

**WILLOW PARK CITY COUNCIL REGULAR MEETING
516 RANCH HOUSE ROAD, WILLOW PARK, TEXAS 76087
MONDAY, FEBRUARY, 15 2010**

I. Call to Order

Mayor Hawkins called the Regular Meeting of the City Council to order at 6:30 PM

II. Quorum Check

Present:

Mayor Ken Hawkins
Council Member Barry Tatum
Council Member Gene Martin
Council Member Barry Brown
Council Member Mark Hickerson
Mayor Pro-tem Hale Alderman

Also Present:

City Administrator Candy Scott
City Attorney Rider Scott
City Secretary Yael Hoffman

Absent:

None

III. Invocation

Mayor Hawkins gave the Invocation

IV. Pledge of Allegiance

Mayor Hawkins invited two Boy Scouts from the audience to lead the Pledge of Allegiance

V. Community Announcements

Introduction of Lynn Marie Johnson, as a candidate for Justice of Peace.

Introduction of Ron Miller as a candidate for Justice of Peace.

Introduction of Cary McKay as a candidate for Parker County Judge.

VI. Citizens Presentations

Marvin Glasgow from 124 Trinity Drive addressed the Council questioning why item N was placed after Executive Session when there is no discussion on this item in the Executive Session. Mr. Glasgow also stated that if the Council is going to dissolve the P&Z it is going to be more of a work load for the Council.

David M Carlisle from 1208 Saddle Trail addressed the Council on new business item C stating that we have had a time paving the roads, why should we spend money on this the trail, we already bought a pond. Mr. Carlisle also remarked on Item N, stating that the P & Z sets the rules that everyone goes by; you don't want people that are builders setting the roles that they go by.

Ishwaran Mudliar from 1251 Fox Hunt Trail thanked the city for the work that was done on the El Chico Drainage project.

VII. Approval of Minutes

Regular City Council Meeting December 21, 2009

Regular City Council Meeting January 18, 2010

****Mayor Pro-tem Alderman moved to postpone the approval of the minutes of the January 18, 2010 Council meeting to the next meeting, seconded by Council Member Brown**

Aye votes: Council Members: Martin, Brown, Hickerson & Alderman

Nay votes: None

Abstained: Council member Tatum

Motion passed with a vote of 4-0-1

****Mayor Pro-tem Alderman moved to approve the minutes from the December 21, 2009 Council Meeting, seconded by Council Member Martin**

Aye votes: Council Members: Martin, Brown, Hickerson & Alderman

Nay votes: None

Abstained: Council member Tatum

Motion passed with a vote of 4-0-1

VIII. Mayor's Update

Mayor Hawkins reported to the Council that the work schedule is increasing and it may be necessary to have couple of Special Council Meetings. The items for discussion will be the wastewater facility, surface water from Forth Worth, and the ramp reversals.

Mayor Hawkins distributed a packet on the El Chico drainage project to the Council, the City Attorney, and former Mayors Brad Johnson and Marvin Glasgow. The Mayor briefed the Council the sequence of events since the project was first discussed approximately four years ago.

IX. City Administrator Update

City Administer Scott updated the Council on the revenues for last month. The City has received \$1.1 million dollars thus far in M&O taxes, there has been no increase in sale tax, however; the court and the building departments are beginning to show increases in revenue from last year.

X. New Business

A. Discussion/Action –To consider and take action on Resolution No. ____ a Resolution approving and authorizing the filing of the Final Plat for Lots 1 & 2, Block A, Crown Pointe Addition (Mayor Hawkins)

****Council Member Brown moved to adopt Resolution No. 01-10, a Resolution providing authorization for the approval of the final plat of that certain tract of land being lots 1 and 2, Block A, Crown Point Addition, an addition to the City of Willow Park, providing for an effective date. With the correction of the typographical error in the second line, fifth word, seconded by Mayor pro-tem Alderman**

Aye votes: Council Members: Tatum Martin, Brown, Hickerson & Alderman

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

- B. Discussion/Action – To consider and take action on Ordinance No. ____, an ordinance amending chapter 10 “Traffic Control” and Schedule “A” thereto and creating a School Zone at or near McCall Elementary (Mayor Hawkins)

****Council Member Brown moved to address this item after item N on the agenda, seconded by Council Member Tatum**

Aye votes: Council Members: Tatum Martin, Brown, Hickerson & Alderman

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

Mayor Hawkins called for a 10 minute break at 7:40 pm

Mayor Hawkins reconvened the meeting at 7:50 pm

- C. Discussion/Action – To consider and take action on expansion of trail system inside the Paul Balint Jr. Memorial Park (Mayor Hawkins).

****Council Member Brown moved to postpone this item until the next meeting, seconded by Council Member Tatum.**

Aye votes: Council Members: Tatum Martin, Brown, Hickerson & Alderman

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

- D. Discussion/Action – To consider and take action on approval of Special Event Permit for the American Cancer Society (Mayor Hawkins)

****Council Member Brown moved to approve the special permit application for the American Cancer Society, seconded by Mayor Pro-tem Alderman**

Aye votes: Council Members: Martin, Brown & Alderman

Nay votes: Council members: Tatum & Hickerson

Abstained: None

Motion passed with a vote of 3-2-0

- E. Discussion – To discuss the possibility of temporarily tying into the Weatherford Wastewater Facility with Weatherford Utility representatives (Mayor Hawkins)

No action

Mayor Hawkins called for a break at 8:35

Mayor Hawkins reconvened the meeting at 8:47

- F. Discussion/Action – To consider and take action on a Wastewater Treatment Facility or ancillary actions thereto (Mayor Hawkins)

No Action

This item will be on the March agenda.

- G. Discussion/Action – To consider and take action on increasing funds for the acquisition of Stacy property for the Pitchfork/Canyon Ct. connection and authorizing a Phase 1 environmental study (Mayor Hawkins)

****Council Member Tatum moved to move item H before item G seconded by Council Member Brown**

Aye votes: Council Members: Tatum, Brown, Hickerson & Alderman

Nay votes: None

Abstained: Council member Martin

Motion passed with a vote of 4-0-1

- H. Discussion/Action – To consider and take action on the bid or contract approval for Pitchfork/Canyon connection (Council Member Tatum)

****Council Member Hickerson moved to proceed with moving the contractor of record who won the bid on the Pitchfork Extension to our new contract standard as quickly as possible, seconded by Council member Tatum**

Aye votes: Council Members: Tatum, Brown, Hickerson & Alderman

Nay votes: Council Member Martin

Abstained: None

Motion passed with a vote of 4-1-0

- G. Discussion/Action – To consider and take action on increasing funds for the acquisition of Stacy property for the Pitchfork/Canyon Ct. connection and authorizing a Phase 1 environmental study (Mayor Hawkins)

****Council Member Brown moved to increase the budgeted amount of the \$85,000.00 acquisition cost to \$91,440.00 for the purchase of the 101,440 square foot Stacey property, this being an amount of \$6,440.00 to be increased, seconded by Council member Martin**

Aye votes: Council Members: Tatum, Brown, Hickerson & Alderman

Nay votes: Council Member Martin
Abstained: None
Motion passed with a vote of 4-1-0

****Mayor Pro-tem Alderman moved to approve expenses of \$2,700.00 for Environmental Study on Pitchfork/Canyon Ct., seconded by Council Member Hickerson**

Aye votes: Council Members: Tatum, Martin, Brown, Hickerson & Alderman
Nay votes: None
Abstained: None
Motion passed with a vote of 5-0-0

- I. Discussion/Action – To consider and take action on repair of Ranch House Rd. South (Council Member Hickerson)

No Action

- J. Discussion/Action – To consider and take action on a Proposed Refunding of the Series 1998 Bonds, Series 1998 Certificates and Series 2000 Certificate as proposed by the City Financial Advisor (Mayor Hawkins)

This item was postponed to the March agenda

- K. Discussion/Action – To consider and take action on Ordinance No. _____, An Ordinance Calling for a Municipal Election to be held on May 8, 2010 (Mayor Hawkins)

****Council Member Brown moved to adopt ordinance 611-10, an Ordinance ordering a Municipal Election to be held on May 8, 2010 for the election of certain Municipal Officers for the City of Willow Park, Council Member: Place 3, Place 4 and Place 5; designating a Polling Place within the Municipal Limits; Appointing a Presiding Election Judge and Alternate Presiding Election Judge; establishing other procedures for the conduct of the election; providing a severability clause; providing for publication of notice; and providing for an effective date, seconded by Mayor Pro-tem Alderman**

Aye votes: Council Members: Tatum, Martin, Brown, Hickerson & Alderman
Nay votes: None
Abstained: None
Motion passed with a vote of 5-0-0

- L. Discussion/Action- To consider and take action on appointment of Mike Barron to the Board of Adjustment (Mayor Hawkins)

****Council Member Brown moved to accept Mr. Mike Barron as an Alternate Member to the Board of Adjustments, seconded by Council Member Tatum**

Aye votes: Council Members: Tatum, Martin, Brown, Hickerson & Alderman

Nay votes: None
Abstained: None
Motion passed with a vote of 5-0-0

M. Discussion – update of Surface Water (Mayor Hawkins)

Mayor Hawkins updated the Council on the progress of negotiations for getting Surface Water from the City of Fort Worth.

****Council Member Martin moved to move item N before the Executive Session, seconded by Council Member Tatum**

*****Council Member Hickerson made a friendly amendment to move item B before executive session also, seconded by Mayor Pro-tem Alderman**

Aye votes: Council Members: Tatum, Martin, Brown, Hickerson & Alderman
Nay votes: None
Abstained: None
Motion passed with a vote of 5-0-0

Vote for the original motion was as follows:

Aye votes: Council Members: Tatum, Martin, Brown, Hickerson & Alderman
Nay votes: None
Abstained: None
Motion passed with a vote of 5-0-0

N. Discussion/Action – To consider and take action on Ordinance No. _____, An Ordinance authorizing the governing body to assume the zoning and regulatory authority pursuant to Chapter 211 and 212, LOCAL GOV'T CODE previously delegated to the Planning and Zoning Commission (Mayor Hawkins)

*****Council Member Tatum moved to adopt Ordinance No. 612-10, an Ordinance providing for the Amendment of Chapter 12 “Zoning”, Article 12.1500 “Commissions” by amending Article 12.1500 to authorize the Governing Body to perform the planning and zoning functions for the Municipality; and, providing for an effective date, seconded by Council member Brown**

There was a lengthy discussion in which each of the Council Member made comments regarding this item.

*****Council Member Tatum moved to call for the vote, seconded by Council Member Brown**

Chairman Glasgow asked to address the Council on this item. City Attorney Scott stated that a motion had been made and seconded and the vote must proceed.

The vote was as follows:

Aye votes: Council Members: Tatum and Brown
Nay votes: Council Member: Martin, Hickerson and Alderman
Abstained: None
Motion died with a vote of 2-3-0

Chairmen Glasgow addressed the council and stated that he would resign his position immediately in order to save the Planning & Zoning Commission from being disbanded.

Mayor Hawkins asked Council Member Brown if he would be willing to withdraw his second on the original motion. Council Member Brown stated the he did not wish to do so..

Mayor Hawkins called for the vote on the original motion.

The vote was as follows:

Aye votes: Council Members: Tatum and Brown
Nay votes: Council Member: Martin, Hickerson and Alderman
Abstained: None
Motion died with a vote of 2-3-0

This item is will be placed on the next Council meeting agenda

- B. Discussion/Action – To consider and take action on Ordinance No. ____, an ordinance amending chapter 10 “Traffic Control” and Schedule “A” thereto and creating a School Zone at or near McCall Elementary (Mayor Hawkins)

*****Council Member Brown moved to adopt Ordinance No. 610-10, an Ordinance amending Chapter 10, “Traffic Control”, Article 10.300 “Speed Limits” and Schedule “A” of the Municipal Code of Ordinances of the City of Willow Park, Texas; providing authorization for the creation of a School Zone and enforcement thereof; providing a penalty; a repealer; and, an effective date, with the suggested amendments, seconded by Mayor Pro-tem Alderman**

Aye votes: Council Members: Tatum, Martin, Brown, Hickerson & Alderman
Nay votes: None
Abstained: None
Motion passed with a vote of 5-0-0

XI. Recess To Executive Session

Mayor Hawkins recessed to Executive Session at 11:50 PM

Pursuant to the Provision of Chapter 551, TEX GOVERNMENT CODE, in Accordance with Authority contained in...

A. ...Section 551.071 – Consultations with Attorney on Legal Advice or Pending or Contemplated Litigation

1. *Willow Park, Texas v. City of Aledo, Texas; City of Annetta, Texas; City of Annetta South, Texas; City of Hudson Oaks, Texas; and Parker County Utility District No. 1 v. Deer Creek Waterworks, Inc. and Doyle Hanley, In the 43rd Judicial District of Parker County Texas, Cause No. CV07-2129*
2. *City of Annetta, Texas and City of Hudson Oaks, Texas v. City of Willow Park, Texas, In the 43rd Judicial District of Parker County Texas, Cause No. CV10-0061*
3. On a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

XII. Reconvene to Open Meeting

Mayor Hawkins reconvened to the open Meeting at 12:17 P.M.

There was no action on the Executive Session items.

XIII. Adjournment

Mayor Hawkins adjourned the meeting at 12:20 P.M.

APPROVED

Kenneth Hawkins, Mayor
City of Willow Park, Texas

ATTEST:

Yael Hoffman City Secretary
City of Willow Park, Texas