Town Council Minutes
June 23, 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 23rd day of June 2014 with the following members present:

Melody Paradise	**Mayor**
Russell Brewster	**Mayor Pro Tem**
Jane Barrett	**Council Members**
Don Funderlic	
Fred Adair	

Members absent:

Don Surratt	**Council Member**

constituting a quorum. The following staff members were present:

Matt Fielder	**City Manager**
Julie Arrington	**City Secretary**
Ariel Carmona	**Finance Director**
Chad Joyce	**Community Development Director**
Tom Griffith	**Chief of Public Safety**
Barry Reeves	**Assistant Police Chief**
Robert Coker	**Assistant Fire Chief**

Also in attendance:

None

WORK SESSION 6:30 P.M.

Mayor Paradise called the work session to order at 6:58 p.m.

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

1. **City Manager Report**

   Mr. Fielder informed Council the Boat and RV Ordinance is not on the Agenda tonight but will be on the Agenda on July 14th due to staff absences.

   Mr. Fielder informed the Council Scott Williams has accepted the position for Public Works Director and will start on Monday July 7th. There is still an open position for a Maintenance Worker in Public Works. We received notice from Lt. Guess on the Fire Department he will be going to Mansfield FD. There are three firefighter candidates testing and the Department hopes to have the three open positions filled by the end of July.

   Mr. Fielder explained Denitech is still working on the numbers and collecting data. He expects to have information on July 4th.

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

There was no discussion.

3. **Approval and Acceptance of Minutes**

Approval of Town Council Minutes:

- Town Council minutes from June 9, 2014

Councilmember Funderlic questioned the wording of the discussion and direction regarding the water lines in the street improvement discussions on page 16. He would like to have the discussion pinned down to Wagon Wheel to check the water pipes. On page 18 there was discussion on a worksession with Council and PEDC, Councilmember Funderlic would like to have this clarified to include the wording Council and PEDC will have a joint worksession. It reads as the staff will hold the worksession with PEDC. The Council agreed to remove the sentence.

Acceptance of Minutes of Boards and Commissions:

- PEDC minutes from May 28, 2014

No comments were given.

Resolutions

5. **Discuss, direct, and consider action on a Resolution Authorizing the City Manager to enter into an Interlocal Agreement with the Tarrant County Tax Assessor for the collection of the Town of Pantego Property Taxes; Providing for an Effective Date.**

Ms. Carmona introduced the item as a renewal of the annual agreement for tax collection from Tarrant County. She explained the number of accounts has increased; therefore, the costs will be higher this year. Council agreed to move this item to the consent agenda.

6. **Discuss, direct, and consider action on a Resolution allowing the use of the Town Hall as a Precinct Polling Place on Election Day, November 4, 2014 by the Tarrant county Election Administrator**

Ms. Arrington informed Council in the past Tarrant County has used Town Hall for elections but was typically handled through staff without Council notice. There was discussion on an acceptable price for the use of the building. Ms. Arrington was directed to call Tarrant County Election Administration and negotiate the price for a trade for the election equipment in the May Municipal Election. This item was tabled until July 14th.

7. **Discuss, direct, and consider action on a Resolution Authorizing the City Manager to enter in a Contract with the Atmos Energy Steering Committee, Providing for an Effective date.**

Mr. Fielder informed Council this committee is a collection of cities working through the Public Utilities Commission to negotiate rates for natural gas. The resolution authorizes the town to join this organization with a fee of 5 cents per resident for a total cost of $130 and allows the Town to participate in the negotiation for the new gas fees that are coming up. This fee will be used to pay the attorney's that do the negotiating. Council agreed to move this item to the consent agenda.

8. **Discuss, direct, and consider action on a Resolution from the Tarrant County Commissioners Court to participate in the Tarrant County Consortium for the community Development Block Grant, HOME Investment Partnership, and Emergency Solutions Grant Programs; Providing for an Effective Date.**

Mr. Fielder informed the Board to qualify and received the incentives from these programs require the population of 50,000. The Town of Pantego's funds have gone to Tarrant County in the past and we are required to pass this resolution to continue. The alternative is the participation in the State of Texas program. There are not a lot of municipalities who qualify for these programs. Mr.

Fielder recommends participation at the county level. Council agreed to move this item to the consent agenda.

10. **Discuss, direct, and consider action on a Resolution Authorizing the Abandonment of a Fire Lane Easement at Pantego Christian Academy, 2221 W. Park Row Drive, Lot 2R, Block 1 of the Duke addition; Providing for an Effective Date.**

    Mr. Fielder informed the Council an email has been received from the Fire Marshall with Arlington stating this fire lane is no longer needed. Council agreed to move this item to the Consent Agenda.

11. **Discuss, direct, and consider action on the approval of the Budget Work Session Calendar for Fiscal Year 2014/15.**

    There was discussion on the amount of direction staff previously received for preparation of the budget and if a work session is needed for the water system, the Tarrant County Ground Water District, insurance, salary increases, and employee benefits. Ms. Carmona informed the Council the budget work sessions are set up as true work sessions to fully discuss the items in the budget and the certified appraisal tax roll will not be delivered until after July 25th. After verifying the City Manager and the Finance Director are comfortable with the calendar as presented, Council agreed to stick with the Calendar proposed and to move this item to the consent agenda.

Mayor Paradise adjourned the work session at 7:36 p.m.

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

Mayor Paradise called the regular session to order at 7:47 p.m. and welcomed the audience.

Councilmember Adair led the invocation which was immediately followed by the Pledge of Allegiance.

MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS

Mayor Paradise opened comments of community interests to the Staff.

Mr. Fielder commented CRB held the first Saturday movie night and had a great turn out.

Chief Griffith informed the Council the first Public Safety Block Party was held last Thursday on Country Club Ct. with a decent turnout.

Mr. Joyce reminded Council the next mosquito spray will be Thursday night with notifications on Blackboard.

Mayor Pro-Tem Brewster welcomed everyone here tonight and thanked Council and Staff for working together without that cooperation we would never get things accomplished.

Councilmember Adair thanked the audience for showing up and staff for their hard work.

Councilmember Barrett agreed.

Councilmember Funderlic commented on the Block Party and was able to attend. He felt the turnout was good and believes the citizens appreciated it. He received a lot of good comments from the citizens there and about the construction results of Country Club and how it turned out. He would like to see this continued.

COUNCIL LIAISON TO BOARD REPORT

Community Relations Board

Councilmember Barrett stated the CRB Board had a good turnout for the first movie, Frozen. July 12th they will show Monsters University, August 9th Despicable Me 2 and September 13th is still to be determined. Mayor Paradise requested Public Works to spray the park before movie night. Mr. Joyce will look into having this completed.

Pantego Youth Leadership Council

Mayor Paradise informed the Council the group is currently on summer vacation; although they have attained tickets to the Ranger Game this weekend. She invited Staff and Council to attend.

PEDC REPORT

Councilmember Adair informed the Council the PEDC Board discussed the arch lighting again. He explained the proposal has become expensive involving additional electrical and conduit work and the PEDC discussed waiting until the Park Row Project begins and integrating the two projects to help with costs. It is currently on hold until PEDC has more information regarding Park Row. Council discussed having this completed before PantegoFest. There was discussion on the pros and cons of the white lights versus the color lighting and the additional material and work involved.

CITIZENS OPEN FORUM

None.

APPROVAL OF CONSENT AGENDA ITEMS

Mayor Pro-Tem Brewster made a motion to approve the Consent Agenda items 1, 2, 3, 5, 7, 8, 10 and 11 with comments, notes, and corrections made during the work session. Councilmember Adair seconded the motion.

The vote was as follows:
Ayes: Funderlic, Barrett, Adair, and Brewster.
Nayes: None
Abstention: None

Mayor Paradise declared the vote passed unanimously.

ORDINANCE

4. **Public Hearing, discuss, direct, and consider action on an Ordinance Amending the Town of Pantego Municipal Code of Ordinances Chapter 4 – Business Regulations, Article 4.03 – Vendors & Solicitors, by Adding Provisions, Revising Provisions, Deleting Provisions, Setting Penalties and Setting Fees; containing a Savings Clause; Repealing all Ordinance in conflict Herewith, and Declaring an Effective Date.**

   Public Hearing opened at 8:03 p.m.
   No comments
   Public Hearing closed at 8:03 p.m.

   Chief Griffith reminded Council this item was last heard on May 14th their concerns and recommendations are contained in this draft of the ordinance. Council is concerned this will eliminate the door to door solicitation in the town, which are commonly charitable and political organizations. Council is also concerned with the wording in subsection "C" the exempt organization definitions in regards to reasonably identifying all persons. Mr. Griffith informed them

the solicitation permit will require a list of the individuals that are actually going door-to-door. They are concerned the criminal backgrounds of the people on the list will not be checked and verified to be a part of the organization. Mr. Jeffery informed Council the Courts take a harder look at the charitable and political organizations in regards to solicitation. This is what the courts have generally said is okay to do in an effort to balance the solicitors rights and the homeowners rights. Council would like to tie the reasonably language back to items 4.03.021 giving the Police Chief some discretion to ask for more detail allowing him to say based on his determination he needs more detailed information.

Council is concerned they are redefining the Zoning Board of Adjustments and would rather see this section 4.03.042 subsection B eliminated and revisit the Ordinance 1.05 to define the Board of Appeals better there. Mr. Jeffery explained the state statutes of the Zoning Board of Appeals generally covers zoning issues as outlined in 1.05 and municipalities are allowed to add other duties to the Board of Appeals. There was discussion on revising Article 1.05 to add this language. Mayor Paradise clarified with Mr. Jeffery the creation of this language in the Solicitation Ordinance does not create a conflict with Article 1.05.

Councilmember Funderlic would like to see this in two readings and not declare the undue burden as outlined in the last "Whereas" statement of the ordinance. Mr. Jeffery informed the Council this language came from the previous administration and gives Council the option to ask for a second reading and discussion of any ordinance.

Mayor Pro-Tem Brewster made a motion to approve Ordinance Number 14-741 as written in the Council Packet. Councilmember Adair seconded the motion.

The vote was as follows:
Ayes: Barrett, Adair, and Brewster.
Nayes: Funderlic
Abstention: None

Mayor Paradise declared the vote passed 3-1.

RESOLUTION

5. **Discuss, direct, and consider action on a Resolution Authorizing the City Manager to enter into an Interlocal Agreement with the Tarrant County Tax Assessor for the collection of the Town of Pantego Property Taxes; Providing for an Effective Date.**

   Discussed and passed with the consent agenda.

6. **Discuss, direct, and consider action on a Resolution allowing the use of the Town Hall as a Precinct Polling Place on Election Day, November 4, 2014 by the Tarrant county Election Administrator.**

   This item was discussed during the work session.

   Councilmember Adair made a motion to table Resolution 14-10 until July 14, 2014 to allow the City Secretary to investigate reasonable costs and the opportunity to negotiate a trade with the Tarrant County Election Administrator. Mayor Pro-Tem Brewster seconded the motion.

   The Vote was as Follows:
   Ayes: Funderlic, Barrett, Adair, and Brewster
   Nayes: None
   Abstentions: None

   Mayor Paradise declared the vote passed unanimously.

7. **Discuss, direct, and consider action on a Resolution Authorizing the City Manager to enter in a Contract with the Atmos Energy Steering Committee, Providing for an Effective date.**

   Discussed and passed with the consent agenda.

8. **Discuss, direct, and consider action on a Resolution from the Tarrant County Commissioners Court to participate in the Tarrant County Consortium for the community Development Block Grant, HOME Investment Partnership, and Emergency Solutions Grant Programs; Providing for an Effective Date.**

   Discussed and passed with the consent agenda.

9. **Discuss, direct, and consider action on a Resolution authorizing the City Manager to enter into a Contract with the Texas Municipal League MultiState Intergovernmental Employee Benefits Pool for the renewal of employee health insurance coverage to include Long-Term disability, and to continue the Town's participation as a risk member in the Employee Benefits Pool; Providing for an Effective date.**

   Mr. Fielder informed Council there is information from the Texas Municipal League (TML) in their packet. TML obtains rates based on their pool; the number of employees of each member city, and chooses the best rate for the best coverage. The rates have increased 6-23% overall and the Town provides a stipend to each employee of $360 a month. In addition staff is asking Council to consider Long Term Disability insurance that was ceased a few years ago. Long Term Disability covers 60-66% of the employee's salary if injured on the job. Staff recommends Plan 1 at a cost of $8,628/year this can be paid for by the Town or the Town can defer the cost to the each employee at an average of $16 per month.

   Council inquired about the deadline for returning the contract. Ms. Carmona explained the timing of staff receiving the information and if the Council decides not to accept the offer of Long Term Disability before the deadline the Town will have to wait until next year to accept the contract. There was discussion on obtaining estimates from other insurance carriers and the benefits of TML versus other insurance carriers.

   Councilmember Funderlic made a motion to adopt Resolution 14-13 authorizing the City Manger to enter into a contract with the Texas Municipal League MultiState Intergovernmental Employee Benefits Pool for the renewal of employee health insurance coverage to include Long-Term Disability Plan 1. Councilmember Barrett seconded the motion.

   The vote was as follows:
   Ayes: Funderlic, Barrett, Adair, and Brewster
   Nayes: None
   Abstentions: none

   Mayor Paradise declared the vote passed unanimously.

10. **Discuss, direct, and consider action on a Resolution of The Town of Pantego Authorizing the Abandonment of a Fire Lane Easement at Pantego Christian Academy, 2221 W. Park Row Drive, Lot 2R, Block 1 of the Duke Addition; Providing for an Effective Date.**

    Discussed and passed with the consent agenda.

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

11. **Discuss, direct, and consider action on the approval of the Budget Work Session Calendar for Fiscal Year 2014/15.**

Discussed and passed with the consent agenda.

12. Discuss, direct, and consider action on the water well repairs for the Lane and Stolper Wells.

Mr. Fielder informed the Council on June 10th the Lane well #2 stopped working and on June 11th the Stopler well #2 also stopped working. On June 13th staff initiated water restrictions. The Town has 1.3 million gallons at the water storage tanks. He presented the repair background and history on the Lane Well for the last several years and pictures of the damage to the wells. There is not a final determined cause of the damage to the motor on the Lane Well. The initial indications are that the motor over heated and the pipe threading contained some damage. According to Watts Drilling the estimate to bring the well back to operation is $75,000 to $100,000. Staff engaged Collier Consulting to investigate the reasons why this is a recurring issue with the well. He introduced Matt Van Hattem with Collier Consulting.

Mr. Van Hattem stated Collier Consulting was tasked with a video survey on the well to check the condition of the well and see if a well rehabilitation is warranted. A report from Collier Consulting with their findings was presented. The screens on the well were clogged at 100% on the bottom screen and there is approximately 38 feet of sediment in the well that has occurred over the last four years. The recommendation is to rehabilitate the well this winter, replace the motor, install a ground storage tank, and remove the sediment. The screens have become clogged over the lifetime of the well. The well has not been rehabilitated since 2010 and the 38 feet of sediment has happened since then.

Collier was also tasked with finding the cause of the failure. He explained typically the well will pump directly into a storage tank using atmospheric pressure. The Lane Well pumps directly to two booster pumps and then directly to the distribution system. This becomes complicated in controlling the wells and the boosters and in making sure none of the valves are leaking back into the well, it is harder to pin point the problems, and makes it more likely to damage other equipment. When the booster pump and the well pumps turn on at the same time this could create too much pressure in the pipes and make it hard to keep the motor cool. Collier recommends building a 20,000 to 40,000 gallon ground storage tank, pumping the well into this storage tank, and believes this will release some of the work on the pump in the well and in turn cooling the motor. A ground water storage tank also allows for more contact time for the disinfection before reaching the first tap in the system. He does not believe upgrading the motor will solve the issue, as it is using less horsepower than it is rated for.

There was discussion on the pros and cons of the different brands of motors for the well and if the Town has used the same brand of motor for each replacement. Mr. Van Hattem informed Council two different types of motors were used for the last three replacements. There was discussion on the screens and changing them out. Mr. Van Hattem stated this is possible but very difficult and costly. There was discussion on pumping the water from this well to the storage tanks on 303. Council inquired about the thermal overload protection and lack of an overload of amps showing on the Variable Frequency Drive. Mr. Van Hattem recommended Alan Plummer and two other companies to call for a second opinion on the problems. Council directed staff to obtain a second opinion to confirm Collier's recommendations.

Council authorized the City Manager to move forward on getting the well up and running as soon as possible, and authorized the use of the Pantego Police Department to enforce the water restrictions.

Mr. Fielder informed Council the Stopler Well pumps a fourth of what the Lane Well pumps and went down the next day. He presented photos of the motor and pump showing signs of damage. Watts drilling believes this was caused by a lightning strike. One issue is the pipe was extremely corroded and will have to be replaced. The recommendation is to replace the cable, motor, pump,

and pipe. The estimated cost is $40,000 - $60,000 this does not include the surge protection. It was grounded at the well and Franklin recommends grounding at the panel and adding a submonitor to it. Council asked Mr. Van Hattem his opinion on this report. He stated this sounded proper for a lightning strike and the pipe is reasonably priced.

Council authorized the City Manager to proceed with the recommended changes and repairs to the Stolper well

Council recessed into Executive Session at 9:53 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

Council reconvened from Executive Session at 10:11 p.m.

Mayor Paradise declared there was no action taken on the Executive Session item.

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

13. Discuss, direct, and consider action on an update from the City Manager regarding PantegoFest 2014.

Mr. Fielder explained this item is recalled from the discussion at the last meeting. He has contracts for all the bands and the kid zone activities. Some of the bands Council wanted was booked and no longer available. Ms. Coltharp has tentatively scheduled Incognito on Saturday night to fill the vacancy. Ms Coltharp explained Bebe Le Strange could not play Friday night so she switched them with a band on Saturday. There were changes to the price Bebe La Strange is $800 and Escape is $1,300. There was discussion on the open time slots and dead time. Ms. Coltharp is still accepting applications for the schools and exhibitions. The dead time between the set ups for the bands will be filled with the roaming magician. Ms. Coltharp informed the Council she has recently heard from a tropical band she can use as a time filler. Ms Coltharp reminded Council she needs the contracts approved.

Mayor Pro-Tem Brewster made a motion to authorize the City Manager to enter into contracts with Pantego Fest music bands as presented with the discussed changes. Councilmember Adair seconded the motion.

The Vote was as Follows:
Ayes: Funderlic, Barrett, Adair, and Brewster.
Nayes: None.
Abstentions: None

Mayor Paradise declared the motion passed unanimously.

Mr. Fielder reminded Council there are kids zone items that need to be selected. Ms. Coltharp gave Council clarification on the inflatables vendor requirements of no other kid activities. As long as the arm bands are used for his area and the other items are kept out of the same area he will be okay with the Game truck outside the fenced area. Council will need to provide staff to man the bounce houses and to sell the arm bands. Council picked their selection of inflatables in the different categories; the Little Builders, the Artic Plunge, the Rock Wall, the Home Run Derby, the Equalizer, and Adrenaline Rush. The estimate does not include power. The owner of the

inflatables recommends two volunteers for each inflatable, except the Rock Wall which needs three.

Councilmember Adair made a motion to approve the contract with Texas Jumps in the amount of $5,375 as discussed. Councilmember Barrett seconded the motion.

The Vote was as Follows:
Ayes: Funderlic, Barrett, Adair, and Brewster.
Nayes: None.
Abstentions: None

Mayor Paradise declared the motion passed unanimously.

COUNCIL INQUIRY

Councilmember Funderlic inquired about the Zoning Ordinance and when it will be brought before Council for consideration.

ADJOURNMENT

Mayor Paradise adjourned the regular session at 10:30 p.m.

APPROVED:

Melody Paradise, Mayor

ATTEST:

Julie Arrington, City Secretary