks, Joanne Davidchik and Sandra Watkins, to Felix Land Partners, L.P., on November 29, 2007, recorded in Volume 4367, Page 337, Official Public Records, Grayson County, Texas to amend the current zoning of PD (Planned Development) for said portion of the property. The property described above is located on the north side of Blassingame Ave and south of Greywood Drive.
14. Consider and take any action necessary regarding a final plat for the Reid Addition, 10.00 acres being part of a called 10.00 acre tract as recorded under Doc. No. 20140903000954880 of the Collin County Land Records Williams Creager Survey, Abstract No. 164, Collin County, Texas more commonly known as 1370 County Road 377.
15. Consider and take any action necessary regarding appointing Emily Freeman to the Van Alstyne Community Development Corporation Board of Directors.
16. Consider and take any action necessary regarding approval of Change Order #1 to the Van Alstyne Water Supply Expansion Project (TWDB Project #62638) in the amount of \$58,057.00 to C-Con Services.
17. Consider and take any action necessary regarding award of a contract for the Van Alstyne Wastewater Treatment Plant Ultraviolet Disinfection System Improvements Project for \$266,800 to Fryer Construction Company/Calgon Carbon.
18. Consider and take any action necessary regarding authorizing requests for Statements of Qualifications for design, environmental and construction management services for Phase 1 of Van Alstyne's Shared Use Path funded by the Transportation Alternative Program (TAP).
19. Consider and take any action necessary regarding authorizing advertisement of a Depository request for proposal.

## REGULAR AGENDA (NON-CONSENT)

20. Administer Oath of Office to newly elected officials.
21. Consider and take action following a Public Hearing regarding whether the structure(s) on the property being described as GREERS 2ND ADDN, BLOCK 17, LOT 2 & PT 1 more commonly known as 728 Pearl are in violation of the minimum standards established for buildings established by the building codes and ordinances of the City of Van Alstyne pursuant to City of Van Alstyne Code of Ordinances, Chapter 8 Article 1 Section 8-1 thru 8-69 and Chapter 214 of the Texas Local Government Code. After the conclusion of the public hearing, the Council may issue an order authorized by Chapter 214 of the Texas Local Government Code, including but not limited to securing the buildings from entry, or the repair, vacation, removal or demolition of the structure(s), and may assess civil penalties.

22. Consider and take action following a Public Hearing regarding structure(s) on the property being described as DIVISIONS VAN ALSTYNE, BLOCK 11, LOT pt 2, 150 X 76.16 more commonly known as 263 N Sherman are in violation of the minimum standards established for buildings established by the building codes and ordinances of the City of Van Alstyne pursuant to City of Van Alstyne Code of Ordinances, Chapter 8 Article 1 Section 8-1 thru 8-69 and Chapter 214 of the Texas Local Government Code. After the conclusion of the public hearing, the Council may issue an order authorized by Chapter 214 of the Texas Local Government Code, including but not limited to securing the buildings from entry, or the repair, vacation, removal or demolition of the structure(s) and may access civil penalties.
23. Consider and take action following a Public Hearing regarding structure(s) on the property being described as GREERS 2ND ADDN, BLOCK 16, LOT PT 2, 75X100 more commonly known as 769 Arizona are in violation of the minimum standards established for buildings established by the building codes and ordinances of the City of Van Alstyne pursuant to City of Van Alstyne Code of Ordinances, Chapter 8 Article 1 Section 8-1 thru 8-69 and Chapter 214 of the Texas Local Government Code. After the conclusion of the public hearing, the Council may issue an order authorized by Chapter 214 of the Texas Local Government Code, including but not limited to securing the buildings from entry, or the repair, vacation, removal or demolition of the structure(s) and may access civil penalties.
24. Consider and take action following a Public Hearing regarding structure(s) on the property being described as COLLEGE ADDN, BLOCK 16, LOT 3 & S 1/2 OF 2 more commonly known as 556 Gilcrease are in violation of the minimum standards established for buildings established by the building codes and ordinances of the City of Van Alstyne pursuant to City of Van Alstyne Code of Ordinances, Chapter 8 Article 1 Section 8-1 thru 8-69 and Chapter 214 of the Texas Local Government Code. After the conclusion of the public hearing, the Council may issue an order authorized by Chapter 214 of the Texas Local Government Code, including but not limited to securing the buildings from entry, or the repair, vacation, removal or demolition of the structure(s) and may access civil penalties.
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27. Consider and take any action necessary regarding an agenda request from John Jennings to review and consider rescission of Ordinance No. 636 and allow revision to include any and all TDLR licensed towing and vehicle storage businesses within a 25-mile range of Van Alstyne to request and be placed on a fully rotational notification call list for towing and storage service for the City.

28. Consider and take any action necessary regarding a request by the Van Alstyne Community Development Corporation to authorize the Mayor to sign a letter of approval to allow payment of façade improvements to the Senior Center from the Façade and Infrastructure Funds of the 2015/2016 budget previously approved by City Council.
29. Consider and take any action necessary regarding approval of an ordinance adopting right-of-way management and establishing regulations for construction, placement and excavation in rights-of-way and public easements.

#### 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.*

30. Recess into closed session pursuant to Chapter 551.071, Texas Government Code for: Consultation with Attorney regarding laws and ordinance.

#### OPEN MEETING

31. Departmental Reports.
32. City Manager's Report.
33. Mayor and Council Closing Comments. *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.*
34. Adjournment.

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I certify that I, Jennifer Gould, posted this agenda on the announcements board located in front of City Hall at 242 E. Jefferson at 5:00 p.m. on May 6, 2016.

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Jennifer Gould, City Clerk

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

- § 551.071 – Private consultation with the attorney for the City.
- § 551.072 – Discussing purchase, exchange, lease or value of real property.
- § 551.074 – Discussing personnel or to hear complaints against personnel.