



City of Willow Park  
City Council  
Regular Meeting  
516 Ranch House Road, Willow Park, TX 76087  
Tuesday, June 11<sup>th</sup> 2013 at 7:00 p.m.  
Minutes

**Section I – Presentations**

**1. Call to Order**

Mayor Neverdousky called the meeting to order at 7:01 PM

**2. Determination Of Quorum**

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

**Also 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. Special Recognitions**

**None**

**5. 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.

## 6. Budget Hearing

Mayor Neverdousky opened the Budget hearing at 7:03PM

Public Hearing to receive public comment on any priorities or requests for the FY 2013-2014 budget.

**James Mullins** – from 509 El Chico Trail, following the weather storms that we have experienced last month Mr. Mullins asked the Mayor and Council to consider emergency preparedness day as a community, to bring all the community together and have first aid training and talk about what you should have in your house and what you should do in emergency situation I hope you can put something in the budget so we can have a day like that as a community.

Mrs. Mullins made the comment that she is willing to help in the preparation of this day, as she did it in the past.

Mayor Neverdousky closed the public hearing.

Council Member Martin made the following comment; *"I made a comment last meeting, I have come to understand that some read into it more than I intended and that is pertaining to Amy Podany being Mayor Pro-tem. I made a comment about her not being qualified for that; some people thought that I was suggesting that she wasn't competent to be Mayor Pro-tem, and I really felt bad when I had somebody accuse me of judging her harshly. I had no intention to judge her competence at all. I talked to Amy about this and apologized if she thought I suggested she was not competent. Specifically my objection, and assessment is based solely on her experience level and my concern is that she doesn't have the experience should she need to fill in as mayor. We agreed to disagree on this particular point."*

Mayor Pro-tem Podany – appreciated Council member Martin's statement.

## **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 – May 7, 2013
- B. Regular Meeting Minutes - May 14, 2013
- C. Special Meeting Minutes – May 21, 2013
- D. Release Request For Qualifications – Auditing Services

- E. Release Request For Qualifications- Legal Services
- F. Release Request For Qualifications – Engineering Services
- G. Release Request For Qualifications – Codifications Services
- H. Release Request For Qualifications – Utility Billings & Finance Software

Council member Suchocki asked to remove item D, E, F, G, and H from the consent agenda.

**\*\*\* Council member Martin moved to accept the minutes of May 7, 14, 21 -2013 as presented. 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 discuss the RFQ's at the next meeting 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

### **Section III – Planning & Development**

8. Discuss and make recommendation on a proposed Site Plan Amendment for Lot 1, Block A, The Village at Willow Park, Crown Pointe Boulevard in an "R-3" Residential Multi-Family zoned district regarding certain accessory buildings, project amenities, and minor design changes.

**\*\*\* Council member Thornburg moved to approve the proposed Site Plan Amendment Lot 1 Block A, the Village at Willow Park, Crown Pointe Boulevard in R-3" Residential Multi-Family zoned district regarding certain accessory buildings, project amenities, and minor design changes as recommended by Planning and Zoning Seconded by Council Member Martin**

**Mayor Pro-tem Podany amended the motion to require the site plan to include post grade elevation of the buildings, installed elevation of the electrical transformers and control equipment and confirm the graded slope transition into the flood plain area is not greater than 4-1. Seconded by Council member Martin**

Vote for the 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

Vote for the motion;

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

Nay votes: None

Abstained: None

Motion passed with a vote of 5-0-0

9. Discuss and take action on a proposed Site Plan for an 8,000 s.f. building at Lot 6, Block 2, Willow Bend Drive in an "LI" Light Industrial zoned district, more commonly known as or referred to as Willow Park Crossing Medical Center.

**\*\*\* Council Member Martin moved to move this item to the next council meeting 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

10. Conduct Public Hearing and Action on a request to amend Chapter 12 of Code of Ordinance pertaining to Specific Use Permits. Specifically Chapter 12 "Zoning", Article 12.1200 "Specific Use Permits".
  - A. Open Public Hearing.  
Mayor Neverdousky opened the Public hearing at 8:26 PM
  - B. Close Public Hearing.

Mayor Neverdousky closed the public hearing at 8:47 PM

C. Take Action on Recommendation to City Council.

**\*\*\* Council Member Suchocki moved to approve ordinance no. 668-13 [Should be Ordinance No. 670-13] an ordinance providing for an amendment to chapter 12 " Zoning Regulation", article 12.1200 "Specific use permits" by amending the appropriate sections to clarify certain procedures; providing for an effective date and as such under article 12.1200 Specific uses; to eliminate the square pertussis around the word *shell*, page 2 striking item 5 and Numbering 6 to 5, 7 to 6 and 8 to 7, under item 12.1203 sub item 1 to change the language as follows " the city council will issue a specific use permit with the duration of up to 10 years, which may be renewed for a subsequent 10 years. If the specific use still perform to the provisions of this article or the permit has not otherwise been revoked or suspended. And then eliminating the following language: "the city council may by a two thirds majority vote of the elected members deny the five years extension". Seconded by Council Member Thornburg**

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

**11. Conduct Public Hearing and take action on an application by St Marianne Cope Health Care, LLC for a Specific Use Permit for a "diagnostic or treatment healthcare facility" in a Class III Business "C" Commercial Zoning District, 300 Crown Pointe Blvd, further identified as 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 the Skilled Nursing Facility**

i. Open Public Hearing.

Mayor Neverdousky opened the Public hearing at 9:13 PM

ii. Close Public Hearing.

Mayor Neverdousky closed the public hearing at 9:15 PM

iii. Take Action

**\*\*\* Council Member Thornburg moved to follow the planning and zoning recommendation to approve the application by St Marianne Cope Health Care, LLC for a Specific Use Permit for a "diagnostic or treatment healthcare facility" in a Class III Business "C" Commercial Zoning District, 300 Crown Pointe Blvd, further identified as 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 the Skilled Nursing Facility with a 10 years' time period before renewal Seconded by Council Member Podany**

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

**12. Conduct Public Hearing and take action on a request for a zoning change for that certain 3.81 acre tract, more or less, further defined as the replat of Tract C-R, Block 7, Willow Springs Oaks Addition (Sept. 2008) an Addition to the City of Willow Park, TX, (according to the plat thereof, recorded in Volume C, Slide 484; Plat Records, Parker County, TX) Parker County from Class IV – Industrial “LI” – Light Industrial Zoning District to Class I – Special Purpose – “PD” – Planned Development Zoning District with a Base Zoning of Class III – Business “C” – Commercial District.**

i. Open Public Hearing.

Mayor Neverdousky opened the public hearing at 9:25 PM

Dave Vestal and Bert Parnell presented before Council their idea of the food truck park

ii. Close Public Hearing.

Mayor Neverdousky closed the public hearing at 9:35 PM

iii. Take Action

**\*\*\* Council Member Martin moved to adopt the first phase of the recommendation of the Planning and zoning commission by approving ordinance No 669-13 [Should be ordinance No. 671-13] being an ordinance of the City of Willow Park TX, providing for a zoning change for that certain 3.81 acre tract, more or less further defined as tract C-R Block 7, Willow Springs Oaks addition, an addition to the City of Willow park, TX , recorded in volume C, Slide 484-, Plat records, parker county, TX from Class IV – industrial “LI” light industrial zoning district classification and use to class III business “C” commercial district; providing for publication, a severability clause, and effective date; we would strike under section 2 the words “Class 1- Special purpose “PD” – Planned Development Zoning District classification and use designation with a base zoning of” 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 IV – Public Works**

13. Receive a Report and Update from the Director of Public Works on Capital Projects.
14. Receive a Report on City water system including production, storage, usage, system maintenance, and water rationing.
15. Receive a Report on prioritize infrastructure improvement plan detailing proposed street repairs.

**\*\*\* Council Member Suchocki moved to table items 13-15 to the next council meeting** 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

**\*\*\* Council Member Suchocki moved to change the sequence of the agenda items to hear the Fire Chief and followed by City Council agenda items 19-25 and followed by the remaining of the items.**

No second

#### **Section V- General Items**

16. Receive and accept an audit report from HMSW C.P.A., the city's contracted auditors, on the City's FY 2011-2012 financial statements.

**\*\*\* Council Member Martin made a motion to table items 16 to the next council meeting** 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

17. Receive a Report from the Fire Chief on the City's ISO Fire Protection Classification.

Chief Sauble presented the council the ISO Fire Protection classification

**\*\*\* Council member Suchocki moved to change the sequence of the agenda and to table item 18 to the next meeting because it involves a contract which I need to review in more detail.**

No second

18. Consider and take action on a Resolution \_\_\_\_-13, allows the City to participate in intergovernmental cooperative purchasing.

**\*\*\* Council Member Martin moved to adopt resolution No. 06-13 a resolution providing authorization to enter into an Interlocal Cooperation Contract with the Local Government purchasing cooperative; and providing for an effective date making amendments to the underline contract striking language from section 4-A and striking the words "in addition to membership fees" Seconded by Council Member Thornburg**

Mayor Pro-tem Podany made a friendly amendment to add the words "equipment and vehicles"

Council Member Martin accepted the friendly amendment

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

Mayor Neverdousky called for a break at 10:25 PM

Mayor Neverdousky reconvened to open meeting at 10:37 PM

#### **Section IV – Councilmember Requested Items**

**\*\*\* Council Member Martin moved to table items 19-27 until the next council meeting 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

19. Discussion/Action - on ordinance \_\_\_\_\_ amending Chapter 1, General Provisions, Article 1.400 City Council, § 1.404 meeting subpart (G) agenda items to establish procedures to request an agenda item(s) and to ensure the timely placement of such item(s) on a City Council agenda, and effective date (Council Member Suchocki)
20. Discussion/ Action – on ordinance \_\_\_\_ amending chapter 8, “personnel”, article 8.100 “ Office of the City Administrator” in the Code of Ordinances, City of Willow Park, Texas; providing for a written report of the city government operations, clarifying the authority of the City Administrator and the Chain of Command; providing for repealer and effective date; (Council Member Suchocki)
21. Discussion/ Approve - discussion and approval of a working format for the City Administrator’s monthly written report to provide City Council with a Comprehensive; core status of City Government, including, but not limited to (1) summary of staff meetings (2)P&Z and BOA activity (3) initial meeting with potential developers (4) cumulative summary of water and sewer demands (5) summary charts/graphs regarding (a) Willow Park Fire & Rescue activities (b) police activities (c) public works including Water production, main breaks, operating wells, storage and (6) pending or anticipated problems (council member Suchocki)
22. Discussion/Approve; Discussion and approval of a plan to implement a philosophy/methodology for handling plat and site approvals including the engagement of appropriate, competent disciplines and establishment of guidelines/checklists to ensure and to document a comprehensive review/approval of plat and site plans (Council Member Suchocki)
23. Discuss/Approve – Discussion and approval of a plan to refer the generation of Willow Park’s Code of Ordinances to professional Legal Publishing firm (Council member Suchocki)
24. Discussion/Action – on ordinance amending chapter 12 Zoning; section & Height and area exceptions, screening fences and landscaping requirements, subsection; 8.06 landscaping requirements; item G general standards by adding sub item 8, Top Soil requirements (Council member Stalling)
25. Discussion/action – on ordinance No. \_\_\_\_ providing for an amendments to ordinance No. 582-08 regarding the adoption of Flood Plan Management measures by adding a requirement for the minimum height of Electrical equipment above the FEMA flood Plain elevation (Council member Stalling)

#### **Section VI – Informational**

##### **26. 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.

Mayor Neverdousky would like to congratulate Council Member Thornburg on his promotion to Director of Engineering

## **27. City Administrator's Report**

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

Mayor Neverdousky recessed to executive session at 11:27

## **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 any 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.

## **28. Executive Session**

### **a. Consultation with Attorney**

- i. *ES&CM v. Willow Park,*
- ii. *Personnel; contracts and temporary positions*
- iii. *Amending Hunters Glen Development Agreement*
- iv. *Legal; contracts*

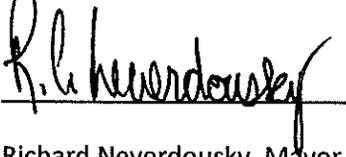
Mayor Neverdousky reconvened to open meeting at 12:50 AM

## **Section VIII – Adjournment**

### **Adjournment**

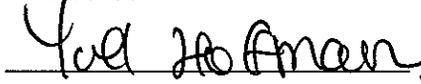
Mayor Neverdousky adjourned the meeting at 12:50 A.M.

APPROVED

Handwritten signature of Richard Neverdousky in black ink, written over a horizontal line.

Richard Neverdousky, Mayor  
City of Willow Park, Texas

ATTEST:

Handwritten signature of Yael Hoffman in black ink, written over a horizontal line.

Yael Hoffman, City Secretary  
City of Willow Park, Texas