Town Council Minutes
April 11, 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 Chambers of Town Hall, 1614 South Bowen Road, Pantego, on the 11th day of April 2016 with the following members present:

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

Members absent:
None.

Constituting a quorum. The following staff members were present:

Matt Fielder	**City Manager**
Julie Arrington	**City Secretary**
Jim Jeffrey	**Town Attorney**
Karen Hollingsworth	**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**
Thressa Householder	**Court Administrator**

Also in attendance:

Tori Roemmich	**Planning & Zoning Alternate & CRB Member**
Jessie Howell	**Planning & Zoning Alternate & CRB Member**

WORK SESSION 6:30 P.M.

Mayor Paradise called the work session to order at 6:34 p.m.
Mayor Paradise read the caption of the executive session and recessed at 6:35 p.m.

Following the Scheduled Executive Session, the Council will reconvene into 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 – Newport Investments, LLC and Now Faith Deliverance Temple v. Town of Pantego, Don Surratt, and Don Funderlic.

2. 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 7:19 p.m.

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 contractor has finished with the outside lanes of Bowen Road and will begin on the interior lanes tomorrow from Winewood to Smith Barry. Once they finish, they will begin the crack sealing and striping and the project will be complete.

   Dispatcher Tabitha Griffith has tendered her resignation. She is going to a center that is a collective of several different municipalities.

   Mr. Fielder reminded Council they requested a review of their options for the Boat and RV ordinance. He suggested first presenting this to the planning and zoning commission to obtain fresh input and recommendations on the areas Council is stuck on. Council directed Mr. Fielder to move forward with the summary of options first.

   Mr. Fielder informed Council that the Department Heads and Holly Potter-Harvey met to discuss the public safety aspects of PantegoFest and lessons learned. She is looking into securing the Charlie Robinson Band and obtaining sponsorships from Billy Bob's and similar types of businesses.

   The Town began trapping mosquitoes last week. Out of the four traps that were set only two had mosquitoes. The spraying will begin later this month.

   A follow-up meeting needs to be scheduled for the joint session with PEDC at a regularly schedule PEDC meeting.

2. **Monthly Staff Reports**

   Mr. Fielder informed Council due to the change in staff there is not a finance report for this month. There will be a double report at next month's meeting. There were no comments from Council.

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

   Council verified the life packs were inspected every year and the total cost of the invoice is for an annual service agreement over the next four years. There was discussion on the SCADA upgrade that was approved last year but was unable to be completed in time for payment from last year's budget; therefore, it must be approved again this year due to the Town's inability to encumber funds. Mr. Williams addressed Council's concerns on the software of the SCADA system and the required upgrades. Council inquired on the purpose for the purchase of the stair chair. Assistant Fire Chief Coker informed them this is a replacement chair for one that previously broke.

4. **Approval and Acceptance of Minutes**

   Approval of Town Council Minutes:
   - Town Council minutes from March 28, 2016

No Comments.

Acceptance of Minutes of Boards and Commissions:

- P& Z minutes from March 7, 2016
- CRB minutes from January 5, 2016
- CRB minutes from February 2, 2014
- CRB minutes from March 1, 2016

No comments.

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 7:37 p.m., welcomed the audience, and stated she is looking forward to welcoming a new employee, honoring some guest here tonight, and hearing from the business community.

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

MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS

Mayor Pro-Tem Brewster welcomed everyone, thanked staff and Council for working together, and commented he always enjoys reading the agenda packets and reading the Thank You letters from citizens in regards to the first responders, whether it be the Police Department or the Fire Department they do a great job. It is always good to see the citizens appreciate what the Town has and what the Council tries to build on every day. Congratulations to the officers who just completed their defensive tactics drills. It is great to see them participating in continuing their education.

Councilmember Adair agrees with everything the Mayor Pro-Tem said. He stated it was great to see everyone in the audience; to read all the things the Mayor Pro-Tem mentioned that are in the packet; and all the hard work of our first responders and staff.

Councilmember Barrett agreed stating it was good to see everyone here and thanked the staff for the great job they do.

Councilmember Funderlic also agreed with all the previous comments; stating it was good to see people with interest coming to the meetings and looked forward to getting their comments and suggestions in areas that need improvement. It was Council's pleasure to read the recommendations and letters of Thanks in the packets; unfortunately the citizens do not get to see it and he wishes there was a better way to convey this. It was a joy for him to read the letters or commendations on the first responders going above and beyond their call of duty at every council meeting.

Councilmember Surratt welcomed the audience, business owners, and board members that were there. He reiterated what the other Council member's previously said; council routinely receives letters of appreciation in the packets on the staff. The staff of the Town holds the bar very high and that becomes evident when a person gets a citation and Council receives a letter of appreciation on how pleasant the officer was when writing that citation. He mentioned a letter received from Dalworthington Gardens commenting on the assistance they received from our Police Department on a recent call; stating it is always a joy to see the accolades that the staff gets quite often.

Mayor Paradise expressed with great joy and sadness the passing of a great gentleman of the Pantego community recently last week, Mike Lakey. His son, Danny Lakey, is the president of the PEDC board and together they owned and operate Shirtwerx, which is located in a Pantego shopping center. He lost his battle with cancer but you never saw this man without a very warm smile on his face. Pantego is very

privileged to have so many wonderful individuals working for the town, working in the town, living in the town. Mike Lakey, you will be missed.

HONORS AND RECOGNITIONS

- **Introduction of Karen Hollingsworth as the new Finance Director.**

  Mayor Paradise requested Mr. Fielder and Karen Hollingsworth to join her at the front of the Dias. Mr. Fielder introduced Ms. Hollingsworth as the new finance director and said a few words regarding her experience and employment background.

- **Proclamation recognizing April 2016 as Concussion Awareness Month.**

  Mayor Paradise requested Anh Dinh, Shay Howard and Laurel Strickland to join her in front of the Dias. They each said a few words regarding the Health Occupations Students of America (HOSA) organization with the Arlington High School and their supported campaign; Concussion Awareness. Mayor Paradise presented them with a proclamation.

COUNCIL LIAISON TO BOARD REPORT

Community Relations Board

Councilmember Barrett reported the Board last met on April 5th and discussed the Memorial Day event on May 30th at 7:30 p.m. at Bicentennial Park. The board will have a presentation of flags and an essay contest for Junior High students attending Bailey Junior High and Pantego Christian Academy. The subject will be "Why Do Veterans Deserve Respect?" There will be a monetary award of $100, $50, and $25. The summer movies will begin on June 11th with the showing of the Minions. In July the movie will be Hotel Transylvania 2; August will be Monsters Inc.; and September will be Zootopia. At the June movie event there will be a lemonade stand to benefit kids with cancer, she invited the audience to come out and support this cause. The next meeting will be May 3rd.

Pantego Youth Leadership Council

Mayor Paradise reported the PYLC students will meet next week to discuss their field trip and the advantages of the leadership skills learned in this program gives them in preparation for college.

PEDC REPORT

Councilmember Adair reported the Board has not met since the last Council meeting but will meet this Wednesday.

CITIZENS OPEN FORUM

Michael Gallaway with Timeless Treasures stated he echoes the comments of Council in regards to the first responders. He has had some very positive interaction with the first responders and is delighted to see them out interacting with citizens. He stated it is unfortunate that he and his wife have been unable to attend the Council meetings and hear the discussions on PantegoFest. He has reviewed some of the minutes of Council and would like to offer a suggestion. Before the value of PantegoFest can be answered the Council must first decide on their type of brand; what they want to be known for. Then they can market and choose activities that support the brand. If PantegoFest supports and markets the brand then it is obvious to spend the money for PantegoFest. He offered his observations from last year in stating the same weekend as PantegoFest there were some planned events in Arlington and Grapevine. If the festival falls on the same weekend again then the marketing needs to be heavily increased and/or the date needs to be changed. Also, he does not recall seeing a lot of marketing materials; stating the posters was intermittently distributed within the businesses.

APPROVAL OF CONSENT AGENDA ITEMS

Mayor Pro-Tem Brewster made a motion to approve the consent agenda items 1, 2, 3, and 4 as written. Councilmember Barrett 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.

PUBLIC HEARING

5. **Public Hearing, discuss, direct, and consider action on Ordinance 16-783 an ordinance of the Town of Pantego, Texas, on zoning case Z-221 , a proposed zoning change as requested by Oakview Capital Partners, LLC for the property located at 2210 West Park Row Drive, Lot 3, Block A of the Braum's Addition, Pantego, Tarrant County, Texas. The property is generally located on the south side of West Park Row Drive between Lavern Street and Waggoner Drive.**

   Ms. Arrington read the caption of the ordinance for the record. Mr. Fielder introduced this item explaining to Council the property behind Southern Flair was recently approved for the same zoning change. The property behind the shopping center was already at the proper zoning. This is just a continuation of the overall plan and approval of this change will give one long stretch of property zoned for mini-warehouses.

   Mayor Paradise opened the public hearing at 8:05 p.m.

   Brad Tidwell, 201 Hawks Ridge Trail, Colleyville, TX., the applicant, explained this is step 2 of a two step process. They did come in and re-zone the property behind Southern Flair about a month ago and at that time they laid out the plan that they would be purchasing the property behind Braum's. The property behind the shopping center was already zoned for storage. As you can see in the packet we are the owners of all three pieces of land and this is the last step of a two step process and getting the zoning needed on all three pieces of property.

   With no further comments, Mayor Paradise reconvened the regular session at 8:07 p.m.

   Mr. Fielder informed Council a variance was received to raise the building from 12 feet to 26 feet. Council discussed the responsibility for upgrading the water service line; the retention pond; and requested a change to the plans to reflect the fire hydrant will be done per the specifications of the Town of Pantego. Mr. Tidwell informed Council that Oakview Partners will be responsible for the replacement of the water line and all other requested changes will be made. He stated Council can expect the re-plat next month; beginning construction approximately 60 days away and completion in about 6 months.

   Councilmember Adair made a motion to approve zoning case Z-221 Ordinance 16-783 as submitted to the Town. 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 motion passed unanimously.

6. **Public Hearing, discuss, direct, and consider action on Ordinance 16-784 an ordinance of the**

Town of Pantego, Texas, amending Chapter 13 Utilities Division 2 Water Service Rates and Charges and amending Appendix A Fee Schedule Article A10.00 Water and Sewers; providing for severability; proving for a savings clause, and providing an effective date.

Ms. Arrington read the caption for the record. Mr. Fielder stated this ordinance will implement the rates structure reviewed at the last council meeting. It will reflect year one of the fees. Mr. Williams discussed the clean up done to Chapter 13 Utilities of the Code of Ordinances.

Mayor Paradise opened the public hearing at 8:30 p.m.
No comments.
Mayor Paradise closed the public hearing at 8:30 p.m.

Council inquired on the missing tier section for the ¾" water meters and requested a redlined of the ordinance with the substantial changes. There was discussion on doubling the cost of the construction meter and adding the gas meters back to the ordinance. This will allow the town to charge an additional price for the gas companies that may want to drill for another gas well and use millions of gallons of water for their drilling. Council expressed concerns that the rate increase has a larger effect on the minimal user and would like to review the effect the proposed changes will have on the resident's bill. There was discussion on the purpose of the infrastructure fee including sanitary sewer to cover any catastrophic events to the sewer. There was discussion among Council on the blanketed use of the Whereas statement that allows council to waive the required second reading and vote by determining the existence of an emergency or other urgent public necessity; or an undue burden in administrative time and expense to the town. Mr. Fielder recommended a second reading of the ordinance to allow for the changes to be added prior to the adoption of this ordinance. Council agreed with Mr. Fielder's recommendation.

Councilmember Surratt made a motion to approve the first reading of ordinance 16-784 with the changes as discussed. Councilmember Barrett 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.

RESOLUTION

7. **Discuss, direct, and consider action on resolution 16-05 a resolution of the Town of Pantego, Texas, authorizing the City Manager to enter into a joint contract with Tarrant County for election services for the General Municipal Election to be held on May 7, 2016; and providing for an effective date.**

Ms. Arrington introduced this item informing Council the Ordinance that Ordered the Election in January allowed for the Town to enter into a contract with Tarrant County for election services. This will allow the residents to vote at Town Hall for their municipal election, school district election, and county election. The Town will utilize the County voting machines and election judges. Staff will still be responsible for the publications and postings. Early voting begins April 25th at the Junior League in Arlington on Park Springs. There was discussion on the inclusion of Council Place 1 on the ballot.

Councilmember Adair made a motion to approve Resolution 16-05 as submitted. 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 motion passed unanimously.

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

8. Discuss, direct, and consider action on the new Ethics Commission purchasing requirements.

Mr. Fielder explained the new requirements of the Ethics Commission for House Bill 1295 and the consequences to the Town in order to comply. The intent is to allow anyone in the public to see who is doing business with the town. He informed Council of the process of the vendor to obtain a Form 1295 and due to their purchasing policy any expense over $2,000 must be approved by the Town. This will cause several of the current vendors to stop services and could have a residual effect of increased cost to perform routine business. He suggested raising the approval to $5,000. There was discussion on the purchase orders considered as a contract and requiring approval; as well as examples of how the departments will be affected. Council directed Mr. Fielder to bring back a resolution to change the purchasing policy. Council discussed making this item retroactive to the first of the year.

9. Discuss, direct, and consider action on a proposal from Pacheco Koch LLC for consulting services relating to a paving and street assessment of the streets within the town.

Mr. Williams introduced this item and reminded Council during budget discussion staff was tasked with obtaining information relating to a street assessment. Council clarified this is the only proposal received, the scope of work with Mr. Williams, and inquired on the purpose for a contractor to perform this work instead of in house crews. Mr. Williams confirmed this was the only proposal due to this being professional services. Mr. Fielder discussed the advantages to having an outside source perform the assessment. Council discussed their concerns with a windshield street assessment and would like someone to actually get out of the car and be more thorough and a 10% mark up on materials. Mr. Williams confirmed this is a lump sum estimate. Council directed Mr. Fielder to have a resolution and contract at the next meeting for approval.

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

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  2. 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 declared the executive session was held during the work session and there was no action taken on the items.

COUNCIL INQUIRY

Councilmember Surratt inquired on a semi-truck that has placed pavestones under the tires and if that meets the requirements of the ordinance. Mr. Fielder assured him it does. He inquired on the Crawfish Boil that benefits the Girls & Boys Club of America and held by the Oil & Gas Industry. He explained the tickets are usually comp'ed for City Officials; however, this year they are charging and inquired if the

funds could be spend from the Council Fund of the Budget. Mayor Paradise agreed they could and requested Council to inform the City Secretary if they need tickets. Councilmember Surratt requested a reminder of the Public Safety Block Party in April.

ADJOURNMENT

Mayor Paradise adjourned the regular session at 9:10 p.m.

APPROVED:

Melody Paradise, Mayor

ATTEST:

Julie Arrington, City Secretary