

Town Council Minutes
July 27, 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 27th day of July 2015 with the following members present:

Melody Paradise
Russ Brewster
Fred Adair
Jane Barrett
Don Surratt

Mayor
Mayor Pro-Tem
Council Member
Council Member
Council Member

Members absent:

Don Funderlic

Council Member

Constituting a quorum. The following staff members were present:

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

City Manager
City Secretary
Town Attorney
Finance Director
Community Development Director
Public Works Director
Chief of Public Safety
Assistant Police Chief
Assistant Fire Chief
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 Council the Public Works Department has filled their two spots. There still remains vacancies for a police officer, dispatcher, and support specialist.

Mr. Fielder stated the Park Row water line is essentially done. The crews still have to install some fire hydrant connections and the paving will start on the east and move west. Once they have completed the south the crews will move to the north side. He believes they are still on track for completion around August 24th.

Mr. Fielder announced the Town has received a \$5,000 donation from Complete Emergency Care bringing the total sponsorship amount to \$18,000. He stated this is equal to last year. So far there are 25 vendors, which is also ahead of last year at this same time. The talks with Pantego Bay regarding

Town Council Minutes
July 27, 2015

Beer sales are ongoing. Pantego Bay states they will have a Ben E Keith truck on site this year to increase the number of kegs and efficiency of service. They will sell tickets for the beer which will also provide quicker service and help the control of underage drinking. Pantego Bay has agreed to use St. Arnold Brewery and claim they lost money on the sale of craft beer last year. There was discussion on the cost of beer and the profits. Mr. Fielder informed Council there is a scheduled meeting on August 11th for the business owners in the Park Row West shopping center regarding PantegoFest.

Mr. Fielder informed Council he attended a meeting in Dalworthington Gardens that was conducted by the Arlington Independent School District to discuss the planned Agricultural Learning Center to be located behind Spec's on Highway 303. He stated one Pantego resident and one Pantego business owner was at the meeting and spoke against the Center due to the smell. The goats that would be located at the Center are currently located on Smith Barry Road in Pantego. Councilmember Adair stated the issues at the meeting consisted of parking, the smell, the surrounding property values, and the disposal of animal waste.

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

There was discussion on the Onsite Power Systems invoice regarding the need for some of the replaced parts and the warranty policy.

3. Approval and Acceptance of Minutes

Approval of Town Council Minutes:

- Town Council minutes from July 13, 2015
- Town Council minutes from July 20, 2015

Mayor Paradise advised Councilmember Funderlic notified her of a proposed change to the minutes. Council requested the first paragraph to include the discussion on the new Tahoe's versus sedans for cost reasons after discussion the police department will provide a detailed cost estimate.

Acceptance of Minutes of Boards and Commissions:

- PEDC minutes from June 22, 2015
- CRB minutes from June 5, 2015

The PEDC minutes were accepted at a previous Council meeting.

4. Discuss, direct, and consider action on Resolution 15-24 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into a contract with Franklin Digital Solutions to upgrade and provide technical support to the Town's Electronic Records Management System; and provide an effective date.

Mayor Paradise reminded Council this item was discussed previously and at the request of Council Ms. Arrington has brought back a contract for approval. Council verified the total amount is \$10,000 and includes service package A and everything outlined on page 40 of the packet. Council agreed to move this to the consent agenda.

7. Discuss, direct, and consider action on Resolution 15-27 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to award the bid for construction, to negotiate, and to enter into a contract with SYB Construction for the Wagon Wheel construction project; and providing an effective date.

Mr. Fielder explained staff hired an engineer to design the project to replace the water line, sewer line, and bridge repairs and they discovered the need for the aerial water line. During the engineers investigation they found a manhole on the north side of the bridge that is suffering from erosion needing replacement and the curbs and gutter repair needs to go out farther than first thought. With the savings achieved with the Park Row project, Mr. Fielder is recommending to move some of the

Town Council Minutes
July 27, 2015

savings to the Wagon Wheel project allowing for the needed additional construction. SYB is the contractor for the Park Row project and staff is confident in the engineer's recommendation on their bid. Council expressed their concerns on other items that may have been missed on the this project. Mr. Fielder assured them the cost increase was due to the engineer's review and finding things that were missed by the original contractor review, not the engineer review. There was discussion on the built-in contingency fee. Council agreed to move this item to the consent agenda. Mr. Fielder informed Council he is currently in discussion with Commissioner Nguyen's office regarding the paving of Wagon Wheel.

8. Discuss, direct, and consider action on Resolution 15-28 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into an Interlocal Cooperative Purchasing Agreement with the City of Desoto for pavement repairs; and providing an effective date.

Mr. Williams introduced this item. He explained other government entities put projects out for bid and allows other municipalities to join in on the contract allowing them to participate with the awarded contractor's bid price. The City of Desoto has done this for paving projects. The conditions of the contract still apply; however, we will have to acquire the Town's own insurance, Surety Bonds, or Maintenance Bonds. He explained the Town receives prices based off of the bid costs for Desoto. Mayor Paradise requested staff to point out the sections stating the contractor is required to have Additional insurance and Surety Bonds with the Town of Pantego name as the insured party. Mr. Williams stated the information is included in the next agenda item. There was discussion on the timeline of the project and projected savings incurred with using Desoto's bid prices. Mr. Fielder informed Council the key consideration for the work on Bowen is the school schedule. He stated if the Council wants to delay he recommends delaying until next year to work around the school schedule. Council clarified the savings would be substantial entering into this agreement and that they could go ahead and approve the Resolution with the changes requested. Mr. Williams proposed making the changes because Desoto has to take the agreement to their Council for approval. Mr. Jeffrey stated the Council could add language to Section IV that states "...time of delivery, and each party reserves the right to use their own contract documents." He went on to explain the Town should get its own contract documents with the contractor. Mr. Jeffrey requested to add "with the additional language in Section IV" to Section 2 of the resolution.

Mayor Paradise adjourned the Work Session at 7:31 p.m.

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

Mayor Paradise called the regular session to order at 7:32 p.m. and welcomed the audience.

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

MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS

Councilmember Surratt welcomed the audience.

Councilmember Barrett welcomed the audience.

Councilmember Adair welcomed the audience and appreciates the hard work staff continues to do.

Mayor Pro-Tem Brewster welcomed the audience. He thanked staff and Council for working together as usual. He likes seeing the Park Row waterline construction coming along so nicely and ahead of schedule.

Mayor Paradise thanked the audience for attending the council meeting and announced Councilmember Funderlic could not be here this evening. She thanked staff for all the hard work involved, especially the

Town Council Minutes
July 27, 2015

City Manager for preparing the Morning with the Mayor presentation, and the Arlington Chamber of Commerce was there and the staff for being there to answer questions. She received lots of positive feedback regarding the town budget and infrastructure at the event.

Ms. Arrington informed Council the Dairy Queen Ribbon Cutting event was held on Friday. Mayor Pro-Tem Brewster and Councilmember Funderlic were in attendance; along with President Lakey and Director Springer from PEDC, and several Arlington Chamber of Commerce members. Dairy Queen was very gracious and has donated the cakes for the next council meeting reception.

COUNCIL LIAISON TO BOARD REPORT

Community Relations Board

Councilmember Barrett stated there has not been a meeting since the last Council meeting. The next CRB meeting will be August 4th and the next movie is Big Hero 6 on August 8th. Mr. Fielder informed Council the movie was sponsored by Councilmember Barrett.

Pantego Youth Leadership Council

Mayor Paradise reminded Council the PYLC is on summer hiatus and they have Ranger tickets for Sunday August 16th at 2:00 p.m.

PEDC REPORT

Councilmember Surratt informed Council the Board approved the purchase of 1250 shopping bags with 250 left over from last year. This gives them 1500 shopping bags to hand out at PantegoFest 2015. The Board approved the budget for the Fiscal Year 2015-16 and discussed and selected the online advertisement from the examples provided by the Star Telegram, which will launch in August. Councilmember Adair added the Boards approval of a \$2,000 grant to Perna's Cajun Kitchen for a refrigerator.

CITIZENS OPEN FORUM

None.

APPROVAL OF CONSENT AGENDA ITEMS

Mayor Paradise reminded Council of the changes made during the work session; such as the changes to the July 20th Town Council minutes, no PEDC minutes provided, and moving agenda items number 4 and 7 to the consent agenda.

Councilmember Surratt made a motion to approve Consent Agenda items 1, 2, 3, 4, and 7 with the removal of the PEDC minutes and all other business as discussed in the work session and just now by the Mayor. Mayor Pro-Tem Brewster seconded the motion.

The vote was as follows:

Ayes: Surratt, Barrett, Adair, and Brewster.

Nays: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

RESOLUTION

- 4. Discuss, direct, and consider action on Resolution 15-24 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into a contract with Franklin Digital Solutions to upgrade and provide technical support to the Town's Electronic Records Management System; and provide an effective date.**

This item was discussed during the work session and moved to the consent agenda.

5. Discuss, direct, and consider action on Resolution 15-25 a resolution of the Town Council of the Town of Pantego, Texas, adopting a Procurement Policy for the Town; and providing for an effective date.

Mayor Paradise announced this item will wait for additional information and for approval at the next council meeting. Mr. Fielder reminded Council the Town does not have a formal process for purchasing and he explained one of the items the Auditor identified as a weakness is the lack of a purchasing policy. Mrs. Carmona has worked very hard over the last year to ensure the Town is following the state law and that we have a clear process for purchasing. The changes from the Finance Committee have been incorporated into this draft. It was recommended by the Finance Committee to raise the Council threshold from \$1,000 to \$3,000. According to the Finance Committee Council gets bogged down with the amount of approvals. They believe staff is capable of handling business that is within the proposed threshold. Mrs. Carmona informed Council the state requires two estimates and to obtain estimates from Historically Underutilized Businesses for everything over \$3,000. She explained this change would allow the City Manager to approve purchase orders in any amount between \$500 and \$3,000 and reminded Council all purchases are put on the website for everyone to see. There was some disagreement on the amount of work the current process creates for Council. Council requested to have the check register included in the Financial Monthly Staff Report. There was discussion on some examples of invoices and purchases that are within this threshold discussion and items that fall under daily operational needs. Some councilmember's were concerned with losing the transparency and opportunity to discuss the reasons for the expenses.

There was discussion on the purchase of gift cards that is given to the children between 10 and 18 years of age as Christmas presents each year for the Town Annual Christmas party for volunteers and board members. The presented policy does not allow for the purchase of gift cards. Council requested to add the words "...upon the City Managers approval."

There was discussion on the policy not allowing the reimbursement of sales tax. Council inquired how this would work for the Texas Municipal League (TML) Conference and the purchase of meals. Mr. Fielder explained the best thing would be to obtain per diem prior to traveling. Mayor and Council stated this will not work for the TML Conference due to eating out and other purchases made at the conference. There was discussion on the amount of money budgeted for Council for the TML Conference and the minimum allowed tip of 15% and raising this amount to 18% or 20%. Mrs. Carmona reminded Council the policy outlines the minimum. Mr. Fielder reminded Council the receipts are shown on the check register and to be mindful of the items contained on the receipts. There was discussion on the use of "may" and "will not be reimbursed sales tax". Mr. Jeffrey informed Council the use of the words are synonyms; however, "shall" is considered different. He agreed to the use of the minimal language on page 124 of the packet and believes it cover things.

There was discussion on the insurance requirements of the vendors by the Town. Mr. Jeffrey expressed the Town should require an umbrella or at least allow an umbrella insurance. Mrs. Carmona explained this item was forwarded to the underwriter and he agreed to the policy. Mayor Paradise requested a response from the TML insurance representative as to why the Town does not need to include a \$1 million general liability limit, additional insured requirement. This item will be discussed further at the next council meeting.

6. Discuss, direct, and consider action on Resolution 15-26 a resolution of the Town Council of the Town of Pantego, Texas, adopting a Procurement Card Policy for the Town; and providing an effective date.

Mr. Fielder stated this item will be brought back to the next council meeting for discussion with the Procurement Policy.

- 7. Discuss, direct, and consider action on Resolution 15-27 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to award the bid for construction, to negotiate, and to enter into a contract with SYB Construction for the Wagon Wheel construction project; and providing an effective date.**

This item was discussed during the work session and moved to the consent agenda.

- 8. Discuss, direct, and consider action on Resolution 15-28 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into an Interlocal Cooperative Purchasing Agreement with the City of Desoto for pavement repairs; and providing an effective date.**

This item was discussed during the work session. Mayor Paradise reminded Council of the changes made.

Councilmember Surratt made a motion to approve Resolution 15-28 as discussed and repeated by the Mayor. Councilmember Barrett seconded the motion.

The vote was as follows:

Ayes: Surratt, Barrett, Adair, and Brewster.

Nays: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

- 9. Discuss, direct, and consider action on Resolution 15-29 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manger to proceed with the Bowen Road paving repairs in an amount not to exceed \$95,000; and providing for an effective date.**

Mr. Williams introduced this item. He is seeking approval of the funding up to \$95,000 to proceed with C & M Concrete Contractors. He explained the needed repairs are too numerous to list and staff will manage the project similar to the way the Park Row project is being handled. Council clarified the bids were handled by Desoto and the selection was already made. There was discussion on the timeline of the project. Mayor Paradise asked Mr. Jeffrey if the changes made to the Interlocal Agreement superseded the contract documents of the bid to Desoto. Mr. Jeffrey informed Council he agrees with the Resolution as written and believes the contractor would be fine with the documents as long as they are the ordinary and customary documents used. However, if C & M Concrete Contractors has an issue they can come to Council to discuss it.

Council discussed their concerns with the appearance of being open ended, the vague scope of work, and relying on the standards detailed within the Desoto bid documents. Mr. Williams informed Council the contractor will perform a walk through and mark all areas, come back with a cost, and then proceed. Mr. Williams explained the details within the bid documents are set to the Council of Government standards but he will enforce the Town's standards.

Mayor Pro-Tem Brewster made a motion to approve Resolution 15-29 as written and discussed. Councilmember Barrett seconded the motion.

The vote was as follows:

Ayes: Surratt, Barrett, Adair, Brewster.

Nays: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

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

10. Discuss, direct, and consider action on Council's participation in the Texas Municipal League 2015 Conference located in San Antonio, Texas.

Ms. Arrington presented her findings on the details of the TML Conference. There was discussion on the reason the rooms cannot be booked three months prior to the TML conference opening day. Council agreed to make hotel reservations at the Menger Hotel in San Antonio for six people. Mayor Paradise reminded Council August 19th is the deadline for TML Conference cancellations. Council discussed their departure date and return date. Mr. Adair stated he cannot confirm his trip to TML yet this year. Council agreed they would check in on Tuesday and check out on Friday.

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 551.071 Litigation Matters, to discuss pending or contemplating litigation, settlement offers, and other legal matters that implicates the attorney-client privilege – Denitech Contract.

Mayor Paradise postponed this item.

COUNCIL INQUIRY

None.

ADJOURNMENT

Mayor Paradise adjourned the regular session at 8:50 p.m.

APPROVED:


Melody Paradise, Mayor

ATTEST:


Julie Arrington, City Secretary

