

Town Council Minutes
June 8, 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 8th day of June 2015 with the following members present:

Russ Brewster	Mayor Pro-Tem
Fred Adair	Council Member
Jane Barrett	Council Member
Don Funderlic	Council Member
Don Surratt	Council Member

Members absent:

Melody Paradise	Mayor
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Constituting a quorum. The following staff members were present:

Matt Fielder	City Manager
Julie Arrington	City Secretary
Chad Joyce	Community Development Director
Scott Williams	Public Works Director
Tom Griffith	Chief of Public Safety
Barry Reeves	Assistant Police Chief
Robert Coker	Assistant Fire Chief
Thressa Householder	Court Administrator

Also in attendance:

None.

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 the Council the 1 police officer and 2 dispatcher positions have been filled. The Town is currently at full staff. There are two employees leaving in July to go back to school.

Mr. Fielder presented a Power Point showing the bounce house options from Bouncing Stars explaining they require an outright rental situation and requested to have the mechanical bull at PantegoFest with their employees operating it. The Town would receive 15% of the profits for the mechanical bull, 20% profit for the bubble runner, and 100% profit after the cost of the rental for all other bounce houses. He spoke to Pantego Bay regarding handling the beer sales. They want to utilize a ticket system stating Pantego Bay would handle the distribution of the tickets and sales. They agreed to the sale of craft beers if the Town is able to obtain sponsorship from St. Arnolds Brewery. Ms. Coltharp is in discussions with concession companies as an alternative option. There is a winery that is interested in selling glasses of wine.

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Mr. Fielder informed Council the construction on Park Row is ongoing and has reach 1,000 feet of pipe taking them to the creek. They have connected some service lines to the meter boxes and are ahead of schedule.

2. Monthly Staff Reports

There was discussion on the purpose for the back log in fire inspections, mosquito trap placement, and the effects of the spraying. There was clarification on the permission to transfer the medic license and on the collection fees presented by Court. Council thanked the Public Works Department and the Public Safety Department for their hard work.

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

Council inquired if the malfunction of the Quint was a result of the recent transmission repair and the hourly rate versus a flat fee rate.

4. Approval and Acceptance of Minutes

Approval of Town Council Minutes:

- Town Council minutes from May 11, 2015
- Town Council minutes from May 18, 2015

Council confirmed the Verizon representative stated the generator was electric when in fact it is a diesel generator and the direction by Council was to execute the contracts for PantegoFest 2015.

Acceptance of Minutes of Boards and Commissions:

- PEDC minutes from May 13, 2015
- P & Z Minutes from May 4, 2015

RESOLUTIONS

5. Discuss, direct, and consider action on Resolution 15-17 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into an agreement with Tarrant County Tax Assessor/Collector to provide assessment and collection services of Ad Valorem taxes levied by the Town; declaring an effective date.

Mr. Fielder informed Council this is a routine ordinance. The question that comes up each year is why the number of accounts increases. The Finance Department has attempted to answer this question but has not been able to determine a cause or reason. Council inquired on other options and was informed the only other option is for the Town to collect their own taxes, which is not cost effective.

6. Discuss, direct, and consider action on Resolution 15-18 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into contracts for entertainment and logistics for PantegoFest 2015.

Mr. Fielder reminded Council this item was discussed at the last meeting but some of the contracts had not been received. There was discussion on the procedures for resolutions to include the expenses within the resolution. It was determined to include all expenses within the resolution.

12. Discuss, direct, and consider action on the approval of the Budget Work Session Calendar for Fiscal Year 2015/2016.

Mr. Fielder reviewed the proposed budget calendar with Council. Councilmember Surratt announced he will not be available on August 3, 2015.

Mayor Pro-Tem adjourned the Work Session at 7:20 p.m.

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

Mayor Pro-Tem Brewster called the regular session to order at 7:35 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

Councilmember Adair welcomed the audience and thanked staff for their hard work and congratulated the staff for all the awards, certificates, and recommendations they have received.

Councilmember Barrett welcomed the audience, appreciates staff's hard work, enjoys reading their accomplishments in the council packet, and appreciates the volunteers in our Town; such as Cal Kost for helping the Public Work staff at the Park.

Councilmember Funderlic welcomed the audience and appreciates their input. He also thanked the Lions Club for their volunteer efforts, the staff, and particularly the Police; they have a very tough job to do and sometimes they do not get the credit they deserve.

Councilmember Surratt welcomed the audience and congratulated the Fire Department on their care given to a patient that was transported to an Arlington Hospital. He recognized the Lion's Club for their volunteer efforts at the park and working with the Public Works staff. He thanked the Police Department for their treatment of a person in jail that prompted him to send a thank you note.

Mayor Pro-Tem Brewster welcomed the audience, agreed with the other council members, thanked staff and council for working together, and the Lions Club for their donation of four flags. The accolades for the Police Department, Fire Department, and Public Works in getting the projects around town done and hope everyone sees the benefits of that.

HONORS/RECOGNITION

- **Community Relations Board Memorial Day Essay Contest Winners Presentation**

Mayor Pro-Tem Brewster and Councilmember Barrett invited Aubrey Holland and Devin Rossman to the front of the Dias. Aubrey and Devin read their essays to the audience. Mayor Pro-Tem Brewster and Councilmember Barrett presented Aubrey and Devin with a certificate and monetary award.

COUNCIL LIAISON TO BOARD REPORT

Community Relations Board

Councilmember Barrett informed Council the last CRB meeting was June 6th. The Board has a new President, Chuck White. She appealed to the audience for board applications for the upcoming appointments. The first movie night this year will be on June 13th at 7:30 p.m. and the movie will be Alexander and the Terrible, Horrible, No Good, Very Bad Day. On July 11th the Board will show Maleficent. On August 8th the movie will be Big Hero 6. On September 12th the movie will be Guardians of the Galaxy. The next CRB meeting will be July 7th at 7:00 p.m. at Town Hall.

Pantego Youth Leadership Council

Mayor Pro-Tem Brewster announced the PYLC group is off for the summer.

PEDC REPORT

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Councilmember Adair informed Council the PEDC Board has conducted two meetings since the last Council meeting. The meeting on May 27, 2015 the Board discussed promotional activities for PantegoFest. They authorized the order of 1,250 shopping bags and discussed obtaining coupons from the businesses to stuff in the bags. The Board also authorized the City Manager to execute option one of the Star Telegram Digital Advertising proposal. There was discussion of a Meet and Greet at the end of the month.

The meeting on June 3, 2015 was a special meeting to discuss the grant obligation of the Cookie Machine. The business was sold and the grant was transferred to the new owner. She is keeping the Cookie Machine and will be serving Cajun food.

CITIZENS OPEN FORUM

Cal Kost, 2806 Whispering Trail, Pantego, Texas 76013, informed the Board the Lions Club performed 20 volunteer service hours at Bicentennial Park last month. They are here to help but would like to see the Town promote more volunteer activities; such as, a community work day. They have also donated four flags; 2- 5X8 Flags and 2 -3X5 Flags. Finally, Camp Thurman's entry on Smith Barry Road was originally to be used as an exit only or for employees. There are signs placed around Town stating the entrance to Camp Thurman is on Smith Barry Road. He is requesting the Town to look into this matter and review the original SUP. Mr. Joyce will follow up on this.

APPROVAL OF CONSENT AGENDA ITEMS

Mayor Pro-Tem Brewster suggested moving items 5 and 6 to the consent agenda. Councilmember Surratt made a motion to approve Consent Agenda items 1 thru 4 with the addition of 5 and 6 as part of the consent agenda. Councilmember Funderlic seconded the motion.

The vote was as follows:

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

Nays: None.

Abstentions: None.

Mayor Pro-Tem Brewster declared the vote passed unanimously.

RESOLUTION

- 5. Discuss, direct, and consider action on Resolution 15-17 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into an agreement with Tarrant County Tax Assessor/Collector to provide assessment and collection services of Ad Valorem taxes levied by the Town; declaring an effective date.**

This item was discussed during the work session and voted in the consent agenda items.

- 6. Discuss, direct, and consider action on Resolution 15-18 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into contracts for entertainment and logistics for PantegoFest 2015.**

This item was discussed during the work session and voted in the consent agenda items.

ORDINANCE

- 7. Public Hearing, discuss, direct, and consider action on Ordinance 15-764 an ordinance of the Town Council of the Town of Pantego, Texas, for Zoning Case Z-212, a proposed Special Use Permit as issued to Brad Stroup (The Prayer Room) to establish a nonprofit parachurch organization located at 1503 Nora Drive, Tract 4Q of the Nathan Smith Survey, Pantego,**

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Tarrant County, Texas; and declaring an effective date. The property is generally located in the east side of Nora Drive between West Park Row Drive and Whispering Trail Circle.

Ms. Arrington read the caption for the record.

Public Hearing was opened at 8:07 p.m.

Brad Stroup, 5507 Gessner Ct., Arlington, Texas 76018, introduced the Prayer Room's organization and planned operations. They are a Christian based organization with a purpose to create an environment conducive for prayer seven days a week. He is a member of the Pastor Group of Arlington and has been in business for ten years. Most of the meetings are two hours long with 3-5 people during the day. The evenings are heavier in attendance. Saturday night is the largest attended time with 40-60 people in attendance.

There were no other speakers in support of this item.

Jim Brown, 2735 Whispering Trail, Pantego, Texas 76013, is against the Prayer Room due to his dogs bark at any activity behind his home. He would like to be able to entertain in the backyard without having his dogs barking constantly. He would like to see a screen placed on the balcony to obstruct the view of the balcony to his property. The property has been vacant for one and a half years and is curious why now someone wants to purchase it.

Public Hearing closed at 8:26 p.m.

Mr. Joyce introduced this item confirming with Council the parking allows for an attendance not to exceed 100 people and the area is currently zoned a C-2. There was discussion on the demographics of the attendees, hours of operation, and if the requestor has budgeted enough revenue for the changes recommended. Council clarified there will be live contemporary/praise bands in the evenings and the green room is more for speakers and not bands. There was discussion on the noise levels of the parking lot when people mingle before leaving, the duration of the SUP, and the ability to terminate the SUP. Council confirmed there will be sound proofing on the walls prior to receiving the Certificate of Occupancy.

Councilmember Surratt made a motion to approve Ordinance 15-764 with stipulations regarding sound dampening installed prior to the issuance of the Certificate of Occupancy and the SUP terminates upon change of ownership. Councilmember Adair seconded the motion.

The vote was as follows:

Ayes: Surratt, Barrett, Adair, and Brewster.

Nays: Funderlic.

Abstentions: None.

Mayor Pro-Tem Brewster declared the vote passed 4-1.

8. **Public Hearing, discuss, direct, and consider action on Ordinance 15-765 an ordinance of the Town Council of the Town of Pantego, Texas, for Zoning Case Z-213, a proposed Special Use Permit issued to Philip E. Parker (Church of Hope, Inc.) to establish a church located at 2401 West Pioneer Parkway, Suite 151, Lot 1R of the Pecan Park Shopping Center, Pantego, Tarrant County, Texas and declaring an effective date. The property is generally located on the north side of West Pioneer Parkway between S. Bowen Road and Duluth Drive.**

Mayor Pro-Tem Brewster read the caption of the ordinance for the record.

The public hearing was opened at 9:01 p.m.

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Philip E. Parker, 2401 West Pioneer Parkway, Suite 151, Pantego, Texas 76013, introduced himself and the Church of Hope, Inc. The hours of operation for the church are Sundays 9:00 a.m. to 12:30 p.m. and Wednesdays 7:00 p.m. to 9:00 p.m. They have signed a two year lease for a 1,250 square foot space next door to the Thrift Shop. They have seating for up to 60 people but only have approximately 25 in the congregation. They do not plan to renovate the space. In the future, the Church hopes to start up a food pantry and a home for displaced citizens.

The public hearing closed 9:05 p.m.

Council clarified there is adequate parking for the Church of Hope and the current church in the same shopping center, and the food pantry and home for displaced citizens will not be operated out of this location.

Councilmember Adair made a motion to approve Ordinance 15-765, Zoning Case Z-213, for a time period of two years. Councilmember Funderlic seconded the motion.

The vote was as follows:

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

Nays: None.

Abstentions: None.

Mayor Pro-Tem Brewster declared the vote passed unanimously.

9. **Public Hearing, discuss, direct, and consider action on Ordinance 15-766 an ordinance of the Town Council of the Town of Pantego, Texas, amending the Municipal Code Chapter 13 Utilities by adopting a new Article 13.07 Storm Water Pollution Control; containing findings and other provisions relating to foregoing subject; containing a savings clause; repealing all ordinance in conflict herewith; and declaring an effective date.**

Mayor Pro-Tem Brewster read the caption of the ordinance for the record.

The public hearing was open at 9:15p.m.

No comments.

The Public Hearing closed at 9:15 p.m.

Mr. Joyce informed Council the Town's first MS4 permit filed with the Texas Commission on Environmental Quality (TCEQ) was issued in 2008. At that time this ordinance should have been in place. TCEQ was running behind on their renewals in 2013; therefore, the Town's renewal permit was performed in 2014 but backdated to December 2013. This ordinance is tied to the MS4 permit and the Storm Water Pollution Prevention Plan. There is mandated state requirements outlined within the ordinance. There is a \$25,000 daily fine for non-compliance. The Erosion and Sediment Control Manual was included in the packet because it is referenced within the ordinance. Council does not like all the legalese language and requested to change the "affirmative defense" to "allowed". There was discussion on filtered backwash, draining of the pools, and allowable practices. Council requested a fact sheet with definitions to be given to the residents. There was discussion on the meaning of the term harmful quantities.

Councilmember Adair made a motion to approve the first reading of Ordinance 15-766 with changes as discussed. Councilmember Barrett seconded the motion.

The vote was as follows:

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

Nays: None.

Abstentions: None.

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Mayor Pro-Tem Brewster declared the vote passed unanimously.

10. **Public Hearing, discuss, direct, and consider action on Ordinance 15-767 an ordinance of the Town Council of the Town of Pantego, Texas, amending Municipal Code Chapter 13 Utilities, Article 13.03 Water and Sewers, Division 1 Generally, Section 13.03.002 Definitions; Section 13.03.006 Computation of Charges; Estimated Meter Readings; Section 13.030074 Billing – Delinquency; and Section 13.03.066 Groundwater District Production Fees; and establishing Appendix A Fee Schedule, Article A10.000, Section A10.013 Groundwater Conservation District Fees; containing a savings clause; repealing all ordinances in conflict herewith; and declaring an effective date.**

Mayor Pro-Tem Brewster read the caption of the ordinance for the record. Mr. Fielder informed Council there are two purposes for this ordinance; to obtain reimbursement for the money already spent and all future expenses of the Groundwater District fees and to address billing issues that have come up. Mr. Fielder was informed by the Town Attorney the Town must do a rate study each time the rates are increased to protect the Town should the rates be challenged with the Public Utility Commission (PUC). Mrs. Carmona has set up a way to track the fees and balance the original amount and current owed amounts. Section 2 addresses the residence ability to challenge their bills. Currently, there are not provisions that allow the City Manger to investigate and determine if an adjustment is needed. This will give the City Manager the ability to do so and require them to notify Council within 30 days that they have done so. Section 3 addresses delinquent payments. Currently, we require partial payments; this will enforce payment in full. Council clarified the two days is actually two business days, enforceability of the two day door hanger, and requested to add the words "up to 180 days" in section 2. There was discussion on the ability to have a water payment plan.

Councilmember Surratt made a motion to approved ordinance 15-767 for the first reading with changes as discussed. Councilmember Funderlic seconded the motion.

The vote was as follows:

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

Nays: None.

Abstentions: None.

Mayor Pro-Tem Brewster declared the vote passed unanimously.

11. **Public Hearing, discuss, direct, and consider action on Ordinance 15-768 an ordinance of the Town Council of the Town of Pantego, Texas, authorizing amendments to the adopted Budget for Fiscal Year 2014/2015; and declaring an effective date.**

Mayor Pro-Tem Brewster read the caption of the ordinance for the record. Mr. Fielder advised Council this is a mid-year budget adjustment that cleans up the revenue actuals. This will allow the Finance Department to start working on the 2015-2016 Budget with base budget amounts reflecting current numbers. Mr. Fielder reviewed the changes in amendment.

Council discussed the purpose for amending the budget, the revenue increase, and raising the utility billing rates. They clarified the breathing apparatus' for the Fire Department was discussed during the budget discussions last year and all expenses approved tonight for PantegoFest 2015 were included in the amendment.

The public hearing was opened at 10:17 p.m.

None.

The public hearing closed at 10:18 p.m.

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There was discussion on the programming and maintenance amendment and moving it to the budget for next year. There was discussion on the robotic sewer camera and some items were not cut but moved to next year, due to the work load of staff.

Councilmember Funderlic made a motion to adopt Ordinance 15-768 authorizing amendments to the budget for Fiscal Year 2014-2015. Councilmember Adair seconded the motion.

The vote was as follows:

Ayes: Funderlic, Barrett, Adair, and Brewster.

Nays: Surratt.

Abstentions: None.

Mayor Pro-Tem Brewster declared the vote passed 4-1.

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

12. Discuss, direct, and consider action on the approval of the Budget Work Session Calendar for Fiscal Year 2015/2016.

Council directed staff to use the Budget Calendar and post the necessary meetings.

Mayor Pro-Tem Brewster did not conduct the Executive session due to Mayor Paradise's absence.

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.

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

COUNCIL INQUIRY

Councilmember Surratt stated he was contacted by a commercial property owner located next to a greenbelt that he waters and maintains and inquired on why commercial property owners do not get the winter averaging of the water rates like the residents. Mr. Williams explained the owner can set up an irrigation meter that would only charge for the water he uses and not the additional rates; such as garbage and recycling.

ADJOURNMENT

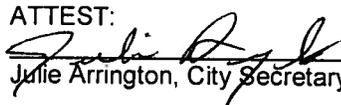
Mayor Pro-Tem Brewster adjourned the regular session at 10:49 p.m.

APPROVED:



Russell Brewster, Mayor Pro-Tem

ATTEST:



Julie Arrington, City Secretary

