

Town Council Minutes
February 9, 2015

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 9th day of February 2015 with the following members present:

Melody Paradise
Russ Brewster
Don Funderlic
Fred Adair
Don Surratt
Jane Barrett

Mayor
Mayor Pro-Tem
Council Member

Members absent:

None

constituting a quorum. The following staff members were present:

Matt Fielder
Julie Arrington
Jim Jeffrey
Ariel Carmona
Scott Williams
Tom Griffith
Barry Reeves
Thressa Householder

City Manager
City Secretary
Town Attorney
Finance Director
Public Works Director
Chief of Public Safety
Assistant Police Chief
Court Administrator

Also in attendance:

None.

WORK SESSION 6:30 P.M.

Mayor Paradise called the work session to order at 6:40 p.m.

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

1. City Manager Report

Mr. Fielder informed Council one of the police officer positions and the support specialist position has been filled. The anticipated start date for the support specialist is February 23rd and the officer will start on February 16th.

Mr. Fielder informed Council he met with April Coltharp with Flair Events. She has implemented an Early Bird Special attempting to get vendors to sign up early. They met with Barbara Brown and are waiting on the final approval for the use of her parking lot. Mrs. Coltharp has also been working on band availability with hopes to have a list at the next council meeting. There are still some pending items before they can finalize a budget.

Mr. Fielder shared a Thank You letter from Mrs. Siddens to Council.

2. Monthly Staff Reports

Council discussed the Infrastructure Fee revenue and the Certificate of Transparency with Mrs. Carmona. Council inquired about the function of the trauma packs with Public Safety Chief Griffith. Council discussed the sink hole on Pioneer Parkway, animal control, AT&T damaging the sewer line, and re-keying the well locks with Mr. Williams. Council suggested placing the information regarding the transparency in the next newsletter. Mrs. Carmona clarified the financial reports that will be on the website allowing residents to review the information.

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

Council asked about the purpose for the Open DNS and was informed this is a form of software protection for the computers.

Council inquired on the necessity of the work performed by Siddens Martin as outlined in the purchase order. They were informed this is necessary maintenance for the vehicle every few years.

Council clarified the uniforms for the Fire Department are custom fitted to the person wearing the uniform and some were replaced due to damage.

Council inquired on the Square One maintenance agreement and requested staff to determine the life expectancy and the cost of a replacement machine.

4. Approval and Acceptance of Minutes

Approval of Town Council Minutes:

- Town Council minutes from December 15, 2014
- Town Council minutes from January 12, 2015
- Town Council minutes from January 26, 2015

Council would like to change the second sentence to "referencing the comprehensive plan" in the December 15, 2014 minutes. There was a correction to item number 7 in the work session of the January 28, 2015 minutes to reflect a ground storage tank instead of elevated storage tanks and in Matt O'Neils comments on item number 8 of the regular comments to reflect a deadline for completion and suggested a charge for missing the deadline.

Acceptance of Minutes of Boards and Commissions:

- CRB minutes from January 6, 2015

Mayor asked Mr. Fielder to clarify the comments within the Community Relations Board minutes regarding Christmas 2013 and the Board being over budget. Mr. Fielder informed Council the Board is over Budget and there was discussion at the meeting regarding late fees for the Christmas 2013 events. However, there are a variety of reasons the Board is over their budget and the late fees were minimal. The highest cost was the \$1,800 for stocking stuffers.

5. Discuss, direct, and consider action on Resolution 15-02 a resolution of the Town Council of the Town of Pantego authorizing the City Manager to enter into a contract with a private attorney to provide collection services within the meaning of Texas Code of Criminal Procedure 103.0031 and providing for an effective date.

Mrs. Householder presented this item to Council and reminded them there was an ordinance at the last meeting allowing the Town to hire an attorney to collect the revenue that is 24 months past due. This item is a resolution authorizing the City Manager to enter into a contract for the collection of this revenue and an additional collection fee charge of 30% to the defendant. There was discussion on

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section 2 and the firm assessing the fee. Mr. Jeffrey explained he has changed this section to reflect the Court collection of the money and then the payment to Perdue. Mrs. Arrington displayed the revised resolution on the projection screen for Council to review the changes. There was discussion on the use of the word attorney instead of the plural attorneys or a firm. Mr. Jeffrey's informed Council this is the language used within the State statutes and when they hire an attorney they are also hiring the firm associated with the attorney. There was clarification regarding who is responsible for the additional costs for the software and upgrades. Council requested Mr. Jeffrey's to modify the agreement to match the Request for Proposal clause on upgrades and software. There was clarification on the last sentence of Section IV discussing the 60 days past due and the 30% additional fees that are collected by Perdue from the Defendant. Mrs. Householder assured Council Perdue will not collect money from the defendants.

Mayor Paradise adjourned the work session at 7:29 p.m.

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

Mayor Paradise called the regular session to order at 7:36 p.m. and welcomed the audience and thanked them for coming tonight.

Mayor Paradise led the invocation which was immediately followed by the Pledge of Allegiance.

MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS

Councilmember Surratt welcomed the audience and stated it is nice to have the first responders here in the audience.

Councilmember Funderlic agreed and stated it is a pleasure to see the first responders and the police officers at the meetings. He appreciated them for their dedication and service to the Town.

Councilmember Barrett stated it was nice to see such a nice crowd this evening and welcomed the police officers.

Councilmember Adair stated it is great to see everyone here including the first responders and he appreciates the great job they do for us.

Mayor Pro-Tem Brewster welcomed everyone here, appreciates staff and Council working together, and the first responders for the job they do. The last week and a half he has become a granddad.

Mayor Paradise welcomed the family members and appreciates the support they give to the employees. She recognized how hard it is for the families. The first responders risk their lives every day and it does not go unnoticed. She gave congratulations to Chad Joyce, the Community Development Director, and his wife for their new baby born today.

HONORS/RECOGNITIONS

Mayor Paradise called Assistant Chief Reeves and Chief Griffith to the front of the Dias. Assistant Police Chief Reeves discussed his future goals for the Pantego Police Department and the services provided. He introduced Officer Marquez who has been with the department for just under 4 years and is the main training officer. He stated Corporal Marquez receives rave reviews from his peers who complete training with him. Mrs. Marquez pinned the Corporal badge onto Officer Marquez. Chief Griffith discussed Corporal Marquez' accomplishments and his leadership abilities.

Assistant Police Chief Reeves introduced Detective Whitwell who has been a detective for three years with Pantego. He discussed the responsibilities of a detective and staying on task. The detective position is one of the toughest positions in that they work closely with other agencies as well as Pantego. The

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official title of Sergeant is well deserved and should have taken place long ago. Integrity and doing what is right is very important as a detective. Mr. Whitwell, his father, pinned the Sergeant badge on Detective Sergeant Whitwell in memory of his brother who was killed in the line of duty in Tennessee as an officer. Chief Griffith stated all the work of the other officers would not be admitted into court and defendants would go free if not for Detective Sergeant Whitwell who is responsible for organizing and coordinating the evidence to the protocol the County DA wants to ensure convictions.

Mayor Paradise recessed the council meeting at 7:49 p.m. for a reception.

Mayor Paradise reconvened the meeting at 8:13 p.m.

COUNCIL LIAISON TO BOARD REPORT

Community Relations Board

Councilmember Barrett informed the Board the last CRB meeting was Tuesday, February 3rd and they reviewed the 2015 summer events. Easter will be held on Saturday, April 4th from 2:30-4:30 p.m. The events will include an egg hunt, the train, sack races, egg toss, face painting, balloon animals, scavenger hunt, and crafts; such as painting flower pots, and refreshments. The Memorial Day event will be on May 25th at the Bicentennial Park at 7:00 p.m. and they are having an essay contest again this year for students in the 76013 zip code with a guest speaker. The next Movie Night is June 13th and will be the second Saturday of every month from June to September. The movies are still undecided at this time. The next CRB meeting is Tuesday, March 3, 2015 at 7:00 p.m.

Pantego Youth Leadership Council

Mayor Paradise informed the Council PYLC will meet on the third Tuesday of the month, next Tuesday, and will continue their exercise and discussion on constructive arguments, persuasion, and being open minded.

PEDC REPORT

Councilmember Adair informed the Council the PEDC Board discussed the 303 corridor regarding ways to improve business development in that area and discussed the park regarding painting, pads on the playground, and volleyball courts. Staff was directed to obtain cost estimates to these repairs to the park. The Board also discussed a Texas Parks & Wildlife grant Pam Mundo will pursue for the Board. He explained the grant is a matching grant and the cost the Board is considering is \$100,000.00 total with a 50/50 match.

CITIZENS OPEN FORUM

None.

APPROVAL OF CONSENT AGENDA ITEMS

Councilmember Surratt made a motion to remove Consent Agenda item Purchase Order 1690 for the Northern Trinity Groundwater District for a separate discussion. Councilmember Barrett seconded the motion.

The vote was as follows:

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

Nays: None.

Abstention: None.

Mayor Paradise declared the vote passed unanimously.

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Councilmember Surratt informed the Council he wanted to remove this item for discussion and is displeased in the expenses paid by the Town. He does not want to continue to pay this fee without giving staff the needed direction to get a pass through fee on the water bills allowing the Town to stop taking the expense out of the budget when it is not accounted for. There was clarification on the six month payment cycle. Mr. Fielder discussed performing the water rate increase and the pass through fee at the same time then the residents will not be hit twice with an increase in one year. This discussion will be on the next agenda.

Councilmember Surratt made a motion to approved purchase order 1690. Councilmember Funderlic seconded the motion.

The vote was as follows:

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

Nayes: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

Councilmember Funderlic made a motion to approve agenda items 1 through 4 as discussed with the corrections to the minutes in item 4 and authorizing the City Manager, or his designee, to enter into an agreement and payment for purchase orders 1684 and 1691. Mayor Pro-Tem Brewster seconded the motion.

The vote was as follows:

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

Nayes: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

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

- 5. Discuss, direct, and consider action on Resolution 15-02 a resolution of the Town Council of the Town of Pantego authorizing the City Manager to enter into a contract with a private attorney to provide collection services within the meaning of Texas Code of Criminal Procedure 103.0031 and providing for an effective date.**

This item was discussed during the work session. Mr. Fielder informed Council during the break Mr. Jeffrey's made the requested changes to the contract and verified the use of a private attorney within the caption and the contract matches the state statute. Ms. Arrington pulled up the modified resolution 15-02 on the projection screen advising Council section 2 was the only item changed in the resolution. There was clarification on the changes from the resolution included in the packet. Mr. Fielder disclosed to Council his father is the Fielder in this firm's name; however, he retired several years ago and no longer has any business with the firm.

Councilmember Adair made a motion to approve resolution 15-02 including the changes to section 2 and the contract as discussed. Councilmember Surratt seconded the motion.

Councilmember Funderlic suggested the City Manager send an email to Council informing them of the changes prior to the Council meeting.

The vote was as follows:

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

Nayes: None

Abstention: None

Mayor Paradise declared the vote passed unanimously.

- 6. Discuss, direct, and consider action on Resolution 15-03 a resolution of the Town Council of the Town of Pantego authorizing the City Manager to enter into an Agreement with the City of Fort Worth for the purpose of providing Public Safety voice radio communications and mutual aid or emergency assistants and providing for an effective date.**

Assistant Police Chief Reeves introduced this item advising Council this is part of the new radio system. He has addressed authorizations with other cities to obtain use of their channels for the new radio systems. The City of Fort Worth is requiring all municipalities to be under contract. There is no money exchange just an agreement that the Town can use the channels needed. Most of the channels will be encrypted with some encryptions changing regularly. Each time the encryption is changed the departments are required to have all radios re-programmed to the new encryptions. Fort Worth will hold the operations channel that will allow all departments to speak to one another. All dispatch offices will be required to monitor this channel. If one city needs to talk to another they will do so through this channel. This gives the departments the capability to receive quicker mutual aid from other cities.

Council clarified there are not costs associated with the contract as is mentioned in several areas of the contract and the mentioning of a key in the contract is the same as the encryption Assistant Chief Reeves discussed. Assistant Chief Reeves explained the encryption is the key and the Town does not have to pay Fort Worth for the use of the channel. The Town will only pay if re-programming of the equipment is needed. He advised Council this is the same agreement for all towns involved. Council inquired if there is a similar agreement for Arlington. Chief Griffith stated the Town has an agreement with Arlington but it is old.

Mayor Pro-Tem Brewster made a motion to approve Resolution 15-03 as written and discussed. Councilmember Adair seconded the motion.

The vote was as follows:

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

Nays: None

Abstention: None

Mayor Paradise declared the vote passed unanimously.

- 7. Discuss, direct, and consider action on authorizing the City Manager to enter into a contract with Alan Plummer Associates for the construction management of the Park Row Project.**

Council discussed their displeasure with the fact there is not an Alan Plummer Associates, Inc representative attending the council meetings for the last three months to discuss the contract and has contract authority. Mr. Mosley can speak to the contract but not versed in the project. Council clarified their insurance coverage amounts. Mr. Moseley agreed to waive the 10% markups on direct expenses and give pass through costs only. Item number 7 under the General Terms and Conditions will be removed per State statutes municipalities have 30 days to pay on invoices. Also item 15(e) will be removed municipalities are exempt from the 2 and 4 years for contract claims clause. Council and Mr. Moseley agreed the project would be completed in less than a year; therefore, the annual salary increase does not apply.

Mr. Fielder informed Council the Critical deadline is September 20, 2015. Mr. Moseley suggested working through the bid phase and then work out the contract for the construction phase. Mr. Moseley offered a discount on bid publications to get this project moving. Council mentioned having the hours and rates included on the estimate of the job and the backup supporting the invoices. Mr. Moseley stated he can provide the estimated hours and rates on the job; however, the supporting documentation with the invoice will depend on the type of contract. If it is a project contract then it will be a lump sum invoice. If it is a time and material contract it will be broken out to the number of hours

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on the task. He typically does construction contracts with time and material. There was discussion on the savings of separating the projects. Mr. Fielder informed Council he anticipates more unforeseen circumstance with this project than the streetscape project. He recommended proceeding with this project due to the many details staff still has to work out for the streetscape project. There was discussion on the number of submittals and the cost of the submittals.

Councilmember Funderlic made a motion to authorize the City Manager to enter into a contract with Alan Plummer Associates for additional bidding services for the Park Row Water Main Line extension as outline in their proposal in the amount of \$6,647 with the modifications to their Standards Terms and Conditions as discussed during the meeting. Councilmember Barrett seconded this motion.

Councilmember Adair clarified the \$3 discrepancy of the overall costs in two different supporting documents and Mr. Moseley agreed to the \$3 loss.

The vote is as follows:

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

Nayes: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

Council requested a target date for bidding of the project.

8. Discuss, direct, and consider action on an update from Alan Plummer Associates, Inc. on the Lane Well.

Patrick Moseley with Alan Plummer Associates, Inc. presented this item and informed Council he believes there is no real advantage to disassembling the motor. He went back to the well and reviewed the information. He has verified through calculations, discussions with Franklin, and historical information on the well that the motor leads are fine. He is still determining through calculations and conversations with the manufacturer if the DVTD filter that reduces voltage spikes is still functioning properly for the Town's system. He informed Council there are grounding issues that need to be addressed on the well. Mr. Moseley stated the situation now is the leads are fine, he is still working on some calculations on the filter, Brian is working on the booster pump, and Sarah is working on where to put this water for a long term solution. Council requested to have Brian and Sarah at the next Council meeting with Mr. Moseley. He confirmed everything is functional, the reactor may need to be changed, and the grounding issues will show up in strange ways. Mr. Fielder stated he is waiting on more information regarding the grounding, acquiring a back up pump, and a cost estimate at the next meeting for the rehabilitations and cleaning of the well.

Mayor Paradise adjourned the council meeting for the executive session below at 9:39 p.m.

Following the Scheduled Executive Session, the Council will reconvene in public session and may take any and all action necessary concerning the Executive Session.

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 551.074 to deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee - Discussion of Board and Commissions appointments

Mayor Paradise reconvened the council meeting at 9:52 p.m.

Mayor Paradise declared there was no action taken on the executive session item.

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COUNCIL INQUIRY

Councilmember Surratt requested Mr. Fielder to ask Chief Griffith to have information on the seven minute response time to the Chicken Express structure fire in his next staff report and possibly a backup plan for a similar situation in the future.

Mr. Fielder reminded Council Town Hall will be closed on Monday, February 16, 2015 due to President's Day.

ADJOURNMENT

Mayor Paradise adjourned the regular session at 9:55 p.m.

APPROVED:


Melody Paradise, Mayor

ATTEST:


Julie Arrington, City Secretary

