

**Town Council Minutes
June 25, 2012**

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 25th day of June 2012 with the following members present:

Melody Paradise	Mayor
Don Surratt	Mayor Pro Tem
Jane Barrett	Council Members
Russell Brewster	
Don Funderlic	
Charlie Price	

constituting a quorum. The following staff members were present:

Sean Fox	City Manager
Lindsay Wells	City Secretary
Jim Jeffrey	City Attorney
Fitzhugh Newsome	Finance Director
Tom Griffith	Public Safety Chief
Barry Reeves	Police Lieutenant
Ron Edwards	Public Works Director
Chad Joyce	Community Development Director

Also in attendance:

Pam Mundo	Economic Development Coordinator
------------------	---

WORK SESSION 6:30 P.M.

Mayor Paradise called the work session into order at 6:32 p.m.

1. City Manager Report

- June Business Meet & Greet – The next monthly Meet & Greet event will be held Thursday, June 28, 2012 at 5:30 p.m. in front of David's Barbeque on Park Row Drive. A presentation on proposed Park Row improvements will be displayed for review.
- Del Taco Ribbon Cutting – Del Taco will be opening its doors this week. The Town will help celebrate with a ribbon cutting on Saturday, June 30, 2012 at 10:00 a.m.
- The Towers – The Westwood development is currently under construction with improvements scheduled to be completed by October 1, 2012.
- FEMA Emergency/Tornado Shelters – At the last Council meeting, Mr. Edward Linfante mentioned a grant offered by Tarrant County for constructing tornado shelters. After research by staff, it was discovered that it would be too difficult for a Town of Pantego's size to comply with the terms of the grant. In addition, the grant program is no longer offered.

Council discussed the Del Taco ribbon cutting and business directories.

2. Approval of Bills Payable and Purchase Orders in Excess of \$1,000

Council discussed purchase orders presented including invoices for tires for the Quint.

**Town Council Minutes
June 25, 2012**

**3. Minutes: PEDC minutes-May 9, 2012
Town Council-June 11, 2012**

Council discussed the minutes presented and changes proposed to the Town Council minutes.

4. Discuss and consider the adoption of a Council Relations Policy.

Council discussed issues including Council relations with staff, developing agenda items, and responding to media inquiries. Council directed staff to make changes to language related to per diem rates and personal phone calls. Council agreed to adopt the policy with changes as discussed.

5. Discuss economic development issues with Economic Development Coordinator Mundo & Associates.

Economic Development Coordinator Pam Mundo updated Council on PEDC initiatives and presented the recently passed PEDC Strategic Plan. She stated that before the Strategic Plan was completed, Goal 5 of attracting \$1,000,000 in new investment had already been met.

Ms. Mundo next discussed topics including one-on-one interviews with businesses, vacancy rates in the shopping centers, the monthly Meet & Greet events, and the SKEDS Shop Pantegio program.

Last, Ms. Mundo mentioned the Texas Dealmaking Conference to be held in Dallas, TX in October as well as a 4 hour retail trade show to be held in August in Dallas, TX and invited Council to attend.

Council discussed the Strategic Plan and business interviews

Mayor Paradise adjourned the work session at 7:31 p.m.

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

Mayor Paradise called the regular session to order at 7:36 p.m.

INVOCATION BY:

Community Development Director Chad Joyce

PLEDGE OF ALLEGIANCE

MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS

Councilmember Brewster welcomed all those in attendance and the Town staff for their continued hard work. Mayor Pro Tem Surratt thanked the citizens for taking the time to be here.

Mayor Paradise mentioned comments she has received regarding the ice house that was constructed last year. She stated that people enjoy having the ice housed in town and it is aesthetically pleasing.

City Manager Sean Fox stated he was glad to see the full Council back as Councilmember Jane Barrett was absent from the previous Council meeting.

COUNCIL LIAISON TO BOARD REPORT

- **Community Relations Board**

Mayor Paradise stated that Council appointed Councilmember Jane Barrett as the Council Liaison to the Community Relations Board at the last Council meeting.

**Town Council Minutes
June 25, 2012**

City Secretary Lindsay Wells confirmed that due to the July 4th holiday, the Community Relations Board will next meet on Tuesday, July 10, 2012.

- **Pantego Youth Leadership Council**

Mayor Paradise stated that the PYLC is on summer hiatus right now. At the July 23 Council meeting, Council will honor and recognize the 2011/2012 PYLC students.

PEDC REPORTS

This item was discussed during work session under agenda item #5.

CITIZENS OPEN FORUM

Harriet Irby, 3400 Peachtree Ln. Pantego, TX 76013 – Ms. Irby informed Council that she recently checked www.airnow.gov and the Dallas/Fort Worth area today had an ozone rating of 156, which is a red, unhealthy rating. Trees are recognized as a natural device for ozone issues by putting oxygen back in to the air. Ms. Irby mentioned the booklet she received in the mail regarding tree limbs and stated that she met with a blind woman who was in front of her house and ensured that the woman had no problems with Ms. Irby's trees. Ms. Irby informed Council that her next door neighbors cut up several trees which concerned her.

Next, Ms. Irby discussed mosquitoes as they related to a blue jay found dead in her yard. She checked with Tarrant County and found out that migratory birds can carry west Nile virus. She is concerned about west Nile virus.

APPROVAL OF CONSENT AGENDA ITEMS

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

The vote was as follows:

Ayes: Surratt, Brewster, Barrett, Funderlic and Price

Nays:

Abstentions:

Mayor Paradise declared the motion passed unanimously.

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

6. Discuss and consider amending Chapter 2, "Animal Control," of the Code of Ordinances of the Town of Pantego, Texas.

Public Works Director Ron Edwards explained why changes were made to the animal ordinance earlier in the year and why it has been brought back for Council review. Mr. Edwards stated that he is requesting a change in the ordinance to allow the animal control officer the authority to approve a variance from the ordinance on a case-by-case basis.

Council discussed changes to the ordinance and how it would be presented.

Harriet Irby, 3400 Peachtree Ln. Pantego, TX 76013 – Ms. Irby mentioned the Shamburger fund and suggested purchasing a portable kennel. She next mentioned euthanizing cats or dogs with sodium pentathol and feels a veterinarian should do the procedure. She next discussed chickens and felt that the distance requirement in the ordinance is arbitrary and potentially harmful if the required space does not have adequate shade. Ms. Irby mentioned movable chicken coops.

Town Council Minutes
June 25, 2012

Council requested more information on the services Ms. Irby provides and how she utilizes the Shamburger fund. Public Works Director Ron Edwards clarified that there are staff members who are trained in euthanasia and staff has chosen not to do that.

Betty Clark, 3406 Country Club Ct. Pantego, TX 76013 – Ms. Clark stated that City Manager Sean Fox and Public Works Director Ron Edwards have been to her home and there was very little chicken noise. She is concerned that her required pen location would be in full sunlight. She requested additional time to comply with the ordinance and was worried that the ordinance was not fully discussed and fines not fully explained.

Council asked Ms. Clark how many chickens and roosters she owns and if her chickens could be kept inside her home. Ms. Clark stated that she has approximately 20 chickens with 4 roosters.

City Attorney Jim Jeffrey stated that he is concerned about having one person on staff being responsible for modifying an ordinance. Mr. Jeffrey recommended drafting language similar to the Zoning Board of Adjustments where a board would allow a variance.

Council discussed the idea proposed by Mr. Jeffrey, the number of allowed fowl, fines and penalties.

Ms. Irby informed Council that her chickens can be considered livestock since she keeps them for food production and explained that at least 5 chickens are necessary for food production.

7. Discuss and approve a Water Infrastructure rate adjustment.

City Manager Sean Fox briefed what was discussed at the previous Council meeting regarding the water infrastructure rate adjustment. Mr. Fox stated that the issue was brought by Shady Valley Apartments. He explained how the fee was initially calculated and how the ordinance implementing the fee was written. Mr. Fox detailed the new rates he is proposing and stated that he is proposing option 4.

Council discussed the Waterford Retirement Home, previous ordinances, and a rate reduction for residential customers.

James Floyd, 1305 W. Magnolia, Fort Worth, TX 76104 – Mr. Floyd thanked Council and staff for the hard work that has taken place since the previous Council meeting and thanked City Manager Sean Fox for making himself so available and open. Mr. Floyd explained that the Wehners have put in a great amount of work into the property and plan to relocate to Pantego. He wants a system in place that will benefit everyone.

Council thanked Ms. Wehner for the informational packet that she gave out at the last meeting.

Paige Wehner, 3206 Green Tee Dr. Pantego, TX 76013 – Ms. Wehner apologized for the amount of time this issue has taken but feels it is important to fully address the issue. She stated that the money currently being paid toward the fee cannot be used to continue improving the property. Ms. Wehner stated that most bills increased approximately 23% and Shady Valley's increase was much higher and wanted to come to an agreement that is fair.

Council asked Ms. Wehner about charging her tenants for their water bills. Ms. Wehner stated that they do not charge for water because it is too difficult in practice.

Gerald Wimpy, 1610 Newsom Ct., Pantego, TX 76013 – Mr. Wimpy inquired about the property Ms. Wehner was referring to.

Mayor Paradise stated that Shady Valley Apartments is the property being discussed.

**Town Council Minutes
June 25, 2012**

Council discussed the options presented including the 95 and 75 option, effective dates and monthly credits.

Mayor Pro Tem Surratt made a motion to approve the 95/75 option raising \$337,679 annually. Councilmember Brewster seconded the motion.

The vote was as follows:

Ayes: Surratt, Brewster, Barrett, and Price
Nays: Funderlic
Abstentions:

Mayor Paradise declared the motion passed 4-1

Council discussed effective dates and back dating. Finance Director Fitzhugh Newsome explained the process required to make the adjustments.

Councilmember Brewster made a motion to backdate a bill credit for one month. Councilmember Price seconded the motion

The vote was as follows:

Ayes: Surratt, Brewster, Funderlic and Price
Nays: Barrett
Abstentions:

Mayor Paradise declared the motion passed 4-1.

8. Discuss, review and direct staff on possible adoption of regulations regarding smoking within the Town limits.

Community Development Director Chad Joyce stated that the information in this item was presented at the last Council meeting. Council asked City Attorney Jim Jeffrey if certain businesses could be defined and regulated via zoning regulations. Mr. Jeffrey stated that it is possible but current businesses in town are given certificates of occupancy as restaurants and not smoking lounges.

Council discussed defining restaurants that do not allow tobacco sales and grandfathering clauses. Council directed City Attorney Jim Jeffrey to research options including drafting an ordinance or utilizing zoning regulations for review which grandfathers current smoking establishments, defines businesses that allow smoking, and regulate the number of allowable similar businesses in a certain area.

9. Discuss and approve proposed improvements to the Park Row Corridor.

City Manager Sean Fox explained the history of the issue and stated that price estimates remain the same with a cost of \$1,657,804 as the total price of the project.

Council discussed issues including engineering studies, crosswalk and bench costs, and how often staff will present progress to Council.

Councilmember Price made a motion to approve the project for a total cost of \$1,657,804. Councilmember Funderlic seconded the motion.

The vote was as follows:

Ayes: Surratt, Brewster, Barrett, Funderlic and Price
Nays:

Abstentions:

Mayor Paradise declared the motion passed unanimously.

10. Discuss, review and approve any action authorizing the City Manager to enter into an interlocal agreement between the Town of Pantego and Tarrant County for the repair of Miller Lane and Miller Court, Stockbridge Court, and Marathon Street.

Public Works Director Ron Edwards presented Council with a street priority list and informed Council that the roads selected for work were chosen based on available funds and completion availability.

Council discussed terms of the contract and why these projects were chosen.

Mayor Pro Tem Surratt made a motion to approve the expenditure of \$48,410.56 for the City Manager to enter into an interlocal agreement with Tarrant County. Councilmember Barrett seconded the motion.

The vote was as follows:

Ayes: Surratt, Brewster, Barrett, Funderlic and Price

Nays:

Abstentions:

Mayor Paradise declared the motion passed unanimously.

11. Presentation of the 2012/2013 Preliminary Budget.

City Manager Sean Fox informed Council that tonight is an introductory presentation of the budget. Mr. Fox stated that the budget will be fully discussed in separate work sessions. He clarified that it is difficult to project issues including overtime for required positions and revenues stated that although the town has approved liquor stores, the projections for revenues are remaining consistent with the current fiscal year.

Finance Director Fitzhugh Newsome stated that revenue totals are updated monthly during the budget process to better estimate future revenues.

Council discussed the proposed budget calendar and agreed to begin budget work sessions on July 16, 2012 at 6:30 p.m.

COUNCIL INQUIRY

None at this time.

SCHEDULED EXECUTIVE SESSION

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

- Pursuant to Government Code Section 551.074, to deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
 1. Discussion of Board and Commissions appointments
 2. Discussion of position of City Manager
- Pursuant to Government Code Section 551.087, to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body and with which the governmental body is conducting economic development negotiations.

Mayor Paradise adjourned the regular session into executive session at 9:54 p.m. and reconvened at 11:50 p.m. with council taking no action on the executive session agenda item related to the City Manager. For the executive session agenda item related to the appointment of boards and commissions, Council took the following actions:

**Town Council Minutes
June 25, 2012**

Mayor Pro Tem Surratt made a motion to approve an economic incentive in the amount of a \$10,000 grant and a \$20,000 loan as previously approved by PEDC for Dr. Jeckyll's Beer Lab and Mom's Liquor Cabinet. Councilmember Funderlic seconded the motion.

The vote was as follows:

Ayes: Surratt, Brewster, Barrett, Funderlic and Price
Nays:
Abstentions:

Mayor Paradise declared the motion passed unanimously.

Mayor Pro Tem Surratt made a motion to approve a 380 agreement for \$24,000 as previously approved by PEDC for S&D Family Partners. Councilmember Brewster seconded the motion.

The vote was as follows:

Ayes: Surratt, Brewster, Barrett, Funderlic and Price
Nays:
Abstentions:

Mayor Paradise declared the motion passed unanimously.

For the executive agenda item relating to Boards and Commissions appointments, Council accepted the resignation of Glen Paradise from the Community Relations Board effective immediately. The following appointments were made for two year terms expiring in 2014:

Pantego Economic Development Corporation
Place 1 – Paul Mayo
Place 2 – Doug Davis
Place 4 – Barbara Rogers
Place 5 – Don Surratt

Planning & Zoning Commission
Place 5 – William Holland
Place 7 – William Nolen

Zoning Board of Adjustments
Place 3 – Janice Wood
Place 4 – Charles Jones
Place 5 – Randy Siddens

The following appointments were made to vacancies with unexpired terms which expire in 2013:

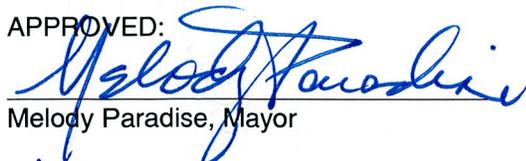
Pantego Economic Development Corporation
Place 3 – Paul Sturiale
Place 7 – Mike Aguillard

Planning & Zoning Commission
Place 3 – Smokey Garrett

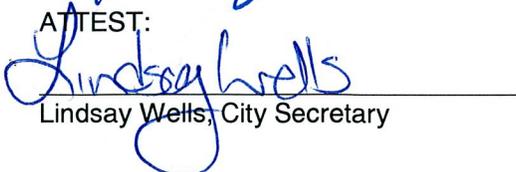
ADJOURNMENT

Mayor Paradise adjourned the regular session at 11:53 p.m.

APPROVED:


Melody Paradise, Mayor

ATTEST:


Lindsay Wells, City Secretary

