

**WILLOW PARK CITY COUNCIL REGULAR MEETING
516 RANCH HOUSE ROAD WILLOW PARK, TEXAS 76087
TUESDAY, MARCH 13, 2012**

MINUTES

I. Call to Order

Mayor Glasgow called the meeting to order at 7:03 P.M.

II. Quorum Check

Mayor Marvin Glasgow
Mayor Pro-tem Gene Martin
Council Member Amy Podany
Council Member Esta Austin
Council Member Hale Alderman

Also Present:

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

Absent:

Council Member Richard Neverdousky

III. Invocation

Mayor Glasgow gave the invocation

IV. Pledge of Allegiance

Joshua Goodwin led the Pledge of Allegiance

V. Approval of Minutes

A. Regular Council Meeting of February 14, 2012

B. Special Council Meeting of February 28, 2012

C. Special Council Meeting of March 8, 2012

****Council Member Martin moved to approve the minutes of the February 14, 2012 Regular Council Meeting, the February 28, 2012 Special Meeting and the March 8, 2012 Special Meeting as provided in the packets, seconded by Council Member Podany**

Aye votes: Council Members: Martin, Podany & Alderman

Nay votes: None

Abstained: Council Member Austin

Motion passed with a vote of 3-0-1

VI. Community Announcements

None

VII. Citizens Presentations

Ronald Johnson of 310 Spyglass Drive addressed the Council on his concerns about the lift station in Willow Park Village and asked if the lift station could support the additional 88 houses that are coming in. Mayor Glasgow stated that lift station would be upgraded.

Bernard Suchocki of 1809 Ranch House Rd. addressed the Council with the following statement: The propose annexation is a significant item for the City of Willow Park. A notice for this matter should have been made with the intent to educate the majority of the citizens in the newspaper or posting it on the marquee out side the city hall. In January I received a number of phone calls from concerned citizens in Willow Park. Citizens who caused me to attended the hearing of the UGWCD on January 23, 2012. The City of Willow Park made the application of 3 wells out of the Trinity aquifer at the UTGWCD hearing. I heard the statement that TCEQ ordered the City to seek more water because it is operating at 90% capacity. The total cost of each well according to the City representative will be \$300,000 and that is without casing and wasn't a completed well. The Conservation District from my understanding will require Willow Park to case each well when they drill so as not affect the Paluxy. That is additional cost that is not included in the \$300,000 per well. Finally in addition to all this the City of Willow Park approved 200 plus apartments. I have not heard any discussion in open meeting about the need to drill these wells to the Trinity nor about when this drilling will take place and how much is going to be financed. If the City is considering annexing these 23 acre that are in question I assume that there is a plan in place to address such items as projected schedule of the construction of apartments, the 88 homes in question and any other development which may have a projected cost for drilling three additional wells along with any additional cost. A schedule for bringing each well on line to provide water service to the apartments the 88 homes and any other approved developments. Are these cost going to be offset with additional ad valorem taxes? The impact of equipment, manpower and costs for the all the City Departments and whether the development complies with the comprehensive plan.

VIII. Mayor's Update

Mayor Glasgow made the following statement:

First let me set the record straight. Yes I did campaign for no apartments; however I was not in attendance when the P&Z approved the request for R-3 Zoning so that apartments could be built on land that is all but hidden from the rest of our residents. If I am not mistaken, I was in the hospital when the Council approved the R-3 Zoning so that the builders could go ahead with their plans. As Mayor, I don't have a vote in the Council's decisions unless it is to break a tie. When Mr. Suchocki stood in front of you and the Council and accused me at a previous Council meeting of bringing apartments into Willow Park, as you can see, he was mistaken.

Then he went on to say the Mr. Jim Witherow told him that Jim Martin and I wanted him off the Fire Department Board. That was a third not true. Yes Jim Martin did tell me that he wanted Mr. Suchocki off the board, but I did not tell Mr. Witherow that I wanted him off, and he did not tell Mr. Suchocki that either. Once again, he was mistaken. Take this for what it's worth.

We are now able to expand Cross Timbers Park to a larger area for our residents to enjoy themselves. We will need a lot of volunteers to help clean the land of brush and dead trees so that we can use it to its fullest extent. I hope that Boy Scouts, Girl Scouts, Master Gardeners and any other group that would like to help will volunteer. Our citizens will be most grateful, and course, are welcome and encouraged to help in clearing the land.

Mayor Glasgow asked that Mr. Suchocki be removed from the meeting after being disruptive in the meeting and not following requests to be seated.

The contract on the Ranch House Road Bridge should be let by the 26th of March. The County is in charge of the bidding process, and since they are paying for the bridge replacement, we really shouldn't complain, too much. That being said, I want to personally thank Precinct 4 Commissioner Dusty Renfro and County Judge Mark Riley for their assistance in getting this completed. We are hoping that work on the bridge will begin the week of March 26.

IX. City Administrator Update

City Administrator Scott gave the following report:

Sales Tax in March came in over what was received last year by \$5,103.94. This put us at \$57,032.93 over where we were at this time last year. We have collected \$1,428,675.20 in Property Taxes through the 13th of March. This puts us at \$39,477.45 over where we were this time last year. The Building Department has brought in \$19,152.80 over where we were at the end of February of last year. The Municipal Court has brought in \$8,376.08 over where we were at the end of February of last year.

X. Recess to Public Hearing

Mayor Glasgow recessed to Public hearing at 7:17 P.M.

A. Public Hearing – To receive comments or arguments for or against the Petition for Annexation of that certain 23.189 acre tract, more or less, situated in the Eliza Oxer Survey, Abstract Number 1034 and the John H. Phelps Survey, abstract Number 1046, Parker County, Texas

Ed Childress the Engineer for the project asked the Council to accept this annexation request and stated that he is willing to work with the City on any issue so they can take this project forward.

XI. Reconvene Open Meeting

Mayor Glasgow reconvened to open meeting at 7:30 P.M.

XII. New Business

- A. Discussion/Action – To consider and/or take action on granting or refusing the Petition for Annexation of that certain 23.189 acre tract, more or less, situated in the Eliza Oxer Survey, Abstract Number 1034 and the John H. Phelps Survey, abstract Number 1046, Parker County, Texas (Mayor Glasgow)

Councilmember Podany made the following comment for the record:

When I was appointed to the City Council I took on the responsibility to be a good steward for our residents and the City of Willow Park. People have entrusted me to make good decisions that will affect them. I try to get all the information possible and analyze it. Tonight we have a request for annexation. The first question that needs to be asked is, is it good for the City? Then the next question is, will this help or cause undue hardship for our current residents? When an annexation is approved the City is guaranteeing that all city services, to include water, will be provided. New residents coming into the development will expect this. They will not expect to be put on water rationing. We have held two water workshops. From the information gathered, we are at approximately 90% capacity. We are currently, waiting for a TCEQ approval for 3 new well sites that will be drilled to the Trinity Aquifer. Currently we do not have a start date for drilling, we have not decided if can drill all three at once or piecemeal each project, and we still need to discuss how to pay for cost incurred in this project. These new wells were requested to help our current residents by possibly relieving water restrictions. I say possibly, because we have no conclusive data, on how much water these wells will produce. We will not know until we actually drill. We could possible come up dry. Because I am not a gambler and the residents trust that we will make good sound judgments, I can not in good conscious rely on possible production as a determinate on whether or not we can adequately provide for 88 new residential homes. So can we guarantee full non rationed water service? In my judgment the answer is “NO”. Do we gamble and hope that the wells produce maximum production? My answer is “NO”. Could we add undue hardship to current residents? In my opinion the answer is “YES”. How does this benefit the City? I can not come up with a benefit that out weighs the risk. Because of our water situation, and the burden of adding more users, I believe allowing this annexation will put undue hardship on our current residents and future residents of this development. I therefore believe that we should deny the petition for annexation. To prolong this further will not be prudent to the City of Willow Park, or the developer.

****Council Member Podany moved to deny the Petition for of that certain 23.189 acre tract, more or less, situated in the Eliza Oxer Survey, Abstract Number 1034 and the John H. Phelps Survey, abstract Number 1046 Parker County, Texas, seconded by Council Member Austin**

Aye votes: Council Members: Podany & Austin

Nay votes: Martin & Alderman,
Abstained: none
Mayor Glasgow voted nay breaking the tie vote
Motion failed with a vote of 3-2-0

****Council Member Martin moved to grant the Petition for of that certain 23.189 acre tract, more or less, situated in the Eliza Oxer Survey, Abstract Number 1034 and the John H. Phelps Survey, abstract Number 1046 Parker County, Texas., seconded by Council Member Alderman**

Aye votes: Council Member Martin & Alderman,
Nay votes: Podany, Austin
Abstained: none
Mayor Glasgow voted Aye breaking the tie vote
Motion passed with a vote of 3-2-0

- B. Discussion/Action – To consider and/or adopt a Motion to Reconsider the vote by which the City Council approved the action requested, as set forth in Agenda Item XI.C., of the Agenda posted for the City Council meeting of January 10, 2012 (Council member Alderman)

No Action

- C. Discussion Action – To review cumulative ordinances that collectively have amended Chapter 10, Traffic Control, of the Code of Ordinances for the City of Willow Park and to consider and take action on acceptance of the composite result of those ordinances. (Mayor Pro-tm Martin)

****Council Member Martin moved to place this draft on the City website, explaining it is a draft for Chapter 10 consolidation, and to solicit comments from the citizens, seconded by Council Member Alderman**

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

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

No action

XIII. Recess To Executive Session

Mayor Glasgow recessed to Executive session at 9:00 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 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 551.072 – Real Property

XIV. Reconvene to Open Meeting

Mayor Glasgow reconvened to open meeting at 9:25 P.M.

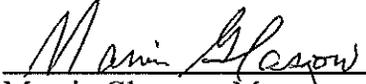
E. Discussion/Action – To consider and take action on any item discussed in Executive Session (Mayor Glasgow)

No Action

XV. Adjournment

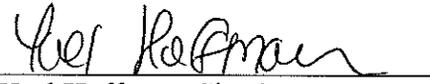
Mayor Glasgow adjourned the meeting at 9:26 P.M.

APPROVED



Marvin Glasgow, Mayor
City of Willow Park, Texas

ATTEST:



Yael Hoffman, City Secretary
City of Willow Park, Texas