

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

MINUTES

I. Call to Order

Mayor Neverdousky called the meeting to order at 7:02 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 Administrator Candice Scott
City Secretary Yael Hoffman
City Attorney Rider 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 November 13, 2012
- B. Special Council Meeting of November 30, 2012
- C. Special Council Meeting of December 1, 2012
- D. Speical Council Meeting of December 4, 2012

*****Mayor Pro-tem Martin moved to accept the Regular Council Meeting Minutes from November 13, 2012, Special Council Meeting Minutes from November 30, 2012, Special Meeting Minutes from December 1, 2012 and Special Council Meeting Minutes from December 4, 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

Mayor Neverdousky announced that "Holiday in the Park" will take place on Saturday December 15, 2012 from 10:00 A.M. to 4:00 P.M.

VII. Citizens Presentations

None

VIII. Mayor's Update

Mayor Neverdousky announced that there will be a Ground Breaking Ceremony for the new exit ramp on Mikus Rd. TEXDOT is working on the access road. The ramp will be finished in the early summer of 2013.

IX. City Administrator's Update

None

X. Old Business

- A. Discussion/Action – To consider and take action on approval of the Site Plan submitted for Willow Park Eye Clinic, Lot 1-R, Block 9, El Chico Addition (Chairman Fritz).

*****Council Member Thornburg moved to approve the Site Plan for the Willow Park Eye Clinic, Lot 1-R, El Chico Addition as presented, seconded by Mayor Pro-tem Martin**

Aye votes: Council Members: Thornburg, Martin, Stalling and Suchocki

Nay votes: Council member Podany

Abstained: None

Motion passed with a vote of 4-1-0

- B. Discussion/Action- To consider and take action on Ordinance No. _____ , authorizing Nun Pro Tunc corrections to Ordinance 652-12 to correct errors in an abstract number referenced, a default land use shown and ratifying the substantive provisions thereof. (Mayor Neverdousky).

*****Mayor Pro-tem Martin moved to adopt Ordinance No. 658.12, an Ordinance of the City of Willow Park, Texas providing for Nunc Pro Tunc correction of an abstract number and land use reference error contained in the caption, body and attachments of ordinance 652-12 and 653-12, as adopted by vote on August 21, 2012, and providing for and effective date, 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

XI. New Business

- A. Discussion/Action – To consider and act on a funding request for the “Ride for Heroes” (Dennis Thomson)

*****Council Member Suchocki moved to donate \$2,000.00 from the Tourism fund to the “Ride for Heroes”, seconded by Mayor Pro-tem Martin**

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

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

- B. Discussion – To consider and discuss the definition of “*Customary Home Occupations*” and Chapter 12, Section 12.319 of the City of Willow Park Code of Ordinances (request in writing from Brit and Liz Brown)

After a short discussion Mayor Neverdousky made the following comment to the residents:

“At the present time the Building Inspector and Code Enforcement Officer find that there is no violation. We can see that Ordinance is vague enough that there are some problems with it. We will take a look at the Ordinance sometime in the future, in the mean time you proceed the way you proceeding, and be aware that if your business does increase and there is more activity you will get a hard look again”

- C. Discussion/Action – To consider accepting the Annexation Petition submitted by Willow Park Baptist Church of Texas, being a 9.80 acre tract situated in the Wesley Franklin Survey, Abstract No. 468, Parker County, Texas and being a portion of that certain tract of land conveyed to Willow Park Baptist Church of Texas, as evidenced by deed recorded in Volume 2896, page 403. Deed records, Parker County, Texas (Charles F. Stark)

*****Mayor Pro-tem Martin moved to adopted Resolution No. 20-12, a Resolution providing authorization for the acceptance of the Petition for Annexation filed with the City of Willow Park, Texas by Willow Park Baptist Church of Texas (owner), a Texas corporation, organized under the laws of the State of Texas for that certain 10.05 acre tract of land, more or less, situated in the Wesley Franklin Survey Abstract No. 468, and being a portion of that certain tract of land conveyed to Willow Park Baptist Church of Texas by deed recorded in volume 2896, page 403 deed records parker county, Texas; and, providing for an effective date”, 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

- D.** Discussion/Action - To consider and act on the appointment of Marvin Glasgow to be Member of the Planning and Zoning Commission, with certain conditions to said appointment (Chairman Fritz).

*****Mayor Pro-tem Martin moved to approved the Planning and Zoning Commission's recommendation of the appointment of Marvin Glasgow as a Member of the Planning and Zoning Commission, seconded by Council Member Thornburg**

Aye votes: Council Members: Martin and Thornburg

Nay votes: Council members: Podany, Stalling and Suchocki

Abstained: None

Motion failed with a vote of 2-3-0

- E.** Discussion/Action - To consider and act on the appointment of James Moeller to be an Alternate Member of the Planning and Zoning Commission, with certain conditions to said appointment (Chairman Fritz).

*****Mayor Pro-tem Martin moved to accept the recommendation of the Planning and Zoning Commission to appoint James Moeller as a Member of the Planning and Zoning Commission for a term of two years seconded, by Council Member Suchocki**

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

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

*****Council Member Suchocki moved to reconsider item E to consider and take action of James Moeller to be a member of the Planning and Zoning Commission, second by Mayor Pro-tem Martin.**

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

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

*****Mayor Pro-tem Martin amended his motion to state instead of "a two year term" to fulfill an existing vacancy in a two years term, second by Council Member Suchocki**

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

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

- F. Discussion/Action - To consider and act on the appointment of Robert Coates to be an Alternate Member of the Planning and Zoning Commission, with certain conditions to said appointment (Chairman Fritz).

*****Council Member Podany made a motion to approve the appointment of Robert Coates to be an alternate member of the Planning and Zoning Commission**

There was no second to the motion, the motion died

*****Council Member Podany made a motion to approve the appointment of Robert Coates as a member of the Planning and Zoning Commission, second by Council Member Thornburg**

Aye votes: Council Members: Thornburg, Podany, Stalling

Nay votes: None

Abstained: Martin, Suchocki

Motion passed with a vote of 3-0-2

- G. Discussion/Action – To consider and take action on the Replat, Lot 2R, Block 14, El Chico, being a replat of Lots 2 and 3, Block 14, El Chico, an addition to the City of Willow park, Parker County, TX, according to the plat thereof recorded in Cabinet C, slide 542, plat records, Parker County, TX (Chairman Fritz)

This item will be placed in the next month agenda

- H. Discussion/Action - To consider and approve procedures or actions necessary or required to submit an application with the Texas Water Development Board for a loan of funds or other financial assistance; (Mayor Neverdousky)

No action

- I. Discussion – Monthly update on FY 2012-2013 Budget, assumption, projections and actual revenues and expenditures incurred (City Administrator Scott)

City Administrator Scott updated the Mayor and Council on Revenues and Expenditures Through November 30, 2012.

- J. Discussion – Discussion of the method for requesting items on the Agenda, including any criteria and/or authority for modification of requested items and City Attorney's role in such requests (Council member Suchocki)

No action

- K. Discussion/Action – Consider and decide on a course of action to implement an Ordinance to define and establish a type of City Council/City Administrator form of government restricting, to the extent possible by law, the powers of the Mayor to act without the approval of a majority of City Council and requiring that City Council be kept informed of all matters of city business (Council member Suchocki)

This item will be placed in the next month agenda

- L. Discussion/Action – Discussion of the interim results of the Capital Improvement Plan with the action to be a request to the engineering firm to (1) include more detail in its scope of work as such relates to population projections, taking into consideration, the apartments, the emergency room facility and any possible new development (2) evaluate the current condition of the water infrastructure in terms of the capability of the delivery system and the condition of the water pipes and (3) include a detailed functional diagram of both the water system and the sewer system along with a narrative describing the components, the pressures and flow of each system (Council member Suchocki)

No action

- M. Discussion – Receive and discuss the results of the lift station study or engineering work performed by Wasteline Engineering, Inc (Council member Suchocki)

Mayor Neverdousky will schedule a workshop to discuss Wastewater

Mayor Neverdousky recessed to Executive Session at 10:40 P.M.

XII. Recess To Executive Session

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. Contracts (Written contract to be presented to the City Administrator)
2. Objectives
3. Status of suggested action item relating to comp time recommendations
4. Policy and Procedures Manual for the City of Willow Park and procedure for obtaining City Council input for the same.

XIII. Reconvene to Open Meeting

Mayor Neverdousky reconvened to open meeting at 12:05 A.M.

N. Discussion/Action - To consider and take action on selection of candidate to fill the position of City Administrator for the City of Willow Park (Mayor Neverdousky)

*****Mayor Pro-tem Martin moved formally select Matt Shaffstall and authorize the Mayor to enter to negotiations to hire Mr. Shaffstall as the City Administrator, second 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

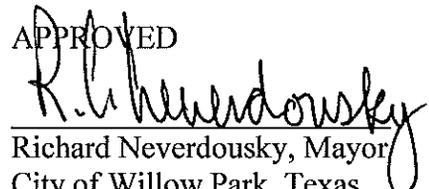
O. Discussion/Action – To consider and take action on any item discussed in Executive Session (Mayor Neverdousky)

No Action

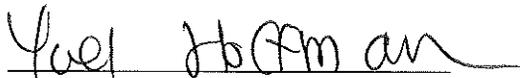
XIV. Adjournment

Mayor Neverdousky adjourned the meeting at 12:10 A.M.

APPROVED


Richard Neverdousky, Mayor
City of Willow Park, Texas

ATTEST:


Yael Hoffman, City Secretary
City of Willow Park, Texas