

Town Council Minutes
April 28, 2014

STATE OF TEXAS §

COUNTY OF TARRANT §

TOWN OF PANTEGO §

The Town Council of the Town of Pantego, Texas, met in regular session at 6:30 p.m. in the Council Chamber of Town Hall, 1614 South Bowen Road, Pantego, on the 28th day of April 2014 with the following members present:

**Russell Brewster
Jane Barrett
Don Surratt
Don Funderlic
Charlie Price**

**Mayor Pro Tem
Council Members**

Members absent:

Melody Paradise

Mayor

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**

**City Manager
City Secretary
City Attorney
Finance Director
Community Development Director
Chief of Public Safety
Assistant Police Chief
Assistant Fire Chief**

Also in attendance:

Fred Adair

PEDC Secretary

WORK SESSION 6:30 P.M.

Mayor Pro-tem Brewster called the work session to order at 6:32 p.m.

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

1. City Manager Report

Mr. Fielder informed Council there are not any changes to the road projects. There are three outstanding items still; two repairs that are the contractors responsibilities and the Maintenance bond. Ms. Stanton has met with the contractor and Mr. Fielder expects an update from her on Friday afternoon.

Mr. Fielder reminded Council staff was asked at the last meeting to propose a Mosquito plan for spraying. Mr. Fielder explained a proposal was outlined by him and Mr. Joyce which includes testing in early May, spraying in mid-May and in mid-June, then testing again. The plan after these measures would depend on the results from the testing's. The spraying is approximately \$1,000 each time. Mr. Fielder informed Council Tarrant County has started testing for West Nile and has received negative results. There was one positive test resulting in Dallas County. Council does not want to wait and would suggest spraying in mid-June, July, and August. They also suggested researching the cost of the equipment for the Town to perform the spraying instead of

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contracting it out. There was discussion with Mr. Joyce on the process and procedures of the Mosquito testing and spraying.

Mr. Fielder informed Council Officer Cepeda is no longer with the Department creating two vacancies in the patrol officer's position. The Fire Department still has two vacancies that they are testing for now. Public Works lost an employee today and the Director position is still open. There was discussion on the reason for their departures.

Mr. Fielder explained the March 2014 Financial Report agenda item was in response to the questions Council raised at the meeting. One item was a transfer out due to the PantegoFest funds Council approved and the other item was a reclassification of funds due to the sale of assets. There was discussion why the report showed negative revenue within the revenue columns. Ms. Carmona explained this is a non divisional expense and because it is a transfer out it is either a reduction of current revenues or fund balance. The sale of assets is not considered other revenue; therefore it had to be reclassified to the sale of assets account. When the Town is audited this is where the gain or loss is calculated from.

Mr. Fielder informed Council staff has recently had two issues related to this topic. One was from the public speaker at the last meeting and several comments from residents regarding solicitors at the corner of Bowen and Park Row. The concerns are for safety of the solicitors and traffic congestion at the intersection created by the solicitors. The second issue is the Town's current ordinance that applies to door to door solicitation requires the charity solicitors to be permitted but not other solicitors. This makes the ordinance obsolete. There was discussion with the Town Attorney regarding the requirements the Council would like to have in the ordinance. Council requested an agenda item for full discussion and direction of staff.

Mr. Fielder informed Council there was a concern on the sidewalk failure next to the Wagon Wheel Bridge. Ms. Stanton, the Town Engineer, investigated the concerns and called in a structural engineer. It seems the wing walls are eroding, which is causing the sidewalk to collapse. The bridge is safe and is not affected but the sidewalk and roadway are affected. He suggested to Council to look at fixing this issue during the budget process in conjunction with what was budgeted for repairing Wagon Wheel this summer. Staff is waiting for an exact report of the failures from the Structural Engineer. There was discussion on the sidewalk and if there is a need for additional measures for possible hazards until repaired.

Mr. Fielder explained each person who was involved with the server migration with the Town and Iwerks is no longer employed by the Town or Iwerks. The only work done on laserfische was performed by Franklin Legal and not Iwerks. It appears there was discussion on upgrading to different software; therefore, this was not included in the server migration. There was discussion on possible recent updates from the previous City Secretary. Council requested an update at the next meeting for upgrade charges from Franklin Legal.

Ms. Arrington informed Council she has spoken to every board member except two; Janice Woods and William Nolen. She expressed each board member would like to return to their positions except for Barbara Rogers on PEDC. Ms. Arrington will continue to attempt to talk to the other two board members and explained she is accepting applications until May 15th with plans to have appointments ready for Council on the first June Agenda.

Council inquired about the meeting scheduled with County Commissioner Nguyen. Mr. Fielder informed Council he met with Commissioner Nguyen on Monday and discussed the Groundwater Conservation District. Mr. Nguyen would like to send his appointed representative currently working on this project to speak instead of himself and will try to set it up. Council asked about the appraisal billings. Mr. Fielder informed Council Commissioner Nguyen stated this was corrected. Ms. Carmona is following up with Tarrant County on this item.

Council has looked over the Zoning changes coming up and stated it is difficult to know what was changed and what was not. There was discussion on the Zoning Board of Adjustments and other conflicts and changes within the proposed Zoning Ordinance. Council would like to hold some special meetings and work sessions just for the Zoning Ordinance. Mr. Jeffrey stated he will need until June to finalize his review of the ordinance.

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

Councilmember Funderlic inquired on the Nora well and if it is complete. Mr. Joyce informed him it was complete and has been running fine since repaired.

Councilmember Surratt inquired about the cause of the electrical failure on the Nora well. There was discussion on the purpose of the SCADA system for monitoring the wells and possible upgrades to the SCADA system. There was further discussion on the purpose for the sub monitors and their locations. Council would like to look at improvements to the wells for preventative measures.

3. Approval and Acceptance of Minutes

Approval of Town Council Minutes:

- Town Council minutes from April 14, 2014

Council clarified a comment on the radio lease section for receiving the one to one match cost meant the same price as the City of Fort Worth and not a grant. The Memorial Day event shows Monday May 20th and it should read May 26th.

Acceptance of Minutes of Boards and Commissions:

- PEDC Minutes from March 26, 2014
- PEDC Minutes from April 9, 2014

No comments were given.

Mayor Pro-tem Brewster adjourned the work session at 7:19 p.m.

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

Mayor Pro-tem Brewster called the regular session to order at 7:33 p.m. and welcomed the audience.

Julie Arrington, City Secretary, led the invocation which was immediately followed by the Pledge of Allegiance

MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS

Councilmember Price has no comments this evening.

Councilmember Barrett expressed thanks to staff for the Easter event and she thought it turned out great.

Councilmember Funderlic also commented on the Easter event stating it was the best one ever. He thanked the citizens for coming tonight.

Councilmember Surratt thanked the CRB Board and their work on the Easter event and all the volunteers. He also welcomed the audience.

Mayor Pro-tem Brewster welcomed everyone in the audience and expressed gratitude that staff and Council continue to work well together.

RECOGNITION

- **Texas State Fire Marshall Recognition of Pantego for Class 2 rating**

Mayor Pro-tem Brewster called upon Assistant Chief Coker and Chief Griffith to join him in front of the Dias with the Texas State Fire Marshall representative Jesse Williams. Chief Griffith introduced Mr. Williams and explained two years ago the Town of Pantego started the process of re-evaluating the Town's ISO rating. This rating is based on the water supply, Fire Department protection, dispatch and many other items. This directly affects the homeowner's and businesses insurance ratings. We were able to change from a class 4 rating to a class 2 rating. This is a scale from 1-10 with 1 being the best. This is due to the strong departments in town; Public Works, the Fire Department, and the Police Dispatch. I would like to recognize all the staff members involved.

Mr. Williams thanked the Town of Pantego for the opportunity for him to come and recognized the achievement of the Town. The TX Dept of Insurance has the oversight authority of the ISO ratings. The Commissioner of the Department of Insurance wants to express her congratulations. Department of Insurance has surveyed 47,000 communities in the U.S. with 3,500 in Texas. There are only 750 class 2's in the U.S. and 187 in Texas. The Town of Pantego is part of the elite. This will effectively lower the residents insurance rates on June 1st. Mr. Williams presented the Town with a plaque of Award and Achievement presented to the Town of Pantego in Official Recognition of Outstanding Dedication Providing Exemplary Fire Protection Service to the Community. The Texas State Fire Marshall's office is please to award a class 2.

COUNCIL LIAISON TO BOARD REPORT

Community Relations Board

Councilmember Barrett informed Council the Memorial Day Event will be held Monday, May 26th at 7:00 p.m.; movie night will be the second Saturday of the month from June until September in the park; and the Easter event went off beautifully. The CRB Board meets again on May 6th at 7:00 p.m.

Pantego Youth Leadership Council

Councilmember Surratt informed Council the last meeting will be in May and the group is planning a field trip to visit some of our businesses. They will end at Saljo's for an end of the year celebration.

PEDC REPORT

Councilmember Surratt informed the Council the Board discussed the archway lighting and are currently reviewing bids. There were some temporary installations at the last meeting for demonstrations of the lighting. The Board has picked out the type of lighting they think would work best. The Board is looking at other features the contractor may be able to offer; such as changing colors for festivals.

CITIZENS OPEN FORUM

Barbara Nunn, 2704 Whispering Trail Circle, addressed an issue with the utility billing policy. They sometimes take long vacations and the water is not used during this time. They do not have a use for trash and recycling while gone. However, they are billed the minimum billing for water, sewer, trash, recycling, and other fees for the time they are away. She would like to have Council address a procedure for the citizens who are away for long periods of time to have reductions of the services for the time they are away.

APPROVAL OF CONSENT AGENDA ITEMS

Councilmember Surratt made a motion to approve the Consent Agenda items 1, 2, and 3 as discussed in the work session. Councilmember Price seconded the motion.

The vote was as follows:

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

Nays: None

Abstention: None

Mayor Pro-tem Brewster declared the vote passed unanimously.

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

4. Discuss and direct staff regarding the Boat and RV ordinance.

Mayor Pro-tem Brewster opened the floor to public comments at 7:49 p.m.

Barbara Nunn, 2704 Whispering Trail Circle, would like to see the time allowed for the RV's to be parked in front of the home extended from 24 hours to 48 hours. She also requested Mr. Joyce to have the trees hanging over the street cut back.

Wayne Couch, 1811 Roosevelt Court, would like to see the screening of the stored boats and RV's to contain exceptions for those who do not have access to their backyards which forces them to be stored in the driveway. He expressed this is costly and inconvenient to some of the residents and not others due to access issues and having to rent a storage space. He would like no restrictions for the RV and trailers to be parked in front of the house. He feels trailers that do not block the sidewalk or hang out in the street should be allowed to park in the driveway. He would like to see an ordinance that requires current registrations only to be parked at the residence.

Mark Kelsey, 2624 Peachtree Lane, he stores his boat at Joe Pool Lake and the trailer is currently parked at his residents for annual maintenance. He would like no restrictions on parking trailers and RV's at the residents. He also does not have access to the side or back of his yard. He would like to remove the hidden or screened clause of the ordinance, add classes of the RV's to the ordinance, and increase the cargo capacity allowed in the ordinance.

There was discussion on the next step. Mr. Joyce presented to Council a proposal of changes to the current ordinance based on the complaints he has heard of. There was discussion of the current restrictions; such as the length of time allowed for parking in front of the residence, the screening requirement, and maintenance allowed. Council requested Mr. Joyce to present a rough draft of the changes discussed in the ordinance at the next meeting. There was discussion on the power of the Board of Adjustments to grant variances.

5. Discuss, direct, and consider action upon an Ordinance for the Municipal bond requirements of the City Manager and the Finance Director.

Mr. Fielder informed Council state law requires the City Manager and Finance Director to be bonded at an amount set by Council. The purpose here is to find out the amount Council would like to set the bond for the ordinance. The previous City Manager was bonded to \$10,000. There was discussion on the amount and the cost of the bonds. Council decided to set the bond limits at \$50,000 for both the City Manager and the Finance Director.

Mayor Pro-tem Brewster recessed the regular session at 8:33 p.m.

Mayor Pro-tem Brewster called the executive session to order at 8:36 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
 2. Pursuant to Government Code Section 551.071 Consultation with Attorney, to discuss pending or contemplating litigation, settlement offers, and other legal matters that implicates the attorney-client privilege – Peak Energy.

Mayor Pro-tem Brewster adjourned the Executive Session at 8:47 p.m.

Mayor Pro-tem Brewster reconvened into Regular Session at 8:50 p.m.

Mayor Pro-tem Brewster declared no action was taken on Executive Session items # 1 and 2.

6. Discussion on a presentation from the Arlington Independent School District Board regarding the Bond Election for the May 10, 2014 Election.

Mayor Pro-tem Brewster introduced Ms. Cindy Powell, Finance Director; Dr. Cavazos, Superintendent; and Mr. Peters, School Board Member. Dr. Cavazos addressed Council and informed them the Arlington School District Bond is part of their Strategic Plan. The District conducted a Facility Assessment for the condition and adequacy of every facility to create a benchmark. They have a steering committee comprised of 38 members consisting of students, parents, and faculty that reviewed the assessment, enrollment trends, and community input. The major findings were presented in a PowerPoint presentation consisting of 70% of students are economically disadvantaged and the utilization of facilities found in some cases the schools are overcrowded, underutilized, or full. The District started with the gap analysis to reach their goals. The bond has four parts Facilities, Fine Arts, Safety and Security, and Transportation. The recommendations for the Facilities are to build a district wide Career Technical Center at Hutchison Junior High; a district wide Agricultural and Science Center; a District wide 2500 seat capacity Fine Arts Center with classroom space; six multipurpose activity centers one for each High School that would house outdoor sports; such as, the band, the drill team, and cheerleading; a Special Education Alternate Curriculum program; relocating the Newcomer Center to Ferguson Junior High School; add to Workman Junior High School which would house some of the Hutchison Junior High School students; two new elementary schools, one in North Arlington and one in East Arlington; re-purpose two elementary schools for Dual Language Fine Arts academies; and two science labs at each elementary school. These strategies will reduce the use of the High Schools during the day to help with the capacity of the schools.

Ms. Powell addressed Council to discuss the conditions efficiencies that were identified through the assessment including security entrances in all elementary schools; expanding parking lots or repaving the parking lots; and taking care of our systems, mechanical, electrical, or structural; and access issues for guests. There is funding for fine arts instruments and uniforms allowing the district to provide uniforms and instruments to the economically disadvantaged and replacing some of the older instruments. Safety and Security and Technology have funding to replace some old security cameras. The District currently covers 35% of the building footprints the upgrade will allow 80% coverage of the footprints at the buildings. There is funding for digital signage and an upgrade to the PA systems, emergency notification systems, and GPS tracking system to the buses. The Technology funds will increase the access to the current technology and will replace old network infrastructure. Transportation will replace old busses. This was started in 2009 replacing half the fleet. The District plans to continue to replace the old busses and add some

new buses. The Bond Package covers \$663.1 million. If passed the bond will be repaid over a 25 year period and repayments are matched with the life of the asset purchased. This could be a 15% increase at the peak period resulting in an approximate \$10 a month increase in property taxes on a \$100,000 home. This peak period increase is projected to occur between the years of 2016-2020. The District expects all these projects to be final in 5 years.

There was discussion on the maximum rate increase and where the district will fall in the rate for the County. Ms. Powell explained if all other districts do not change their rates this will put Arlington in the middle. There was discussion on the soft costs and the firms used for the soft costs. Ms. Powell informed the Council there is an estimate of operating costs once everything is online in 5 years of \$3.2 million annually this is a net result of taking some of the buildings off line. The soft cost are paid through the bond proceeds and sold at premium usually a 1/2% of the bond issued.

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

7. Discuss, direct, and consider action upon a preliminary plan for PantegoFest 2014.

Ms. Coltharp informed Council of some preliminary steps she has in place. She recommends the three day event Friday, Saturday, and Sunday. All equipment, stage, and tents will remain until Monday Morning. There is no competition from the Dallas Cowboys that weekend, but there is competitions for the State Fair Opening Weekend, a busy 5k weekend, and the last home game for the Texas Rangers. The location of the event is recommended for the Park Row West Shopping Center. The layout will fit on the site without using the Pantego Christian Academy (PCA) parking lot. The Owner of the center is open to using her shopping center. She felt her tenants have a positive outlook on the event. There was discussion on the logistic of the lot with the food vendors on the Saljo's/State Farm side of the lot and the kids Zone will line up with the PCA parking lot, the stage will sit in the lot North of Saljo's, and the chili cook off in front of Shirtwerx. All other vendors will be in the center between these areas. This will give several points of entry for foot traffic. There was discussion on the foot traffic and closing streets; the area behind the shopping center in reference to noise complaints; and moving the stage towards the PCA parking lot and having access from that side of the parking lot. Ms. Coltharp informed Council the idea is to have the attendees walk through the vendors to get the main attractions. There was discussion on losing visibility and the Bowen Road traffic that can see the festival from the Bowen/Park Row Intersection; possibly moving the event back on to Park Row; and on shutting down Milby Road. Ms. Coltharp informed Council she needs decision on the location, dates, and anything necessary to start solidifying plans, bookings, and invites. The particular layout can be worked out at a later date. Ms. Coltharp spoke to Ben E Keith regarding a stage but has not been able to book it yet. There was discussion on the bands and their availability; moving the Kid Zone parallel to Park Row; and closing the north lane of Park Row for a pedestrian buffer.

Ms. Coltharp presented a draft budget for Council and a comparison of the 2013 financials. She is proposing an entirely free event, except the Kids Zone at \$5.00 per child, and is expecting approximately 74 vendors. The revenue projection came to \$95,000. Ms. Coltharp proposed the idea of the vendor providing their own tent and lowering the price to offset the cost to the vendor. There was discussion on the tents used by the vendors. The expenses are projected to \$72,000 with the increase in marketing and the bands. There was discussion on holding a stakeholders meeting in mid-May and starting right away sending business letters out this week. There was discussion on a logo and keeping the guitar in the logo. Ms. Coltharp expressed in the next two weeks she will have made progress with getting the word out and incorporating the logo into the information. Council directed Ms. Coltharp to move forward with what she presented tonight.

RESOLUTIONS

8. Discuss, direct, and consider action upon a Resolution Approving the Investment Policy and the Investment Strategies for the Town of Pantego; and Providing for an Effective Date.

Ms. Carmona informed Council this is a revised version to a policy that is reviewed every year. The difference in this year is the Policy was GTOT certified to ensure the Town is in accordance with the law. There was discussion to the State requirements of the policy following the Public Funds Investment Act; the annual update requirement; and the development of the Finance Audit Committee. There was discussion on Municipal financial investment rates and how it relates to collateral; as well as discussion on suitable bonds issued.

Councilmember Funderlic made a motion to approve the Resolution adopting the Investment Policy and the Investment Strategies for the Town of Pantego. Councilmember Barrett seconded the motion.

The vote was as follows:

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

Nays: None

Abstentions: None

Mayor Pro-Tem Brewster declared the vote passed unanimously.

9. Discuss, direct, and consider action upon a Resolution Approving the Financial Policy for the Town of Pantego; and Providing for an Effective Date.

Ms. Carmona informed Council this is not a new policy; however, the policy has not been updated since 2007. In her review she noticed there needed to be information added that identifies more efficient methods to the budget, operating revenue, accounting, financial reporting, and auditing. There was discussion on the General Government Reserves; the amount of reserve balance allowed; and what the process is if the reserves reach the States time limit of 90 days. There was also discussion on the balanced budget provision.

Councilmember Surratt made a motion to accept the Resolution approving the Financial Policy for the Town of Pantego. Councilmember Funderlic seconded the motion.

The vote was as follows:

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

Nays: None

Abstentions: None

Mayor Pro-Tem Brewster declared the vote passed unanimously.

COUNCIL INQUIRY

Councilmember Surratt requested staff to review the Park Master Plan and revisit the maintenance items; discuss the priority list of street maintenance; and requested the City Manager to update Council between the Council meetings on items that do not require any discussions.

Councilmember Funderlic inquired about the discussion of the Park Row Project with the Engineers and informed the City Manager previously there was a program with Collier for the monitoring of the wells and there were some ideas of how we may monitor our wells.

ADJOURNMENT

Mayor Pro-tem Brewster adjourned the regular session at 10:36 p.m.

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APPROVED:



Russell Brewster, Mayor Pro-tem

ATTEST:



Julie Arrington, City Secretary

