



City of Willow Park
City Council
Regular Meeting
516 Ranch House Road, Willow Park, TX 76087
Tuesday, May 14, 2013 at 7:00 p.m.
Agenda

Section I – Presentations

1. Call to Order

Mayor Neverdousky called the meeting to order at 7:02 PM

2. Determination Of Quorum

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

Staff Present:

City Administrator Matt Shaffstall
City Secretary Yael Hoffman
City Attorney Rider Scott

3. Invocation & Pledge of Allegiance

Mayor Neverdousky gave the invocation and led the Pledge of Allegiance

4. Canvas the Election

- A. Discussion/Action – To consider and take action on Ordinance No. ____-13; An Ordinance Canvassing and Declaring the Results of the Municipal General Election May 11, 2013.
- B. Discussion/Action – Administer the Oaths Of Office and formally swear in the elected Municipal Officials
- C. Discussion/Action – Election of the Mayor Pro-tem by the Governing Body

The above items moved to next week council meeting.

5. Special Recognitions

- A. Proclaim May Emergency Preparedness Month. Hear presentation from Police Chief Brad Johnson and Fire Chief Brent Sauble on Willow Park's emergency response efforts.

Chief Sauble and Chief Johnson present to the Mayor and Council the Willow Park Police Department and Fire/Rescue department policies and procedures in case of emergency disaster.

6. Citizen Presentations & Public Comment

An opportunity for citizens to address the Mayor and City Council on matters which are not scheduled for consideration by the City Council or another City Board or Commission at a later date. In order to address the Council, please complete a Public Meeting Appearance Card and present it to the City Secretary prior to the start of the Council meeting. The Texas Open Meeting Act prohibits deliberation by the City Council of any subject which is not on the posted agenda, therefore the Council will not be able to discuss or take any action on items brought up during the citizen presentations.

None

Section II – Consent Agenda

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items unless a Councilmember so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

7. Approve and Act on Consent Agenda

- A. Special Meeting Minutes – March 27, 2013
- B. Special Meeting Minutes - April 3, 2013
- C. Regular Meeting Minutes – April 9, 2013
- D. Workshop & Special Meeting Minutes – April 23, 2013

***** Council member Thornburg moved to accept the above minutes as amended 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

Section III – Planning & Development

- 8. Discuss and take action on Specific/Special Use Permits. Review the requirements and renewal process for SUP.**

This item will be discussed again after making revisions to the process and bringing it before P&Z and Council for amendments.

9. Discuss and take action on Planned Unit Developments. Review the requirements and renewal process for PUD.

This item will be revised and will be brought up to P&Z and Council for amendments.

10. Discussion/ Action -to consider and take action on Ordinance No. _____Amending Chapter 12 "Zoning" Article 12.500 "Use Restrictions and Zoning Regulations", Section 12.510 "Class III-Business 'C' Commercial District" authorizing the addition of a permitted use, to wit: "diagnostic or treatment healthcare facility or assisted living facility" .

***** Council member Suchocki moved to accept ordinance 665-13 an ordinance providing for an amendment to Chapter 12 "zoning" article 12.500 "use restrictions and zoning regulations", section 12.510 as item 23 as "Class III – Business "C" commercial District" authorizing the addition of a permitted use, to wit; "Diagnostic or Treatment Healthcare Facility or Assisted Living Facility" with Special Use only. Seconded by council member Podany**

Mr. Martin made a friendly amendment that Section 12.510 was renumbered to section 12.511 by ordinance No. 432-98 when we added R-1S.

Council member Suchocki accepted this friendly amendment.

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

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

11. Public Hearing and Action to consider the rezoning application from Willow Park Baptist Church, from Single Family Residential 'R-1' to Business 'C' Commercial for that certain 12.43 acre tract of land, more or more specifically identified as Block A, Lots 3 &4, Block B, Lot 2 Crown Point Addition Phase II, an Addition of the City of Willow Park, TX, situated in the Wesley Franklin Survey, Abstract 468, Real Property Records, Parker County, TX., more commonly known or referred to as Skilled Nursing Facility or Assisted Living Facility.

- A. Open Public Hearing.

Mayor Neverdousky opened the public hearing at 8:12 PM

- B. Close Public Hearing.

Mayor Neverdousky Closed the public hearing at 8:13 PM

12. Discussion/ Action -To consider and take action on Ordinance No. _____Amending Chapter 12 "Zoning", Article 12.500 " Use Restrictions and Zoning Regulations", Section 12.510 "Class III-

Business "C" Commercial District" authorizing the addition of a permitted use, to wit: "diagnostic or treatment healthcare facility or assisted living facility" .

This item will be addressed in the Special Meeting on 05-21-2013

Mayor Neverdousky called for a break at 8:24 PM

Mayor Neverdousky reconvened to open meeting at 8:38 PM

- 13.** Discuss and take action on a proposed Site Plan for the Willow Park Baptist Church Skilled Nursing Facility to be located on or near 180 Crown Pointe Boulevard.

***** Council member Stalling moved to postponed the agenda item until next Tuesday meeting**

No second – motion fails

***** Council member Thornburg moved to accept the recommendation of the P&Z commission to approve the proposed site plan for the Willow Park Baptist Church Skilled Nursing Facility to be located on or near 180 Crown Point Blvd Seconded by council member Podany**

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

Nay votes: None

Abstained: Council member Stalling

Motion passed with a vote of 4-0-1

Council member Suchocki made the following statement: *"I understand what Ms. Podany and Mr. Stalling are concerned about. And I think we are going to address that in a subsequent meeting. I don't have a lot of confidence in what was done because I think there needs to be some research, we need to make sure that we have qualified people to do it and engineers and we will address that in a different meeting. Based upon the recommendation of the P&Z I don't see that we have any other choice but to approve that and that is why I vote yes."*

***** Council member Suchocki moved to recess to executive session 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

Mayor Neverdousky recessed to executive session at 8:54 PM

Mayor Neverdousky reconvened to open meeting at 9:52 PM

***** Council member Suchocki moved to approved the compromise settlement agreement and lease that has been discuss in executive session pages 1,2 and 3 approved that and authorized the Mayor to sign the compromise settlement with Strsburger and Price LLC seconded by council member 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

- 14. Discuss and take action on proposal from LAN for completion of a zoning map update for \$6,250.**

***** Mayor pro-tem Martin moved to approved and authorize the city administrator to coordinate with LAN engineering to identify all the final changes for completion of a Zoning Map for the City of Willow Park, the cost not to exceed \$6250.00 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

Section IV – Public Works

- 15. Dedication and acceptance of roads or other public improvements in Hunters Glen, a subdivision of the city.**

***** Mayor pro-tem Martin moved to delay action on this until more information can be provided to the Council. Seconded by council member Stalling**

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

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

Section V- General Items

16. Hold Public Hearings & Act on FY 2012-2013 Budget Amendment.

- A. Open Public Hearing.
Mayor Neverdousky opened the Public Hearing at 10:18 PM
- B. Close Public Hearing
Mayor Neverdousky closed the Public Hearing at 10:19 PM
- C. To consider and take action on Ordinance No. 654B-13; to amend Ordinance 654-12 FY 2012-2013 Annual Budget.

***** Mayor pro-tem Martin moved to adopted ordinance No. 654B-13; an ordinance of the City Council of the City of Willow Park, Texas, Providing for the amendment of the adopted municipal Budget for the Fiscal Year Beginning October 1, 2012 and ending September 30, 2013; providing that expenditure for said Fiscal year shall be made in accordance with said budget; providing that this ordinance shall be cumulative of all ordinance; providing a severability clause; providing a saving clause; and providing an effective date** seconded by council member Stalling

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

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

17. Hold public hearing on Impact Fees and consider adoption of same

- A. Open Public Hearing.
Mayor Neverdousky opened the public hearing at 10:21 PM
- B. Close Public Hearing
Mayor Neverdousky Closed the Public hearing at 10:24 PM
- C. Discussion/ Action- To consider and take action on Ordinance No. _____ amending Chapter 11 "Public Utilities", Article 11.500 "Impact Fees" to authorize Water and Wastewater Impact Fees to be assessed by the City of Willow Park, TX and updating the Municipal Land use Assumptions and Capital Improvement Plan.

***** Council Member Thornburg moved to adopte ordinance No. 667-13; an ordinance of the City Council of the City of Willow Park, Texas, authorizing and approving the impact fees contained in the capital improvement plan (defined herein) and providing for implementation of the impact fees; providing for a repealer, savings and severability clause; and, providing for an effective date** 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

- 18. Discussion-Action – To consider and take any action appropriate or necessary that relates to the Texas Gas Service Company filing of a Statement of Intent to change or alter rates for Gas service or consumption within the City of Willow Park Utility rate permission.**

***** Council Member Thornburg moved to deny the proposed rate increase as it relates to Texas Gas Service Company filing of a Statement of Intent to change or alter rates for Gas service or consumption within the City of Willow Park Utility rate permission. 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

- 19. Hear management report on excess leave reduction strategy.**

City administrator Shaffstall gave the Council a report on the excess leave reduction. Those employees that exceed time leave were put on an action plan to reduce their time to the cap that was adopted by the council in employee hand book. By Oct 1 of 2014 all employees will be under the accrual cap.

- 20. Adopt Budget Calendar for FY 2013-2014 Budget Adoption Process.**

The council accepted the proposed calendar tentatively

- 21. Release a Request for Qualifications for professional services for third party plan review and inspection services.**

***** Council Member Podany moved to release the RFQ for Professional service for third party plan review and inspection services as amended. Seconded by council member Thornburg**

Aye votes: Council Members: Thornburg, Martin and Podany

Nay votes: Council members; Stalling and Suchocki

Abstained: None

Motion passed with a vote of 3-2-0

22. Discuss and Assign Action Item for Landscaping & Flood Control ordinance amendments.

No action

Section VI – Informational

23. Mayor & Council Member Announcements

The City Council may hear or make reports of community interest provided no action is taken or discussed. Community interest items may include information regarding upcoming schedules of events, honorary recognitions, and announcements involving imminent public health and safety threats to the city.

A Special Council Meeting has been scheduled for May 21st 2013.

Council Member Suchocki requested to get his items on the next meeting Agenda.

24. City Administrator's Report

Hear City Administrator's report on city's finances, capital improvement projects, and departmental operations.

A. Monthly Staff Reports

The staff Monthly reports are in your boxes. Mr. Shaffstall is unhappy with where the wells are at. One of the wells is up and running, it is out for the TCEQ test, the other two were supposed to have a meter set last week Oncor did not set the meters; we could not get a response. We contacted our rep, and they couldn't get hold of Chad either. We are going to have some employees in the Building Official Conference. Zach will be there for training tech and Mr. Shaffstall will be there for Flood Control

Section VII – Executive Session

The City Council reserves the right to adjourn into executive session at any time during the course of the this meeting to discuss an matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 55.1071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.175-183 (Deliberations about Homeland Security Issues), and as authorized by the Texas Tax Code, including, but not limited, Section 321.3022 (Sales Tax Information). The City Council may take action on any agenda item listed for executive session consideration upon reconvening in open session.

25. Executive Session

A. Consultation with Attorney

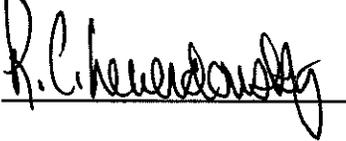
- i. *ES&CM v. Willow Park,*
- ii. *Amending Hunters Glen Development Agreement*
- iii. *Personnel: City Administrator Chain of Command*

Section VIII – Adjournment

26. Adjournment

Mayor Neverdousky Adjourned the meeting at 11:55 PM

APPROVED



Richard Neverdousky, Mayor
City of Willow Park, Texas

ATTEST:



Yael Hoffman, City Secretary
City of Willow Park, Texas