

**WILLOW PARK CITY COUNCIL REGULAR MEETING
516 RANCH HOUSE ROAD WILLOW PARK, TEXAS 76087
TUESDAY, FEBRUARY 14, 2012**

MINUTES

I. Call to Order

Mayor Glasgow called the meeting to order at 7:06 PM

II. Quorum Check

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

Also Present:

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

Absent:

None

III. Invocation

Jack Hunt gave the invocation

IV. Pledge of Allegiance

Mayor Glasgow led the Pledge of Allegiance

V. Approval of Minutes

A. Regular Council Meeting of January 10, 2012

****Council Member Alderman moved to approve the minutes of the January 10, 2012 as provided in the packets, seconded by Council Member Hickerson**

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

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

VI. Community Announcements

None

VII. Citizens Presentations

Bernard R. Suchocki of 1809 Ranch House Road made the following statement:

This is in response to the Mayor removing me from the Board of the Willow Park Fire/Rescue Department. A very good man by the name of Jim Witherow asked me if I would be a Director of the Willow Park Fire/Rescue Department. I was a director for over a year. On February 2nd I received a call from Jim Witherow warning me that Mayor Glasgow and Jim Martin wanted me removed as a director or they were going to quit. At the Director's meeting the following day you (Mayor Glasgow) made a motion to remove me as a director because of conflict with the City of Willow Park and conflicts with other directors, but you didn't have the courtesy to articulate any of the conflict yourself. I think the main conflict that you have and Mr. Martin has was me speaking out against Mr. Martin's apartments. But to remove me with no really good reason, I think it is another display tactic. I don't know why you are doing this. I think it had to do with the Upper Trinity Ground Water Conservation district. I attended this meeting several weeks ago, and I discovered that Willow Park had made an application to drill 3 additional wells down to the Trinity aquifer at cost of \$900,000. That is another indication of a serious water problem with a huge price tag and I don't recall the issue ever having been presented to the City Council. In addition I guess some word got back to you that I was saying that the City is mismanaged. I do recall a number of citizens making this statement. I believe that the statement that I made was only the issue before the UTGCD as to whether or not drilling to the Trinity aquifer will effect Paluxy and any issue of mismanagement should remain in the city. I think we have very capable people, very dedicated and intelligent public service people on City Council, P&Z and City staff. However; I believe that the citizens of Willow Park have the right to an open government, I think they have the right to vote on issues such as apartments, tax proposals, the right to expect the candidate of Mayor to live up to his promises and expect the Mayor to act in the best interest of the majority of Willow Park.

Bob Brauer of 1190 fox hunt Trail addressed the Council on a very low water pressure in his subdivision. Mr. Brauer stated that this makes it difficult to take a shower or wash dishes. Mr. Brauer said that they pay a great price for water and don't get near the service that they pay for. He asked the Council to reconsider the decision to cut down their water pressure to try to correct the pressure of people that live on Bankhead and in other neighborhoods.

Esta Austin of 1185 Fox Hunt Trail addressed the Council on her low water pressure which makes it hard to take a shower or brush her teeth. I have talked to Lance and I am hoping that you are going to make some adjustments.

VIII. Mayor's Update

Mayor Glasgow reported that the City is looking for volunteers for the Parks & Recreation Board to help in preparing for a Memorial Day Celebration, a 4th of July Celebration and ParkFest activities for the Citizens of Willow Park. If

anyone is willing to participate in the organization of those activities, please let the staff know.

Mayor Glasgow reported that the Bridge on Ranch House Road at Squaw Creek was ordered shut down by TXDOT due to deteriorated structural supports. Yesterday, the County Commissioners Court approved the financing of the bridge replacement; however they are required to request bids to do the work, which will be posted next Monday. That means that work on replacing the bridge won't start until sometime in March. Maybe before the end of May the bridge will be open again. Unfortunately, for any emergencies north of the bridge, the response time will be delayed by at least 4 minutes, if not 5. That includes Fire, Police, and Ambulance Service. The Mayor stated that he wished he had better news, but that is all he has today on the bridge repair/replacement.

Mayor Glasgow made the following statement:

I am sick and tired of seeing the name Aledo on businesses located in Willow Park, if they are ashamed of Willow Park, why are they locating here? There will be no more new CO's, Building Permits, or inspections done for any entity inside the City Limits of Willow Park that has the name of Aledo in its name or address, period. I am requesting existing businesses in Willow Park remove the Aledo from the front of their buildings. If they want that name inside their buildings, that is okay by me, just not outside. After all, this is Willow Park.

A Flag Retirement conducted by the Boy Scout Troops of Aledo will take place on February 18th from 1:00 pm-5:00 pm at the Willow Park City Hall. If anyone has a worn flag they would like to retire, please bring it by February 18th to the City Hall.

IX. City Administrator Update

City Administrator reported to the Council that on February 3, 2012 the El Chico addition replat for Lots 1, 2 and 3, block 72R1 was returned to the City. Engineer Glenn Breisch was asked to review the replat to determine if all the conditions outlined by the Planning and Zoning Commission and the City Council had been met. Mr. Breisch stated that the deficiencies had been corrected. City Attorney Rider Scott stated that all the documents he required had been received. As per the motion made by Mayor Pro-tem Mr. Martin and approved by the City Council on January 10, 2012 it was determined that all conditions for approval had been met and the replat was deemed to be complete and approved. The city has issued final C/O's to the businesses on these lots.

Mrs. Scott reported that the Sale tax in February again came in over what was received last year by \$11,355.00, this puts us at \$51,928.00 over where we were this time last year.

The City has collected \$1,391,907.00 in Property taxes through the 10th of February. This puts us at \$39,673.00 over where we were this time last year.

X. New Business

- A. Discussion/Action – To consider and take action on Ordinance No. 647-12, An Ordinance Calling a Municipal Election for certain municipal officers to be held on the uniform date of May 12, 2012 and Resolution authorizing a contract with Parker County for the Election (Mayor Glasgow)

****Council Member Hickerson moved to adopt Ordinance No. 647-12 an Ordinance ordering a Municipal Election to be held on May 12, 2012 for the Election of certain Municipal Officers for the City of Willow Park, Council Members; Place 3, Place 4, 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 Council Member Neverdousky**

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

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

****Council Member Hickerson moved to adopt Resolution No. 01-12 a Resolution providing authorization for the execution of an agreement by and between the City of Willow Park, TX and the Election Administrator, Parker County, TX (“County”) for the conduct of the Municipal General Election and actions necessary and related thereto; and, providing for an effective date, seconded by Council Member Neverdousky**

Aye votes: Council Members: Neverdousky, Martin, Podany, 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 a Resolution to authorize the City to execute a Contract of Sale to acquire Lot 1, Block 26, El Chico Addition and to take all actions to close the contract and receive good title (Mayor Glasgow)

****Council Member Hickerson moved to adopt Resolution No. 02-12 a Resolution providing authorization for the execution of a contract of sale by and between the City of Willow Park, Texas, and Angus B. Churchill for the purchase and acquisition of that certain 3.6 acre, more or less, tract of land further defined as block 26, lot 1, El Chico addition, City of**

Willow Park, Texas and any other act appropriate and necessary to close on the contract of sale and acquire title of the tract defined; and, providing for an effective date, seconded by Council Member Neverdousky

Aye votes: Council Members: Neverdousky, Hickerson
Nay votes: Council member Martin.
Abstained: Councilmembers; Podany, Alderman
Motion passed with a vote of 2-1-2

- C. Discussion/Action – To consider and take action on a Resolution authorizing the City to enter into a contract to repair or replace a bridge structure on Ranch House Road (Natl. Inventory: 02-104-J000-20-01); subject to action by Parker County Commissioner's Court (Mayor Glasgow)

****Council Member Neverdousky moved to adopt Resolution No. 03-12 a Resolution providing authorization for the execution of an agreement by and between the City of Willow Park, TX and Harris Welding & Construction for certain municipal bridge repair or replacement improvements, to wit: repair or replacement of a municipal bridge on Ranch House Road; and providing for certain findings and an effective date,** seconded by Council Member Hickerson

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

- D. Discussion/Action – To consider and to schedule a Municipal Workshop to discuss current water demand, adequacy of existing and proposed water infrastructure and projected commercial, retail and residential development and its resultant impact on utility resources and necessary expansion required (Councilmember Podany)

****Council Member Podany moved to schedule a Water Workshop on February 28, 2012 at 7:00 pm or any date coordinated by the City Administrator,** seconded by Council Member Neverdousky

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

- E. Discussion/Action - Monthly update on FY 2011-2012 Budget projections and actual revenues and expenditures incurred (City Administrator Scott)

No Action

- F. Discussion- To review or create rules and guidelines to enable Council action to survive future scrutiny (Mayor Pro-tem Martin)

No action

- G. Discussion/Action – To consider and take action on the resignation of Jim Witherow as Fire Chief (Mayor Glasgow)

****Council Member Alderman moved to regretfully accept the resignation of Jim Witherow as the Fire Chief, seconded by Council Member Martin**

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

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

- H. Discussion/Action – To consider and take action on filling the vacancy of the Fire Chief position (Mayor Glasgow)

****Council Member Alderman moved the appoint Brent Sauble as the WP Fire/Rescue Chief, seconded by Council Member Hickerson**

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

Nay votes: None

Abstained: Neverdousky

Motion passed with a vote of 4-0-1

XI. Recess To Executive Session

Mayor Glasgow recessed to Executive session at 8:21PM

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 Attorneys: Legal Advice and Pending or Contemplated Litigation

1. Republic Waste Services; TCEQ Docket No.: 2009-2058-MSW

2. *ES&CM v. Willow Park*, No CV11-1093, 43rd District Court, Parker County

- B.Section 551.074 – Personnel Matters

1. Employment options for paid Firefighters of the Willow Park Fire/Rescue Department

2. Identifying and designating the principal Engineering firm for the City of Willow Park

C.Section 551.072 – Real Property

XII. Reconvene to Open Meeting

Mayor Glasgow reconvened to open meeting at 10:21pm

- D. Discussion/Action – To consider and take action on any item discussed in Executive Session (Mayor Glasgow)

****Council Member Martin moved to approve the City Attorney Scott recommendation as provided in executive session related to the *ES&CM Vs. Willow Park* litigation, seconded by Councilmember Alderman**

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

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

XIII. Adjournment

Mayor Glasgow adjourned the meeting at 10:26 PM

APPROVED

Marvin Glasgow, Mayor
City of Willow Park, Texas

ATTEST:

Yael Hoffman, City Secretary
City of Willow Park, Texas