



City of Willow Park  
City Council  
Regular Meeting  
516 Ranch House Road, Willow Park, TX 76087  
Tuesday, October 15th, 2013 at 7:00 p.m.  
Minutes

**Section I – Presentations**

**1. Call to Order**

The Mayor called the meeting to order at 7:00 PM

**2. Determination Of Quorum**

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

**Also Present:**

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

**Absent:**

Council Member Dan Stalling due to a medical condition

**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.

**Mary Tatum and Sara Linn** – requested that the City of Willow Park consider a donation to the Aledo Middle School Band.

**\*\*\* Mayor Pro-tem Podany moved to recess to executive session to discuss ES&CM.** Seconded by Council Member Martin

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

Nay votes: None

Abstained: None

Motion passed with a vote of 4-0-0

Mayor Neverdousky recessed to executive session at 7:10 PM

Mayor Neverdousky reconvened to open meeting at 7:35 PM

**\*\*\* Council Member Martin moved to move item 9 and 11 before item 6** Seconded by Council Member Martin

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

Nay votes: None

Abstained: None

Motion passed with a vote of 4-0-0

9. Receive presentation for Engineering Services (Mayor Neverdousky)

Shannon Nave and Konstantine Bakintas from Baird, Hampton & Brown INC presented their firm before council for City Engineering services.

11. Receive presentation for Codification Services

Kirk Franklin from Franklin Legal Publishing presented his firm before Council for Codification service.

## **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.

- 6. Approve and Act on Consent Agenda**
  - A. Regular Meeting Minutes – September 17, 2013
  - B. Special Meeting Minutes - September 20, 2013
  - C. Special Meeting Minutes – September 24, 2013

**\*\*\* Council Member Thornburg moved to adopt the City Council minutes dated September 17, 2013, September 20, 2013 and September 24, 2013 as submitted by the City Secretary earlier today. Seconded by Council Member Martin**

**Mayor Pro-tem Podany amended Mr. Thornburg's motion by approving the minutes dated September 20, however there is a problem with the September 24<sup>th</sup> minutes as provided with item 11 it is directly stated that the motion passed, it did not get a majority vote.**

**After counseling with the city attorney, the City Attorney stated that the motion passed.**

**Mayor Pro-tem withdrew her amendment for the motion.**

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

**Nay votes: None**

**Abstained: None**

**Motion passed with a vote of 4-0-0**

## **Section III – Public Works**

~~**7. Discuss and authorize the Mayor to execute a contract with North Texas Contracting for the scope of work defined in Willow Park "Sewer System Improvements", Request For Proposals (Wasteline Project No. 21111, July 2013) in the amount bid by North Texas Contracting in amount not to exceed \$1,125,168 with 5% contingency (Mayor Neverdousky)**~~

- 8. Receive report on Wastewater System operations (Mayor Neverdousky)**

**Bill Osborn gave the Mayor and Council report on the Wastewater system operations.**

9. Receive presentation for Engineering Services (Mayor Neverdousky)

#### **Section IV- General Items**

10. ~~Discuss and authorize the Mayor to execute a professional services contract with George, Morgan and Sneed, Certified Public Accountants, to conduct and prepare an Audit Report for the City of Willow Park for Fiscal year 2012-2013.~~
11. Receive presentation for Codification Services
12. Appointment of Planning and Zoning Commissions

Mayor Neverdousky recommended reappointing David Fritz and Tim Griffiths as Planning and Zoning Commissioners for a term of 2 years.

**\*\*\* Council Member Martin moved to adopt the Mayor`s appointment of David Fritz and Tim Griffiths to 2 years term each for the City of Willow Park Planning and Zoning Commission**  
Seconded by Council Member Suchocki

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

Nay votes: None

Abstained: None

Motion passed with a vote of 4-0-0

#### **Section V – Councilmember Requested Items**

13. **Status Update/Discussion:** a presentation of (1) an updated TimeMap, (2) status of ongoing action items, (3) the updated Willow Park Fire/Rescue Document Rev3.101513, (4) drafts of three proposed legal documents for review/modification by the City Attorney and (5) overdue action item regarding the identification and production of draft legal documents {Council Member Bernard R Suchocki}
14. **Discussion/Action:** review and make modification to the Willow Park Employee Manual, including any and all purported provisions or clarifications. {Council Member Bernard R. Suchocki}

This item will be discussed at the next Regular Council Meeting.

15. **Discussion:** identification and production of any & all documentation relating to TCEQ violation(s) as such was hidden in item 40-8415 “fines & penalties,” in the FY 2013-2014 budget, including (but not limited to) the rationale for management failure to inform City Council of the violations, the

date of the imposition of the fines & penalties, the total amount of the fines & penalties, and the number of times such violations have occurred since January 1, 2010. {Council Member Bernard R. Suchocki}

**\*\*\* Mayor Pro-tem Podany move to recess to executive session to discuss item 15** Seconded by Council Member Martin

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

Nay votes: Suchocki

Abstained: None

Motion passed with a vote of 3-1-0

Recess to Executive Session at 9:05 PM

Back to open meeting at 9:31 PM

16. **Discussion/Action:** identification of any city ordinance, resolution or guideline or the rationale for withholding available documentation to City Council such as Responses to Request for Proposal/Qualification, violations, fine & penalties and refusal to disseminate requested draft contracts to City Council members when such are produced to the City Attorney. {Council Member Bernard R. Suchocki}
17. **Discussion/Action:** Review the status of current Code of Ordinances text and direct staff to post draft chapters on-line with appropriate disclaimers. (Council Member Martin)

**\*\*\* Council Member Martin moved to receive council authority to coordinate with the City Secretary to obtain current electronic versions of approved ordinances to complete generating accurate records of each chapter of the Willow Park Code of ordinances** seconded by Council Member Thornburg

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

Nay votes: None

Abstained: None

Motion passed with a vote of 4-0-0

18. **Discussion/Action:** On a Resolution to direct Staff in conjunction with Planning and Zoning Commission and one Councilmember, to review current Willow Park Sign Ordinances including but not limited to: IH I20 Overlay Zoning District, Municipal Code, Art 12.600 "*Sign Regulations*" any amendments thereto or other rules or regulations relating to outdoor advertising enforced by the City. Staff is directed to recommend changes to current Ordinances or draft a new ordinance that uniformly addresses: "On Premise" and "Off Premise" signage; defines the type or class sign of sign (e.g. wall, pole, monument); considers authorization of electronic signage; addresses sign structural

requirements and permissible size, administrative review and enforcement procedures to erect or maintain signage; and other matters deemed relevant. (Mayor Pro-tem Podany)

19. Discussion/Action: On a Resolution to direct Staff, Planning and Zoning Commission, and One Councilmember to propose a Sidewalk/Streetscape Ordinance that could be applied to Industrial, Commercial, Retail, and Residential Zoning Classifications, or other Zoning areas as deemed necessary. Staff should review all current Sidewalk Ordinances' including but not limited to: Municipal Code Chapter 9 "Subdivision" Ordinances, I20 Overlay Zone Ordinance, and any other Ordinances where sidewalks are noted. The review should also include relevant statutory provisions from the TEXAS TRANSPORTATION CODE, including Subtitle H "Highway Beautification" and relevant provisions of the TEXAS ADMINISTRATIVE CODE. A proposed ordinance or amendments to existing ordinances should recognize and consider the design and aesthetic benefit of buffers, trees, landscape models, aesthetic/amenity components, provisions for walkability, and safety for all Zoning Classifications. The Recommendations should also include, but is not limited to: sidewalk corridors, streetscape elements, amenities, landscape guidelines, utilities, walkability to include for disabled, walkability zones, storefront zones, sidewalk pavement guidelines, new road/transportation streetscape/sidewalk criteria for all Zoning/ Subdivision areas (Mayor Pro-tem Podany)

**\*\*\* Mayor Pro-tem Podany moved to table items 18 and 19 until the next regular Council Meeting. Seconded by Council Member Thornburg**

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

Nay votes: None

Abstained: None

Motion passed with a vote of 4-0-0

20. Discussion/Action – Establish procedure for contract review and approval (Mayor Pro-tem Podany)

**\*\*\* Mayor Pro-tem Podany moved to establish procedures for contract review and approval with provisions set forth as to following the City of Willow Park contract review process with items to include a red line version given to the City Council from the City Attorney also that we will stamp date the draft version and also that council be allowed to obtain a flash drive or disk**

Mayor Pro-tem Podany withdrew her motion.

Council member Suchocki and Mayor Pro-tem Podany will work together to create a procedure for contract review guidelines and present it before Council

**\*\*\* Mayor Pro-tem Podany moved to table item 20 until the next Regular Council Meeting.**  
Seconded by Council Member Suchocki

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

Nay votes: None

Abstained: None

Motion passed with a vote of 4-0-0

### **Section VI – 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.

Business expo Thursday Oct. 17<sup>th</sup>. The city will have a booth.

Parkfest Saturday October 19<sup>th</sup> 10AM – 6PM

Comprehensive Plan October 24<sup>th</sup> start 7:00

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

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

Business expo Thursday Oct. 17<sup>th</sup>. The city will have a booth.

Parkfest Saturday October 19<sup>th</sup> 10AM – 6PM

Comprehensive Plan October 24<sup>th</sup> start 7:00

Mayor Neverdousky recessed to excusive session at 10:50 PM

### **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.

**23. Executive Session**

**a. Consultation with Attorney**

- i. ES&CM v. Willow Park*
- ii. Contracts*
- iii. Personnel – City Secretary Performance review*
- iv. Management Personnel*
- v. City Administrator directive*
- vi. Economic Development*

Mayor Neverdousky reconvened to open meeting at 11:17 PM

**Section VIII – Adjournment**

**24. Adjournment**

Mayor Neverdousky adjourned the meeting at 11:18 PM

APPROVED



Richard Neverdousky, Mayor  
City of Willow Park, Texas

ATTEST:



Yael Hoffman, City Secretary  
City of Willow Park, Texas