

**WILLOW PARK CITY COUNCIL SPECIAL MEETING  
516 RANCH HOUSE ROAD WILLOW PARK, TEXAS 76087  
MONDAY, AUGUST 29, 2011 AT 6:30 PM**

**I. Call to Order**

Mayor Pro-tem Martin Called the Special Meeting to order at 6:32 P.M.

**II. Quorum Check**

Council Member Richard Neverdousky  
Council Member Amy Podany  
Mayor Pro-tem Gene Martin  
Council Member Mark Hickerson  
Council Member Hale Alderman

**Also Present:**

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

**Absent:**

Mayor Marvin Glasgow

**III. Invocation**

Mayor Pro-tem Martin gave the invocation

**IV. Pledge of Allegiance**

Mayor Pro-tem Martin led the pledge of Allegiance

**V. Approval of Minutes**

A. Council Regular Council Meeting of July 18, 2011

**\*\*Council Member Alderman moved to approve the Regular Council meeting minutes dated July 18, 2011, seconded by Council Member Neverdousky**

Aye votes: Council Members: Neverdousky, Podany, Hickerson & Alderman

Nay votes: None

Abstained: None

Motion passed with a vote of 4-0-0

**VI. Recess to Public Hearing**

Mayor pro-tem Martin recessed to the Public Hearing at 6:35PM

**VII. Public Hearing**

An application to rezone that certain 26.16 acre tract of land situated in the Wesley Franklin Survey, Abstract No. 468, City of Willow Park, Parker County, Texas and

being a part of the Mit-Mar Land, LP tract as recorded in Volume 2630, Page 1889, Deed Records Parker County, Texas from Agricultural (AG) Zoning District to Multi-Family (R-3) Zoning District

Lynn McKinney from the Aledo ISD addressed the Council on the Multi Family Complex. She read a letter from Superintendent Dan Manning, the letter is attached as part of the official minutes.

Cynthia Neverdousky of 504 Queensway Rd. made the following statement: As a retired educator I know well the effects that apartments have on schools. I was a Principal at a middle school and Sixth Grade Center and I saw the effects that they have, not only on the amount of money that the District must spend to acquire teachers but also in utility bills, supplies and text books. The state that Aledo ISD has been put in with funding; this is not the time for apartments in the City of Willow Park.

Kyle Wilkes of 6900 E I-20 Service Road made the following statement: I have been told that a few people are worried about the Multi Family Complex and the money that backs it being HUD. I will be the developer. The dollars that are going to be put in this community are not from a national chain, it will be local dollars going back in to a local area.

Eldon Pyle of 3375 Bethel Rd made the following statement: I am a resident of Weatherford and a land owner in Willow Park. I understand the people, it is a very sleepy community still and people think changes are very scary. I understand that and I respect that. I don't think that any thing but positive things will come from this development. I believe it will be a good project.

Tim Koirtyohann of 138 Overland Trail made the following statement: As a member of the Planning and Zoning Commission I would like to explain my vote in this matter. The vote was a 3 to 3 tie and the Chair broke the tie, so it was 4 to 3 vote. I heard a lot of concern about what the developer proposed and the R3 Zoning. The most important concern that I have heard is development and saturation in our community. It is a legitimate concern as we have a lot of vacant land. There is a fear that one apartment complex is equal to a bunch of apartment complexes and I think it is the most reasonable fear I heard. I believe that our community and our Council have the tools to address that concern, if that will become a reality, with a development of a Comprehensive Plan which is in the budget. I don't think that this one complex even with the proposed size represents over development. I heard some concerns about the crime, Chief Johnson expressed that it is not going to be a crime issue. Schools are a concern; this project is not going to grow over night. Water was a concern that there was no study done. Lance believes the infrastructure will support that development. There is a real need for addition housing in our area. We need more business so we can have more tax revenue. And right now the only way we are going to have more revenue is through property taxes. If you are really concerned about the schools stop supporting people that are cutting the schools budget.

Bob Farnham of 4812 Misty Meadow made the following statement: I heard a lot of rumors about the apartment complex and a lot of them I don't believe to be true. I heard that the Police Department can not support it. I feel that we have one of the better Police Departments in the County and I feel very confident that they will be able to handle anything that might come up. I heard the same rumor about the Fire Department, we have the best Fire department in the County, there are bigger ones but not as good, and I think that they can handle anything medically or any other emergency than might come up. I personally feel that people that live in apartments are no different that most of us in this room. Their desire is not to work in the yard, weed and cut the grass, that doesn't mean that they are less people, they just don't have those interests. I see nothing wrong with that and I support it.

Pat Martin of 19 Crown Rd made the following statement: I live at 19 Crown Rd. which is across the road from the proposed plan. The apartment complex that is going to be built in the propose property is something that I am not ashamed to live across from. It is going to be an up scale nice place for the persons that work and make 50K a year to live in. It is a place when I get ready to retire I would love to live in. The school was an issue with me to, and I got the same letter that the Council got. I know the school needs. Yes they are over crowded, but their goal is to educate all students. You as a Council need to do the best for the City and the school needs to do what's best for their students and they are doing a heck of a job. When the City decided to put in a sewer plant, I didn't complain because I knew that we have a need for it. I am all for the apartments and I think it is going to be good for the City.

Tawnya Gariepy of 127 Olympic Drive made the following statement: I am very disappointed to see this issue raised again. The residents of Willow Park have spoken on this issue more than once. I have been there, done that, we moved out here from City View, Fort Worth in the North Crowley School district, which was at the time a good school district. It took 4 years for this school to go down the tube because of all the apartment kids at that school. We spent twice as much money for our house, because that's the price you pay to come to the Aledo School District, because of the demographic of this school. You have a very unique situation, it is not available in very many places and you are talking about changing it. It will affect the way the school operates; it will affect the property owner's property values. It happened to me, I could not get what I had put in when I sold my house in the Crowley ISD. It won't happen over night, but it will be happen and you will affect the whole demographic. It will also affect the rent of the rental houses that are in the city, and those will go down. I also own a rental property in Willow Park, the reason I can command the rent I do is because of the School District, and because apartments are not available. If you put apartments in here that would all change.

Shannon Reynolds of 205 Appaloosa made the following statement: I am a public educator and I also have a kid in the Aledo ISD. We are one of the people that moved to Willow Park because of the Scholl District. Now is not the time to bring these apartments to Aledo ISD. But as you heard from Lynn McKinney it is going to affect us, the AISD. It is not going to happen over night. You don't have any control over what the State is planning for the schools right now. There is not going be any money

coming soon. \$5 million in cuts! My child has a lot of education left, and I don't want to see him with 30 and more in a class room. It is hard to teach 30 and more kids. Apartments do affect. Sure there are people that live in apartments that don't want a yard. Or retired people, and love it and there are many beautiful apartments. You are talking about high end apartments. How can you guarantee that it will be high end 20 years from now? You can't guarantee that. You don't know what is going to happen. I love living here. You don't have any way to guarantee us that it is going to be a positive thing. And as a public educator for 17 years I do know what apartments do to school districts. Those children have the right to be educated like any body else, they deserve the best too because they don't control where their parents live. But, high end or not you can not control how many families live in one apartment. It is not the time to do it.

Jim Martin of 19 Crown Rd. made the following statement: I own the property in question. When I moved here there was not a Stagecoach Subdivision, back then I heard that this would affect the Aledo schools. Our businesses are down; our building industry is in the gutter. I heard the same argument back when you rezoned the Willow Park Village and the Stagecoach Subdivisions. I think people can be good where ever they live and this is the best spot for R3 zoning.

Tami Waggoner of 106 Overland trail made the following statement: I hope you all are going to vote against them, the citizens sent a clear message last year that we do not want apartments in the City of Willow Park. I believe that our view hasn't changed since then. Last time the Police and Fire Departments said that they were stretched to limit as it was when the apartment issue came up but today they say that there is no concern. Have we hired additional officers and firemen that we don't know about? Willow Park already has apartments, duplexes, rent houses, empty house subdivisions and hotels. And keeping with the Comprehensive Plan why are you are so anxious to put in apartments when the citizens said that they don't want them? I was at last months Council meeting and recall where the P and Z would have a Special Meeting but I don't recall anything being discussed that the P and Z meeting was to discuss the apartment issue once again. I want to ask the P and Z members that voted for this apartments and the Council that are for it What part of "we don't want apartments" did you not understand? Our country is in the middle of a financial catastrophe. I am asking for my City Council tonight to vote no for the apartments.

Ron Hughes of 105 Courtney Drive made the following statement: I own a business in Willow Park. I am a business partner of Jim Martin and Mr. Mitchell. I came here tonight representing Mit-Mar the owners of the land for the apartments. We believe that apartments are the best use for this property. Mr. Martin established a fresh water supply district as well as a Parker County development district. Mit-Mar agreed to give up developing their own utility in exchange for annexation by the city. Mit-Mar agreed to escrow \$1.9 million from the proceeds of the Harris sale to the City of Willow Park, to fund the backing up the Mikus/FM Rd 5 Exit Ramp so it will give a better access to the residents of Willow Park. Mit-Mar agreed to pay for the development of Crown Point Blvd. providing access to Harris and the subject

property along with the Water and Sewer lines at the cost of \$1.25 million. That work has been completed, roads have been built, the lines have been run, and the money has been expended. Mit-Mar has already spent \$3.25 million in this community. March 16, 2009 the City Council approved unanimously the accepting and consideration of a petition of annexation of the 118.8 acre track. The same Council again voted unanimously to accept the preliminary plat of a large portion of land 123.6 acres on that plat that is clearly label R3 zoning. Our purpose here tonight is to ask for final approval for what was approved as a preliminary.

Chuck Stark of Barron Stark Engineering made the following statement: I am the engineer that has been working on this project for the last 12 years. In 2009 we brought before Council the preliminary plat. What we are doing here tonight is a continuation of this process. To date we have the Harris Hospital Track; we installed the infrastructure for that. I am also in the process of designing the ramp relocation to move the Mikus Rd. exit back. Mr. Stark asked to address the information on the agenda item B.

Clark Boshier of 430 Spyglass made the following statement: I am the Pastor at the Willow Park Baptist Church in Willow Park. We are very excited to have Harris Hospital and the apartments in the proposed area. From the church's perspective we think it is a good thing for our community.

Harold Heisch of 79 Crown Rd. made the following statement: I moved to Willow Park because of the quality of life. The quality of life is going to change tremendously if you are going to build the apartments. We don't need this; it is not going to serve a purpose. The people that have spoken for it, are the people that are going to profit financially from it. We the citizens are not going to gain anything from it. It is going to change our quality of life, and it is going to affect the school district and the water.

Lauren Ryle of 434 Spyglass made the following statement: Everyone is so negative about it. I am a home owner here and I'm asking you to think where you were when you came out of High School or College. Not very many people can say at age 26 that they own a home, they need to start somewhere, they need to start from the bottom and go all the way up. I don't see anything wrong with people that live in apartments. When I was in college I lived in an apartment. Whenever I got out, I lived in an apartment. I would like to ask everyone to think where they started instead of being so negative and think that apartments are low class and are going to bring low class people to our community. I don't see anything wrong with living in an apartment, especially a very expensive one.

Tara Stark of 2004 Ranch House Rd. made the following statement: As a single mom I made my choice to move to the Aledo School District. It is a privilege and not a right to live in the Aledo ISD. Our community has grown to be what it is because we protected it. We can't guarantee when you change the zoning what happens to the property. Our property values are what they are because of the Aledo ISD. People make sacrifices to live here for their children. I made a choice to move here and I

saved my money for it. It is expensive and that is what keeps the demographic the way it is.

Tina Hughes a Real Estate Agent made the following statement: I get a lot of calls from people that move here because of the school district. Unfortunately things have happened and their job has been lost. These families have been in the Aledo school district for years but because they lost there jobs and their houses have been foreclosed on they needed to move their kids out of the Aledo ISD. If there was an apartment complex here, at least some of them will not have to move because they want their kids here in the Aledo School district, Aledo saw a lower draw because people had to leave, so I think if there is something here that families can move in to that may also help that they don't need to leave the School District.

Bernard Suchocki of 1809 Ranch House Rd. made the following statement: I have been a resident of the City for 24 years. I moved here because it is peaceful. This is the kind of atmosphere I wanted. I don't know why everyone thinks that we need to grow, grow, grow all the time. I am also on the P&Z Committee and there are several reasons why I voted against. Basically it was because of the lack of evidence the Comprehensive Plan says this is suppose to be zoned residential. Once the Comprehensive Plan is approved you are committed to follow that. And this is not following the Comprehensive Plan. It is a R3 Zoning, so it is in violation of the Comprehensive Plan. If the City wants to make this move they need to redo the Comprehensive Plan. The way I read the Comprehensive Plan it is the applicant's responsibility to provide evidence, and I don't see the evidence here. I see a lot of conclusionary statements, but I don't see any basis to support that.

Dan Stalling of 200 Squaw Creek made the following statement: I am not going to repeat what every one said here, but if you want an example of what can happen or what happened in Crowley look at Farmer's Branch, that's how we are going to end up. I have no doubt about it. I think the Council needs to consider this vote very, very carefully. One point I want to make is that actions have consequences the voters have not heard of. Those voters don't like it and they are afraid of this. We have the water situation that we need to address. We have a lot of questions that we don't have answers to, I think it is premature to vote for it tonight.

Craig Townsen of 2110 Fort Worth Hwy. made the following statement: I am an attorney in Weatherford. The developer agreed to give the city some money and to build a well wherever the City decides. I don't believe the property was annexed to the City when the Master Plan was approved by the City. The property of Harris Hospital the next door neighbor was AG too, and there was not a problem allowing Harris to come in. Back in 2009 when the developer put together this proposal and brought Harris Hospital to that property we entered in to a Development Agreement with the City that addressed all the water concerns that the City had at that time. The developer fulfilled his end of the agreement.

Rebecca Garden of 1312 Woodlawn Ct. made the following statement: I come off the interstate at Mikus Rd. I know that this development will affect me as the traffic will

start taking off. If the apartments are going to be \$1,400-\$1,500 dollars I think it is kind of foolish to say that people out of college will live there. That is my mortgage. I know that there are a lot of empty houses. If they can afford that kind of rent they can afford a mortgage. If the people that voted you in don't want it I think you need to respect that and listen to them and do what is best for them.

Mayor Pro-tem Martin closed the public hearing at 8:00 P.M.

### **VIII. Reconvene to Open Meeting**

Mayor Pro-tem Martin reconvened to the Open Meeting at 8:00 P.M.

Mayor Pro-tem Martin called for a break at 8:02 P.M.

Mayor Pro-tem Martin reconvened to open meeting at 8:14 P.M.

### **IX. Old Business**

A. Discussion/Action – To consider and take action on Ordinance No. \_\_\_\_\_, an Ordinance amending Ord. 591-09 (July 2009) Water Rationing, Art. 11.209, Municipal Code of Ordinances (Mayor Pro-tem Martin)

**\*\*Council Member Alderman moved to consider Ordinance No. 637-11, an Ordinance amending Chapter 11, Public Utilities, Article 11.209 "Emergency Water Rationing Plan" of the code of ordinance, City of Willow Park, Texas; and, providing for a penalty and an effective date, seconded by Council Member Hickerson**

Aye votes: None

Nay votes: Council Members Neverdousky, Podany, Hickerson & Alderman

Abstained: None

Motion failed with a vote of 0-4-0

### **X. New Business**

A. Discussion/Action – To consider and take action on a Final Plat for Lots 1 & 2, Block B, Crown Pointe Addition, situated in the Wesley Franklin Survey, Abstract No. 468, and the Isaac Headley Survey, Abstract No. 619, City of Willow Park, Parker County, Texas (Mayor Pro-tem Martin)

**\*\*Council Member Neverdousky moved to adopt Resolution No. 06-11, a resolution providing authorization for the approval of the final plat of that certain 75.18 acre tract situated in the Wesley Franklin Survey, Abstract 468, and the Isacc Headley Survey Abstract 619, known as lots 1 and 2, Block B, Crown Point Texas; and, providing for an effective date, seconded by Council Member Hickerson**

Aye votes: Council Members Neverdousky, Podany, Hickerson & Alderman

Nay votes: None

Abstained: None  
Motion passed with a vote of 4-0-0

- B. Discussion/Action – Consider and take action on an application to rezone that certain 26.16 acre tract of land situated in the Wesley Franklin Survey, Abstract No. 468, City of Willow Park, Parker County, Texas and being a part of the Mit-Mar Land, LP tract as recorded in Volume 2630, Page 1889, Deed Records Parker County, Texas from Agricultural (AG) Zoning District to Multi-Family (R-3) Zoning District (Mayor Pro-tem Martin)

There were discussions and a presentation provided by the Project Engineer and the Project Attorney

**\*\*Council Member Alderman moved to adopt ordinance No. 638-11, an Ordinance of the City of Willow Park, Texas Providing for a Zoning change from Agricultural (AG) Zoning District classification and use designation to Multi-family R-3 Zoning District classification and use designation for that certain 26.16 acre tract of land, a part of the Wesley Franklin Survey, abstract no 468 in the City of Willow Park Parker County, Texas; providing for penalty, a severability clause, and an effective date, seconded by Council Member Hickerson**

Aye votes: Council Members Hickerson & Alderman  
Nay votes: Council Members Neverdousky & Podany  
Abstained: None  
Mayor Pro-tem Martin broke the tie and voted for  
Motion passed with a vote of 3-2-0

- C. Discussion/Action – To consider and take action on authorization of entering into an Agreement with KSW, P.C. for certain professional services, to wit: Fiscal Year 2010-2011 Audit (Mayor Pro-tem Martin)

**\*\*Council Member Neverdousky moved to adopt Resolution No. 07-11, a Resolution providing authorization for the execution of an agreement by and between the City of Willow Park, Texas, and KSW, P.C for the provision of certain professional services related to the Fiscal Year 2010-2011 Municipal audit; and providing for an effective date, seconded by Council Member Hickerson**

Aye votes: Council Members Neverdousky, Podany, Hickerson & Alderman  
Nay votes: None  
Abstained: None  
Motion passed with a vote of 4-0-0

**XI. Recess To Executive Session**

Mayor Pro-tem Martin recessed to Executive Session at 9:55 P.M.

Pursuant to the Provision of Chapter 551, Government Code, Vernon's Texas Codes Annotated, in Accordance with Authority contained in...

A ...Section 551.071 – Consultation with Attorney

1. Pending or Contemplated Litigation
2. Legal Advice from Counsel

**XII. Reconvene to Open Meeting**

Mayor Pro-tem Martin reconvened to the open meeting at 10:34 P.M.

No action was taken on the items discussed in executive session

**XIII. Adjournment**

Mayor Pro-tem Martin adjourned the meeting at 10:34 P.M.,

APPROVED

\_\_\_\_\_  
Gene Martin, Mayor Pro-tem  
City of Willow Park, Texas

ATTEST:

\_\_\_\_\_  
Yael Hoffman City Secretary  
City of Willow Park, Texas



## ALEDO INDEPENDENT SCHOOL DISTRICT

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**DAN MANNING**  
Superintendent

August 24, 2011

TO: The Willow Park City Council  
RE: Impact of Multi-Family Housing to Aledo ISD

Because of the Aledo ISD School Board meeting scheduled for Monday evening, August 29<sup>th</sup>, I will be unable to attend the Willow Park planning and zoning meeting that same evening. However, I have prepared several bullet points which I hope will be helpful to this committee as you work through this issue.

First and foremost, Aledo ISD's core business is educating **all** children attending our schools, and we are committed to providing the best in educational opportunities for those children. Additionally, I would like to emphasize that Aledo ISD takes a neutral stance in regard to property developments. We do believe however, it is important to inform municipal leaders such as you, what the potential impact a proposed development would have on the school district.

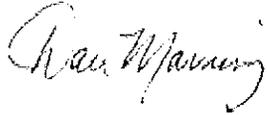
Adding a multi-family housing complex during a season of state cuts to public education would put an immediate strain on district resources. In the current state biennium, Aledo ISD will be losing \$5.2 million dollars of state funding. Adding a multi-family complex during this time of financial strain would present the following immediate challenges:

- Multi-family housing has a much faster impact on facility capacity. A large complex could infuse student numbers that would immediately cause our building capacities to bulge faster than previously planned, thus causing the district to plan to build new school buildings earlier than expected.
- Single Family housing is usually easier to prepare for growth because it has a smaller immediate impact unless wholesale neighborhoods spring up at one time.
- Increased student numbers require increases in staff to handle the growth in class sizes. Increasing staff at a time when we are losing money would be extremely difficult. Class sizes this year have already gone up in several grade levels because of the state's funding cuts.
- A new multi-family complex in Willow Park would impact McCall Elementary, which is already one of our fastest growing schools.
- Creates challenges for traffic near schools and where traffic is already an issue.
- Unlike cities and counties, property taxes from new property in our district would not produce any appreciable increase in revenue for us through property taxes because of the way the state funds school districts. Aledo ISD has been classified as "property wealthy" school district for 2011-12 (also known as Chapter 41) Again, we would not receive any appreciable additional revenue for new property.
- If adding this type of property could be postponed for a couple of years, it would help the district better weather this current financial storm.

Once again, we are committed to educating all children attending our schools. And as also stated earlier, it is not our intent to take sides on an issue such as this.

We certainly appreciate the opportunity to present this information to the committee. Please let me know if I can be of additional service.

Sincerely,

A handwritten signature in cursive script that reads "Dan Manning".

Dan Manning