



**Minutes of Regular Meeting of the Board of Alderman
For the City of Valley View, Texas 04/14/2022**

Call meeting to order – Mayor Chalk called the meeting to order at 6:00.

Pledge of Allegiance & Invocation Mayor Chalk led the pledge and Mayor Pro Tem Spears lead the invocation.

3. Mayor Comments

Mayor Chalked thanked everyone for attending the meeting and for attending the 150th Birthday. He also thanked everyone for their help with it and said he looked forward to hopefully having another.

4. Public Comments

This is an opportunity for the public to address the Board on any matter on the agenda, except public hearings. Comments related to public hearings will be heard when the specific hearing begins. Public comments are limited to three (3) minutes per speaker, unless otherwise required by law. To address the Board, please sign in prior to the start of the Board Meeting. The Board is not permitted to take action on or discuss any item not listed on the agenda. The Board may only: (1) make a statement of fact regarding the item; (2) make a statement concerning the policy regarding the item; or (3) propose the item be placed on a future agenda. (Tex. Govt Code §551.042.)

Mayor Pro Tem Spears stated this would be his final meeting on the Board and he appreciated the opportunity to serve.

Jessica Middleton, trainer for Camp Gladiator, introduced herself and gave background information on her company. She stated they are an outdoor bootcamp that partners with cities, schools, and churches. Ms. Middleton stated they want to bring Camp Gladiator to Valley View and become part of community.

5. CONSENT ITEMS:

All items on the consent agenda are considered routine by the Board of Alderman and will be enacted with one motion, unless a member of the Board requests separate discussion of one or more items. In such event, the item(s) will be removed from the consent agenda and considered in sequence as listed.

- a. Approve budget report for General, Disposal and Police/Municipal Department
- b. Water/Sewer
- c. Maintenance
- d. Police
- e. Fire
- f. Approve check register
- g. Approve minutes from Regular Meeting held on **March 10, 2022.**

Lynn Morgan, City Secretary, explained that Barry Turner would be going to work full time for the county and would continue working for the City, but on Saturdays and Sundays.

Cory Smith, Chief of Police, advised that the county would be switching radios to a better quality, but expensive style. He stated that they will be simulcast for two years, meaning the Valley View radios would work for two more years, but they will need to be replaced. Chief Smith stated he was not sure of the price, but had seen an estimate of \$5,000 each but that other brands may have options as well. He stated these radios will be tying in to Denton county and there will be a monthly fee associated with that, but again, doesn't know the total amount as they were just advised of this change. He stated the county would provide one radio for the City in the meantime. Mrs. Morgan stated she had already reached out to Coserv regarding eligibility for any grants available through them.

Chief Smith updated that the new vehicles are between the factory and the dealership, but an exact delivery date isn't known.

Mrs. Morgan asked Chamber members in the audience if they were still planning something for the Medal of Honor motorcade coming through town the next week. They advised they would be. Mrs. Morgan suggested getting with the police department to coordinate the bridge closure.

Alderman Holder made a motion to approve the Consent Items. Mayor Pro Tem seconded the motion and the motion passed 5-0.

6. Discuss and consider Resolution 04102022-01 declaring May as Motorcycle Awareness Month, possible action.

Mayor Chalk read the Resolution.

Alderman Holder made a motion to approve Resolution 04102022-01 declaring May as Motorcycle Awareness Month. Alderman Wilkerson seconded the motion and the motion passed 5-0.

7. Discuss and consider Ordinance 20220414-01 adopting regulations for mobile retail establishments, possible action.

Laura McMullen stated she thinks the 180 days limit in the Ordinance should be a full year. She also inquired what the permit fee was. She had concerns with the requirements that items must be stored in the mobile units, with nothing outside. Ms. McMullen also expressed concern that the line prohibiting selling from the street would mean they couldn't have vendors during special events. She also stated she thinks the signage requirements are too strict.

Mike Hupp stated he was concerned if this Ordinance would affect events.

Mrs. Morgan stated that this Ordinance is slightly different from what the Board had previously been sent, as it actually reduced some of the restrictions. She said the original Ordinance had stated they were not allowed on vacant lots, but it had been revised to show only on vacant lots and the removal of that removed several of the other requirements tied to occupied lots. Mrs. Morgan also reminded the Board that these are basics and that since the Ordinance requires a Specific Use Permit for each instance, the Board would be able to address individual concerns at that point.

Alderman Wilkerson asked why the Ordinance specified no LED signs and Mrs. Morgan stated she would inquire with the lawyer.

Alderman Sandmann made a motion to approve Ordinance 20220414-01 adopting regulations for mobile retail establishments. Alderman Holder seconded the motion and the motion passed 5-0.

8. Discuss and consider Ordinance 20220414-02 adopting regulations for mobile food units, possible action.

Laura McMullen expressed similar concerns about the food units as the retail units, selling on street and signs. She asked if the table limit was per unit or per lot. She also asked about the requirement for food units to visit a commissary nightly. Ms. McMullen stated it was really a matter of how hard the City wants to make it to do business in town.

Mrs. Morgan read an email directly from the City Health Inspector regarding mobile food units and their need for the commissary.

Alderman Sandmann confirmed that changes could be made to this on a case by case basis whenever someone applies for it.

Alderman Wilkerson asked how changed on this compared to the one originally forwarded to them and Mrs. Morgan stated that again, the change was made to show vacant lots and not lots of existing businesses, which then eliminated the need for other restrictions such as how close to the business door, etc.

Alderman Holder made a motion to pass Ordinance 20220414-02 adopting regulations for mobile food units. Alderman Wilkerson seconded the motion and the motion passed 5-0.

9. Discuss Conduct a Public Hearing and take action on Laura McMullen’s request for a Specific Use Permit for retail sales from a trailer on property located at 309 Reavis Street (Cooke CAD 9472):
 - a. Presentation of request;

Laura McMullen stated that a boutique business is a small company that offers a specialized service and products. She said a boom began in 2008 with mobile food units and it has now expanded to pet care, car detailing, flower shops and others as a way to get in business without extreme overhead. Ms. McMullen stated the pandemic forced her to close her storefront and that being self employed is hard.

Ms. McMullen said she purchased the 1971 and that it draws a crowd. She said it was set up at the 150th Birthday event and she hoped everyone would stop by and see it, but was disappointed that they did not. Ms. McMullen stated that when she is on the road with her business, the storefront would be closed, not generating money, so this was a way to allow someone in the building to generate sales tax and allow her to contribute when she’s not on the road.

Ms. McMullen said that “intended use” was brought up multiple times and that many things are currently being used for other than their intended use, such as cargo trailers for fireworks stands and barns for houses or barndominiums.

Ms. McMullen stated the property is currently being replatted from 3 lots to two, so the barn will sit wholly on one lot and the other will be completely vacant. She added that she has facility use agreements with the neighboring businesses for customers to use their restrooms.

She said she envisions a gypsy or market type feel, but she doesn't know that she can say exactly what her hours will be.

Ms. McMullen stated the trailer was not ADA accessible, but that as long as she offers the same customer service to all customers, she is ok. She also stated there are fire extinguishers and a lane will be open around the trailer to allow for emergency access.

b. PUBLIC HEARING to receive comments regarding the request;

PUBLIC HEARING began at 6:42pm.

Glendy Medcalf stated that she owns Lilia's Merchantile on the square and the concept is much needed because the downtown square is landlocked and this was an innovative way to make it work. She said there are so many talented people and they need to be welcomed here. Mrs. Medcalf reiterated that it was expensive to open a business and this is a way around it.

Jack Medcalf said he sees this as a great opportunity to bring people to shop on the square. He said seldom are there more than 50 cars on the square and this is a viable way to bring people there.

Kristi Cross, owner of Kriss Cross Jewelry, said she has been in business for 15 years but never owned a brick and mortar facility, always utilizing pop ups and relationships with other retailers. She said she met Ms. McMullen in 2013, began doing shows with her in 2014, and in 2020 travelled across the country with her going to shows. Ms. Cross said businesses have to be innovative in order to make a living and this idea is great for Valley View.

Doug Potter said that he has been in Valley View for 12 years and has seen what Ms. McMullen has done for the area. He said she supports all businesses here and her presentations are unmatched. Mr. Potter said the City would be doing everyone a favor by allowing start ups to happen in innovative ways.

Meredith Eaton said she hoped everyone had been here long enough to know what her building looked like previously. She said that Ms. McMullen enabled her and her husband to achieve their dream. Mrs. Eaton said that if there's anyone that should be supported, it's the one that does more than anyone in the community. She said she hears talk of how difficult it is to open a business in Valley View and that she knows she and Ms. McMullen have been recruited by other cities to open there with incentives to leave. Ms. Eaton said Ms. McMullen's customers spend their money here. She added that she would like to see the trailer open more than not, as they are quality products, a quality business, and quality customers.

Chris McIntosh, Edge of the Lake Vineyard, said he came to show support for Ms. McMullen as credit needs to be given for all that she has done. He said she had the foresight to see the need for another food option in town and is making that happen. Mr. McIntosh said his business constantly recommends Valley View businesses to his customers and he would love to be able to recommend Ms. McMullen. He added that while square real estate is limited,

everyone would benefit from Ms. McMullen being there and would add to the draw of downtown.

Amy Botcher said she was a Sanger resident and hadn't spent any time in Valley View until she heard about Rustic Ranch. She said it's now the place where she brings her visiting friends and family. She said she also works for a City and understands the need for the Ordinances, as they just adopted their own. Ms. Botcher said this situation was created out of necessity because Covid changed the way of doing business, but it's now a great business model. She said she would love to see Valley View keep this up and she will continue to spend her time and money here.

Jean Scott, Noble Fleece, said she comes from a worldwide retail background and that what Ms. McMullen says about a shopping experience is critical, especially since Covid, as people are now wanting an "experience" in their shopping. She said this option keeps Valley View relevant as people want places to go and things to do.

Lewis Snyder, Noble Fleece, said that small businesses run America and more so City revenue. He said there are limited businesses in the downtown area and this proposal would be a unique draw to bring people in. He added that there is a need to take advantage of all spaces and options for that and Ms. McMullen has proven what she can do.

Mike Hupp said he was a small business owner and that without the help of Ms. McMullen, others in the room and the City, he wouldn't be. He feels she has the City's best interest at heart and has a neat setup even though he is not her target audience.

Debbie Duncan said she's been part of the Valley View community for over 20 years and she sees all Ms. McMullen does at each event.

Shelly Baccus, Bluebonnet Café, said she was in Valley View only because of Ms. McMullen. She said that she worked at Upper Park in Aubrey and had talked with Ms. McMullen and thought the location in Valley View would be perfect for her vision. Ms. Baccus said the city has so much potential and in the two months that she's been in town, people have stopped in still looking for Rustic Ranch and stay to shop at the other businesses. She said Valley View needs something cool and hip.

Ashley Collett, Valley View Chamber of Commerce President and Membership & Events with the Gainesville Chamber, stated she has worked with Ms. McMullen on numerous events and she's a big part of the community.

Public Hearing closed at 7:06.

- c. Discussion and action regarding the request.

Alderman Scoggin asked Ms. McMullen if the setup at the 150th Birthday, with the trailer jacks, is what it would always be like. Ms. McMullen stated the jacks are stabilizers to keep the trailer from moving.

Alderman Scoggin asked if the trailer would be left out overnight or put in the barn. Ms. McMullen stated that it would typically be put away each night, but there may be instances where she is open late one night and early the next so it will be left out, as leaving it out means less work to set it back up. Ms. McMullen stated she's comfortable leaving it out, but with weather and what she's invested in graphics, she'd rather usually play it safe. Alderman Sandmann asked how the Board has authority to say when and where it can be on private property. Mrs. Morgan stated that because it's a Specific Use Permit request, it's a condition of the permit.

Alderman Holder stated that he and his wife shopped the trailer during the 150th Birthday and he thinks she's great for the community.

Alderman Sandmann asked Ms. McMullen what kind of signs she had. Ms. McMullen stated she has wood ones and banners, but they can't be permanently attached since the trailer travels.

Alderman Holder asked how many hours she anticipated being there on an open day. Ms. McMullen stated it could be 2 hours or it could be a full 8 hour day, as she wants to help serve the other existing businesses in the area. She advised she has her full show schedule for the rest of 2022 complete.

Alderman Scoggin asked if it would be more on weekends and less during the week. Ms. McMullen confirmed that she has found that works best for her.

Ms. McMullen said she would like permission to have her items displayed outside the trailer. Alderman Holder added that outside displays keeps people from going in.

Alderman Wilkerson confirmed that a motion needs to include the items changed from the Ordinance and Mrs. Morgan agreed.

Alderman Wilkerson made a motion to approve Laura McMullen's request for a Specific Use Permit for retail sales from a trailer on property located at 309 Reavis Street (Cooke CAD 9472) and allow her to place products outside the trailer, not be required to have permanent signage, have open ended hours of operation and be valid for 24 months. Alderman Sandmann suggested a 36 month SUP. Alderman Wilkerson revised his motion to show a 36 month SUP. Alderman Holder seconded the motion and the motion passed 5-0.

10. Discuss and consider presentation from Valley View Chamber of Commerce regarding their Wine Walk event, possible action.

Kristen Rose, Secretary of the Valley View Chamber of Commerce, stated the event is Saturday, October 15 and the only difference in years past is adding more vendors and hoping for higher attendance. She stated they are estimating 500 attendees for 2022. Ms. Rose stated they hope to have 4-6 food trucks and other vendors around. She said it's a big event and most places book out well in advance. Ms. Rose stated the street closure had been worked out with the Police Chief and the only question would be how many officers would be required, as that depended on the number of attendees.

Mrs. Eaton stated they hoped to add vendors on the side of the street by York n Ale to help fill in the area, but Mrs. Morgan advised they may be better suited by the square, since there is not electricity available there.

Alderman Holder made a motion to approve the Valley View Chamber of Commerce Wine Walk. Alderman Sandmann seconded the motion and the motion passed 5-0.

11. Discuss and consider options for chlorine line replacement at the wastewater treatment plant, possible action.

Clayton McKinney, McKinney Operating and Excavation, stated the existing chlorine line is rotten and he is having to manually put in tablets. He said this is causing some of the reading to be off.

Mrs. Morgan asked for confirmation from Mr. McKinney that this will be a required repair if the inspector sees it in January and Mr. McKinney confirmed.

Alderman Holder asked if this would be covered in the TWDB money and Mrs. Morgan stated she would find out if it could be included.

Mayor Chalk asked for the cost and Mr. McKinney advised it would be \$9,700.

Alderman Sandmann made a motion to approve McKinney Operating and Excavation to replace the chlorine lien at the wastewater treatment plant. Mayor Pro Tem seconded the motion and the motion passed 5-0.

12. Discuss and consider options for Vertical Bridge Tower sight, possible action.

Mrs. Morgan said this item would be tabled, but the basics were that the company leasing the tower site was interested in purchasing it outright.

No action.

13. Discuss and consider the sewer line repair project and options for obtaining the needed repairs found with cameras, possible action.

Mrs. Morgan showed examples of what the camera crews are encountering as far as blocking progress on cameraing the lines and suggested the Board allow McKinney Operating and Excavation to make minor repairs to allow the camera crews to continue progress.

Mr. McKinney said that from what has been encountered so far, each could be resolved for less than \$1,200 at each place. He said this may include opening the lines and clearing blockages that remain open for manhole placement later.

Alderman Holder reminded the Board that the camera crews have been granted permission to work and do not need to be held up by people thinking they need to watch their work, as had been reported by the camera crew.

Alderman Sandmann made a motion to allow McKinney Operating and Excavation to make minor repairs as needed to allow continued progress by the camera crews at an amount not to exceed \$1,500 per occurrence. Alderman Holder seconded the motion and the motion passed 5-0.

14. Discuss and consider requests by third parties to use City property for general commercial purposes, including discussion of permit fee, possible action.

Mrs. Morgan explained that multiple entities have inquired about using City facilities in ongoing arrangements for their private businesses. Mrs. Morgan stated that the law firm had created a Resolution that named her as the decision maker in those inquiries, but she stated she did not want that responsibility. Mrs. Morgan said there was a current inquiry from Camp Gladiator for a fitness camp and another for a mobile food vendor.

Mayor Chalk asked where the fitness camp would be and Ms. Middleton stated the parking lot of City Hall had been suggested as the best location. She also stated the company has their own insurances.

Alderman Scoggin advised a previous fitness group used to meet on the square.

Mrs. Morgan inquired what the length of the agreement with Camp Gladiator would be and Ms. Middleton stated it was open ended with each party having the right to cancel.

Mrs. Morgan suggested the Board review each offer once specifics have been given including rent amounts, terms, and frequency of use.

Alderman Holder made a motion for each third party request for use of City property for general commercial purposes to be decided by the Board of Aldermen with consideration of rent amount, terms of agreement and frequency of use. Mayor Pro Tem Spears seconded the motion and the motion passed 5-0.

15. Discuss and give direction regarding a purchasing and reimbursement policy for the City, possible action.

Mrs. Morgan stated that the Resolution presented was from the lawyer, but the amount for meals in the employee handbook is only \$30 per diem per day.

Alderman Sandmann asked what the purpose was. Mayor Chalk stated that he and the Mayor Pro Tem had been attending the TML Regional Meetings which are \$30 per ticket per person for the meal and he only asked for gas reimbursement the first time. Mayor Chalk also stated the entire Board was invited and he thinks everyone should go. He said he would like to see the wording state \$30 per meal and .55 per mile. Mrs. Morgan said she would have to look up the mileage legalities.

Alderman Holder asked if this type of spending was even necessary. He referenced concern about school board spending and stated the City board did not need to get into that. Alderman Sandmann agreed that there were bigger things the Board should be concerned about.

Mayor Chalk stated there were TML workshops throughout the year.

Alderman Holder made a motion that all Board spending be approved by the Board. Alderman Sandmann seconded the motion and the motion passed 5-0.

Mayor Chalk stated that given that, he and Mayor Pro Tem Spears plan to attend the May TML meeting. Alderman Sandmann reminded them that Mayor Pro Tem Spears would no longer be on the Board at that point and asked the costs. Mayor Chalk stated it was \$30 per person. Alderman Scoggin asked if it was a meal or a class. Mayor Chalk stated it was a meal and that anyone can go.

16. Discuss and give direction regarding procedures for meetings that occur outside of a City Council meeting, pursuant to the Open Meetings Act, possible action.

Mrs. Morgan stated this was suggested from the lawyer for meetings that may involve the Mayor, either as an attendee or the host.

Alderman Holder said he thinks meetings by anyone on the board should not be attended alone. Mrs. Morgan stated they have to be mindful of a quorum, but that multiple attendees could reduce confusions later about anything that occurred or resulted from the meeting.

Mayor Chalk asked about what would happen if someone else calls a meeting and specifically invites the Mayor. Alderman Wilkerson suggested that would be different because someone else is initiating it, but that it wouldn't hurt to see if an additional person could attend.

Mrs. Morgan stated that an item can be added to future Agendas to include updates from Aldermen, that would allow them to update the others on any meetings that may have taken place outside of the monthly Board meetings.

Mrs. Morgan asked for the Board's opinion of what should happen if a City meeting is called, outside of the regular Board of Aldermen meeting, and one or more of the attendees cannot attend. She asked for clarification if the meeting should be canceled. Alderman Holder stated that someone else from the Board should be invited and the meeting happen on schedule.

Alderman Holder made a motion that for meetings outside of a Board of Aldermen Meeting, 2 members of the Board attend on behalf of the City of Valley View, if possible, and if a meeting is called and someone cannot attend, another Alderman can take their place. Alderman Sandmann seconded the motion and the motion passed 5-0.

17. Discuss and consider options for the May 2022 meeting date, possible action.

Mrs. Morgan stated she would not be in town on the date of the regular scheduled meeting and would like to have the meeting on a date she will be available since aldermen are being sworn in. Aldermen checked calendars for availability. Mrs. Morgan stated that if the Mayor would not be able to attend, the Board would need to name someone to conduct the meeting in his absence since there would not be a Mayor Pro Tem.

Alderman Scoggin made a motion to set the May meeting for Wednesday, May 11, 2022 with Alderman Wilkerson conducting the meeting in case of the Mayor's absence. Alderman Sandmann seconded the motion and the motion passed 5-0.

18. Discuss and consider options for the Keep Valley View Beautiful bank account, possible action.

Mrs. Morgan stated that she had received the documents and checks for the existing Keep Valley View Beautiful bank account. She stated that since there was already a Parks Commission account, it did not make sense to her to keep both. She suggested combining them, for ease of bookkeeping.

Alderman Scoggin made a motion to close the Keep Valley View Beautiful bank account and put the funds into the Parks Commission account. Alderman Holder seconded the motion and the motion passed 5-0.

19. Discuss and consider options for dog bag stations at City parks, possible action.

Mrs. Morgan presented an option for dog waste stations to be placed at the City Park. She suggested purchasing 2, as well as bag refills.

Alderman Sandmann made a motion to purchase 2 dog bag stations for placement at City Park. Alderman Scoggin seconded the motion and the motion passed 5-0.

20. Discuss and consider the 150th Birthday event, possible action.

Mrs. Morgan presented the final numbers for event expenses and revenues, showing that only a small portion of the Special Event budget was used. She stated that she would like to see it as an annual event and possibly add a fall event, maybe even teaming with the Chamber of Commerce for it.

Alderman Sandmann thanked both Mrs. Morgan and Mrs. Collett for doing so well with the event.

Alderman Holder made a motion to make the Birthday Celebration an annual event and to try out a fall event for 2022. Mayor Pro Tem Spears seconded the motion and the motion passed 5-0.

21. Adjourn.

Alderman Holder made a motion to adjourn at 8:46pm. Alderman Sandmann seconded the motion and the motion passed 5-0.

Minutes of the Board of Aldermen were approved this 11th day of May, 2022.