

**WILLOW PARK CITY COUNCIL REGULAR MEETING
516 RANCH HOUSE ROAD WILLOW PARK, TEXAS 76087
TUESDAY, SEPTEMBER 11, 2012**

MINUTES

I. Call to Order

Mayor Neverdousky called the meeting to order at 7:08 P.M.

II. Quorum Check

Mayor Richard Neverdousky
Council Member Brian Thornburg
Mayor Pro-tem Gene Martin
Council Member Amy Podany
Council Member Dan Stalling
Council Member Bernard Suchocki

Also Present:

City Secretary Yael Hoffman
City Attorney Rider Scott

Absent

City Administrator Candy Scott

III. Invocation

Mayor Neverdousky gave the invocation

IV. Pledge of Allegiance.

Mayor Neverdousky led the Pledge of Allegiance

V. Approval of Minutes

- A. Regular Council Meeting of August 14, 2012
- B. Special Council Meeting of August 21, 2012
- C. Special Council Meeting of August 28, 2012

*****Mayor Pro-tem Martin moved to approve and accept the minutes of the Regular Council Meeting of August 14, 2012, the Special Council Meeting of August 21, 2012 and the Special Council Meeting of August 28, 2012 as presented, seconded by Council Member Podany**

Aye votes: Council Members: Thornburg, Martin, Podany, Stalling and Suchocki
Nay votes: None
Abstained: None
Motion passed with a vote of 5-0-0

VI. Community Announcements

None

VII. Citizens Presentations

David Fritz addressed the Mayor and Council on the goat that is in the back yard of 115 Singletree Lane, stating that the property in question was involved last week in a police incidence. Mr. Fritz stated the he was told that the City had begun addressing the issue. The animal is still on the property. Mayor Neverdousky updated Mr. Fritz on the action the City has taken so far.

VIII. Mayor's Update

Mayor Neverdousky reported that the code enforcement procedures have been revised. There will be complaint forms in our website, which will help the citizens. The police department will assign a police officer with the code enforcement officer when they are going to take pictures. The code enforcement officer has given a copy of an ordinance with revisions, which will be taken into consideration at the next meeting.

IX. City Administrator's Update

None

X. New Business

A. Discussion – Public request for Agenda Item placement submitted by P. Decker regarding alleged animal control, health and sanitation, and nuisance Municipal Code violations occurring on, or adjacent to 205 Canyon Court, Willow Park, Texas (Mayor Neverdousky).

Mrs. Pam Decker from the Montessori School on Canyon Court addressed the Council on the problems in the property in question. Mrs. Decker stated that there is a problem with feral cats. Mrs. Decker asked the Mayor and Council for help with the situation.

Mayor Neverdousky updated Mrs. Decker on the status of the code enforcement of the property. Mayor Neverdousky told Mrs. Decker that he would look in to it again and try to find some kind of solution.

B. Discussion/Action – Consider and take action on the Final Plat, Lot 1-R, Block 9, El Chico addition, being a replat of Lot 1, Block 73, El Chico as recorded in Book 362A, Page 7 and Book 277, Page 358 of the Plat Records of Parker County, Texas, Willow Park, Texas (Chairman Fritz).

*****Mayor Pro-tem Martin moved to approve Final Plat, Lot 1-R, Block 9, El Chico addition, being a replat of Lot 1, Block 73, El Chico as recorded in Book 362A, Page 7 and Book 277, Page 358 of the Plat Records of Parker County, Texas, Willow Park, Texas, seconded by Council Member Thornburg**

Aye votes: Council Members: Thornburg, Martin, Podany, Stalling and Suchocki
Nay votes: None
Abstained: None
Motion passed with a vote of 5-0-0

- C. Discussion/Action – For the governing body to appoint Mr. Timothy Griffiths to the Planning & Zoning Commission as an alternate member (Chairman Fritz).

*****Council Member Podany moved to amend the item C to state that the governing body to appoint Mr. Timothy Griffiths to the Planning & Zoning Commission as a Commissioner, seconded by Mayor Pro-tem Martin**

Mayor Pro-tem Martin removed his second.

*****Mayor Pro-tem Martin moved to appoint Mr. Timothy Griffith as an alternate member to the Planning & Zoning Commission and authorize the Planning & Zoning Commission to treat Mr. Griffith as full time member of the P&Z seconded by Council Member Thornburg**

Aye votes: Council Members: Thornburg, Martin, Podany and Stalling
Nay votes: None
Abstained: Council Member Suchocki
Motion passed with a vote of 4-0-1

- D. Discussion/Action – To consider and review Planning and Zoning Commission proposed ordinance language to permit certain wind generation equipment for on site production and use of electrical current subject to municipal rules, standards, and enforcement mechanisms (Chairman Fritz).

*****Council Member Podany moved to table item D considering proposed ordinance language to permit certain wind generation equipment for on site production and use of electrical current subject to municipal rules, standards, and enforcement mechanisms, seconded by Council Member Suchocki**

Aye votes: Council Members: Thornburg, Podany, Stalling and Suchocki
Nay votes: None
Abstained: Council Member Martin
Motion passed with a vote of 4-0-1

- E. Discussion – To hear and discuss a proposal from “The Retail Coach, LLC” regarding economic development options for the City (Mayor Neverdousky).

Mr. Austin from The Retail Coach LLC presented the company’s qualifications to the Mayor and Council.

- F. Discussion/Action – To consider and take action on the reduction of the duration of the Water Rationing Stage in accordance with Chapter 11, *Public Utilities*, § 11.209, *Emergency Water Rationing Plan*, Subparagraph (e) Duration of Emergency Declaration. Subsection (2). (Mayor Pro-tem Martin)

*****Mayor Pro-tem Martin moved request the Mayor make an announcement that the water rationing criteria has been met to change the water rationing from Stage II to Stage I, seconded Council Member Amy**

Aye votes: Council Members: Thornburg, martin, Podany, Stalling and Suchocki

Nay votes: None

Abstained: None

Motion fails with a vote of 5-0-0

- G. Discussion – Monthly update on FY 2011-2012 Budget, assumptions, projections and actual revenues and expenditures incurred (City Administrator Scott)

City Administrator Scott was not present to give the update.

- H. Discussion/Action – To set a date for the Municipal Fiscal Year 2012-2013 Budget hearing, based on an Ad Valorem Tax Rate and Levy for municipal Maintenance and Operations that does not exceed the effective tax rate for Maintenance and Operations published on or about August 12, 2012.

A workshop will take place on September 18, 2012 at 7:00 P.M. at the Community Center. A Special Meeting will be scheduled on September 25, 2012 at 7:00 P.M. to adopt the Budget and set the Tax Rate

XI. Recess To Executive Session

Mayor Neverdousky recessed to Executive Session at 9:27 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
3. Contract: Escrow Agreement /Exit Ramp Update AFA (Advanced Funding Agreement/Notice) TXDOT Exit Ramp Contract

- B.Section 551.074 – Personnel Matters

1. Personnel Polices and Procedures

2. Administrative Personnel, Executive Search, Contracts, Strategic Government Resources proposal
3. Engineering Contracts
4. Objectives

XII. Reconvene to Open Meeting

Mayor Neverdousky reconvened to open meeting at 11:15 P.M.

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

****Council Member Podany moved to exercise the discretion to request a Letter of Credit from MitMar Land L.P the Developer or Texas Health Resource as set forth in the Exit Ramp Developers Agreement, seconded by Council Member Suchocki**

Aye votes: Council Members: Podany, Stalling & Suchocki

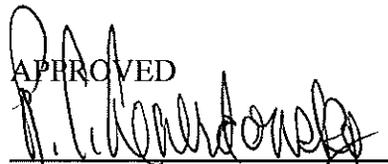
Nay votes: Thornburg, Martin

Abstained: None

Motion passed with a vote of 3-2-0

XIII. Adjournment

Mayor Neverdousky adjourned the meeting at 11:20 P.M.

APPROVED

Richard Neverdousky, Mayor
City of Willow Park, Texas

ATTEST:


Yael Hoffman, City Secretary
City of Willow Park, Texas