

Town Council Minutes
June 13, 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 13th day of June 2016 with the following members present:

Melody Paradise	Mayor
Don Surratt	Mayor Pro-Tem
Russell Brewster	Council Member
Fred Adair	Council Member
Don Funderlic	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
Jim Jeffrey	Town Attorney
Karen Hollingsworth	Finance Director
Scott Williams	Public Works Director
Tom Griffith	Chief of Public Safety
Robert Coker	Assistant Fire Chief
Thressa Householder	Court Administrator

Also in attendance:

Chuck White	President, CRB
-------------	----------------

WORK SESSION 6:30 P.M.

Mayor Paradise called the work session to order at 6:32 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:

All work on Wagonwheel is completed.

A new dispatcher has been hired and will begin soon. There is still a vacancy for the part time court clerk and the sergeant position.

Council has a meeting on June 20th to discuss the Zoning Ordinance at 6:30 p.m.

Councilmember Funderlic and Mr. Fielder attended the North Texas Groundwater Conservation District (NTGWCD) meeting on June 3rd. The District revealed the outcome of the engineering study and the recommendations for Desired Future Conditions (DFC) for the next five years. They will continue to accept comments up to July 12th. The Town's representative will be at the June 27th Council meeting. There was discussion on forced pump usage and the "taking" concept. Jim Jeffrey will research some of the issues raised and present a memo to Council of his findings.

Town Council Minutes
June 13, 2016

Councilmember Funderlic informed the Council of some follow up comments he received during conversations after the meeting. Council requested to have someone from Collier's at a future council meeting to deliver their synopsis on the study. Mr. Fielder informed Council the plan showed Pantego connecting to the Cities of Arlington and Fort Worth for water and by 2050 the water being supplied from Marvin Nichols and not the Town wells. Mr. Jeffrey recommended reaching out to a law firm that specializes in conservation and water law.

Ms. Arrington attended a meeting with the City of Arlington 4th of July Parade organizers. Mayor Paradise requested Council members who would like to participate to reach out to Ms. Arrington so that she may be able to meet the deadlines for the participation.

Mr. Jeffrey received the band contracts and was concerned with the use of the public funds outlined in the contract. Mrs. Potter-Harvey has decided to take care of that portion of the contracts. There was discussion on the creation and use of the Logo without Council's approval first. Council members were in favor of the Logo.

2. Monthly Staff Reports

Council inquired on the changing of the names on some line items in the financial reports. Karen Hollingsworth explained she is cleaning up some of the accounts to create better transparency, in doing so some new accounts were created; such as the Donation Fund. There was discussion on the placement of the trash and recycling revenue being posted to the general fund and how the revenue is generated.

Council verified Junior's Lawn care and Landscaping has begun mowing and the valve replacements were broke by the water customer and not a Town employee. There was discussion on the number of water customers disconnected and reconnected due to payment statuses.

3. Approval of Bills Payable and Purchase Orders in excess of \$5,000.

No comments were given.

4. Approval and Acceptance of Minutes

Approval of Town Council Minutes:

- Town Council minutes from May 16, 2016
- Town Council minutes from May 25, 2016

Council requested clarification in the PEDC Report comments on the grant stating this is a 50/50 matching grant not a 100 percent grant on the May 16, 2016 minutes.

Acceptance of Minutes of Boards and Commissions:

- PEDC minutes from May 11, 2016
- PEDC minutes from May 25, 2016
- P&Z minutes from May 2, 2016
- ZBA minutes from February 18, 2016
- CRB minutes from April 5, 2016
- CRB minutes from May 3, 2016

No comments.

7. Discuss, direct, and consider action on Resolution 16-11 a resolution of the Town of Pantego, Texas, authorizing the City Manager to enter into a contract with Deltatek Engineering for services regarding the repair of the sewer line located on Smith Barry Road between Roosevelt Drive and Nora Drive; and providing for an effective date.

Mr. Williams informed Council the requested changes have been made to the contract, with the exception of the indemnity comments, and the insurance requirements are met. Council clarifies previous discussion was to delete the last sentence of the indemnity clause. Mr. Jeffrey explained the indemnity clause should not be changed and discussed partial negligence. Council requested to have the indemnity clause covered in the General Services Contract used for future contracts.

- 8. Discuss, direct, and consider action on Resolution 16-13 a resolution of the Town of Pantego, Texas, authorizing the City Manager to enter into a contract with CMA Architecture Planning and Interior Design for an Additional Services Agreement 1 regarding the Park Row Streetscape Project; and providing for an effective date.**

Mr. Fielder explained the current plan for the Park Row Project includes closing some driveways, while relocated others, along Park Row. The property owners have not agreed to this; therefore the design needs to be re-done leaving the existing driveways as they are. This will increase the cost of the project. Council requested an executive session to discuss this with the Town Attorney. There was discussion on the description of work stating all driveways will be rebuilt.

- 9. Discuss, direct, and consider action on Resolution 16-14 a resolution of the Town of Pantego, Texas, authorizing the City Manager to enter into a contract with M & R Quality Janitorial Services to provide cleaning services to the municipal buildings; and providing for an effective date.**

Ms. Arrington informed Council of the reasons the previous contractor was let go and background requirements to obtain access to the buildings. The departments are currently responsible for cleaning their areas. There was discussion on the presented contract and the insurance requirements. Ms. Arrington will contact M & R Quality Janitorial Services to discuss the increased insurance requirement and the contradictions in the contract. This item will be discussed at the next available council meeting after receipt of this information.

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 7:43 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

Mayor Pro-Tem Surratt welcomed the audience and recognized staff for their participation in a softball game representing the Town at the Dalworthington Gardens 80th Birthday celebration.

Councilmember Funderlic welcomed the audience and recognized staff for their hard work and the Thank You letters in the council packet for the first responders.

Councilmember Barrett welcomed the audience and recognized the essay winners from the Community Relations Board Essay Contest for Memorial Day.

Councilmember Adair welcomed the audience; recognized staff for the representation at the softball game Saturday against Dalworthington Gardens; the ribbon cutting at Momentum Fitness on Saturday evening; and volunteers, staff, and the Community Relations Board for their work at Memorial Day and the Movie Night event.

Town Council Minutes
June 13, 2016

Councilmember Brewster welcomed the audience and thanked Council and staff for working together as a team. Our first responders, Public Works, and staff are fantastic they all work together and it is a great community to live in.

HONORS AND RECOGNITIONS

- **Presentation of the Community Relations Board Memorial Day Essay contest winners.**

Mayor Paradise requested Chuck White, President of the Community Relations Board, and Jane Barrett, Council Liaison to the Community Relations Board, to join her in front of the Dias to recognize and present awards to the Essay Contest Winners. First Place winner, Alyssa Lopez, and Third Place winner, Dakota Lindemulder, read their essays to the audience. The second Place winner Jennifer Mueller was unable to attend the meeting.

COUNCIL LIAISON TO BOARD REPORT

Community Relations Board

Councilmember Barrett reported that the Board's last meeting was on June 7th. On May 30th, the Board held the Memorial Day event in the park. The event was very solemn and moving and Mr. White did a great job. The Boy Scouts Troop #2014 presented the colors and Sgt Gary Elmore delivered a speech and first place winner, Alyssa Lopez, read her essay.

At the meeting the Board discussed movies in the Park for 2016, the first movie was Minions and the board invested in a new screen and a Blue Ray player. Alex's Lemonade stand was there to raise money for children with cancer and they collected \$107.00. The Board will hold another movie night in July with Alex's Lemonade stand there. The remaining dates for Movies in the Park are July 9, Hotel Transylvania; August 13, Monsters Inc; and September 10th, Zootopia. There will be hot dogs and the Lions Club will supply the popcorn.

The election of the 2016 officers was postponed to the July 5th meeting.

Pantego Youth Leadership Council

Mayor Paradise stated the PYLC group concluded their meetings for this year's program in May at Coker's Barbecue. She thanked Chuck White, CRB President, for attending the May meeting and delivering a speech on volunteering and the rewards of volunteering.

PEDC REPORT

Mayor Pro-Tem Surratt reported to Council the primary discussion of the Board was their involvement in PantegoFest; obtaining involvement from businesses for updated coupons to be placed in the shopping bags; having greeters at the event; purchasing T-shirts for staff, volunteers, and cooking teams; there was no decision made on the advertising. The Board also discussed additional improvements to the park being delayed due to needing an overall layout of the park with the grant work included. The Board also discussed the strategic plan that was laid out by the Executive Director.

CITIZENS OPEN FORUM

None.

APPROVAL OF CONSENT AGENDA ITEMS

Mayor Pro-Tem Surratt made a motion to approve the consent agenda items 1, 2, 3, & 4 as discussed during work session. Councilmember Brewster seconded the motion.

The vote was as follows:

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

Nays: None.

Abstentions: None.

Town Council Minutes
June 13, 2016

Mayor Paradise declared the motion passed unanimously.

5. **Public Hearing, discuss, direct, and consider action on Ordinance 16-788 an ordinance amending the Town of Pantego Code of Ordinances Article 1.05 Boards and Commissions, Division 5 Community Relations Board, Section 1.05.151 is amended to change the minimum number of members with no maximum and to allow non-resident members; containing a savings clause; repealing all ordinances in conflict herewith; and declaring an effective date.**

Mayor Paradise read the caption and opened the public hearing at 8:12 p.m.

No comments were given.

Mayor Paradise closed the public hearing at 8:12 p.m.

Council directed staff to change the ordinance to read "staff liaison" in place of "town representative" and to create and maintain a formal volunteer list. Ms. Arrington read the caption for the record.

Councilmember Adair made a motion to approve ordinance 16-788 as presented with the following exception to revise the Town Representative to Staff Liaison. 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.

6. **Public Hearing, discuss, direct, and consider action on Ordinance 16-789 zoning case Z-224, a proposed special use permit as requested by Wayne Hutchison (Restoring Faith Ministries) to establish a church at 2106 W. Pioneer Parkway, Lot 2 of the W.J. Barry addition, Pantego, Tarrant County, Texas. The property is generally located on the south side of Pioneer Parkway between Duluth Drive and Cornerstone Lane.**

Mayor Paradise read the caption for the record and opened the public hearing at 8:14 p.m.

Aaron Watkins, 2106 W. Pioneer Parkway, Suite 135, Pantego, Texas 76013; a representative of Restoring Faith explained the objective of the church is to restore faith in God and to be able to help the community through their outreach program and tell about the love and kindness God shows.

With no further comments, Mayor Paradise closed the public hearing at 8:19 p.m.

Mr. Watkins answered Council's inquiries on how the church found and decided to locate in the Pecan Park Shopping Center. There was discussion on the layout of the building and expected noise issues. Mr. Watkins confirmed the church does not intend to remodel the location; except maybe a children's church in about a year and informed Council of the times of service and use of the building. There was discussion on the lease terms and how the applicant found out they needed an SUP.

Mayor Pro-Tem Surratt made a motion to approved the Special Use Permit Ordinance 16-789 as presented with an expiration date of three years. Councilmember Adair seconded the motion.

After discussing the timeline of the three years with the lease or tonight's decision, Council and Pastor Hutchison decided the lease will be contingent upon the receipt of a renewed SUP.

The vote was as follows:

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

Nayes: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

There was discussion on Council's desire to not waive the renewal fee.

- 7. Discuss, direct, and consider action on Resolution 16-11 a resolution of the Town of Pantego, Texas, authorizing the City Manager to enter into a contract with Deltatek Engineering for services regarding the repair of the sewer line located on Smith Barry Road between Roosevelt Drive and Nora Drive; and providing for an effective date.**

This item was discussed during the work session. Mr. Williams provided a brief overview of the discussion.

Councilmember Adair made a motion to approve Resolution 16-11 as presented and discussed. Mayor Pro-Tem Surratt 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.

- 8. Discuss, direct, and consider action on Resolution 16-13 a resolution of the Town of Pantego, Texas, authorizing the City Manager to enter into a contract with CMA Architecture Planning and Interior Design for an Additional Services Agreement 1 regarding the Park Row Streetscape Project; and providing for an effective date.**

Councilmember Funderlic requested to have an executive session discussion with the Town Attorney on this item.

Mayor Paradise read the caption of the executive session and recessed at 8:41 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 551.071 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 deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee – Discussion of Board Commissions appointments.
 3. 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 – CMA Architecture.

Mayor Paradise reconvened the Council meeting at 9:41p.m. and declared no action was taken on executive session item number 1.

Town Council Minutes
June 13, 2016

Mayor Paradise announced the re-appointments and appointments of the board members to their board as follows:

P&Z Commission: Jason Bergin, Place 4; Clifton Cassell, Place 5, and Jesse Howell, Place 3. Mayor Paradise recognized and honored the late John Richards for his service and commitment to the Planning & Zoning Commission.

ZBA Commission: Janice Woods, Place 3 and Charles Jones, Place 4

CRB: Michael and Leanna Cartier. Mayor Paradise announced the resignations of Annie Johnston, Jesse Howell, and Tori Roemmich. There are several openings on left this board.

PEDC: No changes or appointments at this time.

Councilmember Adair made a motion to approve the recommendations the Mayor just presented. Councilmember 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.

Continuation of discussion on item number 8:

There was discussion on the number of driveways and if the Town needs to rebuilt some of them. Council requested staff to meet with the property owners to make that determination on the driveways and it is unclear if that will have an impact on the scope of work and fees.

Councilmember Funderlic made a motion to table this item until July 11th. Mayor Pro-Tem Surratt seconded the motion.

Councilmember Brewster inquired on a time frame provided from CMA for completion of this process. Mr. Fielder stated four (4) weeks. There was discussion on an update for the electrical pole issues and the 2016 hourly rates.

The vote was as follows:

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

Nays: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

- 9. Discuss, direct, and consider action on Resolution 16-14 a resolution of the Town of Pantego, Texas, authorizing the City Manager to enter into a contract with M & R Quality Janitorial Services to provide cleaning services to the municipal buildings; and providing for an effective date.**

Mayor Paradise announced this item was discussed during the work session and additional information was requested. There is no action for this item. It will be discussed further on the next agenda.

- 10. Discuss, direct, and consider action on the appointment of Board members and Council Liaisons to the Various Town Boards.**

Mayor Paradise announced this item was handled with Executive Session Item number 2.

Town Council Minutes
June 13, 2016

COUNCIL INQUIRY

Councilmember Brewster inquired on the enforcement of high weeds in the back yards that are visible from the street.

ADJOURNMENT

Mayor Paradise adjourned the regular session at 9:54 p.m.

APPROVED:


Melody Paradise, Mayor

ATTEST:


Julie Arrington, City Secretary



1