

**Town Council Minutes
May 23, 2011**

STATE OF TEXAS §
COUNTY OF TARRANT §
TOWN OF PANTEGO §

The Town Council of the Town of Pantego, Texas, met in regular session at 7:30 p.m. in the Council Chamber of Town Hall, 1614 South Bowen Road, Pantego, on the 23rd day of May 2011 with the following members present:

Melody Paradise
Duane Smith
Donna Arlington
Jane Barrett
Russell Brewster
Don Surratt

Mayor
Mayor Pro Tem
Council Members

constituting a quorum. The following staff members were present:

Tom Griffith
Lindsay Wells
Jim Jeffrey
Joel McKinney
Robert Newsome
Ron Edwards
Chad Joyce

Interim City Manager
City Secretary
City Attorney
Police Chief
Finance Director
Director of Public Works
Building Inspector

Also in attendance:

Jim Staples

PEDC Vice President

WORK SESSION 6:30 P.M.

Mayor Paradise called the work session into order at 6:35 p.m.

1. Interim City Manager Report
 - Item #1-Lane Well Conversion will cost much more than originally estimated. Rough estimate before bids was set at \$5000 and bid came back for \$9,740. Council asked Public Works Director Ron Edwards questions related to cost and system specifications.
 - Item #2-CDBG Sidewalk project
 - Item #3-Comprehensive Plan
 - Item #4-PEDC Park Row Project
 - Item #5-2901 Smith Barry Update
2. Acceptance of Purchase Orders: BUDGETED ITEMS
3. Approval of Bills Payable for Professional Services
4. Minutes: Town Council, PEDC
Mayor directed City Secretary Lindsay Wells to remove May 9, 2011 Town Council minutes. PEDC minutes are for informational purposed only until approved by the PEDC board.

Mayor, Council, and staff discussed the consent and regular agenda items. Item #7 will not be discussed and is pulled from the agenda.

Mayor Paradise adjourned the work session at 7:34 p.m.

REGULAR SESSION 7:30 P.M.
CALL TO ORDER/WELCOME

Mayor Paradise called the regular session to order at 7:43 p.m.

INVOCATION BY:

Councilmember Don Surratt

PLEDGE OF ALLEGIANCE

INAUGURATION

Mayor Melody Paradise performed the oath of office for City Secretary Lindsay Wells.

Lindsay Wells performed the oaths of office for Mayor Melody Paradise, Councilmember Don Surratt and Councilmember Russell Brewster.

Councilmember Surratt made a statement about his reelection and love for the Town of Pantego. Councilmember Brewster showed his appreciation for the opportunities he's had on various boards and Council. Mayor Paradise agreed with the statements made by her fellow Council members and said she loves serving her Town. Councilmember Arlington and Barrett agreed with what had been said and Mayor Pro Tem Smith agreed as well. City Secretary Lindsay Wells thanked the Council for the opportunity and is looking forward to getting started.

Mayor Paradise called a short recess to the meeting at 7:55 for a reception honoring the newly sworn in members of the Council and City Secretary. The meeting was called back in to session at 8:17.

MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS

No addition comments on community interests.

COUNCIL LIAISON TO BOARDS REPORTS

- **Park & Recreation Board**

Councilmember Arlington stated that the Park & Recreation Board will be hosting a Memorial Day celebration from 6-8 p.m. on Memorial Day with Rear Admiral George Ballance as Keynote Speaker, a color guard from a local Boy Scout troop and music from every branch of the military. Councilmember Arlington and Mayor Paradise both mentioned the need for volunteers, both residents and business owners, to make these events successful.

- **Public Safety Advisory Board**

Councilman Brewster gave an update on the Public Safety Advisory Board committee, relaying that a meeting has not taken place since the previous Council meeting and a meeting is scheduled to take place June 7, 2011 and he will have more to report when Council meets again on June 13, 2011.

PEDC REPORTS

PEDC Vice President Jim Staples made a presentation about the PEDC board meeting that took place on May 18, 2011. A major restaurant chain will be unable to open a location in Pantego based on an internal policy, and he also discussed the Park Row gateway project. Mr. Staples relayed that the PEDC heard presentations from two prospective candidates, himself included, for the Economic Development Coordinator position. The PEDC board will convene in a special session Tuesday, May 24, 2011 to make a site visit and discuss the Park Row project further followed by an executive session to discuss the Coordinator position.

CITIZENS OPEN FORUM

Ms. Harriett Irby-Ms. Irby spoke about the Hilda Shamberger Memorial Fund Animal Rescue Foundation. Ms. Irby discussed the growing problem of feline reproduction now that several rescue organizations are not spaying and neutering captured animals. Ms. Irby urged council to institute a policy about animal rescue. Also, Ms. Irby inquired to council about emergency weather plans in regard to tornadoes and other natural disasters and Mayor Paradise confirmed that Council has discussed tornadoes and will further discuss both issues at a future date.

APPROVAL OF CONSENT AGENDA ITEMS

Town Council Minutes
May 23, 2011

Councilmember Surratt moved that Council approve the Lane Well Conversion cost of \$9,740. Councilmember Brewster seconded.

The vote was as follows:

Ayes: Smith, Arlington, Barrett, Brewster, and Surratt
Nays:
Abstentions:

Mayor Paradise declared the motion passed unanimously.

Councilmember Arlington moved to approve Consent Agenda Items 1, 2, 3, and 4 with the exception of the Lane Well issue in Agenda item #1 and the removal of May 9, 2011 Town Council Minutes which will be resubmitted for Council approval. PEDC minutes will be viewed as informational only. Councilmember Barrett seconded the motion.

The vote was as follows:

Ayes: Smith, Arlington, Barrett, Brewster, and Surratt
Nays:
Abstentions:

Mayor Paradise declared the motion passed unanimously.

NEW BUSINESS FOR DISCUSSION, REVIEW, APPROVAL AND / OR DIRECT STAFF

5. Discuss, review, and consider any action on the first and final reading of an ordinance approving a negotiated resolution between the steering committee of cities served by Oncor ("Steering Committee") and Oncor Electric Delivery Company LLC., regarding the company's application to increase electric rates in all cities exercising original jurisdiction.

Finance Director Fitzhugh Newsom clarified that if Council fails to approve the ordinance, Oncor could take the issue to court and possibly raise the rates much more than they are currently asking. He also made clear that these rates are for electric delivery.

Mayor Pro Tem Smith moved to approve the ordinance as written and Councilmember Surratt seconded the motion.

The vote was as follows:

Ayes: Smith, Arlington, Barrett, Brewster, and Surratt
Nays:
Abstentions:

Mayor Paradise declared the motion passed unanimously.

6. Public hearing and approval of ordinance to change the name of Raper Boulevard to Veterans Boulevard.

Mayor Paradise opened the floor for a public hearing and the following citizens and business owners came before Council regarding the street name change:

Kelly Hoffman, 2301 Raper Blvd. - Mr. Hoffman is in favor of changing the name. He purchased his business building seven and a half years ago and expressed embarrassment at the name of the street when dealing with banks and customers. It is his opinion that the cost to businesses for changing the name on trucks, signs, letterhead, etc. is a small cost and not reason enough to not make the change.

**Town Council Minutes
May 23, 2011**

Jody Briggs, 2201 Raper Blvd. - Mr. Briggs is in favor of the name change. He feels that changing the name would be an economic advantage and would increase property values. He feels it is great to honor the servicemen and women with this name change.

Mike Redden, 2204 and 2206 Raper Blvd. - Mr. Redden is against the name change. He was in favor of the name change until he thought of the cost involved with changing the name on his equipment-trucks, signs, etc. He believed that the reason the town originally named the street Raper was in honor of Mr. Raper who was a councilman of Pantego and the street should continue to reflect that history.

Dan Wozniak, 2202 Raper Blvd. - Mr. Wozniak read a letter on behalf of the owner of the building he rents, Mr. Ron Feazell, who is against the name change, as is Mr. Wozniak. His business relies heavily on GPS systems, Yahoo and Google maps for customers to find his business. He fears that a name change would not take effect quickly enough on these systems and he would lose business. He markets heavily online and fears any change to his business would hurt his internet presence. Mr. Wozniak agrees with Mr. Redden that the street honoring Councilman Raper should remain.

Mr. Hoffman spoke again to reiterate his embarrassment at having his business on Raper Blvd. He feels strongly that the cost to businesses to change signs, repaint trucks and order new stationary is not great enough to reject changing the name of this street.

Mayor Paradise closed the public hearing and gave Council the opportunity to discuss the issues brought by the citizens. Council discussed with the citizens and staff issues and concerns relating to GPS and ad optimization. Mr. Edwards made Council aware of a phone call he had received giving the name suggestion of Pantera Place to honor the rock band, Pantera, who lived in Pantego.

Mr. Redden suggested a change that is close to Raper, possibly Roper, so the change would be less drastic. Mayor Paradise suggested to the business owners who came on behalf of both sides of the argument come together to see if they could come to a consensus about whether or not to change the name and what that resulting name would be if that is the decision. Interim City Manager Tom Griffith suggested the business owners decide on their own what should be done and bring the information to staff, and Council agreed with the recommendation.

Councilmember Brewster made a motion to table the ordinance as written and Councilmember Barrett seconded.

The vote was as follows:

Ayes: Smith, Arlington, Barrett, Brewster, and Surratt

Nays:

Abstentions:

Mayor Paradise declared the motion passed unanimously.

7. Review and discussion of a proposal from Carolyn Marshall, CPA, for a Water & Sewer Rate Study.

This item has been pulled by Council and will be rescheduled at a future date when Carolyn Marshall is available to come speak to Council in person.

8. Review and discussion of the Pantego Gas Well Ordinance

Council discussed Bryn Meredith's draft ordinance recommendations presented during work session, including issues and concerns relating to mitigation of noise and decibel levels, proper equipment, maintenance of landscaping, hours of operation, definitions for masonry wall and definition of what constitutes a last well drilled.

Mayor Paradise noted that more research should be done regarding noise and decibel levels. Council recommended staff contact Larry Hulsey and the Mansfield Gas Well Coordinator to research noise levels. Council discussed that stipulations should be put in place that noise levels should be monitored with proper equipment and noise levels can only go outside acceptable levels for short periods during daytime working hours. Work hours should be changed from 8:30 a.m.-8:30 p.m. to 8:00 a.m.-8:00 p.m. and 10 a.m.-7 p.m. on holidays and weekends.

9. Review and discussion of appointments to Boards and Commissions

No decision will be made at tonight's Council meeting; the included applications are for Council's information. Council discussed board applications submitted for review and directed the City Secretary to schedule interviews to take place at next Council work session, June 13, 2011 beginning at 6 p.m. The City Secretary was also directed to research and update the Boards and Commissions matrix for Council information. Staff will add board application information to the public marquee board.

COUNCIL INQUIRY

Mayor Paradise made an inquiry on the proposed smoking ordinance and asked Council for direction. Council requested a smoking ordinance agenda item be included on the next agenda. The next meeting will also see the election of Mayor Pro Tem and appointments of Council Liaisons to the Park & Recreation Board and the Public Safety Advisory Board.

SCHEDULED EXECUTIVE SESSION

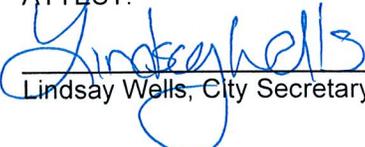
The Council will convene in the City Secretary's Office pursuant to the Texas Government Code for an executive session as follows:

- Pursuant to Government Code Section 551.071, the Council will meet in private or non-public executive session with its attorney for consultation, discussion, and to receive advice regarding potential litigation involving a complaint by Michelle Brown.
- Pursuant to Government Code Section 551.074, to deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee – City Manager, Municipal Judge, City Attorney, City Engineer, City Secretary.
 1. Discussion of position of City Manager

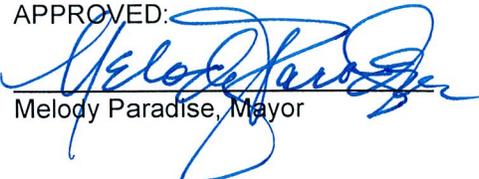
Mayor Paradise adjourned the regular session into executive session at 9:35 p.m. and reconvened at 11:25 p.m. with council taking no action on the first executive agenda item. On the second executive session agenda item, Council took the action of naming Sean Fox as the new City Manager and making it known that he has accepted. In addition, Council agreed to offer Interim City Manager Griffith a lump sum payment for additional duties assumed during the interim period February 1-June 30, 2011.

ADJOURNMENT

Mayor Paradise adjourned the regular session at 11:29 p.m.

ATTEST:

Lindsay Wells, City Secretary



APPROVED:

Melody Paradise, Mayor