

Town Council Minutes
February 8, 2016

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 February 2016 with the following members present:

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

Members absent:

None.

Constituting a quorum. The following staff members were present:

Matt Fielder	City Manager
Julie Arrington	City Secretary
Ariel Carmona	Finance Director
Dennis Jobe	Community Development Director
Scott Williams	Public Works Director
Tom Griffith	Chief of Public Safety
Barry Reeves	Assistant Police Chief
Robert Coker	Assistant Fire Chief

Also in attendance:

Joyce Stanton	Town Engineer
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WORK SESSION 6:30 P.M.

Mayor Paradise called the work session to order at 6:36 p.m.

Mayor Paradise read the caption of the executive session and recessed at 6:36 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 discuss and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee – Accounts Payable position.

Mayor Paradise reconvened the Council meeting at 7:30 p.m. and declared no action was taken during the executive session.

Mayor Paradise adjourned the work session at 7:31 p.m.

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

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Mayor Paradise called the regular session to order at 7:31 p.m. and welcomed the audience. She announced the Consent Agenda will be moved to the end of the meeting.

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

MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS

Councilmember Surratt welcomed everyone to the meeting.

Councilmember Funderlic welcomed everyone to the meeting and thanked the first responders and staff for performing a diligent job.

Councilmember Barrett welcomed everyone to the meeting and gave a special thank you to the Public Works Department and Scott Williams for the recent sidewalk repairs.

Councilmember Adair welcomed everyone to the meeting and thanked staff and the first responders for the great job they do.

Mayor Pro-Tem Brewster welcomed everyone to the meeting and thanked staff and Council for working together. He announced birthday wishes to the City Secretary, Julie Arrington, and the Assistant Police Chief, Barry Reeves.

Mayor Paradise thanked the audience for coming to the meeting.

COUNCIL LIAISON TO BOARD REPORT

Community Relations Board

Councilmember Barrett announced the last meeting was on February 2, 2016. The Easter event will be March 26th at Bicentennial Park from 2:00 p.m. to 4:00 p.m. There will not be a train this year due to it not being available. The Memorial Day activity will be on Memorial Day in the Park. There will be an essay contest for the Junior High Students. Due to the lack of participation last year, the High School students will not be competing. The prizes are \$100, \$50, and \$25. The Movies in the Park will begin the second Saturday of June and last through September. This year's movies will be the Minions, Hotel Transylvania, Monster's Inc. and Zootopia. The next meeting will be March 1st.

Pantego Youth Leadership Council

Mayor Paradise stated the next meeting will be next Tuesday. The students will participate in a mock debate to discuss issues relating to National and local importance.

PEDC REPORT

Councilmember Surratt stated the last meeting was on January 27th and there were two items discussed. The Board will join the Arlington Chamber of Commerce in their annual awards and nominate Texas Fitt for the Small Business of the Year and Camp Thurman for the Non-Profit Business of the Year. The Board also set a date for the joint meeting this week with Council relative to the Strategic Planning workshop.

CITIZENS OPEN FORUM

Susan Thomas, 12 Los Colinas Court, Pantego, Texas, discussed her concerns with a possible coyote issue. She believes it is getting worse and would like the Town to help. She stated she was woken during the middle of the night to their howling and must walk her back yard and the creek behind her home prior to letting her cats out in the morning. She has reached out to a company to help and they have set traps out. If caught, the animals will be relocated to the country side. She registered a complaint to the Fire Department for the high weeds in the Wagon Wheel and Arrowhead areas. She feels this is creating a place for them to hunt without detection. The City Manager will look into this issue.

PUBLIC HEARING

- 5. Public hearing, review, and consider action on Ordinance 16-776 an ordinance of the Town of Pantego, Texas approving the recommendation for zoning case Z-218, a proposed re-plat as requested by Ann Farrell for the property at 1704 Nora Drive, Lot 1, Block 1 of the Farrell Addition, an addition to the Town of Pantego, Tarrant County, Texas. The property is generally located on the West side of Nora Drive between Peachtree Lane and Rogers Court.**

Ms. Arrington read the caption of the ordinance for the record.

Mayor Paradise opened the public hearing at 7:44 p.m.

Mr. Fielder introduced this item. He stated the property is currently platted as one lot. It was staffs understanding the little white house at this location would be removed once the newly constructed single family home was completed. The lot is zoned R1 allowing only one residence per lot. The applicant would like to keep the old home for her mother's caretaker. In order to meet the Town's codes the one lot will need to be split into two lots with a house on each lot. The Planning & Zoning Commission has approved the re-plat with a unanimous vote with an inclusion of a shared access easement.

Ann Farrell, 1704 Nora Dr. Pantego, Texas, stated there seems to be some confusion with staff and her. She never intended to tear down the white house. She needs a care taker for her mother, who has dementia. This would provide the caretaker a place to live close to her residence.

With no further Comments, Mayor Paradise closed the public hearing at 7:49 p.m.

There was discussion on the driveway between the two homes, the sharing of the main approach, and the wording of the ordinance in relations to the driveways. Mrs. Stanton and Mr. Fielder suggested removing the second bullet point in the staff recommendation regarding the owner providing concrete driveways to the street. Council requested to change the second bullet point to reflect the re-plat will include a connection to the main driveway. The Council confirmed the re-plat meets all Town ordinances, setbacks, and lot sizes.

Mayor Pro-Tem Brewster made a motion to approve zoning case Z-218 along with Ordinance 16-776 with corrections and correct wording as discussed. Councilmember Surratt seconded the motion.

The vote was as follows:

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

Nayes: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

- 6. Public hearing, review, and consider action on Ordinance 16-777 an ordinance of the Town of Pantego, Texas approving the recommendation for zoning case Z-219, a proposed zoning change as requested by Oakview Capital Partners, LLC. for the property at 2214 West Park Row Drive, Lot 2A, Block A of the Southern Flair- Braum's Addition, to the Town of Pantego, Tarrant County, Texas. The property is generally located on the South side of West Park Row Drive between Lavern Street and Milby Road.**

Ms. Arrington read the caption for the record. Mr. Fielder demonstrated a map showing the property and outlined the allowable uses within the zoning district C-3. He informed the Council the zoning stays with the property; therefore, when the property is sold the zoning remains the same as it was prior to the sale. The Planning & Zoning Commission unanimously approved the recommendation. The Arlington residents who showed at the Planning & Zoning meeting will meet with the applicant to discuss their concerns and issues.

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Mr. Fielder informed Council a conceptual drawing was included in the packet but nothing has been officially submitted for drawings. The applicant will meet with the Zoning Board of Adjustments to request a variance to the height of his building. Due to the requirement of a permanent residence they need to create a residence on the second floor of the building, which will make the height of the building 25 feet instead of the required maximum 12 feet. This will also allow for visibility and marketing from that location.

Mayor Paradise opened the public hearing at 8:08 p.m.

Brad Tidwell, 201 Hawks Ridge Trail, Colleyville, Texas, the applicant, stated he is purchasing this property to develop it. He believes this should be something he can request since lot 3 has proper zoning, lot 2 does not, plus all the properties surrounding this location in Pantego are commercial properties. The building will be masonry with 24 hour management, security cameras, lighting, and gates. There will not be access to the property between 10:00 p.m. and 6:00 a.m. His engineer will ensure the foot candles of the lighting stay inside the property as much as possible.

With no further comments, Mayor Paradise closed the public hearing at 8:12 p.m.

Mr. Tidwell answered Council's inquiries on the retention pond advising his engineer is working on the size and location required for the pond. Mr. Williams advised Council the infrastructure required for underground drainage does not reach the applicant's property. Council inquired on the property ownership and access easements. Mr. Tidwell stated the property is under contract and based on Council's decision. He confirmed there are enough easements for his development. Mr. Tidwell confirmed he will rezone the property behind Braum's once it is purchased to match the zoning of these two properties and file for a re-plat to consolidate the lots. Council inquired if he would consider an 8 foot masonry wall instead of a 6 foot masonry wall and stated they are concerned with their lack of ability to ensure the properties are re-platted and connected.

Councilmember Surratt made a motion to approve zoning case Z-219 and ordinance 16-777 with the stipulation in Section 2 to require the owner to construct an 8 foot masonry screening fence. Councilmember Adair seconded the motion.

The vote was as follows:

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

Nays: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

7. Public Hearing, discuss, direct, and consider action on Ordinance 16-778 to regulate Credit Access Businesses generally known as cash advance and payday lenders.

Mr. Fielder reviewed the key points of the ordinance and proposed district regulations with the new zoning ordinance creating a new chapter in the Town's Code of Ordinances.

Mayor Paradise opened the public hearing at 8:27 p.m.

No comments.

Mayor Paradise closed the public hearing at 8:27 p.m.

Council confirmed the distance markers are unenforceable until the new zoning ordinance is adopted. There was discussion on the timeline for the existing establishments to become compliant, the notification to the existing establishments and on the permit fee. Council requested a new section to the existing Zoning Ordinance to include the distance markers allowing them to be enforceable.

Councilmember Adair made a motion to approve ordinance 16-778 as submitted. Councilmember Barrett seconded the motion.

The vote was as follows:

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

Nays: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

RESOLUTIONS

- 8. Discuss, direct, and consider action on Resolution 16-02 a resolution of the Town of Pantego authorizing the City Manager to enter into a contract with Flair Events for the purpose of coordinating and working the PantegoFest 2016 Festival.**

Mr. Fielder informed Council the contract is based on a Friday evening/Saturday afternoon/evening event and outlined the differences in this contract over the previous contracts. The belief is the employees will have a better response to sponsorship requests. There was discussion on the time of the event on Saturday, talking about the event at the joint planning session with PEDC, and if the event was viable to the Town stating there have not been any visible benefits received as a result of the event. At Council's request, Mr. Fielder will obtain a financial report showing the list of revenues and expenses based on a two day event; as well as, a comparison chart with the worst case and best case scenarios of a two day event.

Councilmember Funderlic made a motion to table resolution 16-02 until the February 22nd Council meeting. Mayor Pro-Tem Brewster seconded the motion.

The vote was as follows:

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

Nays: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

- 9. Discus, direct, and consider action on Resolution 16-03 a resolution of the City Council of the City of Pantego, Texas, authorizing the Texas Coalition for Affordable Power, Inc. (TCAP) to negotiate an electric supply agreement for five years for deliveries of electricity effective January 1, 2018; authorizing TCAP to act as an agent on behalf of the city to enter into a contract for electricity; authorizing the City Manager to execute an electric supply agreement for deliveries of electricity effective January 1, 2018 and committing to budget for energy purchases in 2018 through 2022 and to honor the city's commitments to purchase power for its electrical needs in 2018 through 2022 through TCAP.**

Mr. Fielder informed Council the TCAP is an aggregate of Municipalities that have come together to negotiate electrical rates with an auction type of negotiations that will give the Town a 24 hour window to decide to accept or deny the proposed rate. There was discussion on the differences in the three options and the rates. The current agreement is option 1 but staff is recommending option 2.

Councilmember Adair made a motion to approve resolution 16-03 with option 1 in Section 2 and the appointment of the City Manager as the Town representative on the Board of Directors in Section 3. Councilmember Barrett seconded the motion.

The vote was as follows:

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

Nays: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

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:
 2. Pursuant to Government Code Section 551.087 to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations – The New JBK Corp.

Mayor Paradise recessed the regular session at 9:09 p.m.
Mayor Paradise reconvened the Council meeting at 9:28 p.m.

Councilmember Surratt made a motion to approve the loan agreement submitted between the New JBK Corp and the Pantego Economic Development Corporation as submitted. Mayor Pro-Tem Brewster seconded the motion.

The vote was as follows:
Ayes: Surratt, Funderlic, Adair, Barrett, and Brewster.
Nays: None.
Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

CONSENT AGENDA ITEMS

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

1. City Manager Report

Mr. Fielder informed Council on the following information:

The work continues on Bowen Road. The target completion is by the end of the month. The next project will be the Pioneer Parkway and Arkansas area.

There is a new personnel vacancy in Public Works. There are potential candidates for the accounts payable position and staff continues to advertise for the police officer position.

The Town has a P.O. Box for water payments. There have been issues with receiving mail over the last several months and staff would like to phase out the P.O. Box.

Reminder: Council has the strategic planning meeting with PEDC this Wednesday at 7:15 p.m.

The water and sewer rate numbers are in but they are not ready for Council. They should be ready by the next meeting.

2. Monthly Staff Reports

There was discussion on the water sales being lower than other months. Staff explained there was an adjustment to the amount due to a miscalculation on a meter that rolled over back to zero. Council would like to make an official statement of gratitude for a job well done to Sergeant Whitwell and Sergeant Moore.

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

Council inquired on the solid numbers for the Harley Davidson motorcycles and the C & M Invoice reflecting the retainer held by the Town.

4. Approval and Acceptance of Minutes

Approval of Town Council Minutes:

- Town Council minutes from January 25, 2016

No comments

Acceptance of Minutes of Boards and Commissions:

- PEDC minutes from January 13, 2016
- P&Z minutes from December 7, 2015
- CRB minutes from January 5, 2016

Council requested the CRB minutes to be returned for clarification.

APPROVAL OF CONSENT AGENDA ITEMS

Councilmember Surratt made a motion to approve the consent agenda items 1, 2, 3 & 4 as discussed with the exception of the CRB minutes dated 01-5-16, pulling them, and resending them to CRB for clarification. Councilmember Funderlic seconded the motion.

The vote was as follows:

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

Nays: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

COUNCIL INQUIRY

Mayor Pro-Tem Brewster inquired on the re-opening of Scottino Drive and requested staff to research the option.

Councilmember Funderlic inquired on the mosquito testing and a date for further discussion on the zoning ordinance revision. This will be on the next agenda.

ADJOURNMENT

Mayor Paradise adjourned the regular session at 9:53 p.m.

APPROVED:


Melody Paradise, Mayor

ATTEST:


Julie Arrington, City Secretary

