

Town Council Minutes
August 22, 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 22nd day of August 2011 with the following members present:

Melody Paradise	Mayor
Don Surratt	Mayor Pro Tem
Donna Arlington	Council Members
Jane Barrett	
Russell Brewster	
Duane Smith	

constituting a quorum. The following staff members were present:

Sean Fox	City Manager
Lindsay Wells	City Secretary
Jim Jeffrey	City Attorney
Joel McKinney	Police Chief
Tom Griffith	Fire Chief
Ron Edwards	Public Works Director
Robert Newsome	Finance Director
Chad Joyce	Building Inspector

Also in attendance:

Bill Brown	PEDC President
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WORK SESSION 6:30 P.M.

Mayor Paradise called the work session into order at 6:34 p.m.

1. **City Manager Report**
 - Item #1-Animal/Nuisance Ordinance-Due to the large number of agenda items, discussion of this ordinance has been postponed until the September 12, 2011 Council meeting.
 - Item #2-Proposed Withdrawal from Social Security-The Town has received confirmed from the Social Security Administration that the Town will not be able to withdraw from Social Security.

Council discussed general issues with staff regarding expenditures and the Town's history with the Social Security system.

2. **Monthly Staff Reports**
3. **Acceptance of Purchase Orders: BUDGETED ITEMS**
4. **Approval of Bills Payable for Professional Services**
5. **Minutes: PEDC-July 20, 2011
Town Council-August 8, 2011 and August 15, 2011**

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Council discussed agenda item 6 regarding Council attending the TML Annual Conference October 11-14, 2011 in Houston, TX. Council next discussed general issues related to agenda item 7 regarding the approval of bills payable and staff spending limits and agenda item 8 regarding a proposed fee from Duncan Disposal to include grass clippings in trash collection. Mayor Paradise recognized Mary Jean Moloney of Atmos Energy Corp. to answer any questions Council may have regarding the proposed ordinance approving a rate adjustment as listed in agenda item 9.

Mayor Paradise adjourned the work session at 7:25 p.m.

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

Mayor Paradise called the regular session to order at 7:38 p.m.

INVOCATION BY:

Councilmember Donna Arlington

PLEDGE OF ALLEGIANCE

MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS

Mayor Pro Tem Surratt began by commending the Police Department for the service they provide to residents of checking in on their property if the resident will be away. He feels it is a valuable service to the residents. Councilmember Barrett discussed the first Comprehensive Plan meeting held Sunday, August 21, 2011 and encouraged everyone to attend the second meeting, scheduled for September 25, 2011. Mayor Paradise concurred and also encouraged attendance at the next Comprehensive Plan meeting. Mayor Paradise mentioned that the first meeting covered stakeholder interviews and how the Town wants to progress as a community.

Mayor Paradise also thanked the Pantego Lions Club and Lions Club President Bill Brown for graciously allowing use of their Community Center and made mention of the Lions Club Pancake Breakfast scheduled for Saturday, August 27, 2011 from 8 a.m.-11 a.m at the Lions Club Community Center. Councilmember Smith took a moment to salute the progress that has been made on next year's budget. Councilmember Brewster thanked those in attendance and thanked staff for their continued hard work.

Police Chief Joel McKinney discussed the upcoming public safety forum scheduled for September 29, 2011 at 6:30 p.m. at Pantego Christian Academy. The program is aimed at junior high and high school age teens and their parents. Chief McKinney stated that the goal of the program is to educate teens and their parents about dangerous drugs in the community and their use.

Public Works Director Ron Edwards updated Council on the Pantego Farmers Market and stated that it is performing well.

COUNCIL LIAISON TO BOARD REPORT

- **Community Relations Board**

Mayor Paradise mentioned that there will not be a formal Council liaison to board report as the Park & Recreation Board and the Public Safety Advisory Board were dissolved at the last Council meeting and merged into a new board, the Community Relations Board. The Community Relations Board will be meeting for the first time on Tuesday, August 23, 2011 at 6:30 p.m. in Council Chambers with a light snack immediately preceding the meeting. Mayor Pro Tem Surratt has been named as the Council Liaison to the Community Relations Board and will update Council at the next Council meeting, September 12, 2011.

PEDC REPORTS

President Bill Brown updated Council on the PEDC meeting which took place August 10, 2011, and relayed that Mundo and Associates has been hired as the new Economic Development Coordinator. The next PEDC meeting scheduled for Wednesday, August 24, 2011 will include the first public hearing for the PEDC budget for fiscal year 2011/2012.

CITIZENS OPEN FORUM

Steve Brooks, 1 Country Club Ct. Pantego, TX 76013 – Mr. Brooks expressed his appreciation at the continued partnership between Pantego and the City of Arlington regarding the Handitran service. Mr. Brooks feels it is an essential service for handicapped and elderly individuals and is grateful that the Town continues to include the service in the annual budget.

APPROVAL OF CONSENT AGENDA ITEMS

Mayor Pro Tem Surratt moved to approve Consent Agenda Items 1, 2, 3, and 4 with changes to the minutes as discussed. Councilmember Brewster seconded the motion.

The vote was as follows:

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

Nays:

Abstentions:

Mayor Paradise declared the motion passed unanimously.

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

5. Discuss, review and consider the options available in order to comply with Texas Senate Bill 100.

City Secretary Lindsay Wells made a presentation to Council regarding the implications to local elections by the recent passing of Texas Senate Bill 100. Senate Bill 100 was passed in order for the State of Texas to become compliant with the Federal MOVE Act and will require local municipalities to possibly change how local elections are administered in even numbered years. She provided the various options available to Council for future elections including, purchasing voting equipment and administering elections without the aid of Tarrant County, unstagging Council terms to allow the entire Council to be up for reelection at the same time in odd numbered years and changing Pantego's local elections to the November election date.

Council discussed the options presented and decided to wait to make a final decision until more information can be obtained from Tarrant County regarding how they plan to conduct May elections.

6. Discuss, review and direct staff on preparations for the 2011 TML Conference held in Houston, Texas October 11-14, 2011.

Agenda item #6 was discussed during work session. Council reached the consensus that the Mayor, 5 Councilmembers, City Manager and City Secretary would all attend the TML Conference in Houston, TX October 11-14, 2011 and directed staff to begin making preparations.

7. Discuss and consider amending the review and approval process of purchase orders and bills payable and increasing spending limits imposed on department heads and the City Manager.

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Agenda item #7 was discussed during work session. Council discussed the information presented by City Manager Sean Fox regarding spending limits and the current approval process. Beginning with the September 12, 2011 Council meeting, only bills payable and purchase orders over \$1000 would be presented to Council in their agenda packets for Council approval.

8. Discuss and consider amending the contract with Duncan Disposal to include grass clippings at a cost of \$1.80 a month.

Agenda item #8 was discussed during work session. Council discussed the option given by Duncan Disposal for the company to begin picking up grass clippings as part of their current garbage collection at a cost of \$1.80 per month per customer. Council unanimously decided against amending the contract to include this \$1.80 fee.

ORDINANCES

9. Consider any action on a first and final reading of an ordinance approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp. regarding the company's fourth annual rate review mechanism.

Agenda Item #9 was discussed during work session. Councilmember Smith moved to approve the ordinance regarding a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp. Councilmember Barrett seconded the motion.

The vote was as follows:

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

Nays:

Abstentions:

Mayor Paradise declared the motion passed unanimously.

10. Discuss and consider any action on a proposed ordinance amending the Town of Pantego Code of Ordinances Article 13.05 "Drought Contingency Plan" by updating, revising and deleting various sections, and creating a Water Resource Management Plan.

Mayor Paradise stated that the next three agenda items are interrelated and agenda item #12 will be dealt with first as it affects agenda items #10 and #11.

Mayor Paradise began discussion by clarifying that the Water Resource Management Plan will be updated with the new water rate passed in agenda item #12 as well as the ordinance passed in agenda item #11 related to water tampering. Building Inspector Chad Joyce explained to Council that initially this ordinance was originally intended as a drought contingency plan update which would also include irrigation requirements and later found that a water conservation plan was necessary as well.

Council discussed with staff several items within the proposed ordinance including allowing restrictions to be implemented year round, commercial car wash restrictions, car washing fundraisers and limiting total water losses.

Councilmember Arlington made a motion to adopt on the first and final reading a proposed ordinance amending the Town of Pantego Code of Ordinances Article 13.05 "Drought Contingency Plan" by updating, revising and deleting various sections, and creating a Water Resource Management Plan with changes as discussed, including restricting irrigation between 10:00 a.m. and 6:00 p.m. year round, in the appendix, the schedule of water rates will include the rates just approved in agenda item #12, under section 13.05.002, the date of August 11, 2011 will be replaced with August 22, 2011, deleting the final paragraph calling for a second and final reading and amending the previous paragraph to read "presented and passed on this first and final reading." Councilmember Barrett seconded the motion.

The vote was as follows:

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

Nays:

Abstentions:

Mayor Paradise declared the motion passed unanimously.

11. Discuss and consider any action on the first reading of a proposed ordinance amending the Town of Pantego Code of Ordinances Article 13.01 "General Provisions."

Mayor Paradise clarified to Council that the proposed ordinance is for water tampering and is in the appendix to the Town Water Resource Management Plan and will therefore be discussed before agenda item 10. Building Inspector Chad Joyce presented the proposed amendment and explained the current verbiage in the Code of Ordinances is vague in regards to theft. Mr. Joyce drafted an ordinance that clarified language regarding water theft as well as included language forbidding citizens from tampering with the Town's water system.

Council discussed with staff several topics including language related to meter box lids, shut-off valves and language within the ordinance. City Attorney Jim Jeffrey clarified the legal questions that arose from Council discussion.

Councilmember Arlington made a motion to adopt on the first and final reading a proposed ordinance amending the Town of Pantego Code of Ordinances Article 13.01 "General Provisions" with the revision deleting the word "limited" and replacing with the words "not limited" in the first paragraph, deleting the final paragraph calling for a second and final reading and amending the previous paragraph to read "presented and passed on this first and final reading." Councilmember Brewster seconded the motion.

The vote was as follows:

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

Nays:

Abstentions:

Mayor Paradise declared the motion passed unanimously.

PUBLIC HEARINGS

12. Public Hearing to consider any action on First and Final Reading of a proposed ordinance amending the Schedule of Fees Appendix A of the Code of Ordinances of the Town of Pantego, Texas, regarding changes to certain fees identified under Permit and Service Fees – Water and Sewer.

Mayor Paradise opened the public hearing and following citizens came before Council regarding the proposed water rate change:

Bob Griffin, 2 Country Club Ct. Pantego, TX 76013 - Mr. Griffin came before Council and stated that he is in favor of the water rate increase. Mr. Griffin explained that the water rate study that was conducted in 2006 by Carolyn Marshall established a 195,000,000 gallon usage by the Town and based her study rates on that total. The Ad Hoc Committee realized that 173,000,000 gallons was the actual usage amount for the Town and water rates were based on incorrect usage amounts. Mr. Griffin urged Council to keep these figures in mind when discussing an increase to future water rates.

Mayor Paradise closed the public hearing and gave Council the opportunity to discuss the issues brought by the citizens. Council discussed issues related to this agenda item including whether to implement a 6%

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or 9% increase, when to implement an increase and the possibility of commissioning a new water rate study in the next year.

Mayor Pro Tem Surratt moved to approve an amendment to the Schedule of Fee Appendix A to 9% of the Code of Ordinances of the Town of Pantego, Texas regarding changes to certain fees identified under permit and service fees for water and sewer. Councilmember Arlington seconded the motion.

The vote was as follows:

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

Nays:

Abstentions:

Mayor Paradise declared the motion passed unanimously.

13. Public Hearing to consider Tax Rate of \$0.41 per \$100 valuation for the Town's 2011-2012 Fiscal Year Budget.

Mayor Paradise opened the public hearing regarding the proposed tax rate increase and no citizens came before Council to speak for or against the proposal. Mayor Paradise closed the public hearing.

14. Public Hearing regarding a proposed budget for Fiscal Year October 1, 2011 through September 30, 2012.

Mayor Paradise mentioned that the Council will vote on the proposed budget for Fiscal Year 2011/2012 the Town Council meetings scheduled for September 12, 2011 at 7:30 p.m. and September 26, 2011 at 7:30 p.m.

Mayor Paradise opened the public hearing and following citizens came before Council regarding the proposed budget:

Bob Griffin, 2 Country Club Ct. Pantego, TX 76013 - Mr. Griffin came before Council and discussed the drainage issues he and his neighbors on Country Club Court have had over the years. Mr. Griffin stated that he understood that it was not possible for a solution to this problem to be included in the proposed budget; however, we wanted to ensure Council was aware of the issue.

Mayor Paradise closed the public hearing and gave Council the opportunity to discuss the public hearing. Council discussed the upcoming votes regarding approving the proposed 2011/2012 Fiscal Year budget.

COUNCIL INQUIRY

No Council inquiry.

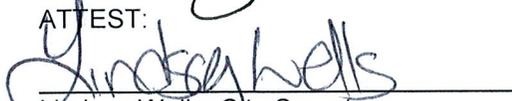
ADJOURNMENT

Mayor Paradise adjourned the regular session at 9:25 p.m.

APPROVED:


Melody Paradise, Mayor

ATTEST:


Lindsay Wells, City Secretary

