

Town Council Minutes
April 14, 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 14th day of April 2014 with the following members present:

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

Mayor
Mayor Pro Tem
Council Members

Members absent:

None

constituting a quorum. The following staff members were present:

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

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

Also in attendance:

Fred Adair
Pam Mundo

PEDC Secretary
PEDC Consultant

WORK SESSION 6:30 P.M.

Mayor Paradise called the work session to order at 6:33 p.m.

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

1. City Manager Report

Mr. Fielder informed Council all major aspects of the Country Club and Peachtree projects have been completed, except for some minor items remaining for the contractor to correct.

Mr. Fielder notified Council that Peak Energy will have a representative review the SCADA data that is available. According to the contract the Town is responsible for providing the electric bills for the creation of a savings analysis report. The money back guarantee requires proof that the Town did not receive the savings that was included in the proposal.

Mr. Fielder notified Council the Police Department filled one vacancy with Officer Cepeda and one more remains open. They are currently filling that with part time personnel. There are two vacancies in the Fire Department and they have started the assessments today. The department

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will fill the vacancies with a combination of part time personnel and overtime. Mr. Fielder thought he had a Public Works Director candidate; however, his background fell through and Mr. Fielder has reopened the position and is starting from scratch. The Town lost a Public Works employee today. Mr. Fielder will start advertising for that position.

The documentation for the North Trinity Groundwater Conservation was provided to Council on drop box along with the legislation creating it, the regulations they created, the additional fees, and the groundwater management plan; which does discuss assumptions made of the Town's future use and potential long term use of surface water. Mr. Fielder also included the Texas Water Code and the relevant chapter governing Groundwater Conservation Districts. Mr. Fielder has a meeting scheduled with Tarrant County Commissioner Nguyen next Monday.

Mr. Fielder informed Council the Planning & Zoning Commission voted to recommend the new Zoning Ordinance. The ordinance will need to be reviewed by the city attorney. Once approved it will be posted in the newspaper and presented to Council. The ordinance is provided on drop box. Mayor Paradise would like an open forum at the Lions Club and to follow the same pattern as the comprehensive plan. Mr. Fielder suggested a workshop with Council then a forum/public hearing and to take several meetings due to the size of the ordinance. There was discussion on giving the public ample opportunity to be heard and the advertising of the zoning ordinance. Council requested cliff notes of the changes.

Mr. Fielder updated Council he spoke with the staff at the City of Arlington responsible for working on the Rush Creek Flood study. Arlington is continuing to review the new maps and once done they will talk to Town staff about the maps and one possible mitigation project that would limit the flooding at the lift station. The City of Arlington would like to partner with the Town of Pantego on this resolution. These meetings are a couple of months away. There was discussion on the flood insurance and the subsidizing of the insurance by the federal government. Mayor Paradise stated the insurance will no longer be subsidized. Council requested Mr. Fielder to make sure the Town is involved in this process and the residents are protected. There was discussion on the vegetation in the creek and the issue it may cause to the flooding.

2. Monthly Staff Reports

Council inquired about the Other Revenues line item on the Financials showing a debit of \$11,356.24 instead of revenue and the Transfers Out line is a debit also of \$11,500 in the revenue section. Mr. Fielder informed Council he will have to come back at the next month with an answer after he has the opportunity to speaking with the Finance Director.

There was discussion on the Sexual Assault Case the Tarrant County District Attorney was able to receive a conviction thanks to the Town's past and present investigators ability to perform their job correctly and efficiently.

There was discussion on being proactive in the fight against mosquitoes, a scheduling of spraying, and spending the money earlier than in the past. There was also discussion on purchasing the necessary training and equipment to perform spraying with town staff instead of contracting with Tarrant County.

Council inquired about the transfer of the maintenance on 303 from TxDOT to the Town of Pantego. Mr. Joyce informed Council TxDOT is still not finished with 303 and the Town is waiting on TxDot to hand the project over to us. There was discussion on the vegetation, irrigation, and the walk through; plus the responsibility of watering the trees in regards to the warranty on the trees.

There was discussion on the difference in the Total Gross Collections and the Total Face Value of the warrants located in the Warrant Round-Up Summary. The Total Gross is what the Town has actually received thus far.

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

Council inquired about the Easter expense reimbursement for Barbara Rogers, President of the Community Relations Board (CRB). Mr. Fielder explained this needs approval because the amount is over \$1000. There was discussion on the CRB budget and on future financial purchase procedures.

Council inquired about the trip and transportation costs for Magistrate Del Carmen and if the contractors abide by the same rules as the employees. Mrs. Householder informed Council that Ms. Del Carmen is only a magistrate for the Town of Pantego and does not work for other cities; therefore, her continuing education is completely for the Town and is not divided between other towns.

Council inquired on the generator for the Ambulance questioning if the work had already been done and approved at the last Council meeting. Chief Griffith informed Council the prior meetings were for approval of the estimates and to obtain permission for the work. This approval is for the actual invoice now that the work is complete.

Council questioned the Laserfische software migration invoice believing this was included in the Iwerks system update proposal. Ms. Arrington informed Council the two software programs would not communicate and extensive work was required to make the old version of Laserfische communicate with the new system upgrades. Mayor Paradise requested a list of what was approved, budgeted, and actually spent for the Iwerks system upgrade. Council asked if it would have been cheaper to upgrade the version of Laserfische versus just a migration. They decided to discuss this question during the budget and requested staff to let laserfische know they will be discussing this in the budget process. Mr. Fielder informed Council the Financial Director and he has met with Iwerks. They are working with them on separating the day-to-day costs from the server project costs.

Council asked about the submonitor replacement at the well and if we know the cause prior to repairs. Mr. Joyce explained the electrician cannot determine the actual cause until he gets the power to the well and he cannot get power to the well without the submonitor. Council requested an itemized invoice instead of a lump sum invoice.

There was discussion on the duplication of items in the Agenda. Mayor Paradise made Council aware the City Secretary was out of town for training last week; therefore, the Agenda Packet was finalized by one of the Support Specialist.

4. Approval and Acceptance of Minutes

Approval of Town Council Minutes:

- Town Council minutes from March 24, 2014

Councilmember Surratt requested a change to his comments on page 3 to read house patrol instead of a close patrol.

Acceptance of Minutes of Boards and Commissions:

- PEDC Minutes from March 12, 2014
- Planning and Zoning minutes from March 3, 2014
- CRB Minutes from February 4, 2013
- CRB Minutes from March 4, 2013
- CRB Minutes from March 20, 2014

No comments were given.

Mayor Paradise adjourned the work session at 7:22 p.m.

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

Mayor Paradise called the regular session to order at 7: 35 p.m.

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

MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS

Councilmember Surratt informed Council, staff, and the audience on last Friday an elderly gentleman rang his doorbell and requested a taxi to be called. Councilmember Surratt felt the man looked confused and thought he would need more than a taxi. He called 911 and the Police Department, Assistant Chief Reeves, and the Fire Department responded. It turned out this gentleman was a missing person from Arlington, Mr. Wells. Councilmember Surratt knew he was very well taken care of with our Police Department and they coordinated with Arlington to get him home. Mayor Paradise thanked the Fire Department and the Police Department for their work.

Councilmember Funderlic expressed his agreement that the residents are very thankful for the Town's police and fire service. The Town's cleanup day went very well the bins were full by 9:00 a.m. and believes this was very beneficial to the town to have this opportunity. He believes the Town's residents appreciate the cleanup day. Maybe the Town needs to think about getting more blurbs in the City by City page of the Forth Worth Star Telegram and take advantage of free news and circulation like this.

Barrett expressed she did not have anything to add.

Councilmember Price expressed he also took part in the cleanup day and does appreciate the day.

Mayor Pro-Tem Brewster expressed he also took part in the cleanup day and gives kudos to Public Work and the Community Development Departments for the huge success. The bins were all full by 9:00 a.m. It is a great service to the town. He thanked staff for putting this on and making it a success.

Mayor Paradise suggested at the next cleanup day to have PYLC members go around Town and pick up items for those who cannot take part themselves or needs help in getting this done. She informed the Council she attended a block party on Country Club Court. The Town use to do block parties but eliminated them due to a lack of volunteers, participation, and consolidating budgets. However, she did tell the citizens there the Town would look into how we might assist in developing an outline or encouraging other blocks in the town to get together and throw their own block party. She requested staff to look into ways they can get this started and asked if there is anything the Town can do to facilitate a crime watch in the community now that the crime watch board has been disbanded. Chief Griffith informed the Mayor he has already started looking into this issue.

RECOGNITION/RECEPTION

- **Oath of Office Micheal Cepeda, Police Officer**

Assistant Chief Reeves introduced Officer Michael Cepeda with a brief description of his previous employment with Pelican Bay, Grapevine-Colleyville School District, and the Miami-Dade School District.

Mayor Paradise delivered the Oath of Office to Officer Cepeda. Council welcomed Officer Cepeda to the Town of Pantego.

COUNCIL LIAISON TO BOARD REPORT

Community Relations Board

Councilmember Barrett advised this Saturday the Easter event will be at the park from 2:00 p.m. – 4:00 p.m. with an Easter egg hunt and all kinds of events, refreshments, train rides, and a scavenger hunt. The Memorial Day event will be Monday, May 26th at 7:00 p.m. at Bicentennial Park. The movie nights this summer will be the second Saturday in June, July, August, and September. The next CRB meeting is Tuesday, May 6th at 7:00 p.m. It is always the first Tuesday of the month.

Pantego Youth Leadership Council

Mayor Paradise informed Council they meet tomorrow and are going to focus on a community project to develop and outline a plan for social media and how to make it successful. Last month they had Mark Joekle at the meeting and he discussed the importance of social media and showed them how far they can reach and the number of people they can reach through their contacts. The power our youth hold today in getting the word out is amazing so we are going to test them to see how they can utilize a project. We have several that have volunteered this year for the Easter Event.

Assistant Chief Reeves announced next week Officer Alvarez and himself will compete in the Police Officers Motorcycle Competition in Grand Prairie. Also, Texas Fitt is hosting an event on Saturday, May 3rd and has asked the Police Department and the Fire Department to put a team together to compete against each other in a flag football competition.

Mayor Paradise asked Chief Griffith to give a summation of the Tarrant County District Attorneys remarks discussed in the work session regarding the Town's past and present investigators ability to perform their duties effectively and efficiently. Chief Griffith advised recently a man was charged in a 10 year old sexual assault case and was found guilty. Our Police Department was given a high praise from the Tarrant County District Attorney for our skillful investigations and coordination with this case. The District Attorney was impressed with our work and because of that we were successful in getting him off the street. The Fire Department received a Cheers in the Cheers or Jeers section of the Fort Worth Star Telegram for their work and professionalism on a house fire in Arlington. Also, Officer Cisneros recently, within a one week period on four separate occasions, managed to stop potential burglars from breaking into some of our businesses. One person he stopped twice in the same week. He could not find just cause to arrest them but gave out their information to the City of Arlington's Police Department. Since then they have informed us they have actually been looking for one of the individuals. Officer Cisneros due to his due diligence and driving around these businesses Assistant Chief Reeves believes there is no doubt within a week's time he has potentially stopped four separate burglaries.

PEDC REPORT

Councilmember Surratt informed Council PEDC met last week. The primary agenda topic was the Spring Promotional Event they are sponsoring called the Shopper Card. There are 23-24 businesses signed up for it. The Town's input was primarily printing costs; therefore, it was relatively low cost. The cards are located in the businesses when shoppers pick up the card they get it stamped. It has the addresses of the other businesses for the shopper to get a stamp from each business. Once the card is full the shopper brings the card to Town Hall and they are entered into the drawing where they will win various gift certificates. There was discussion on a way to measure the success of the event based off the number of cards printed and received. Councilmember Surratt stated Danny Lakey, owner of Shirtwerx and a PEDC Director, helped design the logos so some of the business received a free logo out of the deal.

CITIZENS OPEN FORUM

Candi Cooper, 2708 Peachtree Lane, is a long time resident of Pantego, over 28 years, and has noticed in the last 10-15 years there has been a shift in pet owners and homeowners attitude within the Town. Some residents are more considerate and some adhere to the ordinances and laws of the town. Some believe they are above the laws and ordinances. However, the ordinances and laws are meant to keep an orderly, safe, and secure society providing the Town does not infringe on individual freedoms, rights, and liberty's, or violate our constitutional guarantee. She requested the Town to examine the ordinances that are in place to ensure proper and timely enforcement; especially where they threaten the safety of other citizens, the health of, or wellbeing of the nearby neighbors, or that would be damaging to others property, or detrimental, harmful, or bothersome to the population as a whole. There are four items she addressed. The first was an increasing number of loud vehicles; being loud mufflers, or stereos, or just sitting in the driveway early in the morning and letting the vehicle run. The second is the lack of upkeep of homes and yards; specifically fences, junk piles, and tall grass creating an environment for rodents. Also, there are houses with cars that have been sitting in front of the home for years without being moved. Then, there are several fences that need repair and did not get fixed after the storms. Some of the residents do not secure the paper in the recycle receptacles and allow them to blow down the street. Finally, the neglect of securing domestic animals, there appears to be an increase of unleashed or stray animals around town. Sometimes residents walk their animals without a leash. This is unsafe because others are not sure of the character of the animal and knowing if they are friendly. Last week there were two unleashed dogs, one had a tag, and she called the Police because it was after hours. They took care of this but it removes the Officers from their regular duties of protecting the town. The same two dogs were out again this week. When the owner was confronted he gave a nonchalant reply. She asked Council to consider not allowing the solicitation of funds at the corner of Park Row and Bowen and consider an ordinance to require a Town Permit first. This will ensure the legitimacy of the organization. Unfortunately the ordinances are violated repeatedly after hours and on weekends. Maybe the Town should have an on call person with a phone number or pager that residents could leave a message with. Mrs. Cooper also suggested four clean up days a year instead of two.

APPROVAL OF CONSENT AGENDA ITEMS

Mayor Pro-tem Brewster made a motion to approve the Consent Agenda items 1 thru 4 with corrections stated on the minutes as discussed in the work session. Councilmember Funderlic seconded the motion.

The vote was as follows:

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

Nayes: None

Abstention: None

Mayor Paradise declares the vote passed unanimously.

PUBLIC HEARING/ORDINANCE

- 5. Public Hearing, discuss, and consider action on an ordinance amending the Town of Pantego Municipal Code: Chapter 12 – Traffic & Vehicles; Article 12.05 Parking, Stopping, and Standing; Section 12.05.004 Removal of Vehicles, by Adding Additional Provisions; and Also Amending the Town of Pantego Municipal Code Appendix A – Fee Schedule Article A4.000 Police and Fire Department Fees by Adding Section A 4.008 Public Safety Fee for Police Pulls; Containing a Savings Clause; Repealing all Ordinances in Conflict Herewith; and Declaring an Effective Date.**

Ms. Arrington read the caption of the ordinance. Chief Griffith introduced the item and believes he has made the necessary corrections at the request of Council from the previous meeting discussing this item; which were to reduce the amount of time the towing company has to remit fees to the Town and to ensure the proper training will be conducted to ensure the officers understand the intent is not to strand the motorist in the middle of the road especially late at night.

Mayor Paradise opened the Public Hearing at 8:19 p.m.
There were no community comments.
Mayor Paradise closed the Public Hearing at 8:19 p.m.

Mayor Paradise opened the discussion for Council. Councilmember Surratt pointed out a typo on the timing of the towing fee remittance and verified Cowboy towing is okay with the deadline of 30 days. He also asked if Cowboy Towing will know when to charge the fees for regular pulls instead of the Failure to Maintain Financial Responsibility pulls. Chief Griffith stated he will write a letter once the ordinance is approved outlining the duties of the Towing Company.

There was no more discussion. Ms. Arrington reminded Council the voting requirements for passage of the ordinance is 2/3 of Council, which translates to 4 Council Members.

Councilmember Surratt made a motion to approve the ordinance amending the Town of Pantego Municipal Code Chapter 12 Dealing with Traffic and Vehicles allowing for a safety fee for Police pulls for failure to maintain insurance. Mayor Pro-tem Brewster seconded the motion. Councilmember Barrett clarified who has the responsibility for paying the fee to the Town.

The vote was as follows:

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

Nayes: None

Abstention: None

Mayor Paradise declares the vote passed unanimously.

RESOLUTIONS

- 6. Discuss, direct, and consider action upon a Resolution authorizing the City Manager to enter into an Equipment Lease-Purchase Agreement; a Systems Purchase Agreement; and a System Upgrade agreement with Motorola Solutions, Inc.**

Chief Griffith informed Council this item is coming back for the second time and reminded them the Town has the requirement of replacing the Public Safety equipment due to obsolescence. There are two agreements attached that allows the Town to purchase the equipment from DFW Communications, which is a Motorola subsidiary, through the HGAC Buy Board, which is the Houston Galveston Area Council of Governments. There is a standard agreement that has to be approved by any entity that executes this type of purchase through Motorola. The Town has a lease agreement stating Motorola will loan the Town the money necessary to purchase the equipment and allow the first payment to be due after the equipment is installed in October.

Mayor Paradise inquired if Chief Griffith, the City Attorney, or the City Manager have read every clause of these documents and can confidently stated there is nothing in any of these documents that would give Council concern? Chief Griffith claimed he has read them but not from a legal standpoint; therefore, he cannot give her a confirmation on that. Mr. Jeffrey's stated he has read the contracts and they are the same contracts received by the other municipality's he works with. He stated there are always concerns with any contract and like all other contracts there is concern it is written more for Motorola. However, if this is what Motorola wants and the Town needs this done then Council has to agree; especially if they want to get on board with the other cities. Mr. Jeffrey claims this is a pretty standard contract based on the other contracts he has read.

Council asked if the equipment does not get installed until October why are we signing a lease in April. Chief Griffith stated we are starting the installment once the lease is signed and it could take up to 120 days. The agreements need to be signed before the installment can start. The cut off or switch over is not until November. Council voiced their concerns with not getting the equipment until October with twelve months no interest but the first several months is the

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installation of the equipment. Chief Griffith informed Council this was something they worked out with Motorola to allow the Town to have time to obtain financing for the equipment. Council asked if the Town has to cover the insurance on this equipment that is leased. Chief Griffith stated the Town carries insurance through TML on the existing equipment and the value is equivalent. He believes the insurance cost would stay the same. Mr. Jeffrey informed Council the title transfers to the Town when the equipment is delivered. This means the Town does not have to reimburse others for the property taxes as is written in some of the Town's other leases. He went on to explain since the title passes, the Town has to cover what it owns. He recommends checking with TML and making sure the Town does not need to get this scheduled. Council expressed concerns that the warranty provision is not clear and inquired how long the warranty is for the equipment and when it starts. Council also asked for a definition of the term system acceptance as expressed in the contract and does this trigger the 12 month warranty. Chief Griffith explained he will have to look into the answers to their questions on the warranty and will get clarification. There was discussion on the interest amount of the loan versus the interest the Town is receiving through other lenders. Council is concerned about losing money on this loan and discussed other possibilities for payment. There was discussion on the System User Agreement and the cost for future upgrades. Chief Griffith will verify the HGAC Agreement that outlines the cost of the upgrades over the next 10 years with the first two years built into the overall upfront costs. Council confirmed the Town is receiving a discount because we are tying into the Fort Worth System. Chief Griffith confirmed the Town is receiving a matched cost of the same cost to Fort Worth.

Council inquired about possible continuous fees associated with the equipment lists that entail items such as master site licensing and license keys. There was discussion regarding the upgrades of the system and what happens if the Council chooses not to upgrade. Chief Griffith explained the potential issues if the system is not upgraded and kept to the standards of Arlington and Fort Worth. There was discussion on the version of windows needed to operate the equipment. Council inquired if the new system was a 1-1 comparison to the existing system or if the Town is receiving additional upgraded features that may not be a necessary requirement. Chief Griffith stated the Town is essentially received the same amount of equipment we currently have.

There was discussion on the recommended spares listed in the equipment list and who made the recommendations. Chief Griffith explained the recommendations were his recommendations in preparation for unforeseen incidents that may occur. Council inquired about the number of items requested and the type of items requested. Chief Griffith explained most of these items were for the communication between the Town and Arlington or Fort Worth and the preparation for possible major incidents requiring an all call. Chief Griffith explained the system will be better and there are some additional features. There was discussion on the age of the system, the technological upgrades in the last 10 years when the existing system was installed, and additional options that will be received with the new system. Chief Griffith verified the additional options were inexpensive compared to the overall system cost.

Council questioned the list of Town responsibilities in Exhibit C, the preparation of those responsibilities, and any hidden costs associated with them. Chief Griffith informed Council the Town has never experienced issues with Motorola or DFW Communications. Their invoices have always been exactly what the contract states they will be. Chief Griffith stated he will address all of Council's concerns with Motorola and stated he has met with the engineers personally and specifically asked about our existing antennas; however, he would make sure there are not any unknowns and that everything was looked over. He went on to explain in the past the Town has not had any problems and has received really good service from Motorola and DFW Communications.

There was discussion on the maintenance of the system and any associated fees. After an in-depth discussion on this item the city attorney gave assurance these are standard contract documents. There was an in-depth discussion over specific line items and due diligence of

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Council. Mayor Paradise clarified with Mr. Jeffrey's the Certificate of Incumbency is signed and completed by the City Secretary, do we need to authorize her as well or just the City Manager. Mr. Jeffrey's explained they do not need to authorize the City Secretary because she is certifying to the facts has the authority to keep records, and has knowledge of the actions taken. Mayor Paradise commended staff for their hard work and effort for this project.

Councilmember Surratt made a motion to authorize the City Manager to enter into these agreements to allow the town to continue town wide communications for public safety and general operations of the city government the fiscal impact to us is \$429,361.00. Mayor Pro-tem Brewster seconded the motion.

The vote was as follows:

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

Nays: None

Abstention: None

Mayor Paradise declares the vote passed unanimously.

Mayor Paradise recessed the regular session at 9:16 p.m.

Mayor Paradise called the executive session to order at 9:17 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:
 1. 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 – Van Hoosier

Mayor Paradise adjourned the Executive Session at 9:25 p.m.

Mayor Paradise reconvened into Regular Session at 9:29 p.m.

Mayor Paradise declared no action was taken on Executive Session item # 1.

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

- 7. Discuss the re-scheduling of the May 23, 2014 Regular Council meeting to be held on May 19, 2014 due to the Memorial Day Holiday.**

Mayor Paradise clarified this would give two meetings in a row to Council and they would say goodbye to Councilmember Price and Council will elect Fred Adair. She informed Mr. Adair on this day he will no longer be on the P & Z Board. Staff was requested to ensure P & Z can make a quorum at their meetings after May 19th until Council makes the necessary board appointments. Mayor Paradise asked Council if they can make the meeting and Council agreed. Mayor Paradise declared the directive for the regularly scheduled Council Meeting on May 26th to be re-scheduled for May 19th. Mayor Pro-tem Brewster clarified the dates of the 12th and the 19th and when the council turnover will take place. Mayor Paradise informed him there is a 6 day waiting period for canvassing of the election.

- 8. Discuss, direct, and consider action upon the Board Appointments for the 2014-2015 year.**

Mayor Paradise informed Council there is no action on this item. She informed Council that Ms. Arrington has attempted to communicate with each board member and then requested a communication of the results from Ms. Arrington to be sent to Council. Mayor Paradise requested Ms. Arrington to follow up with the Presidents and Chairmen to speak to their members who are rolling off at their next meeting and find out who would like to stay. She also requested the application to be placed on the website and in the newsletter.

9. Discuss, direct, and consider action upon the approval of the Pantego Economic Development Corporation 2013 Annual Report.

Mayor Paradise introduced Pam Mundo, a consultant for the Pantego Economic Development Corporation, and Fred Adair, the Secretary of the Pantego Economic Development Corporation. Mrs. Mundo presented the Annual Report for 2013. Mayor Paradise discussed the similarities in the information contained in the 2012 and 2013 Annual Reports; such as the Certificate of Occupancy list, projects accomplished, etc. There was discussion regarding the inclusion of old Directors of the board and on the purpose and the audience of the report. Council suggested placing as much good news into this document as possible along with contact information.

There was discussion on the stakeholders, businesses, and residents in regards to the different information each of them would be interested in receiving. Council inquired about the methodology used to gauge success. Mrs. Mundo explained to Council the PEDC Board uses very few marketing pieces but this one seems well received. Councilmember Surratt informed Council the PEDC Board has discussed several options for gauging the success of their events. Council requested Mrs. Mundo to gather all marketing pieces and information for the Town of Pantego. Once completed the PEDC Board along with Town Council will discuss what will be handed out and how we are going to market the Town.

Mayor Paradise declared no action for this item.

10. Discuss, direct, and consider action upon the approval of the Pantego Economic Development Corporation 2014 Strategic Plan.

Mrs. Mundo introduced this item as the work program for the year and discussed the changes compared to last year informing Council the mission statement and goals normally do not change year to year. Mrs. Mundo stated one of the ideas the board had was a shopping bag for PantegoFest, which will give the merchants an opportunity to place information in it and hand them out, at no cost, to the citizens. In terms of reaching out and creating more activity to strengthen the businesses and establish a business appreciation program, the Board would like to do less festival sites and more like the shoppers coupon this year where board members actually take the list and go out to visit some of the businesses and thank them for choosing Pantego. Mrs. Mundo also stated the Board would like to consider options for public transportation to various events around town or in Arlington; for example bring people from Pantego to the Ballpark in Arlington or other special areas while continuing to foster business relationships or seeking investor and developers. Council inquired who is responsible for maintaining the Shop Pantego website. Mrs. Mundo explained a software company out of California maintains the site but it is up to the businesses to keep their information updated. The site currently has approximately 70 businesses. There was discussion regarding business exposure on the Town's website and the Shop Pantego website and who is responsible for the business list updates. Mrs. Mundo informed Council the last person responsible for the information was the previous City Secretary.

Mayor Paradise declares no action for this item.

11. Discuss, direct, and consider action upon the approval of the Public Utility Commission's rate increase.

Mr. Fielder reminded Council this was previously in his City Manager's Report and Council requested to have the item come back for consideration. The State PUC will tie rate increases to the consumer price index. This rate increase is for the use of the Town's right of way used for their line placement. The fee is charged to the users of their utilities. They are proposing a minimal per line increase on a monthly basis. If Council does nothing then the increase will go into effect. If Council wants to stop it they must reply to this letter.

Councilmember Surratt understands the increase is insignificant but rarely does Council have the opportunity to not raise fees. He would like to decline. There was discussion on the financial impact to the Town if we decline.

Councilmember Surratt made a motion to take action via the City Manager to stop the automatic increase. No second. Motion failed due to a lack of a second.

12. Discuss, direct, and consider action upon the Denitech Lease and Maintenance Agreement for the copiers and printers used by staff.

Mr. Fielder informed Council this is an item that has generated some discussion due to the overages and the billing for printing and copying. He explained Mrs. Carmona and he sat down with representatives from Denitech; Nannie Reinert and Walter Lewis. In examining the cost and trying to come up with a solution Denitech looked at The Town's historical data of printing and associated costs. They are proposing revised fees to include our average of printing cost and our non-coverage cost. The bottom line is the Town currently pays \$1446.00 a month plus \$923.16 on average for overages. The base rate will increase to \$2,263.85 a month with no overages the average monthly savings is \$105.00. The allowed number of copies a month will increase which will decrease our overages. They are here tonight to talk to about how they came to those numbers.

Mayor Paradise inquired if either of the representatives present were involved in this initially, they both declined.

Ms. Reinert presented a summary sheet of the details found in their investigation. Mayor Pro-Tem Brewster inquired why the original representatives could not be here. Ms. Reinert informed Council the representatives had been reassigned. Ms. Reinert has been with the company for nine years in a different department. Council asked if the original numbers were investigated and if they can justify why Denitech bought out the Town's other contract and gave numbers that looked appetizing with few and far between overages. There was much discussion on how Denitech achieved the number counts at the beginning of the contract and the recommendations made to staff. Council was informed of the recommendations and the reasons why staff could not follow many of the recommendations due to inefficiency. The discussion went to great detail on when and who staff explained their reasoning for not following the discussion and how the contract was approved without Council's awareness of these issues. There was conversation on how, according to staff, Denitech achieved the number count on some of the printers without the capability for metering. The original proposal was to eliminate 50% of the Town's printer's city wide which forced some departments to collect their printed materials in other buildings. According to staff all department heads sat in the meeting and voiced their opinions with Denitech and the previous City Manager.

Mr. Lewis presented a new proposal to meet the town's needs stating there is 38 months remaining on the lease. Denitech will increase the current volume numbers keeping the cost fixed for the remainder of the lease. This is based on the overage counts. Council confirmed there is not a difference in the base rate and the overage rate; each copy has the same rate. Council verified the rates would continue to be 0.01725 for each black and white copy and 0.1725 for color copies. Ms. Reinert reminded Council there is a cost difference between the printers and the copiers. Council inquired if the base rate included the cost of the machine or maintenance. Ms. Reinert stated the rate includes the toner and the maintenance. She went on to inform Council

the copiers are a three tier copier meaning it is an environmental machine the cost for the black and white copies are the same cost as for the Color with one impression at \$0.0015, the color tier with graphs or logos are \$0.04, and full color impressions are \$0.075. Council inquired on a previous comment regarding a possible reason for the overage count stating that the copier was set on color so everything was printed in color and the cost associated with this setting. Ms. Reinert state the cost was split between the first and middle tier; however, a large volume of the overage cost was on the desktop printers. Council clarified there were overages due to equipment error. Mr. Lewis informed Council he has reset several machines but they have reverted back to color automatically. He will come back and fix the settings. Ms. Reinert informed Council they have explored the last three quarters of data and re-analyzed everything to ensure no overages based on the trends within the last three quarters. Council inquired if overages are due to the machines defaulting to color how would that affect the trend report. Mrs. Reinert explained the volume would trend to color and would change to black and white which will lower your costs further.

There was discussion on base rate and how many copies that would be a month. Council asked staff if this was a feasible number to meet each month. Mr. Fielder informed Council the three heaviest users of paper are here at the meeting; the Court, Police Department, and the City Secretary. He went on to explain the Town must print on average 1100 water bills a month and 1100 newsletters a month, there is some discretionary areas but for the most of it the numbers are locked in. Mrs. Householder informed Council each time an alias warrant is printed there are three pages per violation in black and white; however, the deal is the number they put down for court to use and there is no way courts can meet the number.

Council verified the base rate is inflexible and regardless of the number of copies the base rate will never lower but will increase if the numbers of copies are more than the number allowed. Mr. Lewis informed Council the allowance offsets the overage; therefore, the allowance gives you a cost break. Mrs. Reinert expressed they will continue to look at the trends and will meet up again in the future to make any changes needed at that time. Council requested Denitech to investigate the color settings, to look at the issues staff has been having with the printers, to make sure everything is defaulted to black and white, create a new analysis of the equipment to make sure staff has what they need, to research, based on what the town has gone through, what type of credits Denitech can offer the Town for these issues. Mr. Lewis stated he will need a month to gather the information.

No action was taken on this item

COUNCIL INQUIRY

Mayor Paradise inquired about bee issues located on the cul de sac at Country Club and asked staff to investigate. She reminded staff previously there was communication on the maintenance of the cul de sac and the Town had left this up to the citizens. She requested Mr. Joyce to pull the information in order for Mr. Fielder to be enlightened on the situation and previous decisions.

Councilmember Surratt informed Mr. Fielder there is an ordinance for the well sight that requires the landscaping to be in reasonable condition and there are two trees gone at the North edge. He requested a call to Enervest to remind them of their responsibilities for the landscaping.

Councilmember Funderlic inquired about PantegoFest 2014 and having a work session with PEDC and the Event Coordinator for their input. He is concerned with the amount of dialogue and the amount of items on the agenda expressing Council may want organize their questions to make good use of our time and to expedite the meeting.

ADJOURNMENT

Town Council Minutes
April 14, 2014

Mayor Paradise adjourned the regular session at 11:02 p.m.

APPROVED:



Melody Paradise, Mayor

ATTEST:



Julie Arrington, City Secretary

