



City of Willow Park
City Council
Special Meeting
516 Ranch House Road, Willow Park, TX 76087
Tuesday, February 26, 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
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. Special Recognitions

None

5. Citizen Presentations & Public Comments

None

Section II – Planning & Development

6. Consider accepting an Annexation Petition to replace the annexation petition accepted by the City Council by Resolution 20-12 on December 11, 2012 submitted by Willow Park Baptist Church of Texas, being a 10.10 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) more commonly referred to as the north and west side of 190 Crown Pointe Boulevard.

a. **Recess and to hold Public Hearing on Annexation Petition**

Mayor Neverdousky Recessed to public hearing at 7:06 PM

Public comments:

1. **Robert Cramer** - is the owner and operator of the "College Park" skilled nursing home in Weatherford and Georgetown. Mr. Cramer Requested the Council to approve the annexation. The facility that is going to be built will bring to the community 125 employees, revenue will be \$10 Million a year, taxes will be around \$100,000 a year. Time line the project will be completed before the end of the year. The facility will be well water for the sprinkler system. The usage of Water in the Weatherford Facility is 60,000-70,000 gallon a month. The developer is going to be solely responsible for building the road.
2. **Bill Ward** from the Willow Park Baptist Church – the Treasurer and chairman of the finance committee thanked the Mayor and Council for all the hard work for the city and the community. The Church petition for the annexation of the 10 acres to sell for two facilities which will help the church financially, it will help the church if you approve the annexation and help the developers start with their project. Mr. Ward said that the church has prepared a petition of annexation for all the property.
3. **Lisa Flowers** – President of the East Parker County chamber of Commerce – Mrs. Flowers would like to encourage Willow Park to bring more commercial to the City and in a timely manner. The chamber is here to promote business in our community and we are in favor of the "Assisted Living" Lisa, asked the Council to pass this annexation because it is good for the community.
4. **Dr. Shrestha** – practicing Gastroenterology in Weatherford - I see a great need for assisted living in this community. Assisted living home is a bridge between living at home and not quite ready to move into a nursing home. All of our plans are on stand still because of the annexation and he requested the council to approve it.
5. **Tami Fitzgerald** – College park rehab center administrator – this project will provide at least 120 jobs in the willow park community some unskilled but mostly skilled nursing staff certified by the state of Texas. It will bring jobs, it will help the economy, it will help the citizens of Willow Park to be able to take care and have their love ones at a facility close by and not have to drive to Fort Worth or Weatherford. I think it is needed and I hope we are going to annex it and move on.
6. **Pat Martin** - 19 Crown Rd – I am a citizen of Willow Park I have lived here for quite a while and I am not here to complain, I am here to help business come in to improve the city, I promote the city of Willow Park every day, I have a title company and I see what a developer needs to go thought to get things done. I am a member of the Willow Park Baptist church, from their stand point the quicker they get the annexation started the quicker that business will come here. And they can lower the debt. It is amazing how one stumbling can keep from something else to happen. The

city council does what they need to do, but it is stopping some money process which is costing money. These people are individual people and they cannot stand all the hiccups. A facility such as a nursing home is needed in the city.

7. **Chuck Struck** – from Barron Struck Engineering - mentioned that the developer of the Skilled Nursing home is ready to start, and sooner is better. The Zoning application and the site plan application have been submitted to the city staff and so has the developer agreement. Mr. Struck asked the council to go ahead and approve the annexation, so they can continue with the process in the March P&Z and council meeting.

b. Close Public Hearing and reconvene into open meeting

Mayor Neverdousky Closed the public hearing and reconvene to open meeting @ 7:46PM

c. Consider and Act on Resolution ____ Accepting the replacement Annexation Petition,

- i. A resolution authorizing acceptance the annexation petition submitted by Willow Park Baptist Church of Texas, being a 10.10 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) more commonly referred to as the north and west side of 190 Crown Pointe Boulevard.

***** Mayor Pro-tem Martin moved to adopt Resolution No. 03-13, a resolution providing authorization for the acceptance of a petition for annexation filed with the City of Willow Park, TX by Willow Park Baptist Church of Texas (Owners), a Texas cooperation, organized under the laws of the state of Texas for that certain 10.10 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 County, Texas ; and providing for a repealer and 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

7. Consider and Act on Ordinance 662-13 Authorizing Annexation,

An ordinance authorizing the annexation of that certain 10.10 acre tract of land situated in the Wesley Franklin Survey, Abstract No. 468, being a portion of that certain tract of land conveyed to Willow Park Baptist Church of Texas, as evidenced by deed recorded in Vol. 2896, Pg. 403 Deed records, Parker County, Texas (Charles F. Stark) more commonly referred to as the north and west side of 190 Crown Pointe Boulevard.

***** Mayor Pro-tem Martin moved to adopt Ordinance No. 659-13 an ordinance providing for annexation by the city of Willow Park, Texas of that certain 10.10 acre tract of land 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 County, Texas ; Providing for encompassing the area described by the Petition for annexation within the municipal limits of the City and extending to the inhabitants of the area the right and privileges of other citizens of the municipality and extending the jurisdiction of the ordinances and regulations of the city to said 10.10 acre tract; and providing for publication, recordation and 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

8. Consider the Planning and Zoning Commission recommendation to address by ordinance certain regulations and/or restrictions for Solar Panels and provide direction thereon.

Council directed staff to work to draft an ordinance to bring before council

9. Consider the Planning and Zoning Commission recommendation to address residential structures with Garage Openings Facing Frontal Streets by amending Ordinance No. 364-94 or other appropriate actions.

Council directed staff to draft an ordinance and bring it before the council

10. Consider Planning and Zoning recommendations concerning the density or allowed units per acre pursuant to Zoning Classification "R-3, Multi-Family District" by amendment or otherwise.

11. Consider Planning and Zoning recommendations concerning allowed uses in Zoning District "O – Office District" relating to limiting or excluding certain professional offices

Items 8-11 are action items for the City Staff!

Section III – Public Works

12. Consider requiring any change orders for Trinity well sites' power conversion and motors to require City Council approval. (Council Member Stalling)

Section IV- General Items

13. Review and approve correspondence to Parker County Emergency District No. 1 objecting to their proposed expansion of district boundaries that conflict with Willow Park Extra territorial jurisdiction.

This item will be discussed after executive session

attached the Fire presentation

14. Consider and Take Action on Ordinance No. ____, Relating to the Office of City Administrator authorizing certain changes or amending Chapter 8, "*Personnel*", Article 8.100 "*Office of the City Administrator*" in the Municipal Code of Ordinances. Tabled at the previous council meeting (Council Member Suchocki).

Council member Suchocki will redraft this ordinance and bring before council.

15. Consider and Take Action of Ordinance No. ____, authorizing the Planning & Zoning Commission, to Designate Officers; by amending Ordinance 636-11 or amending Chapter 12 "*Zoning*", Section 12.501 "*Organization and Procedure*" (Council Member Suchocki).

Place this item on the next council meeting agenda as old business

16. Discuss and consider directing the City Administrator to develop standardized policy and procedures to identify qualified professional engineers to provide engineering services including: a standard Request For Qualifications (RFQ); procedures for bidding projects; contracting for a City engineer or contracting with an Engineering Firm for Plan Reviews and other Engineering as needed. Findings should include how to develop a scope of work and cost analysis. (Council Member Podany)

Place this item on the next council meeting agenda as old business

17. Discuss and consider directing the City Administrator to complete a study of policy and procedures for ordinance codification, including a cost analysis of online or business services to codify ordinances. The cost analysis should compare the cost of the online municipal ordinance services compared to the cost of attorney fees for same. (Council Member Podany)

Place this item on the next council meeting agenda as old business

18. Discuss and Consider directing the Planning and Zoning Commission to review and evaluate an Article 12.600 "*Sign Ordinance*" and evaluate and review the I 20 Overlay Zoning Ordinance concerning Billboard, Electronic Signage, and Media Boards. (Council Member Podany)

***** Council member Podany moved to direct the P&Z along with the BOA to reevaluate and review the Overlay Zoning Ordinance concerning Billboard, Electronic Signage; 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

19. Discuss and Consider an Agenda Setting Process (*see*, Chpt. 1, Section 1.404(g) Mun. Code of Ord.), including procedures for Agenda Placement by the Planning & Zoning Commission (Council Member Stalling)

No action

20. Discuss and take action to authorize the Police Department to Dispose of property through auction (Chief Johnson)

***** Mayor Pro-tem Martin moved to authorized the Police Department to auction the police vehicles for the best value; 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 V – Informational

21. 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.

None

22. City Administrator's Report

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

Excess Leave (Comp, Vacation)

- On December 31, 2012 the City had a combined comp time & vacation liability of \$178,877 with an excess leave value of \$72,156
- 21 employees have been placed on action plans to reduce excess leave.
- Enforce caps on leave accruals and accounting for the expenditure
- This should reduce the city's excess leave liability for comp time & vacation time by over \$50,000 by the end of fiscal year to \$21,331

Staff reorganization

- Finance Office adjustment: City Secretary, Financial & Budget Analyst, Finance Technician
- Development Services: Chief Building & Code Official, Development Services Coordinator
- Public Works: Public Works Superintendent, Crew Leader, Interim Wastewater Plant Operator

City Limits/ETJ/Zoning Map

- Staff received a quote of \$17,500 from LAN for this service
- Staff has asked Freese & Nichols to also provide a quote for mapping services

TECQ/Tarrant Regional Water District

- The city has been notified of a TECQ petition for rule making
- New rule would require adding a phosphorus treatment if the city upgraded the size of the wastewater plant.

Water Development Board

- 21,000 linear feet of line replacement
- \$685,000 loan @ 1-3% interest
- Item has been moved to the April agenda
- Board is performing its due diligence on the application
- Requested the FY 2012 audit and address items from FY 2011 audit

Water Bills

- The firm that prints & mails the city's water bills is changing its format
- The tear off payment coupon will now be at the bottom of the page
- The new formatted bill will arrive in approximately two months

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.

Mayor Neverdousky recessed to executive session at 11:12

23. Executive Session

a. Consultation with Attorney

- i. *ES&CM v. Willow Park*, No. CV11-1093, 43rd District Court, Parker County
- ii. *Willow Park v. TCEQ*, No. D-1-GV-12-000220, 261st Dist. Ct., Travis Co., Texas
- iii. *Consultation with Attorney over engineering*

Mayor Neverdousky reconvenes to open meeting at 11:50 PM

Item 13 tabled until the next council meeting

***** Mayor Pro-tem Martin moved to postpone the date of the March meeting from the Second Tuesday to the fourth Tuesday; Seconded by Council Member Thornburg**

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

Nay votes: None

Abstained: None

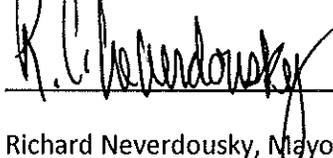
Motion passed with a vote of 4-0-1

Section VIII – Adjournment

24. Adjournment

Mayor Neverdousky adjournment the meeting at 12:00 AM

APPROVED



A handwritten signature in black ink, appearing to read "R. Neverdousky", is written over a horizontal line.

Richard Neverdousky, Mayor
City of Willow Park, Texas

ATTEST:



A handwritten signature in black ink, appearing to read "Yael Hoffman", is written over a horizontal line.

Yael Hoffman, City Secretary

City of Willow Park, Texas