

Town Council Minutes  
February 10, 2014

STATE OF TEXAS §

COUNTY OF TARRANT §

TOWN OF PANTEGO §

The Town Council of the Town of Pantego, Texas, met in special session at 6:30 p.m. in the Council Chamber of Town Hall, 1614 South Bowen Road, Pantego, on the 10<sup>th</sup> day of February 2014 with the following members present:

Melody Paradise  
Russ Brewster  
Jane Barrett  
Don Surratt  
Don Funderlic  
Charlie Price

Mayor  
Mayor Pro Tem  
Council Members

constituting a quorum. The following staff members were present:

Matt Fielder  
Julie Arrington  
Jim Jeffery  
Ariel Carmona  
Chad Joyce  
Tom Griffith  
Barry Reeves  
Robert Coker  
Thressa Householder

City Manager  
City Secretary  
City Attorney  
Financial Director  
Community Development Director  
Chief of Public Safety  
Assistant Police Chief  
Assistant Fire Chief  
Court Administrator

Also in attendance:

Joyce Stanton

City Engineer

WORK SESSION 6:30 P.M.

Mayor Paradise called the work session to order at 6:36 p.m.

Mayor, Council, and Staff discussed the following consent agenda items:

**1. City Manager Report**

Mr. Fielder advised Council the construction on Peachtree is mostly complete. The items left for repair are the irrigation, landscaping, and the final cleanup. The construction on Country Club Court still needs the asphalt repaired at the intersection of Country Club Court and Country Club Dr., the pavement section discussed at the last meeting, the retaining wall, the irrigation system, landscaping, and final cleanup. There was discussion regarding the backfill material used by the contractor, elevation issues causing water to pool in some areas, and the cleanup required from the contractor. Mrs. Stanton informed Council the contractor stated he will have all repairs to the irrigation, the sod, and the cleanup completed by February 24<sup>th</sup>. She stated the repairs that have been completed over the last two weeks should have repaired the elevation issues in front of Mr. Griffin's home. She verified she will continue to stay on top of the contractor and will work with Mr. Joyce in the cleanup back charging the contractor as needed for the cleanup.

Council discussed the contract dates and the deadline for completion verifying the contractor is in violation of the contract. Council requested a letter putting him on official notice of violation to be sent to the contractor. Mr. Jeffery's verified this was a proper action.

Mrs. Stanton apprised Council of a recently discovered issue regarding the sprinkler system next to the retaining wall. The contractor performing the work on the sprinkler system noticed one of the sprinkler heads next to the retaining wall will now water a lot of concrete; retaining wall and street. She informed Council the contractor recommends installing a new station at 8 Country Club Ct. at a cost of \$700. She explained there are several deductions that have not been worked into the final cost of the project that should level out the cost of the change order. There was discussion regarding other possible fixes to the issue and the different sprinkler head possibilities. Mr. Joyce educated Council the main difference between the rotor head and the pop ups is the amount of water they release. Mr. Joyce further explained the Town can place the sprinkler head to where it was or we can fix it for water conservation purposes. If the town takes it out there will be a large area that will not receive any water. Council agreed to the repair of this sprinkler as discussed.

Mr. Fielder informed Council the server migration is complete. There are still some lingering issues; such as the emails went down February 1<sup>st</sup> but are now fixed. The items left are some functionality issues, physical clean up, and the recorder in the Council Chambers. There was some discussion on keeping the server racks for future upgrades and documenting our fixed assets.

Mr. Fielder explained to Council the SCADA system operates our water wells remotely. There is an issue with our server transition to Windows 7. The SCADA software will not function on Windows 7 only Windows XP. According to Mr. Fielder this is not an emergency situation Mr. Joyce has designated a desktop computer with Windows XP to currently run the well stations. Mr. Joyce informed Council the well stations still communicate and function normally; however, staff cannot access the wells remotely from home if they need to resolve any issues. The current software company for our SCADA system must rebuild the software in order to upgrade it. This is an estimated cost of \$13,000. There was some discussion regarding the Iwerks contract and what was included. Staff was directed to research the contract and to place this on a future agenda to discuss options, the expenses thus far, and everything related to the SCADA system.

Mr. Fielder informed Council staff is still working on obtaining the information needed for the compensation study. One of the cities staff is waiting on is Dalworthington Gardens. He proposed moving this item to the next agenda.

Mr. Fielder told Council the Park Row Arch lighting is on the PEDC Agenda for Wednesday's meeting to discuss options for lighting. Councilmember Surratt stated he would inform Council at the next council meeting.

Mr. Fielder notified Council that Mr. Joyce will meet with CMA and Oncor regarding the utilities placement for the project; water lines, light poles, landscape, and sidewalks. This is a six month project. Mr. Fielder reminded Council it is possible the project will impact PatnegoFest 2014.

Mr. Joyce met with the owner and confirmed as of 2:00 p.m. all the decorative items have been removed; however, the trailer was still there. Discussion was had on the Special Use Permit approved by the Council for the Snow Cone Stand back in August.

## **2. Monthly Staff Reports**

Discussion was had regarding the printer and the quality of the prints. Staff was directed to have the printer looked at for repairs.

Council inquired about the Interest Distribution Report and the difference in the interest between the funds. The PEDC interest was 50% of the Town interest on the report. It was discovered the issue was the print quality of the report made it hard to read.

There was discussion on the motorcycle officer staffing issues due to the vacancies in the police department.

There was some discussion on the cost of the air conditioning repair as it relates to the engine repair of the Fire Truck.

Discussion was had regarding the new sweeper attachment purchased for Public Works and the benefits the citizens may receive from the new equipment.

There was discussion regarding the 303 project, the warranty on the median landscaping, and the amount of days and time the sprinklers are on. Mr. Joyce informed Council the Texas Department of Transportation is still in control of the project until the final walk through.

Council inquired about the improvements at Nora. Mr. Joyce informed Council the improvements are complete and the Town is back in service.

Council inquired about the Peak Energy contract. Mr. Joyce was directed to advise Mr. Fielder and Mrs. Carmona what was involved in this agreement with Peak Energy. Council would like to know if it is beneficial and cost effective to continue the use. The vendor discussed a buy back guarantee if the Town did not save any money with this system. Council requested staff to verify this system was on the SCADA system as well. Council would like a report on this at the next Council meeting. Council inquired about the maintenance on the water wells and requested Mr. Joyce to contact Collier regarding information on the SCADA system.

There was discussion on an updated timeline for the Planning and Zoning Ordinance. The ordinance presentation to the Planning and Zoning Commission is scheduled in March.

### **3. Approval of Bills Payable and Purchase Orders in excess of \$1,000.**

There was discussion on the Denitech contract regarding overages and the number of copies allowed per the contract. Staff was directed to compare the last two years of invoices and to meet with the representative. This invoice was pulled until Mrs. Carmona speaks with Denitech regarding the fees and the contract.

Council inquired about the renovation budget for the court office. The complete renovation will remain under the entire renovation cost located in the small asset budget; however, some of the itemized areas are over their itemized line items for the budget.

### **4. Approval and Acceptance of Minutes**

Approval of Town Council Minutes:

- Town Council minutes from October 28, 2013
- Town Council minutes from November 11, 2013
- Town Council minutes from November 25, 2013
- Town Council minutes from December 9, 2013
- Town Council minutes from January 13, 2014
- Town Council minutes from January 20, 2014
- Town Council minutes from January 27, 2014

Council requested small changes for clarification on the January 27<sup>th</sup> minutes regarding the generator, the City Managers report, and PantegoFest.

Acceptance of Minutes of Boards and Commissions:

- Community Relations Board Minutes December 3, 2013

**5. Discuss the impact to the Town of Pantego public safety communications system as a result of the new digital radio system the City of Arlington plans to implement November 2014.**

This item was moved to the Regular Agenda and discussed.

Chief Griffith presented this item to Council. Motorola, the company who has control of the market for the communication systems and provides all support to the systems, will no longer support or repair the analog system currently in use by the Town of Pantego and many other cities. For this reason the City of Arlington is currently upgrading their communication system to a digital system. Once this upgrade is complete the analog system currently utilized by the Town of Pantego will no longer communicate with Arlington and will be obsolete. Our current system was upgraded and purchased through a Homeland Security Grant provided by the Council of Governments during the 2003-2004 budget year.

Council questioned the purpose of the work that was done just a few years back. Chief Griffith explained the work was performed due to a lightning strike that damaged the system. There was a grant for \$60,000 and part of it was to put in the fiber connection between our communication center and Arlington's communication center and the new 911 console damaged from the lightning strike.

There was some discussion regarding third party vendors, other contractors, and other available systems. Motorola is proprietary meaning third party vendors will not be able to obtain parts for the system. Any other system besides Motorola will not allow two way communications or interaction with the City of Arlington, which is utilized for automatic and mutual aid.

Council questioned if it was mandatory for Pantego to stay in lock step with Arlington. Chief Griffith educated Council the Public Safety Departments in the State of Texas are trying to become interoperable among all other departments and Homeland Security due to the events of 9-11; Pantego ties into the Arlington system, Arlington ties into the Fort Worth system, Fort Worth ties into the Austin, Texas system. We rely heavily on automatic aid from Arlington. Communications with Arlington is critical during incident calls for firefighter safety while fighting fires. The Incident Commander must know where the fire fighters are inside the structure and what is going on at all times. If we do not join and remain connected to Arlington they may not use us for mutual aid and they will not be able to help us when we need them. The town will be forced to rely on Mansfield, Kennedale, Dalworthington Gardens, or Forest Hills for aid and the response time will be longer.

There was some discussion on the last minute notice, the amount of mutual aid provided between Arlington and Pantego, other neighboring cities decisions to accept the change, and the cost to the neighboring cities versus the cost to Pantego. Chief Griffith informed Council Dalworthington Gardens has started implementing the change to their system. If we do not stay on step with Arlington we will take a 10 year back step in progress. There are not any frequencies left in the 800 MHz system. VHF is the only option and with VHF if our units get to far out from the city limits there will be no communication between our units and our dispatch.

Staff was directed to review the contract with Arlington regarding the monthly fee paid to Arlington. Council would like to know if this fee will be altered and if Arlington would be willing to help with the cost since our upgrade benefits them. The City Manager and staff were requested to come up with a plan for payment, future expenses, and future needs. Chief Griffith explained he has a deal worked with DFW Communications. If he can give DFW Communications notice of approval by June 1<sup>st</sup> they will start the implementation and allow Council to work the cost into next year's annual budget giving DFW Communication twelve months of payments interest free. The proposal is all inclusive; dispatch console, portable radios, car radios, motorcycle radios, and etc. Council requested all paperwork; written agreement, hard money numbers from Motorola, and

DFW communications, a copy of the lease, and financial ideas to them as soon as possible for a decision.

Council expressed its disappointment with the lack of notice regarding these changes.

Council discussed giving staff permission to move forward giving DFW Communications six months to complete the work with the premise this is something we must do. Chief Griffith has already worked out financial details. The twelve month lease will start as soon as staff gives them the approval to move forward; however, money will not exchange until after October.

Council discussed the fee paid to Arlington monthly as an administrative fee to allow Pantego to use their radio system and the benefits to the arrangement.

Authorization will be given as soon as Council has the paperwork to review.

**6. Discuss and direct staff regarding the impoundment of uninsured motor vehicles.**

This item was moved to the Regular Agenda and discussed.

Chief Griffith presented this item by informing Council; if an officer pulls over a vehicle and it is discovered they do not have insurance they are given a ticket and the officer lets them leave continuing the violation. Once the violator attends their court date at that time the judge either delivers sanctions or dismissal based on the circumstances.

This ordinance allows the officer to impound the vehicle until such time insurance is provided. If the vehicle is impounded the officer will do an inventory of items within the vehicle. If the violator provides insurance, showing they had coverage at the time of the violation and just did not have it with them, the tow charge and the violation is dismissed.

Council inquired about the violator's ability to arrive at their destination. Chief Griffith informed Council the ordinance allows the officers to provide transportation to their destination if within a mile of the city limits. The officer will also have the discretion of providing them a place to wait for transportation to arrive to the violator's location. The officers would never leave a violator stranded on the side of the road.

There was some discussion on the administrative fee of \$25 and the towing company. As long as the towing companies meet the requirements of the town any towing company can be utilized for this ordinance. Council requested a 30 to 45 day payment from the towing company not the 90 days allowed in the draft ordinance.

Discussion was had regarding the amount of time the officer is involved in this process, including the paperwork. Chief Griffith advised Council the administrative fee covers this cost and insured Council the violator's insurance is verified, in most cases, on scene. Chief Griffith clarified this ordinance is only for Failure to Maintain Financial Responsibility violations, not every police pull. Council requested this ordinance with the changes, the proposed policy, and the public hearing for the ordinance on the next 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 7:40 p.m.

Community Development Director Chad Joyce led the invocation which was immediately followed by the Pledge of Allegiance

### **MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS**

Councilmember Surratt welcomed Danny Lakey and thanked him for coming this evening

Mayor Pro Tem Brewster welcomed Danny Lakey and thanked Council and staff for being able to work together.

Mayor Paradise gave her appreciation to the local business owners and citizens who attended the Public Forum for PantegoFest for taking time out of their busy schedules and participating in the discussion.

### **COUNCIL LIAISON TO BOARD REPORT**

#### **Community Relations Board**

Councilmember Barrett informed Council the CRB met on February 4<sup>th</sup> and discussed the Easter celebration on April 19<sup>th</sup> from 2:00 p.m. to 4:00 p.m. They will have an egg hunt, a scavenger hunt for ages 11-16, painting flower pots, and sack races. They will ask Waterford residents to help stuff the eggs again this year. The Memorial Day event is still in the planning stages. The dates for movie night are the second Saturday of the Month from June to September; June 14<sup>th</sup>, July 12<sup>th</sup>, August 9<sup>th</sup>, and September 13<sup>th</sup>. The CRB is still in need of volunteers. Their next meeting is scheduled for March 4<sup>th</sup>.

#### **Pantego Youth Leadership Council**

Mayor Paradise informed Council PYLC will meet next Tuesday and will continue their discussion on marketing and planning their Spring Break field trip.

### **PEDC REPORT**

Councilmember Surratt advised Council the PEDC Board has not met since the last council meeting. They are scheduled to meet this Wednesday.

### **CITIZENS OPEN FORUM**

None

### **APPROVAL OF CONSENT AGENDA ITEMS**

Mayor Paradise moved items number 9 and 10 up to the consent agenda and moved items 5 and 6 down to the regular agenda. Also the Denitech invoice was removed from the consent agenda until the contract can be reviewed by staff.

Councilmember Surratt made a motion to approved Consent Agenda items 1, 2, 3, 4, 9, and 10 pulling the Denitech invoice from item number 3 and with the approved changes to the minutes as discussed in the work session item number 4. The motion was seconded by Mayor Pro Tem Brewster.

The vote was as follows:

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

Nays: None

Abstention: None

Mayor Paradise declares the vote passed unanimously.

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

- 7. Discuss and direct staff on matters relating to 2014 PantegoFest**

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Mr. Fielder presented this item and explained to Council the search for an event planner has revealed a number of wedding planners as event planners. Discussion was had regarding the location on Park Row, the dates and duration, any alternative events, and admission.

The location will remain on Park Row. The location on Park Row is still to be determined. The dates of September 26, 27, and 28<sup>th</sup> will remain. Discussion was had on the allotted time needed for set up. This was six hours last year and not long enough.

Discussion was had regarding the location on Park Row and moving it to the parking lot where Pantego Christian Academy (PCA) is located. Mr. Fielder reminded Council this could prove problematic if PCA has school on that Friday.

Staff was directed to complete the application for a chilli cook-off and verify the dates are acceptable by the organization.

Discussion was had regarding the sale of alcohol or allowing participants to bring their own beverages. Mr. Jeffery will look into the differences in liability for the town. He is concerned with the lack of the ability to monitoring the consumption leading to minors under the influence.

Discussion was had regarding the music and having a lack of dead air by using a public announcement system. Council would like to see a proposal from Pat Myers regarding music and cost.

Mr. Fielder informed Council due to the change in the date this will be the second PantegoFest in the same budget year.

Council would like to look into creating an advisory committee of shopping center owners to evaluate and comment on the logistics and flow of pedestrian traffic.

Council would like to develop a way of tracking attendance and the amount of money raised. They suggested requiring participants to purchase tickets for events and attractions. The admission into PantegoFest would be free but the booths, the events, and the concerts would require tickets. Council directed PEDC to work with the business owners to create incentives for their participation in the event. A suggestion was made for marketing and advertising on the radio.

Mr. Fielder announced he would put together a scope of work and obtain proposals from event planners. Once he has the information together he will present the proposal to Council.

Danny Lakey, 1710 Dickerson Dr., suggested using the parking lot of his business and the one across the street. This would allow the sale of alcohol across the street and away from PCA. The kids zone could be located at the PCA parking lot. Council directed Chief Griffith to evaluate different traffic control plans for detours around the event.

**8. Discuss , consider and take action on canceling of the March 10, 2014 Council meeting due to the Spring Break holiday**

Councilmember Surratt advised Council he will be absent for this meeting due to Spring Break. All other council members will be in attendance. The meeting will remain on the calendar.

**RESOLUTIONS**

**9. Discuss and take action on a resolution authorizing the City Manager to provide Commerce Bank with an updated authorized list of representatives.**

Mr. Fielder informed Council this item is for the bank to remove the Interim City Manager and place him on the authorized list. This item was passed in the Consent Agenda

**10. Discuss and take action on Resolution 14-01; a resolution authorizing the City Manager to provide the Texas Local Government Investment Pool (Texpool) with an updated authorized list of representatives.**

Mr. Fielder informed Council this item will also replace the Interim City Manager with Mr. Fielder on the authorized list. Mr. Fielder will attend training for investments in April. This item was passed in the consent Agenda.

**ORDINANCES**

**11. Discuss and take action on the second and final reading of an ordinance calling for the General Election of Town Council Places 1, 2, and 3 for the Town of Pantego to be held on Saturday, May 10, 2014; providing for publication; providing for the administration and procedures for the conduct of the election; and declaring an effective date.**

Mayor Paradise read the agenda item to the ordinance. Ms. Arrington read the caption to the ordinance. Mayor Paradise called the election to Order. Councilmember Price made a motion to accept the ordinance calling for the General Election of the Town of Pantego as read. Councilmember Surratt seconded the motion.

The vote was as follows:

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

Nayes: None

Abstentions: None

Mayor Paradise declared the motion passed unanimously.

**12. Discuss and take action upon the second and final reading of an ordinance calling for the Special Election of Town Council Place 5 for the Town of Pantego to be held on Saturday, May 10, 2014; providing for publication; providing for the administration and procedures for the conduct of the election; and declaring an effective date.**

Mayor Paradise read the agenda item to the ordinance. Ms. Arrington read the caption to the ordinance. Mayor Paradise called the election to order. Councilmember Price made a motion to accept the ordinance calling for the Special Election of the Town of Pantego as read. Councilmember Surratt seconded the motion.

The vote was as follows:

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

Nayes: None

Abstentions: None

Mayor Paradise declared the motion passed unanimously.

Mayor Paradise recessed the regular session at 9:36 p.m.

Mayor Paradise called the executive session to order at 9:44 p.m.

**SCHEDULED EXECUTIVE SESSION ITEMS**

- The Council will convene in the City Manager's Office pursuant to the Texas Government Code for an executive session on the following items:

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1. Pursuant to Government Code Section 551.074, to discuss the appointment of a PEDC Director, and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee – The appointment of a PEDC Director.
2. Pursuant to Government Code Section 551.072, to discuss the purchase, exchange, lease, or value of real property – Nolan County Property
3. Pursuant to Government Code Section 551.071 Litigation Matters, to discuss pending or contemplating litigation, settlement offers, and other legal matters that implicates the attorney-client privilege – Litigation Wells
4. Pursuant to Government Code Section 551.071 Litigation Matters, to discuss pending or contemplating litigation, settlement offers, and other legal matters that implicates the attorney-client privilege – Litigation Van Hoosier
5. Pursuant to Government Code Section 551.071 Litigation Matters, to discuss pending or contemplating litigation, settlement offers, and other legal matters that implicates the attorney-client privilege – Litigation Monica S Cooper

Mayor Paradise adjourned the Executive Session at 10:01 p.m.

Mayor Paradise reconvened into Regular Session at 10:04 p.m.

Executive Session item number 1; Councilmember Brewster made a motion to appoint Daniel Lakey to the PEDC Board as a Director. Councilmember Barrett seconded the motion.

The vote was as follows:

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

Nays: None

Abstentions: None

Mayor Paradise declared the vote unanimous.

No action was taken on Executive Session items number 2, 3, 4, and 5.

COUNCIL INQUIRY

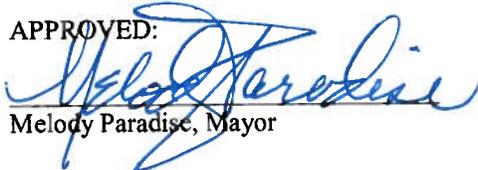
Councilmember Funderlic inquired about the ground water conservation district, the parking and boat ordinance, and the PEDC grants and loans update of their status.

Councilmember Price inquired about the parking ordinance and the TCEQ water well legislature.

ADJOURNMENT

Mayor Paradise adjourned the regular session at 10:11 p.m.

APPROVED:



Melody Paradise, Mayor

ATTEST:



Julie Arrington, City Secretary

