Town Council Minutes
September 12, 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 12th day of September 2016 with the following members present:

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

Members absent:

Russell Brewster	**Council Member**

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:

Christopher Whitwell	**Sergeant Detective**
Christine Hubbell	**Police Officer**
Sheila Sherman	**Support Specialist**
Shannon Story	**Court Clerk**
Courtney Guy	**Police Officer**
Cindy Pontley	**Dispatcher**
Bailey Douthit	**Dispatcher**
Jessie Hanks	**Support Specialist**
Gina Saladino	**Dispatcher**
Chad Watson	**Warrant Officer**
Lance Westman	**Firefighter**
Junior Marquez	**Public Works Supervisor**
Kyle Suggs	**Public Works Supervisor**
Juan Longoria	**Public Works Maintenance Worker**
Cody Payne	**Public Works Maintenance Worker**
Matt Edmondson	**Firefighter**
Scott Mitchell	**Firefighter Lieutenant**
Ben Ogletree	**Firefighter**

WORK SESSION 6:30 P.M.

Mayor Paradise called the work session to order at 6:30 p.m.

Mayor Paradise read the caption of the executive session and recessed at 6:32 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 551.074 Personal Matters to deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee – Judge Teresa Evans.
  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 – Newport Investments, LLC and Now Faith Deliverance Temple v. Town of Pantego, Don Surratt, and Don Funderlic.
  4. 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 – Park Row Project
  5. Pursuant to Government Code Section 551.074 Personnel Matters to deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee – City Manager.

Mayor Paradise reconvened the work session at 8:55 p.m.

Mayor Paradise adjourned the work session at 8:55 p.m.

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

Mayor Paradise called the regular session to order at 8:55 p.m. and welcomed the audience.

Mayor Paradise 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 staff and audience and stated the Fire Department and First Responders held a 9-11 event. He thanked them for the event and commented on the amount of visibility for the 9-11 sign; the number of remembrances on T.V. and his appreciation for what comes from these events.

Councilmember Funderlic agreed to the previous comments and stated he was sorry he missed the ceremony. He apologized to the audience for the long executive session.

Councilmember Barrett agreed with the previous comments.

Mayor Paradise commented that what the Town does every year to memorialize 9-11 is appreciated and beautiful. During Grapefest, the Mayoral Grape Stomp is September 17th at 11:00 a.m. The audience was invited by the Mayor to come and support the Town.

Councilmember Adair agreed with Council comments. He commented he appreciates the staff and all that they do.

HONORS/RECOGNITIONS

- **Swearing in Ceremony for Sam Nance**

Mayor Paradise announced this item will be postponed until the next council meeting.

- **Proclamation declaring the week of September 19, 2016, as Constitution week.**

Mayor Paradise read the proclamation for the record.

COUNCIL LIAISON TO BOARD REPORT

Community Relations Board
Councilmember Barrett reported the last meeting was September 5th and the board discussed PantegoFest, the Halloween, and the Christmas events. The Movies in the Park for next year will start in May and end in August. The Board is exploring the possibility of purchasing another storage building. The next meeting is October 4th.

Pantego Youth Leadership Council
Mayor Paradise stated the PYLC group will begin their new year on September 20th, and the focus will be the impact on the community and how issues are dealt with in Social Media.

PEDC REPORT
Councilmember Adair stated the last meeting primarily focused on the planning for the park, PantegoFest, the chamber dinner, and extending the invitation to the dinner to local business owners.

CITIZENS OPEN FORUM
None.

5. **Discuss, direct, and consider action on Ordinance 16-791 an ordinance of the Town of Pantego, Texas, adopting the budget for the Fiscal Year beginning October 1, 2016, through September 30, 2017, and declaring an effective date.**

There was a discussion on the recent changes in the budget and clarification on some of the fund amounts. Council clarified the minor equipment amount in the public works budget and the total for the park in the PEDC budget. There was a discussion on the overall sales tax revenue projection and on the Park Row Project funds utilizing the savings from the waterline project to complete the Park Row project. Councilmember Funderlic objected to the use of Infrastructure funds on non-water construction. Council will revisit the viability of this project at a future meeting.

Councilmember Adair made a motion to approve the second and final reading of ordinance number 16-791 adopting the annual budget for the Town of Pantego, Texas, for the Fiscal period of October 1, 2016 through September 30, 2017 with the changes as discussed to the Water and Sewer Operating Fund and the Water and Sewer Infrastructure Fund. Councilmember Barrett seconded the motion.

Mayor Pro-Tem Surratt stated he was thankful Council has the ability to do what it is doing and hopes that next year the budget will be less painful and remain balanced moving forward. Hopefully, staff understands the tough job Council has in making the numbers work, and staff has seen how in depth Council goes to review these numbers. Council does not take this very lightly what they do to represent the Town, the citizens, and support staff. They are glad they are able to do what they are able to do and going forward with the budget he hopes Council can continue to make the numbers.

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

Mayor Paradise declared the motion passed 3-1.

Councilmember Funderlic stated his objection is to the inclusion of the infrastructure fund money for the construction of the Park Row Street/Landscaping project.

Mayor Paradise recessed the meeting at 9:44 p.m. for a break.
Mayor Paradise reconvened the meeting at 9:50 p.m.

6. **Discuss, direct, and consider action on Ordinance 16-792 an ordinance of the Town of Pantego, Texas, adopting the Tax Rate and Tax Exemptions for the Tax Year 2016, levying the tax, and declaring an effective date.**

Mr. Fielder informed the Council this is the second and final reading of the ordinance to adopt the tax rate. The rate remains the same as the last several years. The evaluations of the homes have increased. There is a statutory requirement for the motion. This is the Effective Tax Rate calculation law that requires the Town to adopt the tax rate with this statutory language.

Mayor Pro-Tem Surratt made the motion I move that the property tax rate be increased by the adoption of a tax rate of $0.42 per $100 evaluation which is effectively a 7.18% increase in the tax rate. Councilmember Funderlic seconded the motion.

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

Mayor Paradise declared the motion passed unanimously.

7. **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 an effective date.**

Mr. Fielder explained the change to the CMA project includes eliminating the moving of every driveway except Braum's. Their approval to move the driveway is contingent on increasing the width of their driveway by 35 feet. Council clarified with Mr. Fielder the CMA proposal does not include the re-design. Council addressed their concerns with the length of time that has passed since the last discussion on this project.

Mayor Pro-Tem Surratt made a motion to postpone approval of resolution 16-13 to allow the City Manager additional time for research and set a date for a future agenda item. Councilmember Adair seconded the motion.

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

Mayor Paradise declared the motion passed unanimously.

11. **Discuss, direct, and consider action on PantegoFest 2016.**

Mrs. Potter-Harvey discussed the booths needed for the Town Boards. Council requested the PYLC, CRB, PEDC, the Arlington Chamber of Commerce, and operations tables to be next to each other. Mrs. Potter-Harvey informed Council the budget has slightly changed since the last meeting. Sponsorships are moving slowly. If the remaining sponsorships are sold, the revenues will break even with the expenses. At this time without any entry fees, wrist bands, and steaks team registrations the

budget is at a negative $25,000. She has received a list of potential sponsors from staff and will contact them. Mrs. Mundo sent out a blast in her newsletter. There are five steak teams at this time. There are 50 volunteer positions left to fill and she has scratched the appetizers due to a lack of interest. The PEDC board increased the marketing to include 75,000 e-mail blasts through the Star-Telegram and radio advertising. There was a discussion on the advertising options, final logistics, and budget.

8. **Discuss, direct, and consider action on Resolution 16-24 a resolution of the Town of Pantego, Texas, designating the Fort Worth Commercial Recorder as the Town's Official Newspaper for Legal Publications and providing for an effective date.**

Ms. Arrington explained this is an annual procedure for selecting an official newspaper for legal postings.

Councilmember Funderlic made a motion to approve Resolution 16-24 as presented. Councilmember Adair seconded the motion.

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

Mayor Paradise declared the motion passed unanimously.

9. **Discuss, direct, and consider action on Resolution 16-25 a resolution of the Town of Pantego, Texas, authorizing the City Manager to enter into a contract with Shady Valley Country Club for the purpose to provide a venue to the Town for the annual Christmas party 2016.**

Ms. Arrington reminded the Council the history of the Annual Christmas party stating the contract and price are the same as the previous years. There was a discussion on inclement weather and rescheduling possibilities. Ms. Arrington was directed to speak with the Town Attorney regarding dram litigation in paragraph 7 that involves alcohol responsibility and to scratch paragraph 11 regarding the right to move the event to another location.

Councilmember Adair made a motion to approve Resolution 16-25 authorizing the City Manager to enter into a contract with Shady Valley for the annual Christmas party in an amount not to exceed $6,200.00. Councilmember Barrett seconded the motion.

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

Mayor Paradise declared the motion passed unanimously.

10. **Discuss, direct, and consider action on the re-appointment of Bill Lane as the Judge of the Municipal Court of Record.**

Mr. Fielder announced this item is a housekeeping item. The Municipal Judge's term runs concurrently with the Mayor's term. Judge Lane has been sworn in for his term.

Mayor Pro-Tem Surratt made a motion to re-appoint Judge Bill Lane as recommended by staff. Councilmember Funderlic seconded the motion.

The vote was as follows:
Ayes: Surratt, Funderlic, Barrett, and Adair.

Nayes: None.
Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

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  5. Pursuant to Government Code Section 551.074 Personnel Matters to deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee – City Manager.

Mayor Paradise announced the executive session was conducted during the work session.

Mayor Pro-Tem Surratt made a motion to appoint Judge Teresa Evans as the Associate Municipal Judge with the Town of Pantego and compensation not to exceed $1,300. Councilmember Adair seconded the motion.

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

Mayor Paradise declared the motion passed unanimously.

Mayor Pro-Tem Surratt made a motion to appoint James Jones, Sr. to the Community Relations Board with a term expiration of 2018. Councilmember Barrett seconded the motion.

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

Mayor Paradise declared the motion passed unanimously.

Mayor Paradise declared there was no action on executive session items number 3, 4, and 5.

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

1. **City Manager Report**

   There are still 1-2 days left for completion of the Bowen Road project. The contract for striping will be discussed in October.

   The only change to the personnel vacancies is the loss of Dispatcher Gina Saladino.

   A resident was expected to speak to Council tonight regarding mosquito spraying and her sensitivity to the chemicals. She states she must leave town each time the Town sprays for mosquitoes. She is requesting a special notice of the dates and times the Town will spray.

2. **Monthly Staff Reports**

   There was a discussion on the investments and the rate of return on the investments; the Reyes ballroom requirements for a fire system; possible damage to the water tower from a lightning strike; and a chlorine line break on Nora.

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

   There was a discussion on the training for Tyler Technologies and whether they charged per diem and the amount of spray paint that was purchased.

4. **Approval and Acceptance of Minutes**

   Approval of Town Council Minutes:
   - Town Council minutes from August 8, 2016
   - Town Council minutes from August 15, 2016

   No comments.

   Acceptance of Minutes of Boards and Commissions:
   - PEDC minutes from August 10, 2016
   - CRB minutes from June 7, 2016
   - CRB minutes from July 5, 2016

   No comments.

APPROVAL OF CONSENT AGENDA ITEMS

Councilmember Funderlic made a motion to approve the consent agenda items 1 thru 4 as discussed. Councilmember Adair seconded the motion.

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

Mayor Paradise declared the motion passed unanimously.

COUNCIL INQUIRY

Councilmember Surratt inquired on the funds spent for the additional building purchased by the Community Relations Board.

Councilmember Funderlic would like a hard copy of the revised Zoning Ordinance and an updated copy on Dropbox.

ADJOURNMENT
Mayor Paradise adjourned the regular session at 11:26 p.m.

APPROVED:

Melody Paradise, Mayor

ATTEST:

Julie Arrington, City Secretary