



**Minutes of Regular Meeting of the Board of Alderman
For the City of Valley View, Texas 05/11/2022**

- 1. Call meeting to order** – Mayor Chalk called the meeting to order at 6:00pm. Alderman Sandmann was absent.
- 2. Pledge of Allegiance & Invocation** – Alderman Wilkerson gave the Invocation.
- 3. Mayor Comments**

None.

4. Public Comments

This is the 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. Comments related to non-public hearing items will only be heard at this time. 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.) Comments should be respectful with no personal attacks. To preserve the order and decorum of the meeting of the Board, any person who makes profane, slanderous, or threatening remarks or who becomes disruptive during the meeting will be asked to leave. (Texas Penal Code §§ 38.13, 42.05).

Misty Links said the condition of the park is embarrassing as a City, as the Parks Commission President, and as a community member. She said in its current condition, mowers can't cut it. Mrs. Links said that as a Parks Board, they were told the park would be maintained and that it's tough to hear the comments and read comments about it as they are hurtful.

5. Swear in Mayor and Aldermen

Lynn Morgan, City Secretary, swore in Robert “Drew” Holder – Place 2, Brandon Griffith – Place 4, and Joe Wilkerson – Place 6.

6. Discuss and consider naming Mayor Pro Tem, possible action.

Emily Bowlin, City Attorney, advised aldermen can self nominate and then the vote should be in roll call format.

Alderman Holder expressed interest.

Mayor Chalk held a roll call vote to name Alderman Holder as Mayor Pro Tem:

Alderman Wilkerson – For

Alderman Scoggin – For

Alderman Griffith – For

Alderman Holder – For

Alderman Holder was approved at Mayor Pro Tem 4-0.

7. 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 April 2022 budget report for General, Disposal and Police/Municipal Departments
- b. Water/Sewer
- c. Maintenance
- d. Police
- e. Fire
- f. Approve April 2022 check register
- g. Approve minutes from Regular Meeting held on **April 14, 2022**
- h. Approve Resolution ratifying adoption of Robert's Rules of Order for general Board meeting procedure.

Police Chief Cory Smith stated the new Durangos had arrived to the dealership and would be going to the upfitters soon. Alderman Scoggin asked who the upfitter was and Chief Smith stated it was Stolz and they would upfit everything. Alderman Scoggin asked who had previously been used and Chief Smith said the truck came from McKinney Dodge, but that Defender Supply did the upfitting. Alderman Scoggin asked who Watchguard was and Chief Smith stated they were the company supplying and installing the cameras. Chief Smith also advised the Board that within two years, new radios will be needed, as the County is switching from analog to digital so we must upgrade as well in order to continue communications. Mrs. Morgan stated she had already applied for a grant through Coserv for this. She advised nothing may come of it, but it didn't hurt to try. She also updated that all the Tahoes were officially paid off.

Mrs. Morgan updated that the donations from the City Wide Garage Sale totaled \$655.75.

Mayor Pro Tem Holder made a motion to pass the Consent Items. Alderman Wilkerson seconded the motion and the motion passed 4-0.

8. Conduct a Public Hearing and take action on McClintock Home's request for a Variance to Section 9.02 of the Zoning Ordinance, regarding building lines, for property located at 303 Horseshoe Bend (Lot 13 Block B Cooke CAD 4980):

- a. Presentation of request;
Mrs. Morgan stated the McClintock representative was unable to attend so she would read the presentation. Mrs. Morgan stated that due to the curve of the road, the front build line was pushed back, making the one corner of the back of the house cross the back build line. She stated this lot was 577' deep on that side so it wasn't making a noticeable difference in the backyard size.
- b. **PUBLIC HEARING** to receive comments regarding the request; and
Open Public Hearing at 6:17
Closed Public Hearing at 6:18
- c. Discussion and action regarding the request.
Alderman Wilkerson stated the lot was still plenty big.

Mayor Pro Tem Holder made a motion to approve on McClintock Home's request for a Variance to Section 9.02 of the Zoning Ordinance, regarding building lines, for property located at 303 Horseshoe Bend (Lot 13 Block B Cooke CAD 4980). Alderman Scoggin seconded the motion and the motion passed 4-0.

9. Conduct a Public Hearing and take action on McClintock Home's request for a Variance to Section 9.02 of the Zoning Ordinance, regarding building lines, for property located at 309 Horseshoe Bend (Lot 10 Block B Cooke CAD 4980):

a. Presentation of request;

Mrs. Morgan stated that again the curve of the road pushes the house back and at a slight angle, causing this home to cross the side buildline. She stated the required buildline is 12.5', but they are asking for a variance allowing for this one to be at 10'11" on the right front and 11'4" on the right rear.

b. **PUBLIC HEARING** to receive comments regarding the request; and

Open Public Hearing at 6:20

Closed Public Hearing at 6:20

c. Discussion and action regarding the request.

Mrs. Morgan stated that the goal of the development was to have 25' between the houses and with this placement and that of the one next door, there is still 27' between them.

Alderman Wilkerson made a motion to approve on McClintock Home's request for a Variance to Section 9.02 of the Zoning Ordinance, regarding building lines, for property located at 309 Horseshoe Bend (Lot 10 Block B Cooke CAD 4980). Mayor Pro Tem Holder seconded the motion and the motion passed 4-0.

10. Discuss and consider request from Valley View Chamber of Commerce regarding decorating the square, possible action.

Syndelyn Langston, representing the Valley View Chamber of Commerce, stated the Flip the Flop fundraiser they recently had made nearly \$6,000 and the Chamber had voted to use those funds to purchase a Christmas Tree and the Chamber would like permission to decorate the square for major holidays.

Mayor Chalk asked what was required from the City. Mrs. Langston stated the need was electricity.

Mrs. Morgan stated she thinks the City should commit to spending money on decorations, whether for the tree or other general decoration.

Mayor Pro Tem Holder made a motion to approve the Valley View Chamber of Commerce decorating the square for school events and major holidays for 5 years and for the City to spend up to \$3,000 for décor. Alderman Griffith seconded the motion and the motion passed 4-0.

11. Discuss and consider request from Valley View Chamber of Commerce regarding a summer festival on the square, possible action.

Mrs. Langston stated this event is in place of the previous year's Freedom Fest, and since Sanger was doing a similarly named event, they wanted a different name so they are calling this Summer Picnic. She stated Reavis & McCubbin streets would need to be closed. Mrs. Langston stated they had porta potties lined up, they expected 20-30 vendors and food trucks. She said there would be live entertainment and would be June 25, 2022 between 10am-5pm. She said the hope is for this event to continue annually in lieu in fireworks.

Ms. Bowlin asked if the request was a funding request or just for street closures. Mrs. Morgan clarified that there is a Special Events Permit Application and this is part of that process.

Alderman Scoggin asked if additional officers will need to be brought in. Chief Smith stated it was likely if people were going to be drinking. Alderman Scoggin asked if a time could be set for alcohol to be at the event and Chief Smith advised it couldn't since anyone could walk to a store and purchase it.

Chief Smith stated the live music was a concern for needing additional officers as well. Mrs. Langston said she hoped the artist was a big enough name to draw people to the event. Chief Smith reminded Mrs. Langston that while the City does have reserve officers, he was unsure of their availability and the Chamber may have to pay for additional officers if the reserves are not available.

Mrs. Morgan asked if there needed to be a date set for the Chamber and Police Department to determine how many officers will be needed. Chief Smith stated he believes two will be sufficient and that the on-duty night officer can come in early. He stated he should know by June 1 if reserves are available.

Mayor Pro Tem Holder approved the request from the Valley View Chamber of Commerce to host Summer Picnic on the square June 25, 2022. Alderman Wilkerson seconded the motion and the motion passed 4-0.

12. Discuss and consider options for homeowner property damaged by sewer line examination, possible action.

Mrs. Morgan stated the situation that had come up at the beginning of the sewer inspection process. She stated that once she was made aware of the issue, the project was shut down until determination could be made what was happening, how to prevent it, and to notify the property owners.

Tyler Rank, property owner at 620 N. Lee, spoke that the water exploded through his toilet and flooded the room, ruining the vinyl flooring and baseboards, as well as spraying the walls and blinds. He stated he has not had time to remove the flooring, but that water still seeps from it when stepped on.

Mayor Chalk asked how big the room is. Mr. Rank stated it was 100-150 square feet.

Alderman Wilkerson asked if the Contractor had insurance and Mrs. Morgan stated they did. Alderman Wilkerson suggested talking to them, but Mayor Pro Tem Holder wasn't sure of the process for that.

Alderman Griffith asked if it was just in a single bathroom and Mr. Rank confirmed it was. Alderman Scoggin asked when it happened and Mayor Chalk stated it occurred April 26, 2022.

Alderman Griffith asked if the floor was removed and subfloor inspected yet and Mr. Rank said it was not. Mayor Chalk stated it needs to be reviewed as is for insurance to verify a claim.

Alderman Scoggin asked if there was help in cleaning up the original mess and Mr. Rank stated the inspection company had helped.

Ms. Bowlin advised that notice would have to be given to the contractor stating there may be a claim.

Mayor Pro Tem Holder suggested getting in touch with the contractor's insurance to cover the damages.

Mrs. Morgan asked if a dollar amount needed to be named. Ms. Bowlin asked for a copy of the Contract between the City and Contractor so she could advise further.

Alderman Griffith stated the flooring needed to be removed to allow the subfloor to dry. Mrs. Morgan stated the City had some fans they could use to help dry it out.

Ms. Bowlin stated a motion could be made to get fans in to dry it out to mitigate further damages and for the homeowner to get quotes for repairs. She also suggested a committee to review the quotes. Mrs. Morgan asked if there needed to be a not to exceed amount set and Ms. Bowlin agreed.

Alderman Griffith suggested \$750 would be a low cost for repair but could go up to \$2,000 if subfloor and baseboards needed replacing too.

Alderman Wilkerson made a motion to create a committee with Aldermen Griffith and Scoggin to review quotes received by the homeowner not to exceed \$1,000 if just flooring replacement or \$3,000 if additional repairs are needed and to reach out to the Contractor's insurance for the claim. Mayor Pro Tem Holder seconded the motion and the motion passed 4-0.

Ms. Bowlin suggested entering into Executive Session regarding items 13, 14, and 15.

Entered Executive Session at 6:58pm

Entered Open Session at 7:27pm.

13. Discuss and consider options for Vertical Bridge Tower site, possible action.

Alderman Wilkerson made a motion to move forward with the sale of the site pending attorney approval of the Contract and offer. Alderman Scoggin seconded the motion and the motion passed 4-0.

14. Discuss and consider options for 308 W. O'Buch Street, possible action.

Mayor Pro Tem Holder made a motion to move forward with getting quotes for repairs of the facility and using funds from the Vertical Bridge sale and Covid money for the repairs. Alderman Wilkerson seconded the motion and the motion passed 4-0.

15. Discuss and consider options for 101 S. Lee Street, possible action.

Alderman Scoggin made a motion to move forward with quotes for repairs of the facility and to use Hotel Occupancy Tax funds for the repairs. Mayor Pro Tem Holder seconded the motion and the motion passed 4-0.

16. Discuss and consider City hosted events, possible action.

Mrs. Morgan advised that Hullabaloo in Valley View had been created for September 17, 2022 and would be similar to the 150th Birthday Celebration, but ending earlier in the day. She also stated the 151st

Birthday Celebration had been set for March 25, 2023. She advised she had sent out information for sponsorships and vendor applications.

17. EXECUTIVE SESSION: In accordance with Texas Government Code, Section 551.001, et seq., the Board of Aldermen will recess into Executive Session to discuss the following:

- a. Section 551.072 Real Property: To deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person: Vertical Bridge Tower site; 308 W. O'Buch Street; 101 S. Lee Street

18. In accordance with Texas Government Code Chapter 551, the City Council will reconvene into Open Session to consider action, if any, on matters discussed in Executive Session.

19. Adjourn.

Mayor Pro Tem Holder made a motion to adjourn at 7:36pm. Alderman Wilkerson seconded the motion and the motion passed 4-0.

Minutes of the Board of Aldermen were approved this 9th day of June, 2022.